

January 31, 2006

**PUBLIC HEARING**

**POPHAM WOODS CONDOMINIUMS SUBDIVISION  
(DIRIGO HOLDINGS)**

Planning Board Chairman, Marie Varian, opened the meeting at 5:00pm at the Phippsburg Elementary School. Other Planning Board members present were: Steve Thayer; Clifford Newell; Robert Smith; Alternates Josh Bate and Mark Hawkes.

Bruce Poliquin was represented by Land Use Consultant Terrance deWan; Mark Bergeron, Engineer at Pinkham and Greer; Hydrogeologist John Sevee of Sevee and Maher; and Steven Theodore of Theodore and Theodore Architects. The meeting was attended by 23 citizens.

Poliquin advised that the Subdivision will consist of four separate model home designs, three of them being single family residences and one would be a duplex. He explained that instead of selling lots, the prospective buyer will own the building and everything outside of that will be common land. so essentially there will be no lots to be sold. He added that he will stay with the project until it is ended which will be phased in over a period of several years. He pointed out, on one of several maps the roads and stated that the roads will be private roads as opposed to being maintained by the Town. He further pointed out an existing second entrance to the property named Brooks Drive. The road will serve to access the common septic system area which will service the entire 69 unit Subdivision. There will also be a common well system for all 69 units. He added that an impact on Town services is not anticipated since it is expected that most of the residents would be part-time retirees who have second homes elsewhere.

Terrance deWan next introduced himself and stated that at the onset of the project the land was analyzed. He advised that when the project was first started, the wetlands and steep slopes were noted as well as buffers. He further stated that the site analysis identified the zones of suitability and unsuitability. Buffers around the wetlands were noted. He added that there are some areas that can possibly exceed the minimum requirements. A 150' buffer will be maintained from Route 209 to maintain privacy as well as maintaining the rural character of the road. He pointed out on the map some very steep areas on the site but felt that, for the most part, there are many opportunities on the property for wells and septic systems. After evaluating the advantages vs. the disadvantages, the Engineering team felt it was more advantageous to have a common engineering system and common well/wells.

He described the buildings that will be constructed on the site as being single family homes and duplexes which will be placed in pods or clusters. He explained that one of

the things that the team was very careful about was the design of the access road, taking into consideration the accessibility of access/egress in both directions. He pointed out the proposed community center, the proposed two tennis courts, picnic area, and trail system that runs through the property. He advised that the buildings will be designed to take advantage of the site.

Architect, Steve Theodore, stated that his firm is very interested in designing buildings that are appropriate, that will not be oversized and be a mixture of approximately four different unit types that could be adapted to a specific site on the property. He added that it is very important to look at neighboring buildings that surround the area. The design has not been started at this point, but he advised that they would like them to be passively heated and energy efficient as much as possible. Another important thing, he added, is a sense of privacy and having the homes fit into the neighborhood and have meaningful common spaces such as hiking paths and trails. He stated that they are interested in keeping the height of the buildings low such as a cape, cottage style, or New England type arrangement. Driveways would be combined as much as possible to cut down in impervious surfaces. He further advised that this project will be done in phases giving them an opportunity to see what is most successful.

John Sevee next advised the Board that his involvement with the project is ground water, tracking ground water flow, ground water supplies, etc. He is also involved in the leach field areas and looking at the water quality and water supply associated with that. Relative to the leach field he stated that, early on in the project, suitable soils were found that had ground water drainage that was internal towards, as opposed to away from, the Subdivision allowing the effluents to move away from the property lines. An analysis was performed that meets DEP criteria. There will be no impacts on the surface water, the marsh, the surrounding properties or any surrounding wells. He addressed the water supply and advised that, because the leach field system was located in the rear of the property, the water supply would be kept away from the downgraded portion of the homes. Available data shows that there should be sufficient quantities of water at the site. It has been determined that the water usage on the property will be less than 20,000 gallons a day or an average of 14 gallons per minute. The property will collect 60 gallons per minute of recharge. From a groundwater standpoint, the net groundwater usage on the property is zero. A drawdown during a drought year should not result in lack of water for surrounding users.

Mark Bergeron of Pinkham and Greer, Civil Engineers, explained that his role in this project is the permitting design of the Civil Engineering aspects such as road design, the common septic area and wastewater systems. He stated that they have tried to minimize road cuts, and have engineered the common septic system. An annual survey of that system will be forwarded to the Codes Enforcement Officer. The access/entrance road has been permitted by the DOT and he expects that the traffic generated from the

Subdivision will cause minimal impact to the Town. It is anticipated that approval from the DEP will be received in June or July, 2006. An approval from the ACOE has been received. He further addressed stormwater management.

Jo Shuman of the Popham Road stated her concern about water supply. She advised that Woodward and Curran has done a study regarding the availability and quality of water in the area and 'red-flagged' six areas and stated that "one of them was right under this property." She asked if there is a guarantee of water quality and quantity to abutters in the surrounding area. She further asked Varian if the Planning Board has the authority to say 20,000 gallons of water from a 'red-flagged' area is too much and that the project should be downsized.

Varian answered that the Board would have some authority along that line and would pay attention to what Woodward and Curran has said. She added that the Board would also pay attention to what the Hydrogeologist says. She advised that where the Board would go from that point on, isn't known but, if there is a conflict, the Board would have to check it out.

Shuman then addressed John Sevee and said that most of the studies done were of the general area as opposed to the proposed Subdivision site. Sevee replied that the Woodward and Curran study has been reviewed and one of the maps identifies a high yield bedrock zone which is where water could be readily obtained for individual wells. He explained that that particular zone is in the north portion of the property and added that it is consistent with the findings that were made when they reviewed the Maine Geological Survey Data which showed wells with greater than 10 gallons a minute yields on all sides of the Subdivision site. He added that no wells have been drilled at this time.

Steve Norris of Popham asked what number of wells in the area show adequate water. Sevee replied that he does not have the numbers at this time and further explained the geologic properties of ledge and water.

A member of the audience asked how the Planning Board will look at the water supply data.

Varian replied that the burden is on the applicant to provide the Planning Board with the information in order that they can make a decision. She added that in Poliquin's Preliminary Plan there is certain information regarding water supply. As the Board goes through investigating the documents, questions will come up regarding concerns from abutters and other residents and those concerns will be spoken to, she stated.

Sevee explained that the DEP will review the report by the developer regarding water availability and quality.

Varian advised that any part of the Woodard and Curran study is available at the Town Hall and is open for public scrutiny. The Comprehensive Plan Committee also has more information than the Woodard and Curran study, she added.

Pat Percy of Popham spoke of the Special Town Meeting held on January 25, 2006 regarding a moratorium on Subdivision Applications. The meeting was one of the largest in the Town's history, she said. She added that approximately eight out of ten people attending the meeting were in support of the Planning Board, the Selectmen, the Appeals Board and the moratorium was soundly defeated. She asked Poliquin why he has named the Subdivision Popham Woods instead of Spruceville Woods. Poliquin answered that Popham Woods would more closely identify with the area. Percy then asked a question regarding Brooks Drive and questioned Poliquin about the access of the road to Town-owned property and further asked if the Town could access its own land on his road. Poliquin answered that he has no plans to allow use other than to access it for emergency vehicles and to service the community septic system

Attorney Michael Therriault next spoke to the Board. Therriault is representing Charles Konzelman owner of Ocean View Campground in Popham. The campground abuts Poliquin property on Popham Beach and, in the past, Poliquin has spoken to the Board about the possibility of using his property on the beach as a beach club. Varian advised Therriault that the beach club is not part of Poliquin's application and that the original plan did include the beach property but that the present plan does not. She added that if it ever comes to the possibility of development of the property, the applicant would need a New Business Permit and receive permission by a joint meeting of the Selectmen and Planning Board.

Parker Head resident, Jean Perkins, asked what type of blasting will be used and how it will affect the fractured bedrock. Mark Bergeron advised that the State has standards for blasting and explained the blasting and pre-blasting procedures. Perkins also asked what will an abuttor do if the blasting ruins the water. Poliquin advised Perkins that if an abuttor has a problem with their well he would fix it. Varian stated that it would be a condition of approval to the Subdivision. In answer to further questions, he replied that the homes will be designed for full, year round use and, depending on demand, plans are to construct some 12 units a year.

Jo Shuman brought up the subject of affordable housing and stated that the homes will be

priced way beyond the reach of the average buyer. Poliquin replied that the project was not designed for affordable housing and added that the project cannot solve affordable

4

housing problems in Phippsburg. He further advised that local contractors will be utilized, depending upon their experience. The homes will be 2000-3000 square feet.

John Wood, Surveyor, representing Manli Ho (Map 45, Lot 47.03), Michael Connolly (Map 45, Lot 47.02) and Frances McDonald (Map 45, Lot 47), abutters to the proposed Subdivision and, while he is not opposed to the project in principle, he voiced concerns with the east buffer of McDonald's property and noise from the proposed tennis court. He advised that Poliquin install a wooded buffer. He stated that he hoped Poliquin would make some changes in the final design. He asked about access to Town land and was told that there are no plans to do anything about that at this time because it is not part of the Subdivision.

Poliquin advised Wood that it was his feeling that he, Wood, Connolly, and McDonald meet before the Final Plan is submitted.

Norris asked about the size of the leach field and was advised that there will be four leach fields each approximately 50' x 80' in size.

Varian advised that a site walk would be conducted on the property on February 5 at 8:30am, weather permitting.

Norris asked about the timetable for the Subdivision. Varian answered that the plans are in the preliminary stage, that the application has been turned in as well as his plan for the preliminary procedure. She further explained that the Board has 60 days to approve the Preliminary Plan and that that time can be extended if extenuating circumstances warrant it.

There being no further comments or questions, Varian closed the meeting at 6:25pm.

Respectfully submitted,

Marion H. Hebert

Recording Secretary/  
Planning Board Member

5

5