

Dresden Planning Board
P. O. Box 30
Dresden, Maine 04342
Meeting minutes for Monday, March 15, 2021

Present - Jeff Pierce (Chairman), Jay Cummings, Patty Stewart, Steve Stone, Peter Elvin and Dan Hanley (Vice Chairman).

We have one vacancy at this time.

Others present – Timothy Schwerling (applicant), Kirsten Hebert & Chris Cossette (Calista Vista), Gerry Pepin (Calista lot owner), Allan Burke, Gerri Dubey (abutters), John Rzasa (1st Selectman), Gerald Lilly (2nd Selectman), Kim Rzasa (resident), and Shari Lilly (recording secretary).

NOTE: As per order of the Governor due to the CoVid-19 pandemic, the social distancing restrictions and face covering guidelines are still being followed.

Jeff opened the meeting at 6:30 p.m. The Pledge of Allegiance was then recited.

ITEM #1 – Review minutes of March 01, 2021 – Motion to accept by Dan; Steve seconded; motion passed by show of hands of those present and voting.

ITEM #2 – Application Review – Timothy Schwerling – 212 Common Road – Proposed Minor Subdivision – Mr. Schwerling is requesting to divide a section of a 1.44 acre property he purchased a couple of years ago from Kerry Bryant, located on Chokecherry Lane (formerly Penibagos Trail). Jeff noted that it has been more than the five (5) year limitation for division of property. Mr. Schwerling has provided a map of the property that each member has had the opportunity to look over. Jeff asked if any of the Board members have any questions. He told all that Mr. Schwerling has provided a copy of his deed and all the other required paperwork. He added that it does fall within the Town ordinances. With no questions from the Board, Jeff made a motion to approve the division; Dan seconded the motion; all members voted in favor by a show of hands. Jeff then explained that he will issue a C.U.P. which will include the standard three (3) conditions – DEP Best management practices for erosion control, all Federal, State and Local laws and ordinances to be adhered to, and follow the Dresden Recycling. Mr. Schwerling will need to have two (2) copies of his plan, plus a Mylar taken to the Town Office for the Board members to sign with these conditions included. He should also have a Mylar for himself.

ITEM #3 - Kirsten Hebert & Chris Cossette – 8-Lot purchase at Calista Vista – Request for Change of Conditions - Ms. Hebert & Mr. Cossette have met with the other landowners since they last met with the PB. They have now created a Home Owners Association (HOA) and are making plans for moving forward. They are here with an application for “Change of Conditions”. The following is included in their request.

- 1.) Remove the boundary lines for lots 7 thru 10 in order to create one lot.
- 2.) Fire Protection – Instead of a fire pond or cistern, installation of a sprinkler system in the construction of homes (unless the other owners want to do their own water system.)
- 3.) Change of road name – With so much negativity attached to the present road name, they

would like to change it.

4.) Each lot owner will be responsible for installation of power.

Ms. Hebert & Mr. Cossette have presented this application to replace the notice issued on 10/10/2020 by property owner, Mary Fabus.

Steve wants to make sure that other property owners involved are being represented by this application, especially those who are not present at this meeting. Ms. Hebert stated that the lot owners, except for Lot #1, were in attendance at their meeting and have signed the HOA. She does have a copy she has provided to the PB Chairman. The 'Road agreement' hasn't been signed yet and Jeff reminded all that the road still needs to be widened out per instruction of the Fire Chief for safe two-vehicle passage and emergency vehicles.

Jeff went on to address the requests listed on their application.

1.) Remove property lines – Book 80 – 89) Lots 7 thru 10.

PB cannot change the boundary lines. The owner has to do it through their attorney and the registra of deeds. Steve asked if there is any follow-up to that. Jeff said the Registra of deeds would send the information to the Town Tax Assessor who would then change it in the tax book and pass the information on to the Town Tax Collector. We would then see it through the tax book.

Mr. Cossette said he has to get PB approval before they can begin the action with the attorney.

Dan asked if the CEO would check the road. Jeff said it would be the Fire Chief who initially stated the widening of the road in his assessment letter. He would be able to tell if it has been made wide enough for safe passage for both passenger and emergency vehicles.

2.) Replace fire pond or cistern with sprinkler system. Jeff noted that the Fire Chief has provided a letter stating that he approves of the sprinkler system. However, it is felt that lots #1 & 13 should be exempt as they are existing homes. Jeff asked if all the owners present are in agreement, to which all affirmed they are. Dan asked if it would be applied to the HOA. Jeff said it would be on the 'Change of Conditional Use'. Jeff reminded all that the original subdivision was to have a fire pond. Mr. Burke stated that he already has a fire pond. Jeff said he is sure that's why the Fire Chief thought it would be more effective for the sprinkler system to be installed in order to save valuable time. Patty said it should be a fire pond for those people who can't or don't want to put in a sprinkler system. Ms. Hebert said it would be a choice for anyone building. Mr. Cossette explained the expense and maintenance for a fire pond or cistern, plus the State Fire Marshal's Office suggest getting away from them and going to a sprinkler system. Also, it could take a lot of space to put in a fire pond or cistern; perhaps even imposing on neighbors. Also, you have to consider liability. Patty said it seems that the sprinkler system would be a much better source and less expensive. Steve said we can authorize the change, but thinks it should be a choice.

Jeff said, in agreement with Ms. Hebert, he has listed both the sprinkler system or fire pond so as not to burden any of the owners.

3.) Change of Road Name – As much as we would rather not hear of Calista Vista, Jeff is not sure if the PB can do that, but this Board has no issue with changing it to Mountain View. Everyone agrees it would be nice to not have the Calista Vista name as a reminder. All Board members agree the change would be a big plus.

4.) Owners responsible for their own power. Steve feels that if all the owners have agreed to this, he doesn't feel this is anything we should deal with. Jeff said it would need a change as originally it had to be an underground power system.

Jeff said the PB would not issue a 'Change of Conditional Use' until they see all the owners' names on the updated HOA & Road Maintenance agreement in order to be sure they are all in agreement.

Finding of Facts – The Change of Conditional Use Permit is pending the closing of the property sale and providing copies as requested to the PB.

5.) The PB will need a copy of the HOA as filed with the State as well as the road maintenance agreement. This will exempt Lots 1 & 13 from the change of item #2. The HOA must have all those involved listed.

Dan asked if the homeowners will be responsible for the 'Common Area'. Jeff said that is off the table as the Town owns that due to foreclosure and it will have to go through civil litigation.

Peter wants to know for sure that the other owners who are not here are in agreement. Jeff said we will require that all those owners will need to sign the agreement.

Steve then made a motion to accept the requested Change of Conditional Use of Calista Vista as presented. Jeff added to include #5 above and also to make sure we cannot do anything until the purchase is finalized. Motion was seconded and passed unanimously by a show of hands of all those present and voting. Ms. Hebert & Mr. Cossette are to notify the PB as soon as they have closed the sale.

ITEM #4 - New Business – None.

ITEM #5 – Other Business – a.) Board Vacancy – Jeff said there is a couple of names at the Town Office so he'll let the Selectmen know so they can appoint someone.

b.) Ordinances – Jeff said we need to go over our ordinances. He wants to have a workshop at our next meeting. All members are asked to look them over and have any suggestions or comments for discussion. As we don't belong to MUBEC, we have ordinances that no longer apply, so we need to take the time to update them.

ITEM #8 - Adjournment – Jay motioned; Steve seconded. So voted at 7:35 p.m.

Respectfully submitted,
Shari Lilly (Recording Secretary)