

**PLANNING BOARD MEETING MINUTES
FEBRUARY 14, 2022
(POSTPONED FROM FEBRUARY 7, 2022)**

MEMBERS PRESENT

**MOLLY BUTLER-BAILEY, CHAIRWOMAN
JAMES ANDERSON
SUSAN DURST
GEORGE FOX
VINCENT GRASSI
THOMAS HUGHES**

MEMBERS ABSENT

SCOTT FIRMIN, VICE CHAIRMAN

STAFF PRESENT

**THOMAS POIRIER, DIRECTOR
OF COMMUNITY
DEVELOPMENT**

STAFF ABSENT

**CAROL EYERMAN, TOWN
PLANNER**

Chairwoman Molly Butler-Bailey called the meeting to order at 7:00 p.m. The roll was called with Scott Firmin absent. The Chairman noted that the applicant for Item 3, Pre-application for Les Wilson & Sons, Inc., has withdrawn the item from the agenda for consideration this evening.

APPROVAL OF THE JANUARY 3, 2022 MEETING MINUTES

George Fox MOVED and Thomas Hughes SECONDED a motion to approve the January 3, 2022 meeting minutes as written and distributed. Motion CARRIED, 6 ayes (Scott Firmin absent).

COMMITTEE REPORTS

- A. Ordinance Review Committee:** Chairman Grassi reported that this committee met on prior to this meeting and discussed Code amendments for agritourism and performance guarantee and site plan review process. The agritourism item was forwarded to the full Board for hearing at the next meeting, and there will be another workshop to discuss the performance guarantee and site plan review process item.
- B. Comprehensive Plan Implementation Committee:** Chairman Anderson reported that this Committee did not meet.

ADMINISTRATIVE REVIEW REPORT:

Mr. Poirier reported that there are two administrative reviews have gone through the process: Grondin did a small addition to their existing facility and have received approved and have had their preconstruction meeting. The second review was for Sebago Brewing at their Village location, to expand the wall out closest to Elm Street and re-organize.

ITEM 1 Private Way Amendment - Robert Houp, Brandon's Way - a request for approval of a 671 foot extension to the existing Brandon's Way, extending the private way into applicant's existing 12.2 acre lot and splitting the lot into 3 lots. Zoned SR, Map 75, LOT 3.

Mr. Poirier told the Board that comments have been received from an abutter, Rose Ellen Kennie, which he read into the record as follows:

I, Rose Ellen Kennie as a property owner adjacent to Brandon's Way am writing to inform members of the Gorham Planning Board and all others concerned that there is a high possibility of my taking legal action against the Town of Gorham for the unresolved water issues that my home and property has been subjected to because of the location of the original driveway that later became known as Brandon's Way.

The unresolved water issues I am referring to has to do with land erosion, that now has tree roots showing, water in our basement that needed to be sealed etc... etc...

The former town engineer Bill Taylor upon granting the original driveway permit diverted the natural flow of water which years prior to driveway/private way used to come in on the side of my driveway at 159 Line Road.

There is no way of knowing what the end results of this matter will be but I wanted you all informed of my need to protect my home and property. My desire is for peace with my neighbors but not at the expense of my home and property.

Thank you,
Sincerely,
Rose Kennie

Peter D'Alfonso appeared on behalf of Robert Houp, saying that the project is an extension of an existing private way, Brandon's Way, off Line Road, which serves three buildings and built around 2000. The applicant wishes to extend Brandon's Way 670 feet to add two lots

PUBLIC COMMENT PERIOD OPENED: None offered.
PUBLIC COMMENT PERIOD ENDED

The Board and Mr. D'Alfonso discussed the abutter's concerns, ultimately concluding that this application will not impact the abutter based on the topography of the lot at the applicant's proposed extension and that the abutter's concerns were caused by the first phase of approval of Brandon's Way.

Mr. Poirier cautioned that if the private way is serving 6 lots, 3 on the existing with 3 more proposed, if any of those existing houses has an in-law apartment, that is counted as two dwellings. So 3 lots may not be possible if there is a house with an accessory apartment resulting in more than 3 dwellings on the existing private way. Accessory dwellings are considered exempt from space standards, but they are not exempt from the number of dwellings for a private way.

Mr. Anderson and Mr. D'Alfonso discussed the grades of the proposed Brandon's Way extension. In reply to a question from Mr. Anderson, Mr. Poirier said the Board never reviews private ways for lot standards, the Board is only reviewing and approving the private way. Once the private way is approved, the Code Officer will determine to make sure that minimum lot sizes and road frontages are met.

George Fox MOVED and Vincent Grassi SECONDED a motion to grant Robert Houpp's request for approval for Brandon's Way extension, a 671 foot private way designed to the Town's 2-6 lot/dwelling unit gravel private way standard, located on Map 75, Lot 3 and situated in the Suburban Residential zoning district, based on Findings of Fact and with Conditions of Approval as written by the Town Planner. Motion CARRIED, 6 ayes (Scott Firmin absent).

ITEM 2 Private Way - Grant and David Gushee - Gushee Drive - a request for approval of a 875 foot private way off Ira Drive to serve two lots. Zoned SR-SH, Map 75, Lot 2 and 2.004.

Mr. Poirier advised the Board that the applicant is requesting a waiver to the slope requirements due to an existing stone wall, asking for less than the required 14 foot wide ditches, in order to avoid moving or damaging the wall. Mr. Poirier gave the same caution as the previous application about accessory apartments counting as dwellings, which could impact the number of lots.

Drew Olehowski, Haley Ward, said he believes that the peer review comments have been addressed, with the major item being the slope requirements to avoid the historic rock wall. He noted that they have spoken to Buxton about the project, and said that Buxton has no issue with the project at the time. While Buxton is not requiring any additional review process, they would like to be involved in the pre-construction meeting.

PUBLIC COMMENT PERIOD OPENED: None offered.
PUBLIC COMMENT PERIOD ENDED.

In reply to Mr. Anderson, Mr. Olehowski replied that there are plan notes to add riprap to the steeper slopes to protect the rock wall. Mr. Fox said that as long as the peer review supports the applicant about adding riprap, he has no issue with granting the waiver.

George Fox MOVED and Thomas Hughes SECONDED a motion to approve the requested waiver from showing and constructing the required maximum slopes of either 3:1 or 2:1 and for less than the required 14 foot wide ditches that are shown in the 2-6 lots gravel private way within Chapter 2 Section 2-5 Figure 9 in specific locations along the private way to avoid moving or damaging the existing historic rock wall. Motion CARRIED, 6 ayes (Scott Firmin absent).

James Anderson MOVED and George Fox SECONDED a motion to grant Grant &

David Gushee's request for approval for an 875foot private way designed to the Town's 2-6 lot/dwelling unit gravel private way standard, located on Map 75, Lot 2 and 2-4 and situated in the Suburban Residential zoning district, based on Findings of Fact and with Conditions of Approval as written by the Town Planner. Motion CARRIED, 6 ayes (Scott Firmin absent).

ITEM 3 Pre-Application - Les Wilson & Sons, Inc. - 463 Fort Hill Road - a request for approval to divide the 61 acre lot at 463 Fort Hill Road, with 33 acres to be used for mineral extraction and the remaining land to be divided and developed as a residential subdivision. Zoned R, Map 66, Lot 1.

WITHDRAWN

ITEM 4 Pre-Application - RE Gorham Solar, LLC, ReVision Energy - Huston Road Solar Project - a request for approval of a ground-mounted solar array, associated equipment and access road at 96 Huston Road. Zoned R, Map 51, Lot 4.

Mr. Poirier advised the Board that staff has met with the applicant and comments have been provided regarding items of note regarding the Comprehensive Plan, zoning, general standards of performance and site plan that pertain to this application, as well as some staff comments received from the Assessing Department and the Fire Department.

Nate Niles, ReVision Energy, a locally based company, is proposing a 10 acre ground-mounted solar array which will generate electricity which will flow into CMP's grid on Huston Road. The access for the site is off Huston Road, and is about a 1,200 foot gravel road down to the array. Co-located would be new overhead tower poles to bring 3-phase power to the array site. Zoning is rural, with a small swath of floodplain overlay present, but the project will not be sited in that exact floodplain area, just the road and overhead power lines going through that area. He said a flood study is in progress for what is called a Zone A floodplain, meaning that FEMA did not establish an exact floodplain elevation there. Permitting through other agencies is ongoing, including the DEP, for their decommissioning plan and bond process. There are enough wetlands on the site that will be disturbed to incur a Stormwater Permit By Rule application. Mr. Niles said that a study has been made with CMP to put the tower on the local grid, and they are still waiting on a transmission study with a decision to be made some time this summer. Based on a check with the Town of Gorham's Historic Preservation Commission to determine if the site is an historic property, site, or landmark; Mr. Niles said there are no historic impacts for the site.

PUBLIC COMMENT PERIOD OPENED: Gary Verrill, abutter at 63 Harding Bridge Road, expressed concerns about the view of the project from his property, which is at a higher elevation. He asked if the solar array now under construction will have enough capacity for this one as well. Mr. Verrill said he prefers the way Westbrook is putting solar arrays in industrial areas instead of in farmland as Gorham is doing. He asked how close the array will come to the

pond.

COMMENT PERIOD ENDED.

Mr. Niles said the exact array layout is still to be determined, but the wetlands have been delineated and they will be honoring setbacks from the low level vernal pools. He said the array itself is sited exclusively in upland area. He said that this project has been "right sized," given the capacity of the substation. Mr. Niles said that while there be a view from the abutter's property, they will work on some sort of buffering plan with the abutter/landowner. The array site is some 1,000 feet sheltered from Huston Road and Harding Bridge Road. Ms. Butler-Bailey said that one of the Board's concerns when these solar array projects come before it is to look for a really robust landscaping plan to include screening.

Mr. Poirier told Mr. Anderson that there is no requirement to have 3-phase power underground. Mr. Niles confirmed with Mr. Anderson that the array will be surrounded by fencing; Mr. Anderson suggested that slat screening could be considered.

Ms. Butler-Bailey asked if the Board would like to consider a site walk. The Board agreed, particularly in assessing the quality of buffering proposed for screening abutters. Mr. Grassi suggested that details on the proposed entrance could be discussed at a site walk. Mr. Niles said the flood study will take another month, and suggested a site walk within the next one to two month range.

Mr. Poirier said that once a site plan application has been submitted, a site walk can be scheduled before the meeting and the Board's review of the site plan.

ITEM 5 Discussion - Land Use and Development Code Amendment - Multi-Family Housing - a proposed amendment to the Land Use and Development Code to redefine the requirements for multi-family housing.

Mr. Poirier said this item has been sent by the Town Council for review by the Planning Board. He said that currently if a subdivision or a development is proposed to have 3 or more dwellings attached in one building, it is reviewed under additional standards called "Multi-Family Housing" performance standards. It is clear that those current standards hinder multi-family housing from occurring in the urban areas, because the state standards are so large they cannot be served by urban development. The Council is proposed two changes: the existing standards would continue to be in effect for the Rural and Suburban Residential zoning districts, and a new set of multi-housing standards would be required for any growth district.

Ms. Butler-Bailey said she believes this item should be forwarded to the Board's Comprehensive Plan Implementation Committee for review and recommendations. The rest of the Board agreed.

Vincent Grassi MOVED and Thomas Hughes SECONDED a motion to forward the item to the Board's Comprehensive Plan Implementation Committee for review and recommendation. Motion CARRIED, 6 ayes (Scott Firmin absent).

ITEM 6 Discussion - Land Use and Development Code Amendment - Zoning Board of Appeals - a proposed amendment to the Land Use and Development Code to allow a refund of Zoning Board of Appeals application fees.

Mr. Poirier said that the Town Council is looking to add a provision to the Land Use Code that grants a refund of the application fee to applicants should the Zoning Board of Appeals overturn a decision by the Code Enforcement Officer on an administrative appeal. Administrative appeals are when an applicant alleges there is an error in any order, requirement, decision, determination, and/or permit issued by the Code Enforcement Officer. The public notice fee would not be refunded back to the applicant because that is a cost necessary to post the item in the required print media.

Mr. Grassi suggested that the item is straight-forward enough that it can go before the full Board for a public hearing at the next Board meeting.

Vincent Grassi MOVED and Susan Durst SECONDED a motion to send the proposed Zoning Amendment for ZBA Refund under Chapter 1, Section 1-4 Zoning Board of Appeals to the next available Planning Board meeting for a public hearing. Motion CARRIED, 6 ayes (Scott Firmin absent).


OTHER BUSINESS **None**

ANNOUNCEMENTS **None**

ADJOURNMENT

George Fox MOVED and Vincent Grassi SECONDED a motion to adjourn. Motion CARRIED, 6 ayes (Scott Firmin absent). [7:51 p.m.]

Respectfully submitted,


Barbara C. Skinner, Clerk of the Board
February 14, 2022

ITEM 1 ROBERT HOUP - 671 FOOT EXTENSION TO BRANDON'S WAY

CHAPTER 2, SECTION 2-5, H. Standards for Private Ways

(This section is modified for brevity. See the current Land Use and Development Code for exact wording.)

- 1) Each lot having access from an approved private way may be improved with no more than two dwelling units and related accessory buildings and uses.

The lots served by the private way are required to meet the requirements of the Suburban Residential zoning district. The maximum number of lots/dwelling units allowed to be served by the private way is up to 6 lots or dwelling units.

The existing name of the private way is “Brandon’s Way.”

Finding: The private way is designed to the 2-6 lots/dwelling units private way standard and no more than six dwelling units can be served by the private way.

- 2) A plan showing the private way shall be prepared by a registered land surveyor. The plan shall be drawn in permanent ink on permanent transparency material and shall be sealed by the registered professional engineer preparing the plan.

The private way plan was designed by Peter D'Alfonso, P. E.

The Plan title block reads "Amended Plan of a Private Way."

The Plan has an approval block that reads: “Private Way, Approved by the Town of Gorham Planning Board.”

The approval block also has a line for the signatures of a legal majority of the Planning Board, and includes a line for the date of approval.

The Plans shows information sufficient to establish the exact location on the ground, direction, width and length of the private way right-of-way.

The street plan and profile, and street cross sections are in accordance with Chapter 2, Section 2-5., E., 3.

The Plan has a note that reads, "The Town of Gorham shall not be responsible for the maintenance, repair, plowing, or similar services for the private way shown on this plan, and if the private way has not been built to public way standards, the Town Council will not accept it as a public way.”

Finding: The Plan of Private Way has been sealed by a registered land surveyor and by a registered professional engineer meeting the requirement for private ways.

- 3) If a private way provides access to 2 or more lots, a maintenance agreement shall be

prepared for the lots accessed by any private way.

A maintenance agreement dated November 12, 2021 has been submitted For review.

Finding: The private way maintenance agreement identifies the rights and responsibility of each lot owner with respect to the maintenance, repair, and plowing of the private way as outlined in this section.

- 4) Private ways shall have a minimum right-of-way width of 50 feet and a paved apron 20 feet in length commencing at the existing edge of pavement where it intersects with the private way.

The proposed private way paved apron will be built to the following standards:

- a) 9" of MDOT Spec. 703.06 Type E;
- b) 12" of base gravel MDOT Spec. 703.06 Type D;
- c) 3" of 1 ½" crushed gravel, Type A or reclaimed;
- d) a minimum of 4" of paved surface, or greater as specified by the Town Engineer;
- e) a negative 2.0% grade from the existing edge of pavement to an appropriate drainage way, but in no case less than 5 feet from the travel surface of the public way it intersects;
- f) approach radius shall be specified by the Town Engineer.

Finding: The right-of-way width and a paved apron have been designed to conform to the paved apron standards outlined in this section.

- 5) Private ways shall be designed to conform to the standards presented in Tables 1 and 2 and the typical cross sections depicted in Figures 9 and 10.

The applicant is proposing to extend a 2 – 6 lot gravel private way. Sheet C-100 Does Not show the required 2-6 lot/dwelling unit gravel private way standard cross section Found in Figure 9.

Finding: The private way meets all the criteria and design requirements presented in Table 1 and 2 and the typical cross sections depicted in Figures 9 of the Gorham Land Use and Development Code.

- 8) Notwithstanding other provisions of the Code to the contrary, no gravel surfaced private way shall provide access to or serve in any way to provide compliance with the requirements of the Code for more than the greater of six lots or six dwelling units; provided; however, nothing in this paragraph 8) shall serve to limit the use of such private way for occasional use by and for agricultural purposes.

The proposed private way may serve up to six (6) lots. The applicant proposes to serve three (3) residential dwelling units.

Finding: The private way is proposing to serve three (3) residential dwelling units.

- 9) The land area of the private way may not be used to satisfy the minimum lot area requirements for any lot (whether the lot(s) to be served or any front lot over which the private way runs).

Each of the lots will need to retain enough area to meet the lot sizes in the suburban residential Zoning District.

Finding: The land area of the private way is not being used to satisfy the minimum lot area requirements for the existing lot or any proposed future lot.

- 10) The Planning Board shall have the ability to require improvements to both public roads and private ways serving any proposed private way to ensure off-site access is suitable to serve the proposed private way.

The proposed private way will be off of line road which is suitable to serve the proposed private way extension.

Finding: The proposed private way will be off of line road which is suitable to serve the proposed private way.

Conditions of Approval

1. That this approval is dependent upon, and limited to, the proposals and plans contained in this application and supporting documents submitted and affirmed by the applicants and that any variation from the plans, proposals and supporting documents is subject to review and approval by the Planning Board, except for minor changes which the Town Planner may approve;
2. That prior to the commencement of construction of the private way, the applicant is responsible for obtaining all required local, state and federal permits;
3. That the applicant shall provide property line information and site information in auto-cad format to the Town Planner prior to the pre-construction meeting;
4. That the revision details from staff and Wright Pierce shall be completed prior to Planning Board signature;
5. That at least one week prior to the date of the pre-construction meeting, four complete sets of the final approved plan set will be delivered to the Planning Office to be distributed to: (1) Code Office, (2) Public Works Director, (3) Inspecting Engineer, and (4) Town Planner;
6. That prior to the pre-construction meeting, the applicant must provide estimated costs for the proposed improvements and must establish the performance guarantee per the Land Use and Development Code;

7. That the applicant shall provide an escrow for field inspection based on costs for improvements shown on the plan and meeting the requirements of Gorham's Land Use and Development Code;
 8. That prior to commencement of construction, the applicant, applicant's engineer and earthwork contractor shall have a pre-construction meeting with the Town's Engineer, Town Planner, Code Enforcement Officer, Public Works Director and Fire Chief;
 9. That the approved amended private way maintenance agreement shall be recorded in the Cumberland County Registry of Deeds prior to a certificate of occupancy being given to any proposed new lot with a recorded copy of the private way maintenance agreement to be returned to the Planning Office;
 10. That the Planning Board Chairman is authorized by the Planning Board to sign the Findings of Fact on behalf of the entire Board; and
 11. That these conditions of approval must be added to the private way plan and the private way plan shall be recorded in the Cumberland County Registry of Deeds within thirty (30) days of endorsement of the plan by the Planning Board, and that a recorded copy of the private way plan shall be returned to the Town Planner prior to the Pre-construction Meeting.
-

ITEM 2 GRANT AND DAVID GUSHEE - GUSHEE DRIVE PRIVATE WAY

CHAPTER 2, SECTION 2-5, H. Standards for Private Ways

(This section is modified for brevity. See the current Land Use and Development Code for exact wording.)

- 1) Each lot having access from an approved private way may be improved with no more than two dwelling units and related accessory buildings and uses.

The lots served by the private way shall meet the requirements of the Suburban Residential zoning district. The maximum number of lots/dwelling units allowed to be served by the private way is up to 6 lots or dwelling units.

An application has been submitted for naming the road.

Finding: *The private way is designed to the 2-6 lots/dwelling units private way standard and no more than six dwelling units can be served by the private way.*

- 2) A plan showing the private way shall be prepared by a registered land surveyor. The plan shall be drawn in permanent ink on permanent transparency material and shall be sealed by the registered professional engineer preparing the plan.

The private way plan was designed by Jon H. Whitten, P.E.

The Plan title block reads "Plan of a Private Way."

The Plan has an approval block that reads: "Private Way, Approved by the Town of Gorham Planning Board."

The approval block also has a line for the signatures of a legal majority of the Planning Board, and includes a line for the date of approval.

The Plans shows information sufficient to establish the exact location on the ground, direction, width and length of the private way right-of-way.

The street plan and profile, and street cross sections are in accordance with Chapter 2, Section 2-5., E., 3 or a waiver has been granted.

The Plan has a note that reads, "The Town of Gorham shall not be responsible for the maintenance, repair, plowing, or similar services for the private way shown on this plan, and if the private way has not been built to public way standards, the Town Council will not accept it as a public way."

Finding: *The Plan of Private Way has been sealed by a registered engineer meeting the requirement for private ways.*

- 3) If a private way provides access to 2 or more lots, a maintenance agreement shall be prepared for the lots accessed by any private way.

A maintenance agreement has been submitted for review.

Finding: *The private way maintenance agreement identifies the rights and responsibility of each lot owner with respect to the maintenance, repair, and plowing of the private way as outlined in this section.*

- 4) Private ways shall have a minimum right-of-way width of 50 feet and a paved apron 20 feet in length commencing at the existing edge of pavement where it intersects with the private way.

The right of way width is required to be 50 feet.

The proposed private way paved apron shall be built to the following standards:

- a) 9" of MDOT Spec. 703.06 Type E;
- b) 12" of base gravel MDOT Spec. 703.06 Type D;
- c) 3" of 1 ½" crushed gravel, Type A or reclaimed;
- d) a minimum of 4" of paved surface, or greater as specified by the Town Engineer;
- e) a negative 2.0% grade from the existing edge of pavement to an appropriate drainage way, but in no case less than 5 feet from the travel surface of the public way it

intersects;

- f) approach radius shall be specified by the Town Engineer.

Finding: *The right-of-way width and a paved apron have been designed to conform to the paved apron standards outlined in this section.*

- 5) Private ways shall be designed to conform to the standards presented in Tables 1 and 2 and the typical cross sections depicted in Figures 9 and 10.

The applicant is proposing to extend a 2 – 6 lot gravel private way. Sheet C501 shall show the required 2-6 lot/dwelling unit gravel private way standard cross section and the waivers that have been granted.

Finding: *The private way meets all the criteria and design requirements presented in Table 1 and 2 and the typical cross sections depicted in Figures 9 of the Gorham Land Use and Development Code.*

- 8) Notwithstanding other provisions of the Code to the contrary, no gravel surfaced private way shall provide access to or serve in any way to provide compliance with the requirements of the Code for more than the greater of six lots or six dwelling units; provided; however, nothing in this paragraph 8) shall serve to limit the use of such private way for occasional use by and for agricultural purposes.

The proposed private way may serve up to six (6) lots. The applicant proposes to serve four (4) lots.

Finding: *The private way is proposing to serve four (4) residential dwelling units.*

- 9) The land area of the private way may not be used to satisfy the minimum lot area requirements for any lot (whether the lot(s) to be served or any front lot over which the private way runs).

As shown on Sheet C101, each of the lots retain enough area to meet the lot size standard in the Suburban Residential Zoning District.

Finding: *The land area of the private way is not being used to satisfy the minimum lot area requirements for the existing lot or any proposed future lot.*

- 10) The Planning Board shall have the ability to require improvements to both public roads and private ways serving any proposed private way to ensure off-site access is suitable to serve the proposed private way.

The proposed private way will be off Ira Drive and Line Road which is suitable to serve the proposed private way extension.

Finding: *The proposed private way will be off of Ira Drive and Line Road which is suitable*

to serve the proposed private way.

Conditions of Approval

1. That this approval is dependent upon, and limited to, the proposals and plans contained in this application and supporting documents submitted and affirmed by the applicants and that any variation from the plans, proposals and supporting documents is subject to review and approval by the Planning Board, except for minor changes which the Town Planner may approve;
2. That prior to the commencement of construction of the private way, the applicant is responsible for obtaining all required local, state and federal permits;
3. That the applicant shall provide property line information and site information in auto-cad format to the Town Planner prior to the pre-construction meeting;
4. That the revision details from staff, legal and Wright Pierce shall be completed prior to Planning Board signature of the plan;
5. All waivers or variances shall be added to the plan to be recorded;
6. The applicant shall review the proposed improvements to Line Road with the Town of Buxton;
7. That at least one week prior to the date of the pre-construction meeting, four complete sets of the final approved plan set will be delivered to the Planning Office to be distributed to: (1) Code Office, (2) Public Works Director, (3) Inspecting Engineer, and (4) Town Planner;
8. That prior to the pre-construction meeting, the applicant must provide estimated costs for the proposed improvements and must establish the performance guarantee per the Land Use and Development Code;
9. That the applicant shall provide an escrow for field inspection based on costs for improvements shown on the plan and meeting the requirements of Gorham's Land Use and Development Code;
10. That prior to commencement of construction, the applicant, applicant's engineer and earthwork contractor shall have a pre-construction meeting with the Town's Engineer, Town Planner, Code Enforcement Officer, Public Works Director and Fire Chief;
11. That an approved amended private way maintenance agreement shall be recorded in the Cumberland County Registry of Deeds prior to a certificate of occupancy being given to any proposed new lot with a recorded copy of the private way maintenance agreement to be returned to the Planning Office;

12. That the Planning Board Chairman is authorized by the Planning Board to sign the Findings of Fact on behalf of the entire Board; and
13. That these conditions of approval must be added to the private way plan and the private way plan shall be recorded in the Cumberland County Registry of Deeds within thirty (30) days of endorsement of the plan by the Planning Board, and that a recorded copy of the private way plan shall be returned to the Town Planner prior to the Pre-construction Meeting.