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Debby Willis, Chairperson  
Angelia Christopher, Administrative Assistant

**PLANNING BOARD**  
**Meeting Minutes**  
**Tuesday October 10, 2023 @ 6:00 PM**  
**City Council Chambers**

**1. Call the Meeting to Order-** Chair Willis called the meeting to order at 6pm.

**2. Roll Call-** Board members present: Lisa St. Hilaire, Debby Willis, Pam Mitchel, Shawn Dolley, and Cathy Galgano. Adam Lemire and Zachary Hanley were unable to attend. Kris McNeill, Jim Coffin, Angelia Christopher, Dan Laffin, Steve McGee, Dan Robideau, and Joe Nestor,

**3. Public Hearing:** P & M Realty is looking to amend the May 8, 2023, Planning Board approval for the Griffin St Project. They are proposing to add a 6,770-sf addition to the current building under construction and as a result they will move the planned retention pond northwest. Jim Coffin presented the amendment for PMP Realty. Chair Willis asked if there were any members who could not hear this application in an unbiased manner. Board members agreed they could. Mr. Coffin explained that because of where the addition is going, the pond will be moved northwest. Otherwise, there will be no changes to the previously approved application. Chair Willis opened the public hearing. There is an abutter to this project that would like to speak. Joe Nestor, lives on West St. and has a lot that is directly behind this project. Now that the foliage is starting to drop off, this building is extremely visible. He stated that the giant blue building is very visible, and he is concerned about property values. He presented pictures that were taken very recently to add to the record. Chair Willis explained that the board has to follow the LUO, they cannot take into consideration that it might reduce the value of the property. The board is tasked to be sure that the project fits the requirements of the ordinance. Mr. Nestor

explained that he is also concerned about drainage, as he has walked his property and seen excess water. This building has been designed to have all water runoff go into the retention pond so drainage from the property should not be an issue. There was no one else to speak about this project. Chair Willis asked if city staff had any expressed interest in this application. No. That being said, Chair Willis closed the public hearing.

This amendment application does not change previously reviewed review criteria. The building is just being built bigger. The building will be within required setbacks and will be fully screened. The only thing that is changing was stormwater, with the moving of the pond. Mr. Coffin stated that the drainage on Mr. Nestor's lot is not new, has been prevalent for some time. Mr. Nestor disagrees. CEO Kris McNeill tells the board that there is standing water on the rear portion of Mr. Nestor's lot. The engineered stormwater plan for this project will direct all water from the roof to go into the pond. This project will not make the drainage on the Nestor lot worse and may alleviate some of the problem.

Pam Mitchel moved that this application is complete. Lisa St. Hilaire seconded the motion. No further discussion. All members present, in favor.

Mr. Coffin highlighted areas in the review criteria that have been changed for this addition. The main focus was 6.5.1.7-the proposal will provide for adequate storm water management. The board agreed on the changes that Mr. Coffin presented for storm water management.

Lisa St Hilaire moves that the board does not have to go over the review criteria for this application. Pam Mitchel seconded the motion. No further discussion. All members present in favor.

Lisa St. Hilaire moves that all the review criteria have been met. Pam Mitchel seconded the motion. No further discussion. All members present in favor.

Lisa St. Hilaire moves that the amendment application be approved. Pam Mitchel seconded the motion. No further discussion. All members present in favor.

Application approved.

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**4. Public Hearing:** Gardiner Rental Center is proposing to construct three self- storage buildings totaling 8300sf at 743 Brunswick Ave- City Tax Map 016 Lot 006A in the Planned Development District. Jim Coffin will be presenting this application with owner Steven Bolduc.

Mr. Coffin explained that there an existing equipment rental business on this lot, and the addition of these storage units will enhance it. The applicant has applied for the right permits and is working to protect a stream that runs on the property. There will be a detention pond built as part of the project to help with drainage. The pond is oversized because the business hopes to expand in the future. There will be two 3000sf buildings and one 2300sf building built on sloped slabs. There will be wall pack lighting on each building. There will be partial screening on all property lines with approximately 116 plantings being added to this property.

The applicant has requested a waiver for 6.3.4.2 of the submission requirements. The board reviewed the material that Mr. Coffin presented in regard to elevations and agreed that a waiver can be granted.

Pam Mitchel moved to waive the 6.3.4.2 submission requirement. Lisa St. Hilaire seconded the motion. No further discussion. All members present in favor.

Chair Willis opened a public hearing. There is no one here to speak for or against this project. There was no input at City Hall. Chair Willis closed the public hearing.

The board reviewed performance standards. Section 7 requirements are met. Section 8- 8.6 Essential services- requirement is met. 8.7 lighting- The application includes a cut sheet describing the lights that will be included in this project. A board member asks about the hours for this business. Mr. Bolduc explained that the current Uhaul business that is run on the property is open 24/7 and the storage units will be too. The board is satisfied with the lighting plan. Noise is not a concern. The project will use partial screening, which will meet standard requirements. The buildings will be earthy colored per the ordinance, but the applicant has not decided on a color yet.

Environmental standards- Air quality is not a concern. Storm water will be directed to the detention pond, and water quality will not be affected. Section 9.9 erosion control- the info on the plans shows that this requirement will be met. All other areas are satisfied.

Pam Mitchel moves that the performance standards have been met with the condition that the DEP Permit be approved and a letter from IFW be added to the application. Seconded by Lisa St. Hilaire. No further discussion. All members present in favor.

#### **Review Criteria-**

**6.5.1.1** The application is complete, and the review fee has been paid.

*The application is complete and the Site Plan Review fee of \$250.00 has been submitted.*

**6.5.1.2** The proposal conforms to all the applicable provisions of this Ordinance.

*The project conforms to all applicable provisions of the LUO.*

**6.5.1.3** The proposed activity will not result in water pollution, erosion, or sedimentation to water bodies.

*The application contains all pertinent erosion and sediment control devices needed for the project. The majority of the runoff flows north to the proposed detention pond in the rear of the property.*

**6.5.1.4** The proposal will provide for the adequate disposal of all wastewater and solid waste.

*The proposed use does not require sewer service or solid waste removal.*

**6.5.1.5** The proposal will not have an adverse impact upon wildlife habitat, unique natural areas, shoreline access or visual quality, scenic areas, and archeological and historic resources.

*There are not any deer wintering areas or Inland Waterfowl- Wading Bird Habitats on site according to the City's On-Line Mapping. A letter is included from the Maine Historic Preservation commission indicating that there are not any historical resources on the property. A letter is included from the Maine Natural Areas Program indicating that there are not any unique natural areas.*

**6.5.1.6** The proposal will not have an adverse impact upon waterbodies and wetlands.

*There is a stream along the southwest property line, but there will not be any disturbances within 25' of it. However, there are disturbances within 75' of the stream and a Permit By rule (PBR) will be filed with the DEP. Wetlands have been delineated on site by Vaughn Smith Associates and there will be 4,020 sf of wetland impacts and therefore a NRPA permit application is not required.*

**6.5.1.7** The proposal will provide for adequate storm water management.

*A stormwater report is included that indicates the post-development flows will be less than the predevelopment flows for the 2-, 10- and 25-year peak storm events. A detention pond has been implemented to provide stormwater storage for the project.*

**6.5.1.8** The proposal will conform to all applicable Shoreland Zoning requirements.

*The project is not within Shoreland Zoning and this section is not applicable.*

**6.5.1.9** The proposal will conform to all applicable Floodplain Management requirements.

*The project is not within the 100-year flood elevation as shown on the attached Firmette and this section is not applicable.*

**6.5.1.10** The proposal will have sufficient water available to meet the needs of the development.

*The proposed use does not require any water and this section is not applicable.*

**6.5.1.11** The proposal will not adversely affect groundwater quality or quantity.

*The project will not utilize public water or sewer services and groundwater quality & quantity will not be adversely affected with the proposed project.*

**6.5.1.12** The proposal will provide for safe and adequate vehicle and pedestrian circulation in the development.

*The proposed site is being utilized for self-storage as well as the existing rental use. Vehicles can adequately maneuver on site to access the rental business or to get to their storage unit, but pedestrians will not be able to walk around on site.*

**6.5.1.13** The proposal will not result in a reduction of the quality of any municipal service due to an inability to serve the needs of the development.

*A letter has been sent to John Cameron (Public Works Director) asking if the project will have any negative impacts to the public works department.*

**6.5.1.14** The applicant has adequate financial and technical capacity to meet the provisions of this Ordinance.

*E.S. Coffin Engineering & Surveying has the technical ability to complete the project. The applicant is currently getting pricing for the project and will provide a financial statement indicating that they have adequate financing to complete the project.*

## **6.5.2 Site Plan Review Criteria**

**6.5.2.1.** The proposal will be sensitive to the character of the site, neighborhood, and the district in which it is located including conformance to any zoning district specific design standards.

*The parcel has a commercial use to the northwest and residential homes on all other sides of the property. Adequate screening will be implemented to provide a visual barrier along all four property lines.*

**6.5.2.2** The proposal will not have an adverse impact upon neighboring properties.

*The property is being utilized as a rental center and self-storage is proposed to be added. Self-storage is a permitted use within the Planned Development District and the developed parcel will not have an adverse impact on abutting properties in the immediate area.*

**6.5.2.3** The proposal contains landscaping, buffering, and screening elements which provide privacy to adjacent land uses in accordance with the appropriate performance standards.

*The project will implement Partial Screen Option #3 along all property lines per the Land Use Ordinance. This option includes 6 understory trees and 6 shrubs per 100', which will equate to a total of 58 of each plant type mentioned above. The project will not have an adverse impact on neighboring properties.*

**6.5.2.4** The building site and roadway design will harmonize with the existing topography and conserve natural surroundings and vegetation to the greatest practical extent such that filling, excavation, and earth movement is kept to a minimum.

*The proposed project involves the erection of three self-storage buildings with two being perpendicular to Brunswick Avenue and the other running parallel to Brunswick Avenue. The lot slopes towards the rear of the property and the paved areas adjacent to the storage units will*

*have a slope of 1%. The applicant will add some fill in the area of the storage units and build the detention pond.*

**6.5.2.5** The proposal will reflect the natural capabilities of the site to support the development. Buildings, structures, and other features should be located in the areas of the site most suitable for development. Environmentally sensitive areas including waterbodies, steep slopes, floodplains, wetlands, significant plant and wildlife habitats, scenic areas, aquifers, and archeological and historic resources shall be preserved to the maximum extent.

*The site has been graded in such a way where the grades are locked in along the paved area along the northwest side of the Rental Center. From these elevations the site is graded at a 1% slope as the Trachte self-storage buildings are sloped at 1% to accommodate drainage in between them. There is a section of wetlands along the northeast property line as shown on the Topographic Survey Plan. There are not any deer wintering areas or Inland Waterfowl - Wading Bird Habitats on site according to the City's On-Line Mapping.*

**6.5.2.6** The proposal will provide for a system of pedestrian ways within the site appropriate to the development and the surrounding area. The system will connect building entrances/exits with the parking areas and with existing sidewalks if they exist or are planned in the vicinity of the project.

*There are not any sidewalks on either Brunswick Avenue and the project involves the erection of self-storage buildings where pedestrian access is not warranted. The entrances/exits into the site are existing and there are no proposed alterations to these access points.*

**6.5.2.7** In urban and built-up areas, buildings will be placed closer to the road in conformance with setback requirements and parking areas shall be located at the side or rear of the building. *The proposed buildings are situated on site towards the rear of the property and within the building setback lines as shown on the site plan. There isn't any parking required for this use as vehicles will park adjacent to their storage unit and load or unload as needed.*

**6.5.2.8** Proposals with multiple buildings will be designed and placed to utilize common parking areas to the greatest practical extent.

*There are not any parking spaces required for the proposed use and this section is not applicable.*

**6.5.2.9** Building entrances will be oriented to the public road unless the layout or grouping of the buildings justifies another approach.

*The proposed buildings have overhead doors on all four sides to access the self-storage units as shown on the site plan.*

**6.5.2.10** Exterior building walls greater than 50 feet in length which can be viewed from the public road will be designed with a combination of architectural features with a variety of building materials and shall include landscaping abutting the wall for at least 50% of the length of the wall.

*Although the buildings are longer than 50' they have overhead doors along all sides because of the proposed self-storage use. There can't be any landscaping adjacent to the buildings because of all the overhead doors.*

**6.5.2.11** Building materials will match the character of those commonly found in the City and surrounding area including brick, wood, native stone, tinted/textured concrete block, or glass products. Materials such as smoothfaced concrete block or concrete panels and steel panels will only be used as accent features. Materials shall be of low reflectance, subtle, neutral or earth tone colors. High-intensity and bright colors shall be prohibited except when used as trim or accent. Building materials for industrial or commercial buildings located within an approved industrial park or subdivision are not required to comply with this provision.

*The proposed self-storage buildings will have earth tone colors and are made out of steel panels.*

**6.5.2.12** Building entrances and points where the development intersects with the public road and sidewalk will be provided with amenities appropriate for the area such as benches, bike racks, bus stop locations and other similar landscape features.

*The proposed site is being utilized for self-storage where pedestrians will not be able to walk around on site as this is a storage facility.*

**6.5.2.13** A proposal which includes drive-through service will be designed to minimize impact on the neighborhood. Drive-through lanes will be fully screened from adjacent residential properties and communication systems will not be audible on adjacent properties.

*There are no drive-thru lanes associated with the project and this section is not applicable.*

*Applicant shall provide information that demonstrates that the proposal will be sensitive to the character of the site, neighborhood, and the district in which it is located by considering the following:*

#### **In regard to the General Performance Standards in Section 8 of the LUO.**

##### **8.7 Exterior Lighting:**

*Wall-packs are depicted on the site plan and cut sheets of these fixtures are included with this submission. All of the fixtures will be shielded so that light shines in a downward direction.*

*Electricity will be routed from the existing Rental Center to the three self-storage buildings.*

##### **8.8 Noise:**

*The only noise generated from the project will be from construction vehicles during the site work.*

##### **8.11 Bufferyard & Screening Standards:**

*The project is required to implement a partial screen along each property line. We are proposing to use Partial Screen-Option #3 along all four property lines as shown on the site plan (C-1).*

#### **In regard to Environmental Performance Standards in Section 9 of the LUO:**

##### **9.1 Air Quality:**

*Dust will be controlled during construction and will be implemented by applying calcium and water as needed.*

#### **In regard to Special Activity Performance Standards in Section 10 of the LUO:**

##### **10.24.5.7.2 Free Standing Signs:**

*No new signs for the self-storage units are proposed at this time and there is an existing free-standing sign for the Rental Center as shown on the site plan (C-1).*

Pam Mitchel moves that review criteria have been met with the condition that we receive the letter from IFW, and the applicant receive the DEP permit by rule. Lisa St. Hilaire seconded the motion. Shawn Dolley asked about standard 6.5.2.11. The board decided that there was no conflict with this standard. No further discussion. All members present in favor.

Chair Willis asks what does the board want to do with this application.

Pam Mitchel moves that this application be approved with the aforementioned conditions. Lisa St. Hilaire seconded the motion. No further discussion. All members present in favor.

Application approved.

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**5. Public Hearing:** McGee Properties, LLC is proposing a 48'x66' 3168sf modular office building and adjacent parking lot at 917 Brunswick Ave.- City Tax Map 011 Lot 015 in the Planned Highway Development district.

Dan Laflin- Land Surveyor, presented information about this project. They are currently waiting for the DOT street entrance permit, which has been approved. There will be a new culvert added to the property for this project and they will follow screening requirements at the front of the lot. The buildings will be white in color. The plans show water flow directions, and a catch basin will be added. Pam Mitchel asks if there will be a sign. The applicant has not decided on a sign yet but will work with the CEO to be sure that it meets ordinance requirements.

Chair Willis opened a public hearing. There is no one here to speak for or against this project. City Hall had no input on this project. Chair Willis closed the public hearing. All board members agreed that they could hear this application in an unbiased manner.,

A Board member pointed out that letters from IFW, MNAP, and HPC are missing. CEO Kris McNeill explained that those letters are not a submission requirement and the purpose of obtaining letters from the agencies is to show what, if any, negative impact would be placed on the property. This property had a home and a barn on it for many years. These letters can be conditioned for approval.



There is a request for a waiver request for a lighting plan. The board agreed that they do not need to accept the requested waiver because it is not needed. The applicant will be working with the CEO. There are no other questions at this time.

Chair Willis asks for a motion on completeness. Lisa St. Hilaire moves that this application is complete with the condition that the DOT entrance permit is added to the application. Shawn Dolley seconded the motion. No further discussion. All members present in favor.

Review criteria.

**6.5.1.1** The application is complete, and the review fee has been paid.

*The Site Plan Review fee of \$250.00 has been submitted with this completed application.*

**6.5.1.2** The proposal conforms to all the applicable provisions of this Ordinance.

*To the best of our knowledge, this project is in conformance with the City of Gardiner Land Use Ordinance.*

**6.5.1.3** The proposed activity will not result in water pollution, erosion or sedimentation to water bodies.

*The surrounding down slope areas around the proposed development will be protected by an erosion control silt fence and all site work will be performed in conformance with the M.D.EP. best management practices for sediment and erosion control.*

**6.5.1.4** The proposal will provide for the adequate disposal of all wastewater and solid waste.

*The proposed building will be tied into the public sewer system as shown on the attached Site Plan.*

**6.5.1.5** The proposal will not have an adverse impact upon wildlife habitat, unique natural areas, shoreline access or visual quality, scenic areas, and archeological and historic resources.

*A search of the Maine DEP GIS site revealed that there are no inland Waterfowl. Wading Bird Habitat, Deer Wintering Yards or Significant Vernal Pools located on or near the proposed development site.*

**6.5.1.6** The proposal will not have an adverse impact upon waterbodies and wetlands.

*The site being developed is on high ground and no wetlands are present.*

**6.5.1.7** The proposal will provide for adequate storm water management. *The attached Site Plan shows that storm water is being directed to a riprap level lip spreader and plunge pool and released to wooded meadow buffers.*

**6.5.1.8** The proposal will conform to all applicable Shoreland Zoning requirements. *The site being developed is not in the shoreland zone.*

**6.5.1.9** The proposal will conform to all applicable Floodplain Management requirements. *The site being developed is not in the floodplain.*

**6.5.1.10** The proposal will have sufficient water available to meet the needs of the development. The proposed building will be tied into the public water supply. *A letter has been requested from the Gardiner Water District to confirm that the proposed development will not have an adverse effect on municipal services and there is sufficient water supply.*

**6.5.1.11** The proposal will not adversely affect groundwater quality or quantity. *The project will not adversely affect groundwater quality or quantity as it will be tied into the public water supply.*

**6.5.1.12** The proposal will provide for safe and adequate vehicle and pedestrian circulation in the development. *As shown on the attached Site Plan, the proposed development has adequate parking and room for safe vehicle circulation.*

**6.5.1.13** The proposal will not result in a reduction of the quality of any municipal service due to an inability to serve the needs of the development. *Letters have been requested from the department heads at wastewater, fire dept. police dept., public works, and water dist. to confirm that the proposed development will not have adverse effects on municipal services.*

**6.5.1.14** The applicant has adequate financial and technical capacity to meet the provisions of this Ordinance. *See attached letter from Steve McGee's financial institution.*

## **6.5.2 Site Plan Review Criteria**

All applications for Site Plan Review shall meet the Review Criteria contained in 6.5.1 and the additional criteria contained in this section.

**6.5.2.1.** The proposal will be sensitive to the character of the site, neighborhood, and the district in which it is located including conformance to any zoning district specific design standards.

*The proposed development is in conformance with the Planned Highway Development districts design standards.*

**6.5.2.2** The proposal will not have an adverse impact upon neighboring properties; *The proposed development abuts a recently approved Necessary Tires Too store and a single-family residence buffer by an existing full screen tree line and will not adversely impact neighboring properties.*

**6.5.2.3** The proposal contains landscaping, buffering, and screening elements which provide privacy to adjacent land uses in accordance with the appropriate performance standards; *See proposed and existing buffers and screens as shown on the attached Site Plan.*

**6.5.2.4** The building site and roadway design will harmonize with the existing topography and conserve natural surroundings and vegetation to the greatest practical extent such that filling, excavation and earth moving is kept to a minimum; *The existing site is almost all open field, a very minimal amount of tree clearing is proposed at the northeast corner of the development area as shown on the site plan and grading and filling is being kept to a minimum.*

**6.5.2.5** The proposal will reflect the natural capabilities of the site to support the development. Buildings, structures, and other features should be located in the areas of the site most suitable for development. Environmentally sensitive areas including waterbodies, steep slopes, floodplains, wetlands, significant plant and wildlife habitats, scenic areas, aquifers, and archeological and historic resources shall be preserved to the maximum extent; *The proposed building and parking have been situated on the site as to not adversely affect any natural resources.*

**6.5.2.6** The proposal will provide for a system of pedestrian ways within the site appropriate to the development and the surrounding area. The system will connect building entrances/exits with the parking areas and with existing sidewalks, if they exist or are planned in the vicinity of the project; The proposed development has been designed for safe pedestrian ingress and egress to the building and parking. *No public sidewalks exist near the site.*

**6.5.2.7** In urban and built-up areas, buildings will be placed closer to the road in conformance with setback requirements and parking areas shall be located at the side or rear of the building. *The proposed building is situated to have minimal impact on the character of the surrounding area and the parking is on the side of the building with proposed fence and screening on the street side.*

**6.5.2.8** Proposals with multiple buildings will be designed and placed to utilize common parking areas to the greatest practical extent; *Multiple buildings are not proposed as part of this development.*

**6.5.2.9** Building entrances will be oriented to the public road unless the layout or grouping of the buildings justifies another approach. *The main entrance to the proposed building is from the east facing the parking lot which fits the site layout.*

**6.5.2.10** Exterior building walls greater than 50 feet in length which can be viewed from the public road will be designed with a combination of architectural features with a variety of building materials and shall include landscaping abutting the wall for at least 50% of the length of the wall. *At 48 feet, the building wall viewed from the public road is not greater than 50 feet.*

**6.5.2.11** Building materials will match the character of those commonly found in the City and surrounding area including brick, wood, native stone, tinted/textured concrete block, or glass products. Materials such as smooth-faced concrete block or concrete panels and steel panels will only be used as accent features. Materials shall be of low reflectance, subtle, neutral or earth tone colors. High-intensity and bright colors shall be prohibited except when used as trim or accent. Building materials for industrial or commercial buildings located within an approved industrial park or subdivision are not required to comply with this provision. *The proposed building will have white vinyl siding which will be in character with the surrounding area.*

**6.5.2.12** Building entrances and points where the development intersects with the public road and sidewalk will be provided with amenities appropriate for the area such as benches, bike racks, bus stop locations and other similar landscape features. *The building entrance points do not intersect with the public road. No public sidewalks exist on Brunswick Ave.*

**6.5.2.13** A proposal which includes drive-through service will be designed to minimize impact on the neighborhood. Drive-through lanes will be fully screened from adjacent residential

properties and communication systems will not be audible on adjacent properties. *No drive-through or audio systems are proposed with this development.*

General Performance standards. 8.7 lighting, we have the right type, this is fine.

Section 8. There is information about lighting in the packet, and the developer will work with Kris on a lighting plan. In regard to buffering and screening- There is a significant amount of existing and they are proposing a fence on the back side of the parking lot.

Section 9. There are no concerns with water or air quality or groundwater protection. The board discussed stormwater management and whether the proposed plan will be adequate. Kris McNeill feels that the system that will be used will work fine, and if not, he will address it.

Section 10-The project will include a sign and the developer will work with the CEO to make sure the sign meets standards.

Section 11. Parking will be on the east and north sides of the building with plentiful spaces proposed.

The board discussed the front façade. Per standards listed for projects within the PHD zone, 7.8.8.5 there needs to be 5' strip of landscaping at the front of the building. The developer agrees this can be done. This will be added as a condition of approval and a new site plan will need to be issued to the city to add to the application packet.

Pam Mitchel moves that the performance standards are met, with conditions that we receive letter from HPC, the Gardiner Water District and a letter from MNAP, a five strip of landscaping be situated on the front of the building and shown on the site plan. Lisa St. Hilaire seconded the motion. No further discussion. All members present all in favor.

Lisa St. Hilaire moves that the review criteria for this project have been met with the conditions that the city receive letters from Gardiner Water District, HPC, MNAP, indicating no issues with the project. Also, a 5' strip of landscaping will need to be added to the front of the building and will be updated on the site plan. Seconded by Pam Mitchel. No further discussion. All members present in favor.

Pam Mitchel moves to approve this application with the four previously mentioned conditions Lisa St. Hilaire seconded. No further discussion. All members present in favor.

**6. Public Hearing:** GRA Real Estate Holdings, LLC 2400sf warehouse, 1200sf office building, and laydown area to be located of Lot #21 the Libby Hill Business Park- City Tax Map 002 Lot 020-021 in the Planned Industrial Commercial District.

Jim Coffin and property owner Arleigh Green are here to discuss this project. This is a lot that has never been developed except for the detention pond. Jim Coffin presents a new plan that shows the property lines better and how the buffering will look after the project is completed. Mr. Coffin reviewed parking, utilities, and stormwater with the board. There will need to be some blasting of ledge, but they hope to keep to a minimum. The detention pond that is on the lot will work for the project that is proposed, but if the proposed business grows, which is likely, the size of the pond will have to increase. There does not need to be a formal stormwater plan, because it is already set up. The Board asked Mr. Green what kind of business will be on this lot. Mr. Green explained that his tenant, who is a Fortune 500 business, has several divisions, and wants to be in the Gardiner area. They were impressed with the lot at LHBP, its expansion capabilities and look forward to a future there. If the project is approved, they hope to have the lot graded by Christmas and the building up and completed in 2024. Getting the lot taken care of would allow them to move material in, and get business started. The company offers office trailers and storage containers for sale or rent. The name of the business will be released at a later date. The lot will be used mainly for storage of Conex and ground level offices. Kris McNeill asks what the density of the lot will be considering the size of these units. He is concerned about safety and egress in the event of emergency situation. There must be room for emergency vehicles. The fire chief is not aware of what type of business will be on this lot and there could be safety concerns with the density of the lot. Jim Coffin will send Rick Sieberg information on how this lot will look fully developed for his input.

Debby asks if there were any outside services from the city. All members are good on bias. Chair Willis opened the public hearing. Seeing there was no one here to speak for or against this project, and no correspondence at City Hall, she closed the public hearing.

Pam Mitchel moves that this application is complete. Lisa St. Hilaire seconded the motion. No further discussion. All members present in favor.

#### **6.5.1 Review Criteria for All Applications**

**6.5.1.1** The application is complete, and the review fee has been paid.

*The application is complete and the Site Plan Review fee of \$250.00 has been submitted.*

**6.5.1.2** The proposal conforms to all applicable provisions of the Ordinance.

*The project conforms to all applicable provisions of the LUO.*

**6.5.1.3** The proposed activity will not result in water pollution, erosion, or sedimentation to water bodies. *The application contains all pertinent erosion and sediment control devices needed for the project. All runoff flows south to the existing pond shown on the Phase II Lotting Plan of the Libby Hill Business Park.*

**6.5.1.4** The proposal will provide for the adequate disposal of all wastewater and solid waste. *Public sewer is available for the project and all wastewater associated with the bathrooms, break room, etc. will be sent to the sewer system under Troiano Way.*

*The LHBP Phase II DEP permit allows the 12 lots to discharge up to 18,000 GPD to the City's wastewater treatment facility. A letter has been sent to Doug Clark (Director) of the Gardiner Sewage District asking if District has sufficient capacity to serve the proposed addition. The applicant is anticipating having up to 7 employees associated with the proposed development. A dumpster enclosure is shown on the Site Plan (C-1) that will provide adequate disposal of solid wastes. The LHBP Phase I DEP permit allows the 12 lots to produce up to 24 tons per year or 120 cubic yards of solid wastes.*

**6.5.1.5** The proposal will not have an adverse impact upon wildlife habitat, unique natural areas, shoreline access or visual quality, scenic areas, and archeological and historic resources.

*The Maine Historical Preservation Committee (MHPC), the Maine Department of Inland Fisheries & Wildlife and the Maine Department of Agriculture, Conservation & Forestry (MNAP) have all provided letters that are included with this submission. There are no concerns with MHPC or MNAP, but the IF&W letter mentions deer wintering areas and recommends that any further softwood removal be kept to a minimum. There is tree cutting needed on site, which can't be done in June or July because of the bat species mating season. Jones Associates have provided a letter in regard to vernal pools and mention that none are considered significant. All wetlands have been marked and are shown on the Topographical Survey Plan.*

**6.5.1.6** The proposal will not have an adverse impact upon waterbodies and wetlands.

*Jones Associates have provided the wetland delineation, and our surveyors located their wetland flags. This information is shown on the topographic plan included with this submission.*

**6.5.1.7** The proposal will provide for adequate storm water management.

*Lot 21 has an allowable impervious area of 3.4 acres per the Phase II Overall Plan. The total impervious area after this project has been constructed will be 3.38 acres. All lots in the LHBP have been pre-designed for stormwater with wet ponds for Phase II and detention ponds for Phase I.*

**6.5.1.8** The proposal will conform to all applicable Shoreland Zoning requirements.

*The project is not within Shoreland Zoning and this section is not applicable.*

**6.5.1.9** The proposal will conform to all applicable Floodplain Management requirements.  
*The project is not within the 100-year flood elevation per the FIRM Map and this section is not applicable.*

**6.5.1.10** The proposal will have sufficient water available to meet the needs of the development.  
*A letter has been sent to Zach Lovely of the Gardiner Water District asking if the Gardiner Water District has sufficient water capacity for the proposed project.*

**6.5.1.11** The proposal will not adversely affect groundwater quality or quantity.  
*The project will connect to public water at the end of Troiano Way for domestic water service and a letter has been sent to Zach Lovely of the Gardiner Water District asking if the Gardiner Water District has sufficient water capacity for the proposed project. Groundwater quality and quantity will not be adversely affected with the proposed project.*

**6.5.1.12** The proposal will provide for safe and adequate vehicle and pedestrian circulation in the development.  
*The proposed site is being utilized for storage with offices associated with the applicant's operation. Pedestrians will not be able to walk around on site as this is the case in almost all of the parcels within the Libby Hill Business Park. Tractor trailer trucks can access and negotiate the site as needed with the ability to drive through the warehouse. The site has been designed to allow 67' long tractor trailer trucks to enter off Troiano Way and drive in either direction around the proposed building. There is more than enough area for vehicle circulation associated with the site.*

**6.5.1.13** The proposal will not result in a reduction of the quality of any municipal service due to an inability to serve the needs of the development.  
*A letter has been sent to John Cameron (Public Works Director) asking if he has any issues with the project.*

**6.5.1.14** The applicant has adequate financial and technical capacity to meet the provisions of this Ordinance.  
*E.S. Coffin Engineering & Surveying has the technical ability to complete the project. The applicant will have provided a financial statement indicating that they have adequate financing to complete the project.*

**6.5.1.15** If the property contains an identified historic or archeological resource, the proposal shall include appropriate measures for protecting the resource, including but not limited to modification of the proposed design of the site, the timing of construction, and limiting the extent of excavation.  
*A letter is included from the Maine Historical Preservation Commission, who have indicated that there are no historic properties affected by the proposed project.*

**6.5.2** Additional Site Plan Review Criteria  
*All applications for Site Plan Review shall meet the Review Criteria contained in 6.5.1 and the additional criteria contained in this section.*



**6.5.2.1.** The proposal will be sensitive to the character of the site, neighborhood, and the district in which it is located including conformance to any zoning district specific design standards. *The parcel is surrounded by other commercial/industrial parcels except on the west side where it abuts a 1-295. There are no design standards in the PIC District.*

**6.5.2.2** The proposal shall not have an adverse impact upon neighboring properties. *There aren't any residential properties that abut the parcel. It will be virtually impossible to see the building except for Troiano Way. Dust will be controlled during construction by using water or calcium. The project will not have an adverse impact on neighboring properties.*

**6.5.2.3** The proposal contains landscaping, buffering, and screening elements which provide privacy to adjacent land uses. *The project is required to implement a partial screen along Troiano Way and a full screen along the rear and side property lines. However, there is a substantial tree growth along all property lines, which will more than conform to Land Use Ordinance.***6.5.2.4** The building site and roadway design shall harmonize with the existing topography and conserve natural surroundings and vegetation to the greatest practical extent such that filling, excavation, and earth moving is kept to a minimum.

*The proposed driveway into the site is at the end of Troiano Way is at an elevation where the building finish floor elevation is about 7 feet higher. With the proposed entrance all traffic entering the site utilizes the parking area along the west side of the building. The site has been graded to send runoff away from the building in all directions and the cuts/fills have been minimized as much as possible with the existing topography of the parcel.*

**6.5.2.5** The proposal shall reflect the natural capabilities of the site to support the development. Buildings, structures, and other features should be located in the areas of the site most suitable for development. Environmentally sensitive areas including waterbodies, steep slopes, floodplains, wetlands, significant plant and wildlife habitats, scenic areas, aquifers, and archeological and historic resources shall be preserved to the maximum extent. *The proposed building is situated on the most desirable location on lot #21. The development does not impact any wetlands. Jones Associates were hired to delineate the wetlands on site, and they are depicted on the Topographic Survey. The Maine Historical Preservation Committee, the Maine Department of Inland Fisheries & Wildlife and the Department of Conservation have all provided letters that are included with this submission.*

**6.5.2.6** The proposal shall provide for a system of pedestrian ways within the site appropriate to the development and the surrounding area. The system shall connect building entrances/exits with the parking areas and with existing sidewalks if they exist or are planned in the vicinity of the project.

*There are not any sidewalks on Troiano Way nor along any road within the LHBP. The general public can drive into the site, find a parking space, and enter the office area, but this entire site is geared towards a storage facility with tractor trailer trucks and other construction vehicles moving continuously around all sides of the building. It doesn't make sense for any pedestrian access to occur other than the sidewalks abutting the parking areas.*

**6.5.2.7** In urban and built-up areas, buildings shall be placed closer to the road in conformance with setback requirements and parking areas shall be located at the side or rear. In rural or sparsely built areas, buildings shall be set well back from the road to respect the rural character of the area. Front parking areas shall be landscaped to reflect the rural area.

*The proposed building is situated on site so tractor trailers can adequately maneuver in and out of the warehouse building. There is parking along the south and west sides of the building. There is not any "Rural Character" associated with the Libby Hill Business Park as there are only commercial and industrial uses. The proposed parking areas are all adjacent to the building so that headlights point towards the building. There has been additional landscaping added near the parking areas to soften the paved areas.*

**6.5.2.8** Proposals with multiple buildings shall be designed and placed to utilize common parking areas to the greatest practical extent.

*There will not be multiple buildings on the parcel. 7 parking spaces are required per the Land Use Ordinance and there are 12 parking spaces shown on the site plan (C-1).*

**6.5.2.9** Building entrances shall be oriented to the public road unless the layout or grouping of the buildings justifies another approach.

*The main entrance to the building will be on the west side of the proposed building, which faces Troiano Way.*

**6.5.2.10** Exterior building walls greater than 50 feet in length which can be viewed from the public road shall be designed with a combination of architectural features with a variety of building materials and shall include landscaping abutting the wall for at least 50% of the wall.

*There are not any building design standards in the PIC District and therefore this section is not applicable.*

**6.5.2.11** Building materials shall match the character of those commonly found in the City and surrounding area and include brick, wood, native stone, tinted /textured concrete block, or glass products. Materials such as smooth-faced concrete block or concrete panels and steel panels shall only be used as accent features. Materials shall be of low reflectance, subtle, neutral or earth tone colors. High-intensity and bright colors shall be prohibited except when used as trim or accent. Building materials for industrial or commercial buildings located within an approved industrial park or subdivision shall not be required to follow this provision.

*There are not any building design standards in the PIC District and this section is not applicable.*

**6.5.2.12** Building entrances and points where the development intersects with the public road and sidewalk shall be provided with amenities appropriate for the area such as benches, bike racks, bus stop locations and other similar landscape features.

*The site is located off from a dead-end road (Troiano Way). The proposed site is being utilized for storage containers with office space associated with the applicant's operation. Pedestrians will not be able to walk around on site as this is a storage operation. There are picnic tables are shown along the east side of the building.*

**6.5.2.13** A proposal which includes drive-through service shall be designed to minimize impact on the neighborhood. Drive-through lanes shall be fully screened from adjacent residential properties and communication systems shall not be audible on adjacent properties.

*There are no drive-thru lanes associated with the project and this section is not applicable. In regard to the General Performance Standards in Section 8 of the LUO.*

Performance standards

Section 7 is met.

Section 8- 8.6 Lighting. Kris McNeill will review a lighting plan with the applicant due to the large size of this lot and what is the best way to light it.

8.11 There is plentiful buffering, so this is fine.

9.1 Air quality- no issues here. Dust will be controlled during construction.

9.2 Water quality. There needs to be a letter from Gardiner Water District.

9.5 there will be a screen dumpster.

Section 10 signs- The applicant will work with the CEO to make sure it fits the standard.

10.20.2.4 The letter that is included in this application from IFW is not current. The board would like to see an updated letter added to the application.

11.4 There will be at least 12 parking spots, which is plentiful.

Pam Mitchel moves that the performance standards have been met with conditions that a new letter from IFW be received, that the Fire Chief review the use of the laydown area, to make sure that sufficient space will be allowed between stacks for emergency vehicles, and a letter from Gardiner Water District will be received. Lisa St. Hilaire seconded the motion. No further discussion. All members present in favor.

Pam Mitchel moved that the review criteria have been met with the condition that letters from Gardiner Water, Gardiner Fire and IFW be received and added to the application. Lisa St. Hilaire seconded the motion. No further discussion. All members present in favor.

Pam Mitchel approves this application with the three previously mentioned conditions. Lisa St. Hilaire seconded the motion. No further discussion. All members present in favor.

**Application approved.**

7. Review of the September 12, 2023, meeting minutes- Pam Mitchel approved the minutes from 09/12/2023 with two small edits. Seconded by Shawn Dolley. No further discussion. All members present in favor.

**8. Other Business-** none at this time.

**9. Adjourn-** Pam Mitchel moved to adjourn at 10:10 pm. Lisa St. Hilaire seconded the motion. No further discussion. All members present in favor.