



6 Church Street, Gardiner, ME 04345
Phone (207) 582-4200

Debby Willis, Chairperson
Angelia Christopher, Administrative Assistant

PLANNING BOARD

Meeting Minutes

Tuesday April 12, 2022 @ 6:00 PM

City Council Chambers

1. **Call the Meeting to Order**-Chair Willis called the meeting to order at 6:00pm.

2. **Roll Call**-Board members- Chair Debby Willis, Lisa St. Hilaire, Pam Mitchel, Matthew Murphy, Shawn Dolley. City Staff- Kris McNeill, Tracey Desjardins, Zachary Hanley and Adam Lemire were not present for this meeting. Applicants- Jim Coffin, Ben Rowe, Brandon Ellis, Tom Milton. Abutters Edward Lawrence, Matthew Williams.

3. **Review of March 8, 2022 meeting minutes**- Chair Willis asks if there are any corrections or changes. Pam Mitchel has language changes and Lisa St. Hilaire asks if she can add input on the minutes where she had recused herself from the application. She inquired about the bank letter being referred to as a letter of financial capacity. Chair Willis states that she looked at the document, and that is what they have submitted as a letter of capacity, and that is what it should be considered. Pam Mitchel has a correction on the third page. She asks to clear up the wording to say '**leave the building on the drawing as it currently stands**'. Chair Willis asks for any other corrections or changes- none. She asks for a motion on the minutes. Lisa St. Hilaire offers the first motion to accept the minutes with the change to leave the building on the drawing as it currently stands. Second motion by Pam Mitchel. No further discussion. All members present in favor.

4. **Public Hearing**- amend Section 10.24.6.5.13 of the Land Use Ordinance dealing with signs in the PIC-- Chair Willis asks for any corrections or changes- none. Chair Willis opened the public hearing, there is no one here to speak for or against this amendment and there was no interest expressed at City Hall. Pam Mitchel makes a motion to send this to the City Council with the recommendation to pass. Matt Murphy offers a second motion. No further discussion. All members present in favor.

5. **Public Hearing**- amendments to the LUO dealing with Marijuana Retail Sales Establishments-this would allow dispensaries. Chair Willis asks for any corrections or changes- none. Chair Willis opened the public hearing, there is no one here to speak for or against this amendment and there was no interest expressed at City Hall. Pam Mitchel makes a motion to send this to the City Council with the recommendation to pass. Lisa St. Hilaire offers a second motion. No further discussion. All members present in favor.

6. **Public Hearing**- amendments to the LUO dealing with Marijuana products manufacturing. This has to deal with setting up 2 different versions of manufacturing, inherent and non-inherent. Chemicals would be considered hazardous. Chair Willis asks for any corrections or changes- none. Chair Willis opened the public hearing, there is no one here to speak for or against this amendment and there was no interest expressed at City Hall. Shawn Dolley makes a motion to send this to the City Council with the recommendation to pass. Matt Murphy offers a second motion. No further discussion. All members present in favor.

7. Public Hearing-BHS, Inc. is proposing to construct three self-storage buildings on Brunswick Ave. The buildings will have a total area of 13,200sf with the building along Old Brunswick Rd being two stories at Brunswick Ave City Tax Map 019 Lot 049 in the Planned Development District-

Jim Coffin presents the information for the application. The front of this project faces Brunswick Ave. There is an existing leach field for an abutter that lives on Old Brunswick Rd. on this property. The applicants are working with City of Gardiner WasteWater Director Doug Clark to set up city sewer for this abutter. The property owner, Edward Lawrence, was at the meeting and told the Board that he is supportive of the project.

He would like it in writing that his home will be hooked up to the City's sewer system as part of this project. The applicants will be sure that this happens.

The project will have a detention pond that will be about 4' deep. There will be limited utilities on site as this is a self-storage facility. There will be no water, and electricity will be coming from the Old Brunswick Rd. The site will be open 24/7, but the Brunswick Ave side will have a card accessed gate. The applicants plan to see how security goes with the gating system and if there are issues or concerns, they will consider motion detectors and or cameras. There will be minimal traffic flow at the site and should not be any issue.

Chair Willis asks if there are any other questions. No. She asks if there are any board members that cannot hear this in an unbiased manner. No. She asked if City staff had to obtain any outside services to review this application. No. Was there any interest shown in this application shown at City Hall? No.

Chair Willis opened the public hearing. There is an abutter here- Matthew Williams owns the property beside this proposed development and has questions about drainage. Jim Coffin shows him the drainage for the project will work on the property after it is developed. Mr. Williams also asks about the hours for the facility and what he should do if there are issues. The developers of this project tell him that if there are any troubles, he is more than welcome to contact them. No other questions. Chair Willis closed the public hearing.

Pam Mitchel makes a motion that the application is complete with the condition that the second page of the deed be submitted. Lisa St. Hilaire second. *(The Planning and Development Assistant forward the 2nd pg. to the board during the meeting)* All members present in favor.

Chair Willis will now go over Review Criteria.

4. Review Criteria (6.5.1)

An applicant shall demonstrate that the proposed use or uses meet the review criteria listed below for the type of application. The Planning Board shall approve an application unless one or the other of them makes a written finding that one or more of the following criteria have not been met.

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 adjacent to Brunswick Avenue.

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, but the abutter (Ed Lawrence) to the south on the south side of Old Brunswick Rd. has an easement on the applicant's property for a subsurface septic field. Mr. Lawrence has agreed to tie into a public sewer on Brunswick Avenue and a letter is included from Mr. Lawrence verifying this. This use doesn't require any 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 wetlands map is also included showing no wetlands on site.

6.5.1.6 The proposal will not have an adverse impact upon water bodies and wetlands.

There is a small strip of wetlands along the east property line and 335 sf of freshwater wetlands will be disturbed as a result of the project.

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 pre-development flows for the 1, 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 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 received from Paul Gray of the Gardiner Water District indicating that the district has no issues with the project.

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. Vehicles can adequately maneuver on site to get to their unit, but pedestrians will not be able to walk around on site as this is a storage facility.

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 Jerry Douglass (public Works Director) asking if the project will have any negative impacts to the public works department.

6.5.1.14 The applicant has the 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 provide a financial statement indicating that they have adequate financing to complete the project.

Site Plan Review Criteria (6.5.2)

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 has residential houses to the east and west and is bordered by streets along the north and south 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 has never been developed and has been vacant for years. Self-storage is a permitted use within the Planned Development District and the developed parcel should only increase property values 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 is required to implement a partial screen along all property lines per the Land Use Ordinance. The project will not have an adverse impact on neighboring properties. A fence will be installed along the south, east, and west property lines while a berm with 9 shrubs per 100' will be utilized along the north property line abutting Brunswick Ave.

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 earthmoving is kept to a minimum;

The proposed project involved the erection of three self-storage buildings extending in an east-west direction. The lot slopes in a south-north direction with an average slope of about 8%. The applicant will cut the elevation along the south side of the property and add fill along the north side of the property to help balance the cut/fills.

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 water bodies, 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 cuts/fills are somewhat balanced due to the topography of the site. There is a small section of wetlands along the east property line and are 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. A wetlands map is also included showing no wetlands on site.

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 or Old Brunswick Rd. The project involved the erection of self-storage building where pedestrian access is not warranted. The entrances/ exits into the site have been implemented in the most desirable locations.

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 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 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 are oriented to both Brunswick Avenue and Old Brunswick Rd. 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 both sides because of the proposed self-storage use. There can't be any landscaping adjacent to the building 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 smooth-faced concrete blocks 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.

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 brought overhead across Old Brunswick rd. to the two story self- storage building.*

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

8.11 Buffer yard & Screening Standards: *The project is required to implement a partial screen along each property line. We are proposing to use Partial Screen-Option #1 along the south, east, and west side and Option #2 along the north side of the property.*

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

A free standing sign will be installed adjacent to the entrance off Brunswick Ave.

6. Waivers (6.3.1)

Waiver of Submission Requirements

The CEO or Planning Board may, for good cause shown and only upon the written request of an applicant specifically stating the reasons therefor, waive any of the application requirements set forth in Sections 6.3.2, 6.3.3 and 6.3.4 provided such waiver will not unduly restrict the review process. The CEO or Planning Board may condition such a waiver on the applicant's compliance with alternative requirements. Good cause may include the CEO or Planning Board's finding that particular submissions are inapplicable, unnecessary, or inappropriate for a complete review. Notwithstanding the waiver of a submission requirement, the CEO or Planning Board may, at any later point in the review process, rescind such waiver if it appears that the submission previously waived is necessary for an adequate review. A request for a submission previously waived shall not affect the pending status of an application.

-The applicant is asking for a waiver in regard to parking as the use does not warrant any.

Chair Willis asks the board if they are ready to make a motion. Pam Mitchel makes a motion that this application meets all applicable provisions of the ordinance with three conditions. 1st condition is that a letter be added to the application stating that a sewer connection will be established for Mr. Edward Lawrence's property at 266 Old Brunswick Rd. Gardiner- 2nd condition that the letter from IFW be included with the application, 3rd- a DOT entrance permit be obtained as well as a street entrance permit from the City of Gardiner Code Enforcement Officer. Second motion offered by Shawn Dolley. No further discussion. All members present in favor.

Application approved.

5. Other Business- Gardiner Green will be heard at the May 10th Planning Board meeting. The group held a discussion about electronic emails, and how to remedy problems that have been happening. Mark Eyerman will be retiring this summer. The City is currently looking for a new contract planner.

6. Adjourn-Chair Willis asks for a motion to adjourn. Lisa St. Hilaire made a motion to adjourn at 7:47pm. Matt Murphy seconded the motion. No further discussion. All board members present in favor.