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Debby Willis, Chairperson
Angelia Christopher, Administrative Assistant

PLANNING BOARD

Meeting Minutes

Thursday October 13, 2022

City Council Chambers

- 1. Call the Meeting to Order**-Chair Willis called the meeting to order at 6pm.
- 2. Roll Call**- Board members- Shawn Dolley, Lisa St. Hilaire, Debby Willis, Pam Mitchel, Adam Lemire. Zachary Hanley was absent. City Solicitor Jon Pottle, City Contract Planner Mark Eyerman via phone. City Staff –Kris McNeill- CEO, Angelia Christopher- Planning and Development Assistant. Applicant- Paul Boghossian, Jim Coffin, Attorney Mark Bower. Kennebec Journal reporting- Jessica Lowell. Members of the public- Phyllis Gardiner, Cheryl Clark, Mike Gent, Helen Stevens, Karen Montel and Donald Brown.
- 3. Public Hearing:** Gardiner Green- Continuation of the September 14, 2022 meeting for the Final Subdivision & Continuation of Site Plan development Public Hearing at 150 Dresden Ave. City Tax map 032 Lots 023-023A in HDR. Lisa St. Hilaire has recused herself for this application. The Board will start with Site Plan review. The public hearing was left open at the last meeting. NO interest has been expressed at City Hall. Chair Willis closed the public hearing and the Board will start this evening with Section 8.
- 8.6 Essential services**-utilities are shown on the maps, and plans. Pam Mitchel makes a motion that 8.6.4 has been satisfied. Seconded by Shawn Dolley. No further discussion. All Board members present in favor.
- 8.7 Exterior Lighting**-The light locations are shown on the plan, there is info on what will be used, and there is a photometric plan included. Pam Mitchel makes a motion that all appropriate sections of 8.7 have been satisfied. Shawn Dolley seconded the motion. No further discussion. All Board members present in favor.
- 8.9 Material storage**- 8.9.1 Dumpsters and collection containers shall be screened from view. Pam Mitchel makes a motion that 8.9.1 has been satisfied. Adam Lemire seconded the motion. No further discussion. All Board members present in favor.
- 8.11 Screening**- buffers and Screening. Pam Mitchel makes a motion that 8.11.4.3.2 has been satisfied. Shawn Dolley seconded the motion. No further discussion. All Board members present in favor.

8.11.4.5 Parking requirements. This is an existing lot, so it doesn't need to be modified right now. There is landscaping around the lot, but there will need to be some within the parking lot. The applicant states that they will put a few trees on the end caps of the aisles to break up the appearance of the lot. Pam Mitchel makes a motion that sections 8.11.5 is satisfied. Adam Lemire seconded the motion. No further discussion. All Board members present in favor.

Section 9. 1 Air quality- Pam Mitchel makes a motion that section 9.1 has been met. Adam Lemire seconded. No further discussion. All Board members present in favor.

9.2 Water quality- Pam Mitchel motions that 9.2 has been met. Shawn Dolley seconded. No further discussion. All Board members present in favor.

9.3 Groundwater protection- Pam Mitchel makes a motion that 9.3 is not applicable. Adam Lemire seconded. No further discussion. All Board members present in favor.

9.4 Water Bodies-Pam Mitchel motions that section 9.4 has been met. Shawn Dolley seconded the motion. There was a discussion about the possible stream on the property. Jim Coffin reports that a local Site Evaluator, Vaughn Smith, did not find a stream within the lines of the property. No further discussion. All Board members present in favor.

9.5 Solid Waste- Pam Mitchel motions that 9.5 has been satisfied. Adam Lemire seconded the motion. No further discussion. All Board members present in favor.

9.6 Potable water supply- Pam Mitchel motions that 9.6 has been satisfied. Adam Lemire seconded the motion. No further discussion. All Board members present in favor.

9.7 Public and Private Sewer Provisions- Pam Mitchel motions that 9.7 has been satisfied. Adam Lemire seconded. No further discussion. All Board members present in favor.

9.8 Phosphorus Control- Pam Mitchel motions that this is not applicable. Shawn Dolley seconded. No further discussion. All Board members present in favor.

9.9 Erosion Control- Pam Mitchel motions that 9.9 has been satisfied. Shawn Dolley seconded. No further discussion. All Board members present in favor.

9.10 StormWater Management Standards- Pam Mitchel motions that 9.10 has been satisfied. Shawn Dolley seconded the motion. No further discussion. All Board members present in favor.

9.11 Historic, Archeological, Wildlife Habitat, Scenic Areas, and Rare and Natural Areas- There were letters from Maine Historical, and IFW. It is not an ordinance requirement, but some feel there should be a letter from the Maine Natural Areas Program. Mr. Coffin will request a letter. Pam Mitchel motions that 9.11 is satisfied with the condition that the Maine Natural areas program letter is received. It should say that there are no rare or exemplary botanical features on site or near the site. Shawn Dolley seconded the motion. No further discussion. All Board members present in favor.

9.12- Earth Moving activity- Pam Mitchel motions that this 9.12 has been met. Adam Lemire seconded the motion. No further discussion. All Board members present in favor.

Section 10.16 Two/Multi-Family Dwelling Units- Multifamily Conversion

There is still parking in the front, but it is very well buffered. This parking is close to the building and would make good handicapped parking. This change will be made on the Site Plan for the next meeting.

10.16.3.8- There is a dumpster on the plans.

10.16.3.9- Open space design. There is the area set aside for a walking trail, which is big enough. There will also be a flower garden right beside the building. Board member, Adam Lemire, states that he interprets open space as more of a yard or playground. He feels the intention is an open accessible space. Open space is defined in 10.23.3.1 and there are several options. Pam Mitchel states that more usable space needs to be considered for this project.

10.16.5 - Density Bonus- The Board will hold off on voting this.

10.24 Signs- any signs that are proposed will need to meet Ordinance standards and will take place during the permitting process.

11.2 Driveway Design- There is an existing parking lot, which is wide enough to meet safety standards.

11.4 Parking standards. There is an existing parking lot, which will be repainted/lined. The final number of parking spots will be reflected in the final decision. Pam Mitchel makes a motion 11.4 has been met. Adam Lemire seconded the motion. No further discussion. All Board members present in favor.

Review Criteria for all applications- 6.5.1

6.5.1.1 The fee was paid, and the application was deemed complete.

6.5.1.2- The Board will come back to this one.

6.5.1.3 Pam Mitchel moves that 6.5.1.3 has been met. Adam Lemire seconded the motion. No further discussion. All Board members present in favor

6.5.1.4 Pam Mitchel moves that 6.5.1.4 has been met. Adam Lemire seconded the motion. No further discussion. All Board members present in favor.

6.5.1.5 It has been requested that there be a condition for a letter from Maine Natural Areas Program addressing any potential rare or exemplary botanical features on or near the site. Pam Mitchel moves that 6.5.1.5 is met with the condition that a letter be sent. Adam Lemire seconded the motion. No further discussion. All Board members present in favor.

6.5.1.6 Pam Mitchel moves that 6.5.1.6 has been met. Adam Lemire seconded. No further discussion. All Board members present in favor.

6.5.1.7- Pam Mitchel moves that 6.5.1.7 has been met. Adam Lemire seconded. No further discussion. All Board members present in favor.

6.5.1.8- and 9 Pam Mitchel moves that 6.5.1.8-9 are not applicable. Adam Lemire seconded. No further discussion. All Board members present in favor.

6.5.1.10 Pam Mitchel moves that 6.5.1.10 is met. Adam Lemire seconded. No further discussion. All Board members present in favor.

6.5.1.11 Pam Mitchel moves that 6.5.1.11 has been met. Adam Lemire seconded the motion. No further discussion. All Board members present in favor.

6.5.1.12 Pam Mitchel moves that 6.5.1.12 has been met. Adam Lemire seconded the motion. No further discussion. All Board members present in favor.

6.5.1.13 Pam Mitchel moves that 6.5.1.13 has been met. Adam Lemire seconded the motion. No further discussion. All Board members present in favor.

6.5.1.14 Pam Mitchel moves that this criteria has been met with the two conditions that were identified in 14.4.10 technical and financial capacity. Adam Lemire seconded the motion. No further discussion. Four board members present, in favor. Chair Willis opposed. 4-1. Motion passed.

6.5.1.15 Pam Mitchel moves that 6.5.1.15 does not apply. Adam Lemire seconded the motion. No further discussion. All Board members present in favor.

Review criteria for site plan review.

City Solicitor Jon Pottle directed the Board to look at the standards carefully. There are some areas of this property that cannot be controlled such as the roof. There are substantial changes to the side façade with new windows, and the addition of balconies. This building will never ‘fit in with the neighborhood’, despite what the Comp Plan says. Improvements to the building can improve basic harmony, but not every standard for HDR can be applied.

7.8.4.3.5- Adam Lemire states that the front façade needs more work, and what is presented in the renderings does not fit into the character of the neighborhood. The metal balconies, cable railings are not characteristic of Dresden Ave. Shawn Dolley states that his biggest concern is the amount of people this project will add to the neighborhood. That increase alone, will likely change the character of the neighborhood.

Attorney Bower offers that this Board does not have the authority to enforce this, and that there are several court cases on record where Maine towns have been involved in cases similar to this.

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. There was general discussion about this standard, which offered many differing opinions.

The Board decided that because of the time, they will table this application until a further date.

4. Other Business-No new business at this time. Mr. Boghossian reports that he needs a little time to get The requested materials together. After discussion, the board decided to hold the next Gardiner Green continuance on December 15, 2022

5. Adjourn- Pam Mitchel offered a motion to adjourn at 10:08pm. Shawn Dolley seconded the motion. No further discussion. All in favor