

## **PLANNING BOARD MINUTES**

### **Regular Meeting**

**Tuesday, June 11, 2019 @ 6:00 PM**

**City Hall Council Chambers**

#### **1. Call the Meeting to Order**

Chair Willis called meeting to order at 6:05 pm

#### **2. Roll Call**

Members Present:

Chair Debby Willis, Pamela Mitchel, Les Young, Diane Morabito

Members Absent: Zack Hanley,

Also present: Kris McNeill (CEO), Angelia Sencabaugh (Planning and Development Administrative Assistant, Michael Hamlin (Applicant), Thomas Moody, Jack Donahue

#### **3. Review of previous Planning Board Meeting Minutes: Dates included were 05/14/19, 05/21/19, 05/28/19, and 06/03/19.**

Minutes from 05/14: Pam Mitchel was not here on 5/14 as she was not notified. The only members present were Debby and Diane- Diane a motion was made to accept minutes with these corrections.

Minutes from 05/21: Pam Mitchel made the motion to accept the minutes from 5/21 as written. Diane Morabito made a second.

Minutes from 05/28: Pam Mitchel made a motion for a change. The list of people not present for the meeting is incorrect. Remove Diane Morabito. Add Kris McNeill- CEO to those present as he was in the role of CEO at the time. Diane Morabito seconds. All in favor.

Minutes from 06/03: Diane Morabito requests a change: The board would like the sentence- "The board was satisfied after hearing of the procedural changes that address the storm water pollution issues." added to the minutes. Pamela Mitchel made motion to approve minutes as amended. The motion was seconded by Diane Morabito- all were in favor.

#### **4. Public Hearing – Comprehensive Plan Implementation**

Applicant/Michael Hamlin - Planning Board Review for 11 Technology Dr. Gardiner, Maine. This is a Change of Use Application. (Restaurant/Pub)

Present Michael Hamlin-

Business partners- Thomas Moody and Jack Donahue.

*Mr. Hamlin owns the Bench and Gardiner Surf and Turf, established businesses, with Mr. Thomas Moody. They are proposing a 90 seat eatery, with 5-10 employees, and will be applying for a liquor license. The establishment, 'Park Pub and Grub' would operate 10am -1am. They plan to offer theme nights, and have special events such as Bob Marley etc. Mr. Hamlin reports that he has discussed this with Park residents, and they were on board with the idea, and all for it.*

The building at 11 Technology Drive was previously used as a car repossession business and Mr. Hamlin is approaching the Planning Board to discuss opening a restaurant/pub. Mr. Hamlin reports that he has spoken to other residents, EJP- P. Prescott, Pine State, and the companies that occupy this park would like to have someplace to send their employees nearby for meal breaks. Most employees only have 30 minutes for a break, and do not have time to leave the park. Having an establishment, that serves food, within park boundaries, would be a great help to area business.

The group had submitted the application because was not sure what they could do with the property, and wanted to bring it to Planning Board with the hopes of discussing this business venture for approval. The location is in the use table. This type of establishment is permitted with review.

Pam Mitchel has a comment about the application hours: it states that the hours of operation are from 11 am 12pm, which is one hour. This was done in error according to Mr. Hamlin. Correct hours of operation will be 10 am, to 1am. Pine state starts sending people for meal breaks at 10 am, hence the earlier opening. Planning Board Members agree that business hours will need to be revised on the application.

Diane Morabito inquires about the number of seats that the proposed eatery will have. Mr. Hamlin states that there would be 90 seats- between both floors of the establishment, and an approximate 40 more when an outside deck is added at a later date.

This many seats, ½ a parking spot for each proposed customer, would require at least 65 parking spots. There is currently no defined parking design. Chair Willis visited the site, earlier today, and despite the size of the lot, there is concern if this many cars can fit in this lot, because it is not defined. Mr. Hamlin states that the lot is more than big enough, and that it's approx. 100'x120'. Parking spots need to be 9'x18' with 22' aisles. Diane Morabito feels that there might be room for only three aisles at this site, which could make getting 65 parking spots, challenging. The board agrees, for this many seats, there needs to be a parking lot layout/plan.

There is no mention of lot lighting in the application. This will need to be included in the parking design plan, as the lot will be very dark at night.

Michael Hamlin is concerned, because the purchase and sale agreement runs out in 2 weeks, and they could lose this property if they have to do all this legwork ahead of time. Planning Board members are not opposed to approving this development, with conditions, in order to get this going.

### **Chair Willis opened the discussion for Public comment at 6:48PM**

Chair Willis asks the group if anyone has a conflict of interest for this establishment? There are none

The city did not hire anyone to look into this matter.

Chair Willis asks Kris McNeill- CEO if anyone has inquired about this matter –No one has with the Administrative Assistant either.

No public comment.

**Public hearing closed at 6:49PM.**

**Chair Willis proceeds to review the application:**

- Applicant has paid the \$125 fee
- The proposal conforms to all applicable provision
- Proposed activity will not result in pollution
- There are no new proposed changes to water or sewer at this time- Mr. Hamlin has verbally obtained the ok for this,
- There are 3 bathrooms, actually one shower with a 4-inch pipe that will be to another bathroom. There is also a kitchen with a double sink,
- Development will not have adverse effect on wildlife, this is an existing building.
- Storm water management is already in place
- Flood plain and Shoreland Zoning management requirements have been met.
- City water services are available on site.
- Proposal will not adversely affect groundwater quality or quantity
- Development will be safe for vehicle and pedestrian traffic
- 2 points of access to the lot
- Daily peak trips 55-60 trips
- Signage needs to be approved by CEO
- Lighting needs to be approved by CEO
- Is there a noise buffer? – lots of tree on the property- the building sits back from the road, creating a good sound break.
- -9.9 erosion control- needs to be addressed. There are currently ruts, bumps, small washouts. Road has been unattended for a time, will need to be maintained. Mr. Hamlin reports that this will be done.

**Conditions for approval are as listed:**

- Need to have a Parking lot- layout and design- including a lighting design that meets code.
- Applicants will need to talk to Water district about size of the pipes to make sure that the pipes can meet the level the need.
- They will need a signed letter from Dept. Supervisors of Water and Sewer stating that the lines installed in the property are adequate for this type of business.
- They will need letters from the Fire and Police chief about safety of the site.
- They will also need a formal plan, signed and approved, from DHHS, for the grease trap in the kitchen.

Chair Willis asks for a motion, all those in favor, unanimous, 2- 3 of the applicants are in favor

Pam Mitchel makes a motion to approve this development with the previously mentioned conditions and notes - all those approved. Diane Morabito seconds the motion, all in favor.

Pamela Mitchel made motion to adjourn.

Seconded by Les Young

All in favor. Unanimous.

**Next meeting 7/9/19**

-will be reviewing topics from the 11/2018 meeting

Land Use Ordinance Amendments to Section 7 Zoning Districts, Section 8 General Performance Standards, Section 10 Special Activity Performance Standards, Section 11 Roads, Traffic and Parking Standards, Section 17 Definitions, and the Zoning District Map.

-Debby would like to make not that she has received additional material about the chicken plant, DEP- to be discuss in a future date.

**5. Adjourn**

Pam Mitchel made motion to adjourn 7:20 pm

Diane Morabito offered a second. All in favor