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Phone (207) 582-4200

Debby Willis, Chairperson  
Angelia Sencabaugh, Administrative Assistant

**PLANNING BOARD MEETING**  
**Tuesday, November 12, 2019 @ 6:00 PM**  
**City Hall Council Chambers**

- 1. Call the Meeting to Order** Chair Willis called meeting to order at 6:08pm
- 2. Roll Call; Members Present** -Chair Debbie Willis, Pam Mitchel, Zachary Hanley, Lester Young
- 3. Others present**- Tracey Desjardins- Economic Development Director, Kris McNeill- Code Enforcement Officer, Dawna Gregoire, Ingrid Stanchfield, John Bobrowiecki, Mark Roberts, Pat Jackson, Tom Moore, Terry McGuire, Ellen McGuire, Mr.+Mrs. Oliver Bourget, Desiree LeBourdais, Sara Hasty, Gena Canning, Peter E Prescott, Todd Valentine, Steve Weatherhead, Norm Chamberlain, Ken Studtmann. Angelia Christopher- Planning and Development Administrative Assistant.

**4. Review of the September 10, 2019 meeting minutes-**

The board has requests for changes that are discussed during, presented after the meeting. Pam makes a motion to accept the minutes with the changes requested, Zachary Hanley seconds the motion, all are in favor.

- 5. Applicant-** Todd Valentine representing Boys and Girls Clubs of Kennebec Valley.  
Site Plan Review- Razing existing Building-Construction of a new facility and  
Construction of new soccer field.

Todd Valentine- presents information for his company RES. Mr. Valentine tells us that he has been working as a consultant for the Boys and Girls club, for the past couple of years. They started this process by looking at renovation options, exploring other properties that they could redevelop into a new Boys and Girls Club and checking out land that they could develop into the new Boys and Girls Club. After a long period of looking at options, they have come to the conclusion that in order to prevent extra cost, and displacing them out of the building they are in, whether the building was renovated or demolished and rebuilt, that continuous operation to the public they serve, was

imperative. It is really important and paramount that they continue to serve people without extra cost.

The 7.4-acre site will be reworked so that the new building is parallel to the old one as it sits currently. There will be a soccer field and parking where the building is sitting now. There would be a lollipop- drop off loop driveway, which would help with safety and security. Mr. Valentine goes through the plans, describing each section of the building, the outside play areas, parking, buffering, etc. The outside of the building will be a mix of masonry and siding with a flat roof. The building is approximately 33,000 sq. ft. of space. This is a significant increase from the current 25,000 sq. in the current building. The entrance to the building will still be on Pray St. The proposed building will have a 100' setback from Pope St. There will be extensive buffering on the tree line by the parking area, but it is unclear how much there will be by the soccer field. Maps show that the current buffering is minimal by the proposed field, which will be discussed in another section.

It is unclear how much parking there is at the current site, but the new development will have 90 stalls. There will be outside play areas for toddlers/waddlers, preschoolers, school age kids and an outside teen space as well. There will be swing sets, and a basketball court built after the new building is complete. After the old building is razed, the new soccer field and parking lot will be completed.

There is a question as to where the high school soccer teams will practice while all this construction is going on. Mr. Valentine answers that he is not sure, hopefully they can use one of the high school fields. Mr. Valentine does offer that the Soccer field was never ditched properly and often has to be shut down for days, after wet weather. The new field is going to be designed with improved ditching/drainage, and will be able to be used more consistently.

Pam Mitchel asks what will happen to parking for the facility during construction? Mr. Valentine states that the bulk of the work will be done during the summer, and they will approach Gardiner High School for parking in their lot during construction.

Chair Willis states that there are no waiver requests attached to this application.

### **Chair Debbie Willis opens the meeting for public comment.**

Tom Moore- Mr. Moore is an abutting neighbor to the Boys and Girls club with property at 54 Fountain St. He tells the board that he feels that this is a great project, but perhaps more should be done to try to work in the existing framework first. He goes on that there is a perfectly good building, where the club is currently, and that it can be renovated. He states that the vista overlooking the currently soccer field is beautiful, and should be preserved. That view, that includes the view of the High Schools Football Field, should be preserved. Building this proposed development, would destroy that, therefore we should try to revitalize the current building.

Terry McGuire, 89 Harrison Ave, abutter to Boys and Girls club. The proposed soccer field will be right against his property line. Mr. McGuire feels that overall, the plan for the new Boys and Girls club is great. However, he is not happy with the fact that he was not included in the planning of this project, or the fact that the new soccer field is going to be right beside his house. He has concerns about noise, stray balls, and most likely children, coming into his yard. The McGuire's feel that these are things that will affect their everyday lives, and most definitely the value of their home. They feel having the soccer field right next door, will decrease the resale value of their home, and that this development will change the entire neighborhood. Mr. McGuire

feels that the setbacks aren't enough, that it should be at least 100ft between his property and the soccer field. He asks the Planning board what the setbacks are. They report that there are no defined setbacks for a soccer field, only for structures. He feels that this development could have been used within the existing property lines, that maybe they should have tried hard to renovate the building. He feels that this is all about the Boys and Girls Club, and not at all about the Community.

Sara Hasty, is another abutting neighbor to the Boys and Girls Club, residing at 190 Highland Ave. She tells us that she has lived in this home for over 40 years and remembers when the Club moved into that location. She informs us that her children attended the former school at this location and later practiced on their field. She is here tonight to speak as a resident of Gardiner, neighbor to the club and a board member to the Boys and Girls Club. She goes on to tell the group that the soccer field had opposition when it was first built. That the neighborhood did not want it then and has since come accustomed to it and the community it brings. The soccer field has never drained properly, often being left unusable for days after inclement weather. A new field, with improved drain design, will alleviate this issue. The Community needs the Boys and Girls Club and the Club is trying to do what is right. The current building cannot be renovated to the extent that it needs. The Club plans to work with the community, to make this development work. The developers have worked to design a beautiful building with even more beautiful grounds. They plan to work with the surrounding community, to make sure that this is a positive effort.

Chair Debbie Willis asks if anyone inquired about the development- No one has. She asked if anyone came into City Hall to ask about this application- One resident wanted an application and the designs.

**Chair Debbie Willis made the announcement that she would close the public hearing**

**Public hearing closed at 6:45**

Application will be reviewed

6.5.1.1-the application is complete and the fee has been paid

6.5.1.2- this proposal conforms to all applicable provisions of this ordinance- we will come back to this after reviewing the application

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

6.5.1.4 The proposal will provide for the adequate disposal of all wastewater and solid waste- yes

6.5.1.5 The proposal will not have an adverse impact upon wildlife, natural areas, shoreline access, scenic areas, archeological and historic resources- no

6.5.1.6 The proposal will not have an adverse impact upon water bodies and wetlands- no

6.5.1.7 The proposal will provide for adequate storm water management- yes

***It has been found that in the Storm water report, under Tab 12 in the 'Conclusions' section- that there is a typo. It currently reads "...this project shows that redevelopment of this site will result in increased pollutant runoff "***

6.5.1.8 The proposal will conform to all applicable Shoreland Zoning requirements – yes

6.5.1.9 The proposal will conform to all applicable floodplain management requirements – Yes

6.5.1.10 The proposal will have sufficient water available to meet the needs of the developments - Yes

6.5.1.11 The proposal will not adversely affect groundwater quality or quantity - Yes

6.5.1.12 The proposal will provide for safe and adequate vehicle and pedestrian circulation in the development-Yes

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

6.5.1.14 The applicant has the adequate financial and technical capacity to meet the provisions of this ordinance- Yes

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### **Performance standards**

8.4 accessory structures can't be in the front yard- size of the snack shack- 12 ft. high or less, the proposed snack shack will be less than 12X12. Steve Weatherhead Architect for the project, "the snack shack will be in the back of the property".

8.6 essential services – extensive utilities plan- There is a letter from public works attached to the application.

8.7 extensive lighting plan- The designs state the correct # of lumens- with all the lights facing down. Kris will look through the designs and make sure they are all in compliance

8.8 noise-. Buffering along soccer field is an issue. It is very sparse, especially near the McGuire residence, and this is a concern.

8.9 exterior material storage- There is a fenced in dumpster on the site plan designs. Literally said 'dumpster fence' in the plans.

8.11 buffers – landscape architect Ken Studtmann There is very little buffering next to the field and The McGuire's are not happy about this. Why is there no additional buffering allowed next to the soccer field? Originally felt like the soccer field is a green open space and not a structure that is why the buffering didn't continue. There is currently a stockade fence, which can be considered a full buffer, but is it possible to put more buffering on that property line. Is it possible to enhance that with more vegetation? Mr. Valentine states that this is indeed possible, but they need to be considerate of cost, as this is all donations. Les Young asks what the is likelihood of shifting the soccer field, due to setbacks? The amount of parking spaces needed, shifting the soccer field that could mess with the parking situation, cutting down parking spots. The Board asks Mr. Studtmann is there is anything we could do to improve the buffering screen on the side of the soccer field? His reply is if anything is going to be done it would be done with evergreens. When asked if evergreens would work, The McGuires stated as long as they are dwarf and will not grow too tall. They don't want anything that is too tall, because in the afternoon, the sun comes around, and they don't want anything to obstruct their view. Mr. Studtmann states that 4ft evergreens along the fence would be planted as a buffer.

Pam Mitchel questions the amount of Hemlocks going on the property, due to the destructive wooly adelgid being close by in Woolwich Maine. Ken Studtmann states that Hemlocks are great for wet conditions, and they are native. Pam Mitchel is concerned that they could be dead in 10

years, due to the adelgid, and they will have to be replaced- adding more expense. Mr. Studtmann states that he duly notes this.

Parking- As a school/daycare the new building will have 90 parking stalls, that should be sufficient. There is also the 'lollypop' drop off lane which is believed to significantly help traffic flow.

8.12 visual harmony with the environment with Gardiner.

This building has a flat roof, which does not comply with the standards for visual harmony. However---

There have been some extensive changes to the ordinance. While it is optimal for a roof to be pitched, a building of this size and scale is very challenging. So in this instance, a flat roof is acceptable. Buildings with the footprint of 4000 sq. ft. or more may be designed and constructed with any roof form, that is visually compatible with the overall design of the building.

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## **Section 9 environmental protection-**

**9.2-** ground water protection- Water quality met

**9.5** solid waste- there is a fenced in dumpster

**9.6** water supply- we have a letter from the city

**9.7** public sewer is done- we have a letter and a formal plan

**9.9** erosion control is done- Plenty of info about erosion control measures in the plan

**9.10** Storm water design standards-Retention pond, catch basin detailed plan in application

## **Section 10 special activity performance standards.**

**10.5.2.1** was addressed with outdoor play areas with a fence

Signs- will work with code enforcement for approved signage

## **Section 11 parking standards- have already discussed**

**11.1.3.7** general standards- vehicle trips peak visitation-

There is actually a discrepancy in the application some of the numbers included in the application will be staff. Should read @ 35 trips per hour at peak.

Back to our review criteria

**6.5.1.2-**This proposal conforms to all applicable provisions.

Pam Mitchel makes the motion that this proposal does conform to all applicable provisions of this ordinance with conditions letters from public works, and sanitary district be added to this application, and that the buffer next to the soccer field be increased with 4 ft. dwarf evergreens. Also a note that the flat roof is allowed. Referencing the general language in the Ordinance in other districts where flat roofs are allowed on a building of this size because of visual harmony. Zachary Hanley makes a second motion. All are in favor.

Pam Mitchel makes a motion to approve this project with the mentioned conditions. Lester Young seconds the motion. All are in favor.

This is a \$10,000,000 project in its entirety, that has been fundraised and privately funded, etc. There is some opposition, but also tons of support from the community to build this new facility.

There have been two studies, on renovations, and it was financially not feasible to renovate. The whole operation would have to shut down, families would have to find child care, jobs would be put on hold... There is currently a waiting list for child care at the facility, closing it down for a rebuild would not be feasible. The building is in irreversible repair. There are broken sills, the drainage system is non-functioning. This plan is the best approach for the community.

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## **6. Other Business**

Patrick Jackson is here for an Informal Solar Project discussion. Mr. Jackson works for a company called Sunraise Investments- He is here to discuss a project that his company is proposing and he is looking for guidance as to what the Planning Board will need from his company when it is time for them to file an application.

Mr. Jackson and his company are working with a large company in the Libby Hill Business Park, Pine State, to set up a solar energy project. They are looking to set up Solar Panels on the roof of their warehouse, and also a solar land array, on a piece of land behind Coremark. Younger generations want to see renewable energy sources, and Pine State is trying to reduce their carbon footprint.

LD1711- passed this year and that is what is enabling this to happen. It is essentially framework for commercial solar energy projects. The max system size for projects on this bill is 5 megawatts, which is what they want to do at Pine state. The amount of electricity that this will produce is more than what Pine state uses. Excess power that they don't use will go into community solar. Community Solar is something that Maine has never really had. This power can be sent schools, renters, town buildings, etc. This will be a cleaner, more cost effective energy source for those in town.

This project is proposed to produce more power than Pine State uses. Pine state currently uses approximately 2 million kilowatts, and this is proposed to produce 7 million kilowatts. Mr. Jackson reports that one yr. of solar electricity productions will offset 1200 cars on the road a year, 650,000 gallons of gas a year. This amount of carbon sequestration from trees this amount of solar power is equal to 6866 acres of carbon sequestration. Healthier, renewable, more cost effective energy sources.

There is a certain amount of projects that will essentially fill up- This will be done on a first come first serve basis. The PUC will open the window for contractors to submit projects, on April 1, and the general consensus is it will fill up on day one. There are already 3x the amount of projects being proposed more than the number of permits that will be issued. Mr. Jackson feels that in order to secure a permit with the PUC, the best approach would be to present a complete proposal for the project, complete with designs, landowner permissions, permits, surveys, etc.

Mr. Jackson states that he is just looking for guidance on this project. There is currently nothing in the ordinance on permitting a solar project, but there is nothing preventing a project either. Gardiner is currently working on developing a Solar Ordinance, but it will be some time before it is ready.

The questions that have come up are who will obtain the permits? Pine State or Sun Raise? Would it be a building permit or some other kind of permit? What kind of structural work is

entailed? Would it need security of any type? These are all valid questions. If they are doing anything on the roofing, for the array, that will count as a building permit. The ground mounted array will be used with earth screws instead of concrete. Will have concrete pads for transformer, and road built. Very little impervious space. For security purposes they would have to have fencing, as well as discussions with the local fire dept. in the event of an emergency. There was a discussion about permit responsibility. If Pine state owns the building/land- wouldn't they be responsible for the pulling of the permit? Such as the rooftop array. But what about the land use changes? Sun Raise are leasing the land from Pine State, so this is up to Sun Raise, they have written authorization from Pine State to obtain permits for the array. The Board seemed to have a consensus that the permitting path is to view the ground mount project as an Industrial Use in an Industrial Park, and therefore a Site Plan inclusive of Stormwater Calcs should be submitted for review.

This is exciting project for the City of Gardiner, and the Planning Board is looking forward to more information.

Mr. Jackson reports that his company has done dozens of these projects and he will be contacting the City with an application for Planning Board, soon.

### **Adjourn**

Pam Mitchel makes them motion to adjourn at 8.15pm. Zachary Hanley seconds the motion. All are in favor.