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Debby L. Willis, Chairperson
Kelly Gooldrup, Administrative Assistant

PLANNING BOARD MINUTES **Tuesday, July 10, 2018 @ 6:00 PM** **Regular Meeting** **City Hall Council Chambers**

<u>Members Present:</u>	<u>Members Absent:</u>	<u>Also Present:</u>	
✓ Debby Willis	✗ Zachary Hanley	✓ Barb Skelton, CEO/Assistant Planner	✓ Megan McGuire
✓ Joel Alexander		✓ Kelly Gooldrup, Administrative Assistant	✓ Jessica Clark
✓ Les Young		✓ Dan McKenna	✓ Russ Baer
✓ Pam Mitchell		✓ Jim Coffin	✓ Ellen Rathbone
✓ Diane Morabito		✓ Andy Dubay	✓ TJ Troiano
		✓ Jim Hebert	✓ Dale Gregor
		✓ Dan Laflin	✓ Kevin Mattson

1. Call the Meeting to Order

Debby Willis called the meeting to order at 6:01 PM

2. Roll Call

3. Review of Meeting Minutes of May 08, 2018

Pam Mitchell made a motion to approve the minutes as written.
Diane Morabito seconded. All in favor. 5-0-0. Motion passed.

Board agreed to not start new business after 9:00 PM and end the meeting no later than 10:00 PM.

4. Public Hearing – Revision to an Approved Subdivision

Dan McKenna of Hilltop Log Homes Inc. is seeking approval to combine two lots into one at Streamside Estates II at Timberwood Drive on City Tax Map 11 Lots 18-17 and 18-18 in the Residential Growth (RG) Zoning District.

Debby Willis calls Dan McKenna to the table.

Dan McKenna wants to combine two lots into one for selling.

Debby Willis asks the Board if they can hear this application in an unbiased opinion. Board members say yes.

Debby Willis opened the floor for public hearing. 6:07 PM. No one from the audience has any comments. City staff is also asked if anything has come in to the office. Staff responds with nothing has been received. Public hearing closed. 6:08 PM

Debby Willis refers to Chapter 14 in the Ordinance Book, revisions to subdivisions and asked the Board if they have any questions or comments.

Pam Mitchell made a motion to accept this change to Streamside Estates II.
Diane Morabito seconded. All in favor. 5-0-0. Motion passed.

Members stopped to sign the proposed plan map. (Mylar & City copy)

5. Public Hearing – Subdivision Preliminary Plan Review

James E. Coffin, PE of E.S. Coffin Engineering & Surveying, Inc. representing Central Maine Crossing LLC is seeking approval of seven lots at Central Maine Crossing on City Tax Map 11 Lot 2A in the Planned Development (PD) Zoning District.

Debby Willis

Jim Coffin with Dan Laflin and Kevin Mattson

7 lot sub w a road going down the middle.

Lot 6 has an issue. DEP says it has to be below 20 acres or less than 5 lots. To be compliant with DEP, Lot 6 will be land retained by owner.

Lot 2 will be going to DEP for a storm water permit.

Road plan with grading. Plan is to use ditching instead of curbing.

Pam Mitchell asked if it will be a City road. Jim Coffin said yes.

Eventually a pump station will be installed. Not until after the hospital is built.

Water right side and sewer left side and electric shoulder down the road beside the water. All Underground.

Existing grade is 2% for the road for the first 75 feet. Then at station 8, it has a 100-foot section that is 12% grade. Tony from Public Works expressed concern and they negotiated a 3-foot paved shoulder to reduce the risk of washout. Also at station 11+00.

No sidewalk except around Maine General.

Barb Skelton asked if the road will be phased.

Jim Coffin said the road will be brought to lot 2 and put a temporary T-turn in there so people can turn around. As we continue the road, we will keep phasing.

Les Young asked what if a hotel goes in? People want to walk to the hospital. Why no sidewalk?

Jim Coffin said they hadn't thought of that. There is enough space for a sidewalk if needed. Just build up the curbing.

Barb Skelton said there have been issues with people crossing Libby Hill and other roads without sidewalks.

Debby Willis says we have a modification to the application to show 6 lots not 7 lots.

Pam Mitchell asked if we can waive standards.

Barb Skelton yes. The ordinance does have some instances to waive some of the standards.

Barb Skelton 14.5.7 waivers: Section 1 allows the planning board to vote to waive any of the review criteria and/or any of the ordinance performance standards.

Debby Willis asks the Board if they can hear this application in an unbiased opinion. Diane Morabito says she is doing a traffic study for the Maine General Building and believes she can be unbiased. Debby Willis asks the board if they agree she can be unbiased. Board says yes. All other members say they can be unbiased as well.

Debby Willis opened the floor for public hearing. 6:30 PM. No one from the audience has any comments. City staff is also asked if anything has come in to the office. Barb Skelton no public contact but Public Works Director and Fire Chief sent letters.

Pam Mitchell asks about Water District letter. Is there a draw down if there is a fire?

Jim Coffin says 2 fire hydrants are going in.

Barb Skelton says it won't likely carry sufficient water to the service the development.
Jim Coffin says it connects to other side of street and will be on the hospital plan for the next meeting.
Pam Mitchell is the refill rate an issue? Les Young says the letter states it could be a risk.
Jim Coffin says we could put a fire pond at the end of the road with a standpipe to hook in.
Barb Skelton suggests that Jim Coffin coordinate a meeting with fire chief and Paul to make sure both services will be covered.
Diane Morabito references 11.3.3.3. Road Design Standards. I think you need another waiver. Possible high traffic requires two road connections.
ORC need to look at peak volume access is unclear.
Debby Willis says this is a preliminary review. Does anybody need a site walk? Members say no.
Barb Skelton has questions about lighting. Will there be any lighting on the street?
Jim Coffin says he can address it on the final.

Pam Mitchell made a motion to approve the preliminary plan application with a note that we are going to get some more information about the change in the lots, the water necessary for firefighting, change in road design, and about some lighting on the road.
Joel Alexander seconded. All in favor. 5-0-0. Motion passed.

(Public Hearing was not closed)

6. Public Hearing – Site Plan Review

Black Diamond Consultants, Inc. is seeking approval for construction of an office building and associated garage at 47 Enterprise Avenue in the Libby Hill Business Park on City Tax Map 7 Lot 18A-16 in the Planned Industrial/Commercial (PIC) Zoning District.

Jim Hebert with Megan McGuire.

Jim Hebert explains his application in detail. Looking to construct an office building with 2 floors and a basement. Also includes a 3 bay garage which includes an office and a restroom to be located 150 ft from office building.

Preliminary Plan has reviewed by the Fire Marshall.

Hoping to start late summer early fall this year.

Debby Willis asks the Board if they can hear this application in an unbiased opinion. Board members say yes.

Debby Willis opened the floor for public hearing. 6:53 PM. No one from the audience has any comments. City staff is also asked if anything has come in to the office. Staff responds with nothing has been received. Public hearing closed. 6:54 PM

Andy Dubay, designer for Black Diamond Consultants, joined the meeting at 6:54 PM

Barb Skelton asked if you have considered a sprinkler system?

Jim Hebert responds that review of the size of the building, it is not necessary.

Barb Skelton says Fire Chief strongly recommends a sprinkler system and a Knox Box.

Debby Willis starts with Section 8: General Performance Standards.

Pam Mitchell also wants to review Section 8.6. Essential Services and Utilities.

8.6 Essential Services. Is Good.

8.7 Exterior Lighting. Is Good. Jim Hebert says they are doing a lumens study.

8.10 Performance Guarantee. Is Good

8.11 Buffer and Screening Standards. Pam Mitchell says there are a lot of trees growing already. Winter may be an issue, but now is good. Ditch on other side prohibits more planting for buffer.

Jim Hebert we have addressed each ordinance requirement.

Debby Willis refers to Section 9. Environmental Performance Standards.

Pam Mitchell wants to review all except 9.8, 9.11, 9.12

Debby Willis continues with the review.

9.1. through 9.5 is good.

Barb Skelton says a letter in the prior application from 10/13/2011, the Water District indicated the water supply was adequate. We need new letter updated from Sewer, Fire and Water.

9.9 Erosion control. Application does discuss. Is good.

10.24 Signs. Jim Hebert says they are following the ordinance.

Section 11. Roads, Traffic access and Parking Standards.

Pam Mitchell doesn't think there is enough parking spaces. She says there are 16 parking spaces (1 for handicap) on the application.

Pam Mitchell refers to Section 11.4.5.1 (page 11.13) 3 spaces per 1,000 sq. ft. are required.

Andy Dubay says they have extended lower parking. 7 additional spaces on the lower level.

Jim Hebert says we have 11 offices in the building with 16 spaces. Adequate for us.

Pam Mitchell need to make more parking spaces available in the lower level to show on the application.

Debby Willis continues with Section 6. Review Criteria Standards. Sections 6.5.1.3 through 6.5.1.14. All good.

Section 6. Site Plan Review Criteria. Sections 6.5.2.1 through 6.5.2.13. All good.

Waivers: none requested.

Pam Mitchell made a motion to accept the project with the condition that we get updated letters from the Water District for the adequacy of water supply and the Sewer Department for adequacy and the Fire Chief, sufficient parking be provided, the sign will comply with city code, and install a Knox Box.
Diane Morabito seconded. 5-0-0. Motion passed.

Meeting took a 10-minute recess. 7:36 PM - 7:46PM

7. Public Hearing – Site Plan Review

Ellen J. Rathbone of St. Germain Collins representing Gardiner Transfer Company, LLC is seeking approval for Troiano Waste Services Maintenance & Office Facility at Irving's Way in the Libby Hill Business Park on City Tax Map 2 Lot 20-22 in the Planned Industrial/Commercial (PIC) Zoning District.

Ellen Rathbone with TJ Troiano

Looking to build a maintenance facility in Libby Hill Business Park.

Pam Mitchell asked how will the building be used?

TJ Troiano responded it will be for minor repairs and maintenance of the company trucks. No offices as they are in South Portland. No customers at this facility.

Barb Skelton reads comments from Department Heads today. Fire Chief recommends sprinklers but not required. Knox box also recommended. As it is a 4,000 sq. ft. building we are not sure if it requires a Fire Marshalls construction permit. Doug Clark (Waste Water Director) and Tony LaPlante (Public Works Director) recommend a regular maintenance schedule for the oil/water separator.

Ellen Rathbone states that it is going to be quite similar to the South Portland building.

Les Young wants to see the specs on the Separators and calculators for proper maintenance and sizing given to Tony and Doug.

Les Young asked if there is flammable storage?

Ellen Rathbone says none needed as storage is in South Portland.

Diane Morabito asked about how many trucks come in and out during peak hours?

Ellen Rathbone says the trucks go out in the morning 5am and don't come back until 3pm.

Debby Willis asks the Board if they can hear this application in an unbiased opinion. Board members say yes.

Debby Willis opened the floor for public hearing. 7:56 PM. No one from the audience has any comments. City staff is also asked if anything has come in to the office. Staff responds with nothing has been received. Public hearing closed. 7:57 PM

Debby Willis states that the applicant hasn't asked for any waivers.

We will now go through Section 8: General Performance Standards.

8.7 Exterior Lighting. Pam Mitchell asked what kind of lights? You will need to follow the guidelines in the Ordinance. Is there a light pole at the entrance?

Ellen Rathbone said not sure.

Barb Skelton said make a condition that there needs to be on the owner's property not on the street unless an existing light is in place by the City.

8.8 Noise. Applicant says no noise other than when the trucks go out in the morning and come back in the afternoon.

8.9 Exterior Material Storage. Is good

8.10 Performance guarantee. Is good.

8.11 Buffer and Screening Standards. Pam Mitchell saw a lot of trees. Natural buffer and fencing. Is good.

Debby Willis said we will now go through the Environmental Performance Standards.

9.1. Air quality. There will be about five employees on site and six or seven trucks. Is good.

Pam Mitchell asked about a spill inside the building. What plan do you have?

Ellen Rathbone replies that is the purpose of the separator. It will be passing about 1,000 gallons with storage. Only three trucks fit in the building.

9.3 Ground Water Protection. Is good

Storm Water and Wetland. There is a plan onsite.

9.5. Solid Waste. Is good

9.6. Water Supply. Need letter from Water District for capacity to show adequate supply for the facility.

9.7.3. Sewer Supply. Barb Skelton said they need letters for adequate capacity to take sewage and to size the oil/water separator with Public Works, Fire Chief and Sewer Department.

9.9. Erosion Control. Is good.

Section 10. Signs. Debby Willis said to work with Code Officer for your sign.

Section 11. Roads, Traffic Access and Parking Standards

11.4. Parking Standards. Pam Mitchell said it is Industrial so six parking spaces are required. They have eight. Parking is adequate for emergency. Is good.

Pam Mitchell asked about exterior material storage. Dumpster will be onsite. (shown on diagram) Trees and fence around it.

Section 6. Site Review Criteria. Sections 6.5.1.3 through 6.5.1.14. All good.

Sections 6.5.2.1 through 6.5.2.13. All good.

Waivers: none requested.

Pam Mitchell made a motion that this application meets all the criteria in our City Ordinance with the condition that we get a letter from the Water District indicating adequate water supply for the needs of this company, a letter from the Sewer Department indicating adequate capacity to remove sewage from the site, a letter from Public Works indicating there will be no undue burden on Public Works, a letter from the Fire Department reviewing the circulation on site for vehicles.

Les Young seconded. All in favor. 5-0-0. Motion passed.

Pam Mitchell made a motion that we approve this project with the conditions that the four previously mentioned letters are received, a light put in the entrance of the property unless there is an existing street light, the design of the oil and water separator be coordinated with the Fire Department, Sewer Department and the Public Works Department, and a regular maintenance schedule for the oil and water separator, and install a Knox Box.

Diane Morabito seconded. All in favor. 5-0-0. Motion passed.

8. Public Hearing – Planning Board Review

Jessica Clark and Russ Baer representing the City of Gardiner are seeking approval of a Community Dog Park at 829 Water Street on City Tax Map 30 Lot 36 in the Cobbossee Corridor / Shoreland Overlay (CC/SO) Zoning Districts.

Jessica Clark with Russ Baer.

We have been raising money for a dog park for nine years. We found land which is owned by the City.

Pam Mitchell asked what will the hours of operation be?

Jessica Clark says Daylight. Sunrise to Sunset. Not adding any lighting.

Les Young asked how the average visitors came about

Jessica Clark said studies like the Augusta dog park.

Joel Alexander said sunrise is a bit early (5:30 AM)

Russ Baer says maybe 8:00 AM would be better.

Jessica Clark said there will be a sign with info onsite.

Joel Alexander asked what does periodically mowed mean?

Russ Baer wants to clear an area that is already flat.

Jessica Clark said maybe mowed every couple weeks. There will be minimal amount to mow as they will use pavers as well.

Jessica Clark said the Dog Park Committee is volunteering to help maintain the property.

Jessica Clark said we could use wood chips in some areas if necessary.

Jessica Clark said it will have dog features like a dog playground (culverts, climbing areas, etc) some for training purposes.

Debby Willis said no digging will be done. The property has been v-wrapped.

Barb Skelton you will need to have a seventy-five-foot buffer from the stream to comply with Shoreland regulations.

Barb Skelton said you can put a fence through the buffer as long as you don't disturb the trees.

Diane Morabito asked about parking. Will traffic have to back up in road?

Jessica Clark said no. The parking lot is deep enough not to back into the road.

Joel Alexander asked if there are control mechanisms in place for troubled animals?

Jessica Clark said yes. We have a procedure and plan setup with the Police.

Joel Alexander asked about barking dogs?

Jessica Clark said procedure will be posted. Behavior sign.

Joel Alexander are there a lot of problems with dog parks?

Jessica Clark responded, not that I know of.

Les Young is concerned with the liability. City will be liable for injury, etc. What about banning certain breed?

Jessica Clark said not with the breeds of dogs. We have talked about limiting the amount of dogs per person.

Les Young asked what if they are off a leash?

Jessica Clark the rules are posted. Insurance company has no problem with it. (City insurance)

Barb Skelton says it is a police matter if issues arise.

Les Young if we put tighter restrictions on it initially, we could retain the conditions longer.

Debby Willis asks the Board if they can hear this application in an unbiased opinion. Board members say yes.

Debby Willis opened the floor for public hearing. 9:05 PM. Letters are read into the record.

1. To Anne Davis from Edmund and Shirley Brodeur (Anne Davis wrote a response, also read into the record)
2. Dorcus Miller
3. Tina Wood
4. Two anonymous people inquired about the location.

Public hearing closed. 9:21 PM

Debby Willis continued with the review.

Section 7: Public Park and Playground on page 11.

General Performance Standards.

Section 8. Noise. Pam Mitchell they will have rules and procedures in place and posted. Is good.

Section 11. Buffer & Screening. Diane Morabito wanted to look at 8.11.1. Is good.

Section 9. Environmental Performance Standards. All good.

Pam Mitchell said consistent cleanup will keep the area clear.

Chapter 10 Section 24 Signs.

Jessica Clark said there will be a sign with rules and regulation at entrance. A small sign in the parking lot hopefully with city seal.

11.4. Parking Standards. Jessica Clark said some will walk dogs there. Parking spaces are probably adequate. Two parking lots are available.

Section 6. Site Review Criteria. Sections 6.5.1.3 through 6.5.1.14. All good.

Sections 6.5.2.1 through 6.5.2.13. All good.

Pam Mitchell made a motion that this application meets the review criteria.

Diane Morabito seconded. All in favor. 5-0-0. Motion passed.

Pam Mitchell made a motion to approve this project with no conditions.

Joel Alexander seconded. All in favor. 5-0-0. Motion passed.

9. Public Hearing – Land Use Ordinance Changes

The Ordinance Review Committee, on June 11, 2018, by a vote of 5-0-0, recommended proposed changes to the Land Use Ordinance relating to Subdivisions. These proposed changes are being sent the Planning Board for review and recommendation to City Council.

Did not review. No action taken.

10. Adjourn

Pam Mitchell made a motion to adjourn.

Joel Alexander seconded. All in favor. 5-0-0. Motion passed.

9:50 PM