



**GARDINER CITY COUNCIL
AGENDA ITEM INFORMATION SHEET**



Meeting Date	07/06/2022	Department	Planning/Economic Dev
Agenda Item	4.c) Consideration of Awarding Bid for Planning Services		
Est. Cost			

Background Information

As you know Mark Eyeran, City Planner submitted notification to the city of his plans to step down as the contractor planner as of July 1, 2022. After discussing the next step with Council it was decided to move forward with an RFP process for planning services.

The City received one bid:

KVCOG - \$70 per hour plus mileage

The contractor city planner attends monthly Ordinance Review Committee meetings and meetings for large planning board projects that may need guidance.

Requested Action	"I move to award the bid for City Planning Services to KVCOG at the proposed rate and direct the City Manager to enter into a contract."
City Manager and/or Finance Review	City Manager approves this action
Council Vote/ Action Taken	
Departmental Follow-Up	

City Clerk Use Only	1 st Reading _____	Advertised _____	EFFECTIVE DATE _____
	2 nd Reading _____	Advertised _____ w/in 15 Days	
	Final to Dept _____	Updated Book _____	Online _____



**KENNEBEC VALLEY
COUNCIL OF GOVERNMENTS**

Tracey Desjardins
Director of Economic Development/Planning
City of Gardiner
6 Church Street
Gardiner, ME 04345

May 12, 2022

Tracey,

I am happy to attach below our formal proposal for the City of Gardiner Planning Services.

I believe that KVCOG would be the perfect fit for working with Gardiner's Planning Office and Board, due to our many years of experience doing this exact type of work and ability to offer a very low hourly rate by virtue of Gardiner's membership with KVCOG.

I would be very happy to formalize a service with the City and work with you closely during this very busy and exciting time in Gardiner's development.

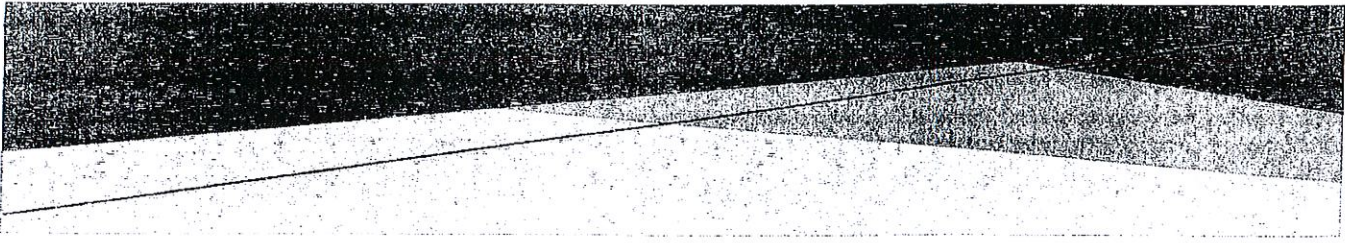
Please feel free to contact me with any questions.

Sincerely,



Joel Greenwood

Interim Executive Director
KVCOG



CITY OF GARDINER

PLANNING SERVICES

Proposal by Kennebec Valley Council of Governments

MAY 2022



17 Main Street
Fairfield, 04937
(207) 453-4258
jgreenwood@kvkog.org

Executive Summary

Kennebec Valley Council of Governments (KVCOG) is the foremost practitioner of planning in the greater Kennebec Valley region, and as such, is uniquely qualified to support the Planning Board and staff with part time municipal planning services.

KVCOG currently provides municipal planning services to Skowhegan, Madison, and Pittsfield and has provided these services to other towns in the past. Additionally, KVCOG provides general planning services on varying levels to over 60 towns in the Kennebec Valley Region.

KVCOG has two full time community/resiliency planners, led by Planning Director Joel Greenwood, and has the benefit of other staff with many years of experience in municipal services. KVCOG has demonstrated commitment to assisting towns in their region through offering their unique knowledge, expertise, resources, and generous background to the idiosyncrasies of this region.

Additionally, KVCOG has a long track record of assisting members of the public with a variety of application types to maintain compliance with ordinances. Our staff has extensive experience in application and site plan review to ensure completeness and compliance with relevant ordinances. We take pride in establishing and maintaining professional, productive working relationships with municipal staff, members of the Planning Board, and the public. At KVCOG, we collaborate regularly with Maine Department of Environmental Protection and Maine Department of Transportation for various purposes on behalf of our region.

Upon the signing a contract for part time planning services, staff at KVCOG will become familiar with pertinent ordinances, members of the Planning Board, and Land Use Staff in your municipality. KVCOG will be available immediately upon request and will attend monthly Planning Board meetings.

The estimated cost for services provided by KVCOG is **\$70 per hour** plus milage (approximately \$40 per visit to City offices).

Organizational Profile

KVCOG is the foremost practitioner of planning in the Kennebec Valley.

KVCOG, and its predecessor North Kennebec Regional Planning Commission, has been providing planning and technical assistance services to cities and towns in the Kennebec, Somerset, and Waldo Counties since 1967. KVCOG does not offer planning services outside of our service area. This enables us to focus on the issues and dynamics of our member communities over an extended time period.

KVCOG operates with organizational continuity, which means that staff may change, but the organization maintains a diverse skill set and ability to tackle a spectrum of planning activities, utilizing different combinations of staff customized to the project. For this part time municipal planning service, one of KVCOG's planners will be assigned to Gardiner as the principal staff member and will regularly attend meetings as well as make themselves available to Gardiner's Land Use Staff. Other staff may also perform services on occasion for the same hourly rate.

Most of the ordinances pertaining to land use in Somerset County and a great many in towns in the Kennebec County have been written, updated, or based on work of KVCOG staff over the years. This means that we will be familiar with a variety of ordinances in your municipality in advance.

KVCOG has a Proven Track Record in Municipal Planning

KVCOG has prepared Comprehensive Plans for more communities within the Kennebec Valley region than any other organization. Since the Growth Management Law was enacted in 1988, KVCOG has written Comprehensive Plans for more than half of the 61 towns in this region, while we are currently working on updates for several other municipalities. Furthermore, at any given time over the past decade KVCOG has been engaged in, between two and six local planning projects.

In addition to updating Comprehensive Plans, KVCOG has assisted towns with ordinance updates, drafting new regulations for topics such as solar and cannabis establishment, assisting with economic development, town revitalization, mapping services, housing and transportation challenges, and many other topics that are specific to our regional Maine communities.

It is because of KVCOG's level of involvement and intricate regional knowledge that they are an ideal candidate for contractual planning services to assist the Planning Board and town staff.

All KVCOG staff are familiar with proper board meeting etiquette and Roberts Rules of Order. KVCOG also often provide training workshops for municipal boards on how to be a good board member, ordinance interpretation, ethics and rules and freedom of information etc.

Objective

KVCOG's objective is to offer planning services to towns in need. This is a mutually beneficial relationship; the town receives necessary assistance, while KVCOG gains more in-depth knowledge of the town and is subsequently better able to serve the region. This working relationship will give your municipality a better understanding of the various services KVCOG has to offer and ways in which to make improvements.

We strive to work with staff and board members in a way that works for them. Our goal is to support the City of Gardiner by committing to work with them to achieve reliable and consistent planning advisement.

Our philosophy of local planning is to offer services and build relationships within the community so that we can advise staff and board members in a way that reflects the attitudes of the community. We avoid the temptation to manage the outcome of the process or to push "state-of-the-art" planning concepts. Our

approach requires “active listening” – starting a conversation but then letting it take its own course. Volunteers often do not realize they are engaging in consensus building until they see the results on paper.

The City of Gardiner has worked with KVCOG in the past and we would welcome the opportunity to formalize our relationship and help Gardiner with its day-to-day planning administration to implement orderly development objectives and future planning visions.

KVCOG would be ready to begin services immediately as soon as the City requires.

Previous Project Summaries

KVCOG does not offer planning services to towns outside of our geographic area, and as a rule does not provide services to non-member municipalities except when subsidized by state or federal agencies. This is, in part to demonstrate our commitment to service the member municipalities who pay dues into our organization, and in part because membership dues revenue helps to buffer our service by allowing us to go outside the strict scope of the contracts.

Since projects of significant scope require separate contracts, the cost for those who are members is offset by their membership. The City of Gardiner is a member of KVCOG, and as such we have proposed a budget in which the hourly rate is around 40 percent below what we would charge to non-member entities.

KVCOG provides services that support and expand the capacity of local government throughout the Kennebec Valley region; however, to most accurately demonstrate the type of work requested, we will accompany this document with references of planning services conducted for other municipalities.

Currently KVCOG is contracted with three Municipalities to provide the essentially same services as Gardiner is looking to fill. KVCOG provides assistance to the Town’s Planning Board in support of its conduct of official business to include attendance and participation in regularly scheduled planning board meetings, preparation of materials for board review regarding applications for planning board approval, and review of and recommendations regarding applications for planning board action submitted pursuant to the town’s land use ordinances. KVCOG also assists the Towns in reviewing and revising, as necessary, municipal land use ordinances.

Attached at the end of this proposal are References from the following communities that we provide a contracted Planning Service with:

- Town of Skowhegan
- Town of Madison
- Town of Pittsfield

Their contact information is included on these letters for direct references as needed.

Additionally attached is an example of a Findings of Fact and Conclusions of Law Document that we prepare regularly for the town of Skowhegan based of their Site Plan Review Ordinance.

Services to be provided:

KVCOG’s service profile can be structured to fit the City’s needs and resources through negotiation. Pending that discussion, KVCOG offers to provide a complete consulting service for a part-time municipal planner. This service includes, but is not limited to:

- Attending regular meetings with the Planning Board as needed
- Assisting City staff through technical support
- Be available and work collaboratively with city staff

- Conducting application and site plan reviews
- Coordinating and collaborating with appropriate City departments
- Assist applicants to ensure complete applications that are compliant with all pertinent ordinances
- Collaborate with necessary state and outside agencies as necessary
- Prepare and present application reviews
- Provide technical support and propose updates for Land Use Ordinances and zoning district amendments
- Coordinate third-party peer reviews as necessary

Key Staff

As mentioned above, planning services are covered by three members of our staff. Joel Greenwood is the Planning Director and oversees Aramish Barker and Jessica Cobb who are Community/Resiliency Planners.

Mr. Greenwood has been with KVCOG since 2011. In his time with KVCOG, Mr. Greenwood has worked on a variety of projects, including but not limited to:

Comprehensive Plan Updates	Drafting new ordinances/regulations
Ordinance review and revision	Downtown development plans
GIS mapping	Assisting with economic development

Mr. Greenwood is also the contracted planner for the towns of Pittsfield, Madison, and Skowhegan and he is the chief point of contact for land use technical assistance and planning advice for communities in the region.

Aramish Barker and Jessica Cobb joined the KVCOG team more recently, in 2022. They both have jumped right in and begun working on Comprehensive Plan Updates for Readfield, Rome, Winslow, Jackman, and several other towns. Ms. Barker has taken the lead on several Comprehensive Plan updates and drafting solar regulations. Ms. Cobb worked as a municipal planner in the state of Connecticut for two years prior to her move to Maine. She has experience with Comprehensive Plan Updates, reviewing and writing regulations and ordinances, advising and assisting Planning Board members, and overseeing all aspects of the land use department. Since joining the KVCOG team, she has been working on Comprehensive Plan Updates, ordinance reviews, and various other projects.

With these competent planners, KVCOG is prepared to begin assisting your city at the earliest date that Gardiner is willing to set. KVCOG will assign one professional staff person to be the primary planner for the city to ensure proper availability, coverage, and continuity. The assigned planner will have the benefit of working with the other planners at KVCOG. In this way, Gardiner will benefit from many levels of experience and backgrounds.

The goal of our staff is to ensure the City of Gardiner receives clear, concise guidance, direction, as well as application and site plan reviews. KVCOG's staff strives to provide a seamless transition into working with your city, so the city staff can feel confident this crucial area is awarded the proper coverage and oversight.

Individual resumes are available on request.

Selected Shared Project Experience

Comprehensive Plan Development

- Readfield Comprehensive Plan Update 2022 (ongoing)
- Jackman Comprehensive Plan Update 2023 (ongoing)
- Rome Comprehensive Plan Update 2022 (ongoing)
- Skowhegan Comprehensive Plan Update 2022 (ongoing)
- Monmouth Comprehensive Plan Update 2019 (ongoing)

Ordinance Development

- Wayne Ordinance redevelopment (2022- ongoing)
- North Pond Watershed Ordinance Review (2022 – Ongoing)
- Belgrade Subdivision Ordinance redevelopment (2020)
- Rome Adult use Marijuana ordinance (2021)
- Fairfield Land Use Ordinance Review and redevelopment (2016)
- Belgrade Commercial Development Ordinance Review and redevelopment (2016)
- Highland Plantation Land Use Ordinance Development (2021)

Contracted Planning Services

- Skowhegan - Multiple Ordinance Development projects (Contracted Town Planner - Ongoing)
- Madison - Multiple Ordinance Development projects (Contracted Town Planner - Ongoing)
- Pittsfield - Multiple Ordinance Development projects (Contracted Town Planner - Ongoing)

Office

KVCOG is conveniently located close to Gardiner, at 17 Main Street in Fairfield. KVCOG is near multiple I-95 access points and has ample parking. KVCOG is fortunate to have an on-premises library containing numerous planning materials, including Comprehensive Plan updates, various planning project and more. The office is further equipped with GIS capabilities and a state-of-the-art large format printer for map making.

The part-time planner will commute to the municipal office in Gardiner on an “as needed” basis to assist staff and applicants as well as attending monthly Planning Board meetings. The staff at Gardiner may contact the planner via phone or email as necessary. While the KVCOG office will serve as the home base for most of the work that is not performed on site at Gardiner, the Planning team is also equipped to work remotely as necessary. Ongoing projects in Gardiner’s general area ensure that the team will be in close contact throughout the entire process.

Cost of Planning Services

Like private consultants, KVCOG provides a range of contractual services for our member communities within the region.

Like any contractual relationship, KVCOG can do as much or as little as the client requests on a "on-demand" basis and we charge by the hour only for what work has been completed.

If the City would like, we can cap an annual contract amount so as not to exceed the City's annual budget. With our existing contracts we estimate around 200-250 hours per year. We are happy to discuss amendment of the contract should the needs change.

KVCOG is happy to offer its highly subsidized Member Hourly Rate for this project on the same level of our existing member contracts. Each staff member will use the current flat membership rate of **\$70.00 per hour**, provided that the City remains paid members of KVCOG during the duration of the contract.

We would also add an estimated amount of \$40 per round trip to Gardiner (using the current Federal mileage reimbursement rate) for any required travel expenses.

Worked hours will be billed monthly via our accounting office.

May 9, 2022

Christine Almand, Town Manager

Town of Skowhegan

225 Water Street

Skowhegan, Maine 04976

207-474-6900

RE: Letter of Reference for Town Planner Position

To Whom it May Concern:

The Kennebec Valley Council of Governments has been providing contractual municipal planning services for our community since 2007.

Some of the services they provide include:

- Coordination with the Code Enforcement Officer in interpreting ordinances
- Preparation of application reviews to ensure applications are complete and compliant with pertinent ordinances
- Review all land use related applications and site plans
- Collaboration and coordination with other town departments and staff as necessary
- Attendance of regularly held Planning Board meetings
- Provision of technical support and guidance to members of the Planning Board
- Establishment of working relationships with all town staff
- To act as liaison between the town and DEP and DOT as necessary
- To assist with ordinance reviews and updates to ensure consistency and enforceability
- Offering guidance to applicants as needed
- To perform necessary updates to the Comprehensive Plan

By providing these services, the KVCOG has taken away the burden of this role for staff members, allowing them to focus on other aspects of their jobs. It has ensured a more consistent, reliable structure in the Planning Office and for the Planning Board.

The KVCOG has demonstrated their aptitude and resourcefulness in Planning as well as many other areas of municipal services. Not only has our community improved because of their services, but our staff has learned from them as well.

In my time as the Town Manager, contracting with the KVCOG has been the right decision for my town.

Best Regards,

Christine Almand

Tim Curtis, Town Manager

Town of Madison

26 Weston Avenue

Madison, Maine 04950

207-696-3971

RE: Letter of Reference for KVCOG Town Planner

To Whom it May Concern:

The Kennebec Valley Council of Governments has been providing professional planning services for our community since March 2020. Our community has also engaged them for general technical assistance other planning related projects for many years.

Some of the services they provide include:

- Ordinance review and update to ensure consistency and enforceability
- Preparation of application reviews to ensure applications are complete and compliant with pertinent ordinances
- Review of land use related applications and site plans
- Collaboration and coordination with other town departments and staff as necessary
- Attendance of regularly held Planning Board meetings
- Provision of technical support and guidance to members of the Planning Board
- To act as liaison between the town and other State regulatory agencies as needed
- To offer guidance to applicants as needed
- Assisting with any needed updates to the Comprehensive Plan

The planner from KVCOG has consistently attended Planning Board meetings and offered technical support and guidance to the Planning Board members and other town staff. KVCOG has always demonstrated the utmost professionalism and proficiency in their duties.

Their assistance has been a tremendous and cost-effective asset to our community.

Best Regards,

Tim Curtis

Town of Pittsfield
112 Somerset Avenue
Pittsfield, Maine 04967-1432
PH: 1-207-487-3136 Fax: 1-207-487-3138
Email: townmanager@pittsfield.org

May 12, 2022

Kathryn Ruth, Town Manager

Town of Pittsfield

112 Somerset Avenue

Pittsfield, Maine 04967

207-487-3136

RE: Letter of Reference- KVCOG Town Planner

To Whom it May Concern:

In addition to general land use technical assistance and projects, the Kennebec Valley Council of Governments has been providing professional planning services to the Planning Board since 2022.

Some of the services they provide include:

- Preparation of application reviews to ensure applications are complete and compliant with pertinent ordinances
- Review of requisite land use related applications and site plans
- Collaboration and coordination with other town departments and staff as necessary
- Attendance of regularly held Planning Board meetings
- Offering technical support and guidance to members of the Planning Board
- To act as liaison between the town and other State regulatory agencies as needed
- To offer guidance to applicants as needed

Their assistance has been a tremendous and cost-effective asset to our community.

Since contracting with the KVCOG, the members of the Planning Board and town staff have a consistent planner to defer to, as necessary. Their level of guidance and technical support have been very helpful to our town as we often have large site plan reviews and are going through a growth period.

Sincerely yours,

Kathryn Ruth

Kathryn Ruth

Town Manager

8. Notice of the application and meeting review date was mailed to abutters on March 4, 2022.
Notice of the application and meeting review date was published to the public on March 8, 2022.
9. No part of the project site is within a Shoreland Zone.
10. No part of the project area is within a Flood Hazard Area.
11. Drinking Water is to be supplied to the completed project site by connection to the existing water utility which has the capacity for the needs of the property.
12. Sewage for the development is to be disposed of by a connection to the existing sewer utility which has the capacity for the needs of the property.
13. Erosion control and stormwater drainage for this plan is addressed by the plans submitted. Any significant change to the stormwater flows is accounted for by the design of the project.
14. Access to the property is via the existing public way of Malbons Mills Road. No new access points will be required. This road has capacity for any traffic generated by the proposed site. There is no significant increase in traffic from this proposal and no change in traffic flow.
15. Vehicle parking and circulation within the lot is shown on the site plan. There is an adequate parking area designed / proposed for the site for the proposed use.
16. No public facilities are proposed to be constructed for this development.
17. The Fire Chief has approved the design of the development for fire protection.
18. The Police Chief has approved security and safety design aspects of the development.
19. Landscaping of the site and buffers to neighboring residential properties are to be as the existing site.
20. Any new exterior lighting will be confined to the site within the limits of the ordinance and be approved by the CEO before installation.
21. Noise to be generated on the site will meet thresholds established by the ordinance.
22. The proposed development of the site will not impact historic, archeological, or cultural resources.
23. No new exterior signs are proposed.
24. The use or storage of toxic or hazardous materials and the disposal of solid waste or hazardous or toxic waste has been suitably provided for.
25. The Staff Review Committee met to review and decide on this application on February 23rd, 2022. The following people spoke on the application:

For the applicant: Will Haskell and Lester Kenway

From the Public: None.

Content of testimony is summarized in the meeting minutes.

The Staff Review Committee voted to recommend approval to the Planning Board with condition of revisions of the driveway design to accommodate emergency vehicles.

26. A public meeting for deliberation on this application was held on March 15, 2022 at 6:00pm. Attending the meeting for the applicant was Will Haskell and Lester Kenway.

From the Public:

Jack Gibson (Somerset Woods Trustees)
Jeff Hewitt (Skowhegan EDC)
Mary Holden-Molluros (Abutter)

CONCLUSIONS OF LAW:

- A. **PUBLIC SERVICE CRITERIA:** The proposed development will not result in an undue burden on the ability of the Town to provide public services:
1. Public water and sanitary treatment services **have** the capacity to serve the development and improvements are designed to the satisfaction of these service providers.
 2. Public safety and utility services **have** the capacity to meet the demands of the development, and security and fire protection improvements are designed to the satisfaction of these service providers.
 3. The development **will not** create or generate solid, liquid, hazardous, or other types of waste products that exceed the capacity of the Town's waste handling systems.
- B. **TRANSPORTATION CRITERIA:** The proposed development will provide for adequate access for all users without placing an undue burden on the public transportation system.
1. The development **will** provide for adequate access to the site for all available modes of travel, without creating a negative effect on the mobility of public roads.
 2. The development **will** provide sufficient parking to provide for the needs of its users without impact on the mobility of public roads.
- C. **NEIGHBORHOOD COMPATIBILITY CRITERIA:** The proposed development will not result in an undue adverse impact on the existing use and quiet enjoyment of properties, both immediately abutting and within the neighborhood of the development.
1. The development **will not** produce noise, light, or other deleterious effects that would constitute a nuisance to neighboring properties.
 2. The development **will** blend, insofar as possible, with existing built-up neighborhoods.
- D. **ENVIRONMENTAL PROTECTION CRITERIA:** The proposed development will not create or compound undue effects on natural resources or the environment.
1. The development **will not** result in degradation of air or water quality, including lake and groundwater.

2. The development **will not** result in degradation of wetlands or other wildlife habitat.
 3. The development **will not** cause excessive erosion or sedimentation onto adjacent properties and downgrade resources.
- E. CULTURAL RESOURCES CRITERIA: The proposed development will not have an undue negative impact on the cultural assets of the Town of Skowhegan.
1. The development **will not** result in the loss or deterioration of archeological or historical resources of the town.
 2. The development **will not** result in the loss of scenic and aesthetic assets.
- F. COMPLIANCE CRITERION: The proposed development will comply with other ordinances and regulations of the Town of Skowhegan regarding land use and development.
- G. FINANCIAL AND TECHNICAL CAPACITY CRITERION: The proposed development does demonstrate the financial and technical capacity to complete the development and required public improvements in a timely manner.
- H. SPECIAL CRITERION: N/A If a proposed structure exceeds thirty-five feet in height, it will/will not have an undue adverse impact on public health, safety or visual resources.
- I. ECONOMIC IMPACT CRITERION: N/A If the proposed development is a large scale retail development, as defined by 30-A M.R.S.A. sec. 4366, or successor statute, it will/will not result in an undue adverse impact on the community.

Therefore, based upon the applicant's application submittals, presentations and testimony, and public testimony; and based upon duly held deliberations of the Staff Review Committee, the Town of Skowhegan concludes that the proposed development plans and submittals:

X meets
 can meet with conditions, or
 cannot meet

all the standards and requirements of the Town of Skowhegan Site Plan Review Ordinance;

CONDITIONS OF APPROVAL

NONE

DECISION

Based on the above facts and conclusions, on March 15, 2022 the Skowhegan Planning Board voted to **approve** the application **MAINE APPALACHIAN TRAIL CLUB CENTER DEVELOPMENT**.

REVIEW OF DECISION:

In accordance with Section V. of the Site Review Ordinance, any party aggrieved by this decision may request a review of the application by the Skowhegan Planning Board. The request for review must be filed in writing within thirty (30) days of this decision.

Steven Conley, Chairman

Date

Town of Skowhegan

Planning Board

CC: Code Enforcement Officer, Municipal Officers