

PLANNING BOARD
Meeting Minutes
Tuesday February 13, 2024 @ 6:00 PM
City Council Chambers

1.Call the Meeting to Order- Chair Willis called the meeting to order at 6pm.

2.Roll Call-Chair Debby Willis, Pam Mitchel, Lisa St. Hilaire, and Adam Lemire. Applicants Matt Morrill from Mastway Development and Effie Davis- Box Drop Mattress & Furniture. Kris McNeill- Code Enforcement Officer, and Angelia Christopher- Planning and Development Assistant.

3.Public Hearing: Boxdrop Mattress & Furniture is proposing to move their existing business to Gardiner at 10 Commonwealth Ave. City Tax Map 028 Lot 066 in the MUV district. Effie Davis- applicant/business owner is requesting to utilize this property with 3500sf being used for retail space, and the remaining 6500sf of the building will be stock storage. Pam Mitchel asks how many employees will work for this business. Ms. Dodge states that the staff that work for this business include herself and family members. The business will be open four weekdays from 4-7pm and Saturday's from 10am-4pm. The business runs by appointment only. Kris McNeill states that this application is Planning Board review, only. The building is existing and will not be changing at all. Chair Willis asks if there is anyone on the Board that cannot hear this application in an unbiased manner. No. Chair Willis opened the public hearing at 6:13 pm. Seeing no one here to speak for or against this project, she closed the public hearing at 6:14pm. This is planning board review, there will be no building permits needed and all systems are existing in place. The business plans on 10-15 appointments a day with roughly 36 vehicle trips a day. The large parking lot is not paved, and there are more than enough places for customers to park. The parking lot does not have to be marked.

Pam Mitchel asks if there will be a sign. The business does not know what or if they will use for a sign, but they will work with Kris McNeill to make sure that it fits the requirements of the ordinance. The lighting plan does not need review as there are existing lights at this site. There is a dumpster that will be emptied weekly,

and will need a fence installed around it per ordinance requirements, the business owners will work on this. The property already has substantial buffering, and will not need any additional plantings.

Review Criteria-

6.5.1.1 The application is complete, and the review fee has been paid. *Yes*

6.5.1.2 The proposal conforms to all the applicable provisions of this Ordinance. *Yes, it does.*

6.5.1.3 The proposed activity will not result in water pollution, erosion, or sedimentation to water bodies. *No exterior changes are proposed therefore the activity will not result in water pollution, erosion, or sedimentation to water bodies.*

6.5.1.4 The proposal will provide for the adequate disposal of all wastewater and solid waste. *Property is already set up to city sewer and dumpsters will be utilized for all solid waste.*

6.5.1.5 The proposal will not have an adverse impact upon wildlife habitat, unique natural areas, shoreline access or visual quality, scenic areas, and archeological and historic resources. *No exterior changes are proposed therefore none of the above will be affected.*

6.5.1.6 The proposal will not have an adverse impact upon waterbodies and wetlands. *There are no water bodies or wetlands nearby.*

6.5.1.7 The proposal will provide for adequate storm water management. *Existing property – no changes to storm water management will be made.*

6.5.1.8 The proposal will conform to all applicable Shoreland Zoning requirements. *This property is not in Shoreland Zoning.*

6.5.1.9 The proposal will conform to all applicable Floodplain Management requirements. *This property is not in the floodplain.*

6.5.1.10 The proposal will have sufficient water available to meet the needs of the development. *A letter has been requested from Gardiner Water District.*

6.5.1.11 The proposal will not adversely affect groundwater quality or quantity. *No exterior changes therefore the proposal will not affect groundwater quality or quantity.*

6.5.1.12 The proposal will provide for safe and adequate vehicle and pedestrian circulation in the development. *Parking is readily available near entrance door.*

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. *Emails have been sent to department heads requesting verification.*

6.5.1.14 The applicant has adequate financial and technical capacity to meet the provisions of this Ordinance. *I have been operating a successful business in Kennebec County for 5 years. Little expense will be needed for the move and expenses that are needed are set aside in a business account.*

Chair Willis asks the Board if they feel that the Review Criteria have been met.

Pam Mitchel moves that the Review Criteria have been met. Adam Lemire seconded the motion. No further discussion. All members present in favor.

Pam Mitchel moves that that this application be approved. Lisa St. Hilaire seconded the motion. No further discussion. All members present in favor. Application unanimously approved.

4.Public Hearing: Mastway Development LLC – Proposing to construct a 27,432 sf 32-unit apartment development at 1 Summer St. City Tax Map 037 Lots 019&019A in the Cobbossee Corridor District.

Matt Morrill, Mastway Development, is here to represent this project. He gives an overview of the project, which will include a 32-unit apartment building. This project will bring much needed housing to Gardiner, utilizing a lot that has been vacant for years. Chair Willis asks if the board can review this application in an unbiased manner. Yes. The City did not obtain any outside services for this application.

Mr. Morrill is working to obtain a grant for this project. He has a purchase and sale agreement with the City of Gardiner for lots 019 and 019A. He also is working with the owners of lot 020, an abutting property, to purchase the lot, which will be used for extra parking for tenants. This project will be built using LD2003 density standards. Using these standards, there only needs to be 21 parking spaces for the 32-unit building. There will be covered ADA parking section at the front of the building and at least one space will be designated for a van. If the abutting lot is obtained, this will add an additional parking spaces for this project. Mr. Morrill may need to apply for a variance for the additional lot. He would need a variance on setbacks in order to maximize parking spaces. The additional lot has an existing driveway, so curb cuts are not needed. If the additional lot is obtained, Mr. Morrill will work to design a walkway from the lot to the apartment building for the tenants to use.

The estimated cost of this project is \$5,000,000. The application includes a complete description of the development. The lot that will be used for this development is a Brownfields property, with no structures, no easements, or ROW's attached to it. Extensive soil testing has already taken place. Utilities are already in place. City water and sewer services will be utilized. The application includes a topographical map, and shows landscaping and where exterior lighting will be placed. Pam Mitchel asks if there will be lights under the canopy that will cover the handicap parking area. If the other lot is purchased to use for parking, a light will be installed there, and on the side of the building where tenants will enter the building from that lot. The board

reviewed the lighting plan extensively. Kris McNeill- Code Enforcement Officer, will work with the developer to make sure they meet ordinance requirements.

Pam Mitchel asks about traffic flow, erosion, sedimentation, and stormwater control. This project will tie into the City's existing system. There is a series of catch basins on the back side of the property, and the building will have a roof drain.

Chair Willis asks for a motion on completeness of the application.

Pam Mitchel moves that the application is complete. Lisa St. Hilaire seconded the motion. No further discussion. All members present in favor.

Chair Willis opened the public hearing at 6:58 pm. There is no one present to speak for or against this property. There was an individual that came to City Hall to ask questions about the project, and Kris McNeill was contacted by two others, with general inquiries. No other comment. Chair Willis closed the public hearing at 7:22pm.

There are no waivers associated with this application.

Performance Standards

Section 8 Essential Services- *Department Heads have submitted letters with their input on the project.*

8.7 Exterior lighting- *Lighting has been reviewed.*

8.9 Exterior Material storage- *There is a dumpster shown on the site plan and it will be screened appropriately.*

8.11 Buffering/Screening *The plans show where plantings will be. On the west side of the property, there will be a fence along the property line, that was the result of a variance that was issued by Gardiner's Board of Appeals.*

Section 9 Environmental Performance standards. *There will be dust control measures in place during construction and silt fences will also be used.*

9.5 Disposal of Solid Waste- *There will be construction dumpsters on site to help with construction debris.*

Section 10

10.24 Signs- *There will be a wall sign on the Bridge St side of the building. Mr. Morrill will work with Kris McNeill to make sure that the sign fits into Ordinance requirements.*

11 Parking- *This project will be following standards for LD2003. A variance has been issued, to allow for parking spaces to be at the property line, instead of following setback requirements. Having this variance in place, allows for 21 parking spaces, for the 32 unit building. If Mr. Morrill purchases the lot abutting his property, he will gain more spaces.*

Review Criteria

6.5.1.1 The application is complete, and the review fee has been paid. *Yes*

6.5.1.2 The proposal conforms to all the applicable provisions of this Ordinance. *This is correct.*

6.5.1.3 The proposed activity will not result in water pollution, erosion or sedimentation to water bodies. *Following completion of the project the site will be either hardscaped or have stable vegetation. Erodible areas such as steep banks will be largely undisturbed even during construction. During construction, the contractor will be responsible to maintain the site in an orderly manner.*

6.5.1.4 The proposal will provide for the adequate disposal of all wastewater and solid waste. *Wastewater will be discharged to the public sewer system. Solid waste will be managed on site with a dumpster which will be emptied regularly by a licensed private waste hauler.*

6.5.1.5 The proposal will not have an adverse impact upon wildlife habitat, unique natural areas, shoreline access or visual quality, scenic areas, and archeological and historic resources. *The property had been previously developed and does not have any of these resources.*

6.5.1.6 The proposal will not have an adverse impact upon waterbodies and wetlands. *The property has been previously developed and does not have wetlands or waterbodies.*

6.5.1.7 The proposal will provide for adequate storm water management. The site was, until recently, largely impervious and will continue to be so. *No significant changes to the rate or volume of runoff is expected from historical rates.*

6.5.1.8 The proposal will conform to all applicable Shoreland Zoning requirements. Only a portion of the proposed project is within the City's Shoreland Zone. *This area was previously developed and has been classified as a brownfield site. The site has no direct connection to the Cobbossee watershed except via the municipal stormwater collection system.*

6.5.1.9 The proposal will conform to all applicable Floodplain Management requirements. *The proposed project is not within the Floodplain according to the City's GIS mapping.*

6.5.1.10 The proposal will have sufficient water available to meet the needs of the development. *The proposed project will be connected to the municipal water service.*

6.5.1.11 The proposal will not adversely affect groundwater quality or quantity. *The proposed project will have municipal sewerage disposal. Likewise, stormwater disposal will be tied into the municipal system. No discharges to groundwater other than rain infiltration in wooded and lawn areas is expected.*

6.5.1.12 The proposal will provide for safe and adequate vehicle and pedestrian circulation in the development. *The site has been laid out to permit safe and efficient movement of pedestrians and vehicles. Sidewalks encircle three sides of the development integrating it into the community. Onsite, pedestrian uses have been separated as much as possible. For example, tenants accessing the dumpster do not have to go into the parking area.*

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. *This is correct.*

6.5.1.14 The applicant has adequate financial and technical capacity to meet the provisions of this Ordinance. *Funding for this project will be a combination of grants from the Maine State Housing Authority and private funding. The MSHA application will be filed in February following approval of the project by the city.*

Site plan review criteria.

6.5.2 All applications for Site Plan Review shall meet the Review Criteria contained in 6.5.1 and the additional criteria contained in this section- *This is correct.*

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.

Design of the site amenities will reflect the historic industrial character of the site. although the former use was industrial in nature it was iconic but is designed to fit the site and accompany the neighboring apartment buildings.

6.5.2.2 The proposal will not have an adverse impact upon neighboring properties; *the proposed project will not adversely affect neighboring properties and is designed to be a drastic aesthetic improvement over the property's former industrial buildings.*

6.5.2.3 The proposal contains landscaping, buffering, and screening elements which provide privacy to adjacent land uses in accordance with the appropriate performance standards. *Yes, please see attached plans.*

6.5.2.4 The building site and roadway design will harmonize with the existing site and work with its current topography. *The existing site is mostly devoid of trees but there are existing trees located along the northern property lines that will remain. New trees and shrubs will be installed to beautify the site and harmonize with the neighborhood.*

6.5.2.5 The proposal will reflect the natural capabilities of the site to support the development. Buildings, structures, and other features should be located in the areas of the site most suitable for development. Environmentally sensitive areas including waterbodies, steep slopes, floodplains, wetlands, significant plant and wildlife habitats, scenic areas, aquifers, and archeological and historic resources shall be preserved to the maximum extent possible. *The site has been previously developed and has been reclaimed as an EPA cleanup site as a result of its former use. The proposed development will adhere to standards and procedures outlined by the DEP for redevelopment.*

6.5.2.6 The proposal will provide for a system of pedestrian ways within the site appropriate to the development and the surrounding area. *The system will connect building entrances/exits with the parking areas and with existing sidewalks if they exist or are planned in the vicinity of the project. The site will have paved walkways that will connect to sidewalks that surround the site on three sides.*

6.5.2.7 In urban and built-up areas, buildings will be placed closer to the road in conformance with setback requirements and parking areas shall be located at the side or rear of the building. *The building will be placed closer to the road than buffering requirements would dictate. A variance to these setback requirements has been requested and is integral to making the project financially viable. With that the new building and parking will still be located further back from the property lines than its former use as T.W. Dick. The former building's concrete foundation walls are still located directly on the property lines.*

6.5.2.8 Proposals with multiple buildings will be designed and placed to utilize common parking areas to the greatest practical extent. *The development is a single building.*

6.5.2.9 Building entrances will be oriented to the public road unless the layout or grouping of the buildings justifies another approach. *The building entrance is directed to the parking lot and several accessible parking spaces. This layout is preferred because the average annual daily traffic count on the opposite side of the building is 14,000 vehicles per day. The proposed configuration also creates the shortest distance to onsite parking areas. Adam Lemire feels that there should be door, facing Bridge St. Pam Mitchel moved that 6.5.2.9 has been met. Lisa St. Hilaire seconded the motion. No further discussion. Three members in favor. Adam Lemire voted no.*

6.5.2.10 Exterior building walls greater than 50 feet in length which can be viewed from the public road will be designed with a combination of architectural features with a variety of building materials and shall include landscaping abutting the wall for at least 50% of the length of the wall. *The building has been designed with numerous steps and jogs to break up long walls facing the streets to create character and depth on the building's façade. Also, large windows and different siding elements have utilities to create a very attractive design. New trees and shrubs will be installed along the road frontages.*

6.5.2.11 Building materials will match the character of those commonly found in the City and surrounding area including brick, wood, native stone, tinted/textured concrete block, or glass products. Materials such as smooth-faced concrete block or concrete panels and steel panels will only be used as accent features. Materials shall be of low reflectance, subtle, neutral or earth tone colors. High-intensity and bright colors shall be prohibited except when used as trim or accent. Building materials for industrial or commercial buildings located within an approved industrial park or subdivision are not required to comply with this provision. *Building materials will include a mixture of brick, vinyl, and some steel elements to pay homage to the properties former use.*

6.5.2.12 Building entrances and points where the development intersects with the public road and sidewalk will be provided with amenities appropriate for the area such as benches, bike racks, bus stop locations and other similar landscape features. *The area near the entrance of the building will have a bike rack. The south side of the building will have a park bench facing summer St.*

6.5.2.13 A proposal which includes drive-through service will be designed to minimize impact on the neighborhood. Drive-through lanes will be fully screened from adjacent residential properties and communication systems will not be audible on adjacent properties. *No Drive Through Services are proposed.*

Chair Willis the Board for a motion on review criteria:

Pam Mitchel moves that the review criteria have been met with a note that the Board is approving the project using plan C0.1A with a parking lot that will meet city ordinances. Lisa St. Hilaire seconded the motion. No further discussion. All members present in favor. Unanimously approved.

Chair Willis asks for a motion on the project-

Pam Mitchel moves to approve this project using the plan that is shown on C0.1A. Lisa St. Hilaire seconded the motion. No further discussion. Three Board members voted to approve. Adam Lemire abstained. Project approved using plan C0.1A

5.Review draft meeting minutes: Edits were suggested from Lisa St. Hilaire and Pam Mitchel. Lisa St. Hilaire moved to approve the December 12,2023 minutes with edits. Adam St. Hilaire seconded the motion. No further discussion. All in favor. Review of the January 22, 2024, minutes- Pam Mitchel moved to approve the minutes from January 22, 2024, with one small change. Lisa St. Hilaire seconded the motion. No further discussion. All in favor.

6.Other Business- Planning and Development has not received any applications for this meeting, therefore there will not be a PB meeting in March.

7.Adjourn- Lisa St. Hilaire moved to adjourn at 9:00pm. Adam Lemire seconded the motion. No further discussion. All members in favor.