

To: Gardiner Planning Board
From: Mark Eyerman
Subject: Gardiner Green – Revised Site Plan
Date: December 9, 2022

I have reviewed the revised Site Plan application for the Gardiner Green project. In general I think the application is a significant improvement over the previous submissions. I have focused my review on the planning considerations since I am sure that the Code Enforcement Officer and members of the Planning Board will carefully review the technical details. Here are my comments on the revised Site Plan Review application:

1. **Plan Consistency** – I did not do a detail review comparing the site plan, building floor plans and the revised building elevations. However in my review of the architectural elements, I noticed that the wooden wall material in most places is referred to as cyprus but in one place on the west elevation the indication is cedar. Is that intentional or is that a “drafting” error. If it is an error it should be corrected.
2. **Affordable Housing Units** – The application continues to call for the designation of seven units as affordable units. The application then asks that the seven affordable units “. . . be a credit against a future density increase if one is sought in the future.” I do not see any way that the Planning Board can do this but I will defer to legal counsel on this. If, however, Jon feels that this can be done, I recommend against doing it. My reasoning is that LD 2003, the new state affordable housing law may require the City to change how it treats affordable housing so any “grandfathering” of affordable housing credits becomes problematic. If the Board is interested in pursuing this concept, it should note that the new law requires units to be affordable for a minimum of 30 years and that provisions are in place to assure the continuing affordability of the affordable units. While these provisions do not specifically apply to this application, they do provide a framework for what will be required for affordable projects in the future.
3. **Design Standards** – The applicant’s attorney makes the case again that the design standards of the Site Plan Review Ordinance are of questionable legality and should not be applied to the application. This is a question for the Town’s legal counsel but previously Jon advised to Board to continue to apply those standards to the application. The redesign of the west elevation facing Dresden Ave. may make that a mute issue. The proposed treatment of that façade and the

landscaping between the building and the street is an improvement and it is up to the Board to address that issue.

The extension of the sidewalk from the main entrance to the east side of Dresden Ave. and then providing a crosswalk to the sidewalk on the west side of the street is a good improvement and addresses the approval standard.

4. **Parking Lot** – The redesign of the main parking lot and the addition of islands is an improvement and will improve the visual environment and traffic flow.