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Debby Willis, Chairperson  
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## PLANNING BOARD MEETING MINUTES

**Tuesday April 27, 2021 @ 6:00 PM**

**VIA Virtual Conferencing**

*In accordance with An Act To Implement Provisions Necessary to the Health, Welfare and Safety of the Citizens of Maine in Response to the COVID-19 Public Health Emergency, as enacted to read: Sec. G-1 1 MRSA §403-A Public proceedings through remote access during declaration of state of emergency due to COVID-19*

**1. Call the Meeting to Order-** Chair Willis called the meeting to order at 6:05

**2. Roll Call-** Adam Lemire, Lisa St. Hilaire, Justin Young, Pam Mitchel, Shawn Dolley, Debby Willis, and Zach Hanley was not present for this meeting. Others present included City Planner- Mark Eyerman, Kris McNeill- Code Enforcement Officer, Tracey Desjardins- Economic Development Director, Mayor Pat Hart, Attorney Alan Wolf, Applicants Jo Roderick and Roland Pinette. Also present: Bill Acheson, Rusty Greenleaf.

**3. Review of the March 23, 2021 meeting minutes-** Lisa St. Hilaire and Pam Mitchel sent in corrections for the minutes. There are 2 places on page 2 where an 's' needs to be removed. On pg. 2, the 4<sup>th</sup> paragraph should be 'explain', third paragraph on the bottom should be just 'lead'. There is a suggested addition on the third page- 'The Planning Board looked at these areas 8.1, 8.6, 8.7, 8.9, and 8.11, also appropriate parts of section 9 and Section 11.1, 11.3, 11.4'. Chair Willis asks for a motion on the minutes. Pam Mitchel moves that we accept the minutes with the changes that Lisa St. Hilaire and she have made. Lisa St. Hilaire seconds the motion. No further discussion. Roll call vote- Adam Lemire-yes, Lisa St. Hilaire-yes, Justin Young-yes, Pam Mitchel-yes, Shawn Dolley-yes, Debby Willis- yes, all in favor.

**4. Public Hearing- AUG Dist. LLC is purchasing Lot 15 in the Libby Hill Business Park.** As part of the approval process for the business, a small section of the hammerhead on Commerce Drive will need to be removed/ discontinued so that appropriate controls can be completed on Map-Lot 007-018-A015. Tracey Desjardins points out that this discontinuance has come before the Board before, but was not recorded because the project did not happen. There is a new developer that already has Planning Board approval for their project. Due to the lay of the land, this portion of the hammerhead will still need to be removed so the project can move forward. Tracey Desjardins states this is coming back to the Planning Board, for review and approval. City Council has already reviewed and approved the discontinuance of this section. After the Planning Board reviews this change, it will be sent to the Registry for recording. This will allow the developer to close on the property, and begin work. Tracey Desjardins points out that this amendment needs to happen in order for the project to move forward.

Chair Willis opens the application for public hearing. There is no one present for or against this amendment. City staff did not receive any comments about this amendment.

Chair Willis closed the public hearing.

Chair Willis asked the Planning Board for a motion on this amendment. Pam Mitchel makes a motion that this amendment to the subdivision plan be approved. Lisa St. Hilaire seconded the motion. No further discussion. Roll Call vote- Adam Lemire-yes, Lisa St. Hilaire-yes, Justin Young-yes, Pam Mitchel-yes, Shawn Dolley-yes, Debby Willis- yes, all in favor- approved.

**5. Public Hearing**-Continuation of Subdivision Preliminary Plan Application: Iron Mine LLC expansion of state approved and licensed 24 pad mobile home park at Lot 027 Maps 014, 014A and 015B to a 42 pad mobile home park.

Chair Willis explains that the applicant and the City's planner, Mark Eyerman, worked together, with their surveyor, to develop a plan for the mobile home park that would conform to the ordinance requirements. There are a few maps that came about because of this collaboration. There is an existing topo and proposed amended subdivision plan. A few areas are 'muddy' in clarification. These lots are proposed to have more than one unit on them, as they have the size needed. There is also a proposal for landscaping. Mark states that the board should start by checking for completeness. Section 14.5.8.4.4.2 sets out the subdivision requirements. This review should first check to see if the information that is required, has been provided.

Chair Willis asks if the Board feels that the application is complete and do they have enough to move forward. Pam Mitchel points out that according to 14.5.8.4.4.2.6, the application will need a copy of the assessors (tax) map for the properties. The Board will also need to know the dimensions, and widths of the proposed streets on the property. Otherwise, the application looks fairly complete. Chair Willis asks if any other board members have anything to discuss. Mark Eyerman points out that the details of the road can be worked out in the Final Subdivision plan. The applicant should review section 11 for private road design standards.

Chair Willis asks for a motion on the completeness of this preliminary application. Pam Mitchel makes a motion that the preliminary application is complete with the conditions that the board receive a copy of the tax map, as well as receive information showing the cross section of the road. Adam Lemire seconds the motion. Lisa St. Hilaire asks about an abutter that had not been notified at a previous meeting. Chair Willis points out the ordinance requires the best attempt to make contact with abutters that is all. Failure for an abutter to receive notice, does not justify the application being disqualified. No further discussion. Roll Call vote- Adam Lemire-yes, Lisa St. Hilaire-yes, Justin Young-yes, Pam Mitchel-yes, Shawn Dolley-yes, Debby Willis- yes, all in favor of the completeness of the application.

Chair Willis asks if the board can hear this application in an unbiased manner. All board members agree that they can.

Mark Eyerman states that there are three different performance standards that the planning board needs to look at to check for compliance with the ordinance.

- A. Section 10.17.2 standards for mobile home parks.
- B. The environmental standards in section 9 water supply, sewage disposal, stormwater, erosion, etc. are identified as areas that need to be reviewed.
- C. Section 14, the state standards for subdivisions.

The board will start with the performance standards for manufactured home parks.

The board checks to see if the application meets buffering/screening criteria: Lots numbered 15, 17, 19, 21, 25, and 27 are lots that do not meet the buffer requirements. These are existing non-

conforming structures. The perimeter buffer used to be 25'. There is many questions about lot #16. Chair Willis feels that lot #16 might have been added to increase units. Mark agrees that questioning this lot is appropriate and agrees that Lot 16 does need to be reviewed and resolved. Attorney Pottle will be asked to assist with this.

There was a discussion of how many 'variance' lots still remain. When the owners purchased the park, there were just 3 mobiles on the lot. Roland states that after they took over, they found the buried water lines and a gravel pad that was grown over. These variances were put in place in the late 80's and as long as the original location of the pad does not change, the variance is still in effect.

The board reviewed section 10- They found that water supply, solid waste, sewage control, erosion control were addressed properly. Stormwater management will be reviewed and updated by Coffin Engineering. There is erosion control info from Jim coffin, and there will be extensive landscaping to help with this. In order to keep erosion at minimum, lawns will be planted after the park is complete. Lawns and other plantings will be fertilized with organic compost to ensure that harmful fertilizing chemicals stay out of the environment.

Exterior lighting: There are poles already existing in the park, and each unit will have exterior lighting on the home.

Exterior material storage: Mr. Pinette is asked how he will handle dumpsters. Mr. Pinette explains that trash removal is a tenant responsibility. Park tenants are using three different vendors. Most of the dumpsters are being shared between 2-3 tenants.

Board members ask if there will be a sign for the park. Mr. Pinette states that they are working on a design for a granite sign that will be at the beginning of Iron Mine Rd. Pam reminds Roland that there is a sign ordinance and they will need to discuss this with CEO Kris McNeill.

Roads traffic: There was a lot of discussion about connecting the two roads, and making sure the end result was wide enough for emergency vehicles and to make sure that the road met Code. The road will need to be built to state standards and be at least 18' wide and paved. Mark Eyerman feels that it would be best to have a document that pulls out detailed information about the road improvements. In this document, it should show the area where the roads are being widened, down through to the end of Williams Lane. The document should show the design, including stormwater and drainage improvements, so it can be clear what will happen with this connection. Mark Eyerman points out that there does not need to be a separate plan, there just needs to be a document that shows the details of the connecting area, and where the roads will be widened to meet requirements. Mark Eyerman adds that the same document can show the provisions for the cross section for the road, including sub base etc. Mark suggests that they have Jim Coffin look at the road provisions in section11 and they meet the radius requirements for the fire dept. ladder truck. Mr. Pinette states that he will get Jim Coffin to do this.

There also needs to be more clarification of what the consent agreement area covers. The board would like to have a document that shows what part of this area is. There should be a recorded plan that will show what units are included in the consent area.

There is conflicting information with the maps, and board members agree that this will need to be resolved. There was a discussion about the mobile that is beside the multi-unit apartment building. Is it part of the consent area, or is it not? This will need to be clarified in the final plan. Chair Willis asks Attorney Lane, if what is here, shown on the map, is what is reflected on the map that has gone to the registry of deeds. Attorney Lane states that he did not find the map at the registry when he went to check. The applicant will need to include this information in the final plan.

Chair Willis asks for a motion. Pam Mitchel makes a motion that the proposed lots in the new section of the subdivision meet the dimensional requirements in 10.17.2.3, 10.17.2.4, 10.17.2.5 and meet the requirements for 10.17.2.6, 10.17.2.7, 10.17.2.8 , and 10.17.2.11. Seconded by Lisa St. Hilaire. No further discussion. . Roll Call vote- Adam Lemire-yes, Lisa St. Hilaire-yes, Justin Young-yes, Pam Mitchel-yes, Shawn Dolley-yes, Debby Willis- yes, all in favor.

Subdivision performance standards. 14.6.2.1 Is covered, recalculate the areas on lots, 34 and 36

Mark has suggested that the board look at individual lots, to make sure that they are conforming. There is a question about the lot lines on lot 24. Including the curve, there is over 65' of frontage, which is more than enough. Lisa St. Hilaire questions if a lot that has more than one trailer on it, needs to have 65' of frontage for each mobile. Mark Eyerman answers that the ordinance states that a lot needs 65' of frontage as a whole, not 65' for each individual mobile. Chair Willis asked where the driveways for the units are. There was a discussion clarifying the driveways of the lots, with the board making sure that they were the correct size. The board made it through the perimeter and agreed everything looked good.

The board will now look at the interior lots of the park. Once again, the Board reviewed driveway placements and felt that everything was good in regards to this. Mark Eyerman asked if the proposed layout of the lots, in the board's review, meet the 5000'sf area and 65'sf frontage requirements. The applicants need to deduct the detention pond area from the total area because this is a wetland, unusable area. After this area is taken out of the calculation of the total parcel, will there still be 5000sf of area for each lot. The Board will want to see the area calculation of the park, after this area is removed.

Debby asks if they are moving around lot lines, why are they not subject to LUO requirements. These are existing non-conforming structures according to Jon Pottle. The idea of them having to comply with the current ordinance due to moving lot lines came from Debby, not legal. They agree that they are non-conforming. Mark Eyerman-The placement of the units on the property bear little or no relationship to the 1987-89 subdivision.

The goal of the consent area was to develop an approved plan, and create a baseline, so that there is a record of work that had been done. This would help City staff to better help future owners of the property.

Pam Mitchel makes a motion, that the proposed new lots in the existing subdivision meet the dimensional requirements in 10.17.2.3, 10.17.2.4, 10.17.2.5, with the exception of unit #16 - Shawn seconds. Further discussion. No. Roll call vote: Adam Lemire-yes, Lisa St. Hilaire-yes, Justin Young-yes, Pam Mitchel-yes, Shawn Dolley-yes, Debby Willis- yes, all in favor. The board will either need guidance from legal or documentation about lot #16 having previously existed with a variance.

Next area to cover will be the expansion. Mark states that the proposal for lots 34-36-38-35-37 is to put doublewide mobiles on these lots. Roland states that the purpose of using doublewide homes is that they are more likely to fit into the character of the neighborhood around Williams Lane. Pam asks about the construction of the new road that will connect Iron Mine to Williams Lane. There will be one mobile home, where the driveway will exit onto Commonwealth Ave. instead of into the park. Roland states that due to the amount of ledge in this area, it is more feasible to have the driveway exit on to Commonwealth Ave. After a discussion about this, members agreed that having this driveway exit onto Commonwealth Ave would be fine. There was discussion about the dimensions of the road, and whether it will meet the required dimensions. Pam reminds the applicants that it needs to be built to code.

Chair Willis asks for a motion. Pam Mitchel states that the board has asked for some clarification, and she feels comfortable inviting the submission for a final subdivision plan. Adam Lemire seconded the motion, - no further discussion- . Roll Call vote- Adam Lemire-yes, Lisa St. Hilaire-yes, Justin Young-yes, Pam Mitchel-yes, Shawn Dolley-yes, Debby Willis- yes, all in favor of inviting the submission of a final subdivision plan application.

Required for the Final Subdivision plan submission:

The applicant will need to provide a Tax map.

State requirements for roads in mobile home parks.

Lot # 16 and the buffer requirement will need to be addressed.

The design of the roads, consistent with the provisions of section 11. The clarification of the widening of the road, near the extension to Williams Lane. Provision of a cross section and all road requirements including 18'wide of paved road surface. There should also be provisions for stormwater on both sides of the extension.

Deduction of the stormwater detention area from the lots, to demonstrate that there is 5000 sf of usable land.

The owners of Iron Mine plan come back to Planning Board for their final subdivision plan on May 25<sup>th</sup>.

**6. Other Business-** The board discussed the agenda for the next meeting, on May 11. The board will hear the Marijuana amendments. They will also be hearing Gardiner Green. Further, in the month there will be another meeting on 5/25. On this agenda will be Iron Mine, who will be coming back with a final subdivision, and 134 Spring St. will be a final subdivision.

**7. Adjourn:** Lisa St. Hilaire made a motion to adjourn. Justin young seconds the motion. Roll call vote: Adam Lemire-yes, Lisa St. Hilaire-yes, Justin Young-yes, Pam Mitchel-yes, Shawn Dolley-yes, Debby Willis-yes. All in favor. Adjourn at 10:05 pm