



6 Church Street, Gardiner, ME 04345  
Phone (207) 582-4200

Debby Willis, Chairperson  
Angelia Christopher, Administrative Assistant

## PLANNING BOARD MEETING MINUTES

**Tuesday March 23, 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 6:03pm and determined that there was a quorum.

**2.Roll Call-** Planning Board Members-Zachary Hanley, Shawn Dolley, Pam Mitchel, Lisa St. Hilaire, Justin Young, Adam Lemire, and Chair Debby Willis. City staff- Tracey Desjardins- Economic Development Director, Kris McNeill- Code Enforcement Officer, Angelia Christopher- Planning and Development Assistant. Other present- Robert Anderson- Tom Farmer- applicants for 134 Spring St. Jim Coffin, Gary Krupnick- PODS representation. Also present Jessica Lowell

**3.Review of the March 9, 2021 meeting minutes-** 3/9/2021 minutes will be reviewed at a different meeting.

**4.Public Hearing-** AUG Commerce Distr. LLC- PODS- Site Plan-Applicant is proposing to construct a new 50,400sf building and associated paved areas for Pods Storage Company at Commerce Dr., in the Libby Hill Business Park- City Tax map 7 Lot 18A-15 in the PIC zone. The project will involve an amended subdivision plan because the existing driveway location off Commerce Drive can't be utilized due to elevation constraints on site.

Jim Coffin and Gary Krupnick are here to present this application. After a brief overview of the project, Chair Willis asked the board if they can hear this application in an unbiased manner. Board members agree that they can. Chair Willis asks if city staff had to obtain any outside services to complete this application. City staff answer no. There has been no interest from the public presented to staff at City Hall.

Mr. Krupnick explains the concept of PODS, how this business works. He explains how the storage containers are filled by customers, and then stored in the climatized warehouse. The new warehouse will be built in an area that has lots of ledge, rocks, and a fairly rough grade. The excavation work could end up requiring blasting to help get this land ready for this project. Mr. Krupnick states that he is excited to bring this project to Gardiner. They hope to offer 8-14 jobs to this community when this project is done. He states this is a clean, efficient operation that will run during normal business hours, 6 days a week.

Jim Coffin states that the application is at DEP for a minor amendment for the NRPA permit. Because this project is in Libby Hill Business Park, all utilities are in place. All stormwater will be directed to go to detention pond #5. There will be a curb on the back side of the property that will be placed as a measure so the

PODS do not hit the building when they are being moved around. There were questions about operational hours, and how customers will have access to their PODS. Mr. Krupnick explains that the public can only access their PODS when they have an appointment. Customers should call to set up a time, during business hours, requesting access to their POD. Staff will then move the POD, outside to a designated area. Customers will not be allowed in the warehouse. This system will not require them to have a lot of parking. The applicant is asking for a waiver in regard to the amount of parking required. The Standards for Number of Parking Spaces (11.4.5) does not include a "Storage" designation, but does include a "Warehouse" designation. However the warehouse use calls for one space per 1,000 sf, which would equate to needing over 50 spaces. The applicant explains that this does not make any sense for this type of use. The applicant is asking for one space per employee for the proposed use. (information follows)

Chair Willis opens for public comment, at 6:25pm. There is no one present to speak about the application. There was no public comment presented at City Hall. Chair Willis closed the public hearing.

The identified areas that need to be reviewed include signs, lighting, environmental standards, and parking. Mr. Coffin explains there will be a dumpster, which will be screened according to the ordinance.

There are letters from City departments included in the application which explains that essential services are covered. Exterior lighting is shown on the plan and the type of lighting is identified in the application. There will need to be a lighting plan, which can be addressed by the Code Enforcement Officer. The applicant points out that there will be wall type lights installed on the building that will follow the requirements of the ordinance. Jim Coffin reports that he can get a photometric plan of the site for CEO Kris McNeill to review.

The dumpster is on the site plan, and will be screened accordingly.

There is a buffer and screening plan included in the application. Mr. Coffin explains that plants will be native, not invasive.

Section 10 signs. There will be a sign, and the CEO will assist the applicant to make sure they use the correct sign according to the LUO.

There is a 'hammerhead' at the end of Commerce Dr. that needs to be changed in order to this lot to be laid out properly for the project. Due to the topography of the land, a section of this hammerhead will need to be discontinued. This was addressed at a previous application meeting, but the project did not happen and the plan to discontinue this change did not get registered. The discontinuance for this section of road is scheduled to be heard by City Council on April 7. Once the final decision is made, this change will be sent to the Registry of Deeds for final processing.

There was a discussion about parking and the waiver that was requested. The applicant is proposing to have 18 parking spots. The maximum amount of staff will be 14 people and the company perceives that there will be no more than 3 customer visits a week. Those appointments need to be scheduled, so there will not be several customers there at the same time. Board members agree that 18 spaces is enough for this application. The warehouse is PODS storage. If there is a change in the future, there is enough room for more parking.

Adam Lemire asks about the stormwater plan. All runoff will end up in a plunge pool. The pond needs to be cleaned out as brush has built up over the years. The building has a low slope roof, and roof leaders, which eventually leads to the catch basin and then to the pond.

Adam states that he feels like accessing the building could be awkward due to the way the property will be set up. There is a lot of discussion about how parking will work, when someone wants to get access to their pod. Customers are contractually required to make an appointment to access their POD, so this will not be a concern.

Back to section 6- Does this application apply to all applicable ordinances?

Pam Mitchel moves that this application conforms to all applicable provisions of this ordinance pending the 2 DEP permits, approval of the lighting plan by the CEO, and a note that the Board has approved 18 parking spaces and this is sufficient for this storage facility use. Shawn Dolley makes a second. No further discussion, roll call vote, Shawn Dolley- yes, Zachary Hanley- yes, Pam Mitchel- yes, Adam Lemire- yes, Lisa St. Hilaire- yes, Justin Young- yes, Debby Willis- yes. All in favor.

What does the board want to do with this application? Pam Mitchel moves that we approve this with conditions of the lighting plan, the DEP permits and a note about the 18 parking spots being sufficient for this storage facility. Adam Lemire seconds. Roll call vote- Shawn Dolley- yes, Zachary Hanley- yes, Pam Mitchel- yes, Adam Lemire- yes, Lisa St. Hilaire- yes, Justin Young- yes, Debby Willis- yes.

All in favor Application approved.

**5.Public Hearing-** Maine Affordable Properties, LLC. Preliminary Subdivision Plan- Applicant is proposing to construct 8 new residential housing units within 4 duplex buildings at 134 Spring St.- City Tax map 036 Lot 071 in the HDR zone.-

Tom Farmer and Robert Anderson are here to present this application. The applicant has right, title, and deed for the property. Chair Willis asks if the Board can hear this application in an unbiased manner. All members agree yes. Chair Willis asks if the CEO needed any outside services to complete this application. No. There was no community interest was presented to City staff. A community meeting was held on this project on March 2<sup>nd</sup> that provided the applicants opportunity to answer neighbor's questions.

Tom Farmer is a landscape architect who has been working on the project. These condo units will be approx. 1200 sf. There is a Victorian 2 unit on the front of the property, which was part of the property upon purchase. These rental units have been remodeled and are occupied. They are proposing 4 buildings/duplexes towards the rear of the property that will be accessed via private drive. The applicants are still working on the design of the units, and what they will actually look like. They are working on how to set up the garages/duplexes. There is discussion about materials to be used, and how their design will fit in the character of the neighborhood. Each unit will also have a backyard patio that will be made with concrete pavers. The applicants state that they will have final detail available for the final subdivision meeting.

There have been no waivers requested as part of this application. Chair Willis opens the meeting for public comment at 8pm. There are no members of the public present for the meeting to speak about this project. There has not been any public interest at City hall about this application. Chair Willis closed the public comment. This application is being heard as a major subdivision because of the number of units.

The Planning Board will be looking at these areas- 8.1, 8.6, 8.7, 8.9, 11

The road will be maintained by the homeowners association of the condo units. Septic and water will be utilized through city services. Mr Anderson, who also owns a landscaping company, will be landscaping the property around the units. The land around the units will belong to the condo association after 50% of the units are sold.

There are letters from all the appropriate city departments included in the application. Chair Willis asks about a possible pump station that might need to be installed for the property. The wastewater dept. has included in their letter that if the applicant cannot achieve acceptable gravity service, they may have to install a pump system, in order to obtain a gravity line into the City sewer system. Spring St has a gravity line sewer system and the property in question sits at the same level as Spring St. The line needs to have a tilt to it to work, and if it doesn't a pump station will need to be installed. Kris McNeill states that he will make sure that this happens if needed.

Pam Mitchel asks about lighting. The applicants plan to light the units with dark sky lighting, and perhaps one at the entrance of the property. There will be a dumpster on the final plan. The developers are working on the

best approach to handle the property with a dumpster, whether it would be best to provide one dumpster on site or have individual ones.

8.11 buffers and screening- Landscaping- Mr. Anderson will be planting arborvitaes around the perimeter. Pam Mitchel asks about the patios crossing over the setback line. Kris states that bricks and pavers are ok for use, and this is not a problem. Pam reminds the applicant that it is preferable to use native, noninvasive plants.

Lisa St. Hilaire asks if the lot is paved anywhere. The applicant answers that it is paved for the first building, but that is it. She then asks about the existing maples that are on the property. Tom Farmer states that there are three trees that are in pretty poor condition right now, and likely will not be able to be saved.

Lisa St. Hilaire asks about paving in the 10' setback. The applicants will revise their plan, as the final that they are working on does not show that area. The driveways will be in the center of the property, between the buildings.

Pam asks if there are any letters for IFW or DEP. Kris McNeill states that this development does not meet the level that is required to require those letters. Kris states that there is no record of any archeological sites in this area.

Lisa asks about 10.16.1 and new family dwellings. The minimum road frontage is 150' and it appears that there is 115' on this lot. Kris states that this is an existing property, which has had a 2 family home on it for years. If this were a new, empty lot, with new buildings being placed on it, it would need 150' for frontage. This is an existing lot, that has a multifamily on it, and they want to put new units out back. Chair Willis feels that where it is already existing, and the new development will be out back, that it will be fine but the Planning Board will have to review it. There is already a driveway, and it is extending to the back of the property, and the street frontage will look the same. There will also be a turnaround onsite, and a minimum of two parking spots per unit. Pam asks if there will be any signs. Mr. Anderson states that there will be one sign out by the road, stating the addresses. He will work with Kris on what is acceptable in that area. He is not sure about mail, whether there will be one pedestal box at the end of the road or individual boxes.

Pam has looked into trips to this site, and has found that it will be considered a medium volume access. These developers will likely pave the private road once the project is done. It is unknown if the private drive will end up needing to be reviewed as a private road. Kris McNeill will look into it.

Right now this application looks good to move forward. A copy of the homeowners association with details needs to be part of the final plan. She also states that they will need the location of the dumpster, architectural plans that include all the information about the buildings/units.

Adam Lemire asks the deed and the legalese that is in it. He would like to have more information about the Woodward lot. Mr. Farmer states that when the lot was set up years ago, it was set up to be subdivided. This change was never recorded and Mr. Anderson had purchased the whole parcel. After discussion about what the original intended purpose for this parcel, the board agreed to have Mr. Anderson present more information on the deed at the final plan.

Chair Willis asks for a motion on the preliminary site plan. Pam Mitchel moves that we authorize the submission of the final plan, with the condition that the final plan include architectural plans showing elevation, materials, a screened dumpster placed on it, etc., pics of the neighborhood, a copy of the homeowner's association agreement, and info on the two parcels on the deed Adam Lemire seconds the motion. No further discussion. Roll call vote- Shawn Dolley- yes, Zachary Hanley- yes, Pam Mitchel- yes, Adam Lemire- yes, Lisa St. Hilaire- yes, Justin Young- yes, Debby Willis- yes. All in favor to move this application along.

**6.Other Business** – There are several applications waiting to be reviewed by the Planning Board. The next scheduled meeting is April 13, 2021. On the agenda for this date is the Con Edison amendment, Gardiner

Green, and LUO changes in regards to marijuana. Iron Mine is on the list of projects coming back and due to the detail of this application, there will be a second meeting in April. Iron Mine will be the only application on the agenda for the second meeting scheduled to be held on 4/27/2021. Future projects= 134 Spring St. will be coming back. Kris McNeill reports that he has two pending marijuana establishment applications. These applications are not complete yet, but will likely be on the May PB agenda. Tracey Desjardins states that there will be at least 3 more projects for Libby Hill Business Park in the near future.

**7.Adjourn** – Chair Willis asked for a motion to adjourn. Pam Mitchel offered a motion to adjourn at 9:45pm. No further discussion. Shawn Dolley seconded the motion. Roll call vote. Zachary Hanley- yes, Adam Lemire- yes, Lisa St. Hilaire- yes, Pam Mitchel- yes, Shawn Dolley- yes, Debby Willis- yes -all in favor.

DRAFT