

## Planning and Development

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### Minutes

#### Planning Board

Tuesday, April 16, 2019

5:30 PM Workshop/6:00 PM Regular Meeting

City Hall Conference Room (First Floor)

Present for the Board: Chair Neil Shuster; Vice Chair Don Girouard; Matt Provencal; Joyce Leary Clark; Jeff Brochu; Peter Scontras

Absent for the Board: Alyssa Bouthot

Also Present: Roger Gay, City Council Liaison; Joe Laverriere, City Engineer; Dave Pendleton, Deputy Fire Chief; Emily Cole-Prescott, City Planner

#### Workshop – 5:30 PM

1. Continued Discussion – Private Roads: The Board reviewed private road standards from other municipalities, discussed the potential revision of the originally proposed ordinance from Bob Hamblen, and asked Emily Cole-Prescott to return with examples of Road Maintenance Agreements and deed restrictions that would accompany the potential ordinance revision.

*Note: Regular meeting is audio recorded. These audio records will be posted on the City's website and available for public review within one week of the meeting.*

#### Regular Meeting – 6:00 PM

1. Call to Order: Chair Shuster called the regular meeting to order at 6:10 PM.
2. Minutes of April 2, 2019 Meeting: **Jeff Brochu made a motion to accept the minutes of the April 2, 2019 meeting as presented. Joyce Leary Clark seconded the motion, and it carried unanimously.**
3. New Business, Tabled Items & Public Hearings:
  - a. 50 Moody Street (Map 42 Lot 1): Preliminary Subdivision Review to create 3 lots
    - Applicant: Sweetser
    - Zone: B-8

*Jon Mistos, of Sweetser, was present for discussion.*

Overview: Emily Cole-Prescott introduced the application to create a total of three lots from the existing 362-acre parcel. Proposed lot one will be 30.53 acres, proposed lot two will be 42 acres, and the proposed lot 3 will remain land of Sweetser, at 264.3 acres. The City of Saco is under purchase and sale agreement to develop the proposed 42-acre parcel as the new Public Works facility, and will require site plan review, which application has been submitted and will be on an upcoming meeting agenda. The applicant has requested several waivers, as there is not development proposed at this time for lot one, and lot three will remain land of Sweetser. Although lot two is currently shown without frontage, the site plan review application proposes frontage to the lot, and will be reviewed at a subsequent Board meeting. This lot will remain unbuildable until frontage is secured.

Discussion, Waiver Requests & Application Completeness: The Board discussed the waivers. In this case, future development of any of the lots will require site plan review and/or subdivision review.

- **Scale of Plan:** The ordinance requests a scale of 1"=100' but with the size of the site the applicant is requesting a waiver to 1"=200'. **Peter Scontras moved to grant the applicant a waiver to the scale requirement listed in section 5.2.2. Matt Provencal seconded the motion, and it carried unanimously.**
- **Location of significant site features:** The Subdivision Regulations require that all site features, including stone walls, fences, large trees, wood areas, etc. be included on the preliminary subdivision plan. The applicant has depicted outlines of existing buildings on the property per section 5.2.2(6), but requests a waiver to locating additional significant site features because of the large sizes of the proposed lots. Additionally, the Board discussed the need that any future development be required to locate any significant site features. **Peter Scontras moved to grant a waiver to section 5.2.2(6) only for the mapping of significant site features that are not currently indicated on the plan, except that mapping of significant features of future subdivision of the affected 3 lots [will be required]. Matt Provencal seconded the motion, and it carried unanimously.**
- **Existing topography and wetlands:** The Subdivision Regulations require that topography with two-foot contours of existing and proposed grades to include the demarcation of wetlands, 100-year flood elevations, and flood hazard areas are identified. The applicant has requested a waiver of this standard, citing the large size of the lots proposed and the lack of future development at this time. The applicant has indicated that any future site development would require this topography, wetland and flood plain review. **Peter Scontras moved to grant a waiver to section 5.2.2(7), indicating that all future site plan development will indicate topography, flood plains, and wetlands. Matt Provencal seconded the motion, and it carried unanimously.**

**Peter Scontras moved that the Planning Board find this application for preliminary subdivision review complete, noting the waivers that have been granted. Joyce Leary Clark seconded the motion, and it carried unanimously.**

Public Hearing: **Jeff Brochu moved to open the public hearing. Peter Scontras seconded the motion, and it carried unanimously.** *Bill Cormier, owner of the land that abuts Spring Hill Road and proposed lot two, spoke in favor of the application.* There was no further public comment at this time. **Jeff Brochu moved to close the public hearing. Joyce Leary Clark seconded the motion, and it carried unanimously.**

Discussion: Jon Mistos indicated that the land now shown as parcel one has been on the market for some time, and the reason for this subdivision review is to split this proposed lot one from the parent parcel.

Action: **Peter Scontras moved to approve the preliminary subdivision plan for Map 42 Lot 1 for three lots per the enclosed findings of fact and conditions of approval [dated April 16, 2019].**

- b. 52 Glenwood Avenue (Map 27 Lot 58): Conditional Use – Home Occupation for massage therapy use

- Applicant: Solanlly Edwards
- Zone: R-2

*Solanlly Edwards, property owner, and Maggie Edwards, relative, were present to discuss the application.*

Overview: Emily Cole-Prescott introduced the application, indicating that the owner is looking to establish an appointment-only, part-time massage therapy business out of her home. This is a two-step review process, the second of which is the City Council's review of the applicant's massage therapist/establishment license application. The applicant has indicated that one room and one bathroom in the existing residence will be used for the home occupation. The applicant has demonstrated that there is enough parking on site.

Discussion, Waivers & Application Completeness: Matt Provencal asked if four parking spaces are required for the square footage of structure, and after further review of the ordinance standards, it was determined that only one parking space is required for the home occupation, and two are required for the single-family residence. Therefore, the existing driveway will accommodate the parking requirement.

E. Cole-Prescott indicated that the Board may grant the following waivers to consider the application complete. The reason for these waivers is the fact that no exterior modifications are proposed to the existing residence. The waivers are as follows:

- Section 230-901(B)(1)(k) – The location and design of existing and proposed stormwater systems, sanitary waste disposal systems and potable water supply, and methods of solid waste storage and disposal
- Section 230-901(B)(1)(l) – A landscaping and buffering plan showing what will remain and what will be planted, indicating botanical and common names of plants and trees, dimensions, approximate time of planting and maintenance plans
- Section 230-901(B)(1)(m) – Lighting details indicating type of fixtures, locations, radius and intensity of light

**Joyce Leary Clark moved to waive sections 230-901(B)(1)(k, l & m) because there are no exterior renovations proposed to the structure to support the proposed home occupation which is planned to be for one customer at a time by appointment only. Matt Provencal seconded the motion, and it carried unanimously.**

**Joyce Leary Clark moved to find the application complete. Matt Provencal seconded the motion, and it carried unanimously.**

Public Hearing: **Jeff Brochu moved to open the public hearing. Joyce Leary Clark seconded the motion, and it carried unanimously.** *A neighboring property owner asked questions about the application.* No other person chose to speak about the application at this time. **Jeff Brochu moved to close the public hearing. Peter Scontras seconded the motion, and it carried unanimously.**

Action: **Joyce Leary Clark moved that the Board grant approval for a home occupation/minor conditional use for massage therapy to Solanlly Edwards at 52 Glenwood Avenue per the findings of fact and conditions of approval dated April 16, 2019.**

**Joyce Leary Clark moved to amend the motion to indicate that the findings of fact would be revised to indicate that one parking space is required. Jeff Brochu seconded the motion, and it carried unanimously.**

4. Updates from City Planner: Chair Shuster noted the update memo from Emily Cole-Prescott and asked for the Board's feedback. The Board discussed the memo, and Emily Cole-Prescott answered questions about the updates.
5. Old Business: None.
6. Other Discussion: None.
7. Adjournment: Without objection, the Board adjourned at 7:10 PM.