

Minutes

Planning Board Meeting

Tuesday, January 20, 2015

Members Present: Neil Schuster, Chairperson; Don Girouard, Rene Ittenbach, Donna Bailey, Angela Blanchette, City Engineer, and Bob Hamblen, City Planner. Absent: Deborah McKenney, Marty Devlin

**Workshop:**

**Review of surplus City properties**

Tax Map 1, Lot 18

Tax Map 11, Lot 107-1

Tax Map 34, Lot 135

Tax Map 37, Lot 7

Tax Map 92, Lot 21

Tax Map 101, Lot 35

Tax Map 101, Lot 74

Tax Map 101, Lot 89

Tax Map 101, Lot 112

Tax Map 85, Lot 4-6

**1. Minutes of January 6, 2015**

**Neil: Correction on Rene’s motion for the Cell Tower. Should read: “issues with the existing two-family dwelling identified by the Code Office be addressed prior to issuance of a Certificate of Occupancy. Rene motioned, Donna seconded. Vote was 4-0**

**2. Public Hearing: Proposed amendments to the existing site plan and preliminary subdivision plan for the Building 4 portion of Saco Island. Applicant is Chinburg Builders, Inc. Tax Map 37, Lot 8-1. Zoned B-4.**

**Bob:** On July 17, 2007 the Board granted site plan and final subdivision approval for the redevelopment of both the east and west sides of Saco Island. As the Board knows, the majority of the plans never came to fruition, as the condominiums on the east side of the island never materialized, and Building 4 continues to sit empty.

However, enough did occur – demolition of part of the mezzanine, renovation of the space occupied by the Run of the Mill pub, improvements in the parking lot and next to the river – that staff judges that “substantial construction” has indeed taken place; consequently the ’07 approvals remain intact.

Chinburg Builders, Inc. has acquired and now proposes to renovate Building 4 and develop the 5.6 acre parcel with parking, lighting, and stormwater infrastructure and landscaping adequate to support 150 proposed apartment units, a not yet specified mix of studios, one- and two-bedroom units.

The proposed changes are viewed as amendments to the existing approvals. So, the 2007 plans, applications and supporting materials remain part of the record, while updated findings and conditions will be specific to this project.

The Saco River Corridor Commission, DEP, Maine DOT and Army Corps of Engineers permits were all issued in 2007 or '08, and remain valid. The applicant is in the process of updating the DEP Site Law permit and the DOT Traffic Movement Permit to reflect this project.

Saco Island is the only B-4 zoning district in Saco, and is different from any other zone in that issues specified in black and white terms in other zones such as minimum lot area, frontage, and setbacks are left to be determined during the subdivision/site plan review process in the B-4 zone. Overall, the applicant has achieved a fair degree of consistency with Ordinance standards: the proposed uses are in line with those found in 706-1(2), and dimensional standards regarding such issues as setbacks, building height and parking are in keeping with existing requirements found in the Zoning Ordinance.

The Zoning Ordinance sets forth the City's perspective on Saco (Factory) Island:

#### 406-4. B-4 PLANNED DEVELOPMENT DISTRICT

The B-4 classification is intended to allow for large-scale innovative, comprehensively designed, mixed development and redevelopment of property in the area known as Factory Island. This classification recognizes the unique features of this area, including proximity to downtown, frontage on the Saco River, and its past intensive industrial use, and is meant to encourage flexible, but carefully thought-out reuse of the land and its building.

Section 706 lays out the procedures and standards for this Planned Development.

#### **A. Determination of Completeness**

The project is subject to site plan review, design review, and both preliminary and final subdivision review.

#### Design Review

- **Don: Move to find that the Design Review for the Building 4 on Saco Island be found complete, seconded by Donna. Vote was 4-0**

Site Plan Review: submissions were found to be complete as part of the 2007 review, including the waiver of the need for a hydro geological study. The information necessary to make a determination on the current amendment has been submitted.

**Don: "Move to find the application for site plan review complete." Seconded by Rene. Vote was 4-0**

Preliminary subdivision review: the application lacks a few items:

Sec. 5.2.3(3) Water Company letter

**Donna: "I move that the Board waive submission items Sec. 5.2.3 Water Company letter; for this evening's meeting, with the understanding these items will be responded to prior to the applicant's next appearance." Seconded by Rene. Vote was 4-0.**

**Rene: "Move to find the application for preliminary subdivision review complete." Seconded by Donna. Vote was 4-0.**

Much of the discussion generated by the TIF application was centered on traffic and parking. In 2007, the Building 4 proposal looked like this: 42 residential condominium units and 77,960 s.f. of commercial space. Total proposed spaces: 412, including 105 space parking garage on ground-level floor, and 307 space surface parking lot on northerly side of building.

With the current plan calling for 150 residential units, and a call for some green space during Council review, the surface lot has been reduced from 307 spaces to 235. About 25 spaces are proposed for the ground-level floor. Some green space will be possible at the westerly end of the proposed parking lot. We understand that the applicant's traffic engineer is working with MDOT to amend the 2008 Traffic Movement Permit. See Diane Morabito's 1/14/15 letter re: updating traffic data from the '07 approval

Other topics under review:

- As noted in the cover letter from Paul Avery, the same stormwater capacity is being maintained (underground chambers) while the amount of impervious is being reduced by about 0.5 acre.
- A lighting plan has been submitted, and review comments supplied by FST, today (Jan. 14). Some changes will be necessary in order to achieve compliance.
- We anticipate comments from Regina Leonard re: the landscaping plan by meeting time.
- Multi-family buildings are subject to design review. The 1/14/15 re-submittal reports that the building's façade will be restored to National Park Service standards. It is NPS standards that decisions by the City's Historic Preservation Commission are based on. We have requested submission materials as outlined in Sec. 729.D, not submitted as this is written.
- Wastewater has been a longstanding issue on the Island. Currently the Island, including the Amtrak Station, Building 108/Saco Island Apartments, the Building 1 condos and office, and the Run of the Mill brewpub all connect to a pump station near the river, behind the brewpub – City-owned and maintained. The proposal for Building 4 includes a new pump station at the westerly end of the building, a location and design acceptable to the City. Details continue to be worked out.

The question of density was raised during TIF discussions with the Council. The property totals 5.6 acres, or 243,936 s.f. Chinburg proposes 150 units, which works out to 1,626 s.f. per unit. Compare this to the MU-1 zone, which is roughly bounded by Main Street, Elm Street, Cutts Avenue and Water Street. The B-3 zone that was there before MU-1 (and is still in place for some of the downtown) requires 1,500 s.f. per unit. The MU-1 zone is based on

size of the units proposed: up to 2 bedrooms and less than 800 s.f. of floor area requires 1,400 s.f. of lot area per unit. More than 2 bedrooms or more than 800 s.f. of floor area requires 2,000 s.f. of lot area per unit. So, the proposed density of 1,626 s.f. per unit is not out of line with downtown zoning.

The Boiler House Lofts project was reviewed under the existing B-4 zone standards. That building sits on a 48,787 s.f. parcel. With 36 units, that works out to a density of 1,355 s.f. per unit. No open space or recreational facilities were created for the property, so an impact fee of \$21,709 was paid.

## **B. Conclusions**

Per usual, abutters have been notified and legal notice has been provided in a local newspaper. Response to the advertised public hearing has been very quiet.

The Board will need to determine whether it's comfortable that enough information has been provided to consider approving the preliminary subdivision plan, or prefer to hold off for receipt of a fair number of items:

- Submission of design review application,
- Finalization of: DEP Site Law modification,  
MDOT Traffic Movement Permit amendments,  
Landscaping review,  
Lighting plan review,
- Clarification of proposed parking spaces given the breakdown of uses specified in Diane Morabito's 1/14/15 letter, including restaurant, office space and manufacturing space.

**Paul Avery, Oak Consulting Group:** There are 260 parking spaces proposed, which is based on 1.5 spaces for each residential use plus additional spaces for the commercial spaces and visitors. Apartments, a restaurant, office space and manufacturing are proposed. Lighting has been revised, and the existing poles will be relocated or replaced in accordance with the site lighting plan. The stormwater will keep as before. They are working with Howard Carter of Water Resource Recovery on a new pump station, which has yet to be determined where it will go, but they are looking at placing it closer to Main Street.

**Neil:** the basement is the heating plant for the other condos. **Matt Assia, applicant:** They have an easement and Island Terrace will be responsible. Their heating plant for Building 4 will likely be located in the same general area. They are exploring the feasibility of providing natural gas. Although the building columns will be potential obstacles for cars using the basement-level spaces, there is sufficient clear space between to allow cars to access and egress from the proposed spaces. The spaces are angled to facilitate access and egress from the drive aisle which is two feet narrower than a typical 24-foot aisle, which is common with parking garages. We know the City's importance to the River walk and we will continue to work with the City to coordinate specific design details.

The new sidewalk along Gooch Street will be constructed in the area between the transmission poles and the existing surface parking lot.

The width of the southwest access drive to Building No. 4 has been increased by five feet to 20 feet to accommodate two-way traffic for the City access to the sewerage pump station. However, "Do Not Enter" signs will be provided and this drive will remain an exit only for daily site traffic.

An approval letter from the Maine Water Company will be provided prior to final approval. All earthwork activities, which include handling of soils within and around the WRAP area, shall be done in accordance with the Site-wide Earthwork Construction Monitoring Plan prepared by Ransom Environmental. This Plan was submitted as part of the DEP Site Law permitting.

Police Dept. raised several questions regarding traffic. Those answers are provided in the trip generation analysis memorandum prepared by Maine Traffic Resources.

**Don Horton, resident of Island Terrace:** raised questions about the layout of the parking lot. **Rene:** there is what use to be a dirt gravel lot at the top of the hill. He use to live in one of the condos and parking is at a premium. Maybe the tenants could park on top of the hill and walk down?

**Don:** Are any of the spaces designated to any particular use? **Matt:** No. Tenants will have stickers identifying they are a tenant of the building. Commercial use won't. Commercial use is still not clear. Mostly design studios and office space will all be on the first and second floor. **Don:** If this project doesn't trigger a signal, then nothing will. There really should be a signal at the top of the hill. I would think the city would have some clout with Florida, Light and Power to gain access to that fence so as to have Saco Island Terrace move the traffic flow up and around building 4.

**Rene: Move to open the public hearing, seconded by Donna. Vote was 4-0**

**Don Horton:** Has Island Terrace board president been made aware of these in/out entrances? There are a few assigned parking spaces. He owns part of those spaces.

**Matt:** He did speak with the Island Board president, regarding the existing entrances

**Rene: Move to close the public hearing, seconded by Donna. Vote was 4-0**

**Neil:** Outstanding issues are: Traffic Study, Pump Station,

**Don:** Approval would be predicated on a Traffic Movement Permit.

**Angela:** Gorrill-Palmer is working with the City of Saco on the Traffic movement study for all of Saco Island.

**Donna; "I move to table review of the application submitted by Chinburg Builders, Inc., pending the submission of additional information.", seconded by Rene. Vote was 4-0.**

Meeting adjourned at 7:30pm

Respectfully submitted by,

Maggie Edwards  
Board Secretary