

Minutes, Planning Board
October 18, 2016

Members Present: Vangel Cotsis, Rene Ittenbach, Peter Scontras, Don Girouard (chair). Bob Hamblen, City Planner, Bill Mann, Economic Development Director, City Engineer Joe Laverriere. Absent: Marty Devlin, Neil Schuster, Mike O'Toole.

October 18, 2016
City Hall Conference Room
Workshop
5:00 p.m.

- Sketch plan review of a proposed seven lot residential subdivision at 258 Jenkins Road. Applicant is Paul Hollis. Tax Map 91, Lot 3. Zoned C-1, RP and R-1d.
- Sketch plan review of a proposed commercial subdivision on the parcel at 837 Portland Road. Applicant is T&T Leasing, LLC. Tax Map 60, Lot 20. Zoned B-6.
- Sketch plan review of a proposed Health and Fitness Club at the corner of Portland and Cascade Roads. Applicant is Amari Holdings, LLC. Tax Map 62, Lot 1-2. A contract zone dated Sept. 5, 2006 is in place.
- Sketch plan review of a proposed commercial use on a portion of Parcel 1 in the Cascade Falls subdivision. Applicant is Park North Development LLC. Tax Map 62, Lot 1. Contract zone.

Regular Meeting
6:00 p.m.

1. Minutes of October 4, 2016 – not available.
2. Public Hearing: site plan and final subdivision review of a proposed ten unit subdivision at 32 Market St. Applicant is Southern Maine Affordable Housing. Tax Map 51, Lot 35. Zoned R-3.

Hamblen: the Board reviewed this project most recently on Sept. 6, at which time it granted approval for a conditional use permit for an Elder/Disability Housing Facility, and for the preliminary subdivision plan. The applicant, Southern Maine Affordable Housing, has submitted the final subdivision plan and site plan, including a photometrics plan for review, which is currently under review by a City consultant. Find staff comments attached. Staff believes this plan is ready for consideration of approval.

As the Board knows, on Oct. 24, 2011 the City Council accepted the gift of a 2.75 acre parcel at 32 Market Street from Downeast Energy of Brunswick. Elevated heating oil storage tanks were on the site until 1998. The City pursued and was awarded a \$200,000 EPA grant to remediate contamination issues, which began in Spring, 2014. The Council directed that the higher, drier land nearest Market Street be developed for housing, about 1.3 acres. The remainder will be added to the existing Diamond Riverside city park abutting the parcel. Guy Gagnon of Southern Maine Affordable Housing, and Saco Housing Authority and Biddeford Housing Authority, worked with the Council's Housing Committee to develop a concept plan: cottage-style houses to be sold to downsizing seniors. The parcel would be owned by SMAH, with the houses to be purchased and owned by private parties. Mr. Gagnon has retained Ransom Consulting, Inc., which has prepared a site plan and submitted an application. Ten units are proposed; it is viewed as an Elder/Disability Multi-Family

Dwelling by the Code Enforcement Office. It is subject to conditional use, site plan and subdivision review. A single curb cut from Market Street will provide access. Utilities all public. No open space, so an impact fee would be assessed for that and recreational facilities, though the project being what it is, the applicant may seek to have the fee requirement removed by the Council. Stephen Bradstreet, P.E., is project engineer, Carl Lakari is a housing consultant, Kenton van Boer is the project architect.

The site plan was found to be complete at the Sept. 6 meeting. Staff finds the final subdivision application to be complete.

Peter: I move to find the application for final subdivision review to be complete, seconded by Vangel, and so voted, 4-0.

Hamblen: staff finds the application for Design Review to be complete, as well. **Peter: I move to find the application for design review to be complete, seconded by Vangel, and so voted, 4-0.**

Steve B.: the existing entrance to the site will be replaced by sidewalk. The crosswalk to Hill Street will be re-aligned. Utilities into the site will come off Market Street. The public sewer will be extended 290 feet from an existing manhole, to the site. A catchbasin next to the driveway will capture runoff into a treatment unit. A catchbasin to the other (south) side of the driveway, too, with runoff being routed to existing wetlands on City property. Steve: reviewed a handful of revision based on Joe Laverriere's most recent comments. Also reviewed his responses to issues raised by abutter Moore. Stated that the stormdrain backups reported by Ms. Moore are affected by the river. Don: questions from the Board? Peter: about 3 feet of fill proposed? Steve: there are 2 feet of fill now atop a marker layer. There will be 3 feet more of fill, and the utilities will be installed within the 5 total feet of fill. The 2% grade that exists from north to south will be maintained.

Peter: Joe, why keep the short section of Hill Street (that lies between Market and Lincoln streets)? That hasn't been discussed. Rene: how will trash be removed? Private removal via dumpster, but no hauler yet under contract. Vangel: what time would trash be removed? Don: that's worth a condition of approval. Don: pavers would be cleared of snow in winter? Steve: yes. Guy: there will be a homeowners association to manage issues on site. Peter: is screening planned to the railroad track side? Steve: yes, a berm and plantings. Two English Oak trees, and seven arborvitae. Don: Joe, any remaining concerns? Joe L.: drainage is not great in this location, it does go through yards at times. This connection won't unduly stress the existing 10" line. The City's CSO plan has been updated through 2021, but does not include this location. What exists is in decent shape, but is a combined (with sewer) system. Peter: I've seen Market Street, when the river comes up, and there are problems here. Joe: these catchbasins will outlet to wetlands, then to the river – there is no connection to the existing system.

Rene: I move to open the public hearing, seconded by Vangel, and so voted, 4-0. No comments.

Rene: I move to close the public hearing, seconded by Vangel, and so voted, 4-0.

Hamblen: will check the Pedestrian Crossing sign idea with the PD, and public works.

Rene: I move that the Board grant approval under the provisions of the Saco Zoning Ordinance for the site plan for an Elder/Disability Housing Facility use for the ten (10) unit project proposed by applicant Southern Maine Affordable Housing based on the attached Findings of Fact and Conditions of Approval dated October 18, 2016, seconded by Vangel, and so voted, 4-0.

Rene: I move that the Board grant approval under the provisions of the Saco Subdivision Regulations for the final plan submitted for the ten (10) unit Elder/Disability Housing Facility proposed by applicant Southern Maine Affordable Housing based on the attached Findings of Fact and Conditions of Approval dated October 18, 2016, seconded by Peter, and so voted, 4-0.

3. Public Hearing: conditional use, site plan and preliminary subdivision review of a proposed eight unit subdivision at 284 Bradley Street. Applicant is Doyle Enterprises, Inc. Tax Map 66, Lot 18. Zoned R-2.

Hamblen: this eight unit Multi-Family Dwelling was reviewed as a sketch plan by the Board on June 21. The project would be accessed via a private driveway, a single curb cut off Bradley Street. Units – three bedroom, two bathroom, three story buildings -- would be served by public sewer and water, and underground electric, cable, and telephone. Multi-family projects in the R-2 zone are subject to conditional use, site plan, design review, and subdivision review. There may not be a site plan application included in the submitted materials that go out in packets, but the applicant is aware of the need for the application.

Issues to consider: open space required is 12% of the overall parcel, or 5,310 s.f. Approximately 6,500 s.f. of open space is proposed; traffic: no capacity concerns were identified and sight distances are adequate. The applicant projects 80 Average Daily Trips (ADTs). This does not trigger the need for a traffic study; the wetland delineation by Jim Logan awaits review by a City consultant; the applicant is in receipt of Joe Laverriere's comments of Oct. 7, but no revisions to date. If the Board chooses to act on any of the submitted applications, the Conditions of Approval note his comments and require a response.

Re: the conditional use permit, neither lighting or signage has been addressed at this point. If the Board is okay with moving forward on the basis of waiving for discussion purposes, it may. Don: is a sign proposed? Lighting? Diane: no sign planned. Request that you waive the lighting plan. We can verify whether a streetlight exists. Peter: we need a streetlight at Bradley Street. Diane: we can put a solar light at the turnaround.

Vangel: I move that the Board waive submission requirement items 901-2.1 m and o, recognizing that a post-mounted light will be installed at the hammerhead, and a streetlight either existing or to be installed at the Bradley Street entrance, seconded by Rene, and so voted, 4-0.

Rene: I move to find the application for conditional use review to be complete, seconded by Peter, and so voted, 4-0.

Hamblen: re: site plan review, waivers are again requested for lighting and signage.

Peter: I move that the Board waive submission items found in Sec. 1104- 1.11, and 1.18. Rene: I move to amend that motion, with the exception of a post-mounted light at the hammerhead and a streetlight at Bradley Street, Peter accepted the amendments. Rene seconded the motion, and so voted, 4-0.

Peter: I move to find the application for site plan review to be complete, seconded by Rene, and so voted, 4-0.

Peter: I move to find the application for preliminary subdivision review to be complete, seconded by Rene, and so voted, 4-0.

Peter: I move to find the application for design review to be complete, seconded by Vangel, and so voted, 4-0.

Diane: we're trying to keep this affordable. Planning a farmhouse-type design, or perhaps more eclectic. The first floor will be occupied by garage and storage. A drip edge at the eaves and PaveDrain along the edges of the driveway are the primary stormwater management. Don: consider the Bradley Street elevation. He cited the condo project on North Street next to the railroad tracks as an example of presentation to the street not being what it could have been. Diane: we can do that.

Rene: I move to open the public hearing, seconded by Vangel, and so voted, 4-0. No comments.

Rene: I move to close the public hearing, seconded by Vangel, and so voted, 4-0.

Diane: I held a neighborhood meeting on Oct. 17. A fence on the easterly side was discussed. The lot on the west side is only 35 feet wide, and we're planning a row of arborvitaes. Peter: I was involved with the creation of Wildwood Drive, and wonder if you can change up some of the footprints of these buildings, rather than

identical buildings. It could look like an inner-city housing project. Diane: I did the Ferry Landing subdivision, and those buildings are all the same. This will be an interesting design challenge.

Don: are we ready to consider taking action?

Rene: I move that the Board grant approval under the provisions of the Saco Zoning Ordinance for a conditional use permit for the 8 unit Multi-Family Dwelling proposed by applicant Doyle Enterprises, Inc., based on the attached Findings of Fact and Conditions of Approval dated October 18, 2016, seconded by Peter, and so voted, 4-0.

Rene: I move that the Board grant approval under the provisions of the Saco Subdivision Regulations for the preliminary plan submitted for the 8 unit Multi-Family Dwelling proposed by applicant Doyle Enterprises, Inc., based on the Findings of Fact and Conditions of Approval dated October 18, 2016, seconded by Vangel, and so voted, 4-0.

4. Public Hearing: conditional use review of a proposed Auto Repair Garage at 54 Ocean Park Road. Applicant is Michael Cormier. Tax Map 34, Lot 14. Zoned B-2c.

Hamblen: applicant Michael Cormier operates an auto repair business in Bangor. He seeks to establish a similar business in Saco, and has chosen a unit in the recently completed Ocean Park Business Center for a location. Board members will recall granting approval for the project on Aug. 4, 2015: two buildings totaling an 8,800 s.f. footprint that would be offered as commercial condominiums. Six units ranging from 1,280 to 1,840 s.f. were constructed, and are available to establish uses allowed in the B-2c zone.

Mr. Cormier does “light” auto repair as noted in his application: brakes, exhaust systems, a rust protection system, and A/C recharges. One of the other units that Paul Deshaies has sold to date is also auto-related: a private owner who uses his unit to house a race car. Submissions appear to be complete.

Vangel: I move that the application for a conditional use permit for an Auto Repair Use on the parcel identified as Tax Map 34, Lot 14 be found complete, seconded by Rene, and so voted, 4-0.

Cormier described his business as being primarily “Rust Check,” an undercoating process popular in Canada. In the off-season for that process, other light repair would be offered, but 99% of business would be Rust Check. Don: any conditions that apply per the condo association, Paul? Paul Deshaies, Owner: I read the condo documents in place, this use is okay with them. Don: my concerns would include the disposal of waste materials. How about the queuing of vehicles? Cormier: we can barely do four Rust Checks a day, so not many customers on a daily basis. Don: Paul, any concerns? Paul: the party walls have been soundproofed and insulated, so noise should not be a problem. Rene: is a lift proposed? Cormier: yes. Exhaust, no, there may be a little overspray, and we may use a dust respirator at times. Vangel: is your business answerable to a regulatory body? Cormier: no.

Rene: I move to open the public hearing, seconded by Vangel, and so voted, 4-0. Donald Bresnahan: I’m a tenant at 54 Ocean Park Road. I hire businesses for the state. I use the unit for storage, and take calls. I hired Cordjia Capital Projects Group, and am working with the Code Office. Paul said he would never have auto repair on this site. Ziebart has always operated with a separate building. I doubt this building was designed for fire protection. Is there a better location? The sign for the complex says “Storage and Office.” Saco is a great place to grow the job base. Paul: we called this the Ocean Park Business Center, which potentially comprises a lot of different businesses. The buildings are insulated, fireproof, and soundproof. Donald: there is a conditional use requirement for a reason. What are the conditions? If he exceeds his representations, enforcement will follow. Donald: acoustics, fire marshal, the DEP – the Board needs more data. I paid \$156,000 for a storage unit with an office, and am okay with similar uses. Subject matter experts should get involved. I’m willing to challenge this use, or to sell the unit back to Paul.

Peter: the CEO, or the FD, or the electrical inspector can ask these questions. I don't know about the storage aspects. Donald: the space is advertised as storage, and used as office. Don: Rene? Vangel? Vangel: as a matter of process, should we close the public hearing? **Vangel: I move to close the public hearing, seconded by Rene, and so voted, 4-0.**

Don: let's bring this back to the table. Vangel: can we reach a conclusion on standard #1? Peter: I don't know. Don: Dick Lambert has made the call on the use, the Board should accept that. Standard #2, fire safety. Peter: your take on this, Deputy Chief Pendleton? D/C Pendleton: more info would help. Peter: standard 5, I don't know. Don: #6 is a stretch. Rene, any concerns? Rene: I'm comfortable with the use, but given the concerns of the abutter, a piston compressor can be noisy. Rust work isn't. Brake work can be noisy. Rene: what unit is applicant purchasing? Unit 4. Yours (to Donald)? Unit 2. So there's a full unit between the two, as far as noise goes. Donald: we don't know the noise levels. Rene: I have some experience with that – noise is not a concern I have. Traffic: nor that.

Vangel: I've identified standards 2, 3, 5, 7 and 13 as being legitimate questions, as found in Sec. 901-4 of the Ordinance. Perhaps we should table and ask for more information. Don: okay, but let's cover all concerns we have, I don't want more concerns to be raised next time. Peter: I'll limit my concerns to the definition.

Peter: I move to table for additional information on the items indicated, Rene seconded, and so voted, 4-0.

(Note: Mr. Cormier followed up the next day and withdrew his application for a conditional use.)

The meeting adjourned at approx. 9:30 p.m.

Submitted by,

Bob Hamblen, City Planner