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**Saco Planning Board  
Meeting Minutes  
June 19, 2018**

**WORKSHOP**  
City Hall Conference Room, 1<sup>st</sup> Floor, 5:00 PM

**MEETING**  
Auditorium, 2<sup>nd</sup> Floor, 5:30 (or after Workshop is done)

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**Planning Board Members Present:** Neil Schuster, Chair; Don Girouard, Alyssa Bouthot, Joyce Clark, Matt Provencal  
**Planning Board Members Excused:** Rene Ittenbach, Vice Chair; Peter Scontras  
**Staff Members Present:** Denise Clavette, Planning and Development Director; Joseph Laverriere, City Engineer; Zach Mosher, City Planner

**NOTE:** 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.

**Workshop – 5:00 pm**

Review of a proposed draft Chapter 71. Blasting, intended to regulate blasting activity associated with development within Saco.

**Action:** *Review of proposed draft Chapter 71. Blasting, intended to regulate blasting activity associated with development within Saco was tabled. No action taken.*

**Electronic Planning Board Packets / Communications**

Planning Board discussed communications, the concept of electronic packets, and converting to iPads and having the meeting conducted using iPads and laptop / screen presentations. This is in response to a city-wide effort to reduce copying costs, reduction of paper storage, and increasing file accessibility through electronic file storage. The City has had funding for iPads this past year.

**Action:** *Denise Clavette will pursue purchasing iPads for Board and having Information Technology (IT) establish City of Saco email addresses for Board members, and setting up SharePoint for Board packets. Goal is to have these in place for the next Planning Board*

*meeting, and to have paper packets for one to two meetings in the transition. A separate workshop will be scheduled to distribute the iPads and train the Planning Board members.*

## **Regular Meeting – 5:30 pm**

### **1. Minutes of June 12, 2018**

**Action:** *Minutes of the June 12, 2018 Planning Board meeting are not ready at this time, no action taken. Minutes will be approved at the next Planning Board meeting.*

### **2. Public Hearing: contract zone review of a proposed seasonal Eating Establishment at 139 McKenney Road. Applicant is Michael Whitmore. Tax Map 125, Lot 17. Zoned C-1.**

From the Planning Board Memo from Bob Hamblen, City Planner: “The applicants, Michael and Emily Whitmore, propose a contract zone that would allow them to build a commercial kitchen and/or utilize food trucks and host weekly "farm dinners" on Sundays from June thru October, featuring produce raised on the farm and locally. A few members may recall that the Whitmore’s initiated this about a year ago, sat through a workshop session with the Board, then withdrew their application prior to a formal appearance before the Board.

As Board members who have participated in Comprehensive Plan updates know, support can be found in the Plan for agricultural uses, but less so for commercial uses in the C-1 zone. Note, however, that agriculturally based commercial uses – "agriculturally related business uses," "the processing and/ or sale of agricultural products raised on the premises," and "farm stands" -are allowed as conditional uses in C-1. The Whitmore’s state that up to sixteen guests would attend a given dinner, and that an existing structure would be expanded to accommodate the commercial kitchen if the kitchen is their preferred approach to providing food preparation facilities – they'd like to reserve the right to rely on food trucks. The parcel is a bit over 61 acres, so parking should not be a concern.

A contract zone could allow the applicants to establish the proposed use. The draft agreement would amend Section 410-14 in order to allow "Eating and Drinking Establishment" in the C-1 zone, and to rely on either food trucks or a commercial kitchen. The standards for a contract zone must be met for the Board to arrive at a positive recommendation, as set forth in Section 1403-6: "If the Planning Board makes a negative finding on any of the standards its recommendation shall be negative. The Planning Board shall base its recommendation on whether the rezoning:

- A. is for land with an unusual nature or location;
- B. is consistent with the Comprehensive Plan
- C. is consistent with, but not limited to, the existing uses and permitted uses within the original zone; and
- D. that the conditions proposed are sufficient to meet the intent of this section."

Applicant Michael Whitmore presented and described their application, described and intent to create a “farm to table” experience for up to 16 people on a once a week basis. It is not their intent to disrupt the agricultural nature of the area. Planning Board members expressed concerns on the concept of food trucks, “catering”, mobile vendor license, whether or not there would be entertainment, food preparation concerns, reservations. M. Whitmore’s responses included the following: the intent of the experience will be once per week, from 3-6 pm on Sundays, for no more than 16 people. This will be a seasonal operation from mid-June through October 1<sup>st</sup>. Food prep will be done in the mobile vendor unit. There will be no liquor served, so no liquor license required.

**Action:** *Motion by Don Girouard, second by Alyssa Bouthot to open the public hearing, so moved, 5-0.*

No comments from the public were made.

**Motion by Don Girouard to close the public hearing, seconded by Alyssa, and so moved 5-0.**

After the public hearing was closed, Planning Board members expressed concerns about how the Planning Board should deal with the numerous contract zones, and the need to be consistent with the Comprehensive Plan.

**Action:** *Motion by D. Girouard, second by Joyce Clark that the Board make a positive finding on Standard A for a contract zone, found in Section 403-6. Motion failed by a vote of 2 in favor, and 3 opposed.*

**Action:** *Motion by D. Girouard, second by J. Clark that the Board make a positive finding on Standard B for a contract zone, found in Section 403-6. Motion failed by a vote of 2 in favor, and 3 opposed.*

**Action:** *Motion by D. Girouard, second by J. Clark that the Board make a positive finding on Standard C for a contract zone, found in Section 403-6. Motion passed by a vote of 4 in favor, and 1 opposed*

**Action:** *Motion by D. Girouard, second by J. Clark that the Board make a positive finding on Standard D for a contract zone, found in Section 403-6; and to add section E. for no liquor, limit to 16 customers, and remove term motorized mobile kitchen unit. Motion passed by a vote of 4 in favor, and 1 opposed.*

**Action:** *Motion by D. Girouard, second by J. Clark that the Board forward a negative recommendation to the City Council for the contract zone proposed by applicants Emily and Michael Whitmore, for the property at 139 McKenney Road." Motion carried 5 – 0 for a negative recommendation.*

3. **Public Hearing: conditional use review of a proposed 540 s.f. expansion of the Day Care Center at 80 Flag Pond Road. Applicant is Michelle Goulet. Tax Map 62, Lot 16. Zoned R-1a.**  
From the Planning Board Memo from Bob Hamblen, City Planner: “The applicant, Michelle Goulet, seeks to expand a Day Care Center on the property at 80 Flag Pond Road. This is a conditional use in the R-1a zone. Ms. Goulet received conditional use approval for a Day Care Home from the Board on Nov. 4, 2008, which is limited to no more than 12 children.

Then, Ms. Goulet sought approval for a Day Care Center, allowing her to increase that number to no more than 24 children with an additional building to the rear of the single-family dwelling that exists currently.

The Board granted approval on August 18, 2015.

Ms. Goulet now proposes to expand the Day Care Center with a 540 s.f. classroom addition, allowing 8 additional children, which would require 1 additional staff member.

The applicant currently employs 7 staff members from Monday-Friday between the hours of 7:30 a.m. and 5:30 p.m.

A Day Care Center is defined as "A place providing day care services to more than 12 children and fully meeting licensing requirements of the Maine Department of Health and Human Services." See attached statement from a DHHS staff member as to the status of the operation.

There are no specific standards in the Ordinance for such a use – the DHHS will address issues such as adequate space, code requirements, staffing levels, etc., and of course the appropriate City departments will likewise ensure that code and life safety requirements are met.

Sec. 901-1 of the Zoning Ordinance charges the Planning Board with finding "...that the use meets the standards of Section 901-4..." Staff's review indicates that these standards can be or are met by the applicant."

There were a couple of anonymous letters submitted from individuals that expressed concerns about the project. Dick Lambert consulted with other city departments such as police and fire but was unable to substantiate any of the issues that were cited in the anonymous letters.

Planning Board members discussed concerns on parking, the number of staff parking spaces available, the transition between sessions, drop off and pick up, and open house concerns. Applicant M. Goulet responded that open houses are done over a period of hours, and that graduations are done off-site.

**Action: Motion by Alyssa Bouthot to open the public hearing, seconded by Joyce Leary, and so moved. 5-0**

**Walter Wilson:** He has helped Michelle on some of her expansions in the past. The parking spaces you speak of are temporary. Drop offs are only there for about 10-15 minutes. Staff parking are there before the children are dropped off, and are there for the day. All the parking spaces are identified, so you know where everyone's parking spot is.

**Action: Alyssa Bouthot motioned to close the public hearing, seconded by Joyce Leary, and so voted. 5-0**

The Board added the condition that the parking plan be reviewed by the City Engineer for compliance, and that approval be satisfied by City Staff.

**Action: Alyssa Bouthot moved to approve the Conditional Use application for the expansion of the Daycare Center, Kidz Go Echo, located at 80 Flag Pond Road based on Article 9, Conditional Uses, and the amended Conditions of Approval and Findings of Fact, dated June 19, 2018, seconded by Matt Provencal, and so voted. 5-0. Motion passes.**

4. **Public Hearing: review of a proposed addition to City Code – a draft Chapter 71. Blasting, intended to regulate blasting activity associated with development within Saco.**  
**Action: This public hearing will be rescheduled later.**
5. **Old Business: site plan review of a proposed ecology education school at 184 Simpson Road. Applicant is John Mahoney, P.E., Ransom Consulting, Inc., on behalf of Ecology Education, Inc. Tax Map 121, Lot 6. Zoned C-1 and contract zone. Item was tabled at the May 1 and June 5, 2018 meetings.**

From the Planning Board memo from Bob Hamblen, City Planner, “The Board saw this item most recently at its June 5th meeting, which ended with a tabling action, the Board asking for additional info on these items:

- a. That the City Attorney be asked for his opinion on the adequacy of the financial capacity info submitted to that point by the applicant. *(Tim Murphy has since weighed in with the attached 6/7/18 e-mail. The applicant has responded with a submittal, which was forwarded to Tim for his opinion – see his e-mailed response of 6/14, attached. The primary takeaway on the latter is, it is the Board’s to determine whether financial capacity has now been adequately responded to.)*
- b. Turning movement overlays: staff has interpreted, and understood from the discussion at the meeting, that turning templates for the largest vehicles that would be visiting The Ecology School – coach-sized buses, school buses, tractor-trailers – should be submitted by the applicant for turns from Buxton Road onto Simpson Road, turns from Simpson onto Buxton, and for turns from Simpson Road into the Ecology School entrance, and from TES entrance onto Simpson Road, both left and right in each case.
- c. Update the traffic report to the 200-student level, rather than the initial 120 student level. *An update from Bill Bray, P.E., is attached. Staff has asked Diane Morabito, P.E., to review and comment, which should be available prior to the meeting.*
- d. Accident data, pre-Stackpole Creek bridge closure: Mr. Bray has included this data in the updates to the traffic report.

As the Board is aware, the application was reviewed initially at the May 1 meeting, and the site was the subject of a visit by the Board on May 22.”

The Board would bring to the public attention that there were 4 additional memos that were not added to the website, but are now available to the public and can be located on the table at the back of the Auditorium.

**Drew Demsch, President of The Ecology School:** Spoke on their Financial Capacity and additional information has been provided from Bangor Savings Bank, and from Camden National Bank, whom is represented here tonight by Betty Olsen

John Mahoney, Ransom Engineering: Turning movement: The largest vehicle that TES will have on their site would be a tractor-with a 36'trailer. He showed a diagram of it turning onto Simpson Road from the Buxton Rd., as well as from Simpson Rd onto the Buxton Rd.

Don questioned if those trucks are always on pavement? **John M:** I can't say for sure. They may hit gravel. It's very close, and I can't honestly say for sure. **Don:** There are different truck sizes, and he is concerned with those trucks having the right amount of turning movement. **Joe Gillespie:** In his experience, trucks usually can make tighter turns.

TES agrees to work with Joe Laverriere on improvements to the entrance driveway on Simpson Road.

**Neil:** Does the Board have any other concerns about what the applicant has submitted such as, financials, traffic movement, and student level?

Alyssa asked of Joe Laverriere if he was all set with what was proposed. **Joe L:** he has reviewed the submissions and we are all the opinion that the right turn improvements from the property to Simpson Road is necessary. The rest of the turning movements we seem to be in good shape. I know that Dave Pendleton mentioned that the Ladder Fire Truck might cross over the centerline, which would not be uncommon when responding to an emergency. The other comment was the left turn lane on Buxton Rd now shows that it's not borderline, or marginal, but that it does meet the warrant on the left turn lane.

Denise Clavette, Development Director: For the record, she read the letter from Saco and Biddeford Savings Bank, dated June 14, 2018 regarding TES financial ability.

Board members felt that additional information requested from meeting of 6/5/18 had been addressed and that no additional input was needed.

Planning Board Chair Neil Schuster opened each condition of approval for discussion, amendments, and approval for each condition:

1. All work shall be in conformance with the approved plans prepared for applicant John Mahoney, P.E., on behalf of property owner Ecology Education, Inc., 8 Morris Avenue, Building One, Saco ME 04072, dated 2/1/18, revised through 4/10/18, and further reviewed by the Planning Board during meetings of May 1, June 5 and June 19, 2018. The plan set consists of twenty-three (23) sheets, details for which are found in the Findings of Fact dated June 19, 2018.  
**Action: No amendments.**
2. No deviations from the approved plans are permitted without prior approval from the Planning Board for major changes, and from the City Planner for minor changes. The determination of major or minor shall be made by the City Planner.  
**Action: No amendments.**
3. Final approval is conditioned upon compliance by the applicant with all oral commitments regarding the project which were specifically made by the applicant to the Board during its deliberations.  
**Action: No amendments.**

4. The applicant is subject to a “Contract Zone Agreement by and Between the Ecology School and the City of Saco,” as approved by the City Council on Feb. 1, 2015, and again on Jan. 29, 2018.  
**Action:** *Correct dates to February 1, 2016 (not February 1, 2015).*

5. The applicant shall be required to perform routine inspection and maintenance of the on-site stormwater management system as outlined in the Inspection and Maintenance Plan submitted in the bound application materials.

**Action: No amendments.**

6. Site lighting shall adhere to the submitted plans, and comply with Section 804 requirements.

**Action: No amendments.**

7. Permitted uses in the C-1 zone such as outbuildings associated with agricultural use are allowed, and are subject to review by the Planning and Code Departments. The determination as to whether a given proposal constitutes a major or minor amendment to the site plan shall be made by the City Planner. All new structures or buildings are subject to permitting by the Code Enforcement Office.

**Action: No amendments.**

8. Because more than 26 people may be drinking from the water system at TES for more than 6 months of the year, a Transient Public Drinking Water Supply permit from the Maine DHHS is required. A copy of said permit shall be submitted to the Planning Department upon receipt by the applicant, and said permit shall have been granted by the DHHS prior to the applicant accepting students for programming.

**Action: No amendments.**

9. As a condition of approval, the applicant will implement the “Innovative Traffic Management Solutions” as noted in the Traffic Impact Study. The applicant will also conduct a post-development traffic impact study and analysis at the Simpson Road/Buxton Road intersection and will submit the study and analysis to the Planning Department. If the analysis concludes that left-turn treatment is required at that intersection, the applicant will work with the City and MDOT to design and construct the required left-turn treatment.”

**Action: Motion made by J. Clark and seconded by D. Girouard to amend Condition of Approval 9 as follows: As a condition of approval, the applicant will implement the “Innovative Traffic Management Solutions” as noted in the Traffic Impact Study. The applicant will work with the City of Saco and Maine Department of Transportation to design and construct a left turn treatment as warranted at the Simpson/Buxton Road intersection. Motion approved 5 – 0.**

10. A copy of the Maine Construction General permit shall be submitted to the Planning Department prior to the start of site work.

**Action: No amendments.**

11. Prior to work commencing, the applicant shall establish a construction inspection account equal to 3% of the base cost of the Letter of Credit.  
**Action: No amendments.**
12. To establish the Letter of Credit amount, the applicant shall provide the City with itemized, per unit cost estimates, and a construction schedule, at least one week prior to the start of site work.  
**Action: No amendments.**
13. A Letter of Credit acceptable to the City of Saco, as called for in Section 230-1110 of the Zoning Ordinance shall be submitted prior to the issuance of permits or site work being initiated. The financial guarantee shall be established for 150% of the cost of the following improvements: landscaping, paving, work within ROW, utility installation, drainage, loam & seed, sediment & erosion control, plus what may be determined by the Board or staff. The Letter of Credit shall be maintained for the duration of the project.  
**Action: No amendments.**
14. No permits shall be granted nor shall work commence until one mylar set and three paper sets of the final plans have been received by the Planning Office.  
**Action: No amendments.**
15. Prior to any construction activities, the applicant and contractor shall meet with the City Engineer and City Planner to review plans, inspection schedules and erosion control practices.  
**Action: No amendments.**
16. All proposed landscaping shall be installed before occupancy, or within six months if occupancy occurs during the winter. Financial security suitable to the city, in the form of an escrow account, a bond, or an irrevocable letter of credit, equivalent to 30 percent of the value of the plantings shall be maintained for a period of 18 months after planting. All plantings shall be watered regularly during their first year and maintained permanently in good growing condition as an effective visual screen. Shrubs or trees which die shall be replaced within one growing season with new shrubs or trees to ensure continued compliance with applicable landscaping requirements. (Sec. 708-3.9(f) )  
**Action: No amendments.**
17. The approved site plan set shall be provided on disk in an AutoCAD format and as a PDF prior to a pre-construction meeting being held.  
**Action: No amendments.**
18. At the completion of the project, a written request shall be submitted for final inspection and release of the Letter of Credit and inspection account. Upon receipt of this written request, the City Planner shall circulate the request to all City departments that were involved in the initial review of the project. Final review of the project by the Public Works Department and the City's consulting engineering firm shall be completed.  
**Action: No amendments.**
19. As-built plans shall be submitted prior to the final release of the financial guarantee. As-built plans shall include one complete mylar, three paper copies, and electronic copies on disc or via e-mail in an AutoCAD format and as a PDF.  
**Action: No amendments.**



20. If substantial construction is not commenced within twelve (12) months of this approval, the approval shall be null and void, as called for in Sec. 230-1111 of the Zoning Ordinance. This deadline may be extended for two additional twelve-month periods upon written request to the Planning Department, provided such requests are made prior to the expiration of the original approval period.

**Action: No amendments.**

With the above conditions and the accompanying Findings of Fact, the Saco Planning Board hereby finds that the applicant has satisfied the requirements set forth in Articles 4, 7, 8, and 11 of the Zoning Ordinance. Approval is hereby granted, contingent on these Conditions of Approval. Voted by the Saco Planning Board on June 19, 2018. On Behalf of the Saco Planning Board:

Planning Board Chair Neil Schuster opened each Finding of Fact for discussion, amendments, and approval for each finding:

1. Applicant: John Mahoney, P.E., Ransom Consulting, Inc., on behalf of client Ecology Education, Inc., 8 Morris Avenue, Building One, Saco.

**Action: No amendments.**

2. Property Owner: Ecology Education, Inc., 8 Morris Avenue, Building One, Saco.

**Action: No amendments.**

3. Consultant: John Mahoney, P.E., Ransom Consulting, Inc., 400 Commercial Street, Portland ME 04101. Other consulting firms include Kaplan Thompson Architects; Richardson and Associates; Scott Simons Architects; Briburn Architects; Albert Frick Associates, Inc.

**Action: No amendments.**

4. Development Proposed: construction of a phase one dormitory and of a phase two dormitory, dining hall, lighting, parking, stormwater management, an improved driveway and various other site improvements in support of an ecology school at the existing River Bend Farm, as allowed by a contract zone approved by the City Council on Jan. 29, 2018.

**Under FOF 4:**

**Action: Motion made by A. Bouthot, second by J. Clark to amend Finding of Fact 4 to state: Development Proposed: construction of a phase one dormitory, dining hall, lighting, parking, stormwater management, an improved driveway and various on site and offsite improvements in support of an ecology school at the existing River Bend Farm, as allowed by a contract zone approved by the City Council on January 29, 2018. A phase two dormitory would be proposed for approval in the future as allowed. Motion approved 5 – 0.**

5. City review is based on a plan set prepared for the applicant and his client by Ransom Consulting Engineers and Scientists. The plan set consists of twenty-one (21) sheets entitled:

C-1	<i>Overall Site Plan</i>
C-2	<i>Site Grading Plan</i>
C-3	<i>Site Utility Plan</i>
C-4	<i>Driveway Plan</i>

C-5 *Stormwater Plan*  
C-6 *Civil Details and Erosion Control Notes*  
C-7 *Civil Details*

L-1.0 *Site Plan*  
L-1.1 *Site Context*  
L-2.0 *Planting Plan*  
L-3.0 *Lighting Plan*  
L-4.0 *Elevations – Signage*  
*Site Lighting Layout*

*Existing Conditions/Topographic Survey*  
*Potential Disposal Area Plan*

*The Ecology School Commons*

*Elevations – Commons*  
*Floor Plan – Commons*  
*Elevations – Commons*  
*Elevations – Commons*  
*A101 -- The Ecology School Dorm*  
*Building Module Footprints*  
*Level 01 Floor Plan*  
*Level 01 Floor Plan*  
*Roof Plan*  
*Perspectives*  
*Perspectives*

**Under FOF 5:ction: Motion made by D. Girouard, second by M. Provencal to add to Sheet C-4 Driveway Plan, (to be revised by applicant, and approved by City Engineer and City Planner). Motion approved 5-0**

Permits Required: the project is subject to site plan review as required in Article XI, Saco Zoning Ordinance. A Transient Public Drinking Water Supply permit is required due to more than 26 people consuming water for more than six months of the year, per the state Department of Health and Human Services. The common building and two proposed dormitory buildings are projected to discharge approximately 8,016 gallons per day of effluent to the proposed septic system. Systems handling over 2,000 gpd must be engineered, and are subject to approval by the local plumbing inspector.

**Under FOF 6:**

**Action: Motion made by D. Girouard, second by M. Provencal to amend Finding of Fact 6 to state: Permits required: the project is subject to site plan review as required in Article XI, Saco Zoning Ordinance. “A Transient Public Drinking Water Supply permit is required due to more than 26 people consuming water for more than six months of the year, per the state Department of Health and Human Services. The common building and proposed dormitory buildings will require engineering and permitting and must be approved by the local plumbing inspector. Motion approved 5 – 0.**

- 7 Zoning: Conservation-1 (C-1) zoning district; also, subject to contract zone agreement approved by City Council, Jan. 29, 2018.
- 8 Property is identified as Tax Map 121, Lot 6.
- 9 Right, title and interest has been verified through submittal of a Short Form Warranty Deed (Book 17609 Page 484) dated Oct. 25, 2017, granting Ecology Education, Inc., title to the subject property addressed by the submitted site plan, and subject to an Amended and Restated Grant of Conservation Easement by and between Maine Farmland Trust and the applicant.
- 10 Minimum lot and yard requirements have been met:
- 11 Access to the existing site is via a full access curb cut and gravel driveway from Simpson Road. The entry is proposed “to be widened by 20 feet,” for turning radii to be constructed that would allow for all vehicles entering and exiting the site to execute turning movements that meet City and Maine DOT standards, and for two pullouts to be constructed for vehicles that meet to pass each other. See sheet C-4, “Driveway Plan.”

**Under FOF 11:**

**Action: Motion made by D. Girouard, second by M. Provencal to amend Finding of Fact 11 as stated: Access to the existing site is via a full access curb cut and gravel driveway from Simpson Road. The entry is designed for turning radii to be constructed that would allow for all vehicles entering and exiting the site to execute turning movements that meet City and Maine DOT standards, and for two pullouts to be constructed for vehicles that meet to pass each other. See sheet C-4, "Driveway Plan." Motion approved 5-0**

- 12 Parking requirements as specified in Article 7 of the Zoning Ordinance will be addressed as follows: Required for a School: 1 space per 2 employees, including teachers and administrators, plus sufficient off-street space for safe loading and unloading of students. Proposed: 25 spaces.
- 13 Utilities: a private well will be the water supply, and is subject to permitting by the Maine DHHS. A private, engineered subsurface septic system will provide sanitary service; see Ransom memo dated 3/23/18. The proposed common building, year-round dormitory, and seasonal dormitory are proposed to generate approximately 8,016 gallons per day.

**Under FOF 13:**

**Action: Motion made by DG, second by MP to amend Finding of Fact 13 as stated: Utilities: a private well will be the water supply, and is subject to permitting by the Maine DHHS. A private, engineered subsurface septic system will provide sanitary service; see Ransom memo dated 3/23/2018. Motion approved 5-0**

- 14 Stormwater Drainage: total impervious surface existing is reported as approximately 35,606 s.f. Total impervious post-development is reported as 110,861 s.f., with an increase of 75,256 s.f. proposed. Runoff is proposed to drain to rip rap energy dissipaters to reduce velocity, then to level lip spreaders to promote sheet flow over existing vegetated surfaces. Proposed bioretention areas will be constructed and will treat approximately 78,880 s.f. of impervious area, which is the total new impervious area plus a margin of 5%. The project would disturb an area greater than 1 acre, thereby requiring a Maine Construction General permit prior to the start of work.
- 15 Erosion and Sedimentation Control details have been addressed on sheets C-6 and 7 of the plan set. All work will be according to Best Management Practices endorsed by the Maine DEP.
- 16 Landscaping is addressed with Sheet L-2.0 of the plan set, and is subject to review and comments by Ryan Sommer, Parks and Recreation Director, on behalf of the City.
- 17 Lighting is subject to review by a Stantec lighting engineer on behalf of the City. A lighting fixture locations plan has been submitted, sheet L-3.0, along with a photometrics plan. The applicant has expressed its intent to comply with Dark Sky lighting standards, and for a minimally lighted site.

- 18 Traffic: traffic engineer Bill Bray has estimated that the expanded facility would generate approximately thirty vehicle trips for students arriving for a given program, and approximately 24 vehicle trips upon departing said program. Sight distance is reported as 550 feet for vehicles seeking to depart the driveway and enter onto Simpson Road while looking to the right, and 490 feet while looking to the left. Maine DOT traffic data from the 2008-17 period show twelve vehicle crashes on Simpson Road. Mr. Bray's report is subject to review by Diane Morabito, P.E., on the City's behalf; her initial comments dated 4/17/18 have been forwarded to the applicant. Mr. Bray has followed up with a 6/12/18 update to the original traffic report in response to questions posed at the June 5, 2018 Planning Board meeting. Ms. Morabito has been asked to review and comment, with her responses anticipated in time for the June 19 meeting.

**Under FOF 18:**

**Action: Motion made by J. Clark, second by D. Girouard to amend Finding of Fact 18 as stated:**

**Traffic: traffic engineer Bill Bray has estimated that the expanded facility would generate approximately thirty vehicle trips for students arriving for a given program, and approximately 24 vehicle trips upon departing said program. Sight distance is reported as 550 feet for vehicles seeking to depart the driveway and enter onto Simpson Road while looking to the right, and 490 feet while looking to the left. Maine DOT traffic data from the 2008-17 period show twelve vehicle crashes on Simpson Road. Mr. Bray's report is subject to review by Diane Morabito, P.E., on the City's behalf; her initial comments dated 4/17/18 have been forwarded to the applicant. Mr. Bray has followed up with a 6/12/18 update to the original traffic report in response to questions posed at the June 5, 2018 Planning Board meeting. Ms. Morabito has reviewed and responded, for the June 19 meeting. Motion approved 5-0**

- 19 Buffers: vegetated buffers exist along a portion of the Simpson Road frontage. The developed area of the site is roughly 700 feet+ from Simpson Road. There is no obvious need to screen or buffer parking areas, machinery or other typical elements of a developed area given the distance from the public way, and the existence of trees and other natural vegetation.
- 20 Solid Waste Disposal: addressed as item #12 in the bound application. The applicant intends to manage waste to come "as close as possible to a zero waste operation." Vendors will be sought that utilize fully recyclable and minimal packaging products. A waste hauler will be engaged to minimize on-site storage, while recycling waste to the extent possible. An on-site compost program is proposed in association with the dining area.
- 21 Signage: a stand-alone sign is proposed at the entrance to the property from Simpson Road. The sign's design and dimensions are found on sheet L-4.0. Compliance with Section 707 of the Zoning Ordinance, and a sign permit from the Code Enforcement Office, are required.

As required by the Contract Zone

- A. Financial and technical capacity: submitted as part of the 4/26/18 submittal package. An updated response addressing financial capacity was submitted on 6/14/18, including a cover letter from the applicant, and letters from Bangor Savings Bank, Coastal Enterprises, Inc, and Camden National Bank and Saco & Biddeford Savings Bank. The Ecology School's IRS Form 990, dated 2017, has also been submitted.

Under Contract Zone A

**Action: Motion by A. Bouthot, second by J. Clark – to amend A, to add “and Saco Biddeford Savings”. Motion approved 5-0**

- B. The number of buildings to be permitted hereunder will be based on the lowest ecological footprint possible (including parking) but may include two dormitories of approximately 9,000 square feet each (3 stories in height) and one dining hall/kitchen/classroom space of approximately 7,000 square feet and will be built within the area of the property where new structures are permitted by the Conservation Easement: the phase one dormitory is proposed with a 4,499 s.f. footprint, and the phase two dormitory is labeled as not to exceed a 4,500 s.f. footprint. The “commons/dining” building has a 6,984 s.f. footprint. See sheet L-1.0 of the plan set.
- C. A walking path providing public access from Simpson Road to the Saco River along Stackpole Creek is addressed by a note on sheet C-1. Hiking trails are a permitted use in the Resource Protection (RP) zone, and will require a permit from the Code Enforcement Office. The applicant has met with representatives of Saco Bay Trails to discuss options.

**Action: Motion made by J. Clark, second by D. Girouard, that the Planning Board grant approval for the site plan submitted for The Ecology School, based on the application materials and plans submitted and on the Conditions of Approval and Findings of Fact, as dated June 19, 2018, as amended. Motion approved 5-0.**

*Respectfully submitted by Planning and Development Staff*