



Saco Planning Board
Meeting Minutes
September 18, 2018
City Hall Conference Room, 1st Floor, 5:00 PM

WORKSHOP 5:00 PM

Review of a proposed 7th amendment to the Park North/Cascades subdivision. the applicant is proposing to modify lot lines, subdivide some lots, and remove some previously approved roads.

No written minutes were taken for the workshop, but an audio of the Boards discussion with the applicant is available on the City's website

REGULAR MEETING
6:00 PM

Planning Board Members Present: Neil Schuster, Chair; Don Girouard, Alyssa Bouthot, Joyce Clark, Matt Provencal, Rene Ittenbach, Vice Chair

Planning Board Members Excused: Peter Scontras

Staff Members Present: Joseph Laverriere, City Engineer; Zach Mosher, City Planner; Denise Clavette, Planning & Development Director

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.**

NEW BUSINESS AND PUBLIC HEARING:

1. Minutes of August 7, August 21, and September 4, 2018

Joyce: pg 5 of the Aug. 7 minutes under paragraph marked Fire Dept., it should read homes should be sprinklered, not sprinkled, and pg 8 under Public Work engineering, "no subdivision lots can be accessed through Heath Rd". It should read Jenkins Rd. All related to Innes landing proposal. And Matt Provencal was not in attendance on the August 7th meeting.

Rene: I move to approve the minutes for August 7 as amended, and approve August 21, and September 4, 2018, as written, seconded by Joyce, and so moved 6-0

2. Site plan review of a proposed 64,250 sq.ft. seafood processing facility at 1016 Portland Rd. Applicant is Ready Seafood. Tax Map 64, Lot 12. Zoned MU-3.

Zach Mosher: Shawn Frank of Sebago Technics, LLC, on behalf of 1016 Portland Road, LLC, is seeking approval for site plan review that includes a proposed 64,250 sf building with 148 parking spaces for a seafood processing building with associated access drive, parking and loading docks located at 1016 Portland Rd (Tax Map 64, Lot 12). The site is located on the west side of Portland Road (Route 1), northeast of the Portland Road and Cascade Road (Route 98) intersection. This property is approx. 40 acres of undeveloped forest but there is also roughly 5 acres of field and three buildings near the front of the parcel. The parcel is located in the MU-3 Zoning District which the City Council recently amended (March 2018) to include processing facilities as a permitted use.

The proposed tenant is Ready Seafood Company which is an established business who processes live, picked whole and frozen shellfish for a worldwide market handling 15 million pounds of lobster annually. This use falls under the definition of Food Processing Facility.

The seafood processing facility includes lobster tanks, lobster grading area, production floor area, cooler and freezer areas, offices, packaging and storage. The proposed site development includes visitor, employee and ADA parking spaces, loading and receiving areas, utilities, stormwater management facilities, landscaping, lighting, and other associated site improvements. Utility services to the building will be extended underground from Portland Road and consists of water, and electrical/communication services. A pump station is proposed within the development to pump the sanitary flows to the proposed sewer in Portland Road and will be designed to city standards. The applicant also proposes the installation of propane tanks to meet the energy needs of the facility. Additionally, power will be extended underground from the existing overhead lines on Portland Road.

Parking will be on the front of the building and will be mostly for employees as there will be very little need for visitors outside of the occasional vendor. The parking lot has been re-worked to improve accessibility as well as now including ADA spaces and signage. Loading areas are limited to the rear of the building where there is a sufficient natural buffer to minimize noise and visuals.

In addition to standard waste, there will obviously be waste associated with the packaging of lobsters, as well as special wastes generated by seafood processing. All solid waste will be recycled to the greatest extent practicable and compacted within containers located in exterior enclosures as shown in the associated plans. The special waste generated by the seafood processing operation is placed within its own compactor to be emptied on a daily basis to minimize potential odors.

Environmental - Any project that proposes to create more than 3 new acres of impervious area is subject to Site Location of Development Review (SLODA) through Maine Department of Environmental Protection. For proposed new impervious area between 3 and 7 acres, the City of Saco maintains delegated review authority from MEDEP. Projects that propose to create over 7 acres of new impervious are submitted directly to

MEDEP. The Ready Seafood site development includes approx. 4.9 acres of impervious area and the applicant will apply to the City of Saco for a SLODA permit through the city's delegated review authority. Wetland impacts of 14,267 square feet are currently proposed requiring an NRPA Tier 1 Permit which has been submitted and approved by MaineDEP.

Traffic – The applicant completed a trip generation and site distance analysis for the proposed facility, with the facility expected to generate a total of 363 daily trips which includes 73 peak hour trips in the morning and 69 peak hour evening trips. A traffic movement permit from MEDOT would only be required for 100 peak hour morning or evening trips. Sight distance also exceeds 500 ft in both direction which meets the 45-mph limit requirement for sight distance. The city's traffic review consultant has reviewed and accepted the applicants traffic analysis. A detailed analysis is not required the Saco Zoning Ordinance as this development does not exceed 400 daily trips.

DEPARTMENT REVIEW – Staff reviewed the plan for Ready Seafood at their August 14th, 2018 PDRC meeting.

Police Department – Police and Code Enforcement asked a question about leaving some space on the lot for a new loop road which would come in from the south side of the property, traverse the abutting parcel (Map: 64, Lot:14) and be aligned to Waterfall Dr, which would create a new signalized intersection at this access point of Portland Rd, Water Dr and this new loop road. This question arises from the possible development of that abutting parcel. Ready Seafood indicated that it is very much open to the idea of allowing future connectivity to the back of the property, creating this loop road aligned to the currently existing Portland Rd and Waterfall Dr intersection.

Fire Department – The Fire Department requested that the underground propane tanks be moved further away from the processing facility as any part of the propane tank must be at least 10 ft away from the building according to Maine Fuel Board regulations.

Code Enforcement – Dick was concerned about the retaining wall being proposed at the north side of the building as anything over 4 ft. will be considered a structure, and therefore will need to meet setback requirements from the adjacent property. The applicant has indicated that an easement has been obtained with the abutting parcel to the north to do the necessary grading that will remove the need for a retaining wall. A condition of approval has been added to address the city receiving the necessary documentation of said easement. Dick had a question about the size of the propane tanks and indicated that they will need to meet NFPA regulations.

Public Works / Engineering Department – Joe had a question about the roof drains and the applicant responded by saying that they are working with a consultant to design the roof drains for proper drainage and direct them to a wet pond on-site. There are 4 roof drains being proposed. Joe indicated that the 100' stream buffer areas should be shown on the Site Plan and identified as no disturbance buffers. The buffer areas should be marked in the field prior to the start of construction. Draft language for the buffer deed restrictions shall be submitted to the City for review and approval and is addressed in my conditions of approval. Joe also indicated turning movements should be shown for vehicles entering and exiting the site from the public roadway and the applicant has now provided turning movement plans to demonstrate internal routes and turning movements within the site. Joe also stated that the parking is somewhat

awkward. He has recommended consideration be given to reconfigure the lot to avoid multiple parking aisles accessing onto access drive with little or no traffic controls or restrictions. The applicant has worked to reconfigure the parking lot to minimize the number of parking aisles.

Planning Department – Planning wanted to make sure that the applicant submitted an IWS form in regard to wastewater discharge to the satisfaction of WRRD. This form will allow WRRD to address the requirements for pre-treatment of any wastewater on site and the fees associated with that. Any new commercial or industrial dischargers are required to submit this form to Howard Carter of Saco WRRD. A condition of approval has been added to address the pre-treatment of any wastewater.

Discussion with staff, it was left open that there be an access point to the south, if that parcel ever gets developed, which would tie into Waterfall Drive.

Joyce pointed out that her parents are owners of 1006 Portland Rd, which abuts the rear of the applicant's property, but that she could remain objective. The Board and applicant agreed.

Determination of Completeness –

Rene: "I move to find the application for final subdivision review to be complete.", seconded by Matt, and so moved 6-0

John Ready, applicant, and Brian Ready Seafood's COO: He gave a brief history of how Ready Seafood started, and their passion for the sea, and the working waterfront, and how they did not just want to do distribution, but to get into the harvesting aspect of the business. What makes them different from other processing companies is the fact that they are unique. No other company does what they do. Details can be heard from the audio.

Shawn Frank, Sebago Technics: Thank you to Zach Mosher for his detailed description of this project. Shawn showed the map of where the project will be and the possibility of growth/expansion to the back of the parcel. The property is located in the MU-3 zoning district, which the City Council recently approved to include processing facilities. A site location of development permit is required, of which the City has delegated review authority. Wetland impacts of 14, 019 sq. ft are currently proposed requiring an NRPA Tier 1 Wetland Alterations Permit, which has been submitted to the Maine DEP, and the Army Corps of Engineers. They are still working with Howard on the waste treatment, as well as finalizing comments from Joe Laverriere.

The project proposed will include lobster tanks, lobster grading area, production floor area, cooler and freezer areas, offices, packaging and storage. Associated parking areas for employees, visitors, and ADA spaces will be provided, as well as all other site improvements. The access to Waterfall Drive spoken of by Zach is something that would be discussed with Elliott Chamberlain, who owns the abutting property.

Brian, COO, Ready Seafood: He described the layout of the building. There will be 23 bays. They are a logistics based company. They book their own freight with the airlines. Most of the growth in the next 2-3 years will come from their processing side of the business. The building is designed so that the trucks

coming and going will not be visible from the road. Waste is picked up daily, sometimes even twice a day. Please refer to the audio for details.

Board discussion:

Rene: Access road to Waterfall Drive is good and will direct traffic to one area.

Don: It's good that the pump station will be built to accommodate future build outs. How many working days per week?

Matt: Has there been an Archeological survey done?

Don: The Zoning Ordinance Bulk and Space requirements state that if a wall is 50ft or longer, it must be broken up with an architectural feature such as, a window, door, etc.

Rene pointed out the greenery on the landscape plan, and the fact that the building is set back from Route One.

Matt: The façade could be broken up by just a material change.

The Board decided, and the applicant agreed to break up the 50ft wall with a bump out to break it up.

Don: The ordinance also states that any roof mounted equipment must be screened. It was mentioned shielding the HVAC system with a parapet wall.

Don: I move to open the public hearing, seconded by Rene, and so moved 6-0

Roger Gay, councilor Ward 2: He is excited about this project coming to Saco. Glad to have this industry come to our area.

Kevin Roche, former councilor, Ward 7: Can't say enough about this company coming to Saco. It does take an effort to recruit companies like them, but the commercial interest is there.

Denise Clavette, Planning and Development Director: From an economic development perspective. They are bringing 240 employees to the city, and anecdotally, there have already been 2-3 employees who have purchased homes here in Saco.

Matt: I move to close the public hearing, seconded by Rene, and so moved 6-0

Rene: what is the build out timeline? **John Ready:** plans are to start in October, and it would take 14 months.

STAFF RECOMMENDATION – The Staff recommends APPROVAL for Site Plan Review and Design Review for Ready Seafood at 1016 Portland Rd with the finding that it meets the requirements of Articles 4, 7, and 11 of the Saco Zoning Ordinance and is based on the conditions of approval dated September 18, 2018.

Joyce: I move to approve the site plan application for Ready Seafood as submitted by Shawn Frank of Sebago Technics LLC to construct a new 64,250 sf facility at 1016 Portland Rd with the finding that

it meets the requirements found in Articles 4 (District Regulations), 7 (Design Standards), and 11 (Site Plan Approval Criteria) of the Saco Zoning Ordinance and is based on the 19 conditions of approval dated September 18, 2018, seconded by Alyssa, and so moved 6-0.

- 1. Review of a proposed reconstruction of a nonconforming structure per Sec. 504-4 of the Zoning Ordinance for the property at 91 Oceanside Drive. Applicant is Mark Mueller Architects on behalf of owners the Carpenters. Tax Map 11, Lot 40. Zoned R-1c and Shoreland Overlay.**

Matt Provencal recused himself, because he is representing the applicant.

Zach Mosher: Matt Provencal of Mark Mueller Architects, on behalf of applicant the Carpenters, is seeking site plan review approval for the removal and relocation of an existing single family structure located at 91 Oceanside Dr. (Map 11, Lot 40). The parcel is 5,000 sf and is currently zoned R-1c district and is also in the Shoreland Overlay district.

The proposal includes moving the structure to the west 2'-9" and maintaining all currently existing side setbacks. The rear and side setbacks are currently nonconforming, but this proposal would improve the rear setback and keep the side setbacks at their existing distance. Also proposed is the removal of existing entry stairs and boardwalk, and the construction of a small deck on the beach side of the house that will be conforming in respect to setbacks; the net result is a more conforming situation. There will be no increase in building lot coverage as a result of the rebuild. The applicant is also proposing to raise the structure approx. 3 ft.

Section 230-504.B(1) of the Saco Zoning Ordinance allows a non-conforming structure to be replaced as long as "...provided that such reconstruction or replacement is in compliance with all dimensional requirements of this chapter to the greatest extent practical as determined by the Planning Board ..."

The structure would also have to meet current Shoreland Zoning regulations, floodplain regulations as this structure is currently located in the AO flood zone, and MaineDEP Chapter 355 standards.

After discussing with Dick Lambert, the relocated building with new foundation will comply with local floodplain standards. Dick noted that this proposal involves tearing down a single story building, and building a new 2 ½ story structure. He indicated that this has been allowed in other situations that have been brought to Planning Board but he wanted to make sure the Board was fully aware that the new building will be significantly taller than the existing building. The project is also subject to a coastal sand dune permit from the DEP. That and other issues are addressed in the conditions of approval.

DEPARTMENT REVIEW – The Site Plan for 91 Oceanside was reviewed at the July 27, 2018 PDRC meeting.

Police Department - No comment. **Fire Department** – The Fire Dep't has recommended residential fire sprinklers. **Code Enforcement** – As mentioned above, Dick wanted the board to understand that this proposal involves tearing down a single story building and building a new 2 ½ story structure. This has been allowed in other situations that have been brought to Planning Board but he did want to make sure the Board was fully aware that the new building will be significantly taller than the existing building. **Engineering**

Department / Planning Department - Engineering wondered what the proposed driveway curb cut length would be as the maximum permissible is 33 ft. The applicant has been made aware of this requirement. Joe also had a question about whether the underground utilities would be re-used or replaced at this location. The applicant indicated that the existing utilities would be re-used. **PLANNING BOARD ACTION**- The Planning Board is being asked to review this Site Plan Application for the relocation and rebuild of 91 Oceanside using Article 5, Sec. 230-504 (B) of Saco Zoning Ordinance.

STAFF RECOMMENDATION – The Staff recommends APPROVAL of the relocation and rebuild of 91 Oceanside Dr with the finding that it meets the requirements of Article 5 of the Saco Zoning Ordinance.

Matt Provencal, applicant: The project is located in the frontal dune system and the current FEMA AO flood zone. The flood zone is proposed to be revised to a VE zone, of which they are making their designs. The house will be raised approximately 2.75' above the existing floor to meet guidelines. The new foundation will either meet the allowed pier system or solid foundation with hydrostatic openings pending determination by a Geotechnical Engineering soils report and Structural Engineer design. The building will come up to meet FEMA flow thru requirements. One of Joe Laverrieres comments was the driveway. Currently it is 24.9ft. they will have 24ft when they are done. There are a few trees in the front, which will most likely not make it through construction. They met on site with DEP and the existing plantings between the neighbor's property will come out and we will replant with a less invasive species. Some of the dunes out front will be replaced. They will have to bring in more fill because of the basement. A deck will be removed by DEP.

Don: I move to open the public hearing, seconded by Alyssa, and so moved 5-0

Resident: The applicant on the website seems to be different then what you are stating now. She wasn't sure if it is the same owners.

Christine, on behalf of her parents at 89 Oceanside Drive: the main concern was keeping the setback, so we commend the applicant for doing that. It was mentioned that the house is being moved back 3ft. is that still the case? **Matt:** 2.9 ft. **Christine:** will there be a deck on the ocean side? **Matt:** no, it will all be enclosed. **Christine:** Where is the 34 ½ ft height measured from? **Matt:** it is measured from the highest existing grade on the ocean side of the building. The elevation is 15.5ft

Don: I move to close the public hearing, seconded by Alyssa, and so moved 5-0.

Board discussed the various heights and designs in the area in comparison to this proposal.

Joyce: "Move to approve the request from applicant Matt Provencal, on behalf of the Carpenters, to relocate the dwelling at 91 Oceanside Drive as proposed, subject to the Conditions of Approval dated September 18, 2018 as discussed at this meeting.", seconded by Rene, and so voted 5-0 (Matt recused)