

PLANNING BOARD MEETING MINUTES

SEPTEMBER 13, 2021

MEMBERS PRESENT

MOLLY BUTLER-BAILEY, CHAIRWOMAN
JAMES ANDERSON
GEORGE FOX
VINCENT GRASSI
THOMAS HUGHES

MEMBERS ABSENT

SUSAN DURST
SCOTT FIRMIN, VICE CHAIRMAN

STAFF PRESENT

**THOMAS POIRIER, DIRECTOR
OF COMMUNITY
DEVELOPMENT**
**CAROL EYERMAN, TOWN
PLANNER**

Chairwoman Molly Butler-Bailey called the meeting to order at 7:00 p.m. The Town Planner called the roll; Board members Susan Durst and Scott Firmin were absent.

APPROVAL OF THE AUGUST 2, 2021 MEETING MINUTES

Gorge Fox MOVED and James Anderson SECONDED a motion to approve the August 2, 2021 meeting minutes as written and distributed. Motion CARRIED, 5 ayes (Susan Durst and Scott Firmin absent).

COMMITTEE REPORTS

- A. ORDINANCE REVIEW COMMITTEE** – Mr. Grassi said that this committee has not met since the last Planning Board meeting.
- B. Comprehensive Plan Implementation Committee** – Mr. Anderson reported that the CPIC met in a workshop earlier this evening regarding rezoning 4 different districts within the Town to the Urban Residential expansion district. Mr. Anderson said that once Mr. Poirier has completed some providing some additional information, public hearings will be held for each of the 4 different zones, one zone at a time.

ADMINISTRATIVE REVIEW REPORT – Ms. Eyerman told the Board that the Moody's Co-Workers Owned request for approval of a small building addition, to connect to the sewer recently run to the area and to remove the leach field was approved and a building permit has been issued.

ITEM 1 Public Hearing – Mosher's Corner Mixed Use Development Zone – Proposed amendments to implement mixed use in the Mosher's Corner area

Mr. Poirier told the Board that the Town Council is looking to move forward with rezoning the Mosher's Corner Mixed-Use district in conformance with the Comprehensive Plan. The Board's

Comprehensive Plan Implementation Committee met in 4 workshops and what is before the Board this evening reflects the changes from those workshops. A public input process was conducted before moving forward with the Committee's recommendations to the Planning Board; no comments were received. Mr. Poirier said that the Board needs to make its recommendation on the proposed language, as well as the proposed draft map. Mr. Anderson confirmed that the language before the Board this evening represents the changes suggested by the Comprehensive Plan Implementation Committee.

PUBLIC COMMENT PERIOD OPENED: None offered.
PUBLIC COMMENT PERIOD ENDED.

George Fox MOVED and James Anderson SECONDED a motion to recommend adoption by the Town Council of the Mosher Corner Mixed-Use District and Zoning Map Amendment, as amended by the Planning Board. Motion CARRIED 5 ayes (Susan Durst and Scott Firmin absent).

ITEM 2 Public Hearing – Home Occupations – Proposed amendments to the Land Use and Development Code's Home Occupation ordinance regarding allowed uses and standards.

Mr. Poirier said this item was forwarded by the Town Council to the Home Occupation Ordinance to give greater flexibility for allowed uses, amount of space available, and to simplify standards. He said the Board's Ordinance Committee made proposed changes as shown in what is before the Board this evening, with major changes by the Ordinance Committee to allow retail online sales and that home occupation uses be expanded to every district that allows residential uses. In addition, accessory home occupations have been added to the Narragansett Mixed-Use Development District. Mr. Grassi confirmed that the language before the Board this evening represents the changes suggested by the Board's Ordinance Committee.

PUBLIC COMMENT PERIOD OPENED: None offered.
PUBLIC COMMENT PERIOD ENDED.

Mr. Fox confirmed with Mr. Poirier that the definition of home occupations use has been expanded to be more current and broader, based on performance standards.

Vincent Grassi MOVED and Thomas Hughes SECONDED a motion to recommend adoption by the Town Council of the proposed zoning amendments to Home Occupation uses in Chapters 1 and 2 of the Land Use and Development, as amended by the Planning Board. Motion CARRIED, 5 ayes (Susan Durst and Scott Firmin absent)

ITEM 3 Public Hearing – Site Plan – Dillan Hesseltine/Summit Community Church – A request for approval of a new 22,752 square foot community church, day care and function center on property owned by Moody's Co-Workers and located at Narragansett Street and Cressey Road, zoned SR, Map 39, Lot 2.

Ms. Eyerman told the Board that this is a request for approval to allow the construction of a 22,752 square foot church, with associated infrastructure and landscaping, at the corner of Narragansett Street and Cressey Road. Uses within the building, other than that of the church, would include a daycare, stage, educational classrooms, and a gymnasium. It is proposed that the construction would be in two stages, with the first phase being the main church, parking, driveway, stormwater infrastructure and landscaping, and the second phase would be construction of an additional building to the rear of the site and the sidewalk along Cressey Road.

Ms. Eyerman advised the Board that some items of note include that the sidewalk will need an easement, the Town is recommending a fee in the amount of \$34,125 in lieu of the requirement for off-site sidewalks, evidence of financial capacity still needs to be provided, there are some civil engineering details that need to be worked on, as well as details involving traffic, lighting and landscaping.

Mr. Anderson advised the Board that he works for Great Falls Construction, which represents Summit Church, and therefore he would ask to be recused from participating in the discussion of this item.

George Fox MOVED and Vincent Grassi SECONDED a motion to allow Mr. Anderson to recuse himself from participation in discussion of this item. Motion CARRIED, 4 ayes (James Anderson abstaining; Susan Durst and Scott Firmin absent).

Craig Burgess, Sebago Technics, introduced the applicant Dillan Hesseltine and Jon Smith of Great Falls Construction. Mr. Burgess said that the plan submitted on August 10, 2021, depicts the full civil design of the sidewalk along Cressey Road, as well as detailing the phasing of the building. Mr. Burgess pointed out on the south side of the building where phase 2 will occur, with phase 1 being the north side of the building, facing Cressey Road. He said that the phasing has resulted in minimal changes to the site, with the majority of the site being constructed as part of phase 1, with the exception of the sidewalk and the phase 2 components of the building. Mr. Burgess said he believes that most of staff's comments can be addressed with conditions of approval.

PUBLIC COMMENT PERIOD OPENED: None offered.
PUBLIC COMMENT PERIOD ENDED.

Mr. Burgess advised Mr. Fox that the \$34,000 in lieu fee would primarily cover the sidewalk extension along Narragansett Street. Mr. Burgess said that the sidewalk along Cressey Road would be constructed in phase 2 of this project. Mr. Fox asked why the Cressey Road sidewalk would not be constructed in phase 1, which is the majority of the project. Mr. Burgess replied that discussions with the Town allowed for the Cressey Road sidewalk to be part of phase 2. Ms. Eyerman reminded the Board that the Board has the ultimate decision on that issue, and it is something that should be discussed with the applicant. Mr. Fox asked if there is an engineering reason for the Cressey Road sidewalk to be built in phase 2, or is it a cost avoidance. Mr. Burgess replied that it not completely cost avoidance, but it reduces the burden upfront on the applicant, and that the length of the Cressey sidewalk is significant based on the fact that this is a

church project. Ms. Eyerman noted that the standard reads that they will extend sidewalks to the site and through the site, and there is a judgment call which needs to be made by the Board as to what is reasonable in different cases.

Ms. Butler-Bailey asked Mr. Burgess if there is a timeline for submitting the required financial capacity information. Mr. Burgess said that would be a condition as part of the approval, and should be forthcoming shortly. Mr. Fox said that if the Board has questions about the ability to fund the Cressey Road sidewalk, he would not be comfortable giving approval to the project without seeing the financial capacity information. Mr. Fox said if the typical practice is to require proof of financial capacity before approval of a project, he sees no reason to make an exception for this project, as there are too many questions still to be resolved. Mr. Hughes agreed with Mr. Fox's assessment.

Jon Smith, Great Falls Construction, came to the podium and said the church either gets financial capacity or it doesn't, and questioned whether the applicant needs to come back just for financial capacity. Mr. Smith said the entire project could be at risk if there has to be another meeting just for the financial capacity.

Mr. Fox said that the financial capacity requirement is not a new requirement and is a requirement of the Land Use and Development Code

Ms. Eyerman replied to a question from Ms. Butler-Bailey that the traffic movement issue is fairly easy to resolve and can be a condition of approval. Mr. Burgess said they have received the DEP stormwater law permit. Ms. Eyerman said there are some civil engineering, lighting and landscape details which can be handled with conditions of approval.

Ms. Butler-Bailey commented that the bulk of the sidewalk that needs to be built is the Cressey Road sidewalk section. Mr. Grassi asked if the consequential phases do not occur, does that mean the sidewalk will not be built. Ms. Eyerman replied that could happen. Mr. Grassi said he wonders if phase 2 will happen. Mr. Hughes asked how confident the applicant is about getting to phase 2, and what will trigger going to phase 2. Mr. Burgess said it will depend on the growth of the church as they move in to the phase 1 space in the next couple of years and whether or not they need the phase 2 space.

George Fox MOVED and Thomas Hughes SECONDED a motion to table further review of Summit Community Church's request for site plan approval pending responses to remaining issues and finalizing revisions to the plan. Motion CARRIED, 4 ayes (James Anderson recused, Susan Durst and Scott Firmin absent).

ITEM 4 Public Hearing – Site Plan – Sun RP, LLC – Dance Studio and Café – A request for approval to construct a commercial building with associated access and parking lot on a 5 acre lot located off Dolloff Road/Main Street, zoned CO, Map 31, Lot 2-1

Ms. Eyerman advised the Board that this project was before the Board as a pre-application on

May 3, 2021, and is a request for site plan approval of a commercial building with associated parking and infrastructure on Main Street. Some items of note include that it is an area that is recommended to be changed to Mosher Corner Mixed Use zoning which would include business uses such as this one. The development plan shall provide for a system of pedestrian circulation within and to the development. Ms. Eyerman said there is a sidewalk that runs from the Village to Gateway Commons, stops for approximately 600 feet, and then picks up again for approximately 500 feet in front of Angelo's Pizza and the car dealership. Ms. Eyerman noted that the applicant would like to discuss landscaping; she is suggesting the standards of the Narragansett Mixed Use zoning district could be utilized for this project. Finally, the zoning district standards require internal landscape islands in the parking lot.

Trish Moulton, applicant, came to the podium and told the Board she has owned the Dance Studio of Maine in the Village for the past 20 years and is looking to this new space to provide parking, a safer and a more convenient space and location.

Andrew Morrell, BH2M Engineers, told the Board that Mike Richman, building architect, is unable to be at the meeting this evening. Mr. Morrell described the changes that have occurred to the plans since they were before the Board in May for their pre-application, saying that the building configuration changed in that it has been pulled some 40 or 50 feet further away from Main Street to protect some wetlands in front of the building. In addition, a few parking spots have been eliminated in the rear and the entry into the back parking lot has been reconfigured. The soils work for the site has been completed by Mark Hampton Associates. The stormwater design has been completed, with a closed drainage system, mostly concrete curbing around a good portion of the site, collecting runoff into catch basins, and dumping to a soil filter in the back of the parcel. Mr. Morrell said this project will require a stormwater permit from the DEP, as well as a Maine General Permit with the Army Corps of Engineers.

Mr. Morrell said that the architect, Mike Richman, is currently working with the Code Enforcement Officer on signage for the project to be visible from Main Street. Mr. Morrell described Mr. Richman's proposed building renderings, with one of the most significant items being the parent drop-off area. A trip generation traffic has been provided, but the applicant will hire a traffic engineer to complete a traffic study if that is warranted for this project by the Planning Board. A lighting plan has been provided to the Board. Parking on site requires 54 spaces per the Ordinance, 54 have been provided, with 5 ADA parking spaces. Mr. Morrell pointed out a portion of the existing Dolloff Road private way falls outside of the right-of-way, and the owners of the private way are looking to do a land swap to make sure that the private way remains within the right-of-way.

Mr. Morrell said they would like to discuss with the Board any specific landscape requests it may have as the applicant does intend to work with a landscape architect to come forward with a plan.

Finally, Mr. Morrell discussed the sidewalk issue, saying that at the pre-application, the Board asked for a cost analysis to construct a sidewalk to connect to the existing sidewalk on Main Street. An estimate was prepared and given to Public Works to review. The applicant feels that a sidewalk connection is not warranted in this location and would create a financial hardship on

the project.

Ms. Moulton came to the podium, asked why there is no plan for parking in the Village and why the Board is asking her to put money into a sidewalk to nowhere. She does not believe anyone will ever use such a sidewalk that she will not own. Ms. Moulton also asked where the in-lieu money goes and if she would get that back with interest.

PUBLIC COMMENT PERIOD OPENED: None offered.
PUBLIC COMMENT PERIOD ENDED.

Ms. Butler-Bailey summarized the 3 main discussion topics as sidewalks, landscaping and traffic. She said that she would like to see landscape screening between Main Street and the front of the building. Mr. Morrell said they envision the majority of the landscaping to be in front of the building, and Angelo's Pizza would screen part of the site coming from the west. Mr. Fox said he too has a concern about landscaping the Main Street portion of the site, and recommends some sort of easily maintainable vegetated islands in the parking area behind the building. Mr. Anderson said he believes that having parking in the back makes good use of the site, but focusing on the front of the building with some sort of low plantings should help accent the building.

Mr. Anderson asked if there is a threshold number of vehicles that triggers the need for a traffic study. Mr. Morrell replied that from the Town's point of view there is not; however, from a DEP point of view, there is a requirement, but he does not believe that number would be triggered. Ms. Eyerman said she does not believe this project would trigger the requirement for a traffic study, but asked if the Board felt it needed more traffic information. Mr. Anderson confirmed with Mr. Morrell that the line of site distance requirements are met in both directions; this information will be added to the plans. Mr. Morrell told Mr. Fox that there is one lane in and one lane out. In reply to Mr. Hughes, Mr. Morrell said the busiest hours will be from 3:00 to 6:00 p.m., open on weekends as well. Mr. Fox asked if the café would be open the same hours. Ms. Moulton replied that essentially the café is to feed the customers when they are there and is intended to be for parents to sit when they are waiting for their children. Mr. Fox confirmed that the intent is not to have to a stand-alone café.

Replying to Ms. Moulton's comment about the in-lieu fee, Ms. Eyerman replied that the amount mentioned in the previous agenda item will be used specifically on Narragansett Street, under construction at this time. In every case where an in-lieu fee is required, there would be an active or pending project earmarked for that money. She said that staff will continue to ask for sidewalks and recommend sidewalks in all cases in the growth zone, and this project is in the growth zone as a result of the Comprehensive Plan. In reply to Ms. Butler-Bailey, Ms. Eyerman confirmed that the closest sidewalk to this project is the strip on front of Angelo's Pizza, with staff recommending connecting to that and then running a sidewalk across the site's frontage.

Mr. Fox asked Mr. Morrell what scenarios were taken into account in calculating the sidewalk costs and, if so, what were the costs. Mr. Morrell replied that they ran the numbers for a sidewalk across the frontage of this parcel along Main Street and then connecting to the strip in front of Angelo's Pizza. The total cost for the sidewalk and the closed drainage system that

would be required was \$57,000, the estimate that was given to Public Works for review. Mr. Morrell confirmed with Mr. Fox that no cost estimate was done to connect to the sidewalk going west. Mr. Morrell said they did not prepare a cost estimate for running a sidewalk across the applicant's property and not connecting to the strip in front of Angelo's Pizza; however, he would estimate that removing the connection to in front of Angelo's would cut the sidewalk cost in half for just in front of the applicant's property.

In reply to Ms. Eyerman about an open or a closed drainage system, Mr. Morrell said that the sidewalk would have to be pushed behind the storm open drainage system collecting runoff from Main Street as there is no curbing in that area now. If the sidewalk is put up against the edge of pavement, as their sketch shows, Mr. Morrell said a curbing has to be installed to collect the runoff from Main Street. Mr. Morrell said he does not believe there would be a significant cost difference between open or closed drainage. In reply to Mr. Hughes, Mr. Morrell said constructing a sidewalk along the edge of the existing shoulder would not impact the wetland at the front of the site.

Mr. Fox asked if the applicant has some sort of solution for pedestrian access. Mr. Morrell said he believes the applicant would be willing to consider some kind of trail toward the east side of the property for some kind of pedestrian access.

Ms. Butler-Bailey confirmed with Ms. Eyerman that it is the goal of the Town to run a sidewalk all the way on that section of Route 25. Ms. Moulton again asked who would use such a sidewalk, saying she believes people will use the shoulder. Mr. Fox said this is an ordinance requirement that sidewalks be built, and the Board is trying to find a common sense solution to deal with this project. Ms. Butler-Bailey said the Board has a requirement as a planning board to look at the Comprehensive Plan for whatever area is under consideration, and ordinances such as this are actually supported by the long-term Plan and trying to make it happen.

Mr. Anderson asked Mr. Morrell to prepare a cost estimate for running a sidewalk along the frontage of this parcel. Mr. Morrell told Mr. Grassi that it is 550 feet to go from the entire frontage of this parcel, connecting to the piece of sidewalk in front of Angelo's Pizza. He believes the parcel frontage is approximately 275 feet. Mr. Anderson confirmed that closed drainage means curbing, culverts and catch basins, and the sidewalk would have to be built to state standards because it would be in the state's right-of-way. Mr. Fox said he believes this would be the most common sense solution, keeping the ordinance in mind and preparing for the future.

Vincent Grassi MOVED and James Anderson SECONDED a motion to postpone further review of Sun RP LLC's request for site plan approval pending responses to remaining issues and finalizing revisions to the plans. Motion CARRIED, 4 ayes (James Anderson abstaining; Susan Durst and Scott Firmin absent).

Stretch Break to 8:37

ITEM 5 Pre-application Discussion – Site Plan – Gorham Bike and Ski, Inc. – Retail and Café – A request for approval of a 7,150 square foot building for a retail store and restaurant, with parking lot, patio and dumpster, and an accessory building to include a garage and residential apartment, zoned ND, Map 39, Lot 2-2

Ms. Eyerman gave the Board an overview of the project, which is for a 7,150 square foot retail and café building, with an accessory building to include an apartment above, because the zoning district requires mixed-use residential above a business. Proposed is a new access driveway, parking lot, outside patio with seating, sidewalk and landscaping. Ms. Eyerman said that during the review of this plan, staff noticed that there is a discrepancy in the ordinance setbacks, so staff is endeavoring to work with the Town Council on a speedy correction to make sure the setback numbers are consistent. She said in one case a 50 foot setback is required, while in another area the setback is different.

Jamie Wright, Gorham Bike and Ski, Inc. came to the podium and gave the Board a history of his business, which he began in 1995 on Main Street, expanding the business to 6 locations and creating trails in Gorham. He said this location near Moody's property is the closest to the trails, so this project is the vision to have a retail store, service center, a place for kids to hang out, maybe some summer camps, and a café with outdoor patio seating.

Chris Taylor, Sebago Technics, showed the Board a rendering of the proposed New England character building on the 3.19 acre lot, with new access drives from Raceway Drive and parking for 66 cars. Mr. Taylor explained that the proposed building will be two stories, comprised of a retail store and restaurant. An accessory building is to be located on the site consisting of a garage and a residential apartment. Public water and sewer will be extended from Raceway Drive. Mr. Taylor noted that there is a sidewalk along Raceway Drive. Parking will be behind the building. Landscaping will be proposed according to the requirements of the zoning district.

Mr. Taylor referred to the setbacks issue referred to by Ms. Eyerman, saying that the front setback along Narragansett is shown as being 50 feet, while further on in the performance standards of the district, there is a written requirement that all buildings, parking and drive aisles be 75 feet off Narragansett Street. He said that Thomas Poirier, Director of Community Development, indicated that the 75 foot setback was intended to be 50 feet, which is the recommended change discussed with the Town Council. Mr. Taylor said he believes the change will be an agenda item for the next Planning Board meeting. In the next plan submitted to the Board for review, Mr. Taylor said their building will probably be moved closer to Narragansett Street, or within the 50 foot setback.

Linda Braley came to the podium and introduced herself as the architect for the project. She spoke about the district's requirement for 3 building materials, and described the proposed vertical shiplap on the first floor of the building, wood columns, timber frame construction, standing seam roof with perhaps solar panels. She said the design does not have 3 siding materials that the ordinance is suggesting and asked for Board comments.

PUBLIC COMMENT PERIOD OPENED: None offered.

PUBLIC COMMENT PERIOD ENDED.

In reply to Mr. Fox, Ms. Eyerman said that a reading of “three different materials” would be interpreted as 3 different materials in the façade itself, not necessarily the roof and supporting beams. Mr. Fox said that the proposed design does not seem to meet the intention of 3 separate materials, and asked if there is an opportunity to incorporate a 3rd material some way and still maintain the beauty of the building. Ms. Butler-Bailey said she would not want to stretch the requirements of the district. Ms. Braley noted that the Board can waive the building materials requirement to 2 different materials if it finds that the building design has enough architectural character to sufficiently break up the massing of the building. Mr. Fox suggested that a 3rd option might be possible; Ms. Braley said the most logical would be to incorporate shingles into the gable tip. Mr. Anderson commented that adding a skin access to the gable could work, but he believes the current building configuration is successful. Mr. Grassi said the roof does a good job and perhaps something could be added at the triangle.

Ms. Eyerman asked if there is a trail connection leading to this property which could perhaps be used for off-road biking. Mr. Wright replied that Shawn Moody, owner of the property occupied by the Sports Center and the property across the street, has given approval to use the Gorham Trail crew to build a trail across the property, around the Sports Center and then cross 202 to go behind Moody’s along the embankment, connecting to the main trail.

Mr. Fox recommended that a close look be taken for landscaping for buffering around the parking lot to break up what will be a sizeable lot with lots of visibility. Mr. Fox confirmed that the building adjacent to the parking will be the residential component of the development, so there may be options such as fencing that can be done in conjunction with that.

In reply to Mr. Anderson, Mr. Taylor said there is a sidewalk along Raceway Drive from Narragansett down to the Harvey Performance Building. Ms. Eyerman said the approval process for Raceway Drive included a sidewalk, already constructed. She said the applicant should be responsible for a sidewalk along its frontage along Narragansett. Mr. Wright asked if a cross walk will be installed at the rotary eventually to offer some protection. He also noted that Mr. Moody told him that the section of Route 202 from the rotary to just past the Sports Center is the last section scheduled to be redone by the state in the spring of 2023, so he would not want to put in a sidewalk only to have it taken out. Ms. Eyerman said this would require a conversation with DOT and Public Works to coordinate the best approach, which may be a fee in lieu. Mr. Fox said he believes a sidewalk along the east side of the property, along the roundabout and up Narragansett Street, would likely not be used in the near term.

Mr. Taylor said that not shown on the sketch is a proposed pump track, which is a short looped track, dirt and gravel, to test out bikes around trees, etc. Ms. Butler-Bailey asked if it will be screened.

Ms. Eyerman advised the Board that Mr. Poirier, Director of Community Development, has asked the Town Council to expedite the process of correcting the setback number discrepancy so that both numbers are 50 feet. Mr. Taylor confirmed that the Board is in accordance with changing the numbers.

ITEM 6 Pre-application – Grondin Corporation – Subdivision – Mountain Trail Meadows – A request for approval for a residential cluster subdivision of approximately 50-60 lots on a 103 acre parcel located off Wescott Road, zoned R, Map 87, Lots 68-1 and 30.

Ms. Eyerman told the Board that this application is for a cluster subdivision located on 103 acres off Wescott Road, located in the Rural zone. This application will be reviewed under the cluster subdivision development standards, recently amended by the Board, in the Conceptual Design Review stage. This Review shall include submission of an Existing Site Resource Map, which has been provided, identifying significant natural and cultural resources. Specifically, the Map should have wetlands, shoreland areas, significant habitat corridors, rare or endangered habitat, roads and buildings within 100 feet of the property, indication of overall stormwater flow direction, species and size of existing trees, historic and cultural resources such as existing barns, trails, cellar holes, stone walls, and other noteworthy features unique to the property. The Existing Site Resources Map shall not include proposed roads or subdivision lots.

Ms. Eyerman said that the review process is that the Board will determine whether or not the open space layout design and configuration is appropriate. It is intended that the open space shall be designed first, and the built environment shall be constructed in the remaining areas. Open space can include passive recreation, like hiking, biking, running and snowshoeing; operation of snowmobiles or ATVs; agriculture; horticulture; silviculture or pasture; nonstructural stormwater management, such as rain gardens and forested buffers; easements for drainage; and other conservation-oriented uses such as community gardens.

Dustin Roma, DM Roma Consulting Engineers, told the Board that this is the first time they have presented the natural resources portion of an application as a stand-alone component of a project before a discussion of traffic, offsite improvements and other aspects of an application. Mr. Roma said the project is comprised of two separate parcels being acquired from two different owners, one parcel being essentially land locked and the adjacent piece having 300 feet of frontage along Wescott Road. He said there are large diameter transmission water mains from the Portland Water District running through the property, a 42 and a 48 inch main crossing through the property, which are development constraints. The property abuts the Mountain Division Trail along the entire northern boundary, both at a common grade and in other areas where this property is significantly lower than the Trail and where it is significantly higher than the Trail. All of the wetlands have been mapped by Mark Hampton, showing varying degrees of functions and values. Mr. Roma pointed out the various wetland areas, including Wescott Brook, steep slopes that tie into that wetland area, streams inside forested wetland areas, and pockets of isolated, low depression wetland areas. Mr. Roma pointed out a combination of open field areas and some wooded areas where some water has been trapped, which are considered lower value wetlands.

Mr. Roma pointed out three upland areas where potential development areas could be focused, maintaining some buffers into some of the forested wetland areas. They do not propose to cross the Brook and all the land on one side of the Brook would seem appropriate to set aside as open space. They have reached out to the Presumpscot Regional Land Trust, which does have some interest in accepting the open space for this property as a strategic piece for a looped trail or a

through trail connection to it. The Land Trust has given the applicant two options to see how they fit into the development scheme for the property, one option being to locate a loop trail back into the Mountain Division Trail, and the second option to establish a brook walk to connect back into Wescott Road. In either case, it would be either 50 or 60 acres transferred to the Land Trust and developed with trails. The Land Trust has walked the property, and they believe there is some high value in the two trail locations, so the applicant will continue to work with the Land Trust as they develop the lot layouts. Some things the Land Trust has asked the developer to consider are making sure that the trail runs along the upper ridge of the steep slopes and also to provide some buffering where the trail would be located and the back property lines of the lots adjacent to them.

Mr. Roma said there are no real significant trails on the site, there are open corridors where the water mains are, which the Portland Water District maintains regularly.

Mr. Roma said that Regina Leonard, landscape architect, will be working on the design of the project to develop some conceptual layouts to incorporate some of the plans received from the Land Trust. They are also working with the Water District on the extension of a water main to serve the project, running a 16 inch main on Wescott Road into this project site. All the lots will be on public water.

Ms. Butler-Bailey noted that this is the first project to be reviewed under the new cluster subdivision development standards. Ms. Eyerman said that under these review standards, the Board needs to talk about the open space for the project and what it wants from that open space. The plan that has been submitted does not include some of the information it should, such as whether there are any cellar holes, rock walls, those things that are the natural and cultural resources other than wetlands. Ms. Eyerman said the Board needs to know more of those things, which are items that the landscape architect will help to add to the plans so that the Board has the information to build the open space first. At this time the lots and the roads are not under consideration, the only consideration now is the open space and what the Board might want to see it used for, perhaps for something other than trails.

Ms. Butler-Bailey commented that the open space off the Mountain Division Trail seems like a good fit. She and Mr. Roma discussed the width of the brook and walking along the ridge above it. Ms. Butler-Bailey said she likes the idea of a looped trail for walking and biking. Mr. Anderson asked Ms. Eyerman if the land is given to the Land Trust, whose responsibility is the maintenance. Ms. Eyerman said it will be an agreement between the Town and the Land Trust and the Board will have some say how the land is developed, such as adding benches along the trail to enjoy the view shed. Mr. Fox asked if it would be the applicant's responsibility to build that out or is it the responsibility of the Land Trust. Ms. Eyerman replied said it would be the responsibility of the applicant, who also has the option not to hand over the recreational infrastructure. Mr. Roma said that in this case it seemed appropriate to engage the Land Trust at the onset, but if for whatever reason that does not come to fruition, the development of the open space would be part of the subdivision approval and would run with the land.

Mr. Anderson said he believes it makes sense in that rural setting to have trails to highlight the streams and the brooks and the woodlands. Mr. Grassi asked if consideration has been given to a

small parking lot for those people who want to use the trails. Mr. Roma said he believes they could incorporate basically a trail head situation, perhaps to include signage, a kiosk, and parking. Mr. Fox agreed that some type of trail system is the best use of the open space.

ITEM 7 Pre-application – Site Plan Amendment – Donna Foster – Maide for You – A request for approval to relocate the existing driveway, expand the parking and convert the garage to a tanning salon on property located at 222 Narragansett Street, zoned ND, Map 39, Lot 9

Ms. Eyerman said this application can be called a reorganization of the site, and proposes to relocate the driveway, reduce a curb cut, convert the garage to a tanning salon, reconfigure the site and parking layout, remove parking, add a second story to an existing office building, relocate a dumpster, and add landscape. Staff recommends adding the existing and proposed impervious coverage to the plan. She said that parking on the northeastern side of the property appears to encroach on another property and asked that either an easement be provided for that parking, or remove the parking.

Mr. Anderson advised the Board that he works for Great Falls Construction, which represents Maide for You on this project and therefore he would ask to be recused from participating in the discussion of this item.

Vincent Grassi Fox MOVED and George Fox SECONDED a motion to allow Mr. Anderson to recuse himself from participation in discussion of this item. Motion CARRIED, 4 ayes (James Anderson abstaining; Susan Durst and Scott Firmin absent).

Andrew Morrell, BH2M Engineers, appeared on behalf of the applicant, Donna Foster, and told the Board that the site received site plan approval in 1986 and the applicant's goal with this application is to clean up the site and to accommodate her business. Mr. Morrell said the applicant would like to separate the residential and commercial uses so that the residential use has its own access by relocating the residential driveway to a driveway that had been there before. The current curb cut for the site is 138 feet wide, which the applicant would like to reduce to 24 feet wide, achieving a separate entrance for the commercial use and a separate entrance for the residential use. The existing garage is proposed to be converted to a tanning salon and parking has been reconfigured to 37 parking spaces. The goal is to not increase the amount of impervious surface on site. The applicant is proposing a 12-foot buffer along Route 202, a width that does not necessary meet the requirements of the Narragansett Development District, but if the buffer were to meet those standards, it would take away almost the entire front parking area. Currently the fleet of cars for the business are parked out front, a location more convenient to allow employees to bring equipment to and from the office. A detailed landscape plan will be provided for the proposed buffer which will meet the requirements of the district. A second floor added to the existing office may be a consideration in the future, but which has been included in the application. The dumpster will be moved to the back behind the building.

Mr. Morrell asked for the Board's input on the number of proposed curb cuts, one for the commercial and one for the residential. In addition, Mr. Morrell would like the Board's thoughts

on the 12 foot wide landscape buffer, could the tanning salon use the existing septic system which currently services the Maide for You office and the residential unit, the relocated residential driveway, landscaping. In addition, Mr. Morrell said that less impervious surface is being proposed, so what would the Board want to see for any kind of detailed stormwater information as the project moves forward. Mr. Morrell said they will know for sure that the parking mentioned by Ms. Eyerman as being on another's property is actually on the applicant's property when they do a survey

Ms. Butler-Bailey commented that she believes the separation of the curb cuts make sense. Mr. Fox asked about the distance between the curb cuts. Mr. Morrell said that the curb cuts are proposed to be spread as far apart as possible on two different sides of the property, and from a speed and site distance point of view, he does not see these driveway locations as being a safety issue. Mr. Fox said he believes that while 12 feet is not ideal for a buffered area and it does not meet the standard, it is better than not having a buffer at all and would be an improvement. Ms. Butler-Bailey agreed, as did Mr. Grassi. Ms. Butler-Bailey said that assuming the septic system is shown to be properly sized to handle all 3 uses, she sees no problem in the tanning salon using the system. Ms. Butler-Bailey said she would not be concerned about stormwater if the impervious surface is actually being reduced. Mr. Fox noted staff's request for current and future impervious figures, which would confirm that the impervious does get reduced, and said in that case he would be fine with not doing anything further.

ITEM 8 Discussion – Phasing of Subdivisions – Proposed amendment to the Land Use and Development Code to require phased build-outs of subdivisions under Chapter 3: Subdivision

After a brief discussion, the Board concurred that the proposed amendments should be referred to the Board's Ordinance Sub-committee for review.

George Fox MOVED and Vincent Grassi SECONDED a motion to refer the proposed Zoning Amendment to the Planning Board's Ordinance Sub-committee for review and recommendations. Motion CARRIED, 5 ayes (Susan Durst and Scott Firmin absent),

ITEM 9 Discussion – Agritourism – Proposed amendments to the Land Use and Development Code to allow for agricultural event centers and agricultural tourism.

As with the preceding item, the Board agreed that the proposed amendments should be forwarded to the Board's Ordinance Sub-committee for review and recommendations.

George Fox MOVED and Thomas Hughes SECONDED a motion to refer the proposed zoning amendment to the Planning Board's Ordinance Sub-committee for review and recommendations. Motion CARRIED, 5 ayes (Susan Durst and Scott Firmin absent).

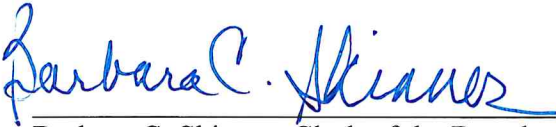
OTHER BUSINESS **None**

ANNOUNCEMENTS **None**

ADJOURNMENT

George Fox MOVED and Vincent Grassi SECONDED a motion to adjourn. Motion CARRIED, 5 ayes (Susan Durst and Scott Firmin absent). [10:00 p.m.]

Respectfully submitted,


Barbara C. Skinner, Clerk of the Board
September 13, 2021