

## PLANNING BOARD MEETING MINUTES

Minutes of the Augusta Planning Board meeting held on February 12, 2019  
City Center Plaza, Lecture Hall, 7:00pm

Board members present: Alison Nichols (Chair), Bob Trask (Vice Chair), Delaine Nye (Secretary), Dorean Maines, Bob Corey, Pete Pare, Steve Dumont, Cathy Cobb

Board members absent: Bill McKenna

City staff present: Betsy Poulin, Nick Hartley, Kristin Collins (Corporation Counsel)

Guests present: Greg Stewart, Kristina Stewart, Stanley C. Koski, Sue Macy, Tad Macy, Meaghan Maloney, Matt Pouliot, Heather Pouliot, Bruce Williams, Susan Williams, Jane Ezzy, Linda Conti, Cheryl Clukey, Bill Tisdale, Brian Wood, Jennifer Wood, Jim Pross, Amy Curtis, Alicia Escobar, Eileen Wilkins, Katie Smith, Scott Upham, Dan (?), Chris Geerlings, Amanda Peters, Shawn Tyler

Alison: Welcomes new Planning Board member, Cathy Cobb.

**Public Hearing. Major Subdivision & Conditional Use Review. Application of Matthew Pouliot for conversion of office space to eight apartment units. Assessor's Map 33 Lot 283. Located at 341 Water Street in the Kennebec Business 1 District (KBD1).**

Betsy: Applicant requested to table to the next meeting, March 12, 2019.

Betsy: The audio from this meeting will be uploaded on the website. There is no video in the Lecture Hall at this time.

**Public Hearing. Conditional Use Review. Application of Central Maine Family Counseling to operate a social services office, Blue Willow Counseling, in an existing building. Assessor's Map 28 Lot 78. Located at 103 Winthrop Street in the Institutional / Business / Professional (BP) District.**

Betsy provided a summary of the project including staff review, draft findings of fact and conclusions of law, site plan, site photos and aerial photo. Two emails were received for public comment, which have been provided to the Board. A handout received tonight has also been distributed to the Board. The project is also in the Winthrop Street Historic District and the sign would need to go to the Historic District Review Board for review. The applicant came to the Board in July, and they requested a parking reduction waiver, which could not be granted and the application was denied. This is a new application with less staff and also new survey has been completed for the property documenting available parking spaces based on a 1986 easement agreement, meeting ordinance standards. The Winthrop Street driveway loop is available for parking for 103 Winthrop Street only, per ordinance. Betsy and code enforcement went into the building to verify the square footage, and number of parking spaces required

remains unchanged. The basement and attic could never be converted into office due to access and height limitations. The state fire marshall will be reviewing this building as part of the licensing requirements and making any changes necessary.

Bob Corey: Has the survey been verified by City Staff?

Betsy: The surveyor is here tonight, for any questions.

Nick Hartley, City Engineer: He reviewed the survey. The easement was filed prior to the parking ordinance establishment and the size is grandfathered. Even though the spaces are smaller than what is required today, they are still functional.

Delaine: The parking areas are shared with the neighbor to the back on North Chestnut Street.

Nick: Yes, the Winthrop Street crescent parking is not part of the agreement.

Delaine: No striping or signage is on the site, so she is worried about a free-for-all in regards to parking. Winter maintenance should be provided by Davis Shed as stated in the agreement. What will happen if a storm happens during the day and business is operating?

Nick: Snow removal is a continual issue, but not a unique situation in the City. Reduction of parking due to snow is not an unusual situation.

Applicant:

Jennifer Wood, Blue Willow Counseling and Linwood Enterprises: Would have 5 full time staff. One clinician could have a maximum of 10 clients for a session, however they would never schedule three sessions at one time. Hours state 8am-6pm Monday through Friday, however staff may work later than 6pm. They have 2 full time staff now at 9 Green Street, where they started operating October 2017. They want to expand to 5 full time staff. Not sure about the mix of administration and clinicians. They treat men, women and children for depression, adjustment disorders, marital conflicts, anxiety, sleep disorders, addiction, etc. One substance abuse counselor is on staff and the remainder of the staff are for mental health. They do medication assisted therapy (suboxone). Medical director, Diana, is present tonight.

Diana: Formerly with Blue Sky counseling in Waterville. There will be no medications in the office. She would only prescribe to be filled at a pharmacy. No methadone would be prescribed. She provides maintenance for clients and has been a RN for 10 years.

Jennifer Wood: If needed, they can use parking at 9 Green Street or rent monthly elsewhere. The agency has DHHS licensing and all the clinical staff have licenses too. Owners (Brian and Jennifer Wood) would check in occasionally at the office, as they do for their other offices in the state. They will try not to infringe on the public parking and will put signage on the property to identify spaces.

Jim Pross, Attorney for the Applicant: Vacant properties are a liability and this would be an improvement for the neighborhood property values.

Bill Tisdale, is one of the two owners of the property: His father bought the building in 1986. Bill grew up on Elm Street. Women Unlimited had 7-10 employees, ran classes and had a dump truck. They were social services. In 2005, he bought the building with his siblings and Women Unlimited rented for many years from them. In 2012 his brother, who had substance abuse and mental health issues, passed away.

Delaine: Concerned about traffic intensity. Worried it will be too busy and worried about the agreement, wants to know more about it.

Bill Tisdale: The Chestnut Street owner determines who does the plowing and they pay 1/3 of cost. He pays 2/3 of the cost.

Amy Curtis, Assistant Director at Blue Willow: Will be one of the staff at this property. They have offices in Portland, Lewiston and Augusta. She is a clinician and has a sister with an opiate addiction.

Public Comment, In Favor:

Meaghan Maloney: The State has a contract with Blue Willow. They run a good business. They will have no medications on site. Only 5% of the population is re-offenders and it is typically OUI.

Alicia Escobar: Works with Blue Willow Counseling. Primarily treats veterans and active military clients.

Cathy: How much of your work is individual vs. group?

Alicia: Mostly individual, but some group.

(Didn't catch name): Blue Willow helped him get back on his feet.

(Didn't catch name): Is a neighbor of the Lewiston location. She works with courts. Blue Willow is very good and has an excellent reputation.

Eileen Wilkins, resident of Augusta: Didn't know counseling wasn't a professional service.

Public Comment, Against:

Katie Smith: Has a business in Augusta, is a resident, and is on the Comprehensive Plan Committee. The Comp Plan states the Westside neighborhood wants to be more residential, not more mixed use. Augusta has a residential property shortage.

Bruce Williams, 104 Winthrop Street: Hands out 4 photographs of the parking. The historical society meets several times a week and parks on North Chestnut Street and Winthrop Street. There is no place to put snow. Drop-off/pick-up could still be an issue. The proposal is not compatible or sensitive to the neighborhood. Parking is only permitted on the west side of North Chestnut Street. If methadone is prescribed, it is a different land use.

Susan Williams, 104 Winthrop Street: Not concerned about clientele, but is concerned about increased vehicular and pedestrian traffic. She volunteers with James' Place, a safe & sober house and helps provide furniture to those in need.

Cheryl Clukey, Spring Street: Has a handout she speaks from and hands to Board. Worried about medication, prescriptions and people showing up high. The neighborhood has to

continually fight to preserve property & neighborhood values. They are encroached on by businesses. Three real estate dealers have said homes will be devalued.

Scott Upham, 7 North Chestnut, Cribstone: Tetford House is down south. This review is about parking. The plan by the surveyor is consistent with the easement, but he feels it is not feasible. Can it be grandfathered if it never met zoning in the first place? Bernie Shaw has been contracted for snow removal for years. Dump truck removal has occasionally happened.

Bob Corey: At the beginning of the meeting, he confirmed with the City Engineer and these parking spaces are grandfathered for size.

Scott Upham: Worried about the practical considerations. Application changed from July to today. He feels the spaces aren't feasible and wants to talk with Bill Tisdale about the parking issue.

Kristina Stewart, 89 Winthrop Street: Before they purchased their property, their house was considered by an insurance company who would have had to tear down the carriage house in order to have enough parking. She is a real estate agent and they have dogs so she walks in the neighborhood frequently. Cars line the streets sometimes. Crosswalks are not always visible and there are high traffic speeds.

Greg Stewart, 89 Winthrop Street: He is a licensed professional engineer. Complete snow removal will be needed, which could be during business hours. Parking is not feasible as presented.

10 minute break.

Public Comments, Against (Continued).

Linda Conti: City Councilor for Ward 1, where this property is located. She reads the definitions of Business/Professional Offices, Medical Clinics and Social Services. Feels the Land Use Chart for social services excludes many of the uses Blue Willow is offering, making it not eligible for a Conditional Use review. How can there be enforcement of the number of people in a building? Agrees that there is a parking issue.

Dan (?): Resident of the area. Repeats many of the comments of others. Appointments are probably about one hour since they are counseling, case management, medication management and groups. Worried about traffic.

(Linda gives her handouts she presented with to Alison, the Chair)

Chris Geerlings: Lived downtown and moved up the hill to a historic home. They are converting a multifamily into a single family. Wants the community plan to be adhered to for residential character.

Amanda Peters, 10 North Chestnut Street: Moved here 4 years ago. Parking is an issue in the neighborhood and doesn't want more pedestrian and foot traffic. KVCAP will be coming to this property and can wait for people quite a while for a ride. She has used the parking lot when spaces are available.

Heather Pouliot, 99 Winthrop Street: (Handout given to the Board) Co-Chair of the Comprehensive Plan Committee. Applicant said they will not have methadone (referencing an earlier public comment). Feels property value, parking and vehicles will be a burden on the area, not the use. Concerned with the sign wording having an impact on their property values when they want to sell in a few years. Vacant properties have been rehabbed in the last 7 years, becoming single family residences. 2007 was the last comprehensive plan. The parking agreement was created before good zoning was in place. This is the only thing she has spoken against in the neighborhood. This is a Historic Overlay District and the location of the parking should be on the side and rear of the building for new uses. When the sign gets reviewed by the Historic District Review Board, she wants it not to say "substance abuse counseling" like the sign in Lewiston. Their house abuts the rear of the parking lot.

Delaine: Leasable parking elsewhere could be an option for the applicant, are you aware of available parking in the area?

Heather Pouliot: Doesn't know of any specifically, but the old YMCA lot may be available? Snow removal at 103 Winthrop Street could disrupt the neighborhood with night noises. Public Works is at the other end of the Westside neighborhood and lots of traffic is between Winthrop Street and the Public Works Garage, where vehicles fuel up.

Bob Corey: Appreciates her handout.

Alison: The Public Hearing for Home Occupations will be tabled to next meeting (due to no new items after 10pm)

Matt Pouliot, 99 Winthrop Street: He is a State Senator, former vice chair of the Planning Board and a commercial real estate agent. Addiction is an issue in the State and he is a supporter of additional funding. His opposition has to do with the small site for a business which could be expanding; the 3-5 people will change. He would like to work with Blue Willow to find a better location. He offered to help them look for new locations one week ago. Dirigo did a survey for the property so he now can see how much parking is available.

Bob Corey: Appreciates your work at the state house. The Planning Board makes sure the ordinances are followed and the City Council would make any changes to the ordinances.

Matt Pouliot: The Kennebec Historical Society has an intense parking use, and they started operating after Women Unlimited left the property.

Public Comment, Neither For Nor Against:

Shawn Tyler, Dirigo Surveying: Recreated the easement agreement on a new plan with buildings. He is not an engineer and only sized the spaces to match the easement agreement. He clarified what is out there.

Public Hearing Closed.

Kristin Collins, Corporation Counsel: Doesn't feel the use is a Medical Clinic. Social Services may not fit the definition. Business/Professional Offices may be the definition. In regards to the comment about the Land Use Chart and Social Services, the excluded uses are just located elsewhere on the Land Use Chart. Offices appear to be the primary use for this proposal. The

Planning Board doesn't have a lot of discretion for the number of parking spaces, but can look at how the circulation functions.

Pete: Wants clarity about the Planning Board feeling the circulation works.

Delaine: It seems the owners laid out the parking spaces in the agreement. She wants more time to consider this matter, not ready to make a motion.

Nick: The parking ordinance was created in 1988, after the parking easement agreement.

Alison: Realized the applicant had the final say for the Public Comment period, reopens the public hearing for their comments.

Jim Pross, Attorney for the Applicant: Staff feels the project is a Conditional Use. He feels the use intensity is similar to other uses permitted in the district.

Bob Corey: Is there an issue or limiting the number of employees?

Alison: Public hearing closed.

Pete: We are day to day citizens, not attorneys and don't have prejudices about addiction.

Delaine: Pete and Bob Corey made good points. She will not be present for a meeting on February 26<sup>th</sup> if it is tabled to that date. She didn't like seeing this project portrayed as a NIMBY issue in the Kennebec Journal. Felt that wasn't accurate. Glad to hear it isn't a NIBMY issue. People agree that it is a drug and mental health issue.

Bob Corey: We request that the city staff to research issues to be brought back to the next meeting. Specifically the safety issues regarding parking and then the conditional use definition along with what the city staff feels comfortable with on their recommendation.

Cathy: This is her first Planning Board meeting. She formerly worked with DHS on regulatory issues.

Alison: Kristin is not available for the February 26<sup>th</sup> meeting either.

Bob Corey makes motion to table the application to March 12<sup>th</sup>.

Seconded by Delaine.

Discussion:

Pete: Wants new information to be available to everyone.

Delaine: Clarifies that they can ask more questions as the project review continues.

Vote: 7:0. Motion Passes.

### **Adjourn:**

Motion by Bob Corey to adjourn at 10:41 pm.

Seconded by Pete.

Further Discussion. None.

Vote: 7:0. Motion passes.

Minutes by Betsy Poulin, Deputy City Planner.