

PLANNING BOARD MEETING MINUTES

Minutes of the Augusta Planning Board meeting held on June 10, 2014.

Board members present: Delaine Nye, Justin Poirier, Steve Dumont, Alison Nichols, Corey Vose, Heather Pouliot, Linda Conti, Peter Pare

Board members absent: Bill McKenna

City staff present: Matt Nazar, Susan Redmond, Lionel Cayer

Guests present: Dennis Snelling, Jerry J. Caldwell, Sr., Jeramiah Raitt, Rene Cortemanche, Shon Gibb, William McGrath, David Berger, Jack Bickford, Lionel Cayer, Normand Michaud, Gregory Leimbach, Brian Tarbuck, Andy Begin, Bradley Moore, Mark Lawrence, John Kenney, Diane Morabito, Eileen Wilber, Star Cunningham, Aaron Kosalski, Kristie Kosalski, Paula Quirion, Peter Quirion, Eero Hedefine, Paul Blouin, Jim Coffin, John Kenney, Shirley Ezzy, Gary Dunklee, Ilene Wilber, Christine Letcher, Mark Dawson

Corey Vose, Chair, called the meeting to order at 7:07 p.m.

Public Hearing: Major Development. Application of the Augusta Congregation of Jehovah's Witnesses to construct a 4,652 square foot church and associated parking. Assessor's Map 7, Lot 85. Located off Cross Hill Road in the Rural Residential (RRES) District.

Susan Redmond, Assistant Planner, gave an overview of the materials that were submitted since the last public hearing and some analysis. The applicant requested a survey waiver and a driveway width waiver.

Lionel Cayer gave an overview of the driveway waiver.

Eero Hedefine, agent
attempted to speak with all of the neighbors

Delaine Nye
leave trees along Route 3?
leave as much natural vegetation as possible

Eero Hedefine
intend to keep vegetation that's there to extent possible

Alison Nichols
Is top of berm 18 feet above parking area? States 393 feet on plan.

Eero Hedefine

That is a typographical error. 393 feet should be 363 feet

Speaking neither for nor against

Gary Dunklee, 2825 North Belfast Avenue

Thank applicant – met with me, understood my concerns

Feel my property value will go down

Bad intersection: Cross Hill Road / Route 3 and Route 3 / Bolton Hill Road

Aaron Kosalski

Spoke with applicant

Concerned about spillway – will add water to my driveway

Eero Hedefine

Stormwater: runoff will be status quo

Motion by Linda Conti to grant a waiver for survey of back acreage of parcel.

Seconded by Alison Nichols. 7:0 Motion passed.

Motion by Linda Conti to grant a driveway waiver. The access road shall be a 24' wide road for the first 30' of the road, followed by a taper to 18' in width, and the remainder of the road to be 18' wide. Seconded by Alison Nichols. 7:0. Motion passed.

Motion by Linda Conti: The proposed use is a permitted use. It meets the requirements of the Land Use Ordinance. Grant approval. Condition of approval:

1. Keep existing vegetation within 35 feet of Route 3, bufferyard plantings shall be approved by City Arborist.

Delaine Nye: All existing vegetation shall be left to greatest degree possible in lieu of replacing it with new plantings to degree it meets bufferyard requirements.

Linda Conti: Meets everything but bufferyard requirements.

Seconded by Alison Nichols. 7:0 Motion passed.

Motion by Delaine Nye:

1. Applicant shall keep 35 foot natural vegetation along Route 3 except that which must be removed to install detention pond in southwest corner. Elsewhere, priority is to retain existing vegetation in lieu of installing new plantings, as long as it meets minimum bufferyard requirements. Any new plantings that are installed will be done in consultation with City Arborist.

Seconded by Linda Conti. 7:0. Motion passed.

Public Hearing: Minor Development. Application of Paul Blouin to construct a 2,784 square foot addition. Assessor's Map 85, Lot 18, 19, and 20. Located at 513 Western Avenue and 3 Woodside Road in the Regional Business District (CC) Contract Zone (Lot 18 and 19) and Regional Business District (CC) (Lot 20).

Matt Nazar, Director of Development Services

Applicant hesitant to combine parcels into single ownership until has Planning Board approval

Lionel Cayer

No way to restrict left turn into site

Delaine Nye

Concerned about adding new entrance – can't believe it's safe

Lionel Cayer

If add a new entrance, it will create another conflict point on Western Avenue

Jim Coffin, Coffin Engineering, agent

No trucks will enter into new entrance

Steve Dumont

Center turning lane?

Jim Coffin

It will end before proposed entrance

Paul Blouin

90% of unloading is on site – not on Western Avenue

Indian wants a separate entrance into site

No impact on neighborhood

Speaking against

Ilene Wilber, 16 Woodside Road

Difficult to get in and out of Woodside Road

How will addition affect residential home?

Lighting concern – parking lot – lot of light

Where is entrance to building?

Christine Letcher, Rockwood Road

Concerns about redirecting water

If combine 3 lots into 1, what is the impact of that in future?

Lighting – all night

Star Cunningham, 16 Woodside Road

Safety concerns for traffic – 8 year old son

Existing vegetation at Woodside Road / Western Avenue intersection creating visibility problems

Paul Blouin

No new lighting

I don't see customers pulling into Woodside Road

Site distance from Woodside Road to east

Can shield sides of lights

Alison Nichols:

Increase in impervious surface?

Jim Coffin

815 square feet of net gain

Matt Nazar:

Idea to angle entrance – concerns about

Linda Conti

If combine parcels, does it change the zoning?

Matt Nazar:

Zoning won't change

Combining the lots resolves a setback issue

Discussion regarding traffic circulation.

Delaine Nye:

Opposed to additional curb cut – it's dangerous

Linda Conti

Agree with Delaine 100%

Don't think should add a curb cut. DOT didn't allow a curb cut on Route 3.

Lionel Cayer

Project is within the compact area – not in MDOT area

Justin Poirier

Proposed entrance – ok

Appreciate applicant's effort to accommodate concerns heard last time

Motorcycle dealership – don't think there will be heavy traffic

Heather Pouliot

Planning Board does not have jurisdiction to address school bus

Linda Conti

Planning Board needs to decide on traffic criterion

Pete Pare

If create new entrance – increased danger to Woodside Road traffic?

Motion by Alison Nichols: In the matter of the request by Paul Blouin to construct a 2,784 square foot addition to house Indian Motorcycles. This request is for major development review and can be found on Assessor's Map 85, Lot 18, 19 & 20. I have considered and agree with the Findings of Fact 1 – 14 as presented by staff. I have also considered the Conclusions of Law as presented and find that section 4.4.1.5 Highway or public road congestion has not been adequately addressed. Based on the facts presented and the testimony heard this evening I believe that the application has not yet met the standards of the Land Use Ordinance. I move to deny the applicant's request to create a curb cut along Western Avenue. Seconded by Delaine Nye. 3 in favor (Nichols, Conti, Nye), 4 against (Pare, Dumont, Poirier, Pouliot). Motion failed to pass.

Motion by Justin Poirier: Approve as presented with all Conditions of Approval. Work with staff to improve visibility of Woodside Drive. Seconded by Heather Pouliot. 5 in favor, 2 opposed (Conti, Nye opposed).

Public Hearing: Conditional Use. Major Development. Application of the Maine Army National Guard to construct a 100,791 square foot building and associated parking. The proposed use is government services, which is a conditional use. Assessor's Map 5, Lot 13A. Located off Blue Star Avenue in the Planned Development (PD) District.

Matt Nazar gave an overview of the project.
No inside firing range.
Generator on site – will be exercised regularly.
Parking reduction request
Reduce internal parking lot width
Request to eliminate internal island in parking areas

Alison Nichols:
Bufferyard acceptable?

Matt Nazar
Appears to be – significant existing wooded areas

John Kenney, WBRC, agent
MDOT traffic movement permit issued
Site, NRPA permit pending in next week or so
Relocation of intersection is MDOT project, Guard contributed funds towards.
FY 2015 for project

Speaking against

Shirley Ezzy, 379 Civic Center Drive

Live within 500 feet of project

Concern: 6.3.4 site plan review criteria applicable to conditional use – neighborhood compatibility, 10 residential homes within 500 feet

Generators – will make noise when tested

Helicopter take offs can't meet noise ordinance

Delaine Nye:

How did you come up with proposed hours to restrict generator testing to?

Shirley Ezzy

Spoke with applicant

Coronal Leimbach

Funding obtained for project

John Kenney

Generator test Monday – Friday 9 to 3 pm

Coronal Michaud

Helicopter landing may not be just for emergencies

Adjunct General hasn't been in helicopter in 1 ½ years – not a taxi

Heather Pouliot

Suggest generator testing 9 – 5 pm

Alison Nichols:

Waivers okay?

Board: okay

Motion by Alison Nichols (9:58): In the matter of the request for Major Development approval by Maine Army National Guard to construct a building, parking lot and access drive. The facility will be used for Government services which is a conditional use in this area of the city zoned Planned Development. Assessor's Map 5, Lot 13A.

I have considered and agree with the Findings of Fact 1 – 16 as presented by staff in their draft prepared for today's meeting.

The applicant asked for four exemptions listed as Findings of Fact 17 - 20:

- A reduction in the # of parking spaces required to 230
- A reduction in the # of handicapped parking spaces to 8. (The Americans with Disabilities Act requires 7)
- A reduction in the parking lot aisle width from 26' to 24'
- An elimination of the buffering required within parking lots serving more than 70 vehicles. (Their lot will not be visible from route 27.)

These exemptions are granted.

I have also considered and agree with the Conclusions of Law as presented by staff in the same draft. Based on the facts presented and the testimony heard I believe that the application is able to meet, with conditions, the standards of the Land Use Ordinance. I move to approve the application with the following condition.

CONDITIONS OF FINAL APPROVAL

1. The generator shall be exercised Monday through Friday from 7 AM to 3 PM. It is understood that during emergency situations the generator will run as needed.
Seconded by Delaine Nye. All in favor. 7:0 Motion passed.

Public Hearing: Mineral Extraction License. Application of Quirion Construction, Inc. to expand the area of active extraction to 13 acres. Assessor's Map 1, Lot 91. Located off Sanford Road in the Rural River (RR) District.

Matt Nazar gave an overview of the project.
Reclamation would happen after all of extraction was done.

Delaine Nye:
Essence of application – more practical use of site?

Matt Nazar
Yes.

Paula Quirion, Quirion Construction
DEP has given preliminary approval of reclamation
Line agreement on two sides
Like to practically work and restore all areas

Pete Pare
If not approved, how would that affect you?

Paula Quirion
Add cost, reclaim areas multiple times

Matt Nazar
Can grant a variance to have an active extraction area over 10 acres

No public comments.

Motion by Alison Nichols (10:17): In the matter of the request by Quirion Construction, Inc. to expand its Sanford Road Gravel Pit This gravel pit can be found on Assessor's Map 1, Lot 91.

I have considered and agreed with Findings of Fact #1 – 23 as presented by staff in their draft dated June 10, 2014. I also agree with and wish to emphasize the following two Findings of Fact:

25. During the first five years of the license period, and the two years of the renewal period, all conditions of approval were met.

26. During the first five years of the license period, and the two years of the renewal period, there were no violations.

I would like to add this additional Finding:

27. Quirion Construction, Inc., has requested an exemption from submitting a Performance Guarantee. With the understanding that the applicant is seeking a mineral extraction permit from the state of Maine, and assuming that that permit will be awarded, this exemption is granted .

I have considered and agreed with the remaining items stipulated by staff in the EXEMPTIONS, VARIANCES, AND ASSOCIATED MINERAL EXTRACTION USES.

I find the application meets all standards of the Mineral Extraction Ordinance with the listed EXEMPTIONS, VARIANCES, AND ASSOCIATED MINERAL EXTRACTION USES. I move to approve the application before us without conditions

Seconded by Heather Pouliot. 7:0. Motion passed.

Public Hearing: Minor Development. Application of the Greater Augusta Utility District to construct a 1,833 square foot building for water pumping and treatment. Assessor's Map 2, Lot 8. Located off Sunrise Drive in the Planned Development 2 (PD2) District.

Matt Nazar:

No areas of concern.

Generator inside building – will muffle noise

Brian Tarbuck, Greater Augusta Utility District

Provides redundancy to system

Delaine Nye

If power out a long time, how will generator run

Brian Tarbuck

24 hours of running generator on propane

Want to flip over to natural gas in future once available

Exercise generator weekly – maybe for a couple of hours under load

Alison Nichols:

Okay on restricting generator exercise hours to Monday – Friday 9 – 3?

Brian Tarbuck

Yes.

Good to have flexibility if other hours are better for neighbors.

Neither for nor against

Mark Dawson, 9 Sunrise Circle
Hope will limit area of construction
Neighbors use property informally to get down to river

Andy Begin, Greater Augusta Utility District
Vernal pool with 250 foot radius
Did DEP permits
Stabilize slope by railroad

Brian Tarbuck
GAUD Board of Directors are decision- makers regarding access

Motion by Alison Nichols (10:50): In the matter of the request by Greater Augusta Utility District to construct a 1,833 square foot building for water pumping and treatment. This request is for a minor development review and can be found on Assessor's Map 2, Lot 8.

I have considered and agree with the Findings of Fact 1 – 13 as presented by staff. I have also considered and agree with the Conclusions of Law as presented.

Based on the facts presented and the testimony heard this evening I believe that the application can meet, with conditions, the standards of the Land Use Ordinance. I move to approve the application with the following condition:

1. The generator will be exercised Monday through Friday, from 7 AM to 3 PM unless, in working with the neighbors, GAUD finds there are other times that the neighbors believe would be preferable. It is understood that during emergency situations the generator will run as needed.

Seconded by Delaine Nye. All in favor. 7:0 Motion passed.

May 13, 2014 Minutes

Corrections: Page 4 "Saltsky" should be "Kosalski"; Page 4 Jim Coffin – remove "client" and replace with "Gary Dunklee"

Motion by Heather Pouliot to approve the minutes as corrected. Seconded by Alison Nichols. All in favor. 7:0. Motion passed.

Adjourn

Motion by Heather Pouliot to adjourn at 10:55 p.m. Seconded by Justin Poirier. All in favor. 7:0 Motion passed.

