

PLANNING BOARD MEETING MINUTES

Minutes of the Augusta Planning Board meeting held on August 11, 2015.

Board members present: Corey Vose, Alison Nichols, Justin Poirier, Steve Dumont, Bill McKenna

Board members absent: Pete Pare, Heather Pouliot, Tom Connors, A. Delaine Nye

City staff present: Matt Nazar, Director of Development Services and Lionel Cayer, City Engineer

Guest present: Jim Coffin, Stephan Kruse, Larry Ringrose, Ralph Sargent, Shawn Thies, Jay Darling, Elliott Thayer, Troy Reynolds

Public Hearing: Major Development. Application of Connected Credit Union to construct a credit union with a drive-through. Assessor's Map 5, Lot 53B. Located off Civic Center Drive and Gaywalk Street in the Civic Center District (CD).

Matt Nazar gave an overview of the project.

Lionel Cayer, City Engineer gave an overview of the project in regards to traffic, access and site work.

Jim Coffin, Coffin Engineering and Surveying. Representing Connected Credit Union:

-Credit Union currently has two branches, University Drive and South Chestnut Street.

-Proposing to combine two branches into one location.

-Just the historical letter is outstanding.

Motion by Alison Nichols: In the matter of the request by Ken Nuzzo and Dale Rodrigue for a Major Development Review as per Section 4.5, proposing to construct a credit union with a drive through. The project is located in the northeast corner of Civic Center Drive and Gaywalk Street in the Civic Center (CD) District and is on Tax Map 5, Lot 53B.

-I have considered and agree with the Findings of Fact in the staff review and would like to add the following finding:

1. Since there is no sidewalk along this section of Civic Center Drive, and since there is a fair amount of pedestrian and bicycle traffic in the area due, at least in part, to the proximity of the entrance to the University of Maine/Augusta Campus, the shoulders of Civic Center Drive should not be used by vehicles.

-I have also considered and agree with the Conclusions of Law as presented.

-I believe the project is able to meet the standards of our Land Use Ordinance with the following three conditions:

1. The applicant shall submit a proposal, which is acceptable to the City Engineer, that will make the following changes:

- a. Submit drawing(s) for a bi-directional, center turn lane on Civic Center Drive. A minimum of 6 foot wide shoulders shall be maintained through the widened section of highway. The proposed drive shall be shifted north so that the center island of the new site drive is perpendicular to the University Drive Island.
- b. The final proposal must also be approved by MDOT.
2. Submit a detailed drawing of the pipe which will pass beneath the Gaywalk Street entrance. The drawing shall show how the culvert will interface with existing drainage pipes at the inlet and outlet ends. The drawing must meet the approval of the City Engineer.
3. Submit information regarding the culvert at the Civic Center Drive entrance, including its slope and pipe size. The information provided must be acceptable to the City Engineer.
4. The letter that has been requested from the Maine Historical Preservation Committee must be received.

I move to approve this request with the conditions as stated.

Second: Justin Poirier.

All in favor. Motion passed. 5:0

Public Hearing: Minor Subdivision. Application of Stephan and Jacquelyn Kruse to construct an access road in Augusta to a development in Sidney. Assessor's Map 1, Lot 136. Located off Summerhaven Road in the Rural River District (RR).

Matt Nazar gave an overview of the project.

Lionel:

- No concerns on traffic generation issues; 6 average daily trips per housing unit. Very low. Retirement age, working age, leave at different times when they leave from this location; not a business.
- A prior submittal was to cross a wetland and not as safe as the Summerhaven Road.
- Enough sun will reach the road with clearing proposed.
- A Line of trees could be easily retained.
- Private street.

Matt:

- Rise in road at this location. It has the best site location at this location.
- Pushing the road from the property line would decrease safety.
- Planting can occur in the right-of-way as long as adequate safety is on the shoulders.

Stephan Kruse, owner and applicant:

- Intend it to be a drive and not a private road. Will have private maintenance.
- This is a rental community and for adults only which is less traffic than a family community.
- A neighbor in the Sidney town meeting had mentioned about a buffer. We intend to leave as much buffer as possible and be a good neighbor. We intend to work with that neighbor.

Anyone in Favor or Against the Proposal?

Larry Ringrose, nearby neighbor:

- Sidney Town Office did not notify him but admitted they should have.
- Saw the sign posted by City of Augusta.
- Minor Development by the City of Augusta.
- City of Augusta gave him more information than Town of Sidney.

Matt:

- There are three types of notification that the City of Augusta does.
- Notice posted on the property
- Noticed posted in the newspaper both for Minor (one notice per our ordinance) and Major (two notices)
- Mail notices to abutters within 1000' feet within the development
- As with many of our cases, if property is rented, we do not have addresses for tenants. We use the addresses in our city database. And where the tax bill goes, our notice goes.
- If there are concerns with the Town of Sidney process, there is a statutory process, and that would be through the court system with the Town of Sidney.
- Nothing in the statute requires Augusta to send mailings to individuals in Sidney. A fair amount of case law exists with respect to notice and how affect process. Court cases have been clear that failure to receive a mailing when notice when you post in the newspaper does not invalidate process.
- If the development is expanded, only the Town of Sidney will need to notify abutters.

Ralph Sargent:

- Lives on the corner of Parkview Terrace and Summerhaven Road.
- Concern with the traffic on this road, school bus stops on the corner.
- Concerned with wells being strained with increased development.
- Has lived here 39 years.
- Will need a private septic system. A past potential developer had a failed perc test.

Stephan Kruse, applicant:

- I am surprise the notifications did not go as described. I am hopeful that the DEP notifications went out about three to four months now.
- This was an approved subdivision for 14 single family homes about 6-7 years ago, changed to 28 rental units.
- Do not know about the failed percolation test. Has owned this property for over 35-40 years. Soils are excellent soils for percolation.
- This is a much improved access in comparison to the Belgrade Road and the wetlands.

Justin Poirier:

- The Board/City has no control of development outside City limits.
- Only have input on this part of road and buffer for the neighbors.

Motion by Alison Nichols: In the matter of the request by Stephan & Jacqueline Kruse for a Minor Subdivision as per Section 4.6 and 6.3, proposing to construct an access road in Augusta to a development in Sidney. The project is located on Summerhaven Road in the Rural River (RR) District and is on Tax Map 1, Lot 136.

-I have considered and agree with the Findings of Fact in the staff review.

-I have also considered and agree with the Conclusions of Law as presented.

-I believe the project is able to meet the standards of our Land Use Ordinance with the following conditions:

1. Submit a performance guarantee for the section of access road which is in Augusta.
2. The drive shall not become a public road to be maintained by the City of Augusta.
3. The applicant shall continue to work with Mr. Tuttle and the other neighbors to make sure that adequate screening vegetation remains and/or is planted.

I move to approve this request with the conditions as stated.

Second: Bill McKenna

All in favor. Motion passed. 5:0

Public Hearing: Major Development. Application of Darling's Corporation to construct a 25,800 square foot building. Assessor's Map 83, Lot 1, 1B, 3 and 5. Located at 439 Western Avenue in the Regional Business District (CC).

Matt Nazar gave a description of the project.

Shawn Thies of CES Engineers, applicant's agent.

-Landscaping on the site plan. An island is within right-a-way to meet the ordinance and put the proposed plantings in that area.

-The building on the west side will be torn down.

-Both dealerships will go in the new building.

-The existing Hyundai building will be used for a body shop.

-Project being review by DEP and a site development for the property so we have submitted an amendment application for that. The stormwater and detention pond will all be upgraded for stormwater in both quality and quantity.

Jay Darling.

-Plenty of storage for inventory. Have a large field out behind the building.

-Not much display space in the middle where the Ram Truck display is.

-Typically in the winter, we do not have much inventory.

-The building footprint goes from about 21,000 square feet to over 25,000 square feet. There is increase space in the mezzanine area.

Shawn Theis:

-Wall on the site plan will be about four or five feet tall with a guardrail on top. It tapers in near the building.

Anyone in Favor or Against the Proposal?
None

Matt:

-Approval for planning board does not include for sign package. They will have to come into the office and submit a sign package through the sign ordinance and that can be all done through code enforcement. It does not have to come back to you.

Motion made by Alison Nichols: In the matter of the request by Darling's Corporation for a Major Development Review as per Section 4.6, proposing to construct a 25,800 square foot building. The project is located at 439 Western Avenue in the Regional Business (CC) District and is on Tax Map 83, Lots 1, 1B, 3 & 5.

-I have considered and agree with the Findings of Fact in the staff review and would like to add the following finding:

1. The applicant has requested one waiver, the traffic report, from the list of submissions of required materials. Since the project, according to their application, is not expected to generate additional traffic to the site and staff has no concerns with this request, this waiver request is granted.

-I have also considered and agree with the Conclusions of Law as presented.

-I believe the project is able to meet the standards of our Land Use Ordinance with these conditions:

1. Their in-process application for an Amendment to their existing Site Location of Development Permit from the Maine Department of Environmental Protection is approved.
2. The signs chosen for use in this dealership must meet the sign ordinance of the City of Augusta.

I move to approve with these conditions.

Second: Justin Poirier

All in favor. Motion passed. 5:0

Public Hearing: Major Development. Conditional Use. Application of Rocky & Barbara Gaslin to construct a 4,000 square foot retail building and a 4,000 square foot warehouse. Assessor's Map 7, Lot 38E. Located off North Belfast Avenue in the Riggs Brook Village District (RBV).

Matt Nazar gave an overview of the project. tone colors. The applicants have met standards of the land use ordinance and would be happy to take any questions.

Jim Coffin, Coffin Engineering and Surveying, Agent for Rocky and Barbara Gaslin

-Gave an overview of the project.

-Needs thirty percent landscaping. North side has no architectural. Remove the front gable and change the pitch and I think that will fix the whole problem.

Matt:

- Architectural features and plantings near the walls/building greater than fifty feet. Some architectural features are: window displays area, awnings, balconies, etc.
- On site landscaping shall abut the walls as to obscure the streets.
- Building materials shall be brick, wood, stone, concrete masonry, and glass etc. Smooth concrete blocks, pre-fabricated panels, etc. should only be used as accents and not dominate structure. Metal roofs can be used if designed with the concept. Trademark colors needs to be approved by the Planning Board.
- Planning Board has architectural features, landscape and building materials to review and has leeway based on what is presented.

Jim:

- Using only earthtones on both buildings.
- Cannot put up against the building because the owner will be plowing snow so I was going to add landscaping near in the ditch area.

Public Hearing Closed.

Matt:

- Buffer yard is specified.
- Plantings are not specified in the ordinance; it just references landscaping.
- Applicant's materials as shown on the plan are canopy trees, etc. Not type of trees.

Motion made by Alison Nichols: In the matter of the request by Rocky and Barbara Gaslin for a Major Development Review as per Section 4.6 and 6.3, proposing to construct a 4000 square foot retail building and a 4000 square foot warehouse. The project is located on North Belfast Avenue in the Riggs Brook Village (RBV) District and is on Tax Map 7, Lot 38E.

- I have considered and agree with the Findings of Fact in the staff review.
- I have also considered and agree with the Conclusions of Law as presented.
- I believe the project is able to meet the standards of our Land Use Ordinance with the following conditions:
 1. The building materials used for both the warehouse and the retail building shall be "of low reflectance, (and) subtle, neutral or earth tone colors" in accordance with the Land Use Ordinance Section 3.6.1.7.a.5.ii.
 2. Landscaping shall be added to the west side of the retail building in accordance with the Land Use Ordinance Section Section 3.6.1.7.a.5.i.
 3. An architectural feature, a cupola, shall be added to the roofline of the warehouse.
 4. Landscaping shall be added to the island in the center of the parking area, in part to soften the view of the wouth side of the warehouse.
 5. Landscaping shall also planted on the far side of the ditch on the north side of the warehouse, as (the applicant) requested.
 6. Landscaping shall be added within the green space on the east and west sides of the warehouse.

I move to approve this request with the conditions as stated.

Second: Steve Dumont.

All in favor. Motion passed. 5:0

Public Hearing: Minor Development. Conditional Use. Application of Augusta Motorsports, Inc. to expand a warehouse by 5,000 square feet. Assessor's Map 4, Lot 98. Located at 3099 North Belfast Avenue in the Rural Village District (RV).

Matt Nazar gave an overview of the project.

Elliot Thayer, Thayer Engineering. Representing owner/applicant.

-Wants to start immediately, for completion by November 1st.

-No stormwater permit required.

Troy Reynolds, owner of North Country Harley (applicant):

-Tank of east side of the building is going to stay.

-Propose to go a little higher so the roof lines will be about the same and cleaner for construction.

Matt:

-RV District does not have any height requirements.

Motion by Alison Nichols: In the matter of the request by Augusta Motorsports, Inc. for a Minor Development Review as per Section 4.5, proposing to expand an existing warehouse by 5000 square foot. The project is located at 3099 North Belfast Avenue in the Rural Village (RV) District and is on Tax Map 4, Lot 98.

-I have considered and agree with the Findings of Fact in the staff review.

-I have also considered and agree with the Conclusions of Law as presented.

-I believe the project, as presented this evening, is able to meet the standards of our Land Use Ordinance and move to approve.

Second: Steve Dumont

All in favor. Motion passed. 5:0

Minutes

Motion by Alison Nichols.

Seconded by Steve Dumont.

All in favor. Motion passed. 5:0

Adjourn

Motion by Justin Poirier.

Seconded by Steve Dumont.

All in favor. Motion passed. 5:0

Adjourned 9:44pm