

**PLANNING BOARD MEETING
MINUTES**

Minutes of the Augusta Planning Board meeting held on July 12, 2016

Board members present: Justin Poirier, Alison Nichols, Steve Dumont, Pete Pare, Delaine Nye, Bill McKenna, Tom Connors

Board members absent: Corey Vose

City staff present: Matt Nazar, Lionel Cayer, Betsy Poulin

Guests present: Fred Scannell, Camille Scannell, Shawn Tyler, Raymond Gilbert, John Hall, Bill Nichols, Robert Townsbury, Christine Cicia, Germaine Rocque, Ron Gagne, Nancy Haines, Elliot Thayer, Tim Holt, Cecil Munson.

Public Hearing: Minor Subdivision. Proposed three lot subdivision on 46.32 acres of land, including one existing lot on Woodard Road, a residential house lot on Ward Road and a vacant undeveloped lot. Located in the Rural Ponds District (RPDS), Limited Residential Shoreland Overlay District (LR) and Stream Protection 50 Shoreland Overlay District (SP50). Assessor's Map 8, Lots 35, 35A and 35B. Located at 115 Ward Road.

Matt Nazar gave an overview of this agenda item.

Applicant: Shawn Tyler, owner of Dirigo Surveying. Available to answer questions.

Public Hearing Opened:

Public to Speak in Favor of the Application: None.

Public to Speak Against the Application:

Raymond Gilbert, lives adjacent to the property. Is this a no-build zone? If so, how did he get permission to build? As far as the development, this was answered with the three lots described in the presentation. He has heard a lot about a construction site with excavators, motors, etc. Is this happening and where would it be located? The clearcut area doesn't give a clear definition of where this would be. He would like to get a more clear idea about how the land will be used.

John Hall. Lives at 124 Ward Road, across from where there is construction now. He is concerned about the noise level and traffic. They are retired and home, so concerned about traffic. Noise will affect his wife's balance, she has vertigo and noise is an issue for her. Lots of noise with excavators hitting rocks, worried about more noise and blasting. Also speaking for Paul and Donnie Allen, down the road.

Bill Nichols. Lives at 222 Ward Road. He is talking about the parcel which is not developed, at this time. He is concerned with egress from that parcel, as it is right across from his driveway and there is a curve in the area.

Pete: Which parcel of land are you referencing?

Bill: It is the parcel further north, with frontage on Ward Road.

Pete: Is this about a concern with the current proposal, or future issues?

Bill: Sees there is excavator equipment there currently, and hears a garage will be built in the future. Hears the owner has a construction company and would probably store equipment on the site.

Public to Speak Neither for nor Against the Application:

Robert Townsbury. Lives to the north of the narrow house lot strip. Wants to know where the building is being located.

Matt: Pointed out the location of the proposed house, which is the only building currently proposed.

Justin: Is this a no build zone?

Matt: Not in terms of the ordinance, there are no regulatory requirements restricting building on this parcel.

Matt: There had been some miscommunication about the parcel in regards to discovery of the subdivision and the start of construction for a septic system. There is an approved septic design for the site. Summary of how the divisions of the properties have occurred in the last few years. The skinny lot along the road creates the subdivision. The first illegal subdivision has been rectified.

Delaine: The long skinny lot meets the requirements for this zone for all dimensions?

Matt: Yes. The red dashed lines are the setback lines; the lot meets the 100 foot depth. There is adequate frontage. The septic design has been approved.

Delaine: There is also concern about the other lot being used as a construction business use.

Matt: Has only heard that this will be a residence.

Delaine: Can you explain what you are doing with the land, due to the neighbor's concerns.

Shawn Tyler: The owners are looking to take a mortgage on a smaller sized lot, for the residential home, which is why the subdivision has been created. The owners will own both parcels. There are lots of rocks in the area, typical of this area in Augusta. Nothing is out of the ordinary for home construction.

Matt: The request is just for a subdivision tonight, any other development on the parcel would go through typical reviews, by the code officers for a building permit or to the planning board if necessary.

Public Hearing Closed.

Board Discussion:

Delaine: She doesn't see anything abnormal about the subdivision itself, and understands that the noise is just for typical home construction.

Justin: There are no uses being requested which are not allowed.

Pete: Earthwork is part of construction, a necessary evil. He expects once the construction is completed, the earthwork equipment will move off the site.

Motion by Alison: In the matter of Fred & Camille Scannell for a Minor Subdivision Review as per Sections 300-405 and 300-603.E. The subdivision consists of three lots from a 46.32 acre parcel of land. The first land division occurred on November 10, 2014, creating a 2.12 acre lot on Woodard Rd. The Scannells proposed to create a 3.1 acre house lot and a 41.2 acre undeveloped lot. The house lot division creates a third lot within a five year timeframe, triggering minor subdivision review. The project is located at 115 Ward Road in the Rural Ponds District (RPDS) and can be found on Tax Map 8, Lots 35, 35A and 35B.

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

- The applicant has requested nine waivers from the application requirements of our Land Use Ordinance; seven from Plan requirements and two from Application Materials required for submission. Due to the nature of the subdivision, staff supports these waivers. These waivers are granted.
- The applicant has also requested two waivers from Project Narrative requirements; one for traffic movement information for major developments and one for stormwater management plans. Since neither is applicable due to the nature of the subdivision, staff supports these waivers. These waivers are also granted.

I have also considered and agree with the Conclusions of Law as written. I believe the project as presented to us this evening, is able to meet the standards of our Land Use Ordinance. I move to approve the application.

Seconded by Steve.

Vote: 6:0. All in Favor. Motion passes.

Public Hearing: Major Subdivision. Proposed six lot subdivision on 20.27 acres of land, including five residential house lots and a vacant undeveloped lot. Property is in the Planned Development 2 District (PD2) and includes a Stream Protection 100 Shoreland Overlay District (SP100). Assessor's Map 6, Lot 43. Located on Blair Road.

Delaine makes a motion that the Blair Road subdivision be postponed to August 9th

Seconded by Alison.

Vote: 6:0. All in Favor. Motion passes.

Public Hearing: Major Development. Proposed 52,770sf building addition to the Performance Foodservice - Northcenter building with associated parking and fire access. Property is in the Industrial District (IA) and General Development Shoreland Overlay District (GD). Assessor's Map 53, Lot 23A. Located at 20 Dalton Road.

Matt Nazar gave an overview of this agenda item.

Applicant: Elliot Thayer - Thayer Engineering, here with Greg Piper and Tim Holt from PFG. This is a continuation of the application approved in December 2015 for a truck parking lot. The parking lot is nearly completed, and will allow for the building addition and reconfiguration of parking. MDEP has approved the Site Location of Development amendment and the NRPA permit for activities within 75 feet of the river. The parking will be paved. The fire lane will extend northerly around the rear of the building to maintain fire access. Two waivers, one for landscape buffer and one for stormwater detention. Both waivers were requested and granted back in December for the parking lot.

Alison: Do you know when building construction will start?

Greg Piper: September.

Alison: Visited the site on Sunday, not going past the hard hat sign, lots of tractor trailer trucks are on site. It is a busy area.

Elliot: The parking lot is nearly constructed.

Steve: Are lights on the outside of the building?

Elliot: Yes, and some will be in the parking lot. They will be fully shielded.

Public Hearing Opened:

Public to Speak in Favor of the Application: None.

Public to Speak Against the Application: None.

Public to Speak Neither for nor Against the Application: None.

Public Hearing Closed.

Board Discussion:

Alison: Should we hear from Lionel about traffic or stormwater?

Lionel: I have no concerns.

Delaine: Has no concerns.

Motion by Alison: In the matter of Performance Food Group, Inc. for a Major Development Review as per Sections 300-405 and 300-603.E. The applicant proposes a 52,770 sf building addition to the Performance Foodservice – Northcenter building with associated parking and fire access. The project is located at 20 Dalton Rd in the Industrial District (IA) and the General Development Shoreland Overlay District (GD) and can be found on Tax Map 53, Lot 23A.

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

- The applicant has requested a waiver of the landscaping buffer along the eastern side of the parking lot, abutting railroad property. As no landscaping currently exists and the abutter is an industrial use and staff has no concerns with this request, this waiver is granted.
- The applicant has requested a waiver from the stormwater detention standards. Staff recommends granting this waiver as the Maine DEP has already granted a permit waiving the stormwater detention standards. This waiver is granted.

I have also considered and agree with the Conclusions of Law as written. I believe the project, as presented to us this evening, is able to meet the standards of our Land Use Ordinance. I move to approve the application.

Seconded by Delaine.

Vote: 6:0. All in Favor. Motion passes.

Minutes:

Motion by Alison to accept the minutes as written.

Seconded by Steve.

Vote: 6:0. All in Favor. Motion passes.

Adjourn

Motion by Delaine to adjourn at 7:48 pm.

Seconded by Steve.

Further Discussion. None.

Vote: 6:0. All in Favor. Motion Passed.

Minutes by Betsy Poulin, Assistant Planner.