

# PLANNING BOARD MEETING MINUTES

Minutes of the Augusta Planning Board meeting held on March 10, 2015.

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

Board members absent: Pete Pare, Heather Pouliot

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

Guests present: Kate Sheaff, Dee Keneagy, Don Keneagy, Mary Frances Bartlett, Shawn E. Chapman, David Smith, Patricia West, Charles Plemmons, Alicia Barnes, Maggie Milligan, Jim Coffin, David Pare

Corey Vose, Chair, called the meeting to order at 7:00 p.m.

**Public Hearing: Minor Development. Application of Shuman Family Second LLC to construct a vehicle display lot for the Subaru dealership. Assessor's Map 16, Lot 31A and 32. Located at 480 Western Avenue in the Regional Business (CC) District.**

Matt Nazar, Director of Development Services

Site was used as a lay down area for MaineDOT project on Western Avenue – lay down areas don't require approval from the City – temporary in nature – work done on site to make it suitable for a lay down area

There will be a raised island in the middle of Western Avenue once MaineDOT project is done – it will be just to the east of Brann Avenue and end at the Shuman Drive light

Proposed entrance on Western Avenue is right-in, right-out only

Lighting fixtures mid-way up poles tip up and are not full cutoff. Poles were moved from another part of Subaru dealership property.

Slope between Collision Center and site is pretty level now

Delaine Nye

In the staff review, under history and identity of area – describes lot as being within a strip of auto dealerships. Add that it is part of a residential neighborhood?

Justin Poirier

How many letters from public have been received?

Susan Redmond

One received from Ron Lovaglio

Corey Vose

I received one today too that I will share in the public comments section

Alison Nichols

Is the fixture at top of poles full cutoff? It has a curved lens.

Matt Nazar

I don't know if fixture at top of the pole is full cutoff. A specifications sheet on fixture would include that information

Lionel Cayer, City Engineer

Suggest right-turn only sign at Western Avenue

Technical standards allow for one entrance on each street

Reviewed stormwater

Traffic not an issue

Comfortable with no traffic report

Jim Coffin, Coffin Engineering & Surveying

No bufferyards installed

Current curb cuts are identical to the ones that existing before lay down area created

Two pole lights along Western Avenue

Parabolic lens – needs to be replaced; floodlights need to be replaced. Propose to install full cutoff fixtures

Right turn only has been added to the plan

Bufferyard to the south is over 15 feet wide and meets the bufferyard standards

No financial letter – work has been done except for bufferyard – will ask for letter if you want

City Engineer wanted 140 feet between Western Avenue and curb cut on Brann Avenue – that is provided

Lights will go off around 10 pm

Owner wants to keep Brann Avenue exit for prospective development only.

Alison Nichols

When Candlewick Cottage was located on lot, there was no connection between Brann Avenue curb cut and parking lot

Why need curb cut on Brann Avenue and Western Avenue? Shuman Family lots are connected

Delaine Nye

If have curb cut on Brann Avenue, east bound drivers on Western Avenue will avoid waiting at Shuman Drive light by turning onto Brann Avenue and cutting through display lot so can take a right at Shuman Drive light

Justin Poirier

Client open to locked gate at Brann Avenue curb cut?

Jim Coffin

That's a possibility

Delaine Nye

Concerned about neighborhood compatibility and consistency with growth plan

Matt Nazar

Augusta Car Care is a home occupation with a commercial use

Tom Connors

Would the gate be locked all the time?

Public comment:

Letter from Cynthia Banks read by Corey Vose

Tom Connors

Support project if Brann Avenue exit locked or curb cut is removed

Corey Vose

Agree with Tom. Think locked gate preferable.

Think Western Avenue curb cut is okay with a right-out only

Alison Nichols

When Candlewick Cottage was there, Brann Avenue curb cut wasn't used for business

Matt Nazar

There was a small parking lot off Brann Avenue curb cut. Dumpster located there.

Justin Poirier

Gate accomplishes the same goal as removing the curb cut

Alison Nichols

Gate is different than a bufferyard

Close off entrance to Brann Avenue, have it buffered

Doing nothing by putting a gate there

Delaine Nye

Agree with Alison

If I lived on that street, I would not want a gate - I would not want traffic coming through there

Alison Nichols

In a car dealership proposal that we reviewed in the past, an entrance was proposed on a dead-end street in a neighborhood. Neighbors were concerned about people test driving cars on their street. That could be a consideration for this proposal.

Delaine Nye

Don't think Brann Avenue curb cut meets neighborhood compatibility criteria. Believe rest of proposal meets neighborhood compatibility criteria.

Alison Nichols and Tom Connors agreed with Delaine Nye.

Motion by Alison Nichols (7:55 p.m.): In the matter of the request by the applicant, Shuman Family Second LLC, for a Minor Development review. The applicant is proposing to construct a vehicle display lot. The project is located on Tax Map 16 in the Regional Business (CC) District and encompasses Lots 31A and 32.

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

17. The applicant has requested a waiver from submitting a traffic report. Since the applicant is constructing a parking lot only to be used for vehicle display, and the City Engineer does not think a traffic report is necessary, we grant this waiver request.
18. The lot, as it exists today, was created by MaineDOT as a “lay down” area for its materials as it worked on Western Avenue.
19. The residential neighborhood that exists along Brann Avenue, a dead-end street, is an endangered neighborhood that deserves some protection from any encroaching business for both quality of life concerns and safety issues.

I have also considered and agree with the Conclusions of Law as they pertain to 4.4.1 Criteria for Reviewing the Preapplication as presented in the staff review in preparation for this discussion. However, this project, as proposed, does not meet all of the standards as set forth in section 6.3.4 Site Plan Criteria Applicable for Conditional Use. It does not meet 6.3.4.1 all subcategories, Neighborhood Compatibility.

I believe, with the following conditions, the project can meet these standards. These standards shall be met prior to the Signature of Approval on the Site Plan and no site or building permit shall be issued until these conditions are met.

1. The project will not include any kind of entrance or exit onto Brann Avenue. The entrance that exists there now will be completely buffered with the comparable bufferyard that goes along the rest of the property along Brann Avenue.
2. Submit a letter which demonstrates that the applicant has sufficient financial capacity to comply with the ordinance.
3. Submit a lighting specification sheet for the fixtures at the top of the poles which demonstrate that the fixtures are full cut-off and remove the fixtures that are half-way up the poles.

Seconded by Delaine Nye. All in favor. 6:0. Motion passed.

**Public Hearing: Minor Development. Conditional Use. Application of the Elsie and William Viles Foundation to construct a 27 space parking lot and modify the entrance / exit**

**into the lot. The applicant proposes to change the use in the portion of the lot that is within the BP District to conference center, which is a conditional use. Assessor's Map 10, Lot 31. Located at 71 Stone Street in the Institutional/Business/Professional (BP) District.**

Matt Nazar gave an overview of the project.  
City Council rezoned front section of parcel

Delaine Nye  
Is there a sewer line on the property?

Jim Coffin, Coffin Engineering & Surveying  
There is a public sewer line – location to be determined  
Meetings will be held at off-peak times  
No events at night  
Stormwater from parking lot will be directed to detention pond  
Small amount of wetland impacts – no DEP permit required  
Opposed to putting note on plan regarding no grading in right of way. Will be grading for entrance.

Speaking against:

Katherine Sheaf, 1 Fairview Avenue  
There are deciduous trees to south of building – can see onto property in winter  
Why not locate parking lot on other side of house away from wetlands?  
Suggest evergreen buffer between parking lot and property line

Dee Keneagy, 3 Fairview Avenue  
Agree with Katherine's points  
Like that there won't be evening meetings  
Opposed to size of parking lot – 27 cars is huge

Charles Plemmons, 5 Fairview Avenue  
Same concerns as last two speakers

Neither for nor against:

David Smith, 37 Davenport Street  
Lighting and stormwater concerns have been addressed  
Encourage to think about headlight sweep

Dave Pare, 75 Stone Street  
Chiropractor's office  
Don't have a problem as long as not going to cut down existing trees

Jim Coffin  
Trees along property line will not be disturbed

Interior trees will be disturbed for detention pond, parking lot  
Suggest install line of coniferous trees to south of parking lot  
Client doesn't want to install fence  
Sun sets earlier in winter  
Don't need 27 parking spaces – used formula from another municipality's ordinance to calculate the number of spaces

Matt Nazar

How many spaces do you think you need?

Board has the ability to reduce the number of parking spaces by up to 50%

Patsy West, Executive Director of Viles Foundation

There are 3 rooms used by groups: dining room, living room, music room downstairs  
Can have 30-40 people seated in one of the rooms. For a reception, could go as high as 50 people.

Because of the square footage, we could have 135 people. The house would not accommodate that many people. We would never have that many.

Only one organization will use the house at a time

Used during day

Too congested without a parking lot. Want to direct the traffic.

I don't know how many parking spaces are needed

People carpool to the events

Jim Coffin

[listen to tape again 8:35]

Did parking calculation based on square footage of first floor which is 5700 square feet

If only one meeting room is used at a time, it would significantly reduce the amount of parking required

I don't know how many parking spaces are needed

Could construct half the parking lot – the northern half so headlights would turn towards the building, and see if that's sufficient

Will install evergreens regardless of how much of lot is built

Matt Nazar summarized a discussion between Jim Coffin and the Planning Board: Planning Board is talking about potentially approving the parking lot as it is. The Viles Foundation could choose to build half of the parking lot. If build only half of it, construct the northern part so headlights shine towards the building.

Delaine Nye

Resident of Fairview Avenue

I'm not within 500 feet of the rezoned area

Willing to recuse myself

Susan Redmond

Draft conditions of approval 2 - 6 have been met

MOTION by Delaine Nye (8:43 pm): I move that the project submitted by the William and Elsie Viles Foundation for a parking lot at 71 Stone Street, Map 10, Lot 31, be approved based on the fact that it meets the standards of the Land Use Ordinance. The parking lot may be constructed up to 27 spaces as requested by the applicant. The applicant shall build the lot to the greatest extent possible so that the parking spaces result in cars facing towards the Viles building rather than towards the south side of the property. A row of evergreen trees shall be planted on the south side of the parking lot to act as a year-round buffer to protect the residents on Fairview Avenue. The site plan shall be revised to include a note that the retention pond will not encroach into the right of way. Seconded by Tom Connors. All in favor. 6:0.

### **Public Hearing: Official Business Directional Signs (OBDS) on the Route 3 Connector.**

Matt Nazar gave an overview of the proposal.

#### Speaking in favor:

Alicia Barnes, Red Barn  
In favor of proposal.

Alison Nichols: I move that the language provided to us by Matt concerning placing Official Business Direction Signs along the new Route 3 connector be sent to council. Seconded by Delaine Nye. All in favor. 6:0. Motion passed.

### **Workshop: Land Use Ordinance Amendment. Create a definition for museum and discuss which zoning districts to add the use to.**

Matt Nazar

Proposal to create a first amendment museum at the Gannett House

Museums in Augusta: Maine State museum, children's museum

Kennebec Historical Society does not fall within the definition of museum

Could make use a conditional use in zones

Museums are allowed today in any district that allows services. Services aren't allowed in the zone that the Gannett House is in.

Add to BP, CC, KBD1, KBD2 zones

Hold a public hearing

### **Minutes**

Motion by Steve Dumont to approve the February 24, 2015 minutes as drafted. Seconded by Alison Nichols. All in favor. 6:0. Motion passed.

### **Adjourn**

Motion by Justin Poirier to adjourn at 9:10 p.m. Seconded by Steve Dumont. All in favor. 6:0. Motion passed.