

Town of Scarborough

Planning Board

May 12, 2008

AGENDA

1. Call to Order (7:00 P. M.)
2. Roll Call
3. Approval of Minutes (April 22, 2008)
4. The Planning Board will hold a public hearing to receive input regarding a Contract Zoning agreement with Broadturn Farm LLC
5. The Planning Board will conduct a public hearing to receive comments on an amendment to the Zoning Ordinance regarding a new definition for water dependent sports practice facilities and a Special Exception for those facilities in the Industrial Zone
6. Consent Items
 - a. Southborough, Peter Anastos requests final approval for restaurant development on Lot 200 on site off Payne Road
 - b. First Look Plaza, Neptune Properties requests amended site plan for signage on site at 273 Payne Road
7. Zebra Striping, Michael Snowman requests site plan amendment for 960 square foot office building on site at 101 Pleasant Hill Road
8. Glaude's Diner, Mike and Jeanne Glaude request site plan amendment for 520 square foot ice cream stand on site at 623 U. S. Route One
9. Management Research Group requests sketch plan review for 10,400 square foot office building on Lot 29 at the Enterprise Business Park
10. Administrative Amendment Report
11. Town Planner's Report
12. Correspondence
13. Planning Board Comments
14. Adjournment

NO NEW ITEMS SHALL BE TAKEN UP AFTER 10:30 P. M.

Town of Scarborough

Planning Board

May 12, 2008

MINUTES

Members Present

Staff

Mr. Callahan
Mr. Fellows
Ms. Littlefield
Mr. Mazer
Mr. Thomas

Mr. Chace, Assistant Planner
Ms. Logan, Recording Secretary

1. Call to Order

Mr. Fellows called the meeting to order at 7:00 P. M.

2. Roll Call

The Recording Secretary called the roll; Messrs. Chamberlain and Paul were absent. Mr. Fellows welcomed Mr. Mazer to the Board and authorized Messrs. Mazer and Thomas to vote. Mr. Fellows asked that Mr. Mazer not vote on Item 6a. because he had not heard the project.

3. Approval of Minutes (April 22, 2008)

Mr. Callahan moved to approve the minutes of April 22, 2008, Ms. Littlefield seconded.

Voted 5-0

Mr. Fellows noted that Item No. 8 had been withdrawn.

4. The Planning Board will hold a public hearing to receive input regarding a Contract Zoning agreement with Broadturn Farm LLC

Mr. Chace stated that this public hearing pertained to the language of the Contract Zone for a request for a farm camp for up to 40 campers, to allow 20 pigs, for events, to install a small commercial kitchen, and to establish three cabins for the seasonal workers.

Ms. Stacy Brenner, of Broadturn Farm, explained their request as noted by Mr. Chace; she stated that they hoped to have 10 wedding-type events and seven agricultural events per year. She stated that the commercial kitchen would allow them to process extra farm produce into products such as jam.

Mr. Fellows opened the public hearing; no one spoke for or against the project; Mr. Fellows closed the public hearing.

To a question from Mr. Callahan, Mr. Chace replied that the Town Council would be given the Board's thoughts on this project and would decide on the Contract Zone language, then the Planning Board would address site plan review. Mr. Chace stated that the staff had met with the applicant and the concerns regarding the septic system were discussed. Ms. Littlefield noted that the requested uses made a lot of sense with minimum impact to the land and she was in favor of the project. Mr. Thomas stated that this

was a good project. Mr. Fellows stated that he supported the project; he noted the requirements for site plan review once the Contract Zone language was adopted.

5. The Planning Board will conduct a public hearing to receive comments on an amendment to the Zoning Ordinance regarding a new definition for water dependent sports practice facilities and a Special Exception for those facilities in the Industrial Zone

Mr. Chace noted that the present ordinance allowed water dependent golf driving ranges as Special Exceptions in the Industrial Zone; he stated that this amendment would change the language to allow water dependent sports practice facilities for other sporting equipment.

Mr. Willie Ledoux, who owns a water dependent golf facility on Pleasant Hill Road, stated that he was seeking to diversify and was looking to add batting cages.

Mr. Fellows opened the public hearing; no one spoke for or against the proposal; Mr. Fellows closed the public hearing.

Mr. Thomas stated that his concern was that the balls would go too far; Mr. Ledoux stated that he had retainer booms to keep balls from the neighbors' properties and has had no problems with existing golf practice tees. To a question from Mr. Mazer, Mr. Ledoux replied that batting cages and golf would be his only sports; he stated that he had purchased the safest rubber balls. Ms. Littlefield stated that this use appeared compatible. To a question from Ms. Littlefield, Mr. Ledoux replied that he did have pitching machines with many safety features. To a question from Mr. Fellows, Mr. Ledoux replied that the balls would float.

To a question from Mr. Callahan, Mr. Ledoux replied that he had 25 parking spaces and had never had a problem with parking; he stated that he would comply with the regulations. Mr. Fellows stated that this proposal made sense and he had no issues; he stated that the Planning Board would deal with site plan review following approval by the Town Council.

6. Consent Items

a. Southborough, Peter Anastos requests final approval for restaurant development on Lot 200 on site off Payne Road

Mr. Chace stated that the DEP permit was received late this afternoon and that had been the only outstanding issue; he stated that he had written a draft motion for the Board. Ms. Maureen McGlone, of Gorrill-Palmer, stated that they were ready for approval.

Mr. Fellows moved to approve the site plan for Lot 200 with the following conditions:

1. That the site be constructed in accordance with the plans entitled Southborough – Lot 200 Phase 2A, drawing C101, drawn by Gorrill-Palmer Engineers, dated 10/2007 and revised 2/25/08; and the building constructed in accordance with architectural elevations entitled Sebago brewing, drawn by Whipple Callender Architects, dated 3/15/08.

2. That the off-site intersection and pedestrian improvements be constructed prior to the issuance of a Certificate of Occupancy and in accordance with the plans entitled Southborough – Lot 200 Phase 2A, drawing C101A by Gorrill-Palmer Engineers, dated 12/2007.

3. That the applicant pay the requisite Payne Road and Dunstan Impact fees prior to the issuance of a building permit.
4. That the applicant execute and record a declaration of unified ownership at the Cumberland County Registry of Deeds prior to the issuance of a building permit.
5. That the applicant pay the peer review fees prior to the issuance of a building permit.

Ms. Littlefield seconded the motion.

Voted 4-0

b. First Look Plaza, Neptune Properties requests amended site plan for signage on site at 273 Payne Road

Mr. Chace explained that this site had been approved in July of 2007 with the condition that the applicant return to the Board for signage approval following amendment of the Haigis Parkway sign regulations. He stated that the staff felt the proposed sign package complied with the zoning regulations as amended in February 2008.

Ms. Littlefield confirmed that the monument sign would include the words "Gateway Square." Mr. Fellows stated that this was a straightforward request which was in compliance with the Ordinance.

Mr. Fellows moved to approve the signage as presented; Mr. Callahan seconded.

Voted 5-0

7. Zebra Striping, Michael Snowman requests site plan amendment for 960 square foot office building on site at 101 Pleasant Hill Road

Mr. Chace stated that the applicant wanted to construct a 960 square foot office on this site where there are two existing buildings. He stated that the building needed to be at least 20 feet from the other buildings and the applicant should coordinate with the Fire Department for fire rating. Mr. Chace stated that if there was more than one structure on the site, the Planning Board could approve it as a unified development which must be filed with the Registry of Deeds requiring that it would be under unified ownership.

Mr. Joe Colby, contractor, stated that Zebra Striping's office was now a 12 by 16 foot space in one of the garages and they wanted to move to better quarters. He stated that there would be no new employees so no additional parking was needed. Mr. Colby stated that the Fire Department was satisfied that their building would be metal, which would meet the codes, and would be 20 feet from the other buildings; he stated that they would have to meet all codes in order to get their building permit.

To a question from Ms. Littlefield, Ms. Nancy Baker, of Zebra Striping, replied that their abutter was CLYNK, the recycling business. To a question from Ms. Littlefield, Mr. Colby replied that there would be one exterior light and no flood lights. Ms. Littlefield stated that she had no issues. To questions from Mr. Fellows, Mr. Colby replied that there would be underground service with a separate electric meter and there would be a propane tank in the back corner. Ms. Littlefield stated that the landscaping should be enhanced in the front as noted in the staff comments. Mr. Colby stated that there was a large dropoff so he did not know what could be done for landscaping. Mr. Fellows stated that he had no issues with the project.

Mr. Fellows moved to approve the site plan amendment for a 960 square foot building with the following conditions:

1. That the site be constructed in accordance with the plans a submitted on April 16, 2008
2. That exterior lighting fixtures be full cutoff fixtures and be reviewed and approved by the Planning staff prior to issuance of a building permit.
3. That the applicant execute and record a declaration of unified ownership at the Cumberland County Registry of Deeds prior to the issuance of a building permit.
4. That the applicant fire rate the proposed building and abutting building's exterior walls in accordance with the requirements of the Town of Scarborough Fire Department.

Mr. Callahan seconded.

Voted 5-0

8. Glaude's Diner, Mike and Jeanne Glaude request site plan amendment for 520 square foot ice cream stand on site at 623 U. S. Route One

This item was withdrawn by the applicant.

9. Management Research Group requests sketch plan review for 10,400 square foot office building on Lot 29 at the Enterprise Business Park

Mr. Chace stated that this was the lot next to the Animal Neurological Clinic on Lot 30; he stated that there were comments from the Conservation Commission regarding proximity to the stream, erosion control and stormwater management.

Ms. Rachel Sunnell, of Gawron-Turgeon Architects, noted that this site was at the end of Technology Way; she stated that the square footage of the two-story building would be 10,400, with a 7,200 square foot footprint. Ms. Sunnell stated that the structure would be metal and a lot of glass with curved and flat roofs. She stated that the structure would back up to the stream and the woods. Ms. Sunnell stated that the Haigis Parkway Zone required a 15 foot setback on all sides and 75 feet from the stream, which had been surveyed. She stated that they proposed 45 parking spaces and showed 58 on an alternative plan, which was required by the Ordinance; she stated that there were 20 employees and spaces for people using the training room. Ms. Sunnell stated that this was a challenging lot and they had to be within 30 feet on two sides for emergency access. She stated that the rear of the lot was not buildable; she stated that their sidewalk would interconnect with the Enterprise Park system.

Mr. Chace noted that the higher number of parking spaces had to be used to design the stormwater in the event the spaces needed to be built to ensure that the site could handle the higher capacity. Mr. Chace stated that the approval for Lot 30 required that their sidewalk be constructed this summer but the sidewalk stopped at the far end of the driveway and the Planning Board needed to be aware of that issue. Ms. Sunnell stated the stormwater was calculated on the buildable area of the entire Enterprise Park so their stormwater control should be sufficient.

To a question from Mr. Mazer, Ms. Sunnell replied that the Fire Department had them move the building closer to the road and driveway so there would be a minimum of 30 feet from the structure for emergency access. Mr. Callahan confirmed that access to the building was necessary on only two sides because it would be sprinklered. To a question from Mr. Callahan regarding a combined access, Ms. Sunnell replied that there could not be a driveway within 15 feet of the property line in the HP Zone.

Ms. Littlefield stated that she liked minimizing the parking; she suggested that the landscaping be compatible with that of Lot 30. To a question from Ms. Littlefield, Ms. Sunnell replied that Scarborough Downs was to the north of this site. Mr. Fellows asked whether the dumpster could be located further from the lot line; Ms. Sunnell replied that they did not know where else it could go and this was the best location for easy access for pickup and without removing a parking space. She stated that the landscaping plan would show the dumpster well buffered. Mr. Fellows stated that he liked the architecture. To a question from Mr. Fellows, Ms. Sunnell replied that the building would be for office use with a quality work environment; she stated that this lot was chosen for its location and proximity to the stream..

Mr. Fellows noted that the Design Standards did allow contemporary buildings but the Board would be careful about reflective materials and would want to see building material samples. To a question from Mr. Callahan, Ms. Susan Spencer, of Management Research Group, replied that they had FedEx deliveries daily.

Mr. Fellows asked that DEP documents showing erosion control, specific to the Conservation Commission comments, be presented. He stated that the Board would want to discuss signage and the landscaping plan as well as a rendering of the building and landscaping facing the street. Ms. Sunnell noted that, because of the requirement that parking not face the street, it was awkward for the building to face the street. Mr. Callahan stated that overnight lighting should be minimal. Ms. Sunnell stated that they would provide overnight security lighting because some employees worked at night.

10. Administrative Amendment Report

There were no Administrative Amendments.

11. Town Planner's Report

Mr. Chace stated that a Planning Board workshop had been scheduled for June 9, 2008 to discuss the commercial design standards. He stated that Terry DeWan, who drafted the standards, and Susan Auglis, who worked on the standards, would speak, and the Town Council members were invited. All members present stated that they were available for that workshop.

12. Correspondence

Mr. Chace stated that there was a memo from Mr. Bacon indicating that Scarborough Donuts had dropped their appeal on the site plan but the subdivision plan appeal was still pending. Mr. Chace stated that there was also a letter from Hospice of Southern Maine regarding the proposed retirement community off Elmwood Avenue.

13. Planning Board Comments

Mr. Callahan noted that he would not be at the next meeting.

14. Adjournment

The meeting was adjourned at 8:15 P. M.