

Town of Scarborough

Planning Board

August 4, 2008

AGENDA

1. Call to Order (7:00 P. M.)
2. Roll Call
3. Approval of Minutes (July 14, 2008)
4. The Planning Board will conduct a public hearing to receive input regarding proposed amendments to the Zoning Ordinance to establish a Running Hill Mixed Use District (RH)
5. The Planning Board will conduct a public hearing to receive input regarding proposed amendments to the Zoning Ordinance to establish a Running Hill Mixed Use District (RH2)
6. The Planning Board will conduct a public hearing to receive input regarding proposed amendments to the GIS Zoning Map for new zoning changes to the Running Hill Area
7. The Planning Board will conduct a public hearing to receive input regarding changes to the Sign Ordinance for the Haigis Parkway District
8. The Planning Board will conduct a public hearing to receive input regarding changes to the Zoning Ordinance regarding the recording of Contract Zoning agreements
9. The Planning Board will give an advisory opinion for a 24 by 40 foot garage to be moved to the Scarborough Public Works site at 20 Washington Avenue
10. Timber Sands Subdivision, Risbara Properties LLC requests final subdivision approval for 10 single family lots at 462 Old West Beech Ridge Road in the R-F Zone
11. Mitchell Hill Heights, B. D. Heanssler Construction requests amended subdivision plan to allow disturbance of the building setback on Lot 16\*
12. Harvest Development requests site plan and subdivision plan review for Phase 1 of Scarborough Retirement Community on Elmwood Avenue\*
13. Gateway Square, New England Expedition – Scarborough, LLC requests review of amended site plan for 8,700 square foot KinderCare facility and 90,000 square foot office building on site at Haigis Parkway and Payne Road\*
14. Cornerstone Baptist Church requests site plan amendment for new play area and 28 by 52 foot multi-purpose building on site at 415 U. S. Route One
15. Northeast Concrete Pumping Company requests site plan amendment for storage building, vehicle pad and parking at 7 Border Road
16. Walgreens requests sketch plan review for 13,150 square foot structure on 2 lots at Routes One and 114 in the Oak Hill Plaza

17. Thurlow Properties LLC requests sketch plan review for 6 single family lots on King Street in the B-1 Zone

18. Scarboro Signs, Eighty Nine Canal Street Realty Trust requests site plan amendment for 1,200 square foot garage addition on site at 715 U. S. Route One

19. Administrative Amendment Report

20. Town Planner's Report

21. Correspondence

22. Planning Board Comments

23. Adjournment

\*Opportunity for public comment will be offered by the Planning Board on these items.

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

A site visit to the Harvest Development facility on Canco Road, Portland, will take place at 5:00 P. M.

Town of Scarborough

Planning Board

August 4, 2008

MINUTES

Members Present

Mr. Chamberlain  
Mr. Fellows  
Ms. Littlefield  
Mr. Paul  
Mr. Thomas

Staff

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

1. Call to Order

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

2. Roll Call

The Recording Secretary called the roll; Mr. Callahan and Mr. Mazer were absent. Mr. Paul authorized Mr. Thomas to vote.

3. Approval of Minutes (July 14, 2008)

Mr. Chamberlain moved to approve the minutes of July 14, 2008 as written; Ms. Littlefield seconded

Voted 5-0

4. The Planning Board will conduct a public hearing to receive input regarding proposed amendments to the Zoning Ordinance to establish a Running Hill Mixed Use District (RH)

Mr. Bacon gave a PowerPoint presentation for items 4, 5, and 6 explaining the Comprehensive Plan and the growth areas and limited growth areas. He stated that the goals for the RH Mixed Use Zone were for mixed use in the growth area and a transition from South Portland as a gateway to Scarborough. Mr. Bacon showed the existing area of B-2 and R-F Zones which were not consistent with the Comprehensive Plan and the proposed zoning map. He explained the proposed uses.

Mr. Paul opened the public hearing and asked that members of the public limit their comments to three minutes and try not to repeat what someone else had said.

Mr. Francis Aubrey, of 32 New Road, stated that he loved this area where he had lived for a long time and it should stay the way it is; he stated that the traffic would only get worse. He stated that he did not understand how the public could figure out all the things that would be allowed or how to handle all the traffic. He stated that this rezoning was all about money for the big landowners in the area. Mr. Aubrey stated that he thought this type of development should stay on Payne Road and Route One and off Running Hill Road. He stated that this zoning could not be done and keep the area country with a 50 foot wide road. He stated that other changes would go up Route 114 where there would be industry; he stated that there could be development down to Dunstan from Scarborough Downs.

Mr. Frank Smart, of 25 New Road, stated that he loved it here and if he knew this was coming he would not have moved to New Road. He stated that he did not think development would happen for years but he was opposed to this zoning.

Mr. Harry White, of 135 Running Hill Road, stated that he had never seen zoning like this where the Planning Board would take over all the rights and the developer would come up with the money for infrastructure. He stated that the answers to the public's questions interested him. He stated that the height limit of 45 feet on his side of the road made his land worth less than the other side of the road where 60 foot structures were allowed. Mr. White stated that the facts did not support the difference in zoning on opposite sides of the road and he should be allowed higher buildings. He stated that the 300 foot setback was a punishing requirement and this was a no-development zone. He stated that people would not build with those requirements so the zone would not work and the landowners would not be able to sell their land. He stated that once the zoning changed, the houses would become nonconforming and there should be a clause to allow the land to be enjoyed in its current use. Mr. White stated that two-thirds of his land was in the B-2 Zone which allowed everything and he would like it to see all B-2 with no big box stores.

Mr. Paul closed the public hearing.

Mr. Chamberlain noted that the 300 foot setback was required only if a building were higher than 45 feet. Mr. Bacon stated that lower buildings could be built within the 300 feet in front of a larger building and parking could be within that setback. Mr. Chamberlain stated that there was a potential nightmare with the B-2 Zone next to residences because there is no height limit. He noted that a lot of effort went into these decisions and it was an attempt to put some clarity to an area where it was needed.

Ms. Littlefield asked whether there was a plan to widen Running Hill Road; Mr. Bacon replied that funding had been received to study Running Hill Road, the impacts of this zoning and whether widening was necessary or whether the roadway should be fixed to slow the traffic. Ms. Littlefield stated that she would have issues with this zoning on a 50 foot wide road, did not understand the difference between the two sides of the street and would like to see the topography. She stated that the B-2 Zone would be too broad and stronger zoning would protect the residents.

Mr. Paul explained that the reason for choosing the north side for the RH Zone was because the dropoff occurred a lot sooner on that side and structures could be built into the hill and 60 feet would allow taller buildings with roof heights somewhat similar on both sides of the road. Mr. Bacon explained that building height was measured from the front, or the uphill side, and on the south side of the road the height could be 45 feet on the front and 60 feet high on the front on the north side and could gain a story in the rear when working with the grades.

To a question from Mr. Thomas, Mr. Bacon replied that the Board would recommend the changes to the Town Council for their public hearing on August 20, 2008; he stated that the Council would subsequently hold their second reading and make their decision on the zoning possibly in September. Mr. Thomas stated that the road would be studied and it appeared that there needed to be some clarification on the setbacks and building elevations; he noted that the setback would maintain some of the rural feel of the road. Mr. Fellows stated that the B-2 Zone did not address the needs of the area; he stated that these were tough issues that the public did not agree on and, given the reality, the zoning needed to happen and was going in the right direction.

Mr. Paul explained that the Comprehensive Plan Implementation Committee (CPIC) had worked on the best options for the area and this process was deeply rooted in the Comprehensive Plan; he stated that this area had been identified as a growth area and CPIC was not arbitrarily selecting a spot for development and was trying to implement what the Comprehensive Plan required. Mr. Paul stated that they were trying to keep the rural feel and that was why an esplanade was shown; he stated that the town wanted to maintain the view corridor as much as possible and still have a growth area. Mr. Bacon noted that there

had been discussions with South Portland and Westbrook regarding connection to their sewer systems for a low cost solution.

Mr. Paul stated that there was consensus among the Board that this zoning was on the right track, but there was a little concern about the width of the road and there may be a need to look at building heights in terms of setbacks from the street.

5. The Planning Board will conduct a public hearing to receive input regarding proposed amendments to the Zoning Ordinance to establish a Running Hill Mixed Use District (RH2)

Mr. Paul opened the public hearing. Mr. Martin Feeney, of 99 Running Hill Road, stated that his land was in the R-F Zone and may become an RH2 Zone; he stated that he liked the RF and feared becoming nonconforming. He stated that this proposed zoning was complex and detailed; he stated that maybe the Comprehensive Plan should be readjusted. Mr. Francis Aubrey, of 32 New Road, stated that it looked as if the Board's mind was made up. He asked about accessing the Turnpike from Running Hill Road. He stated that he needed to know what the traffic would be; he stated that he thought the zoning should be reconsidered because there were many variables. He stated that it would be a major project to keep the road rural.

Mr. David Merrill, CPIC member, stated that the Committee's job was to find a balance from the comments and communications and had heard and listened to a lot. He stated that there were a lot of constraints in this area and in the zoning. He stated that the Committee made its best attempt to put together language for reasonable development and meet the Comprehensive Plan needs for residential and commercial growth. Mr. Merrill stated that the Committee tried to make the zoning as comprehensive and manageable as possible; he stated that there was a moratorium that was implemented to give time to address the issues; he stated that there was development pressure that needed to be addressed and without the moratorium there would have been uncontrolled growth in the B-2 Zone.

Ms. Donna Dwyer, owner of property at 125 Running Hill Road, stated that she would like to applaud CPIC because they had given a lot of thought and input to the Comprehensive Plan. She stated that she supported the proposed zoning. She noted that there was a dichotomy of people who did not want to change the zoning and others who wanted to do it all; she stated that the town had to meet in the middle and could not make everyone happy. Ms. Dwyer encouraged the Board to not allow the B-2 Zone and to keep in mind that the aesthetics should remain. She stated that the requirements for infrastructure should not be too cost-prohibitive to developers.

Mr. Harry White, of 135 Running Hill Road, stated that it had not been his experience to be listened to at meetings; he stated that at one Comprehensive Plan meeting there were six speakers and five of them were dismissed; he stated that the only person who was heard was a real estate person who wanted high buildings and the others were not paid attention to. He stated that the Comprehensive Plan could be changed and the B-2 Zone could be put in with a transition area at the residential area.

Mr. Paul closed the public hearing.

Mr. Fellows asked about creating nonconforming uses; Mr. Bacon replied that the RH Zone would make the existing homes nonconforming but the zoning could indicate that single family dwellings existing as of a certain date would not be a nonconforming use and could be expanded. To a question from Mr. Fellows, Mr. Bacon replied that the RH Zone was originally proposed for only the north side but some landowners on the south side wanted zoning other than R-F so they would not be across from large buildings; therefore, the Transition Zone was created to serve on the south side to allow some level of commercial development to respond to the RH Zone on the north side, but not have large scale buildings

near the residences. He stated that there could be the same building heights on both sides of the road with taller buildings in the rear. To a question from Mr. Fellows, Mr. Bacon stated that he did not know if there were any other 300 foot setback requirements in Maine. Mr. Paul reiterated that the 300 foot setback was required only for buildings 45 feet or taller and the restriction did not say there could be no smaller buildings within that setback. Mr. Bacon noted that the Anthem and Gannett buildings in South Portland were well beyond 300 feet.

Mr. Thomas stated that the zoning was trying to limit skyscrapers and to maintain the rural nature of the area; he stated that the town understood the concerns but Scarborough was changing. He stated that people should stay informed by watching meetings on TV and reading the newspapers; he stated that there were no predetermined decisions and this Board does listen. Mr. Thomas stated that the density issues were addressed so there would be no huge complexes in the residential area. Ms. Littlefield stated that the existing homes should not be penalized. She stated that she did not understand the panhandle of RH2 against the homes; she asked why the R-F Zone would not be maintained in that area. To a question from Ms. Littlefield, Mr. Bacon replied that it could be quite some time before the Turnpike Authority had plans for a connector.

Mr. Chamberlain asked whether the potential hookup of the sewer was an initiative of the town or whether the first developer would bear the burden; Mr. Bacon replied that the town was trying to get the agreement finalized and the funding had not yet been determined. Mr. Chamberlain confirmed that lots under five acres had the option to use the Planned Development standards but all lots over five acres were required to meet those standards. He stated that it looked as though there were very minimal differences between the two zones other than lot frontage. Mr. Bacon stated that there were some benefits and flexibility in terms of parking, building footprint and setbacks, but the standards and uses were otherwise very similar. He stated that the difference was in the process for the Planning Board which would be more involved and would hold a public hearing for Planned Developments. Mr. Chamberlain agreed that the R-F Zone in the panhandle area should be reevaluated. Mr. Paul noted that the change in zone in that area was in response to feedback from some landowners who wanted to be included in the RH2 Zone.

Mr. Paul stated that, in terms of being cost prohibitive, developments had not been done unless they were good for the developers so he did not think there were restrictions in the ordinance that would prevent them from developing. He stated that the Board and the Committee had been listening and had been working on this zoning for more than six months with a lot of meetings and a lot of compromises from both sides. He stated that the Committee did its best to take the middle of the road to satisfy as many people as possible.

Mr. Paul stated that the main issues were addressing potential nonconforming properties and reviewing whether the panhandle area of RH2 should remain in the R-F Zone.

6. The Planning Board will conduct a public hearing to receive input regarding proposed amendments to the GIS Zoning Map for new zoning changes to the Running Hill area

Mr. Paul noted that Mr. Bacon had addressed this item in his PowerPoint presentation. Mr. Paul opened the public hearing. Mr. Francis Aubrey, of 32 New Road, asked about the panhandle of the proposed RH2 Zone; Mr. Bacon stated that the panhandle was near the intersection of New Road and Running Hill Road. Mr. Bacon stated that the east side of Cummings Road would remain in the B-2 Zone. To a question from Mr. Aubrey, Mr. Bacon reiterated the thoughts of the Turnpike Authority study of the connection from the Turnpike to Route 114. Ms. Betty Smart, of 25 New Road, stated that she was in support of the R-F Zone remaining to abut the RH2 Zone; she stated that this was a lovely, wooded area. Mr. Paul closed the public hearing.

There were no comments from the Board on the mapping. Mr. Paul stated that the map had to meet the Zoning; he stated that the panhandle of the RH2 Zone would be addressed at the next CPIC meeting.

7. The Planning Board will conduct a public hearing to receive input regarding changes to the Sign Ordinance for the Haigis Parkway District

Mr. Bacon stated that the Haigis Parkway sign regulations were changed earlier this year and an error allowed DOT directional signs on the parkway; he stated that this change would amend the ordinance so these signs would not be allowed.

Mr. Paul opened the public hearing; no one spoke for or against the amendment; Mr. Paul closed the public hearing.

Mr. Chamberlain confirmed that this was simply correcting an oversight. The Board agreed to a favorable recommendation to the Town Council.

8. The Planning Board will conduct a public hearing to receive input regarding changes to the Zoning Ordinance regarding the recording of Contract Zoning agreements

Mr. Bacon explained that the current requirement for recording agreements was 30 days after approval but that is too short a time to make adjustments so the staff recommended allowing 90 days to get the agreements recorded.

Mr. Paul opened the public hearing; no one spoke for or against the amendment; Mr. Paul closed the public hearing.

To a question from Mr. Paul, Mr. Bacon replied that 90 days was a typical amount of time for municipalities to require for the recording of documents and this would make the recording of Contract Zoning agreements consistent. The Board agreed that this was a positive change.

9. The Planning Board will give an advisory opinion for a 24 by 20 foot garage to be moved to the Scarborough Public Works site at 20 Washington Avenue

Mr. Bacon stated that this was simply an advisory opinion for Public Works to place a shed on their property. Mr. Fellows stated that he favored the garage as long as it was in compliance with the Fire Department requirements. To a question from Mr. Chamberlain, Mr. Bacon replied that all setbacks were met. Mr. Paul stated that this was a straightforward request as long as the Fire Department was satisfied with the turning radius between this and the existing building. Mr. Chace stated that the Fire Department had raised no issues at the staff meeting but he would confirm that with the Department.

10. Timber Sands Subdivision, Risbara Properties LLC requests final subdivision approval for 10 single family lots at 462 Old West Beech Ridge Road in the R-F Zone

This item was tabled at the request of the applicant.

11. Mitchell Hill Heights, B. D. Heansler Construction requests amended subdivision plan to allow disturbance of the building setback on Lot 16\*

Mr. Bacon explained that during installation of the foundation for a single family dwelling it overlapped the 15 foot setback to the 100 foot stream protection buffer required by the Planning Board; he stated that this was done in error. Mr. Bacon stated that this proposed amendment would adjust the Planning Board

setback at that location so it would be conforming; he stated that this was minimal and staff had no issues with the proposed change given the 100 foot buffer to the stream.

Mr. Fellows confirmed that this would not infringe on the stream buffer; he stated that he had no issues and the Conservation Commission had written that they had no issues. To a question from Mr. Chamberlain, Mr. Brent Heansler replied that this was his error. Mr. Chamberlain and Mr. Paul stated that they had no issues. Mr. Bacon stated that the amended subdivision plan could be signed after the meeting.

Mr. Paul moved to approve the amended subdivision plan as requested; Ms. Littlefield seconded.

Voted 5-0

Mr. Paul called a recess at 8:50 P. M.; the meeting resumed at 9:00 P. M.

12. Harvest Development requests site plan and subdivision plan review for Phase 1 of Scarborough Retirement Community on Elmwood Avenue\*

Mr. Bacon noted that tonight's topic was traffic and access to the site, as well as architecture if time allowed. He stated that there were memos from Mr. Bray and discussion should focus around the two proposed physical changes, one to interrupt Elmwood Avenue to focus access down Green Acres Lane and the other to make adjustments to the jughandle at Green Acres Lane and Elmwood Avenue. He stated that Mr. Bray thought more information was needed regarding how traffic would be after completion of the current construction on Maple Avenue.

Mr. Owens McCullough, of Sebago Technics, stated that they had worked with Mr. Bray and submitted the traffic study. He stated that Mr. Bray suggested they do traffic counts at the signalized traffic light at Route One and the I-295 connector after Maple Avenue was restored to determine how much of that traffic was cut-through or coming from the surrounding area. He stated that Mr. Bray also suggested that during Phase 3 of this project an updated traffic count be done to consider how the projections correlated with actual traffic.

Mr. John Adams, of Sebago Technics, stated that they had included some revisions in the traffic study to the jughandle by removing some pavement so that people could not use Sunset Road to Elmwood Avenue by cutting through to Route 114 through the I-295 turn; he stated that vehicles could still use that intersection to exit the area. He stated that people coming off I-295 do not slow down through this area. Mr. Adams stated that a section of Elmwood Avenue would be removed so traffic would use Green Acres Lane and Route One. He stated that they looked at all the statistics and there were no roads identified as high crash locations; he stated that they also looked at the site entrance and there was 400 feet of sight distance in both directions which was more than adequate.

Mr. Adams stated that they also looked at trip generations and increased their volume projections by 1% per year. He stated that the intersection of Route One and Green Acres Lane could handle the trips with the changes in the road for Phase 3; he stated that the signal at Route One would operate better with the changes proposed and the roadway could easily handle their trips. Mr. Adams noted the morning and afternoon peak hour trip rates and stated that the trip counts for the third phase only would require a DOT traffic movement permit, but they may go through the process before it was necessary.

Mr. Paul stated that if the public would like to speak, he would ask that comments be limited to three minutes and that people not repeat what others had said. Ms. Alison Davis, of 7 Third Avenue, thanked the applicant for taking their traffic concerns seriously; she stated that her concern was for traffic coming from Gorham to I-295 via Maple Avenue and Green Acres Lane at 40 MPH and they would instead use

Third Avenue to Sunset Road following the proposed road changes. Ms. Davis asked that the applicant consider something that would not send the traffic to Second and Third Avenues. Ms. Jeannine Uzzi, of 13 Sunset Road, stated that the only way to solve the problem would be to cut off Sunset Road and she would support that change. Ms. Uzzi stated that Mr. Bray indicated at an Oak Hill traffic calming meeting that trips coming from I-295 into her neighborhood had not been counted. She noted that the Canco Woods site was different from this site because Canco Road was much wider and was between an industrial area and a residential area; she stated that this project was proposed in a very different neighborhood. Ms. Uzzi stated that if the traffic problems could be solved with this project, she would support it.

Mr. Gregg Allen, of 104 Maple Avenue, noted that there was a study that showed vehicles traveling 50 MPH on Maple Avenue. He reiterated that the two proposed changes had to be made in tandem or they would not work. Mr. Frank Suszczynski, of 26 Meeting House Road, thanked the applicants for listening to the concerns. He stated that it looked as if Green Acres Lane had turned into a private access to this development and he wondered how one could get into the rest of the area; he stated that people would try this approach and would have to turn around to get out. He stated that some traffic calming was needed.

Ms. Anne Marie Silvius, of 29 Maple Avenue, stated that traffic would be forced to use Maple Avenue and would fly through so there would then be traffic problems on Maple Avenue. She stated that the project was still larger than any other assisted living facility in southern Maine. She stated that eliminating about 100 assisted living beds would bring down the weekend visits; she stated that she was still against the size because every other facility was on a main roadway and not in a little neighborhood. Mr. Peter Gordon, of 48 Maple Avenue, agreed that this would be a private entrance from Green Acres Lane; he stated that the intersection of Maple Avenue and Route One would be dangerous.

Mr. Paul stated that the applicant could include information about traffic entering from I-295 when Maple Avenue construction was completed. To a question from Ms. Littlefield, Mr. McCullough replied that there was no particular reason for the size of the break in the road but there were no curbcuts so the thought was to create as much green space as possible. He stated that they had contacted one abutter and would relocate his driveway. To a question from Ms. Littlefield, Mr. McCullough replied that the configuration of the jughandle would not allow access to the animal hospital and clients would have to use Route One, Maple Avenue and First Avenue. Ms. Littlefield stated that she would be concerned about what that would do to the clients. Mr. McCullough stated that changes do cause consequences and the only way they saw to address the traffic cutting through would be to make the changes noted and people would have to use Route One and Sunset Road; he stated that the other option was to leave the connection.

Mr. McCullough stated that he had suggested signage, striping and speed tables but there would still be a physical connection and people would use it. Mr. Paul stated that he understood the neighborhood concerns of trying to calm traffic, but the roads were public and people did have the right to cut through neighborhoods. Mr. Paul stated that he was not sure a jughandle was in the best interest of everyone; he stated that there had to be a good solution for the majority of the people. Mr. McCullough stated that they were open to trying to maintain some level of access through and could implement strategies but people would ignore those efforts. He stated that they could reconfigure the animal hospital's driveway.

To a question from Mr. Chamberlain, Mr. McCullough replied that the DOT owned the triangle of land between the road and the animal hospital. Mr. Chamberlain stated that he liked the two options but they were detrimental to the animal hospital and there must be a way to coordinate with the DOT to reconfigure the driveway and still provide egress from the neighborhood. To questions from Mr. Chamberlain, Mr. McCullough replied that the majority of the traffic came from Sunset Road and Elmwood Avenue and they would apply for their traffic movement permit as soon as possible though it would not be required until Phase 3. To a question from Mr. Chamberlain, Mr. McCullough replied that their traffic estimates were conservative and would be highest on Sunday; he stated that peak hours were during the

middle of the morning and afternoon and not the same as commuter traffic.

To a question from Mr. Chamberlain, Mr. Adams replied that the level of service without the project was F because the failing Route One dragged the whole intersection down; he stated that changes to the timing of the Route One intersection would bring the level of service up to a D. Mr. Adams stated that this included projections of other approved, but not completed, developments. Mr. Adams stated that the Maple Avenue work would be finished in November and they would do their study of cut-through traffic at that time. Mr. Chamberlain stated that the applicant could do a good job of eliminating some of the existing bad conditions and this was going in the right direction.

Mr. Thomas agreed with the Board's previous comments and asked that the applicant determine what could be done for access to the animal hospital. To a question from Mr. Thomas, Mr. Adams replied that the section of the road to be closed off would be green space. Ms. Melissa LeClair, of Curry Architects, stated that it may become parking for the trail head. Mr. Fellows stated that he had an issue with closing a public street and would feel better about soft traffic calming changes at the jughandle and would like to hear how that would work for fire and police access. Mr. Bacon noted that the Town Council would have to play a big role in abandoning a section of a public street. To a question from Mr. Fellows, Mr. McCullough replied that the closed section of Elmwood Avenue would still be the town right of way and maintained by the town.

To a question from Mr. Paul, Mr. McCullough replied that a single family subdivision of 94 homes on this site would generate 940 trips per day and projected traffic for this facility would be 689 trips. Mr. Paul asked the applicant to address improvement of the level of service to the intersections at the next meeting. Mr. Paul stated that if the solution to the traffic were cutting off Elmwood Avenue and creating the jughandle, he would propose that it be a temporary solution to determine what would happen and how much backlash there would be. He stated that he would like to hear the Fire Department's opinion about the street closing and he had a big concern that DOT and others would question why we would eliminate an egress with a traffic light and force all the traffic through Maple Avenue. Mr. Paul stated that if this solution is used, there should be a sidewalk down Green Acres Lane to Route One. Mr. Paul noted that he counted vehicles at Canco Woods from 5:15 to 6:10 P. M. this evening and there were only three.

13. Gateway Square, New England Expedition – Scarborough, LLC requests review of amended site plan for 8,700 square foot KinderCare facility and 90,000 square foot office building on site at Haigis Parkway and Payne Road\*

Mr. Fellows and Ms. Littlefield recused themselves from this item.

Mr. Bacon stated that there were memos from Mr. Bray, SYTDesign and the staff. He stated that there should be discussion regarding designated parking and an updated plan with traffic control signage; he stated that landscaping and the walkways needed to be compatible.

Regarding the staff comments, Mr. Gary Collette, of OEST Associates, explained that they would add traffic control signage for vehicle circulation and had added traffic lanes in the front of the office building and would work with the Fire Department for hydrant locations. Mr. Collette stated that they would like the Board to waive the site plan requirements for the dead end parking lot in the rear. He stated that the amount of landscaping in the parking lots was 14.3%. He stated that they would address campus signage when the remainder of the site was determined.

To a question from Mr. Thomas, Mr. Gene Beaudoin replied that they were requesting approval only for the KinderCare building, the Fairchild building and the small office building and not the other side of the site. Mr. Beaudoin stated that they were not asking for the waiver for the parking not to be built but they

may use some of the parking spaces as part of the LEED certification. To a question from Mr. Chamberlain, Mr. Collette replied that the landscaping in the parking lot was in 10 to 12 foot wide strips. To a question from Mr. Chamberlain, Mr. Beaudoin replied that there would be evergreens and a fence along Haigis Parkway behind KinderCare and signage would be on the rear of the building.

Mr. Paul asked whether there was a sidewalk from the corner parking lot; Mr. Beaudoin replied that they did not show a sidewalk but would add one. Mr. Adams noted that there were wetland constraints so they were limited in width. Mr. Beaudoin stated that the parking spaces could be 9 by 18 feet and the island could be widened for a sidewalk. Mr. Paul noted that the sidewalk should be extended to the brick area at the small office building.

Mr. Paul stated that he had a concern about the dead end parking but it would be satisfactory as reserved parking or for snow storage; he suggested a walkway and a bridge to cross to the main parking lot. He suggested a one way loop in front of the KinderCare building to eliminate the bottleneck. Mr. Beaudoin stated that the children did not arrive all at once, but he would address the issue with the client. Mr. Paul stated that his biggest concern was that the access to the office building's loading dock was through the parking. Mr. Beaudoin stated that there would be only box trucks and no trailer trucks. Mr. Paul stated that there should be no deliveries during peak employee traffic. Mr. Paul stated that he would like to see the walkway continued from the office building to KinderCare.

Mr. Paul noted that part of the parking for this side of the project was on the west side and he did not want to approve anything on the west side. Mr. Beaudoin stated that that parking was needed to meet the requirement for these three buildings. Mr. Paul asked whether it was conceivable to move the hotel on the west side into the middle so there would not be a 6,000 square foot sea of parking; he stated that if the Board approved the parking, the building could not be moved. Mr. Beaudoin stated that the building needed to be near Haigis Parkway for visibility and there was little signage allowed at the entrance. Mr. Bacon noted that there could be no building in the parking area because of the geotechnics. Mr. Beaudoin stated that they had placed the hotel in the only area where it would not have to be built on piles.

Mr. Rick Shinay, attorney for the applicant, stated that he was not sure what the issue was with the parking on the west side; he stated that this site would not have a lot of traffic and it was well-landscaped and could not be seen from Haigis Parkway. He stated that he thought this was an ideal place for the parking. Mr. Paul stated that his concern was the sea of parking in the middle with all the buildings on the perimeter of the site. Mr. Shinay stated that he thought the design with all the landscaping was responsive to the sea of parking. To a question from Mr. Thomas, Mr. Beaudoin replied that the parking lot was on an old tree dump.

Mr. Bacon stated that the landscaping islands would need to be widened on the east side to accommodate the landscaping and the sidewalks.

Mr. Bacon stated that he had made a list of possible conditions as follows:

1. That the applicant return with a campus signage proposal;
2. That the impact fees be paid with each building permit application and the total be in accordance with Mr. Bray's memo;
3. That the sidewalk to the west of the 90,000 square foot office building be lengthened to include connections to the parking area to the southwest of the building;
4. That the landscaping islands in the parking area to the northeast of the 90,000 square foot office building be expanded to accommodate the sidewalk and landscaping;
5. That the applicant return to the Planning Board with detailed architectural elevations for the 90,000 square foot office building;

6. That signage and pavement markings be added to the plan for traffic control for staff review;
7. That the applicant submit colored and more detailed architectural elevations for the 90,000 square foot office building;
8. That the sidewalk to Kindercare be continued from the 5,000 square foot office building;
9. The Planning Board waives the dead end parking standard for the southern most parking area if a pedestrian bridge and walkway are added to serve that parking area and provide a connection to the 90,000 square foot office building; otherwise this parking area is required to meet the dead end parking limitation of the Site Plan Ordinance;
10. That the Fire Department approve the final fire lane layout for the 90,000 square foot office building and the KinderCare building;

Mr. Paul moved to approve the site plan with the above conditions; Mr. Thomas seconded.

Voted 2-0-1 – Mr. Paul abstained.

14. Cornerstone Baptist Church requests site plan amendment for new play area and 28 by 52 foot multi-purpose building on site at 415 U. S. Route One

This item was tabled at the request of the applicant.

Because of the late hour, the remainder of the agenda items were tabled to the August 25, 2008 meeting.

19. Administrative Amendment Report

There were no administrative amendments. Mr. Bacon stated that the Board did need to vote on the findings and conditions for Toddle Inn which was approved at the last meeting; he stated that the findings and conditions did not need to be read into the record. Mr. Chace noted that the conditions had been met.

Mr. Paul moved to approve the findings and conditions for the Toddle Inn addition as presented; Mr. Chamberlain seconded.

Voted 5-0

20. Town Planner's Report

Mr. Bacon stated that he had scheduled a workshop on August 25, 2008 with Ordinance Committee members and the Planning Board to hear about small wind power and zoning standards.

Mr. Chace stated that a letter had been sent to the Planning Board regarding the Coastal Hazard Resiliency Project regarding a meeting on coastal flooding issues at the Old Orchard Beach Town Hall on August 20, 2008. He stated that he hoped the Planning Board members would attend. He stated that the purpose of this meeting was to start to inform citizens about the project for potential hazard areas for the two foot rise in the oceans.

21. Correspondence

There was no correspondence.

22. Planning Board Comments

Mr. Paul stated that he would be calling Board members to determine who might want to serve on a sub-committee to consider the Design Standards. He stated that all Board members would be welcome at meetings but he would like to have a core group of three.

23. Adjournment

The meeting was adjourned at 11:30 P. M.