

Town of Scarborough

Planning Board

February 23, 2009

AGENDA

1. Call to Order (7:00 P. M.)
2. Roll Call
3. Approval of Minutes (October 27, 2008 and February 6, 2009)
4. The Planning Board will hold a public hearing to receive input on a request from Scarborough Economic Development Corporation for a zone change from the R-2 to the R-4A Zone at 5, 7 and 8 Millbrook Road
5. The Planning Board will hold a public hearing to receive input on an amendment to the R-4A Zone to limit medical and professional offices to 2,500 square feet
6. New England Expedition – Scarborough LLC requests site plan amendment for the relocation of a wall sign on the Cabela’s building at the Gateway Shoppes development site
7. Running Hill Road Self Storage, Ronnie Blanchard requests site plan approval for self storage building at 32 Running Hill Road
8. Administrative Amendment Report
9. Town Planner’s Report
10. Correspondence
11. Planning Board Comments
12. Adjournment

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

Town of Scarborough

Planning Board

February 23, 2009

MINUTES

Members Present

Staff

Ms. Auglis
Mr. Fellows
Ms. Littlefield
Mr. Mazer
Mr. Paul
Mr. Thomas

Mr. Bacon, Town Planner
Mr. Chace, Assistant 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. Chamberlain was absent. Mr. Paul authorized Mr. Mazer to vote.

Mr. Paul welcomed Ms. Auglis back to the Board and noted that Mr. Thomas was now a full voting member.

3. Approval of Minutes (October 27, 2008 and February 6, 2009)

Mr. Paul moved to approve the minutes of October 27, 2008; Ms. Littlefield seconded.

Voted 5-0

Mr. Paul moved to approve the minutes of February 6, 2009; Mr. Thomas seconded.

Voted 5-0

4. The Planning Board will hold a public hearing to receive input on a request from Scarborough Economic Development Corporation for a zone change from the R-2 to the R-4A Zone at 5, 7 and 8 Millbrook Road

Mr. Harvey Rosenfeld, President of Scarborough Economic Development Corporation, explained that Karen Bailey wanted to move her business, Optimal Performance Physical Therapy, to an existing house at 5 Millbrook Road. He stated that he recommended three lots on Millbrook Road be converted from the R-2 Zone to the R-4A Zone, which would maintain a residential zone and allow professional and medical offices; he noted that the area was surrounded by existing businesses. Mr. Rosenfeld stated that there was currently no size limit to businesses in the R-4A Zone and the staff thought it prudent to not allow large businesses in that zone.

Mr. Paul opened the public hearing and asked that speakers limit their comments to five minutes and not repeat what others had said. Mr. James Dempsey, of 60 Southpointe Drive, explained that he had fallen and injured his knee and was told by his doctor that he would need a knee replacement, but instead had

gone to Ms. Bailey for physical therapy. He stated that Ms. Bailey not only repaired his knee so that he could continue to walk for exercise, but also put his hips back into joint and rendered him pain-free. Mr. Dempsey stated that many of Ms. Bailey's patients were elderly and lived in the condominiums behind her present office on Route One and did not want to lose her nearby services. He stated that Ms. Bailey had two employees and there were never more than two or three cars in front of her office as the appointments were spaced out; he stated that there was no traffic and no noise from this business; he stated that this new zone would not change the appearance of the area.

Mr. Bud Hanson, of Stoney Creek Drive, stated that his wife had been to this very professional and well run office with great people; he stated that the change to this zone would accommodate the wishes of the Comprehensive Plan. Ms. Sandra Elder, of 2 Black Point Road, stated that she was sent to Ms. Bailey by her doctor for knee problems; she stated that the employees were skillful, professional and calm and the office was clean and orderly.

Ms. Karen Bailey, owner of Optimal Performance Physical Therapy, stated that she had two staff members who lived in Scarborough and she wanted to keep her business in town; she stated that this location was perfect as it was across from her current location and was very convenient. She stated that the new location would decrease her overhead costs and provide economic stability. Ms. Bailey stated that this would be a good transition between the Millbrook neighborhood and the businesses on Route One.

Mr. Paul read e-mails in favor of the zone change from Maureen Weeks, Anne Ornstein, Tammy Hulst, Thomas Dahlborg and Georgette Zuniga. Mr. Paul closed the public hearing.

Ms. Auglis, a member of the Comprehensive Plan Implementation Committee (CPIC), stated that the Committee recommended to Ms. Bailey that she pursue this zone change. Ms. Auglis stated the three lots in question were surrounded by businesses and she was pleased that Ms. Bailey continued her quest. Ms. Littlefield stated that this was a great transitional use and she had no concerns. Mr. Mazer stated that he was impressed with the testimony from the patients. Messrs. Thomas and Fellows stated that they were in favor of the request. Mr. Paul stated that he had no issues and recommended that the Board send a favorable opinion to the Town Council.

5. The Planning Board will hold a public hearing to receive input on an amendment to the R-4A Zone to limit medical and professional offices to 2,500 square feet

Mr. Paul opened the public hearing; no one spoke for or against the amendment to the R-4A Zone; Mr. Paul closed the public hearing.

Mr. Mazer stated that he agreed with keeping the mix of residential and business and holding the size down to 2,500 square feet would accomplish that. To a question from Mr. Thomas, Mr. Bacon replied that the staff came up with the 2,500 square foot figure because it was the average size of a single family dwelling in the zone and would allow reasonable sized offices which would remain at the scale of a dwelling unit. Mr. Bacon stated that the size was similar to that of the RPO Zone. Mr. Fellows stated that he was in favor of the amendment. Ms. Littlefield stated that she was in favor but would not object to a larger size. Ms. Auglis stated that she liked the 2,500 square foot limit for the reasons Mr. Bacon noted and the residents would not think they were surrounded by big businesses.

To a question from Mr. Paul, Mr. Rosenfeld replied that the 2,500 square feet was the building limit and there could be more than one office as long as the total was no more than 2,500 square feet. Mr. Bacon stated that this zone would not allow a mixed use building. Mr. Paul stated that he wanted to be sure of the full potential of the uses with regard to parking, etc. Mr. Rosenfeld noted that any business use would require site plan review. Mr. Paul stated that the Board recommended a favorable opinion to the Council.

6. New England Expedition – Scarborough LLC requests site plan amendment for the relocation of a wall sign on the Cabela’s building at the Gateway Shoppes development site

This item was tabled at the request of the applicant.

7. Running Hill Road Self Storage, Ronnie Blanchard requests site plan approval for self storage building at 32 Running Hill Road

Mr. Bacon stated that a number of revisions had been made to the plan in response to comments from the Board and the staff; he stated that there was a staff report dated February 6, 2009. He stated that there had been discussion regarding the vehicle parking area which the Zoning Board of Appeals could approve; he stated that the staff recommended that the parking area be removed from the plan which could be amended following any approval from the Zoning Board. Mr. Bacon stated that the 25 foot buffer on the north property line had been accomplished in one area but not another and the Board should determine whether that was necessary. He stated that the landscaping at Running Hill Road and the location of the sign was in question; he noted that readerboard signs were not allowed in the R-F Zone. He stated that the staff thought the Board should consider additional screening on Running Hill Road and the lighting should be on timers given the rural nature of the area. Mr. Bacon stated that the stormwater plan was close to complete and the updated plan should reflect the approved fire tanks.

Mr. Thomas Greer, of Pinkham & Greer, distributed copies of the building elevations and stated that they would use clapboards and architectural shingles or metal roofing. He stated that on the north side near Mr. Plummer’s garage they had saved the existing vegetation toward the front of the site and continued the screening on the property line. He stated that this seemed like a lot of storage units but they were needed to make the project financially feasible because of the cost of mitigating the hazardous waste. Mr. Greer stated that they would remove the parking from the plan and apply to the Zoning Board. He stated that they had counted all the trees in the Running Hill Road area and would maintain the buffers. Mr. Greer showed the entrance, the sign, the buffer and the underground power. He stated that there would be parking for two vehicles near the office building outside the fence and two spaces inside the fence. He stated that they could put a note on the plan indicating that the trees would not be removed and an updated note regarding the lease agreement. He showed the sign drawing and stated that they would remove the readerboard.

Mr. Paul stated that it was the policy of the Board to not approve a project when information was received at the meeting because it did not allow the Board time to digest the data. He stated that he did not feel comfortable approving a project with several conditions and once the appropriate information was submitted to the staff, the Board would be ready to vote on the project.

At the request of Mr. Fellows, Mr. Greer explained that the no-disturb buffer at the north property line was a row of trees on the Plummer lot in the rear but the 25 foot buffer at the beginning of the property was satisfactory with Mr. Plummer; he stated that they had put a double row of evergreens toward the rear. Mr. Fellows stated that he was concerned about light pollution and thought motion sensors may reduce the overall level of lighting. Mr. Greer stated that the light levels would be low and Mr. Blanchard was conscious of safety issues and did not have confidence in motion detectors. To a question from Mr. Thomas, Mr. Greer replied that the approval was for both phases but construction would be phased. Mr. Thomas noted that buildings O and P were larger than 500 square feet which the ordinance did not allow; Mr. Bacon stated that the Zoning Board had approved the larger buildings. Mr. Thomas stated that lighting was a concern but the fencing and buffering were good steps forward.

Mr. Mazer stated that he agreed with the applicant that security was more important than light pollution; he stated that he had no objection to the sign as shown. Ms. Auglis asked whether the DEP and staff were

satisfied that this project would not impact Red Brook; Mr. Bacon replied that the DEP had issued a permit and the applicant would be doing onsite mitigation by containing the hazardous waste. To a question from Ms. Auglis, Mr. Blanchard replied that he had removed motion detectors from his site on Broadway in South Portland because the bulbs were continuously burning out and then the site was not lighted. Ms. Auglis stated that she was not concerned about this location but the light pollution should not continue on Running Hill Road and the Board should be aware of buffering so the rural character was maintained and the vegetation created enough screening. She stated that the white pines should be filled in with red pine or hemlock for a lower buffer; she stated that she would like to see a condition that there be a landscaping plan along Running Hill Road with reference to the fence and the lighting, as well as a rendition of the sign without the readerboard. Ms. Littlefield stated that she was satisfied with the buffer at the north line and that she did not want the lights to be on motion sensors because she would rather lighting be provided when someone arrived on the site.

Mr. Paul stated that he did not like the buffer on the north side; he stated that the neighbor was accommodating but any new neighbor may not be happy with the buffer. He stated that at the last meeting he was confident that the entire border had a 25 foot buffer so this was disturbing. Mr. Paul stated that he was concerned that there was a significant amount of space that would be lit all night and there must be some kind of happy medium for some reduced or activated lighting during off-hours for safety while someone was on the site. He stated that he would like to see a photometric plan rather than a lighting plan. To questions from Mr. Paul, Mr. Greer replied that the HHE-200 form showed the leach field near the front entrance. Mr. Paul asked that the buffering at Running Hill Road be replaced if any were removed for the septic system. Mr. Paul noted that the snow storage seemed close to Red Brook; Mr. Greer stated that it would be 200 feet from the brook and they would not be using sand or salt.

Ms. Auglis suggested shingles on the office building near the road but the storage buildings could have metal roofs. Mr. Paul stated that the drawings should reflect that. There was discussion regarding the coverage of the lighting. Mr. Greer noted that the lights between the buildings covered more than those on the outside.

8. Administrative Amendment Report

There were no Administrative Amendments.

9. Town Planner's Report

Mr. Bacon noted that the Town Council had approved amendments to the Commercial Design Standards and staff would provide updated copies to the Board.

10. Correspondence

There was no correspondence.

11. Planning Board Comments

Mr. Paul welcomed Ms. Auglis back to the Board.

12. Adjournment

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

