

Town of Scarborough

Planning Board

June 29, 2009

REVISED AGENDA

1. Call to Order (7:00 P. M.)
2. Pledge of Allegiance
3. Roll Call
4. Approval of Minutes (June 8, 2009)
5. The Planning Board will conduct a public hearing to receive input on a proposal for amendments to the Zoning Ordinance regarding changes to the B-2 Zone
6. The Planning Board will conduct a public hearing to receive input on a proposal for amendments to the Official Zoning Map to change the R-F Zone to the B-2 Zone on Assessor's Map R38 Lot 6 off Payne Road
7. The Planning Board will conduct a public hearing to receive input on a proposal for amendments to the Zoning Map to revise the boundaries of the Economic Development Overlay District to apply to the Haigis Parkway District
8. The Planning Board will conduct a public hearing to receive input on a proposal for amendments to the Zoning Map to change the zoning districts in the North Scarborough area to the TVC2 and RPO Districts
9. The Planning Board will conduct a public hearing to receive input on a proposal for amendments to the Zoning Ordinance regarding changes to the TVC2 Zone
10. The Planning Board will conduct a public hearing to receive input on a proposal for amendments to the Zoning Ordinance regarding changes to the RPO Zone
11. The Planning Board will conduct a public hearing to receive input on a proposal for amendments to the Zoning Ordinance regarding changes to the Shoreland Zoning Ordinance
12. MaineHealth Professional Park, Maine Health requests site plan approval for former Orion Center on U. S. Route One
13. MaineHealth Professional Park, Maine Health requests approval for a subdivision amendment to previously approved plan titled "Scarborough Village Center", formerly the Orion Center on U.S. Route One
14. JCA Holdings requests site plan review for 10,000 square foot office building at 64 Mussey Road
15. Running Hill Self Storage, Ronnie Blanchard requests site plan amendment for outdoor storage at previously approved site on Running Hill Road*
16. Loyal Order of Moose requests amended site plan review for 832 foot expansion to existing lodge at 19 Spring Street*

17. Wildwood Subdivision, ALC Development Corp. requests amended subdivision plan to revise lot line between Lots 9 and 10 in previously approved subdivision off Spurwink Road*
18. Cornerstone Baptist Church requests sketch plan review for expansion of the sanctuary and classrooms at site at 415 U. S. Route One
19. Northeast Mobile, Inc. requests sketch plan review for 875 square foot addition to existing facility at 24 Washington Avenue in the Scarborough Industrial Park
20. Fishermen's Cove, Thurlow Properties, Inc. requests final subdivision approval for 3 lot subdivision at King Street and Avenue Seven
21. Sudzie Auto Wash, Burgess Holdings, LLC requests site plan amendment to existing site on U. S. Route One*
22. Administrative Amendment Report
23. Town Planner's Report
24. Correspondence
25. Planning Board Comments
26. Adjournment

*Public comment will be allowed on these items.

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

Town of Scarborough

Planning Board

June 29, 2009

MINUTES

Members Present

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

Staff

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. Pledge of Allegiance

3. Roll Call

The Recording Secretary called the roll; all members were present.

4. Approval of Minutes (June 8, 2009)

Ms. Littlefield moved to approve the minutes of June 8, 2009 as presented; Mr. Fellows seconded.

Voted 4-0-1 – Mr. Paul abstained.

5. The Planning Board will conduct a public hearing to receive input on a proposal for amendments to the Zoning Ordinance regarding changes to the B-2 Zone

Mr. Bacon gave a Powerpoint presentation for Items 5, 6 and 7. He stated that this was part of the implementation of the Comprehensive Plan for the Payne Road area near South Portland which is now in the B-2 Zone. He stated that the Comprehensive Plan suggested that larger scale commercial use was appropriate in this area, and that development should be attractive and included master planning for large lots. Mr. Bacon stated that the proposed amendments to the B-2 Zone were to add Planned Development requirements for parcels five acres or larger and new permitted uses, with gas stations as Planned Developments rather than Special Exceptions. He stated that this also modernized and updated the space and bulk standards and created new standards with more flexibility in Planned Development.

Mr. Paul opened the public hearing and asked speakers to limit their comments to five minutes or less and not repeat what a previous speaker has said. No one spoke for or against the amendments. Mr. Paul closed the public hearing.

There were no comments from the Board; Mr. Paul stated that no comments gave favorable feedback to the Town Council.

6. The Planning Board will conduct a public hearing to receive input on a proposal for amendments to the Official Zoning Map to change the R-F Zone to the B-2 Zone on Assessor's Map R38 Lot 6 off Payne Road

Mr. Bacon stated that this was a map change on this lot from the R-F Zone to the B-2 Zone as was the rest of the property; he stated that there was Resource Protection Zone on the lot near the Nonesuch River.

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

There were no comments from the Board; Mr. Paul stated that the lack of comments from the Board indicated a positive opinion to the Town Council.

7. The Planning Board will conduct a public hearing to receive input on a proposal for amendments to the Zoning Map to revise the boundaries of the Economic Development Overlay District to apply to the Haigis Parkway District

Mr. Bacon stated that this would amend the limits of the current Economic Overlay District by establishing a master planning process near Exit 42; he stated that the B-2 and B-3 Zone updates would reduce the overlay to Haigis Parkway.

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

To a question from Mr. Fellows, Mr. Bacon replied that currently a project in the Economic Overlay District would require a review process with a sketch plan or concept plan with design factors that would set the tone for site plan review.

There were no comments from the Board; Mr. Paul stated that the lack of comments from the Board indicated a positive opinion to the Town Council.

8. The Planning Board will conduct a public hearing to receive input on a proposal for amendments to the Zoning Map to change the zoning districts in the North Scarborough area to the TVC2 and RPO Districts

Mr. Bacon gave a Powerpoint presentation for Items 8, 9 and 10. He stated that these were text and map changes in response to the Comprehensive Plan which called for mixed residential and commercial uses; he stated that the Plan called for small neighborhoods and businesses for the commuting public with a village character. Mr. Bacon stated that the current B-1 Zone did not permit the wide range of uses recommended in the Comprehensive Plan or encourage a village atmosphere. He stated that the plumbing codes did not currently allow multi-uses on one lot.

Mr. Bacon stated that the Comprehensive Plan Implementation Committee (CPIC) had worked on these issues and made changes following the neighborhood meetings. He stated that there were comments regarding the importance of the sand and gravel aquifers and interest in expanding the TVC2 Zone on Gorham Road between County Road and Saco Street. He stated that there was interest in having more development options on County Road near Saco Street and inquiries about traffic and utilities.

Mr. Bacon displayed the map with the TVC2 Zone along Gorham Road and the RPO Zone along County Road to the town line; he stated that there was one deep lot that would be RPO rather than RPO and R-F. He stated that the TVC2 Zone would allow small commercial and single and two family houses but gas stations were deleted because of the aquifer. He stated that one unit per acre with two units per building

would be allowed; he stated that drive-through restaurants would have restrictions as Planned Developments. Mr. Bacon stated that the RPO Zone was a transition zone that allowed residences and smaller office uses but no retail use.

Mr. Paul opened the public hearing for Item 8. Mr. Paul Porada, of 476 Gorham Road, stated that this area overlays an aquifer which may be needed for a water supply in the future and should be protected. He stated that aquifers can be impacted by contaminants and there needed to be surface drainage provisions. Mr. Porada stated that this area was in the Red Brook watershed which would be regulated by the DEP and that should be taken into consideration. He stated that the proposed zoning did not take the aquifer into consideration; he stated that the Comprehensive Plan did consider looking at natural features. He asked that the Planning Board look at what the zoning may do to the natural resources before moving ahead. Mr. Porada noted that Ottawa Woods had restrictions for single family homes and the integrity of that neighborhood should remain; he stated that the Comprehensive Plan showed the RPO Zone as a buffer between the zones on both sides of Gorham Road but the proposed width of the buffer would be only half of what the Comprehensive Plan called for. He stated that he would like his property to remain in the RF Zone as is the zoning in Ottawa Woods.

Mr. Paul closed the public hearing.

Mr. Mazer noted that if the area were left in the RF Zone there could be septic system impacts from residential development in the future. Mr. Porada reiterated that the Board should understand the impacts on the aquifer before moving ahead with the zoning changes and the protections should be discussed before the zoning was changed. He stated that there should be an aquifer protection zone with an overlay.

To a question from Mr. Thomas, Mr. Bacon replied that the Comprehensive Plan Implementation Committee had discussed the aquifer and had removed gasoline stations from the zone and talked about trying to add performance standards that dealt with significant aquifers. Mr. Thomas confirmed that the standards would not be in place before the zoning change; Mr. Bacon stated that any site plan amendments would follow the zoning change process. Mr. Paul stated that the onus would fall on the Planning Board to consider aquifers. Ms. Auglis stated that the Town Council should be aware that the Committee did not ignore the aquifers when considering the zoning; she stated that the Ordinance Committee should consider protection not for just this area but for all aquifers in town.

Mr. Chamberlain asked whether there were any lots in this area in excess of five acres in order to qualify for Planned Developments; Mr. Bacon replied that the only Planned Development allowed in the RPO Zone would be drive-through restaurants. To a question from Ms. Littlefield, Mr. Bacon replied that public sewer was not planned for this area in the near future. Ms. Littlefield stated that she agreed with the recommendation to the Ordinance Committee to consider the aquifers. To a question from Mr. Fellows, Mr. Bacon replied that the state, not the town, mapped the aquifers and the DEP regulated the use of the land above them; he stated that the town's standards would be more stringent than those of the state.

Mr. Paul stated that the Board's recommendation to the Town Council was favorable with the request that the Ordinance Committee be actively involved with addressing aquifer protection and that CPIC reconsider the original zone of RF for Mr. Porada's lot.

9. The Planning Board will conduct a public hearing to receive input on a proposal for amendments to the Zoning Ordinance regarding changes to the TVC2 Zone

Mr. Paul opened the public hearing. Mr. Paul Porada reiterated the importance of protection of the aquifers and stated that a two family unit on a one acre lot would not give the separation needed between a septic system and a well. Mr. Paul closed the public hearing.

Mr. Paul stated that he appreciated Mr. Porada's comments and concurred to some extent; he stated that the septic standards in place would have to be met regardless of the zone change. Mr. Paul stated that the Board would send a favorable recommendation to the Council.

10. The Planning Board will conduct a public hearing to receive input on a proposal for amendments to the Zoning Ordinance regarding changes to the RPO Zone

Mr. Paul opened the public hearing. Mr. Paul Porada stated that in the RPO Zone the buildings would sit closer to the roads and parking lots would be in the rear closer to the residences. Mr. Paul closed the public hearing.

Mr. Bacon explained the buffering requirements in the RPO Zone; he stated that there is a 25 foot vegetation buffer requirement when a development abuts a residential zone. Mr. Paul stated that the Board would send a favorable recommendation to the Council.

11. The Planning Board will conduct a public hearing to receive input on a proposal for amendments to the Zoning Ordinance regarding changes to the Shoreland Zoning Ordinance

Mr. Bacon noted that the changes were required by the DEP and were largely clarifications on definitions and interpretations. He stated that there were new definitions and some new standards to add specifications for replanting, a 75 foot setback for coastal bluffs and new clearing standards. He stated that there was a new section regarding timber harvesting.

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

Ms. Auglis asked whether anything in the changes weakened the existing Shoreland Zoning; Mr. Chace replied that the town had the option to allow 80 square foot sheds with no utilities to be placed closer than the 75 foot setback if it was no closer to the resource than an existing home. Ms. Auglis stated that she wanted to be sure the town did not lose any of the control over the resources. Mr. Paul stated that he liked the clarifications and the table that helped people understand who they should approach with questions.

Mr. Paul stated that this was a favorable recommendation to the Town Council.

12. MaineHealth Professional Park, Maine Health requests site plan approval for former Orion Center on U. S. Route One

Ms. Littlefield and Mr. Thomas recused themselves from Items 12 and 13; Mr. Paul authorized Ms. Auglis and Mr. Mazer to vote on Items 12 and 13.

Mr. Chace stated that the questions from the Board at the previous meeting had been addressed in the applicant's submission.

Mr. Paul Gray, of Maine Health, stated that this was a major reconditioning of the existing site which had needed redevelopment for several years and would bring new vitality and employment opportunities. He stated that they were prepared to make a number of significant changes to the site but needed to temper their investment because they had to keep their rents competitive for their tenants.

Mr. Paul Stevens, of SMRT, stated that they had their DEP and DOT permits. He displayed the site plan showing the new entrance to Sawyer Road, the main entrance and the right turn exit on Route One. He stated that the main building was 94,000 square feet and there were 361 parking spaces in the front and

an area to the side for 62 spaces, which could be expanded if needed. Mr. Stevens stated that the design had changed very little but they had connected the two buildings with a corridor and canopy; he stated that they were able to reduce the parking and therefore the amount of asphalt. He stated that they had added a walkway in front of the building and the onsite crosswalks would be of duratherm material. He stated that some of the lighting would be turned off at night except in front of the Nordx area because they had employees 24 hours per day. He stated that there would be metal halide lights at the building and high pressure sodium in the parking lot. Mr. Stevens stated that they showed planted islands. He stated that the east elevation at Sawyer Road would be painted to match the upper metal panels and the brick of the Route One elevation.

Mr. Stevens stated that most of the mechanicals would be within the building so there would be none on the roof; he stated that there would be some stacks on the rear part of the roof over Nordx and one on the rear of Building 2. He stated that the neighbors to the rear had concerns about noise and they had designed the chiller with an attenuator, which would be screened, and they had coordinated landscaping with their abutter Ms. Bailey, of Optimal Performance Physical Therapy. He stated that the crosswalks at Route One would be painted and they would donate materials to build the connecting walkway to the park across Sawyer Road. Mr. Stevens stated that they would split the cost with the town for the pedestrian signals on Route One. He stated that all the unused curbcuts would be filled in. Mr. Stevens stated that the staff had agreed to phase the payment of the impact fees. He stated that Mr. Bray and Mr. Gorrill, the traffic engineers, agreed to the right turn exit at the south side of the lot on Route One; he stated that they would meet with the Fire Department and would comply with their requirements. He stated that they hoped to start construction this fall.

Mr. Fellows asked about Building 3 near Route One; Mr. Stevens replied that there were no plans at this time for the front building. Mr. Stevens noted that the existing sign would be removed and replaced as shown in the submittal. Ms. Auglis noted that the east elevation was a large block of wall with only deciduous trees that would have no leaves during the winter. Mr. Chace stated that there would be landscaping along Sawyer Road. To a question from Ms. Auglis, Mr. Chace replied that the applicant showed 16.2% landscaping in the parking lot where 10 to 15% was required. To a question from Ms. Auglis, Mr. Bacon replied that there was no need for a waiver on parking spaces because the applicant had shown where parking could be created if necessary. To a question from Ms. Auglis, Mr. Stevens replied that there was sufficient parking for Building 3. Mr. Chace stated that use of Building 3 would require permits from the Code Enforcement Officer and probably site plan amendment. To a question from Ms. Auglis, Mr. Stevens replied that the height of the lights in the parking lot would remain at the existing 30 feet and the new parking lot lights would be 25 feet.

Mr. Chamberlain thanked the applicant for working with the abutter for use of their property during her construction and for addressing the issues from the previous meeting. He asked about the phasing of the site; Mr. Stevens replied that they intended to start renovating both buildings this fall; he stated that Maine Medical Partners would use Building 2 for office space with simple renovations so they could move in before Nordx, probably by December 2010 so it was actually just one phase. Mr. Chamberlain stated that Building 3 was a bit of a blemish on the site and did not match the other buildings.

Mr. Paul stated that he, too, appreciated the applicant's cooperation. To questions from Mr. Paul, Mr. Gray replied that the DOT conditions were acceptable to them and that there were no changes to the signage presented earlier. To a question from Mr. Paul, Mr. Chace replied that the Code Enforcement Officers had the authority to determine whether the additional parking would be needed to be built.

Mr. Paul moved to approve the site plan for MaineHealth, with the following conditions:

1. Prior to issuance of a building permit the applicant shall pay the peer review fees.

2. Prior to the issuance of a building permit the total Payne Road traffic impact fee shall be paid. All other traffic impact fees may be paid incrementally, subject to approval by the Town Planner.
3. Given the precise nature of the traffic analysis provided to the Town, which is based upon precise building tenant descriptions, the applicant shall provide the Town Planner with revised traffic analysis prior to changing any of the building tenants. This analysis shall include, but not be limited to, a discussion of parking demands and revised traffic impact fee calculations.
4. All discontinued curbcuts along Route One shall be completed per plans (curbing and sidewalk) prior to the issuance of a Certificate of Occupancy.
5. Prior to the issuance of a building permit, the applicant shall provide funds to the Town for the costs of the offsite pedestrian improvements (specifically the pedestrian crossing signals at Route One and the sidewalk connection from Sawyer Road to Memorial Park).
6. In the event the eastern parking field is built, the east elevation must include architectural features that break up the wall in conformance with the Design Standards.
7. Prior to issuance of a building permit the site plan must be revised to show revisions to the plan in accordance with the Fire Department's requests.

Ms. Auglis seconded

Voted 5-0

13. MaineHealth Professional Park, Maine Health requests approval for a subdivision amendment to previously approved plan titled "Scarborough Village Center", formerly the Orion Center on U.S. Route One

Mr. Paul moved to approve the subdivision amendment as requested; Mr. Mazer seconded.

Voted 5-0

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

14. JCA Holdings requests site plan review for 10,000 square foot office building at 64 Mussey Road

Mr. Chace noted that at sketch plan review there were questions about access to the site and the applicant was requesting a waiver on the west side for that driveway access. He stated that the stormwater plan was accept-able to SYTDesign.

Mr. Mathew Winch, of Garrison Consulting, stated that the waiver request was to maintain an access near the west property line. He noted that the building would be used by a digital print media company for office space. Mr. Eric Williams, of SGC, stated that they had researched the easement for the vehicle access and would route delivery vehicles through the abutter's driveway and widen the throat toward the loading area; he stated that there would be only one access. He stated that the waiver would be for the access separation between this site and the driveway on the abutter's property. He stated that they met the Fire Department's requirements.

Mr. Williams stated that there were two watersheds to the abutting property and drainage from the front would go to the storm drain in Mussey Road for which they would coordinate with the DOT. He stated that the sheet flow would be maintained to the abutter but there would be less drainage. Mr. Williams stated that the majority of water would pond with restrictions to the outflow. He stated that this was a small scale development with only three-quarters of an acre of impervious surface and the stormwater would be taken care of by the sheet flow on the grassy area and the trap to separate oil and grease. He stated that the site was served by public sewer.

Mr. Winch displayed the elevation of the building which gave more exposure of the building at Mussey Road. He stated that the building would be buff colored metal panels with battens in a deeper color; he stated that the base of the building would be brick with a store front and aluminum windows with tinted glass. Mr. Winch stated that they tried to show a planting screen that was not contrived so the hemlocks would be about 16 feet apart and would grow to fill in the gaps but they were willing to plant them more densely if required. He stated that plantings in the front and landscape islands in the parking lot were shown, as well as plantings around the building. Mr. Winch stated that they did not screen the rear of the property because it faces the back of Wal-Mart and the applicant was concerned about safety. Mr. Winch stated that they could cut the voltage of the lights in half at night to protect the residence nearby.

To a question from Mr. Fellows, Mr. Winch replied that the west elevation of the building would be of the same materials as the front; he stated that their plantings would buffer the building and that elevation would be difficult to view. Mr. Fellows stated that using the existing easement for the access was a good solution. To questions from Mr. Thomas, Mr. Winch replied that they would maintain some plantings near the loading dock; he stated that the dumpster would be in the rear corner.

Mr. Chamberlain stated that the caliper of the trees along the west border should be increased. Ms. Littlefield thanked the applicant for getting rid of one of the driveways; she stated that she was satisfied with the waiver; she stated that the landscaping in the front looked boring. Ms. Auglis stated that she liked the building but there needed to be some fill-in plants. To a question from Ms. Auglis, Mr. Winch replied that a parapet would screen the rooftop mechanicals. He stated that signage would be at the front corner. Mr. Chace stated that the seven foot high sign would be 20 to 25 feet from the curb and should not hinder visibility.

To a question from Mr. Paul, Mr. Winch replied that the entry from the abutter's site would be two-way; he stated that the gravel easement would remain and would serve both parcels. Mr. Paul noted that the parking on the east side was slightly angled and he was concerned about people turning and exiting through the front rather than going around the building. Mr. Winch stated that the traffic engineers had no concerns; he stated that they could not speak to the traffic flow of the abutter, but they did not currently use the access. Mr. Paul stated that the parking seemed to lend itself to one way traffic and signage should address that.

Mr. Paul moved to approve the site plan with the following conditions:

1. Prior to the issuance of the building permit the applicant shall pay the traffic impact fees.
2. Prior to the issuance of the building permit the applicant shall pay the peer review fees.
3. The off-street parking note and standard site plan notes shall be added to the plan.
4. The landscaping plan should be supplemented with lower plantings along Mussey Road and the size of the hemlocks along the western property line should be increased in height; the revised plan should be submitted to the staff.

Ms. Auglis seconded.

Voted 5-0

15. Running Hill Self Storage, Ronnie Blanchard requests site plan amendment for outdoor storage at previously approved site on Running Hill Road*

Mr. Chace stated that the site plan had been approved and the Zoning Board had approved outdoor storage for this Special Exception use. He stated that this was also a request for approval of the reduced lighting during off-hours.

Mr. Jeff Read, of Pinkham & Greer, showed the proposed outdoor storage and the approved site plan. He stated that the power to the lighting between 9:00 P. M. and 6:00 A. M. would be cut to some of the buildings but would be turned on at the gate if someone entered the site. He stated that this would maintain light at the perimeter but cut it down on the interior of the site; he stated that the lighting would be cut in half at night and the light level would be acceptable for safety.

Ms. Auglis thanked the applicant for taking care of the lighting issue. Mr. Paul stated that he appreciated the lighting efforts though he wished a more substantial reduction could have been made.

Mr. Paul moved to approve the amended site plan and lighting plan; Mr. Fellows seconded.

Voted 5-0

16. Loyal Order of Moose requests amended site plan review for 832 foot expansion to existing lodge at 19 Spring Street*

Mr. Chace stated that this site was approved in 1989; he stated that the applicant wanted to build an 830 square foot addition and to add a rear deck and porch. He stated that they also showed improvements to the lighting, parking and stormwater. Mr. Chace stated that the applicant was seeking a waiver of the driveway width requirement to maintain the existing 20 foot driveway; he stated that the Fire Department was now satisfied with the design.

Mr. Mark Senglemann, architect, stated that they would expand the building 16 feet along Spring Street with four windows on the front façade; he stated that there was a drainage swale in the corner but that had been partially filled in. He stated that they would remove 500 square feet of the parking and add drainage with rainwater gardens to slow the rate of runoff. Mr. Senglemann stated that they had added some shoebox cutoff lights on their 20 foot poles with new 250 metal halide lamps and would extend a piece of aluminum to achieve the appropriate cutoff at the property lines.

Mr. Senglemann stated that the building is of gray metal siding with a gray roof and white trim and that would continue for the addition. He stated that they were requesting a waiver for the existing overhead utilities so they would not have to dig up the entire driveway. Mr. Senglemann stated that they had about 12 trips per hour at peak time and the parking was 9 by 18 feet to minimize the amount of paving. He stated that the parking was sufficient because they were simply making the building more efficient and not seeking more members.

There was discussion regarding the number of employees and the determination of trips and figuring the traffic impact fees. Mr. Bacon stated that the staff decided not to send this item out for peer review because the lodge gradually gained members over the years; he stated that this addition would not cause additional impact so the staff did not think impact fees were necessary.

To a question from Mr. Thomas, Mr. Allen Sorois, of the Moose Lodge replied that there were 27 parking spaces and they had a capacity of 75 people in the building. To a question from Mr. Mazer, Mr. Senglemann replied that they had replaced the lighting with new cutoff fixtures. Mr. Chamberlain stated that he had no problems with the overhead utilities. He asked where 75 people parked; Mr. Sirous replied that in the past the owners of the abutting office building had allowed them to park on their property during the weekends. Ms. Auglis stated that she liked the landscaping proposal.

Mr. Paul stated that he was concerned with the open date for the final construction of the deck and porch. Mr. Sirois stated that they would be building the side addition first and when they had the funds they would build the deck; he stated that the addition itself would not be phased. Mr. Paul asked that pavers

be used for the side entry because poured concrete could not occur within the setback. Mr. Chace stated that he strongly recommended that the applicant discuss the issue with the Code Enforcement Officer.

Mr. Paul moved to approve the amended site plan with the following waivers and conditions:

1. The Board waives the 26 foot driveway width requirement based on traffic analysis, which was provided as part of the Board's record and the established nature of the existing driveway.
2. The reuse of existing overhead utilities.

The conditions:

1. Prior to issuance of a building permit the applicant shall pay the peer review fees.
2. The site plan shall be revised to include the required notes as indicated in the Planner's Memo.
3. Section III(B)7. of the Site Plan Ordinance shall apply to the 832 square foot addition, parking field, lighting, stormwater treatment improvements and other onsite improvements, except for the rear deck and covered porch which shall be completed by 2012.
4. Prior to the issuance of Certificate of Occupancy an as-built plan of the rain gardens shall be prepared and submitted to the Town Planner for review. The plan shall be stamped by a professional engineer certifying that the rain gardens were constructed as designed.
5. The staff shall review the revised lighting plan to assure compliance with the Ordinance.

Ms. Littlefield seconded.

Voted 5-0

Because of the late hour, the remainder of the agenda was tabled until the July 20, 2009 meeting.

22. Administrative Amendment Report

There was no report.

23. Town Planner's Report

There was no report.

24. Correspondence

There was no correspondence.

25. Planning Board Comments

There were no comments.

26. Adjournment

The meeting was adjourned at 10:40 P. M.