

Town of Scarborough

Planning Board

July 20, 2009

AGENDA

1. Call to Order (7:00 P. M.)
2. Pledge of Allegiance
3. Roll Call
4. Approval of Minutes (June 29, 2009)
5. 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*
6. Cornerstone Baptist Church requests sketch plan review for expansion of the sanctuary and classrooms at site at 415 U. S. Route One
7. Northeast Mobile Health Services requests site plan amendment for addition of 875 square foot wash station at 24 Washington Avenue*
8. Fishermen's Cove, Thurlow Properties, Inc. requests final subdivision approval for 3 lot subdivision at King Street and Avenue Seven
9. Sudzie Auto Wash, Burgess Holdings, LLC requests site plan amendment to existing site on U. S. Route One*
10. Time Warner Cable Company requests site plan amendment for a 20 by 20 foot addition to the existing communications building at 8 Earle's Way*
11. Scarborough Crossing, Old Port Realty, LLC requests site plan discussion for Phase 2 of site at County Road
12. The Foundation Center, Robert Gaudreau requests site plan amendment approval for renovation of the former Konica building at 71 Route One*
13. New England Expeditions requests sketch plan review for proposed amendment to the approved site plan at The Gateway Shoppes
14. Administrative Amendment Report
15. Town Planner's Report
16. Correspondence
17. Planning Board Comments
18. Adjournment

Town of Scarborough

Planning Board

July 20, 2009

MINUTES

Members Present

Staff

Ms. Auglis
Mr. Chamberlain
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. Pledge of Allegiance

3. Roll Call

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

4. Approval of Minutes (June 29, 2009)

Mr. Paul moved to approve the minutes of June 29, 2009; Ms. Littlefield seconded.

Voted 5-0

Mr. Paul noted that Item 13 had been tabled.

5. 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*

Mr. Chamberlain recused himself from this item. Mr. Paul authorized Mr. Mazer to vote on this item.

Mr. Bacon stated that this was a simple lot line adjustment; he stated that the setbacks to the wetlands had been adjusted and the DEP permit had been amended. Mr. Bacon stated that the staff was comfortable with approval.

Mr. Elliott Chamberlain, of ALC Development, stated that Lots 9 and 10 were under the same ownership and this change would allow Lot 10 to be sold.

Mr. Paul moved to approve the amended subdivision plan as presented; Mr. Fellows seconded.

Voted 5-0

6. Cornerstone Baptist Church requests sketch plan review for expansion of the sanctuary and classrooms at site at 415 U. S. Route One

Mr. Bacon noted that this site was now in the B-3 Zone which required a Planned Development Review which is a master planning step for this project. He stated that the parking requirements and fire access lanes needed to be addressed. He stated that the educational component needed to be approved by the Zoning Board of Appeals for expansion of a Special Exception.

Mr. Mike Richman, of Custom Concepts, stated that the church had outgrown this facility and wanted to build a one story, 6,700 square foot addition; he stated that there would be an extended sanctuary and classroom space as well as more storage area. Mr. Lee Allen, of Northeast Civil Solutions, stated that, because of the wetland, they could not create access for emergency vehicles around the entire building so there would be a walkway on the north side with a sub-base which would be plowed in the winter. He stated that there would also be access to the rear via a basketball court. Mr. Allen stated that there were 280 seats with 70 parking spaces; he stated that the classroom would require 20 spaces but the two uses did not coincide so they proposed using the 70 spaces for both uses. He stated that the front entrance would be relocated to the south side for easier access. Mr. Allen stated that Bill Bray would look at traffic impacts and they did not know whether a stormwater amendment would be required by the DEP.

At the request of Ms. Auglis, Mr. Allen showed the new parking to the rear and side; he stated that the existing parking would remain in the front but would be changed. Ms. Littlefield confirmed that the classroom would be used only Monday through Friday and not on Sundays. Mr. Chamberlain asked about the setback issue; Mr. Allen replied that two lots had been merged for this site with frontage on Route One and on Haigis Parkway. He stated that there were questions about the setbacks to the lot lines of two lots but with one lot there were no issues. To a question from Mr. Mazer, Mr. Richman replied that there were 140 parishioners now and they expected to grow to 280.

Mr. Paul noted that there had to be Zoning Board approval before the Planning Board could act. He stated that he did not think the Board had issues with the shared parking but there may need to be a condition that if the timing of the school changed it would have to be reevaluated. To a question from Mr. Chamberlain, Mr. Allen replied that there was a two-way aisle and room enough to turn around in the rear parking lot. Mr. Bacon noted that the Site Plan Ordinance limited deadend parking to 10 spaces unless the Planning Board granted a waiver.

7. Northeast Mobile Health Services requests site plan amendment for addition of 875 square foot wash station at 24 Washington Avenue*

Mr. Bacon stated that the staff was comfortable with a waiver for the driveway separation because traffic was not an issue in this area; he stated that Mr. Wendel was comfortable with the stormwater management other than drainage from the roof to the sidewalk.

Mr. Lee Allen, of Northeast Civil Solutions, stated that there was an existing 20,000 square foot building used mostly for vehicle storage with a small office; he stated that they proposed an 875 square foot car-wash. He stated that their vehicles were now washed outside and the drainage went into the grass and the new wash would allow the wastewater to go through a grease trap and into the sewer system. Mr. Allen stated that the new driveway would be for entering vehicles only and employees would use the main entrance; he stated that there would be no additional traffic. Mr. Allen stated that they expected approval from the Sanitary District at their next meeting and there would be DEP review of the stormwater.

To a question from Mr. Mazer, Mr. Allen replied that there would be a one way entrance and the only exit would be out the main entrance. To a question from Mr. Fellows, Mr. Allen replied that the Sanitary District Superintendent gave preliminary approval but the Trustees had to sign off at their next meeting. To a question from Ms. Auglis regarding the drainage issue referred to by Mr. Wendel, Mr. Richman replied that part of the sidewalk had been pulled away from the building to deal with runoff from the roof but

they could put in a gutter if necessary. Ms. Littlefield stated that the driveway waiver was satisfactory. To a question from Mr. Chamberlain, Mr. Allen replied that the location of the addition is now pavement and they had lost only one parking space. Mr. Paul stated that he saw no need for a condition for the roof drainage and a DEP permit was not necessary.

Mr. Paul moved to approve the site plan amendment with the waiver for the driveway separation; Mr. Chamberlain seconded. To a question from Mr. Chamberlain, Mr. Bacon replied that the Sanitary District would ensure that their requirements were met.

Mr. Paul amended his motion to include the requirement for a copy of the Sanitary District approval for the expansion of the use; Mr. Chamberlain seconded.

Voted 5-0

8. Fishermen's Cove, Thurlow Properties, Inc. requests final subdivision approval for 3 lot subdivision at King Street and Avenue Seven

Mr. Bacon stated that the applicant had addressed the staff comments; he stated that there had been a small land conveyance at the end of Avenue Seven to give Lot 3 a 100 foot frontage on the river.

Ms. Nancy St. Clair, of Sebago Technics, stated that the conditions and staff comments had been addressed and documented in the Board's packets. She explained that the final boundary survey showed that Lot 3 would not meet the Shoreland Zoning criteria by 0.54 feet; she stated that there was a letter from the abutter, Linda Thurlow, who would transfer a six inch strip of land to the project, which would not alter her conformity. Ms. St. Clair stated that the driveway of the existing house would be tapered back to a normal width driveway.

To a question from Ms. Auglis, Ms. St. Clair replied that the performance guarantee was required to obtain an as-built plan of the driveway for the existing dwelling. Mr. Bacon noted that the Planning Board had suggested that the Public Works Department determine the curbcuts for the driveways of this project. Ms. Auglis stated that her concern was what would be left of the existing building when the duplex was built; Ms. St. Clair replied that the existing structure was within the Shoreland Zone and its setback and the Code Enforcement Officer would monitor the renovations in that area.

Mr. Paul asked whether the duplex would extend toward King Street; Ms. St. Clair replied that calculations needed to be done and presented to the Code Enforcement Officer; she stated that a new section of the duplex would be built out of the Shoreland area. To a question from Ms. Littlefield, Ms. St. Clair replied that the transfer of land would take place as soon as possible; Mr. Bacon stated that the mylar could be signed following that transfer. To a question from Mr. Chamberlain, Ms. St. Clair replied that the renovations would fall under the DEP sand dune process and the two new structures would be under a permit by rule from the DEP.

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

1. Prior to signing the mylar the requisite six inch strip of land necessary to meet the 100 foot lot width requirement for Lot shall be conveyed from the abutting lot now or formerly owned by Linda Thurlow.
2. Prior to the release of the mylar the applicant shall pay the peer review fees.
3. The recreational fee of \$500.00 per dwelling unit shall be paid prior to issuance of a building permit.
4. That the performance guarantee be provided to the Town Engineer prior to the release of the mylar.

Ms. Littlefield seconded.

Voted 5-0

9. Sudzie Auto Wash, Burgess Holdings, LLC requests site plan amendment to existing site on U. S. Route One*

Mr. Bacon stated that this was a collection of site adjustments; he stated that the site had campus signage for the directional signage. He stated that the staff was comfortable with the changes.

Ms. Nancy St. Clair, of Sebago Technics, stated that there were small changes proposed, some in response to the present business climate with an abbreviated wash and different levels of cleaning. She stated that they provided photos of the directional signs and wanted to identify the appropriate lane for different services. Ms. St. Clair stated that the exterior wash only would be from the interior lane and other services would be from the outside lane; she stated that there would be two pair of signs on the access driveway. She stated that they also wanted to replace the menu sign and put it on the outside of the lane and create a wider space for an employee to greet customers; she stated that that would reconfigure the landscape island. Ms. St. Clair explained that mid-range express detailing would be done just outside the egress of the carwash but could not be done in the sun so they would like to put on a small canopy.

Ms. St. Clair stated that two signs had been approved for the front of the site but the second sign had never been erected; she stated that they would like to shift the location of that sign so that when it was installed it would not block the existing sign.

To a question from Ms. Auglis, Ms. Christine Massengill, of Burgess Holdings, replied that the waiting area was for very busy days; she stated that they would move the bushes. Ms. Massengill stated that the second sign would be installed when the tenant was able to put it up. To questions from Ms. Littlefield, Ms. St. Clair replied that the menu board would be three by five feet and the canopy would be put up in April and taken down in the late fall. To a question from Mr. Chamberlain, Ms. St. Clair replied that the canopy would be white or cream.

Mr. Fellows asked about the request for changes to the timing of messages on the reader board; Ms. St. Clair replied that the changes to the Sign Ordinance may make this request moot. She explained that the original approval for this site allowed changes only twice every 24 hours and they would like to be able to change the message more often. Mr. Thomas confirmed that the only change visible from Route One would be the sign.

To a question from Mr. Paul, Ms. St. Clair replied that allowing more messages would give the applicant more flexibility in case of bad weather when the business had to close. Mr. Bacon stated that the ordinance allowed changes only twice a day and that was not something the Board could change, but the Town Council was considering amendments to the sign regulations to allow more frequent changes. He recommended that the applicants stay abreast of the process; he stated that the Board could make adjustments to the original condition so the applicant could follow the new ordinance.

To a question from Mr. Paul, Ms. St. Clair replied that the area on the south side was currently a landscape island, 13 feet of which would become pavement for the entrance to the car wash; she stated that they would move that landscaping. She stated that they would put in pavers on the north side, which is now lawn, so an attendant could stand there. Mr. Paul asked that some notations on the plan regarding signage be cleaned up.

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

1. That the plan be updated to ensure that the sign classification is consistent with the campus sign standards.

2. The electronic message sign may operate in accordance with the sign regulations as established by the Town of Scarborough Zoning Ordinance..

Ms. Littlefield seconded.

Voted 5-0

10. Time Warner Cable Company requests site plan amendment for a 20 by 20 foot addition to the existing communications building at 8 Earle's Way*

Mr. Bacon stated that expansion of this Special Exception use was approved by the Zoning Board and the staff had no concerns.

Mr. Jeff Hayman, who represented the applicant, stated that this small addition would be used for housing new communication equipment; he stated that the elevation would match the existing building. To a question from Ms. Littlefield, Mr. Chace stated that the site could accommodate any necessary parking. Mr. Hayman stated that there would normally be only one car.

Mr. Paul moved to approve the site plan amendment as presented; Mr. Thomas seconded.

Voted 5-0

11. Scarborough Crossing, Old Port Realty, LLC requests site plan discussion for Phase 2 of site at County Road

No one was available to represent the applicant. Mr. Paul stated that the Planning Board had asked the applicant to return to discuss what was happening on the site if the building were not constructed within a year. He stated that the photos provided showed that the site had been well kept. He stated that in lieu of having the owner return the staff could make the assessment that he needed to come back if the site were not kept neat.

Ms. Auglis confirmed that there had been no complaints about the site; she stated that she had no issues with Mr. Paul's suggestion. Mr. Bacon stated that the staff would monitor the site, have it cleaned up if ever necessary and address any issues with the Board.

Mr. Paul called a recess at 8:30; the meeting resumed at 8:35 P. M.

12. The Foundation Center, Robert Gaudreau requests site plan amendment approval for renovation of the former Konica building at 71 Route One*

Mr. Bacon stated that this project had been through peer review and there were staff comments with a wide range of issues. He stated that the staff recommended a report covering Phase 2 from Mr. Bray prior to approval. He stated that there were questions about lane width, the center line and the left turning lane and comments about the stacking for the new driveway. Mr. Bacon stated that the Fire Department needed more information about the fire lanes and there were questions about the reserved parking area.

Mr. Steve Bushey, of Deluca-Hoffman, explained that the building consisted of a number of additions, had been vacant for several years and met the zoning requirements for an office building. He stated that the building would be renovated in two phases; he stated that they would remove the loading dock and put in a landscaped entrance. Mr. Bushey stated that they would eliminate the Route One access drive and use the driveway from Science Park Drive, which would be put back into its right of way. He stated that they would need to move the road back toward the north in order to accommodate a deceleration

lane, which would satisfy Phase 1 traffic needs. He stated that they brought their driveway slightly south to make the turning easier. He stated that there would be more separation between Route One and their driveway.

Mr. Bushey stated that the Phase 2 parking would be in the rear, which was a high area that would need to be blasted and there was a stream that required setbacks. He stated that they would be discharging close to the Nonesuch River so quantity of stormwater was not an issue but they would have to meet quality standards. He stated that they would not need DEP approval but would provide a water quality system and the staff was in favor of the proposed system. He stated that they would provide a total of 350 parking spaces; he stated that there were public utilities including underground electrical service. Mr. Bushey stated that they had provided a photometrics plan and would remove the existing bright lights. He stated that they had changed the parking lot configuration because of the grade in the front and put in a landscape island. Mr. Bushey stated that the landscaping was concentrated on the front of the site toward Route One and there was dense growth along the stream. He stated that there was an existing fence on the front and sides which the DOT would allow them to replace with a four foot vinyl coated fence to improve the frontage.

Michael Charek, architect, displayed a possible floor plan for tenant spaces; he stated that there would be an open courtyard in the center with a cutout roof and a corridor that would add a second means of egress. He stated that each tenant would have its own entrance. Mr. Charek showed the brick-like EFIS material they proposed for the bottom of the building and stated that the upper portion would be a plain EFIS. He stated that EFIC was an economical, insulating material.

Mr. Mazer stated that he was concerned about safety at the access to Route One for a 30,000 square foot structure which would create a lot of traffic. Mr. Bushey stated that Gorrill-Palmer did their traffic study for the first phase and, at the request of the staff, they would provide numbers for the total project. He stated that Phase One looked at 30,000 square foot office use that was equivalent to the previous Industrial use. He stated that there is a center turning lane and Mr. Bray recommended the length of the deceleration lane by counting the traffic turns as long as the driveway was moved to the north. Mr. Bushey stated that probably only a portion of the divider island needed to be removed to allow for the length of the deceleration lane.

To questions from Mr. Mazer, Mr. Bushey replied that there would be 12 to 15 doors for the individual tenants and they would meet with the Fire Department. To a question from Mr. Thomas, Mr. Gaudreau replied that there would be lights on the building which he would like to leave on during the night, but the pole lights would be turned down. Mr. Thomas stated that he liked the corridor and the open courtyard and it would be nice to see the fence cleaned up. Mr. Thomas asked how soon the applicant would return for Phase 2; Mr. Gaudreau replied that his construction would be continuous and he would be back to the Board prior to finishing Phase 1 construction.

Mr. Fellows stated that he would like to see a complete traffic analysis including Phase 2, especially since this is a continuous project; he echoed the safety concerns. Mr. Gaudreau stated that he met with the Blood Research Foundation and they acknowledged it would be better to move the road and they would work with him. To a question from Mr. Fellows, Mr. Gaudreau replied that the dumpster would be in the rear corner with a maintenance shed. To a question from Mr. Chamberlain, Mr. Gaudreau replied that their sign would be at the corner parallel to the road so it would not block the view of the building. To a question from Mr. Chamberlain, Mr. Bushey replied that the DOT would make the decision to take out the concrete island in the road. Mr. Gaudreau stated that the courtyard would be done as part of Phase 1.

At the request of Ms. Littlefield, Mr. Bushey described the stormwater system; he stated that there were access ports for cleaning the culvert. Ms. Littlefield stated that the next traffic study should address the

stacking on Science Park Drive. Mr. Gaudreau stated that the road would be rebuilt for Phase 1 and would accommodate Phase 2.

Mr. Bacon stated that EFIS was not favorable material under the design standards but the Board had allowed it in conjunction with other materials. Ms. Littlefield stated that with the difference in style and as a renovation material she was in favor of the EFIS as long as the visual changes were made. She stated that any screening of the roof units would be appreciated; she stated that the directional signage should include arrows. To questions from Ms. Auglis, Mr. Bushey replied that the stream was regulated by the DEP and there was a letter from them; Mr. Bushey showed the sidewalk that would be part of Phase 1. To a question from Mr. Bushey, Mr. Bacon replied that the staff wanted to see the sidewalk more toward the north on Route One because there were businesses in that direction. Ms. Auglis stated that she wanted to see red pines as a buffer between the road and the fence; she stated that she would like to see a rendering of how the front would look once it was landscaped with evergreens, not deciduous trees, to accentuate the building.

Mr. Mazer asked about the blasting for the new parking lot; Mr. Gaudreau stated that he would work with the neighbors including Maine Medical Center. Mr. Paul asked that the staff comments be reviewed to ensure that everything was covered. He stated that the applicant should also consider the design standards addressing offsets for uninterrupted walls; he stated that the standards indicated that the façades should not have greater than 100 feet that is not broken up.

13. New England Expeditions requests sketch plan review for proposed amendment to the approved site plan at The Gateway Shoppes

This item was tabled at the request of the applicant.

14. Administrative Amendment Report

There was no report.

15. Town Planner's Report

There was no report.

16. Correspondence

There was no correspondence.

17. Planning Board Comments

Mr. Paul noted that Mr. Fellows and Mr. Thomas would be absent from the August 10, 2009 meeting and asked that the other members notify the Recording Secretary if anyone else would be absent.

18. Adjournment

The meeting was adjourned at 9:50 P. M.