

Town of Scarborough

Planning Board

November 2, 2009

AGENDA

1. Call to Order (7:00 P. M.)
2. Roll Call
3. Approval of Minutes (October 13, 2009)
4. Scarborough Sanitary District requests site plan approval for new pump station at 35 Old County Road\*
5. Caddisfly Knoll, Tim Wagner requests preliminary subdivision approval for 9 single family lots off Holmes Road\*
6. Lighthouse Inn, Peter and Nicholas Truman request site plan approval for reconfigured parking lot on Pine Point Road\*
7. Administrative Amendment Report
8. Town Planner's Report
9. Correspondence
10. Planning Board Comments
11. 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

November 2, 2009

MINUTES

Members Present

Staff

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

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; all members were present.

3. Approval of Minutes (October 13, 2009)

Mr. Thomas moved to approve the minutes of October 13, 2009; Ms. Littlefield seconded.

Voted 3-0-2 – Mr. Fellows and Mr. Paul abstained.

4. Scarborough Sanitary District requests site plan approval for new pump station at 35 Old County Road\*

Mr. Chace noted that the proposed pump station would result in the elimination of two existing pump stations one of which is in the Resource Protection Zone on Old County Road and the other in the Shoreland Zone on Eastern Road. He stated that there were no staff comments.

Mr. Gary Lorfano, Superintendent of the Sanitary District, explained that the new pump station would be located in a grove of trees and away from any homes; he stated that they would hook into the existing force main in Old County Road. He noted that the old station on Eastern Road had structural and odor problems. Mr. Lorfano stated that they would demolish the station on Eastern Road and would use the old 15 inch effluent pipe so there would be no open cut across the marsh. He showed the buffering of the 28 by 40 foot structure which would look like the pump station on Route One and noted that the existing wooden fence would be moved from Eastern Road to this site; he stated that water and power service would be from Old County Road. Mr. Lorfano stated that, at the request of the Fire Department, they would install a fire hydrant outside their fence; he noted that they would pave a 10 foot wide driveway but it would have shoulders for emergency vehicle access. He stated that the only light would be a cutoff fixture over the door and there would be a small address sign at the entrance to the site. He stated that the building would be soundproof, there would be a new generator and there would be odor control and detection. Mr. Lorfano stated that they had reached out to the neighbors who were satisfied. He stated that they would work with the Public Works Department, who would be working on the road, during the winter and hoped to have the entire project completed by June 2010.

Mr. Mazer stated that he appreciated the communication with the neighbors and was in favor of this project. Mr. Thomas stated that he had no concerns. At the request of Mr. Fellows, Mr. Lorfano explained that odor would be controlled by a vented wet well with a carbon filter; he stated that the trick was to keep the water moving.

To questions from Mr. Chamberlain, Mr. Lorfano replied that the access drive to the present station on Old County Road would be grassed over and they would leave the arbor vitae. He stated that the Eastern Road parcel was 19.5 acres; he stated that everything would be demolished but they may leave some pavement for future parking. Mr. Lorfano stated that there was interest from the Eastern Trail people for interconnection of neighborhoods and they would not disturb the existing trails or cut off access. He stated that the site may become a wetlands bank in the distant future and they would work with the town.

To questions from Ms. Littlefield, Mr. Lorfano replied that there would be no environmental cleanup necessary and nothing would be left in the ground except concrete that would be filled with sand. He stated that the owners of Coach Lantern Apartments would give them an easement; he stated that the land was restricted by the DEP against further division. Ms. Auglis stated that it was great to get the stations out of the Resource Protection and Shoreland Zones. To a question from Ms. Auglis, Mr. Lorfano replied that pipe bursting was putting a new pipe through the existing pipe to avoid an open cut in the marsh. To a question from Mr. Paul, Mr. Lorfano replied that he did not know of any noise from the pipe bursting and it was four feet below ground. To questions from Mr. Paul, Mr. Lorfano replied that they planned to have the entire project completed by June 2010 and they would use soil from the new project to fill the site at Eastern Road.

Mr. Paul moved to approve the site plan as presented; Ms. Littlefield seconded.

Voted 5-0

5. Caddisfly Knoll, Tim Wagner requests preliminary subdivision approval for 9 single family lots off Holmes Road\*

Mr. Chace stated that the plans had been revised and there were letters responding to staff comments as well as a nitrate analysis; he stated that there were engineering details and an issue of the no disturb wetland setback to be completed between preliminary and final approval. He stated that a financial capacity letter had not been received.

Mr. Lee Allen, of Northeast Civil Solutions, stated that the letter of financial capacity had not yet been received by the applicant from the bank. He stated that the well locations were shown and a note on the plan would not allow them to be changed.

Mr. Chamberlain thanked the applicant for removing the chain link fence. To a question from Mr. Chamberlain, Mr. Chace replied that the Town Engineer was satisfied with the lots that had only one test pit. To a question from Mr. Chamberlain, Mr. Lee replied that the nitrate plumes followed the flow of gravity to the wetlands and the plant roots filtered the nitrates. Mr. Chamberlain noted that the banks were being very stingy and that was probably why there was no letter of financial capacity.

The Board agreed that there should be no preliminary approval prior to receiving the letter of financial capacity. Mr. Paul stated that preliminary approval was close and simply needed some engineering details and the letter regarding funding.

6. Lighthouse Inn, Peter and Nicholas Truman request site plan approval for reconfigured parking lot on Pine Point Road\*

Mr. Chace stated that throughout the course of the year the Town Council and the applicant had worked through a land transfer; subsequently the town has agreed to transfer a portion of the road to the applicant and the town would receive land on the other side of the road which is now used for parking for the Lighthouse Inn. He stated that there were staff comments indicating the need for more detail regarding lighting, treatment around the entryway and traffic markings. He noted that there was an email from R. Welch commenting on the application.

Mr. Les Berry, of BH2M Engineers, stated that this project was under DEP jurisdiction for a permit-by-rule which would be submitted to them as soon as the plans were finalized. He displayed the site plan and the changes to the area and stated that they proposed a four foot wooden fence with sea roses and a 20 foot wide opening for the driveway with two five foot stone columns as light posts. Mr. Berry stated that a five foot strip of pavement along the hotel would be removed and low plantings would be put in; he noted that the runoff would be lessened by removing the pavement.

Mr. Paul stated that he would allow public comment regarding the site plan only and not the land swap itself; he asked that comments be limited to five minutes and that any questions be directed to the Board and not to the applicant.

Mr. Robert Rovner, of 4 King Street, stated that he felt the proposal would impact the safety of the community at large; he stated that there was always the intention for a turnaround for dropping off beachgoers but that is no longer shown on the town's plan. He stated that the street would be narrowed in front of his house by the town when the intersection was renovated and the large planter that the Trumans had placed in the right of way should be removed. Mr. Rovner stated that the town now had the opportunity to improve the safety by taking back the right of way and leaving the road width as it is. He stated that he would like to request a traffic study for safety and recommended Bill Bray; he also stated that the town should buy the last two Beach Walk lots for a parking lot. Mr. Rovner stated that the Trumans did not yet own the land for the new parking lot and there were DEP and safety issues; he stated that a letter had been sent to the Attorney General requesting that she look into the legality of the deeds. He stated that this project would cut off beach access and destroy the view corridor.

Ms. Judy Shirk, of Avenue Three, noted that there were deed restrictions at the Beach Walk Subdivision and the town should make sure the conditions placed on this site were enforceable; she stated that the fence should be three feet high and an open split rail fence so the view would not be limited and be consistent with the neighborhood. She stated that the access had gone from a year round road to a seasonal footpath. Ms. Pamela Rovner, of 4 King Street, stated that there was no emergency lane to access the beach and it was important for anyone with an emergency to be taken care of right away.

Ms. Arlene Hurd, of Old Orchard Beach, stated that there was an accident waiting to happen at this intersection because of the stonewalls that the Trumans had erected on town property and they should be removed. Ms. Sue Perrino stated that the neighbors were promised the turnaround but there was now a two car dropoff on the road; she stated that her main concern was the blocking of the entrance and the turning cars. Ms. Mo Erickson, of Pine Point Road, asked the Board to visit the area to see how busy it was at this intersection with pedestrians and traffic. She stated that it seemed crazy to have any fence that would block the area.

Ms. Susan Hamill, of Bay Street, stated that this project could not be looked at in isolation and the re-design of the Pine Point Road intersection should be included. She stated that the Trumans' fence should be on the other side of the public walkway; she stated that if the Beach Walk owners erected a fence, people would be walking through a tunnel. She asked that the Board consider the fences and the views and asked that the entire area be considered at once. Mr. Paul stated that he was aware that there was an attempt by the town and the applicant to make the entire project happen at once.

Mr. Chamberlain stated that when he drove to the site the first thing he noticed was where the dropoff would occur and how tight the area was. He stated that he had an issue with the picket fence and thought a split rail fence was more common and appropriate in the area. He agreed that the entire project should be considered all at once and not considered a work-in-progress and it made sense to get the plants out of the right of way. Mr. Chamberlain stated that he was sure the Fire Department would require access and safety measures. To a question from Mr. Chamberlain, Mr. Chace replied that the deeds had not yet been finalized because the Trumans would like an understanding that they would have a parking lot. Mr. Chace stated that everything had been agreed upon in principle and the Town Manager had a task force to look at what to do with the town property. He stated that the Fire Department had no issues with this design and the Public Works Department would do what was necessary with the planter in the right of way. Mr. Chamberlain noted the points about the stone wall and the view corridor.

Mr. Mazer asked whether there should be an exchange of documents before the Board voted; Mr. Chace replied that there was right, title and interest because of the Town Council Resolution. Mr. Paul stated that, because of the sensitivity of this project, the Board needed to digest the information received at this meeting and work at it responsibility so there would be no vote tonight. At the request of Ms. Littlefield, Mr. Berry showed the strip of land to be deeded to the town and a small parcel that was already owned by the town. Ms. Littlefield stated that she did not want to vote for a site plan that had planters on town property and agreed that the fence was too high and impaired the view. She stated that safety and access were her biggest issues.

Mr. Thomas stated that the inn would be allowed a parking field. He stated that the issues were preliminary items such as safety and the fence. Ms. Auglis stated that the question was whether the parking would work and what the configuration would be was contingent on other issues; she suggested that the Board recommend that the project be done in conjunction with the town project. Mr. Fellows asked whether the handicap space near the intersection could be moved closer to the building and away from the intersection; Mr. Berry replied that that the handicap space was nearest the office and also near a handicap room. Mr. Fellows agreed with the comments about the fence and the planter. Mr. Mazer confirmed that 22 parking spaces were satisfactory for 22 rooms.

Mr. Paul stated that he thought the ordinance required a 24 foot wide driveway; he stated that one of his concerns was the design of the entry which was very hard and needed to be softened. He stated that a site walk was a good idea and could be coordinated by the staff when the town had plans for its land; he noted that the Board did not need to see both the town improvements and the inn's improvements on this site plan but should see how the dropoff might match the entrance to this site. Mr. Paul stated that there should be a lighting plan and he agreed that the handicap space was in a difficult area for backing up. He stated that the plan did show that the 22 parking spaces could be put on the site.

Mr. Berry stated that he understood the issues and appreciated the efforts and the site walk. Mr. Paul stated that it would be helpful if the applicant worked with the town.

#### 7. Administrative Amendment Report

There was no report.

#### 8. Town Planner's Report

Mr. Chace stated that the Board members had received a list of Planning Board approved items since January with an indication of where the projects now stood. He stated that the staff would compile that list quarterly.

Mr. Chace noted that there was an e-mail from SEDCO asking for comments on their draft of a visioning process they were compiling.

9. Correspondence

There was no correspondence.

10. Planning Board Comments

Mr. Mazer thanked Mr. Chace for the update on the projects approved by the Board.

Mr. Paul noted that Ms. Littlefield's and Mr. Fellow's terms on the Board expired at the end of 2009 and he hoped they both would ask to be reappointed. He asked that anyone who wanted to be Chairman, Vice Chairman or Secretary talk to Ms. Littlefield.

11. Adjournment

The meeting was adjourned at 8:50 P. M.