

Standish Town Hall

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Planning Board Meeting Minutes 03-03-2014

Standish Planning Board
Meeting Minutes
March 03, 2014

The meeting was called to order by Chairman Brian Libby at 7:02pm. Present were Steve Nesbitt, Lester Ordway, Alta Harding, Carol Billington, Alberta Byrnes, Bud Benson, Town Planner and Jackie Dyer, Secretary to the Planning Board.

The first item on the agenda was the approval of the February 03, 2014 meeting minutes. Mr. Nesbitt made a motion seconded by Mr. Ordway to approve the minutes. All in favor.

Approval of Finding of Fact :

William A. Ward, 178 Stuart Shores Road, Map 59, Lot 16 Shoreland Zoning Application

Mrs. Harding made a motion seconded by Mrs. Billington to waive the reading. All in favor. Mr. Ordway made a motion seconded by Mrs. Harding to approve the finding of fact.. All in favor.

Old Business :

Hunt Real Estate Ser., Inc., 120 Ossipee Trail, Map 10, Lots 70,70B- Site Plan Application for Family Dollar Store

Doug Murray was present to represent the applicant. He handed out to each Board member a new rendering of the proposed elevations. He said they have reflected the changes and revisions regarding the Town Avenue and what were discussed in the last workshop. Mr. Libby said the Board has not yet received a document of the roadway for an easement.

Mr. Nesbitt said they had also talked about the siding going around the back and Mr. Murray said they had not intended to do it. Mr. Nesbitt said they needed to as that was discussed and agreed upon. He said he is also very disappointed that there are no dormers on the front as discussed and he feels that the new rendering does not meet the New England feel at all. Mr. Nesbitt said also on the Town Avenue side, they have also gone away from the colonial feel as discussed and he also had an issue with the egress doors. He said it looks like solid metal. Mr. Murray said if they want glazing, they can do it and have it be opaque. Mrs. Billington agreed and said she had a question as to whether this was going with code as far as the Town Avenue goes.

Mr. Benson said they are in the process of amending the code, so they would only have to do one half or the road. He said they are missing some street trees, but the plan view is missing the sidewalk. Mr. Murray agreed. Mr. Benson said the current code requires a full town avenue but the new code would have them build half. Mr. Libby said he feels that with the new changes, one half would be fine with him. Mrs. Billington said she wonders if the amenities to be built on the town avenue would conform with code. She is looking at the side walk width, the trees and esplanades, the lighting, etc. She said she also is in agreement with Mr. Nesbitt on the architecture of the building. She feels that the architecture is very important because of the Standish Corner District and how hard they have worked to keep it in conformity with the rest of the buildings there. She said there is an ordinance saying it needs to fit in with the current architecture and she feels this does not conform.

Mr. Libby said they have nothing in the ordinance to say they need dormers. Mrs. Billington said that if this building goes in as it is, then it sets the precedent for all of the other buildings to be built. She said she feels that anyone could do what they wanted to if. There was a paragraph left out of the ordinance which talks about architectural standards. He said there is a paragraph that talks about keeping things in conformity and breaking things up so it doesn't look like it is just one great, big building. He said the building should be looked at as far as breaking the building up. Mrs. Billington said there is a review standard about the building fitting in. She feels that this will set the standard for other builders down the road.

Mr. Libby asked what the Board feels about the dormers. Mr. Nesbitt said it is something he would like to see as discussed in the last workshop. Mr. Murray said they are at the point that the new rendering is what they would like to get approved at this time. Mr. Ordway said the plan he handed out shows all of the trees and Mr. Murray said it was not supposed to show them. Mr. Libby said the most important question is the dormers. He feels, as does Mrs. Byrnes and Mrs. Harding that the application has come a long way since it was first introduced. Mrs. Harding asked how many dormers need to be on the building. Mr. Nesbitt said he is looking for something to break up the front area and he can envision three or four of them. He said when they first came to the Board, the architecture was much different than what they have now proposed.

Mr. Murray said they had a discussion with the architect and agreed that dormers on the front are just not typical of a building like this. They have a different pitch on the roof and have eliminated the dormers as previously submitted. Mrs. Billington said the road was also discussed at the workshop and that a road had to be built to code. She feels that they are changing the ordinance to get a better building. She said they have conformed the ordinance so that they would have to build just a half of a road, but yet they do not have a better building. Mr. Murray said this is a much better building than originally submitted as the other one was a flat roof building. Mr. Benson said that he feels they have met the fenestration requirements and have submitted something that doesn't look just one big building from the road. He said it's up to the Board.

Mr. Murray said when they added the awnings and some breaks; he felt this was in the interruption of the code. Mr. Libby agreed but Mrs. Billington said she did not. Mr. Libby said that it looks like the work they have done on this building may have upped the costs of the building considerably. Mr. Murray said it has. He feels that with the way they have changed the insides, opening it up, have helped considerably. This was done by eliminating the flat roof and going with a pitched one. Mr. Ordway said he is okay with the way the building is and its minor things that need to be taken care of. They went from a 12 foot pitch to a six foot. Mrs. Harding said she can see both sides of the issue as far as the dormers go. She said if the building meets the standards, she hesitates to make them jump through more hoops and have them just back out. She feels this would create jobs and help the Town in creating another business. She said she feels the siding on the back does need to be changed. Mr. Libby said he feels that all but two Board members feel that the building is okay. Mr. Nesbitt said he will make his final decision when he votes and Mrs. Billington said she will also.

Mrs. Billington said she is willing to risk Family Dollar either changing the building or walking away. She said that she personally, has put many, many years and hours working on the comprehensive plan and getting to where they are today. She said when the application first came in, it triggered many points. She said with this building the way it is, the building is very large and needs to have some disguise to it to have it fit into the area. She just feels that it's nothing but a big, long metal building and she feels that the Town and the area can risk losing their sense of community and the New England look.

There were no other discussions. Mr. Nesbitt said the plans they have in front of them all have some conflicting information and he would rather have a plan in place with exactly what they want. Mr. Murray said they are looking for enough assurance to be able to move forward with what they have. He will have the architect and engineer redo the drawings, as they would like an approval and be able to put it out to bid. He said they could have new drawings to Mr. Benson by tomorrow or Wednesday at the latest. There will be a continued meeting on Monday, March 10, 2014 at 7:00pm.

New Business :

Living Stone Community Church, Map 5/ Lot 16-40 Site Plan Application

Mr. Tim Brown was present to represent the applicant. He is a member of Living Stone Church and also the manager of the construction project and Vice Chair of the building committee. He introduced Pastor Joey Marshall and the building committee. He said Tim Brawn is the architect, but not able to be at the meeting tonight. Tom DuBois spoke. He is an engineer from Livermore Falls. He showed the different elevations of the building and also a rendering of what the proposed building would look like when finished.

He showed where they want to put the building off Rt. 25 by Kiwanis Beach, the next lot after Tabor's Store. He said they want to eventually build a phase I and phase II. The phase one building would be a sanctuary and some classrooms for Sunday school. Phase II would be moving forward with more classrooms as continue to grow. The buildings would be 8355 square feet each. They have a parking table with 74 parking spaces. The buildings are a single story, 22 feet in height and will be served with a sprinkler system, on site. They will have a newly constructed road off Rt. 25, with some of the road paved and the rest will be gravel. He said the soil conditions on the site are fantastic and not just all sand.

The building would be entered from the parking lot, with a sanctuary, classroom and bathrooms. He said the back window would open up onto Rt. 25. He said they have approval through MDEP and also DOT. They have not put a parking table on the plan but will do so on the final plan. He feels they have addressed anything they were asked to. They would like to maintain a lot of the natural

vegetation as possible.

Mrs. Billington asked about the playing field on the plan. Mr. Dubois told her this is not going to happen now, but they would eventually like to open it up for soccer, baseball and a place where the children can run around and play. Mrs. Byrnes asked when they would propose to do phase II? Mr. Dubois said that would trigger when the other classrooms in the first building were filled to capacity as the church grows. Mr. Benson said they have a two year period to start construction on this plan, if approved.

Mr. Benson said the parking is based on the number of assembly that would be coming to the church. The parking requirement for the second building would be the same as it is now, with no new use added or parking added. The maximum seating capacity in the sanctuary is 232 people. That is what they are basing the parking on and also the fire protection. Mr. Nesbitt asked about the road, would they be the owners or have an easement. Mr. Dubois said they have an easement from Kiwanis that says they can maintain the road and use it for their own. Mr. Nesbitt asked about a hammerhead turn around and the State says the first entrance that goes around can be used as a hammerhead. Mr. Benson said he is not looking at the shared entrance road as an issue and he feels there is none.

Mr. Ordway said he feels that this package is a great one and very well put together. Mrs. Harding asked about the septic and asked what size it is. It is actually a 1500 gallon capacity, but the plan says 1000. There are two tanks, one @ 1000 and then another at 1500. He said there is a discrepancy in the plan and he apologized for that. Mrs. Harding asked how far they are from Watchic Lake and Mr. Dubois said it is at least 1200 feet or more. They are in the watershed, but they did do a phosphorus plan.

Jan Raymond spoke and said they had worked hard on this. She is a member of the church and hopes they can get their plan approved. She says they need their own church and hopes it can become a reality. She said they have many people wanting to help them build their church from all around. She feels they have tried to have everything the Board wants. If there is anything they need to change, they will.

A site walk was discussed but it was decided that one is not needed. The site was cleared just a little while ago in making room for the church. Mr. Nesbitt said it's on a very straight section of Rt.25 and they seem to have everything they need.

Mrs. Billington made a motion seconded by Mr. Ordway that the application is complete. All in favor. Mrs. Harding asked about the septic pipes being run under the pavement. Mr. Dubois told her that was taken care of as they would be put in a bit deeper than normal. He said they have basically worked backwards as they have worked with the plumbing codes to get to the right grade for the building.

The Board agreed that the building is very nice and the plan well done.

The following are the Standard Conditions of Approval:

A.~The provisions for vehicular loading, unloading and parking and for vehicular and pedestrian circulation on the site and onto adjacent public streets and ways will not create hazards to safety nor will impose a significant burden upon public facilities.

Mr. Nesbitt made a motion that Standard A is met with the addition of a parking table onto the final plan. This was seconded by Mr. Ordway. All in favor.

B.~The bulk location and height of proposed buildings and structures and the proposed uses thereof will not be detrimental or will impose undue burdens on the public facilities

Mr. Ordway made a motion seconded by Mrs. Harding that Standard B had been met. All in favor.

C.~The provisions of on-site landscaping and screening do provide adequate protection to neighboring properties from detrimental features of the development.

Mrs. Billington made a motion seconded by Mr. Ordway that Standard C has been met. All in favor.

D.~The site plan adequately provides for the soil and drainage problems that the development will create.

Mrs. Billington made a motion seconded by Mrs. Harding that Standard D has been met. All in favor.

E.~The provisions for exterior lighting will not create undue hazards to motorists traveling on adjacent public streets nor are inadequate for the safety of occupants or users of the site nor will such lighting damage the value and diminish the usability of adjacent properties.

Mr. Nesbitt made a motion that Standard E has been met with the added condition that "all exterior lighting will be concealed source with LED lighting." This was seconded by Mrs. Billington. All in favor.

F.~The applicant has provided reasonable evidence of his financial capabilities to complete the development as planned and approved.

Mrs. Billington made a motion seconded by Mr. Nesbitt that Standard F has been met. All in favor.

G.~The proposed development will not create undue fire safety hazards by not providing adequate access to the site or the buildings on the site for emergency vehicles or by failure to meet other fire safety ordinances or laws. The Fire Department shall file a written report with the Planning Board prior to the hearing.

Mr. Ordway made a motion seconded by Mrs. Harding that Standard G has been met. All in favor.

H.~The proposed development has made adequate provision for sewage disposal.

Mr. Nesbitt made a motion seconded by Mrs. Harding that Standard H has been met. All in favor.

L~The proposed site plan will not alter the existing character of the surrounding zoning district or division to the extent that it will become a detriment or potential nuisance to said zoning division or district.

Mrs. Billington made a motion seconded by Mrs. Harding that Standard I has been met. All in favor.

J~The proposed development has made adequate provision for water supply, including an adequate supply of water for fire-protection purposes.

Mr. Ordway made a motion seconded by Mrs. Billington that Standard J has been met. All in favor.

K~No plan shall be approved by the Planning Board as long as the applicant is in default on a previously approved plan.

Mrs. Billington made a motion seconded by Mr. Nesbitt that Standard K has been met. All in favor.

L~Architectural drawings showing exteriors of proposed new nonresidential/commercial buildings in the Village Center District shall be compatible with a Colonial New England design. Such design can be achieved by incorporating features such as, but not limited to, broken rooflines, clapboard siding, steeply pitched roofs, roof overhangs, small pane windows, dormers, window shutters.

This condition is not applicable to the application.

M~Within the Standish Corner District, the plan must meet all of the following additional standards:

This application is not located within the Standish Corner District.

The approval is dependent on and limited to the plan and proposals submitted by the applicant either orally or in writing. Any variation from the plans or proposals is subject to review and approval from the Planning Board, in writing, except for minor changes which the Code Enforcement Officer may approve.

The application is approved. Much applause!!!!

Pastor Marshall said when they get the building finished, the Board would be invited for a celebration and tour of their church. He thanked the Board for their work and approval !

Tina Richardson, 61 Smooth ledge, Map 43, Lot 85 Shoreland Zoning Application

Peter Biegel from Land Design solutions was present to represent the applicant along with Mr. Vafiades from Vafiades Engineering and Design in Westbrook. They are proposing to tear down the existing cottage, remove the deck and build a new one, moving back just past the 25 foot set back line, so she can pull in and park her car. The proposed structure would be on a slab and not more than 20 feet tall, as the code indicates. There will be no trees removed to set the camp back and what trees there are, are not on their property.

They will have the revegetation plan ready to submit to the CEO, as well as the storm water run off plan. He said they are pulling the cottage back to the 25 foot high water mark. Mrs. Harding asked about the current camp and wanted to know if it was being moved back to be in line with the place next door. Mr. Biegel said the lot is very small. He said there is quite a lot of traffic on Smooth Ledge. The road is a dead end. Mr. Nesbitt said they will definitely need a site walk. He wonders if they move the cottage back to the maximum practical extent, would they be able to park on the other side of the road.

There is a septic system on the other side with a mounded system. A site walk is needed said Mr. Nesbitt to see how the layout of the land is.

Jan Gile spoke. She said she owns the property next door and her concern is that when the cottage is moved back, she will lose privacy as the back of the cottage, being a two story, will line up with the master bedroom in her cottage. She also asked about water run off in the spring as they are removing the deck and they have no beach. Mr. Biegel said they will have to do some revegetation to control any erosion. He said there will be some lawn there, but he also told her there are requirements for other plantings and ground covers. There will be an 8 foot set back from her property line, leaving a small walk way for the owners to get through.

Mrs. Harding asked if this would stay a camp or become a year round residence. Mr. Biegel said he is under the assumption that this will not be the owner's primary residence. Mr. Benson said it doesn't matter whether it's year round or not, they still have to move back to the maximum practical extent. He said there is very little parking on the road. Mr. Biegel said the deck is going to be removed and no other one will be added as they have used their square footage already.

A site walk will be held on April 07, 2014 before the next Planning Board meeting at 6:00pm.

Amendment to Standish Town Code, Chapter 181, Land Use, Multiple Sections Regarding Manufacturing

Mr. Nesbitt explained that this ordinance is part of trying to help create jobs, but still make sure the growth retains its rural character. This would expand the definition of manufacturing outside to the rural district, giving opportunities to people to have light manufacturing operations within their district and at their homes.

Amendment to Standish Town Code, Land Use, Chapter 181, 181-17

Signs and Industrial Districts 181-10

Mr. Nesbitt said this ordinance is created for the industrial district, but this would enable a building sign to be used for a multiple uses (Sensata building) and have a sign that has more than one business listed on it like the one at Colonial Marketplace. They have added medical clinic and restaurant (without a drive through). He thought they had also added college/school to that list.

Mrs. Harding asked why medical clinics were added. Mr. Benson said that the owner might have some tenant that would like to occupy part of the building, but he wasn't sure. There are certain types of businesses that could be put under the medical clinic heading.

Mr. Ordway said that a dispensary might be considered a medical clinic.

**Emergency Amendment to Standish Town Code, Chapter 181, Land Use:
Article III, District Regulations; Section 181-7.1 Standish Corner District**

This emergency amendment was introduced because of the Family Dollar application. It was because of a new business going into a pioneer lot and that a new road way needed to be build up to standard, creating a heavy financial burden to the applicant. There needed to be an easement created for a pioneer lot for new businesses. This hopefully would encourage new businesses to come in.

Amendment to Standish Town Code, Chapter 181, Land Use: Article III, District Regulations: Section 181-7.1, Standish Corner District

This above amendment is pretty much the same thing as the emergency amendment described above. Mr. Ordway said he feels they need to look at the 5000 square feet in the ordinance. Mr. Nesbitt said on the Town Avenue, they have lost the fenestration requirements and architectural standards. Mrs. Billington feels they need to look at the architectural standards right away as she is not happy with the Family Dollar building and what is being proposed. She feels that with this, they will lose the village kind of feel that they have worked so hard to achieve.

Mr. Libby said that the wording cannot be so subjective and applicants given so much leeway. Mrs. Billington said that some surrounding towns struggle with design standards and those need to be specific, in that they need to be better than they are today.

This meeting will be continued on Monday, March 10, 2104 at 7:00pm