

FALMOUTH PLANNING BOARD MEETING MINUTES
TUESDAY, March 3, 2009, 6:30 P.M.
FALMOUTH TOWN HALL, COUNCIL CHAMBERS

MEMBERS PRESENT: Tony Calcagni (Chair), Bill Lunt (Vice-Chair), Bernard Pender, David Fenderson, Stan Bennett

MEMBERS ABSENT: Bernard Pender, Jay Moody (Associate)

STAFF PRESENT: Ethan Croce (Senior Planner)

The meeting was called to order at 6:30 pm.

1. Approval of minutes from the February 3, 2009 Planning Board meeting.

Motion by Bill Lunt, seconded by David Fenderson, to approve the minutes. Motion carried 3-0. (Calcagni abstained)

2. Ridgewood Associates, LLC - Request to transfer the subdivision approval for the 75-unit Ridgewood Estates Subdivision. Tax Sheet 310; Map-Lot R04-026; zoned OSRD.

3. Burr Signs – West Falmouth Crossing – Request for approval of a 2'x10' wall sign for Bernie's Pizza Pub. Tax Sheet 374; Map-Lot R05-044-002; zoned West Falmouth Crossing Master Planned Development District.

4. Leavitt & Sons – 37 Depot Rd. – Request for approval of a new 40 sq.ft. wall sign. Tax Sheet 240; Map-Lot U12-009. Zoned SB1 and Village Center Overlay.

Motion by Bill Lunt, seconded by Stan Bennett, to approve the three administrative action items. Motion carried 4-0.

5. Irving Oil Corporation – 264 US Route 1 – Request for site plan amendment for approval of new site signage for Irving Oil. Tax Sheet 240; Map-Lot U58-007. Zoned SB1 and Village Center Overlay.

Ethan Croce identified the key issues with the application.

Gary Bolduc, of Poyant Signs, and Devon Tapley from Nouria Energy are present tonight to represent the application. Mr. Bolduc described the changes that were made to the plans since last month's Board meeting. A planting bed has been added at the base of the sign with year-round plantings to shield the light from public view. The light will be aimed directly at the signage without spillover. Nouria Energy would like to utilize the existing awning frame but install new fabric. The applicant has agreed to remove the scalloped edges on the awning. Irving would like to retain the green diesel pricing since this is an identifier that they sell diesel at this station. This is a branding item for Irving for their diesel product. Similarly, they would like to keep the proposed cursive lettering as it is part of Lil' Mart's branding. Lil' Mart has 55 sites which all use the cursive lettering. They believe the cursive lettering ties in with the Irving logo, which is also curved. Lil' Mart gave in on changing the color of their signs from vivid green to blue and white to be consistent with the Irving color scheme, but they would like to

keep their cursive letter style. Irving uses the verbiage “Clean” on all their branding. They do not feel like it is extraneous verbiage. The peer reviewer believes they conform with the Route One Design Guidelines. Mr. Bolduc feels like they have made a lot of changes already and have also changed the color banding on the building to blue and white too.

Tony Calcagni asked if they would consider removing the red markings around the Irving signage in order to keep the green in the other signs.

Mr. Bolduc said that would be difficult since Irving would want to keep their coloring.

Tony Calcagni feels as if the Board has regularly kept applicants to the three color limit in the past.

Bill Lunt said he doesn't have trouble with the green coloration for the diesel signage, but he would like to see the dome-shaped canopy replaced with a gabled canopy since that would be more consistent with the Guidelines and with the trend in development along Route One. The intent is to achieve a New England style and he would like to see a small gable awning to enhance the front of the building a little bit. The scallops should definitely be removed.

Gary Bolduc asked if the Board would consider a shed-type awning which the peer reviewer also found to be acceptable.

Bill Lunt said he would like to see a gable to better reflect the New England style and other re-development along Route One.

Stan Bennett complemented the applicant on the revised application which he believes has come a long way since last month's meeting. He thinks it would be a shame not to take the next step and change the awning design.

Bill Lunt said the other issue is the lighting for the sign. The way the pictures look, the lighting is located behind the flower box. Will it be so the light will not be seen by motorists on the road? Some lights on Route One can cause glare to motorists. The “Clean” verbiage is fine with him. It is better than what is there now. The italicized Lil' Mart is a different business, so he's fine with italics.

David Fenderson said the Irving at Exit 10 is consistent with the plan. He agrees with Bill Lunt on the gabling of the awning. He is fine with the “Clean” verbiage.

Tony Calcagni missed last month's meeting but noticed the changes from last month. Regarding the green color and the “clean” verbiage, he is certain the Board has said no to applicants seeking four colors on Route One and to ask applicants to scratch words that are superfluous. He is reluctant to set a precedent by allowing a fourth color now and on allowing the word “clean”. That is precisely the type of thing the Board has come down on in the past. He is fine with the italicized lettering. He likes the peer reviewer's suggestion on changing the awning shape and while he doesn't have a strong preference he would lean toward using the gable end.

The Board voted 3-1 to allow the applicant to keep the green color for the diesel pricing.

The Board voted 3-1 to allow the applicant to retain the verbiage “Clean” preceding the grade of gasoline.

The Board voted 4-0 to allow the Lil’ Mart signage to use italic lettering.

The Board voted 4-0 to require the applicant to replace the existing dome-shaped awning with a gable shape.

Ethan Croce read the proposed conditions of approval into the record.

Motion by Stan Bennett, seconded by Bill Lunt, to approve the application with the conditions as stated. Motion carried 4-0.

8. Irving Oil Corporation – 251 US Route 1 – Request for site plan amendment for approval of new site signage for Irving Oil. Tax Sheet 240; Map-Lot U12-002-ON. Zoned SB1 and Village Center Overlay.

The Board voted to hear agenda item # 8 out of order given the similarities in the key issues between this site and the site at 264 U.S. Route One.

A public comment period was opened. There was no public comment.

The Board voted to use the same approval program for this site as the site across the street. The applicant can keep the “clean” verbiage, the color green for the diesel pricing, and the italic lettering.

Motion by David Fenderson, seconded by Bill Lunt, to approve the application with the conditions as stated. Motion carried 4-0.

6. Falmouth Schools – 51 & 74 Woodville Road – Request for site plan approval for development of athletic fields and a wood chip boiler plant. Tax Sheet 300; Map-Lot R05-020 & -021. Zoned FF and RCZO.

Stan Bennett asked if this portion of the project would move ahead if the school construction funding is delayed or eliminated.

Jacques Gagnon said the State has allowed the Town to separate the school project out into stages due to budgetary issues. As it stands, they are scheduled to go to the Department of Education in April to go out to bid for the athletic fields and the boiler plant. Sometime in June or July they will be entertaining funding approval for the school itself. The State is phasing the funding.

Stan Bennett wondered if things go from bad to worse and the State doesn’t fund the school itself would the Town take money from first two projects and move forward with these improvements?

Dan O'Shea, from the School Department, said the funding from the State isn't specifically related to this project. There is no threat of losing funding to his knowledge.

Ethan summarized the project's key issues.

Bill Lunt wondered how the applicant can ask the Planning Board to sign off on this plan with the separate issues on both sides of the street in one meeting? He believes that if any other applicant came to the Planning Board with these plans, and this many unresolved issues, the Planning Board would not even hear their application. He is not comfortable granting an approval tonight.

Tony Calcagni agreed that there are a lot of outstanding issues for the Board to be considering tonight.

Jacques Gagnon spoke about the waiver request for the parking lot aisle width, down to 24 from 25 feet. He said that 24 feet is the industry standard.

Bill Lunt asked if that configuration was approved with the original high school application ten years ago.

Ethan Croce said he was not employed by the Town then and not sure of the answer to that question but that, regardless, any site plan approval relative to improvements on this side of the street would have expired by now since they were not completed within two years.

Jacques Gagnon said the access road to the fields will have a paved apron at the intersection with Woodville Road. The access road will be gated after hours. It will be limited to seasonal use only and closed in the winter. Off-street parking was left on the small side with the intent of utilizing the existing parking spaces located throughout the school campus. There are no additional game fields being added, these fields represent only fields that are being displaced by the new school.

David Fenderson asked what the fields will be used for.

Jacques Gagnon said for middle school baseball; high school soccer and lacrosse. Mr. Gagnon said the athletic fields will not be lit.

Stan Bennett asked if the waiver request for the 24 foot wide aisle was based on space limitations or impervious surface issues.

Jacques Gagnon said every foot saved does help with the design but it is a pavement issue too. Every other school design that Oak Point Associates has worked on has used a 24-foot aisle width and he can provide that background.

Bill Lunt said the applicant is asking the Board to do something that it would not do for anyone else. He is upset about how this is being done, feels that the Board would not do this for other developers, and is concerned about setting a precedent for the future proposed improvements on the other side of the road.

Tony Calcagni suggested that if ever there was a reason to maintain the ordinance-required 25 feet of aisle width it is in this instance where the proposed parking arrangement will result in lots of constantly existing and entering traffic by virtue of the limitation of parking to drop-off and pick-up traffic only.

Jacques Gagnon said they do not need the waiver on aisle width if it is an issue.

Tony Calcagni asked for clarification that neither Public Safety nor Public Works raised an issue with the driveway width as proposed.

Ethan Croce said their review comments did not raise this as an issue.

Jacques Gagnon said restrooms and trash will be located over 400 feet from the nearest house and the 75-foot wooded buffer will help to screen these areas from abutting properties so they are not proposing any screening. These features were not shown on the plans but they will be located next to the driveway in the center of the site.

David Fenderson asked how many portable rest rooms will be used.

Kerry Green, Landscape Architect for Oak Point, said she did not know for sure but that it would probably be no more than two and they would be seasonal only.

Bill Lunt asked about the existing portable rest rooms at the school site.

Karen Farber, School Board member, said they are not screened at the existing site.

Tony Calcagni inquired about the nature of the existing fence shown on the plans.

Jacques Gagnon said there is no existing fence but silt fence is used for erosion control until permanent vegetation is established. There are some sections of chain link fence at the top of slopes to keep balls in the playing fields from going down the slope.

Tony Calcagni inquired about whether the utility handholds will be placed underground.

Jacques Gagnon confirmed that the handholds would be placed underground so no screening will be needed.

Regarding minimum off-street parking, Jacques Gagnon referred to a reference in the Institute of Traffic Engineers guide and the closest comparable use they could find was “city park which contains athletic fields”. The peak parking demand for this use was 5.1 parking spaces per acre. This site would be 7.7 acres so it would theoretically require parking for 39 vehicles. The Superintendent site has 62 spaces and there are 600 spaces at the high school/middle school complex. They are not adding any new fields and there are no parking shortages on the school site of which they are aware.

Stan Bennett asked, based on the criteria cited, are there enough parking spaces on the east side of Woodville Road to accommodate the minimum parking needs.

Jacques Gagnon said there will be some overlapping needs to consider as well.

Stan Bennett said the applicant either has the minimum required parking or does not have it.

Bill Lunt expressed concern that there is little chance that the new parking lot will be used as temporary parking only as stated in the application.

Tony Calcagni inquired about why they were proposing to restrict the parking lot to only pick-up and drop-off parking.

Jacques Gagnon said it's probably fine to allow longer term parking for dropping people off, but for cars waiting to pick people up it may be better to have more temporary parking than just the cul-de-sac.

Kerry Green said the cul-de-sac was included in response to concerns of Public Safety in case the area was filled up with vehicles loading and unloading.

Tony Calcagni asked if the proposed signage would preclude anyone from using the parking lot for anything other than pick-up and drop-off.

Jacques Gagnon said yes.

David Fenderson envisions people parking parallel on both sides of the driveway. The last thing people will want to do is park farther away at the Superintendent site.

Jacques Gagnon said there will be a sign at the driveway entrance indicating that the lot is limited to temporary parking only and more signage will indicate that no parking is allowed along the roadway. They could sign the lot for 15 minute parking only. Staff made a good suggestion to add a sign at the driveway intersection to give direction to travelers that longer-term parking is available at the Superintendent lot as well as at the high school lot. The driveway will be a 20-foot wide gravel travelway with two, three-foot shoulders on both sides.

Bill Lunt said the wide roadway design, 26 feet in all, will provide plenty of room to allow cars to parallel park along the driveway, which he believes they will do notwithstanding signage.

David Fenderson agreed with Bill Lunt.

Tony Calcagni asked what the plans are for the area labeled "future parking lot".

Jacques Gagnon said there are no plans to construct that lot at this point. It was part of the master plan to leave room for future parking if needed.

Bill Lunt wondered why the walkway is not running parallel to the road.

Jacques Gagnon said it was to separate pedestrians and vehicles.

Tony Calcagni wondered how the applicant arrived at the design for the 20-space parking lot limited to drop-off and pick-up traffic only.

Jacques Gagnon said he believed it was the idea of Athletic Director Todd Livingston.

David Fenderson wondered why then a road is needed in the first place.

Jacques Gagnon said for emergency vehicles to attend to injuries, to get equipment into the site, and for drop-offs when visiting teams come.

David Fenderson asked if people drive down the existing field access roads now on the other side of the road.

Jacques Gagnon said no.

David Fenderson said if the intent is to keep people from parallel parking on the road why does the road have to be that wide.

Kerry Green said to allow cars to pass safely.

David Fenderson said the only difference in the fields moving across the street is that the parking servicing the existing fields is currently located on the same side of the street. He thinks the school will be opening up a can of worms with the wider driveway design.

Kerry Green said there would not be a handicapped space close to the fields provided if there was no road.

David Fenderson said that is no different than the current situation where there are no handicapped spaces located by the existing fields. He believes if the road will be that wide, people should be prepared for the fact that people will park there and on both sides of the road.

Jacques Gagnon agreed with staff's recommendation that wheel stops delineating parking spaces in lieu of signage is a good fit in this instance and that the wheel stops can be left in place since no plowing will be done in the winter.

Kerry Green confirmed that stops would be placed at the end of each spot to designate it.

Jacques Gagnon said, per staff's suggestion, they can provide a vegetated island in the cul-de-sac with proper clearances for turning vehicles.

Regarding stormwater, Jacques Gagnon said the culvert under Woodville Road is undersized for the 100-year storm. The models indicate there is a 0.4 percent increase in peak runoff from the site in certain instances. When they took into account the other 90 acres of watershed off site in their analysis they made certain assumptions. The total area flowing into Point 5p is 142 acres, 32 of which are on the project site. When you take out the off-site areas, and only include on-

site contributions, there is a reduction in the peak rates. The 0.4 percent is within the accuracy of the calculations for stormwater and they believe they meet the intent of the Ordinance.

Stan Bennett agreed that the numbers are close enough and would support a condition of approval requiring sign off from the Cumberland County Soil and Water Conservation District.

Tony Calcagni inquired about the possibility of pulling the connector walkway slightly away from the future tennis courts to avoid disruption when the courts are constructed.

Jacques Gagnon said the area is pretty tight because of the pond. If the pathway was located farther away it would take away from the stormwater treatment area. They don't think they can pull it away much. It would have to be moved probably 10 feet away from the courts in order for it not to be affected during construction. He thinks the Town will have to bite the bullet and reconstruct that portion of the walkway when the future courts are constructed.

Tony Calcagni wondered if the underdrain could be moved further south away from the courts and eliminate the 90 degree turns in the walkway.

Jacques Gagnon said they can look into this.

Tony Calcagni inquired about the potential for a pedestrian connection to the abutting Streamwood Lane easement.

Ethan Croce explained the nature and purpose of the 10-foot wide pedestrian easement that connects the school site to the end of Streamwood Lane, a public street.

Tony Calcagni said this begs the question – If the Planning Board does not require the connection to be constructed now, when will it ever be constructed?

Bill Lunt believes if that pedestrian connection allows public access to Streamwood Lane then it is the Town's obligation to build it.

Tony Calcagni said if a goal is connectivity, then some kind of a connection would be desirable.

Bill Lunt said until the Town decides what to do with the connection, there should at least be a designation on the plan indicating its location.

Tony Calcagni wondered when the trail connection on the school side of the property would ever get built if the Board does not require it right now.

Stan Bennett suggested it would be when someone asks for it to be built.

Tony Calcagni said the Board could ask the applicant to clear a trail to the pedestrian easement through the buffer and wondered how thick the vegetation is through the buffer.

Kerry Green said they would have to clear away enough underbrush to mitigate it getting overgrown.

Stan Bennett suggested letting students create their own path.

Jacques Gagnon confirmed there will be no public address systems or loudspeakers utilized for the playing fields.

Bill Lunt asked if the applicant would have to come back to the Board in the future in order to install a public address system.

Ethan Croce said yes if that restriction was imposed on the approval, if a plan note to that effect were added, or if the installation would otherwise trigger site plan review.

Jacques Gagnon said the existing bleachers are simply being relocated from the other side of the street. They are portable and can be moved around.

Tony Calcagni said they are proposing a lot of signs but no master signage plan has been submitted.

Stan agreed that a master signage plan should be submitted.

Jacques Gagnon said they are requesting that the final sign designs be submitted to the CEO and dealt with as sign permits.

Ethan Croce said that signage specifications are required as a component of site plan approval.

Tony Calcagni asked if that would come back to the Board.

Ethan Croce said the Board could tailor a condition of approval to delegate signage review to staff or else it could come back to the Board.

Stan Bennett would like to see details provided for the items mentioned in staff's review.

Jacques Gagnon said the booth and the bleachers are being relocated from across the street. The bridge is a boardwalk to get across a ditch and it will have railings. The 16' x 16' storage shed details will be provided.

David Fenderson asked how the grass fields will be chemically treated.

Jacques Gagnon thinks the schools fertilize the fields with a maintenance company.

Jacques Gagnon said that all utilities will be underground on both sides of the road.

Bill Lunt wondered how trailer trucks will get from Woodville Road to the proposed boiler.

Jacques Gagnon pointed to the northerly access drive which is currently one-way out only. The chips will be stored inside the building in a deep bin about 12-feet below grade. Ash storage will

be in 55-gallon metal containers in the building. It will be a hot water system connected to the high school and the elementary school.

David Fenderson inquired about the amount of ash that would be produced from the wood boiler.

Jacques Gagnon said he did not bring his ash calculations.

David Fenderson wondered why they did not they think about installing a turbine to create power.

Jacques Gagnon said the intent was focused on heating needs and reducing oil consumption for heating. They are anticipating about five trailer trucks a month for delivery on average and they would be coming during off hours so they would not block traffic.

David Fenderson asked if there would need to be any parking for the trucks.

Jacques Gagnon said they are using the travel aisle for parking.

Stan Bennett suggested that a larger curb cut might be needed to accommodate turning trailer trucks.

Jacques Gagnon said they will take a look at that.

Bill Lunt asked when the one-way direction of the existing exit driveway will be reversed.

Jacques Gagnon said they will have to get back to the Planning Board on that.

Bill Lunt asked if there is a height restriction for the wood boiler.

Ethan Croce said the Ordinance provision on height limitation contains an exemption for chimneys.

Jacques Gagnon said they reduced the height of the chimney to 55-feet.

Bill Lunt said both sets of plans are incomplete compared to what the Planning Board requires for most applicants and, as such, he is not prepared to approve this application tonight.

Stan Bennett assumed from the beginning that this application would be tabled by the Board as opposed to being approved with an unwieldy number of conditions of approval.

A public comment was opened. There was no public comment. The public comment period was closed.

Bill Lunt thinks there are serious unresolved issues with the application, including for the turning radius into the site.

Stan Bennett would like more detail with respect to staff's analysis.

Bill Lunt would like to see this application come back in two pieces as two separate applications.

Tony Calcagni asked if that would be too complicated to do.

Jacques Gagnon believes they could do that.

Bill Lunt said it is not ideal to handle these components of the overall elementary school project separate from the overall application because it makes it more difficult to coordinate certain aspects of the site plan, such as alignment of proposed future curb cuts which locations are unknown to the Board right now. There is also no discussion in the application regarding the roadway servicing the wood chip boiler. This is an incomplete site plan application with several unresolved issues and the Board has worked very hard over the last couple of years to tell applicants they need to submit a complete application before the Board will even hear them.

Tony Calcagni agreed that the Planning Board has spent a lot of time going through a lot of questions that perhaps should have been worked out with staff ahead of time.

The Planning Board indicated they would like to see a 25-foot aisle width for the parking lot.

The Planning Board indicated that the 20-foot driveway travelway width was acceptable.

Bill Lunt would like to see some in depth explanation for what provisions will prevent people from parking along this 26-foot roadway.

David Fenderson wondered if it makes sense to accept the fact that people will park along the driveway if they are physically able and design the driveway to account for that. This would reduce the need for people to have to cross Woodville road to access the fields.

Tony Calcagni thinks with appropriate signage and the pedestrian trails that this design could work.

Bill Lunt suggested that it will all be about enforcement.

The Board indicated that screening for the rest rooms and garbage areas will not be required.

Jacques Gagnon said, contrary to the plans, there is no existing fence on the site.

The Planning Board indicated it would like to see a vegetated island added to the center of the proposed cul-de-sac.

The Planning Board supported the use of wheel stops in the parking lot.

Stan Bennett would like to see some more detail provided for the parking area, such as wheel stops and signage.

Bill Lunt asked how long it generally takes to turn around a Cumberland County Soil and Water Conservation District Review.

Ethan Croce said the District typically turns these around pretty quickly.

Jacques Gagnon said the review has been started.

Tony Calcagni requested that the applicant show fewer 90-degree turns in the walkway.

Jacques Gagnon said one other purpose of the walkway is to provide access to the tennis courts.

Tony Calcagni said it seems like that could be handled with providing a little jog off the main path if necessary.

Bill Lunt said he knows there will be a lot of changes proposed to Woodville Road as a result of the new school and he wonders how that discussion gets left out of this site plan.

Jacques Gagnon said what they are showing on the plans for Woodville Road are only conceptual improvements. The entrance road would not be affected by a potential sidewalk and the paved apron could be paved after those improvements were put in place.

Bill Lunt said that is just one more reason for not feeling comfortable with this process being broken up into different stages.

Jacques Gagnon said he understands the Planning Board's concerns that this is not a completed application. He said they could have submitted a sketch plan first and gone through the same process tonight but that they have a timetable they are trying to meet. They developed the plans as complete as they could and they are looking for Board feedback regardless of whether it is called a sketch plan review or a site plan review. Staff had indicated that they perhaps should have applied for a sketch plan review first, and they fully anticipated that this would take two meetings before an approval was obtained. Whether it is a sketch plan review or a site plan review, this is what they have for plans and they are looking for feedback.

Bill Lunt wondered why they wouldn't apply for approval all at once since with multiple pieces it is hard to coordinate with other improvements on the other side of the road. If a private developer proposed this application in this form, Bill believes the Board would not even hear the application.

Jacques Gagnon said it is a product of the State funding issues and the need to move this specific portion of the project ahead for this summer. They would have preferred to assemble the application as one project. They consulted with staff on whether this could be a viable way to proceed.

Tony Calcagni asked the Board for feedback on providing a trail connection to Streamwood Lane.

Bill Lunt suggested simply designating the location on the site plan.

Tony Calcagni suggested that building the connection on the school side will at least get pedestrians headed in the right direction they need to go in to get to the location of the easement on the abutting property.

Tony Calcagni said he would expect a condition prohibiting public address system use.

The Board indicated they would like to see details provided for the chain link fence location and height, the storage building, booth, and bleachers.

Bill Lunt said the storage building and the booth should have elevations shown on the site plan. Also, they need to have some kind of a plan documenting an appropriate turning radius for the roadway used by the wood boiler trucks.

Tony Calcagni asked for more detail on the wood boiler elevations as well. The Board is used to seeing colored elevations and details of buildings.

Jacques Gagnon said it will be a metal siding on top with brick on the bottom to match the high school.

Motion by Stan Bennett, seconded by Bill Lunt, to table the application. Motion carried 4-0.

7. Glenn Perry and Dean Perry – 9 Thistle Lane – Request for approval of a private way to serve three lots. Tax Sheets 471 & 473; Map-Lot R04-082-I and -082-E. Zoned RA and RCZO.

Ethan Croce reviewed the remaining issues with the application.

Nancy St. Clair with Sebago Technics reviewed the application. Both Glenn and Dean Perry are here tonight. The applicant's attorney and the Town Attorney have determined that these divisions do not constitute a subdivision. The "homestead exemption" can be utilized by both brothers since they have each used their respective homes as their principal residence for over five years. The density calculations for this project show the site could allow for up to eight house lots, but the current proposal is only for five lots including the two existing residences. Each brother is using the Section 3.13.8 exempt lot provision, so four of the five lots will be exempt from conservation zoning. Only the back parcel is subject to the overlay district standards. This is a hybrid project in that the area subject to the RCZO is at rear of property. As required by the Four Step Design Process, they looked at setting aside the primary conservation areas first. They are showing perimeter buffer areas to be set aside as open space. In order to accommodate wetlands pocketed on site, open space has been worked around those wetlands so they are not within the lots or subjected to future fill within building envelope. They needed a minimum of 1.4 acres of open space. One of the benefits resource-wise was the band of wetland running behind the existing front house lots. They are connecting that wetland area with a 50 foot open space buffer which adds another acre to the 1.4 minimum acreage required. They tried to establish appropriate locations of homes based on those resources and protection of abutting properties from the homes. The private way itself is 491 feet long proposed as an easement on each of the lots such that the common lot line will be maintained and each lot will have its own share of access rights across the private way. The design is proposed as a 16 foot drive but will

taper to 12 foot wide when it provides access to Parcel C only. This reduces the footprint of the road and reduces cuts and fills with the help of the 10% slope allowance. Public Safety approved the street name. They started meeting with staff in September of last year trying to meet the vision the brothers had for development of this parcel.

Tony Calcagni does not see the required metes and bounds of the private way. They should show that for the easement to be added to the plan. The current boundary line reflects the actual boundaries. It would help to have the open space be shaded to distinguish between the five parcels.

Nancy St. Clair said their wetland scientist has confirmed that all wetlands on the site are low-value wetlands.

Tony Calcagni suggested removing the differentiation of the different open space areas on the plans.

Nancy St. Clair said there will be a 50-foot no cut buffer around the back part of the site. In the other open space areas, it will remain naturally vegetated. The ownership of the open space will be divided among the different lot owners. It will either be prorated or apportioned 1/5 apiece. They will add a plan note to that effect.

Tony Calcagni asked if the other lot owners would be allowed to walk around and use the open space.

Nancy St. Clair said yes.

Tony Calcagni asked to include a note that septic systems have to be located outside of well exclusion zones.

Nancy St. Clair said a lot of times they are given flexibility to work with the CEO on suitable locations for wells and septic. The test pits rest where the septic systems would be located. Test pits are tied into known reference points on the face of the earth.

Tony Calcagni asked if the idea was that the building envelopes are the limits of the yards as well.

Nancy St. Clair said they are for building setbacks only so you could have yards outside of that.

A public comment period was opened. There was no comment. The public comment period was closed.

Nancy St. Clair said a note was added referencing all low value wetlands. A new note 14 was added saying the gravel width may be reduced to 12 feet after the driveway locations for Parcels B and D have been passed.

Tony Calcagni would like to see in shading what is owned in common by the five lot owners which will include a portion of the road.

Ethan Croce read the draft conditions of approval into the record.

Nancy St. Clair said the no-cut buffer is only proposed around the 50-foot perimeter buffer in the back of the parcel around the required open space.

Tony Calcagni said he would like to have all of the open space be a no-cut buffer.

Nancy St. Clair said they had looked at appropriate driveway locations for Parcels B and D to identify where the private way will taper down.

Motion by David Fenderson, seconded by Stan Bennett, to approve the application. The motion carried 4-0.

9. Falmouth Firehouse, LLC – 234 Middle Rd. - Request for site plan approval for various site improvements. Tax Sheet 234; Map-Lot U23-002. Zoned MRSD.
234 Middle Road

Ethan Croce presented the threshold issues.

The Planning Board agreed to hear the item as a sketch plan item.

Matthew Winch, project architect, said looking at the criteria of this submission, it's heavily weighted to the architecture requirements. They have shown some planting along the front of the site that falls within the public right of way as the building itself sits right on the property line. The area is currently all paved today and contains broken, sporadic curbing that they would replace and extend.

Bill Lunt wondered if the applicant will need permission from the Town to allow these improvements to happen.

Matthew Winch said that is required as a condition of the rezoning.

Ethan Croce will follow up with something in writing on improvements within road right of way.

Tony Calcagni said typically the Board does not waive the requirement for a landscape architect, but he is comfortable doing that here given the unique circumstances surrounding this site and the special rezoning.

The Board agreed this waiver was appropriate.

Ethan Croce explained the existing conditions on the site.

Matthew Winch said the only overhead lines serving the building will be coming from the one pole.

Tony Calcagni asked the applicant to describe the nature of the “9-foot right of way” shown on the plans.

Ethan Croce went over the key issues.

Matthew Winch said the building is in a deteriorating state. The applicant is looking to take advantage of the contract zone and location for one or two retail units on the ground floor with an office unit and dwelling unit on the second floor. They are proposing to replace all of the building’s existing windows with like-sized openings with egress windows where needed. They will be replacing all of the exterior siding with a vinyl cedar impression shingle and using 8-inch clapboard on the building’s bottom to break up the mass of the building. They have included images of similar uses showing the traditional barn red color being proposed and the intent is to use a more subdued color. The proposed garage doors on the side of the building would not be operable but are meant to create a more welcoming environment.

Bill Lunt pointed out that on the plans it says “existing signage to remain”, but he doesn’t recall any signage on the side of the building facing the parking lot.

Matthew Winch said they will clarify this as proposed signage.

Bill Lunt asked why there is signage shown on the building’s gable end.

Matthew Winch said it is to create identifying markers for tenants in the building since it will be visible from Middle Road coming toward the intersection. No entrances will be located on that side of the building.

Ethan explained the signage regulations.

Matthew Winch said they are trying to create a soft buffer between Middle Road and the building and create a walkway. They could add crushed stone between the walkway and the building itself.

Stan Bennett asked if there will no longer be parking allowed in front of the building.

Matthew Winch said there will be no parking there.

David Fenderson asked if the intent was to pave the whole parking lot.

Matthew Winch said yes, unless the Town allows it to remain unpaved.

Matthew Winch said the revised plans will show all above ground utilities serving the building. The Board agreed it would not require underground utilities if they are all coming from only one pole.

The Planning Board determined it was amenable to granting a waiver on the driveway location being within 10 feet of a side property line.

Regarding the encroachment of parking into non-paved gravel areas of the site, the applicant will come back with documentation.

Bill asked about drainage issues associated with the abutting stream.

Ethan Croce said that both Public Works and the Town's Engineering Technician review plans for drainage issues and no concerns were expressed. Given that this site is already built-out and that there is hardly any additional impervious surface, if any, being created no stormwater management plan is required.

Matthew Winch said losing one potential parking spot to get a lot that allows for turning movements and compact cars might be OK.

Bill Lunt suggested maintaining the appropriate stall and aisle depths for turning even if they have to lose one parking spot.

Matthew Winch said they are asking for flexibility to relocate impervious surface but not increase impervious. He confirmed that the intent is to improve all sides of the building and not just creating curb appeal for the front of the building.

Matthew Winch said there is a significant depth of deep vegetation in the rear of the site before you hit any visibility issues from the abutter. The side lot may need to be addressed with additional fencing and perhaps plantings as well or instead.

Ethan Croce asked if any of the mature vegetation at the site's rear is on the applicant's property or if it is all on the abutter's property.

Matthew Winch said it appears as if it is all on the abutter's property.

Bill Lunt asked if the chain-link fence is going to stay.

Matthew Winch said if the neighbors own it they may choose to leave it. It appears to hover back and forth over the property lines.

Tony Calcagni suggested it might be worth approaching the neighbors to see if the chain link could come down.

Bill Lunt said the old history was to keep people from coming over the property line from the store site.

Matthew Winch said the planting seems a more sensible solution on the southerly side for a buffer. For the rear, depending on need for screening there, planting may or may not be the sensible choice from a cost standpoint.

Bill Lunt thinks the ordinance requires buffering to be located on the applicant's property.

Tony Calcagni inquired about placing fencing along the rear property line instead of landscaping.

Bill Lunt thinks year round screening with vegetation is a better way to go.

Matthew Winch said the weathervane can be altered or removed if it is seen as affecting the overall height of the building.

Bill Lunt wondered why the height of the cupola couldn't be shortened.

Matthew Winch said from a mass and scale standpoint it begins to look out of scale.

Tony Calcagni said it would make it easier on the Board if the cupola was bigger but shorter then they could have a weathervane on top of it.

Stan Bennett agreed with the changes suggested by staff and would prefer to see the applicant use the lower illumination levels of 0.6 average footcandles appropriate for a residential area rather than the 1.5 average footcandle level for commercial areas.

Matthew Winch said the mounting height of the fixtures was supposed to be shown as 14 feet. The next submission will provide more detailed specs from the lighting manufacturer. They can show average levels but they need to know what the appropriate footcandle level is. The lower level will probably require lower wattage on the lamping.

Bill Lunt asked if the lower light level would be an issue for the applicant.

Matthew Winch said it is a safety perception issue but the business probably won't be open late at night either.

Bill Lunt agreed that the lower level of illumination should be used given the residential setting.

David Fenderson agreed with Bill Lunt that the lower level of lighting would be preferable.

10. Election of Officers (Planning Board Chair and Vice-Chair)

Motion by Bill Lunt, seconded by Stan Bennett, to elect Tony Calcagni as Planning Board Chair. Motion carried 4-0.

Motion by David Fenderson, seconded by Stan Bennett, to elect Bill Lunt as Planning Board Vice-Chair. Motion carried 4-0.