

FALMOUTH PLANNING BOARD MEETING MINUTES

TUESDAY, DECEMBER 1, 2009, 6:30 P.M.

FALMOUTH TOWN HALL, COUNCIL CHAMBERS

MEMBERS PRESENT: Tony Calcagni (Chair), Bill Lunt (Vice-Chair), David Fenderson, Stan Bennett, Becca Casey (Associate)

MEMBERS ABSENT: Bernard Pender, Jay Moody (Associate)

STAFF PRESENT: Ethan Croce (Senior Planner)

The meeting was called to order at 6:33 pm.

Becca Casey was appointed as a voting member.

1. Approval of October and November Meeting minutes

Stan Bennett moved to approve the minutes; David Fenderson seconded. Motion carried 5-0.

Discussion Items

2. Falmouth Sno-Voyagers – Discussion about a bridge replacement in Blackstrap Hill Community Forest relative to a grant application. Tax Sheet 100; Map-Lot R08-093. Zoned FF, LR and RP(Shoreland) & RCZO.

Mike Penny from the SnoVoyagers club explained that they have applied for a grant from the Department of Conservation to replace an existing snowmobile bridge in Blackstrap Forest. They have come to the Planning Board to see if it meets shoreland zoning, etc.

Tony Calcagni asked if this is a requirement from the state that they have a preliminary review by the Planning Board.

Ethan Croce said it is required by the Dept. of Conservation as part of the grant application. There is nothing binding on the Planning Board tonight, just a review that it doesn't contradict any zoning provisions.

Tony Calcagni asked if there is anything that conflicts.

Ethan Croce said no. They will have to come in for shoreland permit at some point with a full application.

Bill Lunt asked if they already have their DEP permit.

Mr. Penny said yes they do; it's a permit by rule. He explained that they already have a plan, but they didn't want to come in for a full review by the Planning Board at this time, in case they don't get the grant. The grant is for \$28,500.

David Fenderson asked if they will still do the bridge if they don't get the grant.

Mr. Penny said if they don't get the grant this time they will reapply. The existing bridge is wooden; the proposed bridge is steel. The current bridge is 45 feet and is safe to use. The proposed bridge is 55 feet because it will be raised to be above the floodplain.

Public comment period opened; no public comment.

Bill Lunt was in favor of moving forward and wished them luck in getting the grant.

Bill Lunt moved that the staff draft a letter to be signed by the Planning Board chair. David Fenderson seconded. Motion carried 5-0.

Agenda Items

3. **Rebecca Rand** - 3 Pine Grove Way – Request for private way approval to create one new lot. Tax Sheet 300; Map-Lot U07-004-D. Zoned RA & RCZO.

Ethan Croce presented the key issues. The application was tabled in October because the turnaround was outside the private way easement on a private lot. The Board asked the applicant to redesign the turnaround to be wholly within the 50 right of way easement. Also the Board wanted the applicant to look at having the turnaround within the cul-de-sac in front of the home of Rebecca Rand. Since there are no dimensional standards on turnarounds for private ways, the approval of the fire department was requested. A letter from Assistant Fire Chief Doug Patey in the packet shows that he finds the current plan acceptable. The formerly proposed turnaround is still shown on the current plans right in front of lot three; that could potentially be removed.

Stephanie Rand said that this new plan works better for everyone. The emergency turnaround shown on lot three is on the plan because it currently exists in that fashion. It could be taken off the plan.

Tony Calcagni thought it was a good idea to wipe that off the plan for clarity. He asked if the road shown up to lot three is the road that is maintained jointly by the lot owners and the driveway into lot three is just a driveway.

Ms. Rand said it is.

Tony Calcagni asked Ethan Croce if what currently exists in the right of way up to lot three meets the standards of a private way.

Ethan Croce said that what currently exists will have to be widened to meet the road standards.

Tony Calcagni felt it was not clear what the road is; the easement area on the plan and in the road maintenance agreement needs to be clearly defined. He asked if the fifty foot roadway is all part of lot 1.

Ms. Rand said it is all part of lot 1, but will exist as an easement.

Tony Calcagni suggested several changes to the road maintenance agreement.

David Fenderson asked if there is a current road maintenance agreement.

Ms. Rand said there is, signed by the Hesters and Rebecca Rand. Stephanie Rand will be included on the new agreement.

Tony Calcagni observed that the extension of the road along lots 2 and 3 with a large hammerhead at the end is still showing on the plan. He wondered if it is still necessary.

Ethan Croce explained that the road creates the frontage for lot 3. The hammerhead could maybe be removed or at least be only one sided.

Bill Lunt asked if the new lot is septic or sewer

Ms. Rand said it is sewer; Rebecca Rand's lot is septic but could be sewer. Ms. Rand's and Rebecca Rand's properties have two separate water lines but she doesn't know about the water lines for Rebecca Rand and the Hesters.

Public comment period opened; no public comment.

Ethan Croce read the conditions of approval into the record.

Tony Calcagni asked if the widening of the road is covered by condition 1 or should be spelled out.

Ethan Croce said it was covered by condition 2 c ii.

Tony Calcagni added “across a portion of lot 1” to 2a and added condition 2d “the road easement area as defined in the road maintenance agreement shall be clearly identified on the plan”. He wanted references to the existing emergency turnaround on lot 3 to be removed from the plan and made that condition 2e.

Stan moved to approve the application with the conditions presented and amended; Becca seconded. Motion carried 5-0.

4. Clearwater II, LLC – 75 Clearwater Drive – Request for site plan amendment for new signage at parcel TV-2, Tidewater Village. Tax Sheet 320; Map-Lot R02-009-D. Zoned RB, Village Center Overlay & RCZO.

Ethan Croce presented the key issues. The main issue is whether the Planning Board believes it was the intent of the Tidewater Village design guidelines to allow upper story signage on the building. There has been a disagreement between the applicants and the peer reviewer. While the peer reviewer doesn't believe that upper story signage is permitted, he allows that it is not explicitly prohibited by the guidelines. The applicant is also requesting that they not have to return to the Planning Board every time a new tenant sign is needed. The Planning Board would have to determine what method they wish to use to approve new signage and, if staff approval is allowed, what design parameters they would wish the staff to use.

Bill Lunt and Stan Bennett disclosed their membership on the board of the Tidewater Conservation Foundation. Neither felt that there was a conflict of interest, as this property is not a part of the Foundation and Clearwater II, LLC has no connection with the Foundation. No one objected to their remaining on the Board for the item.

Stan Bennett asked Ethan Croce which of the four scenarios for approval of tenant signage he would recommend.

Ethan Croce said that, in the absence of any design standards imposed by the Board, there would be no difference in having either planning or code staff approve it. The Board could impose any standards, for example the Route 1 design guidelines, on any signage.

Tony Calcagni thought they should address the issue of upper story signage first.

Nathan Bateman presented the application. The building is half occupied by now, but the second story tenants are unable to advertise their presence. When they did the master planning district they developed two standards – Tidewater Village and Tidewater Farm. Each has different standards including different signage standards. Multi tenant signs were actually prohibited from the village as this was originally envisioned as multiple buildings. The second story signs were inspired by buildings in Portland. No signs are planned for levels higher than the second story.

Kevin Goff of Archetype explained that the building is limited for signs due to the design of the building with store fronts on first level with commercial tenants in the second story. He explained the design of the signs. Each would be the same basic sign, with different content. These signs help

to bring attention that the second story is business and not residential. He presented enhanced scaled photos showing what the signs would look like on the building itself. The signs are controlled, aesthetically pleasing, and within the scale of the building. He handed around photos for the Board.

Tony Calcagni asked about the tenants on the second floor.

Mr. Bateman said there is one tenant on second floor currently; a photography studio. Two tenants are waiting for the sign issue to be resolved before signing a lease.

David Fenderson asked about differences between the photo in the packet and the photos being passed around.

Mr. Goff said they have cleaned the design up.

Mr. Bateman said the colors of the signs may be different. The size, shape and mounting brackets would all be the same. The upper level tenants have one common entryway in the front.

Stan Bennett asked about the signage for the first floor tenants.

Mr. Bateman said the granite lintel is ideal for the first floor tenants.

Becca Casey asked if they considered a single multi-tenant sign above the entryway. She thought it might be more confusing to people to have multiple signs along the building where they can't enter at the sign location.

Mr. Bateman said they were originally thinking of a multi-tenant pillar sign, which would have been located at the corner of Clearwater. It is allowed at every other site in Tidewater Village except this one. They tried to design a sign to be mounted to the building, but due to the design of the building they couldn't find a place to locate a sign that was aesthetically pleasing.

Stan Bennett asked about how many sites they have.

Mr. Bateman said there are four – TV-1 and TV-2 are built; TV-4 has three buildings planned.

Stan Bennett wondered if they would sign this way for future buildings.

Mr. Bateman said that would look good for the building. The intent was to mimic a downtown village setting with similar buildings.

Becca Casey didn't have any problem with the scale and location of the signs. She thought that it works well to bring the signs up to the second level, given the scale of the building. She was still concerned that it would cause more confusion than locating a multi-tenant sign above the entry.

Tony Calcagni said the peer reviewer recommended that the tops of the signs be no higher than shown on the photo composite and that no additional upper level signage be allowed beyond what is currently proposed.

Mr. Bateman indicated that he was fine with both those conditions.

Bill Lunt felt that, due to the size of the building, having the signs up at the second level helps; this design helps with the village center feel, and will help set the standard for future buildings. He liked that the signs will be the same size and shape; he doesn't care about the colors. He was comfortable with it.

Stan Bennett asked the maximum number of signs on the building.

Mr. Bateman said they proposed the maximum number in this application, a total of 5. They may have less than that.

Tony Calcagni polled the Board on the issue of second story signage. The Board was in favor of the signage as presented 5-0.

Tony Calcagni was in favor of letting Planning staff to sign off on individual sign designs after the Planning Board establishes certain design parameters.

Stan Bennett wondered if there were other established guidelines they could use in this instance.

Ethan Croce listed off several of the more common standards used in other design guidelines.

David Fenderson asked about the guidelines used for the tenants on the first floor.

Mr. Bateman said they were approved under the Tidewater design guidelines; they are approved by the Tidewater design review committee, which consists mainly of himself, his father and his architect. After approval by the committee, the tenant would bring the sign to the town.

David Fenderson thought that process could work for the second floor tenants as well.

Tony Calcagni thought a standard would protect the quality of the signage on the property.

Mr. Bateman didn't think that would be an issue. They might be even more conservative than that in what they approve.

Stan Bennett thought a condition could be added that, if a sign didn't meet Route 1 guidelines, staff could send it to Planning Board.

Tony Calcagni asked if Mr. Bateman wanted to impose his own design standards.

Mr. Bateman thought he would be happy with the Route 1 standards.

David Fenderson asked if the guidelines would apply to only the second floor or the whole building.

Mr. Bateman said the Mercy sign was approved by the Planning Board.

Bill Lunt asked if the current signs meet the Route 1 guidelines. Ethan Croce thought they did.

No members of the public were present to comment.

Becca Casey asked about the font size restriction in the Route 1 guidelines.

Ethan Croce said it is restricted to a minimum of 6 inches for letter height. It is meant to be read from a car as well as by a pedestrian.

Mr. Goff thought some of the fonts could be as small as 3-4 inches. These signs are only 2.5' x 3.5'.

The Board discussed possible limitations imposed by the Route 1 guidelines that they may not want on this site. They discussed defining exceptions to the guidelines in respect to the letter height limit. Bill Lunt pointed out that Route 1 doesn't allow the arms, and they should only use those guidelines to apply to the sign faces.

Ethan Croce proposed conditions of approval: no additional upper level signage is permitted, no signs shall be permitted above the second floor, and that Planning staff would be allowed to approve individual sign designs. Route 1 design guidelines will apply to sign content only, except with respect to letter height. The signs will not be illuminated.

Becca Casey moved to approve the application for the design, number and size of signs with the conditions as discussed; David Fenderson seconded. Motion carried 5-0.

5. Election of Planning Board Chair & Vice Chair

Stan Bennett moved to elect Bill Lunt as Chair, and David Fenderson as Vice Chair.

Tony Calcagni moved to waive the secret ballot; Bill Lunt seconded. Motion carried 5-0.

Original motion carried 4-0. (Fenderson abstained)

Meeting adjourned 7:44 pm.

Respectfully submitted,

Melissa Tryon
Recording Secretary