

**FALMOUTH PLANNING BOARD MEETING MINUTES  
TUESDAY, NOVEMBER 1, 2011, 6:30 P.M.  
FALMOUTH TOWN HALL, COUNCIL CHAMBERS**

**MEMBERS PRESENT:** Bill Lunt (Chair), Bernard Pender, Becca Casey, Kermit Stanley (Alternate), Walter Arsenault (Alternate), Heddy Snyder arrived late.

**MEMBERS ABSENT:** Bill Brogan

**STAFF PRESENT:** Ethan Croce (Senior Planner)

Meeting started at 6:32 pm.

Kermit Stanley and Walter Arsenault were appointed as voting members.

**1. Approval of October minutes**

Kermit Stanley moved to approve the minutes; Becca Casey seconded. Minutes approved 5-0.

**Administrative Action Items**

**2. Fred Chase** – Brookfield Rd. – Request for re-approval of a 4 lot conservation subdivision. Tax Sheet 500; Map-Lot U56-002. Zoned Farm & Forest, RCZO, LR & RP (Shoreland)

Becca Casey moved to approve the administrative item; Bernie Pender seconded. Motion carried 5-0.

Heddy Snyder arrived at the meeting. Kermit Stanley was no longer a voting member.

**Agenda Items**

**3. Wal-Mart Stores, Inc.** – 206 US Route 1 – Request for site plan approval of a proposed expansion. Tax Sheet 320; Map-Lot U52-002. Zoned SB1 and Village Center Overlay.

Ethan Croce explained the remaining items. Peer reviewer Bob Howe had two remaining issues – the design guideline requirement regarding integrating rooftop mechanicals into architecture and the amount of foundation plantings along the front of the building; he wanted a more robust treatment of this area.

Phil Saucier of Bernstein Shur said the rooftop mechanicals will be screened; the large unit will be removed and replaced with a smaller unit. They have added trees each of the three times they have been back. There are more trees on the plan than last time and they will be fairly tall.

Steve Ribble of Context by Design said, in regards to the foundation plantings, they think Mr. Howe must be looking at the elevation drawings, which do not reflect what is on the landscape plans. He marked on the plans where there are additional canopy trees of 35 feet or greater. The end trees are crabapples that will get to 15-18 feet. There are shrubs as well. If you looked at these in comparison to the front elevation you would see that they are spaced and located appropriate to the front of the building.

Bill Lunt asked about a row of concrete at the sidewalk that runs down the fence on the garden center side.

Mr. Ribble indicated the fence and the sale area and its relation to the sidewalk and curb area on the plans. The applicant would like to use the space in between for sale items such as gas grills, lawn mowers, etc.

Becca Casey wondered if there was a reason why that isn't a part of the application. She thought they would need a special application from the BZA for outdoor sales. It is a sensible use for that space and she understood why they would want it.

Mr. Saucier said there are no plans at this time to have outdoor sales. If Wal-Mart decides to do that, that is where it would be located, and they would come in for a permit at that time. They wanted to set aside and show the space for that use for the future if they want.

Bill Lunt suggested that they have 2-3 planting areas for screening along that fence, perhaps in movable tubs if they want to remove them later, in order to break up that long expanse. Mr. Saucier said the landscape plan shows that area is more screened than it appears.

Mr. Ribble said there is a very heavily landscaped area that, when someone comes in from Depot Rd., their vision of that area is obscured by those plantings. They have plantings along the building in other areas. They are breaking up that view of the building, just not along the side of the building.

Bill Lunt said that is a long area; it is half the length of the building. The Board is asking them to put landscaping right at the building in other areas. It is a paved area, and if it just sits there, it encourages them to put stuff there. If the movable plantings are there, when they come in for the conditional use, they can remove them.

Becca Casey agreed. A couple of trees to split that up would probably be enough. Canopy trees wouldn't reduce that area for sales.

Mr. Ribble said trees generate tree litter, including leaves, sap and bird droppings, which they wouldn't want on the sale items. The applicant doesn't favor movable tubs, but he can ask if they would agree to those with the allowance that they can be removed if a conditional use for outdoor sales was approved. Trees would be a detriment to their product.

Bill Lunt reiterated that this is a long expanse that isn't treated at all. Heddy Snyder was satisfied with the idea of movable planters. Bernie Pender and Walter Arsenault agreed. Mr. Ribble said he would take that back to the applicant.

Mr. Saucier pointed out that the wall is broken up by the architecture. It isn't just a blank wall.

Ethan Croce said the next issue was lighting; there appeared to be a substantially revised lighting plan submitted with the most recent materials, with no explanation as to why the changes were made. Staff is asking for verification that the poles proposed along Clearwater Dr. match those installed across the street at Gorham Savings. The requirement for the poles in the parking lot is that the bases are not more than 1 foot high. The current proposal shows bases 3 feet high and painted traffic yellow. At the last meeting the applicant asked for a deviation from the guideline requirement of a .2fc illumination level after hours. The Board seemed agreeable to allowing a .5fc level on this site at the last meeting.

Bill Lunt asked if the use of more poles than before is because they are cutting down on the number of units on each pole. This makes fewer hot spots.

Mr. Saucier said that was correct; this plan meets the 1.5fc average. Lowering the pole heights to 20 feet made it necessary to add more poles.

Bill Lunt was not in favor of the bases being painted yellow. He did understand the applicant wanting to have more than 12 inches of the bases out of the ground. He has seen SUV's and trucks go over 12 inch posts pretty easily. He was comfortable with 24-28 inches, but not three feet, and not yellow. Becca Casey agreed.

Mr. Saucier said 3 feet was the industry standard. Less than that is not safe; they can be run over and the wires ripped out. It is very important that they are able to be seen; they can use reflector tape instead of the yellow paint. The tape would be a red and white band around the top. The rest of the base would be a natural color. The poles are nautic bronze.

Bill Lunt asked if the bases could be darkened. Mr. Saucier said they don't want them to be dark; they want people to be able to see them. They don't want to be any darker than concrete. The reflector strip has worked at Sam's Club locations.

Walter Arsenault thought the concrete is fine; paint would probably chip off and not look good.

The Board discussed the .5 fc level. Bernie Pender asked what hours they are proposing for that light level. Mr. Saucier said it would be during the off-hours; after 10pm when the store closes. He verified that the lights on Clearwater match those on the other side.

Heddy Snyder said she was fine with the number of poles and the natural concrete with reflector tape was a good compromise. She thought they talked about different lighting in different areas after-hours.

Mr. Saucier said it will be brighter along the back and sidewalks. It will be .5fc in the parking area.

The Board discussed the height of the light pole bases. They indicated agreement with the 36 inch height proposed.

Ethan Croce spoke about the driveway aisle in front of the store. Staff have advocated for a 20 foot wide aisle in this area. The Fire Chief is comfortable with as low as a 20 foot width. He spoke about the removal of the landscaped islands.

Mr. Saucier said they have proposed a 32 foot wide area; it is a 25 foot drive aisle with a 7 foot wide fire lane. They have replaced the landscaped islands with bollards along the handicap spaces.

Mr. Ribble said the fire lane is a no parking zone; they note that this type of store has a higher incidence of an emergency vehicle coming to it. In order to keep two-lane vehicular traffic flowing they want to have two clear travel lanes open with a 7 foot wide area for an ambulance to be parked.

Bill Lunt understood but observed that it is 27 feet right now. A 27 foot wide area would still leave them with two 10 foot lanes and he didn't know why they can get by with what they have now.

Mr. Ribble said it is prudent for safety; an ambulance is wider than a standard vehicle and they want room for the personnel to get out and get gurneys out. They are concerned about snow piled on the pavement. It is prudent for safety reasons.

Bill Lunt didn't agree with this plan.

Becca Casey would like to see the plantings returned to the end of those aisles. She didn't realize the effect of losing those until now.

Bernie Pender asked what is to stop people from parking in the fire lane; people park there all the time.

Mr. Saucier said they plan for that eventuality; they don't want people pulling around other cars. That is what they are worried about and they plan for that all the time.

Bernie Pender asked where else people can go to load big items into their cars. Mr. Saucier pointed out an extra parking area along the side.

Bernie Pender said there is no door along that side.

Mr. Saucier said there is a seasonal door at the garden area where people can come out with their large items. They agree that they don't want people loading in the front, but it happens and that is why they want to provide enough space for that.

Walter Arsenault felt safety was more important than aesthetics.

Bill Lunt felt there were two issues; the islands and the wide area along the front. He felt the bollards make good sense to replace the landscaped islands. He was not comfortable with the wide area; it encourages people to speed along there.

Mr. Saucier pointed out that this was the same width as last time; they haven't changed it.

Bill Lunt didn't like it last time. He didn't understand why they couldn't live with the 27 feet that is there now; he didn't know why they had to widen it more. If they choke it down that will slow people down.

Becca Casey didn't think moving the bollards over will change how people feel. She didn't think the bollards being there makes much difference.

Bill Lunt said if there was just one area that went from 27 to 32 feet that was different, but to have 32 feet along the whole length would encourage people to speed.

Mr. Saucier said the applicant would be willing to reduce it by 3 more feet, but would not be willing to go further. They would shrink it down to 29 feet, though they still prefer 32. They would add the three feet to the sidewalk.

Becca Casey said she would prefer that. Bill Lunt said he could agree with that. Heddy Snyder said adding it to the sidewalk makes sense.

Ethan Croce asked the Board to discuss the vegetated end islands. Heddy Snyder thought the Board discussed at the last meeting replacing those with bollards. The Board agreed.

Becca Casey asked about the suggestion for flipping the vegetation to the south side of the walkway.

Mr. Ribble said they have a couple trees that will eventually be 40 feet tall over that sidewalk; the trunks are on the north end of the sidewalk so that in the winter the sun will shine on that walk to melt the snow. The trees will shade the walk in the summer. They are located so that the trunk shadow will not go across the walk in the winter.

Ethan Croce discussed the signage. The proposed 152 sq. ft. wall sign was granted a conditional use permit. That size should be reflected on the signage plan for this application. The Board has discussed the two additionally requested wall signs: the Board was not amenable to the "Market and Pharmacy" sign at the last meeting, but a few members expressed support for the "Outdoor Living" sign located at the Garden Center seasonal entrance. The staff is asking for verification on the illumination of the two proposed freestanding signs. Directional signage was indicated on the master signage plan; staff feels that there may be some signs that can be reduced. The guidelines encourage the least amount of signage.

Mr. Saucier said they proposed a smaller sign than is there today. They have updated their plans to show the 152 sq. ft. sign; the 199 sq. ft. sign was a mistake. The freestanding sign on Route 1 is internally lit; it will be the same as existing. The Depot Rd. sign is not lit and will not be lit. He said there is a sign package in the packets. The signs proposed are METC standard. They have agreed to eliminate the parking aisle indicator signs.

Bill Lunt asked if they have been in touch with Public Works about the signage in the right of way on Clearwater Drive. At Mr. Saucier's request, he explained that there are a bunch of marker signs in the right of way indicating the truck entrance. He didn't think they were necessary in the first place but they are clearly in the right of way. He understood one of them, but not a row of them.

Mr. Saucier said they have not discussed those with Public Works. He said they can remove one of them.

Walter Arsenault asked about the signs with 4 foot bases painted yellow. Mr. Saucier said they could do the same as they did for the light poles: concrete with reflector tape.

Bill Lunt asked how big the crosswalk signs are.

Mr. Saucier said those come out of the traffic guideline standards. They did not add anymore than what those guidelines ask for. They are 30"x30". That is a standard size from the METC.

Bill Lunt said for a crosswalk at a public way he could understand, but internally on the site, with multiple crosswalks, he wondered if there was a way to reduce the size of them.

The Board discussed the crosswalk signs. The majority of the Board was satisfied with the signs as proposed.

The Board discussed the signs on the building. Bill Lunt was comfortable with the "Outdoor Living" sign, as there is a separate entrance, but was not comfortable with the "Market and Pharmacy" sign, as it doesn't have its own entrance. It doesn't meet the guidelines. Bernie Pender agreed.

Becca Casey was fine with all three of the signs. Walter Arsenault agreed.

Heddy Snyder agreed with Bill Lunt and Bernie Pender.

Mr. Saucier said they still feel that they comply with the guidelines; the signs are directional and appropriate with the scale of the building. The plaza across the street would have 7-8 signs to indicate each of the stores in the building. They reduced the size of the main sign to comply with the guidelines. The other two signs are small in relation to the building. They are using color schemes that are not gaudy. They are way finding signs and the design fits the size of the store. They will not be seen from Route 1; he felt the intent of the guidelines was to reduce garishness seen from Route 1.

Bernie Pender understood that it is standard with Wal-Mart, but didn't agree that they are directional. Heddy Snyder said she understood the arguments, but it is not 7 stores, it is one store, and it doesn't meet the guidelines. Bill Lunt agreed; the applicant has done a good job, but he would like to hold to some of the guidelines, since they have been flexible in other places.

The determination was that the Board would allow the "Outdoor Living" sign, but would not allow the "Market and Pharmacy" sign.

Heddy Snyder asked about the height of the bases for some signs; they are currently proposed to be 4 feet.

Mr. Saucier said those are in the Clearwater right of way; it is a safety design issue for the high speeds. Internal signs are 3 feet.

Ethan Croce said the applicant could defer to the industry standard for those signs in the right of way, and public works could approve them. Mr. Saucier agreed to work with public works.

Mr. Ribble said those bases are strictly for those signs in the right of way; they are 4-6 inch diameter pipe bollards and not wide like the light pole bases.

Ethan Croce discussed the pedestrian and vehicular traffic flow issues. The bus stop has been moved out of the right of way and onto the Wal-Mart property; it now meets setbacks. Staff has advocated reducing the main driveway entrance to one lane in and two lanes out. The applicant wants to keep two lanes coming in to service RV traffic; the peer reviewer didn't have an issue in keeping two lanes, but suggested that if it is reduced to one lane there should be a sign to redirect RV traffic to another entrance on the site. The truck delivery area is being expanded by 17 feet; staff advocated narrowing that as much as possible, or keeping what is there currently. One Board member advocated for retaining the dedicated deceleration lane into the Wendy's area of the parking lot; the peer reviewer felt that, since the Wendy's traffic is being directed to the main entrance on the site, closing that lane may be warranted.

Mr. Saucier said the truck area is being widened to the minimum needed; the peer reviewer didn't have a problem with it, but wanted to see the truck turning radii. They feel strongly about not doing 3 point turns; it is not safe and it is too tight in this area. The least they would do is 2 point turns in that area;

they have showed that what is proposed is what is necessary to do 2 point turns in this area. There is significant landscaping in that area. There is potentially more traffic in this area with the improvement of Clearwater.

Bill Lunt asked if there will be backing in from Clearwater.

John Theriault, traffic engineer, said no. Trucks will have room in the turning circle to completely turn around in that circle without coming out into Clearwater or touching the sidewalk.

Mr. Saucier said what is proposed are the minimum conditions according to the modeling for a truck to do a 2 point turn in that area. The Board agreed with that.

Mr. Saucier said there is no reason to remove the deceleration lane; it was required by ordinance the last time the site was improved and there are no real accidents at that corner. It isn't part of their property; that lane is in front of Wendy's and they would have to work with the Town, DOT and the abutter to do that.

Bill Lunt agreed with it staying there, due to its proximity to Depot Rd.

Mr. Saucier discussed the changes to the entrance from Route 1. They met with staff and the Fire Dept. about the fire truck using the other lane; they have reduced the width to 22 feet and the turning radius to 20 feet. This is a very tight entrance drive. The fire trucks can swing out into the other lane.

Mr. Theriault said they are not looking for 2 entrance lanes; they are looking for the width of 22 feet. They want to accommodate RV's, trucks with trailers, SUV's, etc. Less than 22 feet will create problems for those types of vehicles. RV drivers are not normally people who are local and won't know to look for another entrance, even with signage.

Becca Casey appreciated the reduction and was okay with the narrowing down. She was okay with the two entrance lanes because of traffic in that area. She agreed with the argument regarding the RV's.

Mr. Theriault said the original width was 30 feet; it was dropped down to 25 feet and is now 22 feet. The original radius is currently 45 feet; it was dropped to 30 feet and is now to 20 feet.

Heddy Snyder was happy with what was submitted today. She would like them to stripe for the two lanes, to keep some control on what is out there. Bernie Pender was happy with what was proposed. Walter Arsenault agreed.

Bill Lunt asked what the width is now. Mr. Theriault said it is 26 feet. The exit lanes will be the same.

Bill Lunt said if this was a new site plan they would not get three entrances across the front, due to the distances between them. The applicant says they don't have the ability to close the entrance to the Kiwi site. If there are changes to the Kiwi site or the Wendy's site the Board will come up against the same issue. He asked if the applicant was willing to put something in writing that they would agree with the Town if they changed one of those in the future.

Mr. Saucier said they are most concerned with the main entrance and would be concerned if someone came to them to change that. Wal-Mart is a tenant here and doesn't fully control the property. They would have to talk to the property owner. He could ask them. Wal-Mart is interested in working with the neighbors and the Town on the issue if it came up in the future. He would ask Wal-Mart if they were willing to put something in writing.

Becca Casey agreed with Bill Lunt. She is concerned that, if or when Kiwi comes in, they would have the same issue: that it is property that they don't control. She asked about a pedestrian connection to Kiwi.

Ben Devine, speaking on behalf of the landlord, thought it was unrealistic to project what might happen in the future. He felt the appropriate time to respond is when there is an application.

Bill Lunt disagreed; he felt now was the time to look toward the future. They are not asking them to give up anything. If the Board wanted to try to correct the curb cut issues in the future, they would like a little bit of a guarantee that the applicant would be willing to work with the Town.

Mr. Saucier said there are a lot of legal restrictions that go back and forth between these properties.

Bill Lunt said they are not taking away anything from Kiwi or Wendy's by doing this. Once Kiwi opens the door to that property the Board can review it. He wants some way so that when Kiwi comes in, they aren't saying the same thing as Wal-Mart is today.

Holly Bernstein, as the landlord, wanted it to be clear what the Town is asking for on this issue.

Mr. Saucier said they are willing to sit down with the Town on this issue, but it is more complicated than it seems; there are cross easements that go back and forth. He would like it to be separate from this application. They would agree to sit down with the Town. There are people who are not here to represent their interests in this issue. Putting it in the site plan makes it unfair to the applicant.

Bill Lunt wanted a side bar on the plan that they are willing to discuss it. Mr. Saucier said they would like to talk about it separately.

Ethan Croce said neither Wal-Mart nor the Plaza have the legal right to close these off, but the Town Attorney said the Board has the authority to close off an entrance anytime they want to. He suggested a plan note or condition of approval that puts the applicant on the alert that, in the event any of the two abutting sites trigger site plan review in the future, the Board reserves the right to revisit the configuration of the curb cuts along Route 1. This way it won't come as a surprise if the Board decides to take a more aggressive stance in the future.

Mr. Saucier said that notice is something that would be acceptable to them.

Ethan Croce asked for the Board's opinion on Tom Errico's comment regarding the installation of an onsite way-finding signage system to direct motorists to Family Ice and Village Park. There is currently a sign for Family Ice at Depot Rd. There is an issue between way-finding and reducing sign clutter.

Mr. Saucier felt it was adequate as it is.

Bill Lunt asked if the sign for Family Ice will remain at Depot Rd. Mr. Saucier said it will.

Ethan Croce said the peer reviewer asked about bike racks. Mr. Saucier said there is one unit for 12 bikes. They can install another one if the Board wants one, but feel what is provided is sufficient. The Board was agreeable with what is proposed.

Ethan Croce said Mr. Errico asked that the gap between the Route 1 sidewalk and the Clearwater sidewalk be closed. This is the area along the Kiwi property.

Mr. Saucier said they are providing sidewalks along the property that they control. They felt Kiwi would take care of that when they came in. The applicant would have to negotiate with Kiwi to do that.

Bill Lunt said it is within the right of way, and they wouldn't have to negotiate with Kiwi. They have required applicants to do that in the past, along property that they do not control. He would like to see it done.

Mr. Saucier said it is not in the ordinance to require them to extend the sidewalk beyond their property. They are improving their site significantly. It is in the right of way, but they would have to negotiate an easement with Kiwi to do it, and would set them back several months in this project. It is late in the game for this issue to surface.

Walter Arsenault agreed with the applicant that it was late in the game to require it.

Ethan Croce said this comment was in the prior peer review from Mr. Errico. It is not a new comment, but it is the first time the Board has taken it up. He was not familiar with the width of the right of way in that area to know with any certainty whether easements with Kiwi would be required. While there is no requirement for sidewalk improvements, the Board does have the authority to request it. The Norway Savings Bank project and the Rite Aid project were both required to fill sidewalk gaps like this one.

Mr. Saucier said it would have to be engineered and designed.

Mr. Theriault said there might be drainage issues which could impact the neighboring property. This issue was raised two meetings ago, and Mr. Ribble discussed at the time the issues of the surrounding properties. The reaction of the Board at that meeting led the applicant to believe that they were fine in regards to the sidewalk around the perimeter.

Heddy Snyder felt it was important to complete the sidewalk but wasn't inclined to request it of the applicant at this point since they haven't requested it before now. Becca Casey agreed.

The Board did not require the sidewalk gap to be filled.

Bill Lunt asked about the issue with the Doten property and the proposed wall. Mr. Saucier said the wall is not going to be terraced; there isn't enough space there and they weren't successful in their negotiations. The engineers figured out a way to do it on their property with a retaining wall. Originally, they wanted to blend the grades with the Tidewater property and marry the sites, but they couldn't negotiate that so this was their only option.

Ethan Croce spoke about the traffic; Mr. Errico agreed that if you follow the trip generation numbers there is no need for a traffic movement permit, but thought it was counter-intuitive that traffic will not increase to this site after the improvements. He asked the applicant to provide their reasoning.

Mr. Saucier said that Mr. Theriault met with Mr. Errico and showed him the numbers. The DOT has already determined that no permit is required; they are satisfied with the numbers that Mr. Theriault provided and their approval is in the packet.

Bill Lunt said the difference in the traffic is because the movie theater is going away and there is no longer a large dump of traffic after a movie lets out.

Mr. Theriault and Mr. Saucier said that is exactly correct. Mr. Theriault said looking at the site as a whole shows that. A larger store has a lower trip generation than a smaller store, and this isn't that big of a super Wal-Mart.

Heddy Snyder asked about the bus shelter; there are no sides on the shelter.

Mr. Saucier showed the picture of the bus shelter. The peer reviewer asked for the shelter to pull the architecture from the building into the shelter. They have added a roof. There is a safety issue; they don't want people to be stuck in there. There is buffering around there, there will be trees around it to shelter it.

Mr. Ribble said there is a cart corral behind the structure to provide a back to it, 4 feet in height, and there are shrubs and trees around it which will mitigate the environmental conditions. It is not exposed to the elements. With the nature of the use, people moving in and out and waiting with packages, they want it to be open so people can see what or who is coming and flee anyone they don't want to be in there with. If there is inclement weather people are more likely to wait in the store until they know the bus is coming.

Ethan Croce addressed the waivers requested. The applicant is requesting a waiver in order to set aside a location for more parking if needed rather than build out all the required parking; a waiver to construct three loading bays instead of the four required; a waiver to allow parking aisle widths in a few aisles of 24 feet instead of 25, and a waiver on the curb cut separation distance. He discussed peer reviewer Terry DeWan's comments. Mr. DeWan asked about detail on tree protection measures and suggested that, where trees are being removed, larger trees should be placed in their place; whether the light fixtures



along the building side facing Family Ice could mimic the light fixtures along Clearwater and for a plan that shows the built out with the final mature trees. Mr. DeWan requested that the cart corrals be painted or powder coated instead of left as galvanized steel, and he echoed Mr. Errico's comment regarding additional trees along the front façade. Mr. DeWan suggested additional screening along the tank farm, perhaps a wooden fence.

Bill Lunt raised the issue of the fence around the tank farm. He asked for more screening and landscaping to avoid a long expanse.

Mr. Ribble said three sides of the fence are heavily landscaped and screened. They need access to the farm so there is a gate on one side. There are 4-6 foot plants, 2-3 plants deep. The side on Depot Rd. has full growth evergreen trees planted in close proximity. The fence type is aesthetic and very subjective. They are trying to be good stewards and reuse the fence that is already out there for outside sales; they can go with wooden fence if the Board wants them to. The basic idea is a stockade or picket fence style.

Bill Lunt didn't have a problem with them reusing the fence from the other side. The Board agreed.

Mr. Ribble said they will add the tree protection notes to the plan. Those are typically added to the construction plans. They have talked about the tree size issue before; a smaller tree establishes more quickly than a larger tree. They are proposing a 3.5 inch caliper tree which would take 3.5 years to establish into its location before it starts growing into its location. They feel that the trees proposed meet the ordinance. They would need guidance from the Board on what size they would like if they want larger trees.

Bill Lunt was comfortable with the trees that are proposed. The Board agreed.

Mr. Ribble said the scale of the trees on the plan is  $\frac{3}{4}$  of the mature width of the trees. He does that because it will be 30 years before they reach full maturity. He indicated the location of all the trees that will be 35-40 feet at maturity, which will be almost twice the 22 foot height of the building. He also marked the trees that will be 18-20 feet at maturity. There are lots of trees with elevation out there, different types of winter interest, different colors and bark types. He said they would like the cart corrals to be galvanized but they can be powder coated. If they are powder coated it is a similar issue to the light poles; they will need the reflector tape because they will be obstacles if they are dark.

Becca Casey and Walter Arsenault liked the galvanized. Becca Casey said the painting will chip and will become a maintenance issue. The Board agreed with the galvanized steel.

Mr. Ribble said the benches will be under roof cover and don't need tree cover.

Public comment period opened; no public comment.

Becca Casey moved to grant a waiver for off street parking; Bernie Pender seconded. Motion carried 5-0.

Becca Casey moved to grant the waiver for off street loading, reducing the number of loading bays. Heddy Snyder seconded.

Bill Lunt said the building is designed that they can add the additional loading bay if they need it later.

Motion carried 5-0.

Becca Casey moved to grant the waiver request for parking aisle widths, reducing some of them to 24 feet instead of 25 feet. Heddy Snyder seconded. Bill Lunt felt 24 feet is standard in other towns. Motion carried 5-0.

Becca Casey moved to grant the waiver request for curb cuts, as the curb cut separation along Route 1 is an existing non-compliant condition. Heddy Snyder seconded.

Bill Lunt felt they have improved it from what is there currently. They have gained some good things with the design as it is.

Motion carried 5-0.

Ethan Croce read the conditions into the record. Mr. Saucier was satisfied with the conditions.

Becca Casey moved to approve the application as presented with the conditions as read; Heddy Snyder seconded. Motion carried 5-0.

**4. Cumberland County FCU** – 101 Gray Rd. – Request for site plan approval of a proposed building addition and parking lot expansion. Tax Sheet 371; Map-Lot U44-001. Zoned VMU and Route 100 Overlay.

Ethan Croce said the application was tabled at last month's meeting; most of the issues were addressed during that meeting and are reflected in the plans. The only remaining issue is the access along Gray Rd. There are three curb cuts: one to the bank and two gravel cuts that service the Fairpoint outbuilding. The Board had requested that they be combined to minimize curb cuts. Fairpoint has control of those entrances; the applicant does not have the authority to close those cuts. The applicant has a new proposal to present tonight which is not reflected in the packets. Peer reviewer Bob Howe has signed off on the architecture of the building and said that, while vinyl is not a traditional New England material, it is acceptable; the Board weighed in on that issue at the last meeting.

Becca Casey recused herself from this item; Kermit Stanley was appointed a voting member.

Scott Harriman, president of the Credit Union, said the one issue remaining is the access points off Route 100. Those points are controlled by Fairpoint; the Credit Union reached out to them but they are not interested in a road off the bank's entrance. They were interested in reducing the two curb cuts they control down to one.

Dustin Roma said they have remedied the sight distance issue with this latest plan, and now only need a waiver on the separation of curb cuts. The goal of the ordinance is to reduce the curb cuts to the greatest extent practicable and they feel they have met this intent.

Bill Lunt asked the distance between the curb cuts as proposed.

Mr. Roma said he thought it was about 80 feet. Bill Lunt observed that it was a little less than half what was required. Ethan Croce confirmed that.

Bill Lunt was not comfortable granting two waivers; he isn't pleased granting this one, but was satisfied with what was presented. Walter Arsenault felt the applicant has done all they could to address the Board's issues. The Board agreed.

Heddy Snyder moved to grant the waiver on the minimum 200 foot curb cut separation; Bernie Pender seconded. Motion carried 5-0.

Public comment period opened; no public comment.

Heddy Snyder moved to approve the application with the conditions as read by staff; Kermit Stanley seconded.

Ethan Croce read the conditions. The applicant was satisfied with the conditions.

Motion carried 5-0.

**5. Oceanview Retirement** – 20 Blueberry Ln. – Request for preliminary and final subdivision and site plan approval for expansion of the Falmouth House. Tax Sheet 310; Map-lot U27- 013-D. Zoned RCOD.

Ethan Croce said the application is missing two items; the stormwater management report and the full landscaping plan. The applicant is working on the stormwater report. They are requesting combined preliminary/final approval for this application, which requires a waiver under section 13.a. They are also requesting a waiver from the requirement for a soils report citing familiarity with the area and the fact that a full geotechnical report will be done as part of the building process.

Rick Licht of Licht Environmental Design spoke about the waivers. They felt it was more efficient in this instance to combine the process into one step so they can present the whole plan at the meeting tonight. This way, when they come back all the issues will be addressed. The area they are talking about is only a couple of acres; a soils map is usually for a larger site. They did a soils map for the entire campus and submitted it to the DEP back when it was first constructed. They are conducting geotechnical boring on the site. A geotechnical report was done for the Falmouth House in 1997/98.

Bill Lunt asked for that information to be submitted to the Town Engineer. Mr. Licht agreed to do that.

Ethan Croce spoke about grading and buffering. A silt fence is shown 10 feet below the fire lane; staff is asking for clarification on whether that whole area has to be cleared. Staff has asked for verification on the treatment of the 40 foot wide swath between the proposed parking lot and the new fire lane. Staff is also looking for verification that all exposed machinery/mechanical elements will be properly screened. The landscaping plan should include all the landscaping detail as required by section 9.2.8. The proposed 10 foot high boulder retaining wall will be highly visible area due to the clearing planned for the proposed detention pond; staff was looking for more detail regarding treatment of the proposed amenity area.

Mr. Licht spoke about the grade changes. This is a sloping site, and ends up with a terraced effect. He showed the Board photos of walls that are on site currently. The existing stone walls are boulder sloped walls. While the walls are 10 feet high they don't give that appearance due to the location, and the fact that they are not one solid piece. With the trees and the sunlight, these walls are barely perceptible. He showed how the vegetation breaks up the walls. He showed a photo of a mixed stone slope at Whipple Farm, which the geotech might recommend for other areas. The met with the Fire Chief last week and reviewed the requirements for the fire access road. They have tightened up the slope, increased the wall from 8 to 10 feet, and the buffer which varies from 125 to 25 feet as it comes around the corner. It is tighter by 20 feet from what is shown on the Board's plans since meeting with the fire chief. He showed a north/south elevation at 1:1 scale that showed the existing grade and the proposed wall with the fire access lane. The wooded section is 70 feet wide to Blueberry Lane. The east/west elevation showed the proposed pond with a 10 foot max stone wall and the memory garden with the 14-15 foot max masonry wall below it. They are planting red maples along the street, relocating crabapples from elsewhere on the site around the parking lot, and placing a combination of shrubs and low trees along the back of the pond and along the street. The detention pond will be a filled pond with a liner; they are working with the DEP on the final plan for that. He showed the conceptual landscape plan for the detention pond.

Bill Lunt asked how wide it is between the fire lane and retention wall at its widest point. Mr. Licht said it is 24-25 feet; from the edge of the fire access lane it would be 19 feet.

Bill Lunt asked about grade from the base of the wall to the fire access lane. Mr. Licht said there is a 4 foot grade change at 3:1, and then a 10 foot wall to the surface of the parking lot.

Bill Lunt was concerned about why the fire lane is so far down into the buffer.

Mr. Licht said the only way to bring the lane closer would be to steepen the slope and increase the wall height. They would need a wall height of 14 feet or so to do that. They are dealing with Alzheimer's patients and their families. 10 feet with a grade change gives a person a whole different experience than a 14 foot wall, which would be unnerving.

Bill Lunt thought there was a lot of clearing in the wooded area on the Blueberry Lane side of the fire lane. Mr. Licht said there was 70-75 feet of existing woods there; they could put a small 3 foot wall along the slope to protect and increase the buffer.

Bill Lunt said the buffer gets more and more narrow as you come around the corner; he would like them to tighten it up as much as possible.

Mr. Licht said the woods are very thick; he identified on the photos what the woods look like currently. The fire lane would not be a curb cut.

Bill Lunt said they were making the hole from the Blueberry Lane side bigger; he wanted to know if they can make that smaller. Mr. Licht said the Board has a previous plan in their packets. That is wider than it will be; they have since corrected that and it will fixed be on the final plan.

Mr. Licht spoke about the mechanical area; they will be moving the mechanicals, which will be screened with a pergola-looking wooden enclosure similar to what was installed at the main lodge. They are going to be adding detail on landscaping to the plans for their next submission.

Walter Arsenault asked about the wall of mixed boulders.

Mr. Licht said there may be areas where the geotech wants a slope, and in those areas they would use a mixed slope of large and small stone. Those are only if the geotech recommends those. The boulder walls are as shown on the plans.

Ethan Croce spoke about vehicular circulation and parking. The parking spaces to the left of the entrance need to be shown on the plan if they want to retain them. It seems appropriate to add a bump out to protect the northerly most parking space along the perpendicular parking area.

Mr. Licht said those spaces at the entrance are more informal, temporary spaces. They don't want people parking there due to the propane fill area, and they will remove them.

Bill Lunt asked about the different colored pavement that is there now. Chris Wasileski said the area of different colored pavement was due to repairs. Matt Teare said they came to the Board for approval when they moved the large, underground tanks.

Bill Lunt said the area where those temporary spaces are was never approved by the Board. Mr. Licht said that was correct and they will black them out. They agree with the bump out suggestion.

Ethan Croce said the two proposed lights in front of the building don't appear to be full cut-off fixtures. Staff was looking for verification that no other exterior lighting is proposed other than what is on the photometric plan.

Mr. Licht said the lights shown match what is there now, which are shoe box. The light near the entrance is being replaced. It is a cut-off but a new design; all the lighting is cut off. No other lighting is proposed other than what is on the plan. He described the exterior lighting proposed.

Ethan Croce said there is a requirement in section 3.16.7 in the overlay district that sidewalks along Blueberry Lane be connected to link with the buildings on the campus. Staff suggested putting in a pedestrian walkway from Falmouth House to Blueberry Lane. There has been some discussion about pedestrian access to the detention pond, but grading may be a challenge. He observed that there is no pedestrian connection from the fire road termination point to any other point.

Bill Lunt said it doesn't make any sense to have that area as a walkway if it doesn't go anywhere else. Mr. Wasileski said they are working on connecting the walking path through the woods to another point. They will connect the sidewalk to the building as they have with the main lodge.

Mr. Licht said they will put a walking path into the woods. It is for the community; it is not the residents of the memory loss unit that will be using it. He talked about a sitting area at the pond. They thought they

would have a loop of the sidewalk around the pond, but there will be some little amenity area with a sidewalk loop from Blueberry Lane connecting to the fire lane.

Mr. Wasileski said they have had preliminary communication with the DEP about using the detention pond as an amenity with benches and a walkway.

Bill Lunt asked if the pond will have some depth.

Mr. Licht said they are submitting their final plans to the DEP later this week. The pond is anticipated to be lined. There is ledge at 1.5 feet deep which will lead them to install a liner. The pond will have water; it may have to have supplemental water. It is designed to be a wet pond and not a dry detention basin. They are refitting the existing outlet structure to meet both the treatment and flooding standards. The idea was for the edges of the pond to look natural, but they are required to have an under drain under a bench shelf. It will likely be 3-4 feet deep.

Bill Lunt asked if the depth is part of the requirements for volume. Mr. Licht said yes; they have a ratio that they have to meet for treatment. He spoke about the treatment of the liner; they can use either clay, till, or a geotech liner covered with sand.

Becca Casey asked about connecting the two fire lanes that access the memory garden with a walking trail. Mr. Wasileski said it is a very steep grade there. They have proposed snaking a walk through the woods.

Ethan Croce spoke about compatibility with the master plan. The stormwater report is forthcoming. The ordinance requires DEP approval prior to final approval, but this can be handled with a condition of approval. The applicant is requesting a conditional agreement in lieu of a financial performance guarantee, similar to the one granted at the main lodge.

The Board indicated agreement with the conditional agreement.

Becca Casey indicated that she would much rather see boulder walls as opposed to the stone slope as much as possible. The Board agreed.

Becca Casey moved to table the application; Bernie Pender seconded. Motion carried 5-0.

Meeting adjourned 10:16 pm

Respectfully submitted,

Melissa Tryon  
Recording Secretary