

**FALMOUTH PLANNING BOARD MEETING MINUTES
TUESDAY, AUGUST 7, 2012, 6:30 P.M.
FALMOUTH TOWN HALL, COUNCIL CHAMBERS**

MEMBERS PRESENT: Bill Lunt (Chair), Becca Casey, Bernard Pender, Walter Arsenault, Kermit Stanley, Jay Chace (Alternate), William Benzing (Alternate)

MEMBERS ABSENT: none

STAFF PRESENT: Amanda Stearns (Community Development Director)

The meeting started at 6:32 pm.

1. Approval of minutes from the July 3, 2012 Planning Board meetings.

Jay Chace moved to approve the minutes, Walter Arsenault seconded. Motion carried 5-0 (Pender, Casey abstained).

Administrative Action Items

2. David Hembre – 44 Allen Ave. Ext. – Request for an amendment to the Lower Falls Subdivision for a lot line adjustment. Tax Sheet 471; Map-Lot U69-004. Zoned RA and RCZO.

3. Carol Morrisette – 50 Seaside Way – Request for an amendment to the Seaside Subdivision to alter grading on Lot 5. Tax Sheet 082; Map-lot U18-048-004. Zoned RA and RCZO.

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

Agenda Items

4. TPO Properties, LLC – 26 LedgeWood Dr. – Request for sketch plan review of a proposed subdivision and request for waiver of requirement for joint meetings under 30-MRSA §4403. Tax Sheet 512; Map-lot R04-068-E. Zoned RA and RCZO.

Amanda Stearns explained that the applicant is looking for a waiver on the requirement for joint meetings with the city of Portland as the vast majority of the property, including all the new lots being developed, are in Portland. The Planning Board here will be primarily reviewing street design and traffic, as well as the one existing house lot that is in Falmouth.

Bill Lunt wondered if they have the right to discuss any drainage issues from the Portland property to the Falmouth property if they waive the requirement for joint meetings.

Amanda Stearns said they would have the right to discuss any issue that might impact property in Falmouth, even if they waive the joint meetings. Both boards will receive full sets of plans and can discuss any aspect of them. Another question is whether a traffic impact study will be required.

Bill Lunt said he is familiar with historical drainage issues in that area.

Becca Casey asked if they could make sure there was communication with the Portland Board, if they waive the requirement. She suggested a representative of the other town's board be present at each meeting on the project.

Amanda Stearns thought they could request correspondence, or even having a Portland member attend the Falmouth meetings while sending a Falmouth Board member to the Portland meetings. The applicant has chosen to approach the Falmouth Board first in regard to requesting the waiver, in recognition of the difficulty of getting two boards together at the same time. She thought this was a practical request as much as anything.

Bernie Pender asked how they could be sure that Falmouth's best interest would be looked at if they waive the requirement.

Bill Lunt felt they have some leverage, as the Falmouth Board will control approval of the subdivision road. He would feel differently if half of the lots were in Falmouth, for example, but in this case he thought they were okay.

The Board discussed whether to vote on the waiver tonight, versus at the preliminary approval stage. Bill Lunt asked about the proposed approval process: the applicant indicated they would come to Falmouth for preliminary approval first, and then go to the Portland Board. Bill Lunt was concerned that Falmouth would approve the plan, and then Portland would require changes that the Falmouth Board would not see. Amanda Stearns said that if there were changes to the plan approved by the Falmouth Board, the applicant would have to come back to the Board anyway. If there is a point where there is some conflict between the two boards, the applicant will have to come back to this Board for an amendment.

Jay Chace asked if both boards would sign the same plan. Amanda Stearns said in her experience both municipalities signed the same plan.

Tim O'Donovan, the property owner, spoke about the project. They hadn't thought that far ahead, but he thought it made sense to have one plan for both Portland and Falmouth to sign. He understood that he is taking on the risk of meeting the requirements of both towns. He discussed the location of the proposed subdivision. The parcel goes along the Falmouth/Portland town line at Ledgewood Drive. It is surrounded on three sides by open space. The location of the entrance they will be using is directly across from Slocum drive in Falmouth. The drive will bisect the existing house lot in Falmouth; the existing house will stay, but the driveway will be moved to come off the subdivision road, thereby improving its sight distance. The road is approximately 350 feet from the nearest curb cut. They have more land on Ledgewood, but couldn't bring the road across that piece, as it is primarily wetland. They are showing 13 new lots that are all in Portland. They have not yet applied for a hearing in Portland, as they wanted to present the proposed street to Falmouth first.

Peter Biegel of Land Design Solutions discussed the lot on the corner of Ledgewood owned by Mr. O'Donovan. It is vacant and has been for several years; they plan to demolish it and replace it. It isn't part of the development, but they are showing it because it is in the same ownership and adjacent to the proposed development. They plan to include a crosswalk across Ledgewood, as suggested by Public Works. They originally proposed a 24-foot wide road, but Portland wants to see a 28-foot wide road. The current plan shows a 28 foot wide road: two 14-foot paved travel lanes, a 6 foot wide grass esplanade and a 5 foot walk on one side. Portland may require a side walk on both sides. Each site will be served by private septic system and public water that will come off the Ledgewood Drive water main. They plan to enter discussion with the Land Trust and Portland Trails to connect to trails that come from the Ledges subdivision, along the stream and into the dog park.

Jay Chace asked about aligning the access drive with Slocum. Mr. Biegel said they have done that; they were initially trying to avoid buying a pole.

Jay Chace asked if the sidewalk has been aligned with the sidewalk on Slocum. Mr. Biegel said that yes, it has.

Jay Chace asked about the waiver on a traffic analysis study; he would like to understand what type of impact this would have at the intersections with Middle and Allen Ave. He asked how public services, i.e. trash, etc. would be taken care of, with the lots in Portland and the traffic entrance in Falmouth.

Mr. Biegel said that this will be a City of Portland public road, as Portland doesn't allow private roads. The City also requires a traffic study. Bill Eaton, the Traffic Engineer gave them the peak hour trips and identified 3 crashes in the last 4 years. They based their request for a waiver on that information.

Mr. O'Donovan said currently the four existing homes between Middle and Ledgewood are in Portland and their trash is picked up by Portland. Falmouth plows the road. He believed that Portland would plow the subdivision road.

Amanda Stearns said all streets in Falmouth start out as private, unless the Town Council accepts them, so this would require the applicant to grant Portland an easement over the Falmouth portion to access the Portland side. It would simplify things if they had a private agreement with Portland. That speaks to the importance of making sure that the road meets the same standard its entire length.

Bill Lunt said this Board will treat this as a private road.

Becca Casey thought it made sense to give Portland an easement over that section of road; she thought this Board would rather see a narrower road, if Portland was agreeable, but she thought if Portland was going to maintain it they might insist on a wider road. She wondered if they had looked at lighting the roadway, and the different requirements between Portland and Falmouth in that regard. She spoke about Falmouth's buffer requirements on conservation subdivisions; typically they would see a streetscape buffer.

Mr. Biegel spoke about using the lot in Falmouth for stormwater treatment and buffering. They haven't looked into it too much at this stage. He indicated the high point on the map. They haven't looked at lighting at all at this point.

Bill Lunt asked if there was a street light there on Ledgewood. Mr. O'Donovan said yes, there is a light there.

Bill Lunt was concerned about the storm water that will flow toward the Ledges; there is a brook there. Mr. Biegel thought there would be stormwater quality and detention there, as well as an easement.

Bill Lunt thought everything runs from this property to Ledgewood Drive.

Mr. Biegel said everything flows in to the wetland and then to Ledgewood. They will address this issue when they come back. He said lot 14, the lot in Falmouth, will still be a conforming lot after it is bisected by the road. The septic system will be relocated to the back, and the driveway will be relocated to the subdivision road.

Bill Lunt asked about the remaining land of lot 14, and who would own it. Mr. O'Donovan wasn't sure; he didn't see it staying it as part of lot 14 and it wouldn't be big enough to build on.

Bill Lunt asked if they are going to have a homeowners association since the road will be public. Mr. O'Donovan said he didn't want to, but would if he had too. He didn't see how else to do it; he didn't think the city would take over that property and it would be too small to build on.

Amanda Stearns thought they could deed the right of way of the street, as well as that remaining land from lot 14, to Portland; Portland is allowed to own property in Falmouth. This way Portland would take over maintenance of the storm water improvements as well. She asked about the process of naming the street, as they will have to make sure there was no conflict in either municipality with the name.

Becca Casey moved to authorize Planning Staff to sign an agreement to waive the joint meeting requirement under 30-MRSA §4403; Kermit Stanley seconded. Motion carried 5-0.

Public comment period opened; no public comment.

Bill Lunt requested a copy of the minutes from the Portland sketch plan to be provided to the Falmouth Board. He also requested that a meeting with the Planning staff from both Portland and Falmouth take place. He asked staff to evaluate the traffic impact study.

5. (TABLED) D Squared – 72 Foreside Rd. – Request for a private way amendment to add one additional lot. Tax Sheet 320; Map-lot U11-022-001, U11-021. Zoned RA and RCZO.

6. OceanView – Lunt Rd. – Request for sketch plan review of proposed redevelopment of the former elementary school site. Tax Sheet 310; Map-lot U27-003. Zoned RB, RCOD, ESRD and RCZO.

Amanda Stearns spoke about the Council's approval of the master plan and the Elementary School Redevelopment District. The main issues for Board discussion are vehicular circulation, improvements to Lunt Road including on-street parking and curb cuts, and pedestrian connections within Oceanview, the new development and out to Middle Road and Blueberry Lane. The Board needs to determine whether the proposed plan is generally consistent with the approved master plan. The master plan is still in a situation where there may be some tweaking to the ESRD in regards to the public use of the site. While the Council felt the master plan was detailed enough, they also recognized that while OceanView moves through the process and the Town decides what the final use will be for the former school buildings and the village green, some amendments to the plan may be required. If there are design standards or other issues identified by the Planning Board, the Council may be open to that.

Becca Casey wondered if they should focus more on the RCOD instead of the ESRD.

Amanda Stearns thought the applicant is looking for feedback on the redevelopment of the Lunt School and the memory unit and apartment building associated with that. Those entrances and exits have been reviewed by the Council, Public Works and Planning staff regarding the curb cuts on Lunt and Middle.

Bill Lunt asked about the wooded area at the end of the village green; he thought if they put a detention area there it will no longer be wooded.

Amanda Stearns said discussions among town staff have covered that issue; OceanView has talked about accommodating stormwater treatment on the site. The wet pond they are proposing is located on two properties, one owned by OceanView and the village green lot, which will be owned by the town. The stormwater requirements need to be worked out in a way that could be approved by DEP. The village green on the master plan shows an area where the contours are very steep; that area had always been designated and looked at as possible stormwater treatment area.

Bill Lunt wondered if it would be better to change the lot line and tweak the zone so that the stormwater all falls on land owned by OceanView, so there is no question as to who is responsible for the maintenance of the improvements.

Jay Chace asked for clarification on which plan the Board is reviewing; Amanda Stearns said it is the plan labeled C1 and C2. The plan labeled "Proposed Development Plan with Zoning Districts" is the approved master plan.

Bill Lunt thought it would be a good idea for the Board to do a site walk, given the complexity of this plan. The Board indicated agreement with a site walk and discussed with the applicants what should be flagged on the site for the walk.

Rick Licht of Licht Environmental Design spoke about the process to date. They have tweaked the plan since it was submitted to the Board. They have met with DEP - this will be a site law amendment - and they discussed the best way to streamline the permitting process with them. They will retain Chris Baldwin from CCSWCD to review the plan for both the Town and DEP. They plan to come back to the Board this fall, with a goal of having their approval by winter.

Bill Lunt requested that staff talk with the town engineer to ask about issues that should be addressed at the site walk.

Mr. Licht agreed that a site walk now rather than later is a good idea. He addressed the master plan and the location of the ESRD which encompasses the old school properties and the proposed village green.

The remainder of the property is in the RCOD, which was extended from OceanView. The project they are looking at is a number of smaller projects. The first is Blueberry Commons: three, three-story buildings comprising 34 independent living units in all, with underground parking garages to reduce pavement and stormwater runoff. He presented a rendering of the proposed architecture of the three buildings. The existing carport would be removed to make room for a series of walkways between the main lodge and the Commons. Their goal is make this an annex of the Hilltop lodge and the community there. The circulation plan would take the current driveway location and come around the front of the property, with a gateway and a drop off area, ADA access and a formal entry. The carport would be relocated to provide 8 spaces; they are looking at building up between the road and the carport to minimize the look of the building.

Bill Lunt asked about emergency access to the buildings. Chris Wasileski of OceanView said they have been in talks with the Fire Chief. They have spoken about unit numbering for these units and they have a formal meeting scheduled with him to review the site plans for access to the buildings and the units.

Mr. Licht spoke about the 24 unit memory care facility, with a memory loss garden behind, that would be connected to the Lunt building. There is an access way connector road to the final piece which is mostly single, some double unit, cottages. There are access control points; the master plan speaks to cutting off some of the access points and lining up with abutters across the street. The access shown for the Plummer and Motz buildings is conceptual at this point. The senior apartment housing building is a placeholder on the plan but is not part of the application at this time. The planned, phased approach is first the construction of the Commons, then the Lunt memory care, and finally the individual cottages, with a projected build out of up to 10 years.

Mr. Licht described the topography of the site; he indicated the high point on the plans and how the site undulates toward Middle Road and the Lunt school. The pond is a placeholder at this time; the site has so much impervious surface already that from a flooding standard it gives them some credit, but they have to do the additional treatment factor. The treatment pond is one way to deal with that. The area in front of Plummer and Motz are more of a challenge as they drain directly onto Middle Road.

Matt Teare of OceanView said the pond was brought up at the first meeting with the Town. They want to make it an amenity to the village green, perhaps use it for skating. They asked and were told not to put it on the master plan.

Bill Lunt said as long as the Council agrees that it belongs there he would be fine with it, but right now he can't say that it is consistent with the master plan.

Jay Chace asked if it was identified whether the Council would like to have that amenity for the green; he asked whether they could move the pond more central to the town property to be closer to the green. Mr. Teare said they are committed to building the green, as a condition of their purchase of the property.

Mr. Licht said it does make some sense to pull that pond closer to the green and into the end of the playfield as its current location on the plan is higher up in the ledge. They can look at that opportunity.

Jay Chace thought pulling that in would also allow some of those large trees to remain and preserve the wooded area.

Amanda Stearns said there are two schools of thought on the town side regarding the green; one is to leave it wide open as it is now, to accommodate informal playing fields in the case there is community programming at Plummer and/or Motz. The message the town gave to OceanView was to leave it open, as the town was not ready to commit to a plan. Moving the pond as far back as it is was intended to provide as much open space for the green as possible. The town has not given OceanView much direction regarding the design of the green as this point; it is on hold until more discussion is held regarding the use of the school buildings.

Bill Lunt felt they have to get handle on this if the pond was going to be used for retention for the site. The town has to decide whether they want to deed that land to OceanView. He asked about on-street parking on Lunt road; he wanted to see if they could reconfigure the travel way on Lunt so that there is no parking on the residential side. He didn't want to see parking on both sides of that road.

Mr. Licht showed the conceptual traffic plan; there are currently 7 curb cuts on the property. The plan suggests keeping the drive closest to Middle, closing off the entrances directly across from the residences, and having an entrance directly across from Checkerberry Lane. This would allow for two cuts on Lunt. The two cuts on Middle are very steep; one of their thoughts is to close one and maintain the other as a two way entrance. They want to narrow the entrance in front of Lunt to 24-25 feet from its current width of 42 feet and add perpendicular spaces in front along the arc. This will become the main, two-way entrance to the site. They are committed to working with the property owner across the street on minimizing headlights.

Jay Chace wondered if the proposed use of Lunt for medical offices needed two curb cuts; he wondered if they could have a more standard entrance instead. Mr. Licht said it is a very commercial feel right now in front of Lunt; they can reduce the impervious surface and narrow the curb cuts which will give it a lighter commercial feel. He thought the access drive as designed would allow people to drop others off for medical appointments. Closing it off would create more of a structured parking lot out front, which the ordinance asks them to avoid.

Bill Lunt said the road from Lunt to the back of the property will be off the access in front of the Lunt school as opposed to off of Lunt Road itself. Mr. Licht said yes, by a few feet. It makes sense to align the road along the edge of the drainage area.

Bill Lunt was concerned about stacking for cars coming out onto Lunt. Mr. Licht said they would look at that.

Becca Casey would like to see what it would do to close the entrance closest to Middle Road, especially if they are talking about allowing on-street parking. It didn't seem out of the question to connect the parking to around the corner. She was concerned with people pulling out into traffic at the intersection.

Mr. Licht agreed that this area needs more study, especially the stacking issue at the intersection. Lunt Road is made up of 2, 12-foot wide lanes with 5-6 foot shoulders. It is their intent to look at moving the entire Lunt Road travel way to the north side to create a 2-4 foot shoulder. The other side would then become 6 feet wide, and would include formalized parking for 20-30 on-street spaces.

Mr. Licht spoke about 16 spaces of overflow event parking currently planned for along the entrance at Blueberry Commons, perhaps with grass pavers. They are looking at adding 4 feet behind the spaces to allow backing space between those spaces and the roadway.

Bill Lunt pointed out that Clearwater has the same situation; he is comfortable with the extra space.

Mr. Teare said those three buildings have their own parking underneath the buildings. One the buildings will have a community space; that overflow parking is intended for events held in that space.

Mr. Licht said the trip generation study done by Diane Moribito indicated that his would not trigger a DOT traffic movement permit. He asked if a full traffic study would be required by the Board.

Becca Casey felt the internal circulation was well integrated with the rest of OceanView, but she thought it would be helpful to have an engineer look at the perimeter entrances on Lunt and Middle. Mr. Teare agreed that it would be helpful to have targeted help with those entrances.

Mr. Licht spoke about the connector roads; they think they have plenty of interconnectivity between Middle, Blueberry, Falmouth, and Lunt roads. They don't feel extending the drive from the new cottages to Middle would be helpful. The grade in that area is very steep. They also felt having additional traffic to

Whipple would be harmful to the community. Mr. Teare pointed out that at the time Whipple was approved they promised the abutters that Whipple would be a private access point.

Becca Casey said this is one of the most connected developments in Falmouth; she thought the connectivity as presented was sufficient.

Jay Chace felt, since a traffic engineer would be looking at it, he would be interested to see if making that connection down to Middle Road from the cottage road dead-end would interface with eliminating one or two of the exiting curb cuts on Middle and draw traffic away from the intersection.

Mr. Licht said they can provide visuals of that area. They will come up with further detail of the drop off area for Blueberry Commons; it is not intended to be all open there. They are using 18-20 foot wide roads for the internal roadways. He spoke about the pedestrian circulation and said it is a part of how the residents get around and part of their daily routine. They will have connections with the village green. They have a combination of roadways, sidewalks, and trails to provide ways to get around. They are committed to putting a sidewalk along Middle Road. They are striving to make this as pedestrian-friendly as possible.

Bill Lunt asked where the installation of the sidewalk along Middle Road fit in with the phasing. Mr. Wasileski said all the neighbors are excited about having the sidewalks connected, as well as the addition of the trails. They are looking at installing the Middle Road sidewalk with the final phase of construction. Mr. Licht confirmed that it will be done after the plans for Plummer are finalized.

Bill Lunt asked about sidewalk connections from Falmouth Road across the Lunt school. Mr. Licht said those are being done now as part of the Falmouth/Lunt water line and street improvements.

Mr. Licht spoke about stormwater; they will be putting some thought about conceptual stormwater treatment on the Plummer site. The whole site will be heavily buffered and landscaped. He asked the Board about the esplanades being 5 feet wide; that would be wide enough for street trees.

Bill Lunt felt the Board would like to work around any existing vegetation and not cut wide swaths. Mr. Licht said that was their goal as well.

Mr. Licht said they would like to enhance the street view along Lunt immediately as part of the first phase, by installing some street trees. They have done an initial parking assessment and they will submit tables along with the traffic survey in the preliminary package. He doesn't anticipate needing any waivers. They are looking to submit the preliminary package for the October meeting, with a return to the November meeting to address comments and a goal of getting final approval in December.

Public comment period opened.

Phil Bolduc of Lunt Road was grateful that they moved the entrance over. His concern was the parking and whether the summer concerns would be moved to this area. The current gazebo has plenty of parking.

Bill Lunt pointed out that the Board doesn't choose what is going to happen at the green; that is for the Council and Mr. Bolduc should address that with the Council.

Mr. Bolduc asked how deep the pond would be and who would be responsible if someone were to fall through the ice. He hoped that the lighting would be similar to the low lighting at Tidewater.

Public comment period closed.

Meeting adjourned at 8:53 pm

Respectfully submitted,
Melissa Tryon
Recording Secretary