

**FALMOUTH PLANNING BOARD MEETING MINUTES  
TUESDAY, OCTOBER 2, 2012, 6:30 P.M.  
FALMOUTH TOWN HALL, COUNCIL CHAMBERS**

**MEMBERS PRESENT:** Bill Lunt (Chair), Bernard Pender, Kermit Stanley, Jay Chace (Alternate), William Benzing (Alternate)

**MEMBERS ABSENT:** Becca Casey, Walter Arsenault

**STAFF PRESENT:** Ethan Croce, Senior Planner

The meeting started at 6:36 pm.

Jay Chace and Bill Benzing were appointed as voting members.

**1. Approval of minutes from the September 4, 2012 Planning Board meetings.**

Jay Chace moved to approve the minutes, Bernie Pender seconded. Motion carried 5-0.

**Administrative Action Items**

**2. Ridgewood Associates, LLC** – Request for a site plan re-approval for the Ridgewood Subdivision. Tax Sheet 310 and 611; Map-Lot R04-026; Zoned Open Space Residential District.

**3. 46 Depot Road, LLC** – 46 Depot Rd. - Request for site plan re-approval for an office building renovation & expansion. Tax Sheet 320; Map-Lot U24-006; zoned SB1 & Village Center Overlay.

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

**5. Sign One** – 65 Gray Road – Request for approval of a new wall sign for Greener Postures. Tax Sheet 373; Map-Lot R05-044-001. Zoned WFCMPDD.

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

**Public Hearings**

**6. Public Hearing** on a proposed amendment to the Zoning and Site Plan Review Ordinance to revise the time limits for the West Falmouth Crossing (WFC) Master Plan.

Ethan Croce explained that the WFC master plan is one of three regulatory documents that guide development in the area. This master plan includes language that it would expire after ten years for any undeveloped parcels in the district. This amendment extends that time line to 20 years instead of 10. No other changes are proposed.

Public comment period opened; no public comment.

Jay Chace moved to recommend approval of the amendments as written; Kermit Stanley seconded. Motion carried 5-0.

**7. Public Hearing** on a proposed amendment to the Zoning and Site Plan Review Ordinance regarding tenant footprint limitations in SB1.

Public comment period opened;

Mary Costigan of Bernstein Shur, representing Lou Vinios, owner of the Falmouth Shopping Center, spoke about the 30,000 sq. ft. cap on tenant space. At the most recent Council meeting, the discussion seemed to indicate consideration of a 50,000 sq. ft. cap. The language as written is not clear as to whether vacant tenant space would be subject to the proposed cap. They would like the maximum flexibility to reoccupy the current vacant space. They would like to see an exemption for their vacant space so that it can be reconfigured in any way possible within existing footprints. They are not sure whether the reference to ground floor tenant space means the limitation only applies to the ground floor. She wondered if you could have a 100,000 sq. foot tenant space on the second floor. They need some clarification on that language.

Bernie Pender asked the footage of the vacant Shaws. Ms. Costigan said it is 52,000 sq. ft.

Phil Saucier of Bernstein Shur, representing Wal-Mart, was concerned that the language as put forth did not exempt the Wal-Mart project, and he felt the Council's intent was to exempt it. The project is not built yet and the language refers to "existing" tenant space.

Public comment period closed.

Jay Chace asked if adding "grocery/retail" to SB-1 would make Hannaford non-conforming in its district.

Ethan Croce thought that was correct, and would need to be addressed.

Bill Lunt asked if the footprint limitations are in SB-1 only; Ethan Croce said that was correct, but explained that if they added a narrower definition for "grocery/retail" it would rope in the Hannaford, which is currently defined as "service establishment".

Jay Chace wondered about applying a sq. ft. limit to daycares in SB-1, but not in the other zones. Daycare is a conditional use in the residential zones, and does not have a footprint limitation in those zones. He was concerned about fairness.

Bill Lunt felt there were too many opportunities for unintended consequences with this amendment. He was hesitant for the Board to issue a recommendation at this time, until the language is refined.

Jay Chace wondered about an allowance for projects to go above the sq. ft. limitations in consideration of creative design.

Bill Lunt pointed out that this amendment is targeted at a specific piece of property, as most of the property along Route 1 is too small for large projects. He spoke about the charette that was held at which a proposed limitation of 90,000 sq. ft. was discussed. He was concerned that the public's input was not being considered.

Bill Benzing moved to recommend that the language not be approved; Kermit Stanley seconded. Motion carried 5-0.

## Agenda Items

**8. Oceanview Retirement Community** – 20 Blueberry Lane - Request for preliminary subdivision and site plan approval for redevelopment of the former elementary school site. Tax Sheet 310; Map-lot U27-003. Zoned RB, RCOD, ESRD and RCZO.

Rick Licht of Licht Environmental Design began with an overview of the project. They will submit their DEP applications tomorrow. They had to make some adjustments to the stormwater plan after a pre-application meeting with DEP. They are looking for approval of the 34 units at Blueberry Commons, the Lunt School adult day care and memory care facility, and 34 new cottages. Proposed developments not included in the current approval process include a senior apartment building, Plummer-Motz and the village green. The Council has expressed their belief that the proposed wet pond is consistent with the master plan. They have submitted a table detailing the proposed parking. They had to make some assumptions based on the anticipated use of some of the buildings, but came up with 331 spaces provided for the entire site, minus the cottages. The cottages require 2 spaces per unit, which brings them to 376 required for the whole project and 407 spaces provided. Town staff has asked how much parking would be needed for the memory care, auditorium and medical offices at the Lunt School. Mr. Licht spoke about the parking at Lunt; they anticipate sharing parking across all the lots. There are 125 spaces between Lunt and Plummer which would be available for evening events at the auditorium.

Bill Lunt asked if there were any restrictions on the lot at the corner of Lunt and Falmouth; the expanded parking is going into that corner lot. Mr. Licht said that corner lot has been added to the newer plans. That lot is part of the RCOD and not the ESRD, but there is nothing preventing it from being used for parking.

Ethan Croce confirmed that there is nothing that expressly prohibits parking and it meets the minimum 25 foot setback from rights of way in the district. The Board should determine whether that expansion is consistent with the master plan.

Mr. Licht said the Blueberry Commons complex is going to displace 3 single-story cottages and the north parking lot for the Lodge. They will clarify in their next submission that the Lodge will still have enough parking. They provided 92 spaces for the Lodge, and needed 83; they will lose 15 and will end up with 77. Blueberry Commons has 34 units and is required to have 34 spaces, but they are providing 40 underground spaces, along with 16 off the side of the road and 17 internally.

Ethan Croce recommended including the Lodges into the parking calculations for this project as well. Mr. Licht said they would update their parking table.

Mr. Licht said they have assumed a 50 space requirement for the Lunt building since it would be partially OceanView residents and partially public use. 50 spaces might be low, but they didn't think a medical office space with an adult day care would need 100 spaces. They believe a lesser number would be suitable, taking into account the total number of spaces on the property.

Ethan Croce acknowledged that it is something of a guessing game as to the required parking, since they don't know the uses in the building yet but he pointed out that there is nothing in the ordinance that would prohibit or restrict a use in the Lunt building that was not tied to the needs of the residents of OceanView.

Mr. Licht spoke about Lunt Road parking and bump outs. They have agreed in the past to restripe Lunt Road with a parking lane on the southerly side; this would create two 11-foot lanes with a 4-foot shoulder on the other side that would be signed for "no parking". They discussed having bump outs at the driveways at Plummer. They would rather stripe those bump outs instead of installing curbed, landscaped bump outs. They are going to landscape all along Lunt Road. The bump outs are expensive, and he felt they cause difficulty for plowing.

Bill Lunt asked if they have discussed moving the centerline of Lunt Road with the Town.

Mr. Licht said yes, they have spoken with Town Engineer Jamie Mason on a number of items. Mr. Mason supports two 11-foot travel lanes with 10 feet for on-street parking.

Bill Lunt agreed with striping the bump-outs instead of installing curbed bump-outs. He agreed that they are hard to plow. He was concerned with who would be responsible for maintenance of the striping, OceanView or the Town. He recommended that OceanView maintain the parking striping, and if they didn't do it, the Town should do it and then bill OceanView. Mr. Licht said they could discuss that with the Town.

Matt Teare of OceanView didn't see a problem with maintaining the striping.

Mr. Licht said they agreed with the staff comment that they return the landscaped islands at the end of the parking aisles in the lot next to Lunt. They also agreed to make it one-way circulation in that parking lot. These are 24-foot wide aisles.

Bill Lunt said there was a lot of discussion at the site walk about the drop-off zone. There was concern expressed about turning where people were waiting to turn out to Lunt road.

Mr. Licht spoke about the driveway loop in front of Lunt. They are proposing to double the size of the esplanade, and have a one-way loop in. If these are going to be medical offices, it is imperative to have short-term parking to allow for dropping off. The loop proposed is a one-way loop. Several cars can stack for a left-hand turn at Lunt. The loop is designed to allow community members to turn in. They now have 50 feet to allow stacking from Lunt back to the loop. They are going to try and move the birch trees that are currently near the loop.

Jay Chace said there will be 50 feet from the curb of Lunt to the loop; Mr. Licht said that was correct.

Jay Chace asked what the distance is now; Mr. Licht thought it was half that currently. They will probably double the ability for stacking. The largest designed vehicle they anticipate using is a short bus.

Jay Chace asked how wide the loop was. Mr. Licht said it was 20 feet wide; they have an 8 foot lane and a 12 foot aisle. They have greatly reduced the width of the loop. He wondered if they should widen the aisle to 14 feet to allow people to drop off.

Chris Wasileski said there is a separate drop-off along the back where the adult day care is proposed. The utilization of the front loop/drop off area is only for the tenants at the front of the building.

Mr. Licht said they had proposed pervious pavers for the 16 spaces along the road way at Blueberry Commons for overflow parking. Those spaces are shown as 23 feet long, to provide room for backing out. They will provide more detail on the materials in their next submission.

Jay Chace asked about the need for those spaces and how often they felt they would be used, in light of the loss of spaces at the Lodge.

Mr. Licht said they will have 77 spaces at the Lodge; they are required to have 83. They will be providing 95 spaces for Blueberry Commons. They still meet and exceed the parking requirements without those 16 spaces. Those spaces are to prevent parking along the through streets during events at the buildings. They don't think those spaces will be used on a day-to-day basis.

Mr. Wasileski said staff and service providers will typically be asked to park further away. Residents like to be as close to the building as possible.

Bill Lunt asked about the curb cuts for the parking along Lunt road, adjacent to the green space.

Mr. Licht said there are 7 curb cuts in total for the project. For Lunt road, they are proposing to narrow and reconfigure the curb cuts for the loop in front of Lunt. They propose to eliminate two of the three access points at Plummer, retaining the curb cut closest to Middle Road. For Middle Road access, they propose a concept of closing the two curb cuts, and creating a new curb cut across from the wooded

parcel. He discussed the concept for traffic movement and parking on the Plummer site; they will present that in more detail in their next submission.

Bill Lunt liked the design discussed; it addressed a lot of the concerns raised, especially about headlights. He asked if the access on Lunt will be moved to directly across from Checkerberry Lane.

Mr. Licht said it will. The access management plan was done by Diane Moribito. She was going to do an updated capacity analysis, but because of current construction conditions, doing updated traffic counts at this time doesn't make sense. In the next submission, they will show 4 curb cuts on Lunt Road, and one on Middle Road. Mr. Teare said they will all be smaller as well, and will show more landscaping.

Mr. Licht they will submit a formal photometric plan at their next submission; they agree with staff comments that lighting along the sidewalks should be reduced to the .5fc for residential. Parking lot areas would use a duck bill type light fixture, very tapered and flat. Pedestrian areas will have more decorative lighting fixtures.

Bill Lunt thought some of the intersections with the internal roads have some heavy grades on them. He wondered if they can change those grades a little, so that there are flat areas at the intersections.

Mr. Licht said the site is challenging in terms of slopes. These will be private roads and will have less traffic. The major intersection is at 4.4% and the intersection at Whipple is at 5.6%; there would be a lot more fill and/or deeper cuts if they brought them down more. 4% was the best they could do without too much fill; they can look at the grades at the intersections again, but he wasn't sure they can get to 3%. He wondered if the Board would be willing to consider a waiver on this issue.

Bill Lunt said it would be totally unacceptable if it were to be a public road. Mr. Wasileski and Mr. Teare both indicated that it would never be a public road.

Bill Lunt asked them to level out the 5% grade at least. That is pretty steep.

Mr. Teare pointed out that the road in the Whipple farm development is 8%; they haven't had any issues there so far. Mr. Licht said they would look at the grade again; they are already making significant cuts to meet the 8% grade.

Ethan Croce asked about alignment #1 and whether they looked at bringing the Lunt connector to the top of the hill.

Mr. Licht said they haven't looked at it, but he thought it would end up with a single-loaded roadway; they have looked at this area in a number of different ways. As the connector passes by the addition to the back of Lunt, the road will be higher than the building. The building will be at grade at elevation 121; the road in that area will be at approximately elevation 124.

Mr. Licht said they submitted conceptual landscaping and will submit formalized landscaping at their next submission. They will submit typical landscaping units, with selection of actual species to be determined by OceanView and the owners of the cottages themselves. They will greatly enhance the landscaping in front of the Lunt and Plummer buildings.

Mr. Wasileski said the landscaping along Lunt is in direct response to their meetings with neighbors.

Mr. Licht said they will create a landscaped area along the front of Blueberry Commons to screen it from Blueberry Lane.

Bill Lunt asked if the cottages will require retaining walls, in consideration of the grading. Mr. Licht said the grading plan shows where retaining walls would be required. He said those areas where the wooded buffers will be maintained will be shown on the final plans.

Mr. Licht spoke about snow removal; OceanView staff manages snow removal for the whole site and will continue to do so. Once the snow banks get too large, a contractor will be hired to haul it out. They do not feel the need to outline areas for snow storage on site.

Mr. Wasileski said they have in-house maintenance staff to shovel out walkways for small storms. They contract out to a property management company to plow out for larger storms.

Ethan Croce said the ordinance calls for snow storage areas to make sure that required landscaping isn't destroyed by heavy salt load, or that required parking isn't obstructed by snow drifts.

Bill Lunt thought something should be on the plans, perhaps a narrative, as to their snow management, as a matter of record; Jay Chace suggested a note on the plan. Mr. Licht agreed.

Mr. Licht spoke about the phasing and conditional agreement. They would request a conditional agreement in which occupancy permits would be held until improvements were made; they will actually show the phasing on the final plan so it would be clear which infrastructure was included in which phase. Their plan is that Blueberry Commons would be Phase 1; the Lunt memory care project would be Phase 2a; the Lunt renovation/office building would be Phase 2b; and the cottages would be Phase 3, spaced out over a few years. The conditional agreement would refer to specific phases.

Bill Lunt asked if all the roadways should be in place prior to any of the cottages being sold; if not, they should be broken down into sub-phases. Mr. Licht agreed; they will break that down into sub-phases.

Jay Chace wondered about the off-site improvements and how they tie into the phasing and the conditional agreement.

Bill Lunt said the sidewalk on the Lunt Road is already in place, or will be soon. Mr. Licht confirmed that the last piece is being installed now.

Bill Lunt suggested the landscaping on Lunt be tied to the memory care unit.

Mr. Teare thought they would tie all the street improvements on Lunt to the Lunt buildings, and the Middle Road improvements to the Plummer building.

Mr. Licht addressed a staff comment about lighting for the sidewalk on Lunt; they haven't looked at it, but all or most of the street poles have cobras on them, and there is lighting on the front of Lunt building. They will be lighting the parking lot and the drop-off. He felt the street is fairly well-lit as it is, and the abutters had concerns about too much lighting.

Ethan Croce said that the use of the area will be more intense and the comment was to address a need for more pedestrian-oriented lighting, as opposed to cobra street lighting.

Bill Lunt said the existing street lighting is not friendly to the surrounding area; he would like to see if they could come up with something better. It is a public way, but he would like if they had some different style lighting that was more in keeping with the area. He questioned who would pay for it. He asked if they could talk with the Parks and Public Works department (PPW) about the lighting in that area. Mr. Licht said they could look at it.

Bill Lunt was concerned that the traffic study does not reflect the plans. Ethan Croce said the approach discussed earlier in the meeting with regards to the access matches up to the traffic study. Mr. Licht said they will update the plans to reflect that.

Mr. Licht spoke about the drop-off in front of Blueberry Commons. They are looking at changing the radius of the drop off area and will delineate it better for their next submission. Regarding the suggestion of bringing the Blueberry connector to Middle Road, they felt the grades are too steep for that to happen and it isn't really consistent with the Master Plan.

Mr. Licht talked about pedestrian linkages between the Main Lodge and the main trail. They will come back with rigorous plans detailing trail connections. The residents use the trails extensively.

Ethan Croce asked about extending the sidewalk treatment down to the end of the Blueberry connector. Mr. Licht agreed to do that. They will identify all the tip downs to crosswalks in the next set of plans.

Mr. Teare asked whether the Board wanted to keep the esplanades along the Blueberry connector or whether they can bring the sidewalks to the street. The esplanades are difficult to maintain.

Ethan Croce said the ordinance does not speak to esplanades, though it is important to keep the street trees. The esplanade keeps the pedestrians away from traffic, but it will be slower traffic on these internal streets.

Jay Chace felt it would be important to keep an esplanade on the Lunt Road connector along the Lunt buildings, as it is more commercial.

Bill Lunt didn't have a problem with removing the esplanades on the internal streets, but he wanted to keep it along the commercial buildings.

Mr. Licht mentioned street design standards. They will try to meet the .5% minimum grade at the intersection of the Lunt road connector and Lunt road in their next submission; it is currently at .45%.

Mr. Licht discussed the stormwater design. They will have a street system with catch basins and stormwater drains. They will have credits on the flooding standards, because of the amount of impervious surface that will be removed as part of the redevelopment. Everything is going to go to the new stormwater pond. It may be either lined or unlined. Blueberry Commons is lower than the hill, so they are looking at deep pipes or a pumping system to get that water to the pond. The idea of the pond is as both an amenity to the Village Green and as stormwater treatment, so they want to make it attractive as well as functional. They will be adding infrastructure to take some of the water that currently flows to Lunt and redirect it to the pond. He discussed the small filter bed constructed last year for the carport; they are looking at what they can do with it. The pond will have an overflow device that will pipe the water to the Middle Road system. They have met with PPW to make sure their overflow will not surcharge that pipe. The wet pond allows them to meet their treatment standards, and they will be using roof drip line filters on the larger buildings.

Bill Lunt asked if the pond will vary in depth a lot.

Mr. Licht said it will, based on storm events. The trick is determining the ground water level. The pond is designed for the 2, 10, and 25 year storm levels. The water level will rise and then lower within 24 hours after the storm.

Ethan Croce asked for clarification that the streets will not be turned over to the Town. Mr. Licht said no, they are intended to remain private streets.

Bill Lunt was concerned with the wastewater. He said all of OceanView goes to the Presumpscot/Middle Road pump station and then it gets pumped back up to Lunt. He was concerned how much more that pump station can handle.

Mr. Licht said that was correct; all of the current OceanView campus goes to the Presumpscot/Middle Road pump station, and then it gets pumped up to the Lunt station. The current school buildings go to the Lunt Station. They have spoken with Wastewater, and their concern was that the Middle Road pump station is not as upgraded as the Lunt station. The Wastewater Superintendent has agreed that Blueberry Commons can go to the Middle Road pump station; the rest would be pumped to either Lunt Road, or to Middle Road and from there to the Lunt station. He showed the current sewer design. It would be cost-prohibitive to run Blueberry Commons to Lunt.

Ethan Croce pointed out that running the sewer from the Commons to Lunt would tie into the system that is planned.

Mr. Licht said that was correct, but they are planning to extend the sewer as the development is constructed; if they have to send the Commons to Lunt, they would have to bring the sewer all the way to Lunt as part of the first phase.

Mr. Wasileski felt the superintendent's agreement that the Commons go to the Middle Road pump station was based on the expectation that the remainder of the development would be added to Lunt Road over time.

Bill Lunt asked where the electric service for the cottages would come from.

Mr. Licht said the electric will be underground; they would have one transformer to service the Commons. The power for the cottages will be incrementally built along the Lunt Road connector and it doesn't have to be looped.

Bill Lunt asked if they are going to bury the electric service to the Lunt building. Mr. Licht said they are, from the street pole to the corner of the building. The Lunt memory care will be on its own separate service.

Ethan Croce asked about an allowance for parallel parking along the internal street network, to preserve the future development of Lunt and Plummer-Motz.

Mr. Licht said there was a concern with parking along the internal roads, because they are so pedestrian-friendly. They don't want to encourage people who are there for an event to park along the residential areas. They felt adding the additional parking in the Lunt lot, as well as adding parking in front of the village green and reducing the amount of peak events will compensate for the loss of on-street parking along Lunt.

Jay Chace asked if it was feasible to allow for a future expansion of the Lunt parking lot, in case the use of the building requires more parking. He asked if the parking lot in front of the village green was part of the Lunt school phase.

Mr. Teare said they would look at that for their next submission.

Bill Lunt thought part of that parking area was included in their parking counts for peak events. Mr. Licht said it was, for the auditorium use.

Bill Lunt wanted to see the landscaping and moving the entrance across from Checkerberry Lane on the Phasing Plan as part of the Lunt building phase.

Ethan Croce asked if they are going to expressly prohibit on-street parking on the internal street network with signage, or perhaps allow it on one side of the street to allow for emergency access.

Mr. Licht felt signage would take away from the residential feel. They will think about it more.

Bill Lunt was concerned the extension of the Lunt parking lot was not consistent with the master plan.

Ethan Croce said the Board will need to make a finding; the Council may have to amend the master plan if they are looking to expand that parking area.

Mr. Licht said they have submitted a formal waiver on the subdivision submittal requirement for a soils report, based on their familiarity with the site and the number of studies that have been done on the site already.

The Board indicated agreement with that waiver.



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Mr. Licht wondered if they need a formal waiver from the full traffic study, and also from the 50 foot or less corner clearance on the Lunt Road loop.

Ethan Croce said the 50 feet would be measured from the point of tangency of the existing curb radius into the site.

Mr. Licht said they would likely request a waiver from that. They may need a wavier on the grade of the intersection of the connector and Lunt, though they will try to reach the .5% grade there, and they may also need a wavier on the 3% grades at the internal street intersections.

Jay Chace moved to table the item; Kermit Stanley seconded. Motion carried 5-0.

**9. Discussion and vote** on proposed amendments to the Planning Board Rules of Procedure

The Board discussed the proposed amendments.

Bill Benzing moved to adopt the amendments as written; Kermit Stanley seconded. Motion carried 5-0.

Meeting adjourned at 9:15 pm.

Respectfully submitted,

Melissa Tryon  
Recording Secretary