

Poland Planning Board Meeting
August 27, 2013 – 7:00 pm
Town Office Conference Room



MINUTES

CALL TO ORDER

Chairman George Greenwood calls the meeting to order at 7:00 pm with members William Foster, James Porter, William Willett, and Alternate Dawn Dyer present. Member Carl Duchette has submitted his resignation. Alternate Dawn Dyer will be a voting member at this meeting.

MEMBER RESIGNATION

Member Carl Duchette's resignation was received by the office August 27, 2013. Chairman George Greenwood, on behalf of the board thanks Carl for his many years of service.

MINUTES

August 13, 2013

- Vice Chairman William Foster motions to accept the minutes for August 13, 2013 as presented, seconded by Member James Porter. No discussion.

Vote: YES – 4 NO – 0 ABSTAINED – 1

COMMUNICATIONS

Copy of Planning Board Letter to Maine DOT

CEO Letter Regarding the Subdivision Sketch Plan for Poland Mobile Home Park – Map 15, Lot 14

OLD BUSINESS

None

NEW BUSINESS

Linda Ellsworth Formal Shoreland Zoning Application – Map 38, Lots 4 & 15

- Mike Gotto from Stoneybrook Consultants is representing the applicants Linda Ellsworth and Ralph Precopio, owners of Map 38, Lots 4 & 15. Lot four (4), which is the parcel that currently has a house on it, is about 15,000 square feet. The current building with decks and stairways is about 1,600 square feet. It is currently about thirty-seven(37) feet from the water. The applicant and representative have met with the Code Enforcement Officer about where to position a house on the lot and a spot was picked that is seventy-five (75) feet from the water, twenty (20) feet from the side lines, and twenty (20) feet from the right of way. The new house will be 2,260 square feet.
- Currently, impervious surfaces cover 19.2 percent of the lot. This does exceed the required 15 percent, however since the lot is grandfathered they would like to be able to use 19.2 as a maximum allowed percentage. With the current plan the lot would be lower than 19.2 percent impervious surfaces. The applicant would request that they are allowed to cover the lot with up

to 19.2 percent impervious surfaces in the future because she does have MS and a ramp will most likely be eventually required.

- Vice Chairman William Foster asks what the walkway to the water will be made out of, and Mike Gotto informs him it will either be grass or an erosion control mix.
- Originally a new septic system was planned however they have since run into a problem with that. There is an ownership issue with the current system which prevents expansion or rebuilding in its location. In the future if a new location becomes available a three (3) bedroom system will be installed. Until that time the third bedroom will not be occupied.
- Jones Associates has been hired to handle buffering and re-vegetation of the existing buildings foot print.
 - Chairman George Greenwood asks what the “landscape area” shown on the plan is and Representative Mike Gotto informs him that it is an existing landscaped area that will not be changed.
- Vice Chairman William Foster asks the CEO what his thoughts are about the project.
 - CEO Nick Adams believes that they have put together a well thought out, detailed plan that meets the land use requirements.
- Vice Chairman William Foster makes a motion to accept the submission checklist for Linda Ellsworth Map 38, Lots 4 & 15 as complete, seconded by Member James Porter. No discussion.
Vote: YES – 5 NO – 0
- Vice Chairman William Foster makes a motion to approve the Formal Shoreland Zoning Application for Linda Ellsworth – Map 38, Lots 4 & 15, seconded by Member James Porter. No discussion.
Vote: YES – 5 NO – 0

Brian Merrill Subdivision Pre Application Sketch Plan – Map 6, Lots 47A & 48

- Chairman George Greenwood will recuse himself from discussion due to a business relationship with the applicant.
- Mike Gotto from Stoneybrook Consultants is representing the applicant Brian Merrill of Just Rite Inc.
- Brian Merrill has purchased three and a half (3.5) acres on Maine Street. Stonebrook Consultants has created a plan for a commercial sub division. The plan includes multiple structures for businesses, gas pumps, retail space, and a car wash. Two (2) entrance points are shown on the plan off of Maine Street, as well as one (1) rear entrance off of Hines Road. Currently there is a home on the lot that would be moved to an abutting lot.
- There is currently a plan for a storm water detention area at the rear of the lot.
- CEO Nick Adams has briefly looked at the plan but reminds the board it will be required to go in front of the board for subdivision and site plan. Nick points out that there may be some buffering issues, and an escrow account will need to be set up for third party review.
- Representative Mike Gotto doesn’t believe this project would meet all of the requirements of the Down Town standards, so he is curious how the board would feel about waiving some of

them. The Down Town district has some conflicting standards for sub division and commercial projects.

- CEO Nick Adams points out that no building can be set back more than seventy-five (75) feet in this zone for the principle structure, but it does give the board the option to waive this requirement. Because of the proposed gas pump placement it would put the principle structure more than seventy-five (75) feet back. Also the landscape requirements would place a large number of trees in front of the buildings.
- Mike Gotto questions if a pitched roof would be required for the gas pump canopy. All of the other structures would meet the design standards, but a pitched roof over the gas pumps would obstruct the view of the principle structure.
 - CEO Nick Adams suggests doing something similar to a project approved by the board for CN Brown, which includes a mansard roof style over the gas pumps.
- Subdivision standards would require parking to be forty (40) feet from the property line when abutting residential property. The representative and applicant question if the board will require that even though the applicant is the owner of the abutting residential property.
 - It's the board's consensus that all required buffers should be met. Even if Mr. Merrill is the current owner of the abutting property, ownership could easily change in the future.
- Neighbor Kathy Mocciola lives on the corner of Hines Road and Maine Street. She is opposed to the rear entrance. Trying to get on or off of Hines road is difficult as is, and she doesn't feel like it could handle any extra traffic.
 - Mike Gotto reminds the board that this project will likely require a traffic study by the Department of Transportation. Additionally, applicant Brian Merrill would prefer to not have the rear entrance as well.
 - Kathy is also curious if any of the tenants will be twenty-four hours.
 - It is too early for any idea of who the tenants could possibly be.
- Abutter Brian Bonney has concerns about storm water runoff. He is worried that run off could run down to his well. Also, he would like to know where the storage tanks will be for fuels. Mr. Bonney seconds the opinion of Kathy Mocciola in regards to traffic and hours of operation. He would also request that if a drive through were to be put in, it would be a quiet drive through. His house sits lower than the property possibly being developed and any downward lighting will still cause a problem for him. Mr. Bonney would like to know if there is a statute or ordinance limiting the number of gasoline pumps on a property. He will not allow any tanks to be on his side of the property.
- Abutter Joe Cimino offers to sell Brian any additional land needed on his side. Mr. Cimino would like to remind the board that when he came before the board for his subdivision he was held to certain standards. He thinks that the board needs to hold everyone to them instead of handing out waivers.
- Kevin O'Connor lives in the subdivision off of Hines Road and he does not support the project, neither does Mark Ferguson, owner of the Village Kitchen. Mr. Ferguson does not believe any of the towns funds should be spent on this project.

- The board does not feel that a site walk would be beneficial at this point, since the site is still mostly trees.
- The applicant appreciates all of the feedback he has received and they will go back to the drawing board to make some changes before submitting the next application.
- Mark Ferguson requests that all records of Brian Merrill's previous projects be made available at the next meeting. He does not feel that Mr. Merrill has followed through with promises made in the past.
- Member James Porter makes a motion to accept the checklist for Brian Merrill's Subdivision Pre Application Sketch Plan – Map 6, Lots 47A & 48 as complete, seconded by Member William Willett. No discussion.

Vote: YES – 4 NO – 0 ABSTAINED – 1

- Member James Porter makes a motion to accept Brian Merrill's Subdivision Pre Application Sketch Plan for – Map 6, Lots 47A & 48, seconded by Vice Chairman William Foster. A site walk will not be done.

Vote: YES – 4 NO – 0 ABSTAINED – 1

OTHER BUSINESS

- Member William Willett would like Carl's name plate mailed to him as a gift for his service to the town. The board would also like a letter to be sent to Carl from them thanking him.
- CEO Nick Adams met with Sebago Technics, Public Works, and the Fire Department about changes to road standards, specifically hammer heads and cul de sacs. There will be a few other changes to the CLUC that he will be proposing soon. The town attorney has also requested a change with subdivision performance guarantees. He is also looking into making a couple of small changes to the sign ordinances.
- CEO Nick Adams asks the board what their thoughts are on possibly making changes to the impervious surface percentage requirements, and the building of accessory structures on combined parcels.
- Member William Willett makes a motion to recommend to the Selectmen Dawn Dyer as a full voting member, filling Carl Duchette's seat, seconded by James Porter. No discussion.

Vote: YES – 4 NO – 0 ABSTAINED – 1

ADJOURNMENT

Member James Porter makes a motion to adjourn at 8:41 pm, seconded by Vice Chairman William Foster. No discussion.

Vote: Yes – 5 NO – 0

Recorded by Alex Sirois¹

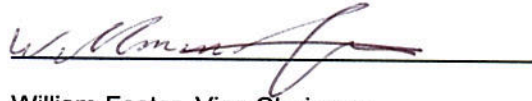
¹ NOTE: THESE MINUTES ARE NOT VERBATIM; THEY ARE ONLY A SUMMARY OF THE BUSINESS THAT TOOK PLACE. FOR MORE DETAILED INFORMATION THE TOWN OFFICE HAS VIDEO AND ANY DOCUMENTATION SUBMITTED TO THE PLANNING BOARD REGARDING THIS MEETING.

Date Approved: 10-8-13

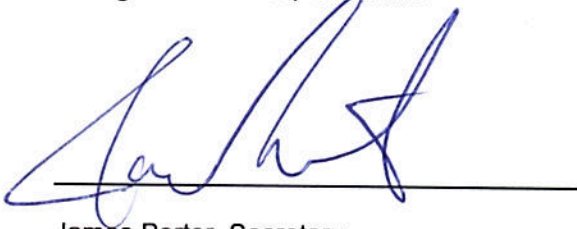
Poland Planning Board





George Greenwood, Chairman



William Foster, Vice Chairman



James Porter, Secretary

William Willett, Member



Dawn Dyer, Alternate