

**City of Ellsworth
Planning Board
Minutes of September 7, 2016**

Vice Chairman Darrell Wilson, Secretary Mike Howie, member Roger Lessard, and member Jim Barkhouse attended the regular meeting of the Ellsworth Planning Board. Vice Chairman Darrell Wilson presided over the meeting in place of Chairman John Fink (absent). Alternate member Barbara Hegenbart was also absent from the meeting.

City Planner Michele Gagnon, Assistant to the City Planner Janna Newman, Fire Chief Richard Tupper, and Code Enforcement Officer Dwight Tilton also attended.

Vice Chairman Darrell Wilson called the meeting to order at 7:00 PM.

Call to Order [7:00 PM]

1. Adoption of Minutes from the August 3, 2016 meeting.

Roger Lessard moved to adopt the minutes as written. Jim Barkhouse seconded the motion and, with no discussion, the motion passed unanimously.

**Adoption of minutes:
APPROVED.**

2. Preliminary Plan for a Major Use Site Development Plan & Major Subdivison titled Franklin Court for Downeast Maine Property Management. The proposal is to construct 3 duplex buildings (6 total units) on a 9,884 SF property at 90 Franklin Street (Tax Map/Lot: 134/80) in the Downtown Zone.

a. PUBLIC HEARING AND DETERMINATION OF COMPLETENESS.

Stephen Salsbury represented the applicant. Mr. Salsbury explained that the proposed design layout before the Board is the same as the one submitted for the Sketch Plan review during the previous month's meeting. He noted alternative design layout plans, which would allow for parking to be in the back and side of the lot as opposed to in the front, were generated at the request of City staff, but that these layouts did not allow for as many parking spaces as the proposed site plan. In regard to drainage, Mr. Salsbury stated that stormwater would be captured on site and then flow into the City's stormwater management system. A stormwater management plan was submitted by Hedefine Engineering & Design.

Mr. Salsbury noted that the applicant is requesting a waiver in regard to a reduction in the size of the proposed parking aisle width. The applicant has proposed an aisle width of 22 feet and the ordinance requires an aisle width of 24 feet. Mr. Salsbury remarked that the subject lot is restricted, not allowing the applicant to meet the 24 foot

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aisle width.

Mr. Barkhouse confirmed that elevations were included with the application. Vice Chairman Wilson inquired about the applicant's consideration of incorporating a 6" curb stop with the parking spaces. Mr. Salsbury replied that the applicant is going to incorporate the curb stops in the Final Plan. It was clarified that the inclusion of the 6" curb stop would eliminate the need for a waiver in regard to the length requirement of some of the parking stalls.

Vice Chairman Wilson opened the Public Hearing at 7:10 PM. With no one coming forward, he immediately closed the Public Hearing.

Mike Howie moved to accept as complete the Preliminary Plan for a Major Use Site Development Plan & Major Subdivision titled Franklin Court for Downeast Maine Property Management in the Downtown Zone and that the Board allows the waiver for the 22 feet aisle width.

Roger Lessard seconded the motion. With no discussion, the motion for completeness passed unanimously.

It was determined that during the Final Plan meeting for this application, the Planning Board would make a motion in order to provide a detailed justification for approving the requested waiver, per Section 602.9.B of the ordinance.

**Public Hearing:
OPENED.**

**Public Hearing:
CLOSED.**

**Preliminary Plan for a
Major Use Site
Development Plan &
Major Subdivision
titled Franklin Court:
COMPLETE.**

**FUTURE ACTION
ITEM.**

3. Preliminary Plan for a Minor Subdivision titled Jesses Beach Subdivision for Norm Cote. The proposal is to create 3 lots located on a 111 acre property off of Route 180, on Garland Road (Tax Map/Lot: 107/17 and 107/17-9) in the Rural and Shoreland zones.

a. PUBLIC HEARING AND DETERMINATION OF COMPLETENESS.

Stephen Salsbury represented the applicant. He explained that the applicant is requesting a 3-lot division of the property, one lot that has been sold as a house lot, one lot that would be purchased by the applicant and that is the site of the existing gravel pit, and one lot that would be retained by the property owner. Mr. Salsbury noted that the applicant is not proposing to construct a new road.

It was clarified that Lot 1 (Tax Map 107, Lot 17-9), which was subdivided from the original property (Tax Map 107, Lot 17), is in violation of the Subdivision Law and, therefore, in order to subdivide the original property further into lots 2 and 3 requires Planning Board approval. City Planner Michele Gagnon noted that the memo

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distributed to the Planning Board and all relevant parties prior to the August 3, 2016, Planning Board meeting was drafted with legal advice and that the City is comfortable moving forward with this application.

It was also determined that the proposed subdivision would not change the current use of the land and that no development is planned at this time on the lots. Mr. Salsbury stated that a note will be added to the Final Plan that indicates that a portion of the property is riparian habitat and a high yielding aquifer. The requested waivers will also be listed in the signature block and the note on the plan pertaining to the lots included in the subdivision will be modified to reflect all three lots. The Board indicated that they feel comfortable with approving the requested waivers.

Vice Chairman Wilson opened the Public Hearing at 7:23 PM. With no one coming forward, he immediately closed the Public Hearing.

Roger Lessard moved to accept as complete the Preliminary Plan for a Minor Subdivision titled Jesses Beach Subdivision for Norm Cote, the proposal to create 3 lots located on a 111 acre property off of Route 180, in the Rural and Shoreland zones, and that the Board approves the requested waivers for wetlands mapping and street design.

Mike Howie seconded the motion. With no discussion, the motion passed unanimously.

It was determined that during the Final Plan meeting for this application, the Planning Board would make a motion in order to provide a detailed justification for approving the requested waiver, per Section 602.9.B of the ordinance.

**Public Hearing:
OPENED.**

**Public Hearing:
CLOSED.**

**Preliminary Plan for a
Minor Subdivision
titled Jesses Beach
Subdivision:
COMPLETE.**

**FUTURE ACTION
ITEM.**

- 4. Sketch Plan for a Major Subdivision titled Maine Estates Phase 2 for Maine Estates LLC. The proposal is to create 13 lots on a 16 acre property off of Sugar Way (Tax Map/Lot: 33/4 & 33/4-21) in the Neighborhood Zone.**

- a. PUBLIC HEARING AND GENERAL DISCUSSION.

Stephen Salsbury represented the applicant. He explained that this is the second phase of an already planned development. He noted that trees were cleared on the proposed road, Candy Way, to allow for a stormwater management pond for phase one, which may need to be expanded for phase two. Mr. Salsbury indicated that the applicant intends for both Sugar Way (existing) and Candy Way (proposed) to become City streets. At this time, utilities will be private, and though undetermined at this time, there may be an opportunity to expand City

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sewer and water in the future. Mr. Salsbury noted that for the Preliminary Plan submission, the applicant will provide more detail on fire suppression.

Vice Chairman Wilson confirmed that a stormwater management plan is already in place as part of Phase I. Roger Lessard asked how many homes have built on Sugar Way and Mr. Salsbury replied around 10-12. Mike Howie confirmed that the Road Association would be established as a temporary measure since the goal is to make Candy Way a public road.

Vice Chairman Wilson opened the Public Hearing at 7:29 PM.

Mr. Jack Tedeschi, the abutting landowner to the north of the proposed subdivision, came forward to voice his concerns. In particular, he wanted to ensure that a landscaping plan showing buffering and privacy screening and a water drainage and runoff plan would be reviewed by the Board. Vice Chairman Wilson stated that the Board would take Mr. Tedeschi's property into consideration when reviewing those portions of the formal submittal for this project. Mr. Tedeschi remarked that, although he currently is not experiencing a problem, that there is significant water runoff and that it is "quite wet" near the border of his property with the subject property. Vice Chairman Wilson noted that the Board would review that the existing drainage system for Phase I, as well as any modifications to the system for Phase II, are both functioning properly.

With no other members of the public coming forward, Vice Chairman Wilson closed the Public Hearing at 7:33 PM.

**Public Hearing:
OPENED.**

**Public Hearing:
CLOSED.**

5. Final Plan for a Major Use Site Development Plan & Major Subdivision titled Ellsworth Workforce Housing Project for Manx Development LLC. The proposal is to construct 10 multi-family apartment buildings (50 total units) and one community building on a 4.67 acre property at 63, 67, and 69 Washington Street (Tax Map/Lot: 131/21, 22, 23, 25, and part of 17) in the Urban Zone.

a. PUBLIC HEARING, DELIBERATIONS, FINDINGS OF FACT, AND CONCLUSIONS.

Nancy and David St. Clair of St. Clair Associates represented the applicant. Mrs. St. Clair outlined the updates to the Final Plan application, which include: (1) the inclusion of traffic calming signage and the addition of a raised speed table (allowing for drainage) along the southern portion of the access road; (2) edits to the stormwater

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management pond and modeling (continuing to result in a decrease of pre-development runoff); (3) revised waterline connections (reviewed and accepted by the City's Water and Fire departments); (4) an adjusted landscaping plan showing clearance around on-site fire hydrants and visibility triangles; and (5) an updated lighting plan and waiver request justification. Mrs. St. Clair explained the updated lighting plan in more detail, pointing out areas proposed to be over and under the lighting standard, for which the applicant is requesting lighting waivers.

Roger Lessard voiced his concern in regard to an increase in traffic. While Mr. Lessard does not believe traffic on Washington and Foster streets would be greatly affected, he does have concern for traffic turning onto Water and High streets. Mr. Lessard remarked that he realizes that the traffic problem on these streets is not something that the applicant can resolve. City Planner Michele Gagnon reminded Mr. Lessard that the Traffic Study generated for this project does not classify the project as a high traffic generator. She also noted that the City is aware of the existing traffic issues throughout the City and is working on trying to resolve these issues.

A discussion between Mrs. St. Clair, the Planning Board, and City Staff regarding the lighting plan and lighting waivers ensued, with particular attention drawn to the areas proposed to be over and under the lighting standard. In particular, Vice Chairman Wilson voiced concern over not lighting the play area outside the community building. It was determined that, for that area, the applicant's intent is to provide a neighborhood outdoor experience rather than a park experience.

Vice Chairman Wilson opened the Public Hearing at 7:57 PM. With no one coming forward, he immediately closed the Public Hearing.

Mike Howie moved to approve the Final Plan for a Major Use Site Development Plan & Major Subdivision titled Ellsworth Workforce Housing Project for Manx Development LLC, the proposal to construct 10 multi-family apartment buildings (50 total units) and one community building on a 4.67 acre lot at 63, 67, and 69 Washington Street in the Urban Zone, also noting a waiver request under Article 602.9, on August 18, 2016, the applicant justified their waiver request for the spillage onto Washington Street and the deficiency behind the dumpster, the Board moves to approve this application and grant the requested waivers.

**Public Hearing:
OPENED.**

**Public Hearing:
CLOSED.**

**Final Plan for a Major Use Site Development Plan & Major Subdivision titled Ellsworth Workforce Housing Project:
APPROVED.**

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6. Signing of Mylars & Adjournment

Roger Lessard made a motion to sign the mylars and plans and adjourn the meeting, Mike Howie seconded the motion, and it passed unanimously. The meeting was adjourned at 8:00 PM.

**Meeting Adjourned
[8:00 PM].**

Minutes prepared by: Janna Newman, Assistant to the City Planner.

Minutes approved by:

Date **Mike Howie, Ellsworth Planning Board Secretary**

NOTE: For agendas and minutes, see: ellsworthmaine.gov