

**City of Ellsworth  
Planning Board  
Minutes of January 8, 2014**

Chairman John Fink, Vice Chairman Dwayne Patton, Secretary Don Martin, members Darrell Wilson and Roger Lessard, and alternate member Mike Howie attended the meeting of the Ellsworth Planning Board.

City Planner Michele Gagnon, Assistant to the City Planner Elena Piekut, Code Enforcement Officer Dwight Tilton, and Fire Inspector Michael Hangge also attended.

**Call to Order [7:00 PM]**

**1. Adoption of Minutes from the November 6, 2013 meeting.**

Darrell Wilson moved to adopt the minutes of the November 6, 2013 meeting as written. Roger Lessard seconded and the motion passed unanimously.

**Adoption of minutes:  
APPROVED.**

Chairman Fink then suggested reordering the agenda (moving item three to item four and item four to item three) in the interest of saving the applicants' time. There were no objections.

**2. Review of request from attorney Peter R. Roy to sign waiver of joint meeting regarding the Morrison Chevrolet, Inc. Subdivision (Tax Map 16, Lot 32) on the Downeast and Douglas Highways, affirming the Board's decision of April 6, 2011.**

Attorney Peter Roy presented this item to the Board. Mr. Roy explained that this subdivision is located not only in Ellsworth but also in the towns of Hancock and Lamoine. The Hancock and Lamoine Planning Boards have both approved similar waivers filed in the Registry of Deeds. Darrell Wilson made a motion that the Board sign the waiver as written. Dwayne Patton seconded and the motion passed unanimously.

**Waiver request  
regarding Morrison  
Chevrolet, Inc.  
Subdivision:**

**SIGNED**

**3. Sketch Plan for a Major Use Site Development entitled Surry Road Apartments for C.J.D., LLC. The proposal is to construct two buildings, each containing six apartment units, on 5 acres (Tax Map 20, Lot 17) on the Surry Road in the Neighborhood Zone.**

**a. PUBLIC HEARING AND GENERAL DISCUSSION.**

Stephen Salsbury represented the applicant and gave the Board an overview of the project. He noted that all stormwater controls will be below ground and that City water and sewer will serve the project.

Darrell Wilson asked Mr. Salsbury whether the project will impact any wetlands. Mr. Salsbury estimated that there is 13,000-14,000 square feet of wetland and that a "good portion" of that will be impacted. Mr. Wilson also asked about access to the land behind Lot 17. Mr. Salsbury explained that there is no need to provide access via Lot 17 as the rear lot is accessed via a

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right of way from Hillside Drive. Roger Lessard asked whether existing catchbasins would accommodate the stormwater created by the project and Mr. Salsbury explained that all stormwater generated by the project will be infiltrated underneath the parking lots. Darrell Wilson asked whether the development will require a traffic study. Mr. Salsbury responded that it does not create enough vehicle trips to trigger that requirement.

Chairman Fink opened the public hearing. Hearing no comment, he closed the public hearing.

The Board discussed whether to conduct a site visit. While most members did not express interest in visiting the site, Roger Lessard noted that stormwater concerns him. It was agreed that Mr. Salsbury will submit photos of the site instead.

Mike Howie asked whether the proposed access will remain a private road and Mr. Salsbury said it will. Don Martin asked whether the Maine Department of Transportation will be involved regarding the entrance and both Mr. Salsbury and Mr. Tilton said it will not because the City is now responsible for permitting within that urban compact area.

- 4. Review of the proposed repeal of the Ellsworth Code of Ordinances, Chapter 9 Sign Ordinance and of proposed amendments to the Ellsworth Code of Ordinances, Chapter 56 Unified Development Ordinance, consisting of the addition of Article 12 Sign Standards, and amendments to Article 1 Purpose and Authority, Article 8 Performance Standards, and Article 14 Definitions.** The proposed Article 12 provides standards for business signage.

a. PUBLIC HEARING, DELIBERATIONS AND RECOMMENDATION TO THE CITY COUNCIL.

Michele Gagnon took a moment to recognize the committee who worked for several months to write the proposed standards, namely Audie Tunney (resident), Marty Lyons (Studio 3; signmaker), and Tony Cameron (Chamber of Commerce) in the audience, as well as Planning Board members Don Martin and Roger Lessard. Ms. Gagnon gave an overview of the proposed sign standards, noting that most of the Board had attended the joint workshop with the City Council on November 20, 2013 to review the previous draft. She described the proposed article as more permissive in some areas than the chapter to be repealed, and said that it seeks to address maintenance, clutter, and appeals process issues.

Ms. Gagnon also discussed the “visibility triangle” and how it was improved over the previous draft. Darrell Wilson expressed concern about how the lines of the triangle are measured—whether the measurement begins at the edge of the travel way, right of way, curb, or lot line. There

C.J.D., LLC;

Sketch Plan for a  
Major Use Site  
Development entitled  
Surry Road  
Apartments:

NO ACTION

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was general consensus that measurements should be taken from the edge of the travel way, although Dwight Tilton brought up the concern that travel ways will change over time and create nonconformities. Mr. Wilson also pointed out a lack of clarity in Section 1210.5 regarding clearance and to what types of signs the standard applies. It was agreed that staff would resolve these issues before presenting the ordinance to the City Council.

Chairman Fink welcomed public comment but no one came forward to speak.

**Darrell Wilson moved with regard to review of the proposed repeal of the Ellsworth Code of Ordinances, Chapter 9 Sign Ordinance and of proposed amendments to the Ellsworth Code of Ordinances, Chapter 56 Unified Development Ordinance, consisting of the addition of Article 12 Sign Standards, and amendments to Article 1 Purpose and Authority, Article 8 Performance Standards, and Article 14 Definitions, that the Board recommend to the City Council that they adopt the proposed standards with the conditions that:**

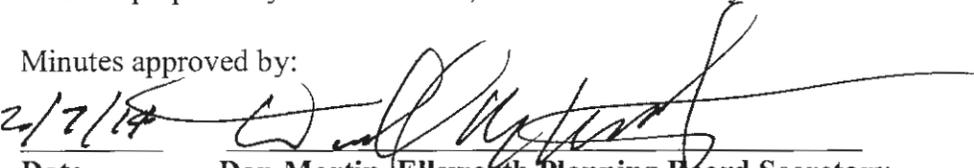
- 1) the tables in Article 12 be redesigned to be printable on a home printer and
- 2) the visibility triangle portion of Article 8 be modified to the satisfaction of the Code Enforcement Officer.

**Dwayne Patton seconded and the motion passed unanimously.**

5. **Adjournment.** Darrell Wilson moved to adjourn, Don Martin seconded, and the motion passed unanimously.

Minutes prepared by: Elena Piekut, Assistant to the City Planner.

Minutes approved by:

2/2/14   
Date Don Martin, Ellsworth Planning Board Secretary

City of Ellsworth:

Review of proposed amendments to the Ellsworth Code of Ordinances;

**RECOMMENDED TO CITY COUNCIL**

Adjournment [7:45 PM]

NOTE: For agendas and minutes, see: [ellsworthmaine.gov](http://ellsworthmaine.gov)