

**City of Ellsworth  
Planning Board  
Minutes of June 4, 2014**

Chairman John Fink, Vice Chairman Dwayne Patton, Secretary Don Martin, members Darrell Wilson and Roger Lessard, and alternate member Mike Howie attended the regular 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 Mike Hangge also attended.

**1. Adoption of Minutes from the May 7, 2014 meeting.**

Dwayne Patton moved to adopt the minutes of the May 7, 2014 meeting. Roger Lessard seconded and the motion passed unanimously.

**2. Preliminary Plan for a Major Use Site Development entitled Buzzell Properties Apartments at Whitney Field for Buzzell Properties, LLC.** The proposal is to construct one six-unit building (6,336 square feet) and one four-unit building (4,224 square feet) in phases on 0.98 acre (Tax Map 142, Lot 39) on State Street in the Urban Zone.

a. PUBLIC HEARING AND DETERMINATION OF COMPLETENESS.

Stephen Salsbury and Jim Kiser, PE represented the applicant. Mr. Salsbury described the proposal:

- The lot is vacant.
- The applicant intends to construct a four-unit and a six-unit apartment building.
- The proposed parking lot contains 23 spaces.
- Proposed landscaping is shown on the plan.
- The applicant has provided a lighting plan to support the requested waiver of the minimum standards for the parking lot.
- The project will be served by City water and sewer.

Darrell Wilson addressed the lighting waiver request and expressed his concern that similar requests from the minimum standard have come before the Board. Discussion ensued concerning the purpose and intent of the waiver request. Mr. Wilson asked City Planner Michele Gagnon to review the lighting standards and provide guidance to the Board in how to address requests for waivers of the minimum standard for residential developments. Ms. Gagnon agreed to do so and to provide a document to the Board.

Mr. Wilson also requested that the development application be modified

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

**Adoption of minutes:  
APPROVED.**

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to include information on whether the proposal is within the urban core and/or the growth area.

Ms. Gagnon asked Mr. Salsbury to label the table on the lighting plan to identify the standards to be met as well as the proposed conditions.

Mr. Wilson addressed the Technical Review Team's comment regarding a possible waiver to allow parking overflow. The applicant proposes 19 parking spaces for residential use and four overflow spaces. Only 15 spaces are required per Article 11 Parking Standards. Mr. Salsbury contended that no waiver is needed per 1105.4.C.

Roger Lessard asked whether there is a stream or brook on the property. Mr. Salsbury explained that Davis Brook is on the other side of the field on another property.

Jim Kiser, PE presented stormwater management for the proposed project:

- The site is very small and composed of small watersheds with no clear spot at which to evaluate runoff.
- In a 5.4-inch, 24-hour storm, the southern watershed produces a 0.2 cubic feet per second increase over pre-development conditions.
- This watershed flows to a culvert crossing Route 1A, which will also serve the proposed Tradewinds development. Tradewinds' proposed stormwater management will direct runoff from 0.6 acre currently draining to that culvert in the opposite direction. Overall, this arrangement would result in a reduction in stormwater quantity to that culvert.
- Modeling was designed for large watersheds and smaller applications test the accuracy of the model.

Chairman Fink expressed his concern with this proposed arrangement, as it adds complication to the project and would make the Board vulnerable to appeals by basing the approval on something that doesn't exist. He suggested that Ms. Gagnon seek legal advice. Mr. Lessard compared the situation to the First Atlantic Healthcare and Moore Community Center projects approved in 2013, which were separate proposals on a shared site, presented to the Board jointly.

Jim Kiser clarified that the State standards for stormwater quantity apply to sites with greater than three acres of impervious surface. He said that they assume that for sites under three acres, treating stormwater quality for larger storms takes care of quantity treatment. Per Ellsworth's stormwater ordinance, the State quantity standard is applied to smaller sites. Because there is no defined spot where runoff leaves the site, it is

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difficult to predict the quantity that leaves the site. The Maine Department of Environmental Protection classifies such increase as *de minimis* (so minor as to merit disregard).

Roger Lessard suggested that the Board conduct a site visit. Staff will find a date, advertise the meeting, and notify abutters.

Chairman Fink opened the public hearing and two members of the public came forward to speak.

Ron Picard asked where the runoff flowing toward downtown goes. Mr. Kiser explained that runoff flows in two directions. From one watershed, it crosses Route 1A in a culvert to the north, and from the second watershed, it crosses Route 1A in a culvert to the south. Both drain to Leonard Lake.

Abutter Hope Linnehan expressed her concern that there is already too much water flowing through the culvert to the north.

Roger Lessard asked about the State's plan to improve Route 1A. Michele Gagnon responded that it is in the works.

Hope Linnehan asked whether the sewer system can handle the proposed project. Dwayne Patton referred to the letter from Mike Harris, Wastewater Superintendent, stating that the Wastewater Facility has sufficient capacity to handle the estimated flow.

Chairman Fink closed the public hearing.

Darrell Wilson asked whether there is an easement to the King's Cornerstone property. Mike Howie noted that it is described in the deed.

Chairman Fink led the Board through a reading of the preliminary plan submission requirements.

Darrell Wilson asked whether there are sidewalks in that area. Ms. Gagnon responded that there are not, but that there is a bicycle-pedestrian trail and railroad abutting the site.

**Darrell Wilson moved with regard to the preliminary plan for a major use site development entitled Buzzell Properties Apartments at Whitney Field for Buzzell Properties, LLC, a proposal to construct one six-unit building (6,336 square feet) and one four-unit building (4,224 square feet) in phases on 0.98 acre (Tax Map 142, Lot 39) on State Street in the Urban Zone, that the Board finds:**

- **It is an allowed use in the Urban Zone;**
- **The submission materials are complete with regard to Articles 6, 8, 9, 10, and 11;**
- **The Board will entertain a waiver from lighting standards;**

**Buzzell Properties,  
LLC;  
Major Use Site  
Development entitled  
Buzzell Properties  
Apartments at Whitney  
Field:**

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and

- **The Board will make an allowance for excess parking;**

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

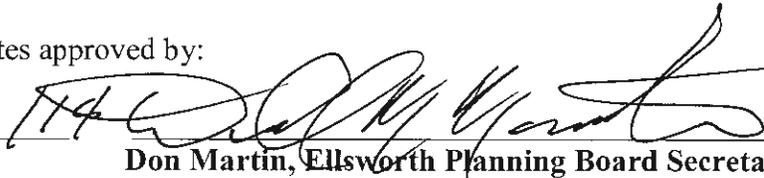
Darrell Wilson expressed his desire to visit some large projects approved by the Board that are now nearing completion, particularly the Leonard Lake Senior Housing, Moore Community Center, and First Atlantic Healthcare projects. Michele Gagnon said that while the Moore Community Center and First Atlantic Healthcare projects are still under construction, she will contact Leonard Lake Senior Housing about attending the grand opening. She also reminded the Board and public that such a visit shall not constitute enforcement.

**3. Signing of Mylars.**

- 4. Adjournment.** Darrell Wilson moved to adjourn. Dwayne Patton seconded and the motion passed unanimously.

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

Minutes approved by:

7/2/14   
Date Don Martin, Ellsworth Planning Board Secretary

**APPLICATION  
COMPLETE**

**Proposed site visit of  
Planning Board-  
approved and recently  
constructed projects.**

**No Mylars signed.**

**Adjournment [7:55  
PM]**

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