

**City of Ellsworth
Planning Board
Minutes of February 1, 2017**

Chairman John Fink, Vice Chairman Darrell Wilson, member Mike Howie, member Jim Barkhouse, and alternate member Barbara Hegenbart attended the regular meeting of the Ellsworth Planning Board. Planning Board member Roger Lessard was absent and Barbara Hegenbart voted in his absence.

City Planner Michele Gagnon, Assistant to the City Planner Janna Newman, and Fire Inspector Mike Hangge also attended.

Chairman Fink called the meeting to order at 7:00 PM.

Call to Order [7:00PM]

1. Adoption of Minutes from the January 4, 2017 meeting.

Mike Howie moved to adopt the minutes as written. Jim Barkhouse seconded the motion and, with no discussion, the motion passed with 4 voting in favor and Barbara Hegenbart abstaining.

**Adoption of minutes:
APPROVED.**

2. Sketch Plan for a Major Use Site and Major Subdivision titled Washington LUXE for Jonathan Bates. The proposal is to construct seven townhomes on a 0.75-acre property located at 29 Washington Street (Tax Map/Lot: 130/26) in the Downtown Zone.

a. PUBLIC HEARING AND GENERAL DISCUSSION.

Steve Salsbury represented the applicant. He provided a brief description of the project. Darrell Wilson asked about the types of uses surrounding the subject property and Mr. Salsbury noted the majority of properties surrounding the subject lot are residential. Mike Howie confirmed that a right-of-way would be granted for the subject lot to utilize the neighboring lot's driveway.

Chairman Fink opened the Public Hearing at 7:03PM. With no one coming forward, he immediately closed the Public Hearing.

**Public Hearing:
OPENED.**

**Public Hearing:
CLOSED.**

Darrell Wilson asked the City to provide the Board with any advisory notes they may have. City Planner Michele Gagnon explained that the City and the applicant have discussed the potential for the project to connect into the City's stormwater system and that they will continue to pursue this option as the project moves forward. She also noted that the applicant will be looking at ways to reduce the amount of impervious surface while insuring that other needs, such as those of the fire department, are met.

Jim Barkhouse confirmed that the applicant will be able to provide a 35-foot turning radius at the entrance to the subject lot. Darrell Wilson asked if the City would require a sidewalk on the same side of the street as the project (currently there is a sidewalk on the opposite side of the street as the project).

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Ms. Gagnon stated that she believes a sidewalk on one side of the street is sufficient.

- 3. Final Plan for a Major Use Site Development Plan and Major Subdivision titled Hong Fong Fat LLC for Hong Fong Fat LLC. The proposal is to construct a 9-unit apartment building on a 1.8-acre property located on Kingsland Crossing (Tax Map/Lot: 16/7-3) in the Commercial Zone.**

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

Andrew McCullough represented the applicant. He provided a summary of the revisions made to the final plan application based on discussions at the previous planning board meeting and the TRT Report. In particular, Mr. McCullough noted that a financial capacity letter was submitted and notes on the plan pertaining to stormwater and a cross-connection were added. In addition, Mr. McCullough submitted an updated lighting plan and a revised lighting waiver request.

Darrell Wilson remarked that there is already a lot of external light in the area in close proximity to the subject lot, and that he realizes it is difficult to account for that existing lighting, and that this should be taken into consideration when reviewing the applicant's lighting waiver request. It was determined that the applicant is meeting the 20:1 and 4:1 lighting ratios that are accepted by the City. Darrell Wilson stated that he believes the request is reasonable given that the ratios are intact and also that these are residential active entrances, not commercial. Mr. Wilson summarized that the applicant is requesting a waiver for the parking lot area minimum lighting standard and the active entrance area minimum lighting standard.

Chairman Fink opened the Public Hearing at 7:19PM. With no one coming forward, he immediately closed the Public Hearing.

Darrell Wilson moved in regard to a Major Use Site Development Plan and Major Subdivision titled Hong Fong Fat LLC, the proposal to construct a 9-unit apartment building, that the Planning Board finds that this application meets the standards and criteria governing site development, performance standards, street design construction, stormwater, parking standards, and all materials except for the following waiver, due to special circumstances of this project, the Board grants a waiver to the applicant's minimum of the lighting ordinance for the parking lot and the minimum to the active building entrance, and that this does not have the effect of nullifying the ordinance, and that the project meets other additional criteria that the City has requested, and

**Public Hearing:
OPENED.
Public Hearing:
CLOSED.**

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that meeting this additional criteria substantiates the waiver, and that the Board grants the waiver, and that the Board approves this project. Jim Barkhouse seconded the motion and, with no discussion, the motion passed unanimously.

**Final Plan for a Major Use Site Development Plan and Major Subdivision titled Hong Fong Fat LLC:
APPROVED.**

4. **Preliminary Plan for a Major Use Site Development Plan and Major Subdivision titled 50 Church Street for Stephen Curtain. The proposal is to convert the existing building and to construct an addition, a total of 6,108 SF, for the use of professional offices, a residential apartment, a yoga studio, and a café on a 1.26-acre property located at 50 Church Street (Tax Map/Lot: 136/166) in the Downtown Zone.**

a. **PUBLIC HEARING AND DETERMINATION OF COMPLETENESS.**

Peter Cooperdock and William Sepe represented the applicant. Mr. Cooperdock presented the existing conditions plan as well as the proposed conditions and stormwater management plan for the project.

In particular, he explained the pervious technology and rain garden that have been proposed for stormwater management. In regard to the parking area stormwater management system (GeoPave), Mr. Cooperdock stated that the pervious technology allows for stormwater storage, groundwater infiltration, load capacity necessary for fire trucks, and no net increase in impervious surface. In regard to the rain garden, Mr. Cooperdock explained that it is designed to handle overflow, particularly during the winter months when there is more potential for surface flow. He stated that the system is designed to maintain existing conditions where no runoff flows onto abutting properties.

Mr. Sepe provided a description of the proposed building and the proposed uses. In particular, he described ingress and egress (including a fire staircase exclusive to the third floor apartment) and landscaped screening/buffering of the lot. Mr. Sepe mentioned that an engineered lighting plan was currently being developed.

Chairman Fink asked if the fire stairs would include a refuge area for someone who is not able to use the staircase during a fire and if the upstairs apartment is ADA accessible. Fire Inspector Hangge responded that he would look into this inquiry further. It was also confirmed that the apartment is in the existing building. Mike Howie pointed out the tree species Norway Maple, an invasive species, depicted on the landscaping plan and it was determined that this is an existing tree, not proposed.

Chairman Fink opened the Public Hearing at 7:37PM. With no one coming forward, he immediately closed the Public Hearing.

**Public Hearing:
OPENED.
Public Hearing:
CLOSED.**

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Jim Barkhouse asked how the GeoPave system will be plowed and Mr. Cooperdock noted that a special rubber tipped plow will be acquired and used. Darrell Wilson inquired about parking and traffic. It was noted that a traffic and site distance analysis and report, provided to the Board. Michele Gagnon explained the parking plan, including the shared parking reduction schedule form, which is utilized for projects such as the subject project that include multiple uses that peak at different hours of the day. She confirmed that the City feels the parking plan is substantiated and adequate.

Ms. Gagnon also noted that letters from the City's water and wastewater departments were not provided to the Planning Board. The letters will be included in the Final Plan application.

Ms. Gagnon explained the City's request for the applicant to demonstrate that the proposed stormwater management plan will not result in downstream flooding or the overburdening of a conveyance structure. Chairman Fink concurred that for the Final Plan the applicant should depict stormwater flows off the property and should provide some quantifiable demonstration that the amount of stormwater leaving the property does not increase.

Mike Hangge noted that the applicant's proposed site plan is being reviewed by the State Fire Marshal's Office to determine if a fire suppression system is necessary.

Darrell Wilson moved in regard to the preliminary plan for a Major Use Site Development Plan and Major Subdivision titled 50 Church Street for Stephen Curtain, the proposal to convert the existing building and to construct an addition, a total of 6,108 SF, for the use of professional offices, a residential apartment, a yoga studio, and a café on 1.26-acre property located at 50 Church Street, the Planning Board finds that this is an allowed use in this zone, and that the application is complete in terms of submission materials, with the exception that the water and wastewater letters are pending but will be provided for the Final Plan, and that there is the advisory for the Final Plan stormwater plan the Board will want to see more quantification of the effectiveness of the proposed system and how it relates to the City's ordinance, and that the Board finds the application complete in all other respects. Mike Howie added that the financial capacity letter should also be included with the Final Plan. Darrell Wilson amended the motion to include the reference to the financial capacity letter. Mike Howie seconded the motion and, with no further discussion, the motion passed unanimously.

Preliminary Plan for a Major Use Site Development Plan and Major Subdivision titled 50 Church Street: COMPLETE WITH EXCEPTIONS.

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5. Signing of Mylars & Adjournment

John Fink moved to sign the mylars and adjourn the meeting, Jim Barkhouse seconded the motion, and it passed unanimously. The meeting was adjourned at 7:54PM. Mylars for Hong Fong Fat LLC were signed.

**Meeting Adjourned
[7:54 PM].**

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

Minutes approved by:

3/17/17
Date



Mike Howie, Ellsworth Planning Board Secretary

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