

City of Ellsworth
Planning Board Meeting
Minutes — Wednesday, June 6, 2018

Chairman John Fink, Vice Chairman Darrell Wilson, Secretary Mike Howie, member Roger Lessard, member James Barkhouse and alternate member John DeLeo were present. The seventh seat on the board (second alternate member) is currently vacant.

City Planner Michele Gagnon, Code Enforcement Officer Dwight Tilton, Fire Inspector Mike Hangge and Assistant City Planner Steve Fuller attended the meeting.

1) Call to Order

Chairman John Fink called the meeting to order at 7:00 PM. He had each of the board members present introduce themselves.

2) Adoption of Minutes from the May 2, 2018 meeting

Planning Board Member Darrell Wilson made a motion to adopt the minutes from the May 2, 2018 meeting as written. Planning Board Member Mike Howie seconded the motion. There was no discussion and no additions or corrections. The motion then passed unanimously, 5-0 (alternate member John DeLeo did not participate in voting tonight because all five regular members were present).

3) Sketch Plan Review for a Major Use Site Development and Major Subdivision titled Washington LUXE for Jonathan Bates.

The proposal is for two, three-story apartment buildings with a total of 24 units. The project is located at 29 Washington Street on two parcels totaling 0.94 acres (Tax Map 130, Lots 26 and 30), in the Downtown Zone.

a. PUBLIC HEARING AND GENERAL ADVISORY DISCUSSION

Applicant Jonathan Bates was present. Steve Salsbury and Tim Brochu from CES Engineering were also present, and Salsbury introduced the project: two identical buildings with 12 units each, sharing one entrance off of Washington Street. Salsbury referenced that Bates had handed out materials to board members (and one copy for city staff) with depictions of what the buildings would look like, floor plans, etc. Salsbury also showed the images on the large-screen television in the room.

Bates described the project as an “Airbnb-friendly facility,” calling it a “super transient-style building, allowing people to sublet out” and do

Planning Board member attendance, all members present

City staff members in attendance

Meeting called to order at 7:00 PM

Adoption of minutes from May 2, 2018 regular meeting: APPROVED (5-0)

WASHINGTON LUXE for Jonathan Bates

Jonathan Bates present, along with Steve Salsbury and Tim Brochu (CES) representing him

Bates: facility will be Airbnb friendly

short-term leases. He said it is set up in a resort-style way, with a luxury feel. He said each unit would have two bedrooms and one bathroom with a double vanity. Bates said his target market consists of the “young, professional transient people that are coming in and out of town.” He said the thought is to aim for year-long leases, but that shorter ones may also be used. He said he is aiming for a blend between luxury hotels and apartments. Bates said he has had “great success” with a project on the Bangor Road involving short-term, fully-furnished units, and said that shows there is a demand for such housing that is currently not being met.

Bates: facility will aim for short-term leases targeting young, transient professionals

Fink asked if any staff would be provided/present in the buildings once they are operational. Bates said no, there would not be.

No staff will be in the buildings

Salsbury said they would be back in July with a preliminary application with traffic and stormwater information.

Applicant intends to be back in July for preliminary review

Fink noted the Technical Review Team (TRT) report noted a discrepancy in acreage between what was listed on the application and what is reflected in the city’s tax records. Salsbury said he would address that for next month.

Discrepancy in acreage, Salsbury said he will address

Wilson asked Salsbury to describe the existing topography on-site, with particular regard to the existing adjacent development (two townhouse units in a single building, on the western side of this project) belonging to Bates. Wilson asked how tall the proposed new buildings would be, and Bates said the peak of the roof would be about 43 feet.

Talk of topography of the property, height of buildings to be constructed

Wilson asked Salsbury what he thought the challenges would be with stormwater. “Well, it’ll go downhill, there’s no question about it,” Salsbury said. Salsbury said the site is generally wooded with an existing driveway that led to a former structure (small house) there. Salsbury also explained how this development sits in relation to the neighboring Straw Way housing development.

Discussion about stormwater

Wilson asked how the city felt about having sidewalks on only one side of Washington Street, and asked if the applicant should be asked to provide a sidewalk easement. There is an existing sidewalk on the side of Washington Street opposite from this proposed project. City Planner Michele Gagnon said the city would likely not seek a second sidewalk at this time. Salsbury said he does not believe there is enough right-of-way on Washington Street to have two sidewalks. Gagnon said she did not know of any intent on the city’s part to put a sidewalk in on the south side of Washington Street at this time. Wilson said he did not know if it was the goal to put sidewalks on

Discussion on sidewalks

Gagnon: city has no plans for a second sidewalk on Washington Street at this time

both sides of every street like this, and Gagnon said perhaps in a perfect world but not at this time.

Planning Board Alternate Member John DeLeo asked about the “quite drastic changes in elevation” at the site and how it would be modified. Salsbury explained there will be two tiers, with a 10-foot difference in elevation between the two tiers. He explained how retaining walls will be used to accomplish this. DeLeo noted there is an approximate 30-foot difference in height from the lowest point to the highest point on the site. Salsbury agreed, and said that is why retaining walls are being used.

Planning Board Member Roger Lessard returned discussion to the subject of how the units will be rented out. Bates said there is “huge demand” and “major shortage” from May to October, especially, for housing for transient workers. Bates said the ultimate goal is year leases but that they might be willing to go shorter-term (i.e., six months). He said he wants to serve the demand from May to October particularly, when there is an “extreme shortage” of options. Bates said he still considers it multi-family/apartment housing, just with shorter leases.

DeLeo asked if the units would be furnished. Bates said they would be fully furnished, with TVs on the wall, and WiFi/internet/cable service provided. Bates said the exact logistics of how the units will be rented/leased are still being worked out, but that he wants to make it “extremely turnkey.” He said there is a major, unmet demand for that in the area right now.

Wilson asked if the city received any feedback from any of the abutters.¹ Assistant Planner Steve Fuller said he received one phone call from a woman who lives off of Deane Street (actually on Hancock Street) who asked about what the project was — “not so much concerns, as just questions and curiosity.” Gagnon said she received one request for a copy of the site plan from someone who was curious.

Gagnon said this was the first time she had heard the units would be Airbnb/short-term style rentals. She said this does not seem to be an issue, as the Unified Development Ordinance allows for both hotels/motels and bed-and-breakfasts in the Downtown Zone. She said she sees what is being proposed as similar in terms of impact.

Discussion on elevations on the property and planned use of retaining walls

Discussion on how units will be rented and/or leased out

Bates describes how units will be furnished

Question about feedback from abutters — city received two inquiries in response to mailings

Gagnon addresses nature of rentals proposed, with regard to the city’s zoning requirements

¹ Note: 22 abutters’ notices were sent out to residents within 300 feet of this proposed development. That is 50 feet further than is required under city ordinance (Chapter 56, Unified Development Ordinance, Article 2, §207.8, Notice to Abutters).

Gagnon said the stormwater issue “is of great concern” to the city. She said the site is very steep, and different things are being looked at right now to see if this project can move forward without some type of retention system for the stormwater. She said the city doesn’t want “to be flooding anybody.” She said the applicant will have to be very careful. She said the idea is to be able to “use a conveyance structure if it has enough capacity to take it.”

Gagnon addresses stormwater issue

Wilson asked what is close by for city stormwater infrastructure. Gagnon said there is a pipe on Washington Street and a catch basin along the street. Bates made reference to his existing development, downhill from the proposed project, and that rip-rap there terminates at a “pretty sizeable catch basin” on Washington Street. Bates said the rip-rap has functioned well as a swale so far to catch the downhill flow.

Question about existing stormwater infrastructure on Washington Street

In response to a question from Planning Board Member Jim Barkhouse, Bates said he “and R.F. Jordan” put the rip-rap in at the previous project. He said the driveway there slopes down a bit to the east, into the rip-rap, to keep water away from that building. He repeated that it has worked well so far.

Rip-rap at existing Bates development downhill from this proposed project

Howie asked about parking and if this project will, in fact, be considered multi-family. Gagnon said she will have to think about it (in light of the announcement tonight that this will be short-term rentals/Airbnb friendly), but that yes, it will likely be considered multi-family. That requires 1.5 spaces per unit, under city ordinance, and for this project with 24 units it would require 36 spaces (which have been provided). She said some renters might have two cars while others may have only one. She also said there may be times when not all units are rented out/occupied. Gagnon repeated that the city will look into the matter.

Discussion about parking in relation to the proposed use at this site

Gagnon said this is “exactly” the type of project the city is looking for — one that is on public water and sewer, in the Downtown Zone and relatively close to Main Street, and that it would serve to create density within the Urban Core. She said that minimizes sprawl and reduces the number of vehicle trips. Gagnon said she would prefer to see longer-term rentals, but that she is sure Bates will accommodate whatever the market demands.

Gagnon: Projects like this help avoid sprawl

DeLeo asked if the city knows what size storm drain line is currently in place on Washington Street. Gagnon said the city does have that information although she has not looked at it yet because the project is only at Sketch Plan Review stage tonight. She made reference to CES

More discussion on stormwater issues

being involved with the project. “We’re going to be working with them to make sure it works,” she said, in reference to stormwater.

DeLeo made reference to the workforce housing project now under construction at the top of Washington Street (Oriole Way) and said he assumed that would factor into the stormwater issue. Gagnon explained there was less stormwater post-development than pre-development going into that particular conveyance structure as a result of that project. She said that resulted in a credit that this project (Washington LUXE) is hoping to take advantage of. DeLeo asked if this applicant would have access to the information from the previous project, to make sure whatever stormwater comes from this project will not overload the storm drain pipe on Washington Street. Gagnon said the two parties are talking to one another.

DeLeo asked if information about stormwater from the workforce housing project could be included with the material for this project, as the review process progresses, so that the Planning Board can understand the totality of the situation.

Tim Brochu from CES spoke and affirmed what Gagnon said. He said he and others will work to make sure this project doesn’t overload any of the existing public infrastructure. DeLeo said he understands calculations have been done for the workforce housing project and will be done for this project, but that it is in each case “an estimation, at best.” Gagnon said this project does not have to do retention or quality or quantity treatment if there is no flooding impact. She said it is the applicant’s job to convince city staff, and the Planning Board, that everything is going to work. “We want to make that project work, but we are also going to make sure that it passes a straight-face test and that it is going to work,” she said.

Wilson made reference to a note in Gagnon’s TRT report about a possible site visit. Wilson said he is interested in a site visit but would like to do so after he has seen a more complete application. Gagnon asked if he would be interested in doing a site visit between the preliminary and final reviews, and Wilson said he would prefer that.

Lessard said he would like to see a traffic impact study, given the project’s location between two main travel arteries (High and Water streets). Gagnon said from a planning perspective, this project is a low generator in terms of numbers of trips to and from the site. She noted that DeLeo requested traffic studies for the workforce housing (Oriole Way) and 208 High Street projects (copies were provided to board members, city staff and the applicant prior to the start of the meeting).

DeLeo asks about how stormwater from workforce housing (Oriole Way) may affect this project, Gagnon responds

DeLeo requests more information on stormwater

Tim Brochu from CES speaks and addresses stormwater

Gagnon speaks more on the subject of stormwater

Wilson asks about possible site visit

Board members have questions regarding traffic

DeLeo requested traffic studies from other, earlier projects for tonight

She said again that the project is a low trip generator from a planning perspective.

Lessard noted traffic often backs up on Water Street in the late afternoon/early evening. Gagnon said the existing situation is not a result of this proposed project, but Lessard said it will add to the overall accumulation of vehicles on city streets.

Gagnon offered to speak about what the city is doing to address the overall traffic situation (securing DOT funding, committing municipal money and applying for federal grant money to strengthen and improve the traffic signal system). Fink suggested waiting until the applicant has submitted a Preliminary Plan for review, because this level of detail seemed beyond the level of Sketch Plan review.

Wilson said the idea of concern over the cumulative effect of multiple projects likely applies to both stormwater and traffic. He said he would like to see newer traffic data than what was provided tonight, because some of the data from earlier projects dates to 2016. Gagnon noted that “an applicant is not responsible for existing deficiencies in a system.” Gagnon said she sees an applicant as being responsible for any issues that may arise as a result of its application, but then repeated her quote about what they are not responsible for. “We can’t put our deferred maintenance and our problems on one developer,” she said.

Fink said if a new development has a traffic impact that “causes significant problems, then that’s on them.” Gagnon agreed, but said this project (per the state standards) is not close to meeting the threshold for a traffic study. She said most engineers would not see this project as a significant trip generator. She said what does have an impact is what she called “background,” projects that have “a compounding effect over time.”

Wilson said the board would like to have assurance from the applicant, using data, to demonstrate that this project will not compound the existing traffic situation. He said the board needs that analysis. Gagnon said the city understands the board wants both stormwater and traffic to be talked about as review of the project continues. Gagnon said she could prepare a report about traffic, in particular, to improve traffic flow (most notably at the lower light at Water and Main streets). Lessard noted Jackson Lab is also coming in, bringing traffic, and that the developers of the workforce housing project may also build a second, adjacent project in the future (behind Shaw’s). Lessard noted traffic overall is “not the applicant’s problem,

How this project may affect existing traffic conditions

Gagnon offers to speak on work city is doing to improve traffic situation, Fink suggests it wait until a later meeting

Concerns about cumulative effects of multiple projects on stormwater and traffic

Gagnon: Developer not responsible for existing conditions and/or deficiencies

Discussion continues on traffic concerns

More discussion on traffic matters

Gagnon intends to submit a traffic report to the board regarding what the city is currently doing to address the matter

it's the city's problem." Gagnon reiterated her intention to submit a report on traffic in general to the board.

DeLeo acknowledged this project may not have a large effect on traffic overall. He referenced the 208 High Street project and a financial contribution that the city received from the developer to address traffic issues (updated timing plan for nearby traffic light). DeLeo said the city "failed miserably" with regard to updating traffic plans on its own. Gagnon agreed the plans need help. She referenced how the city was an Urban Compact area, then fell out of that (and responsibility fell to the Maine Department of Transportation), and then came back on to the Urban Compact designation over a period of years as Census data changed.

There being no further questions from the board and no questions of the board from the applicant, discussion returned to the subject of a site visit. Salsbury said the applicant hopes to be back at Planning Board in July for a Preliminary Plan review. Gagnon said the goal would be to coordinate so that the July meeting and a subsequent site review could be advertised at the same time, in the same public notice. She said the site visit could be as early as the day after the Planning Board meeting.

Lessard asked if stormwater information would be ready by that time, and Gagnon said the applicant should have that information ready by then. Gagnon said again that she could prepare a report on the traffic situation. She said she hoped such a report would show both that the city has made "an incredible amount of progress" on traffic in the past year and that the city is "taking this extremely seriously and investing some funds as well."

DeLeo asked if there would be another TRT meeting before the Preliminary Plan review, and Gagnon said that yes, there would be. DeLeo said he hoped the police and fire departments would pay particular attention to traffic and traffic circulation in that area. Fink asked how the fire department feels at this point about the access. Fire Inspector Mike Hangge noted he and other fire department staff met with the developer and CES on May 30. He said information regarding the measurements of fire department vehicles, turning radius information, etc. has been obtained. "They've given us an acceptable turning template, within the — the internal movement, that allows for our two biggest trucks to drive in and back around, to be able to maneuver comfortably within the confines of the parking area, the buildings, etc. etc.," Hangge said.

Discussion about traffic lights on High Street and timing plans for those signals

Discussion on when a site visit could take place — sometime after preliminary plan review, which is expected to be in July

More discussion of stormwater and traffic

DeLeo asks about traffic and traffic circulation from a public safety perspective

Fire Inspector Hangge addresses fire department access to the site

Fink referenced a note in the TRT report about water pressure. Hangge said the developer will need to have a test done to determine if there is adequate water pressure there. Hangge said he does not expect there to be an issue with that. DeLeo said he would like to hear some information from the fire department at a later date about how it would handle a “catastrophic fire” at that site, with one or two buildings totally engulfed. Hangge spoke about hydrant placement, using the fire department connection in each building to hook into the sprinkler system, and using the ladder truck to reach roofs, etc.

More discussion on fire department-related issues and concerns; Hangge again responds

Howie asked about a site visit again and whether that needed a vote. Gagnon asked the board what it wanted, and there was consensus that members want a site visit.

Consensus: Board wants a site visit

Fink asked if there were any mylars to be signed, which there were not. Assistant Planner Steve Fuller noted that the agenda called for a public hearing on the Washington Luxe application, while also acknowledging there was no one from the public (Salsbury, Bates and Brochu were the only people in the audience). Fink stated for the record that there was no public to comment.

No public hearing held because no members of the public are present to comment

As this was a Sketch Plan review, the board did not need to take any vote (and did not take any votes) with regard to the Washington LUXE application.

No votes taken because only a Sketch Plan review

4.) Signing of Mylars & Adjournment

There were no mylars or plans to be signed tonight. Wilson made a motion to “adjourn this fabulous meeting,” which was seconded by Howie. There was no discussion and the vote in favor of the motion was unanimous (5-0). The meeting adjourned at 7:40 p.m.

Meeting adjourned at 7:40 PM.

Minutes prepared by: Steve Fuller, Assistant City Planner

Minutes approved by Ellsworth Planning Board on July 11, 2018:

Agendas and minutes posted on the city of Ellsworth’s website: ellsworthmaine.gov

8/8/18
Date


Mike Howie, Secretary
Ellsworth Planning Board