

**City of Ellsworth
Planning Board Meeting
Minutes — September 4, 2019**

Chairman John Fink, Vice-Chairman John DeLeo, Secretary Roger Lessard, board member Rick Lyles, and alternate members David Burks and Nelson Geel attended the regular meeting of the Ellsworth Planning Board.

Six board members present

City Planner Jef Fitzgerald, Code Enforcement Officer Dwight Tilton, Fire Inspector Mike Hangge, Deputy Code Enforcement Officer Lori Roberts, and Development Services Coordinator Kerri Taylor also attended the meeting.

Five Staff members present

1.) Call to Order

Chairman Fink called the meeting to order with some brief instructions at 6:30 PM.

Call to Order

2.) Adoption of Minutes from the August 7, 2019 meeting. Roger Lessard moved to approve the minutes. John DeLeo seconded the motion, and with no discussion, the motion passed unanimously **(5-0)**.

Adoption of minutes

3. Revision to an Approved Subdivision entitled Short Street Subdivision (Planfile 28-22, amended from Planfile 21-154) for Vasilike Katsiaficas Silsby (on behalf of Eagles Lodge Inc.). The proposal is to adjust the property lines between Lots 2, 3, and 4 (Tax Map/Lot: 22/11, 129/13-1 and 129/13, respectively) of the subdivision. The proposal would give Lot 2 approximately 20 feet of additional road frontage on High Street. Overall, the proposal would increase the size of Lot 3 while reducing the size of Lot 2 and Lot 4. All of the subject property is in the Commercial Zone.

Revision to Short Street Subdivision Introduction

Vasilike Katsiaficas Silsby was present on behalf of Eagles Lodge Inc. Mrs. Silsby explained that Eagles Lodge Inc. is amending Lot 2, taking away some of the rear land from lot 2 and widening the road frontage by just under 20 feet. This will increase the lot size where Prompto is located to 20,145 square feet. Chairman Fink questioned ownership of the lots from which the land is being taken. Mrs. Silsby answered that Eagles Lodge Inc. owns all of those lots.

Applicant Presentation

Chairman Fink asked the Planning Board if they had any questions for the applicant. Mr. DeLeo asked what the purpose was to adding more road frontage to Lot 2. Mrs. Silsby explained that Eagles Lodge Inc. has leased a small piece of land to Prompto for over 20 years. Prompto approached Eagles Lodge Inc. in regards to purchasing the lot and requested an additional 20 feet of road frontage in order to possibly add a driveway to wrap around the back of the existing building. Eagles Lodge Inc. agreed to increase the lot size due to no interference with their remaining parcels.

Deliberation & Findings of Fact

Nelson Geel asked if this subdivision would cause any right of way or access issues of abutters. Mrs. Silsby explained this would not cause any issues as Eagles Lodge Inc. owns and will be retaining the back land.

Chairman Fink opened a public hearing at 6:34 PM. No one came forward to speak, and the public hearing was subsequently closed.

Public Hearing

Rick Lyles asked a question in regards to the new lot line going through a log cabin on Eagles Lodge Inc.'s property and wanted to know how they planned to handle that situation. Mrs. Silsby explained Eagles Lodge Inc. owns the log cabin and will be moving it from the property prior to the sale.

Deliberation & Findings of Fact

John DeLeo moved to approve Revision to an Approved Subdivision entitled Short Street Subdivision (Planfile 28-22, amended from Planfile 21-154) for Vasilike Katsiaticas Silsby (on behalf of Eagles Lodge Inc.). Rick Lyles seconded the motion. There was no further discussion, and the motion passed unanimously (5-0).

Conclusion

Revision to Short Street Subdivision Approved.

Final Plan Review for a Major Use Site Development and Major Subdivision entitled Buzzell Woods for Jeff Buzzell. The proposal is to build two, six-unit, one-story apartment buildings (a total of 12 residential units, with each building 5,420 square feet in size) and two, two-unit storage buildings (a total of four storage units, with each building 576 square feet in size), all on a 1.90-acre parcel of land at 17 Carriage Road (Tax Map 26, Lot 1-3). The subject property is in the Urban Zone.

Final plan review for Buzzell Woods Introduction

Steve Salsbury and Jim Kiser represented for the applicant. Mr. Salsbury explained they had made revisions to the original application, they had submitted additional lighting plan information, updated the narratives on the fire protection within the proposed building, and deleted sprinklers as they are now using fire walls in between units. Mr. Salsbury included that he had received confirmation from the Maine DOT that there are no changes needed at the intersection of Carriage Road and Route 1. Chairman Fink confirmed with Mr. Salsbury that these changes do reflect on the current plan.

Applicant Presentation

Chairman Fink asked the Planning Board members if they have any questions. Mr. Lyles inquired if the fire protection concerns from the previous meetings had been resolved. Fire Inspector Mike Hangge confirmed that this issue had been resolved.

Deliberation & Findings of Fact

Mr. DeLeo asked staff about the issue of a subdivision violation that was brought to the Planning Board's attention at the August 7, 2019 meeting. He read an excerpt from the subdivision ordinance that states that regarding final approval and filing that no plan shall be approved by the

board as long as the subdivider is in violation of the provisions of a previously approved plan. He then asked if that applies to this project. Code Enforcement Officer Dwight Tilton explained that the subdivider for this project is in compliance. The applicant is on a time limit so the lot in violation will be dealt with separately. Mr. Tilton stated that this is due to the lots being owned by different people. Mr. Tilton said the decision is up to the Planning Board on whether to proceed. Steve Joy the developer will be making an amendment to the lot in question. Mr. DeLeo expressed his concern for future issues with this subdivision. Mr. Lyles asked if it could be approved on the contingency that the subdivision in question be cleaned up. Chairman Fink made a comment that the applicant has a deadline and the issue is not something this applicant has created.

Mr. Geel asked what the resolution was to the fire hydrant distance issue from the previous meeting. He mentioned that one possible hydrant distance was out of compliance with the ordinance. Mr. Hangge stated that the applicant decided to use the high challenge firewalls NFPA 221, that when installed between the second and third apartment, and the fourth and fifth apartment creates what the code allows as a one and two family dwelling category. Once the building is sectioned off into a one and two family dwelling that will allow the hydrant distance to be increased from 400 feet to 650 feet.

Chairman Fink opened a public hearing at 6:45 PM. No one came forward to speak and the public hearing was subsequently closed.

Rick Lyles moved to approve Final Plan Review for a Major Use Site Development and Major Subdivision titled Buzzell Woods. John DeLeo seconded the motion. There was no discussion and the motion passed unanimously (5-0).

5.) Signing of Mylars

The final mylar plans were signed after the motion to adjourn:

- 1. Subdivision Plan Buzzell Woods Apartments dated August 27, 2019**
- 2. Joy Woods at U.S. Route #1 Third Revision dated July 29, 2019**
- 3. Short Street Subdivision dated August 12, 2019**

6.) Adjournment

John DeLeo made a motion to sign the mylars and adjourn the meeting, Rick Lyles seconded the motion, and it passed unanimously (5-0). The meeting was adjourned at 6:46 PM

Public Hearing

Conclusion

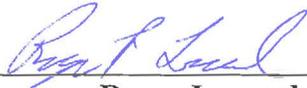
Final Plan for Buzzell Woods Approved.

Vote to adjourn at 6:46 PM

Minutes prepared by: Kerri Taylor, Development Services Coordinator
Minutes approved by Ellsworth Planning Board on October 2, 2019:

10/2/2019

Date



Roger Lessard, Secretary
Ellsworth Planning Board

Agendas and minutes are posted on the city of Ellsworth's website:

ellsworthmaine.gov

A video transcript of this meeting is also available on YouTube.