

**City of Ellsworth
Planning Board Meeting
Minutes — March 4, 2020**

Chairman John Fink, Vice-Chairman John DeLeo, Members Rick Lyles, David Burks, Alternate Member Marc Rich, and Alternate Member Nelson Geel attended the regular meeting of the Ellsworth Planning Board.

Six board members present

Code Enforcement Officer Dwight Tilton, Fire Inspector Mike Hangge, Development Services Director Janna Richards, and Development Services Coordinator Kerri Taylor also attended the meeting.

Four staff members present

1.) Call to Order

Chairman Fink called the meeting to order at 6:30 PM.

Call to Order

2.) Adoption of Minutes from the February 5, 2020 meeting. Rick Lyles moved to approve the minutes. John DeLeo seconded the motion, and with no discussion, the motion passed unanimously **(5-0)**.

Adoption of minutes

3.) Preliminary Plan Review for a Major Use Site Development Plan entitled McMullen for Richard McMullen. The proposal is to create a 5-acre gravel pit and install a driveway on an undeveloped 95-acre property on the Bucksport Road, currently owned by Maurice Oliver (Tax Map 31 Lot 47) in the Rural and Industrial Zones.

Preliminary Plan for McMullen Gravel Pit Introduction

Applicant Richard McMullen attended the meeting. Mr. McMullen described that his Preliminary Plan is the same proposal as the Sketch Plan Review from the October 2, 2019 meeting. He intends to improve the existing logging road located on the property and create up to a 5-acre gravel pit.

Applicant Presentation

Mr. Fink asked Mr. McMullen if he was able to determine if there is a right-of-way for the portion of the existing road that crosses onto the adjacent Haslam property. Mr. McMullen answered that surveyor Steve Salsbury looked into it and was unable to find any documentation. However, Mr. McMullen contacted the owners of the property and they have no issues with the continued use of this section of road that crosses onto their property. Mr. McMullen asked the board if they would require documentation for the granted access. Mr. Fink confirmed they would.

Mr. Lyles inquired about the depth of a 5-acre gravel pit. Mr. McMullen explained it depends where the water table is located and that the process is regulated by the State. Further discussion ensued in regards to the allowed depth of a 5-acre gravel pit.

Mr. DeLeo voiced concern over the existing trails on the property and suggested blocking off ATV access to the gravel pit. This would prevent the possibility of a noise disturbance to neighbors and a liability issue to Mr. McMullen. Mr. McMullen explained by State requirement he will be installing a gate at the entrance on the Bucksport Road. Mr. Lyles suggested installing the gate back far enough to allow ample space for entering and exiting vehicles. This will ensure drivers can lock and unlock the gate without causing a traffic hazard. There was further discussion about the access road entrance.

Chairman Fink opened a public hearing at 6:44 PM for the **Preliminary Plan Review for a Major Use Site Development entitled McMullen**. With no one coming forward, he immediately closed the public hearing.

Public Hearing

Mr. DeLeo asked Mr. McMullen why a street address has been issued to this road, since common practice is to only address structures. Mr. McMullen explained it was a requirement of the Ellsworth Fire Department for emergency purposes.

Development Services Director Janna Richards referenced the waiver request submitted by the applicant. Mrs. Richards requested the board review the request prior to making a motion. Mrs. Richards requested the board review the missing items from the Technical Review Team report as well. Mr. McMullen added that he has submitted a stormwater management application to the State. He is currently awaiting a response. Upon approval, he will provide the State required best management practices. Mrs. Richards requested that it be provided in a narrative format. Mr. Lyles questioned if a road profile is necessary. Mrs. Richards answered that it is required because the applicant has chosen to install a site road and therefore he must meet the standards in Article 9 of the ordinance.

Discussion ensued at length if a waiver request for not applicable items on the application is necessary or not. The board and staff agreed to have the section pertaining to waivers in the ordinance reviewed by legal counsel to clarify what is best practice. There was further discussion on the completeness of the application and ultimately, it was decided to table the item and review the Preliminary Plan for completeness when the applicant submits the Final Plan.

John DeLeo made a motion to Table the Preliminary Plan Review for a Major Use Site Development entitled McMullen. Rick Lyles seconded the motion and, with no further discussion, the motion passed unanimously (5-0).

Preliminary Plan for Major Use Site Development McMullen: Tabled

4.) **Sketch Plan for a Major Use Site Development Plan for Burnie & Selena Gordon.** The proposal is to construct four self-storage unit buildings (a total of 9,600 square feet) on a 3.09-acre property located at 314 Bucksport Road (Tax Map 25 Lot 2) located in the Urban Zone.

Sketch Plan for Burnie & Selena Gordon: Tabled

The Planning Board did not consider the application for Burnie and Selena Gordon as the applicant, nor the applicant's representative, were present at the meeting.

5.) **The Ellsworth Planning Office requests clarification from the Planning Board regarding ordinance thresholds for determining which applications need review for approval by the Planning Board.**

Following a lengthy discussion, it was decided to hold a workshop in the future to further address this item.

6.) Signing of Mylars

There were no mylars to be signed.

7.) Adjournment

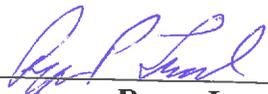
Rick Lyles moved to adjourn the meeting, David Burks seconded the motion, and it passed unanimously (5-0). The meeting was adjourned at 8:02 PM.

Vote to adjourn at 8:02 PM

Minutes prepared by: Kerri Taylor, Development Services Coordinator.
Minutes approved by Ellsworth Planning Board on May 6, 2020.

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

May 26, 2020
Date



**Roger Lessard, Secretary
Ellsworth Planning Board**

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