City of Ellsworth
Planning Board Regular Meeting Minutes
Wednesday, November 6, 2024 5:30 PM

Chair John DeLeo, Vice-Chair Rick Lyles, Secretary Mike Hangge, Member Vince Messer, and Member Marc Rich, and attended the regular meeting of the Ellsworth Planning Board.	**Five board members present**
City Planner Matthew Williams, Planning and Community Development Assistant Brittany Merrill, Code Enforcement Officer Robert Grant, and Fire & Life Safety Inspector Thomas Canavan attended the regular meeting of the Ellsworth Planning Board.	**Four staff members present**

1.) Call to Order

Call to Order

Chair DeLeo called the meeting to order at 5:30 PM.

2.) Adoption of Minutes from the September 4, 2024 Regular Meeting. PASSED (5-0)

Adoption of minutes

Member Lyles moved to adopt the Minutes from the October 2, 2024 Regular Meeting. Member Rich seconded the motion. **The vote to adopt the Minutes from the October 2, 2024 Regular Meeting was UNANIMOUS (4-0).**

ADOPTED

3.) Final Plan Review of a Major Use Site Plan and Major Subdivision Plan entitled W.L. Properties LLC for Applicant/Owner W.L. Properties LLC. The proposal is to create a multi-family development with a total of 150 units. The subject property is an approximately 121.8-acre parcel located at the end of Eastward Lane (Tax Map 22, Lot 13) in the Commercial (C), Limited Residential (LR), and Resource Protection (RP) Zoning Districts

W.L. Properties LLC

Shelly Lizotte, PE of Artifex representing W.L. Properties LLC briefly reviewed the changes to the plans from the Preliminary Plan Review. She noted the fire hydrant update, that she had talked with the school department and that the tax assessor had reviewed the road names and building numbers.

Williams brought up an oversight with the stormwater calculations and asked Lizotte to explain the calculation piece.

Lizotte explained that it was complicated to meet the State Law in this situation and that it fell under site law but under that they were required to meet the basic standards and the general standards which included erosion control measures and water quality and quantity as well as a flooding standard. She noted that there were exemptions in the State law that allowed for discharges into bigger areas like wetlands and river watersheds. She said they were asking for a variance because it's an enormous watershed and the distance hydraulically from where the water runoffs are created are significant. She noted that she did not have answers on whether they would allow that to happen because they were just starting to review the packet.

DeLeo asked for the predevelopment and post development flows.

Williams replied that the DEP had an exception, and it exists in the ordinance, but the process was that they did need to provide the calculations to the board.

Lizotte said that the watershed calculations were not a perfect science and that they amounted to a lot less significant increase that what she thought might be, but it was hard

to prove due to the site. She noted she was uncomfortable trying to prove pre and post increases due to the variables.
DeLeo asked if it was required under the ordinance.
Williams replied that it was typical, but for when a project in in the flooding control standards, which this project was, there is an exemption. He noted that there needed to be a discussion on how the project would meet the exception showing that the capacity and stability of downstream drainage already exists and could receive the project's runoff. He didn't know if there was a way to measure Card Brook or the wetlands around.
Lizotte replied that she wasn't sure if that was something that could be done.
Williams replied that the primary goal was to show that there would be no flooding on primary access roads to the project or public roads or cause undue burden on property owners and asked if that was something that could be proven.
Lizotte replied that she had tried to demonstrate that and pointed out that the project was vertically and horizontally distant from the watershed. She noted that the project was 2,000-ft away from Card Brook. She noted that each parking lot had their own treatment basin as required by the State. She then described the drainage system and noted she could not guarantee the accuracy of calculations because of the existing wetlands.
Deleo asked if they needed a waiver because they did not have that info.
Williams replied that it would be just accepting the applicant's request to meet the exception. He asked how difficult it would be to calculate the post- and pre-development flows just for the boundary of the actual development.
Lizotte said not difficult but that was not how it was calculated, and it would most likely underestimate the real rates. She pointed out the reasoning for asking for the waiver.
There was then a discussion on the impact on Card Brook and it was determined that water quality was more impactful than quantity and that the DEP had 180 days to review their application and if they required changes to the plan it would have to come back to Planning Board. It was also noted that the DEP required yearly inspections and a report every 5-years and if there were any issues the developer would have to fix them. They then discussed who was responsible for inspections and it was noted that the City Code office was recently stormwater certified and would be looking at the project but did have the option to hire a third party to help with inspections.
There was then a discussion on water pumps, and it was concluded that Fire would be in continuing discussion with the developer and whoever was their chosen vendor to determine the best design and location for water pumps.
DeLeo then turned the discussion to the Development Zone and asked if they were informed of the higher fee.
Lizotte said they had discussed it.
DeLeo asked about the school bus situation.
Williams replied that the school had reviewed the plans and thought it was adequate for their school buses.
DeLeo asked if it made sense to renumber the buildings to 1-27 on the site plan for clarity.
There was then a discussion on 911 addressing and why that would not be prudent.
DeLeo asked if the developer was planning on asking the City to take over the roads.
Lizotte replied in the negative.
Lyles mentioned the crosswalks and noted they should be consistent and that there seemed to be missing markings on Stonecrop Way.

Lizotte replied that it would not be a bad idea and had originally figured fewer people and less traffic in that area. There was then a discussion on sidewalks with the conclusion that Lizotte would review the plan for consistent crosswalks.
Lyles then asked if there was lighting at the long entrance.
Lizotte replied that there was lighting but that it had not been modelled in the design.
DeLeo asked if it was prudent to have a stop sign at Eastward Lane.
Canavan replied that there was already one there.

DeLeo opened the Public Hearing at 6:17pm. There were no members of the public present. DeLeo closed the Public Hearing at 6:17pm.

Public Hearing OPENED & CLOSED

Williams mentioned that there should be a determination that the area is expected to be flooded by the storms and do not pose any health or safety issues to access roads to the project, public roads or undue burden to property owners likely to suffer specific harm.
DeLeo said there was an understanding from the board.

Lyles made the motion to accept the final plan for the Major Use Site and Major Subdivision entitled W.L. Properties LLC for applicant/owner W.L. Properties LLC. **The vote to accept the Final Plan Review of a Major Use Site Plan and Major Subdivision Plan entitled W.L. Properties LLC for Applicant/Owner W.L. Properties LLC as approved was UNANIMOUS (5-0).**

Motion PASSED

4.) Preliminary Plan Review of a Major Use Site Plan and Major Subdivision entitled Home2Suites for Applicant Witham Family Limited Partnership and Owner Ellsworth Hi LLC. The proposal is to construct a 4-story, 83-room 15,694sf hotel. The subject property is an approximately 3-acre lot located at 6 Downeast Highway (Tax Map 128, Lots 8) in the Commercial (C), Zoning District.

Home2Suites

Representing the project were David Witham with Witham Family Hotels, Eric Marichal, Director of Strategic Operations, and the engineering team, Steve Salsbury and Bill Garrish. Witham began by introducing the project. The Home2 Suites Hotel as proposed was an 83-room extended stay hotel that would meet the area's growing demand. He noted that this project would help take pressure off the housing market, especially with the recent publication that Ellsworth was ranked #2 for Airbnbs. He added that the new development would create 25 jobs, with 5 of those being seasonal. He noted that they added more 2-room suites than typical to appeal to traveling families. He noted that home2Suites was the fastest growing hotel brand with only 2 built in Maine, and one approved in Kittery with more in the pipeline He mentioned this was different than typical hotels because there were more guest amenities and showed a few examples of different rooms and areas.
Marichal mentioned there had been 2 newspaper articles already with many comments online and hoped to address any misinformation. He noted that this project feed into Ellsworth's Economic Development Vision and mentioned the recent Business Attraction Plan and how it identified hospitality as one of the three key growth sectors

for the area. He noted it would help solidify Ellsworth's role as a service hub and noted that it reached out to the short-term rental market. He explained that it would attract families during peak season and corporate travelers in wintertime. He noted that the project would generate taxable revenue, and it would improve the aesthetics of the High Street Corridor.

Salsbury referenced the project binder and TRT meeting and thought of addressing those comments with the visual display showing traffic circulation. He showed the traffic flow on the large format plan, noting that most of the traffic would be fed to the traffic signal.

There was then a discussion on the number of parking spaces and what type of hotel would be used for calculations. It was determined that it fit a business hotel use as there were no spaces open to the public. It was noted that a 25% reduction exemption could be applied if those numbers were excessive. It was also noted that there was no overlap between peak parking for employees and peak parking for guests. It was mentioned that there were extra spaces at the Hampton Inn where any overflow could go if needed but from experience if the hotel was full there might be 75 cars in that parking lot which had 88 spaces.

Lyles asked if the old easements were still in effect.

Salsbury replied that they were still in effect.

Lyles asked if there would be outdoor accommodations and if they presented any issue with the Fire Department.

Salsbury noted they were open propane fire pits and didn't see any issues.

Lyles brought up stormwater management and asked if the numbers allowed for an increase in rain events.

Garrish said they used 2, 10 and 25-year events. He mentioned that they incorporated emergency overflow for size of site and parking and that the management system would be under the parking lot. He noted that they were an outlet control structure that would let water out at slower rates but did not model the 50-year or 100-year storms. He noted that since the runoff goes into the Card Brook Watershed that it triggered a storm water management permit, so they were meeting the full storm water quality standards.

Lyles asked who oversaw the operation the management plan.

Garrish said it was a requirement of the owner and that the DEP required annual inspections and 5-year reporting.

Salsbury said that he would get a letter if the report was overdue.

Lyles brought up the traffic and asked if there were any changes to the Hampton Site.

Garrish said they would be encouraging more use at the signal and some wayfinding signs would be added.

There was then a discussion on traffic flow through the site and if the fire trucks had enough room. It was determined that the fire truck access was fine and there was enough space in the existing Hampton Inn Parking lot. Discussion then moved to trip generation and high crash areas. It was determined there wouldn't be a significant change in traffic, but their traffic engineer used the wrong study from the W.L. Properties LLC study, so trip generation was underestimated. It was also noted that the traffic study analysis might have optimized the traffic timing and the rating got better with more cars, and the developer would look into that and get the correct study.

There was then a discussion on a shuttle service to the new visitor center in Trenton and possibly downtown. It was determined that preliminary discussions had taken place and the developer would gauge the interest of their guests.
The discussion then turned back storm water and it was determined that the runoff would tie into a few of the City's catch basins but was mostly a private stormwater discharged to Card Brook. It was noted that some of the City's stormwater system in that area was damaged but should have already been cleared. There was then a question on the impervious lot and it was noted that it was below the 75%.
DeLeo asked if they were familiar with the Beckwith Development District fees and it was determined that they were.
DeLeo brought up the difference in estimate water usage. It was determined that the Sewer Department used a different formula to calculate the impact fee than the one the developer's engineer used to determine demand. Discussion then turned to the traffic light. It was determined that it was unfair to ask for the developer to make improvements if the lights were being upgraded in 2026 or 2027 and the project would be open in the Spring of 2026. It was noted that the left-hand turn going into Walgreens signal didn't always work.
Messer mentioned that he was concerned about two projects discharging water into Card Brook and asked if there was any environmental concern long term.
Williams said that the treatments from the projects were better than what was coming off runoff that caused the issues. He noted that DEP was looking at projects to help. He said it was being looked into but did not have an answer on how to solve it, but newer treatments would be sufficient to treat a lot of the problems with the stormwater.
Messer asked if quantity was an issue.
Williams replied that the issue would be downstream but there was already a project in place to upsize those culverts.
DeLeo asked if there were any new catch basins being installed in the road.
Garrish responded that there would be no new catch basins but would tie into the existing ones.
Williams said the city owned them and would maintain them.
There was then a discussion on if there would be an event room for weddings or conferences and it was determined that there would not be at the new hotel but there was a small meeting room at the Hampton Hotel that could be used if there was demand.

Public Hearing OPENED & CLOSED

DeLeo opened the public hearing at 7:20pm. There were no members of the public. DeLeo closed the public hearing at 7:20pm.

APPROVED

Lyles made the motion to accept the preliminary plan review of a Major Use Site Plan and Major Subdivision entitled Home2Suites for applicant Witham Family Limited Partnership and Owner Ellsworth Hi LLC as complete. The vote to accept the **Preliminary Plan Review of a Major Use Site Plan and Major Subdivision entitled Home2Suites for Applicant Witham Family Limited Partnership and Owner Ellsworth Hi LLC as complete was UNANIMOUS.** PASSED (5-0)

5.) Staff Comments

Staff Comments

Williams gave an update on the Comprehensive Plan, noting that the newest version would be sent to him the next day and it would go to the Steering Committee and that the Chair and Vice-Chair would make one final review to make sure the smaller changes they requested had been made. He noted that the ideas and values would not change. He mentioned that at the next meeting in December the Board would review the Plan for State Compliance and then for Public Engagement. He noted that overall the ideas presented were based on public engagement and public feedback and fine-tuned and prioritized by the Steering Committee. He mentioned there was a template for evaluation and that they should also check for accessibility in that if it was possible for the average reader to understand.
Lyles asked if the page numbers on the scoring rubric corresponded with the pages in the updated plan.
Williams said he would verify and have the consultant fix that before resending the documents. He noted that the Board would make the recommendation to adopt the plan at the next meeting.
DeLeo asked if there were any applicants for the Planning Board.
Williams replied that he had received two but was waiting for more and they would review and recommend to Council at the December meeting. He then went on to give an update on the Village Partnership Initiative and the Thriving Communities Partnership stating they were both in the early stages.
DeLeo asked about the Cannabis Referendum.
Williams replied that if it passed then they would be tasked with developing the ordinance but would need some input from the council first. He noted that they would wait until December to place the moratorium. He explained there would be a workshop with the Council and city staff to review ideas and get public input. He noted that the moratorium was set for 6-months and imagined the timeline for the ordinances would take 4-months.

6.) Adjournment

Vice-Chair Lyles moved to adjourn. Member DeLeo seconded the motion. The vote to adjourn was UNANIMOUS (5-0).

Vote to adjourn at 7:32 PM

Minutes prepared by: Brittany Merrill Planning and Community Development Assistant

12/4/2024

Date

Mike Hangge, Secretary
Ellsworth Planning Board

Agendas and minutes posted on the City of Ellsworth's website:
ellsworthmaine.gov
A video transcript of this meeting is also available on YouTube.