

AGENDA

1. Call to Order (7:00 P. M.)
2. Roll Call
3. Approval of Minutes (November 21, 2005)
4. VIP Auto Store requests site plan amendment approval for former Bob's Discount site at 441 Payne Road
5. Hidden Creek Subdivision, Phase III, Normand Berube Builders requests preliminary subdivision approval for 12 single family lots off 133 Broadturn Road
6. Olde Millbrook Homeowners Association requests site plan amendment approval for signage for site at Winnocks Neck
7. Maine Medical Center requests amended subdivision approval and site plan approval for ambulatory surgery center off Campus Drive
8. The Maroon Group, LLC requests site plan amendment approval for previously approved site at U. S. Route One and Willowdale Road
9. Royal Ridge Business Suites, Hyman Scarborough Development requests site plan and subdivision approval for 4 lots on Royal Ridge Road
10. Portland Volvo requests site plan amendment approval for previously approved site on U.S. Route One
11. 197 U. S. Route One, LLC requests amended site plan approval for site at 197 U. S. Route One
12. Mike Glaude requests sketch plan review for carwash at the corner of Route One and Broadturn Road
13. Sea Ridge at Blue Point Subdivision, SBK Associates LLC requests sketch plan review for 56 single family lots between Jasper Street and Pine Ledge Drive
14. FCR, Inc. requests site plan amendment approval for changes to existing site at 13 Gibson Road
15. Brown Development Corporation requests sketch plan review for 6,000 square foot office building at 178-180 U. S. Route One
16. Transport Leasing Corp. requests site plan amendment approval for existing site at 103 Mussey Road
17. Town Planner's Report
18. Correspondence
19. Planning Board Comments
20. Adjournment

NO NEW ITEMS SHALL BE TAKEN UP AFTER 10:30 P. M.

MINUTES

Members Present

Staff

Ms. Auglis
Mr. Callahan
Mr. Hanson
Mr. Shanahan
Mr. Wood

Mr. Bacon, Assistant Town Planner
Ms. Logan, Recording Secretary
Mr. Ziepniewski, Town Planner

1. Call to Order

The meeting was called to order at 7:00 P. M.

2. Roll Call

The Recording Secretary called the roll; Mr. Porada was absent. Mr. Wood authorized Mr. Shanahan to vote.

3. Approval of Minutes (November 21, 2005)

Mr. Shanahan moved to approve the minutes of November 21, 2005 as presented; Mr. Callahan seconded.

Voted 4-0-1 Mr. Hanson abstained.

4. VIP Auto Store requests site plan amendment approval for former Bob's Discount site at 441 Payne Road

Mr. Ziepniewski stated that the applicant had responded to the discussion at the last meeting. Mr. Richard Licht, of Land Use Consultants, stated that they had made substantial changes to the plan. He stated that they had addressed the front landscaping and would use low shrubs, tall grasses and two pear trees and would fill in the grade with a berm and two short stone walls. Mr. Licht stated that they had dropped the height and size of the sign, and the base would be textured to blend with the building.

Mr. Licht stated that they would add two handicap parking spaces near the front door and retain the two existing spaces at the side; he stated that they showed parking inside the bays. Mr. Licht stated that they met with the Fire Chief regarding the dumpster location at the rear where they would impair circulation if they met the required setbacks. He stated that they would erect a firewall around the dumpsters to the satisfaction of the Fire Chief. Mr. Licht stated that they showed a sign indicating there was no exit from Gorham Road and Payne Road should be used.

Mr. Rodney Benn, of Sign Design, noted that they had added three yellow words below the VIP insignia. Mr. Jay Herrick, architect, showed the drawings of the building and stated that the metal siding would remain but they would add stucco columns to create panels in the front and left side, with the red painted band around the building. He stated that there would be benches in the arches. Ms. Auglis stated that this was a huge improvement over what is there but she did not know what the final product would be. To a question from Ms. Auglis, Mr. Licht replied that there was an existing island in front of the building with low shrubs and they would add some reed grass.

Mr. Hanson stated that he was happy to see the sign discouraging turning into Gorham Road but asked whether there would be a sign showing where to turn; Mr. Licht replied that they felt most people would use the traffic light at Payne Road. To questions from Mr. Shanahan, Mr. Licht replied that the two overhead

doors at the sides would be used for loading; he stated that service vehicles could go either way to the back of the building. Mr. Licht stated that the waste handler would not be there for pickup when customers were there. Mr. Shanahan stated that this was a vast improvement but the left side of the building may want to be improved like the Clipper Mart side. Mr. Licht noted that there was a wooded buffer toward Wal-Mart.

To a question from Mr. Callahan, Mr. Hourihan replied that products would be delivered to the retail area on the right hand side of the building. To a question from Ms. Auglis, Mr. Hourihan replied that used tires would be stored in the fenced area near the dumpster and that had been worked out with the Fire Department. Ms. Auglis asked why the glassed area could not be in the side overhead door rather than the front door; Mr. Hourihan replied that all the stores had the glass in the front. To a question from Ms. Auglis, Mr. Benn replied that the lighted letters could not have fluorescent tubes so there was neon inside the letters but they did not look like neon signs.

To a question from Ms. Auglis, Mr. Licht replied that the landscaping would be on the Payne Road side of the drainage swale and there would be grass between the landscaping and the road for a buffer from road salt. Ms. Auglis agreed that the left side of the building should be improved. Mr. Hourihan stated that there was a very deep stand of trees on that side of the building so it could not be seen. The Board confirmed that the trees were on the Wal-Mart property and there was no guarantee they would remain.

Mr. Wood stated that he appreciated the effort for a much improved plan. To a question from Mr. Wood, Mr. Bent replied that the word "service" over the bay door would be lighted. To a question from Mr. Wood, Mr. Hourihan replied that serviced cars would be driven out the rear door and parked at the side of the building; he stated that there would be no outside display. Mr. Bent stated that the existing sign was 23 square feet and theirs would be a 16 foot lexan panel and only the letters would be lighted; he stated that there would be two bollards painted the same as the sign base to protect it from cars. Mr. Wood stated that he would like green space around the sign. To a question from Mr. Wood, Mr. Hourihan replied that used tires would be picked up in the early morning or at night. Mr. Licht explained how the tires would be rolled out of the building to the trucks; he stated that there would be gates at both dumpster enclosures and the second dumpster would also follow the requirements of the Fire Department.

To a question from Mr. Wood, Mr. Licht replied that snow would be plowed to the front corner and to the rear around the dumpsters. To a question from Mr. Hanson, Mr. Licht replied that Clean Harbors picked up used oil. Mr. Wood stated that the HVAC units on the roof should be shown on the artist's rendering. To a question from Mr. Callahan, Mr. Hourihan replied that the lights would be on timers and would go out around 10:00 P. M. Mr. Hourihan stated that no work would be done on vehicles in the parking lot.

Mr. Wood moved to approve the amended site plan with the following conditions:

1. That the landscaping around the sign be done to the satisfaction of the staff;
2. That the trash and tire pickup be done during off-peak times;

Ms. Auglis seconded.

Voted 5-0

5. Hidden Creek Subdivision, Phase III, Normand Berube Builders requests preliminary subdivision approval for 12 single family lots off 133 Broadturn Road

Mr. Ziepniewski stated that there were comments from Mr. Bacon, Mr. Tubbs and the Conservation Commission, which he read. Mr. Bacon stated that he had a letter from Mr. Berube's attorney regarding title to the property and the details could be worked out prior to final approval.

Ms. Nancy St. Clair, of Sebago Technics, explained that they had used Section VII. on this 40 acre parcel, 24

acres of which would be open space land to be given to the Town. She stated that there was discussion regarding the deed reference and the letter to Mr. Bacon from the attorney indicated that the deed reference to the Skillins deed was incorrect and would be corrected. She stated that surveys and research showed the deed was correct and would be clarified. Mr. Ziepniewski suggested there be a condition that the issue be solved to the satisfaction of the Town Manager.

Ms. St. Clair stated that the traffic engineer's letter showed the trips and estimate for the Payne Road impact fee. She stated that the lots would be served by private wells and septic systems and the nitrate and soils tests had been done and would be submitted to the DEP. She stated that there was a site walk in October with representatives from Camp Scarborough in attendance; she stated that the end of the trail at the existing, temporary cul de sac would be relocated by the Berubes to the camp and additional vegetation would be planted in the rear of the lots along the trail.

Mr. Shanahan stated that he felt this was not a good use of Section VII., that the proposal was leveraging too much and he was not comfortable voting for the project under Section VII. He stated that half as many lots could have been created for continuity with the first two phases. Ms. St. Clair stated that the plan provided 24 acres of open space, combined with an eight acre lot owned by the Town, for a sizeable tract with a link to Camp Scarborough. She stated that they considered a traditional layout, but the staff felt that using Section VII. would offer better opportunities for connection to the camp. Mr. Shanahan stated that he did not think Section VII. was designed for this type of situation.

To a question from Mr. Wood, Ms. St. Clair replied that there was a request for pedestrian access to the open space between Lots 60 and 61 and they had provided a 50 foot strip. To a question from Ms. Auglis, Ms. St. Clair replied that they would resolve the issue of ownership of the open land prior to final approval. To a question from Mr. Wood, Ms. St. Clair replied that there was no issue with nitrate; she stated that the Town would receive a copy of the DEP submittal. To a question from Mr. Wood, Ms. St. Clair replied that the existing cul de sac would go back to the landowner of the existing Lot 32. She stated that part of the Phase II approval was to provide access to the abutting property, but that will not be necessary with this project and would be eliminated. She stated that the end of the trail would be relocated into the camp with wooded buffers. Ms. St. Clair stated that they would address all the comments in the memos prior to final approval.

Mr. Wood stated that he thought the project fit in this wooded property, with a lot of open space and the protected land. To a question from Mr. Wood, Ms. St. Clair replied that the Conservation Commission wanted the wetlands to be marked with pins and noted in the deeds, which the applicant would do. She stated that the road names and fire tanks had been approved. To questions from Mr. Callahan, Ms. St. Clair replied that the gravel access to Camp Scarborough would be done by the applicant and the access to the camp would be controlled by the Boy Scouts; she stated that the access would be gated and during an event, people would park on the camp property. To a question from Mr. Callahan, Ms. St. Clair replied that the DEP and the State geologist would review the nitrate plumes in relation to the septic systems. Mr. Bacon noted that Mr. Bray had confirmed the Payne Road impact fee.

Mr. Wood moved to approve the preliminary subdivision plan with the following conditions:

1. That the comments and feedback from Mr. Tubbs of November 20, 2005, Mr. Wendel of November 20, 2005, and Mr. Bacon of November 16 and December 5, 2005 be incorporated;
2. That the applicant provide any necessary documents to provide proof of right, title and interest, to the satisfaction of the Town Attorney.

Mr. Hanson seconded.

Voted 4-1 – Mr. Shanahan opposed.

6. Olde Millbrook Homeowners Association requests site plan amendment approval for signage for site at Winnocks Neck

Mr. Ziepniewski stated that the staff reviewed the request and recommended approval. William Austin, of the homeowners association, stated that these were new, informational signs, not replacements. To a question from Ms. Auglis, Mr. Austin replied that information could be slipped into a sleeve in one of the signs.

Mr. Hanson moved to approve the amendment; Ms. Auglis seconded.

Voted 5-0

7. Maine Medical Center requests amended subdivision approval and site plan approval for ambulatory surgery center off Campus Drive

Mr. Ziepniewski noted the memo from Mr. Bacon, dated December 5, 2005, and stated that the staff recommended approval; he stated that the only issue was the sidewalk.

Mr. William Conway, of Sebago Technics, stated that the Board had received the submittal for amended subdivision approval which had been approved by the Town Attorney. Mr. Conway stated that they added a walkway between the surgical center and all the other campus buildings. He showed the location of the prominent sign at the intersection of Hillcrest Avenue and its landscaping.

Mr. Tom Gorrill, of Gorrill-Palmer, stated that they had done the traffic impact study and had received Mr. Bray's memo. He stated that they had submitted their plan to DOT and recommended that the signal at Hillcrest Avenue be changed to a split phase to accommodate traffic movements from each side street approach. He stated that at the recommendation of Mr. Bray, they contacted the town's electrician, Don Mitchell, who takes care of the traffic lights. Mr. Gorrill stated that they would follow Mr. Bray's recommendations about the side street approaches and striping the roads. He stated that there would be two pedestrian signals. He stated that they would create the five foot wide shoulder in Route One and there would be an island in the street. Mr. Gorrill stated that they would discuss with Mr. Bray the issue of the amount of Payne Road traffic to be generated. Mr. Gorrill stated that they would extend the sidewalk to connect into the site; he stated that there would be crosswalks at Route One and Pleasant Hill Road with a sidewalk into Pleasant Hill Road.

To a question from Mr. Wood, Mr. Gorrill replied that they were not creating an island at the entrance to I-295 but would stripe what was existing. Ms. Auglis stated that she would like the jog in the exit from Route One south into I-295 fixed; Mr. Gorrill stated that they could discuss that with DOT. To a question from Ms. Auglis, Mr. Gorrill replied that they could make a contribution for about \$12,000.00 for the work to be done at the Pleasant Hill Road intersection. Mr. Hanson agreed that the merging at Route One south and I-295 needed work. He asked who would use the sidewalks; Mr. Gorrill replied that the town-wide transportation study called for pedestrian amenities; he stated that the town would maintain the sidewalks.

To a question from Mr. Callahan, Mr. Gorrill replied that the left turns from Greenacres and from Hillcrest Avenue would be timed differently. Mr. Wood asked whether Campus Drive was suitable for walking. Mr. Ziepniewski stated that the connection into the Eastern Trail would be a preferred road to go into Hillcrest and the Board had to be realistic as to what could be achieved for pedestrian connectivity. To a question from the Board, Mr. Bacon replied that the issues in his memo had been satisfied and a condition incorporating Mr. Bray's memo regarding Pleasant Hill would suffice. Ms. Auglis stated that she had no problems with the location of the sign but hoped the landscaping would remain when the existing sign was removed and as many trees as possible should be saved.

Mr. Wood moved to approve the amended subdivision plan and the amended site plan with the following conditions:

1. That Mr. Bray's memo of November 27, 2005 and Mr. Bacon's memo of December 5, 2005 be incorporated;
2. That any MDOT conditions be incorporated;
3. That the effort be made to discuss with DOT the improvement of the I-295/Route One merge lane southbound;
4. That the applicant work with staff regarding the sidewalk and the preservation of the existing landscaping;

Ms. Auglis seconded.

Voted 5-0

8. The Maroon Group, LLC requests site plan amendment approval for previously approved site at U. S. Route One and Willowdale Road

Mr. Ziepniewski noted that there was a memo from Mr. Bacon dated December 5, 2005.

Mr. Douglas Reynolds, of Gorrill-Palmer, stated that they proposed creating a drive-through area with two lanes and a canopy; he stated that the lanes would be 12 feet wide each and the bypass lane would be 10 feet wide. He stated that the drive-through lanes would eliminate 900 square feet of lawn. He stated that the area had been approved for a drive-through area for food; he stated that they had provided a revised traffic update.

Mr. Tom Gorrill stated that they had received an e-mail from Mr. Bray to Mr. Bacon; he stated that the difference in traffic count would be a peak morning decrease of 67 vehicles but an increase in vehicles during the afternoon peak hour. He stated that there was no change necessary in traffic improvements because the net increase was less than 100 vehicles; he explained that the afternoon peak traffic was used to calculate any changes and the morning decrease was not used. He stated that they would accept a condition to recalculate the Payne Road impact fee based on the increase in the afternoon peak traffic. Mr. Reynolds stated that Byrd Avenue had access through their driveway and they could erect a sign to that effect; he stated that they would meet the requests of Mr. Tubbs. Mr. Wood stated that he would rather there be no sign regarding the access for Byrd Avenue.

Mr. Tim Brawn, of PortCity Architects, explained that they proposed the bottom of the canopy to be less than 14 feet high, but indicated there would be adequate space for a bypass lane for emergency vehicles. Given the bypass, he questioned why less than 14 feet was necessary. He stated that the tallest existing canopies he measured were from nine feet to 11 feet 6 inches so they would like something consistent with other canopies. Mr. Bacon stated that the applicant should meet with the Fire Department to work out an arrangement for height because the Fire Department wanted 14 feet unless there was enough room for a 20 foot fire lane. Mr. Brawn stated that the area would be sprinklered.

To a question from Mr. Wood, Mr. Reynolds replied that about 50% of the building was occupied. To a question from Mr. Wood, Mr. Reynolds replied that there was now a 17 foot area beyond the canopy. Mr. Wood complimented the building.

Mr. Wood moved to approve the amended site plan with the following conditions:

1. That Mr. Bray's December 11, 2005, Mr. Tubbs memo, and Mr. Bacon's memo of December 5, 2005 be incorporated;
2. That there be discussion between the staff, Fire Department and the applicant to satisfy the canopy issues;

Mr. Shanahan seconded.

Voted 5-0

Mr. Wood called a recess at 9:30 P. M.; the meeting resumed at 9:40 P. M. Mr. Wood noted that Items 13 and 15 had been tabled at the request of the applicants and, because of the 10:30 cutoff, he doubted Items 14 and 16 would be heard.

9. Royal Ridge Business Suites, Hyman Scarborough Development requests site plan and subdivision approval for 4 lots on Royal Ridge Road

Mr. Ziepniewski noted that there were memos from Mr. Bacon, dated December 5, 2005, Mr. Tubbs, dated December 12, 2005, and a draft memo from Mr. Bray, dated December 12, 2005.

Mr. Andrew Johnston, of St. Germaine Associates, stated that they had their DEP permits, approval from the Scarborough Sanitary District and they had had a productive meeting the DOT and their traffic movement permit was pending. Mr. Johnston showed changes on the plan and stated that the intersection into the rear lots had been changed to a T-turnaround. He stated that they had talked with the Public Works Director and would expose the ditch at the front of the site and would take out the pipe. He stated that they had provided an easement for future connection to the bank property to the south.

Mr. Johnston stated that a phasing plan had been submitted and they had an agreement with the Public Works Director for maintenance of paving for Royal Ridge Road and would make a contribution for that work. He stated that they were comfortable with all the comments other than the per trip fee for movements; he stated that they had agreed to pay the Payne Road impact fee but would like to pay it at issuance of the Certificate of Occupancy rather than when the building permit was issued because there would be no extra traffic until the building was occupied. Mr. Johnston stated that they had resolved all the issues raised by Mr. Tubbs.

Mr. Michael Richmond, of Hyman Development, displayed the signs and stated that they would like to use a campus primary sign for the rear access; he stated that the sign would be nine feet high and 45 square feet. He stated that they would like a campus sign at each entrance because of the length of Royal Ridge Road. Mr. Richmond stated that this would be a pedestrian-friendly site and to minimize confusion, they wanted to rely on good signage. He stated that they had mimicked the tree line for the adjacent Carpet Barn.

To a question from Mr. Hanson, Mr. Johnston replied that the heights of the light poles varied from 20 to 25 feet at the entrances and 14 to 16 feet in the parking areas. Mr. Wood stated that the applicant had presented a good package. To a question from Ms. Auglis, Mr. Richmond replied that they were not interested in combining their sign with the church sign. Ms. Auglis stated that she would like to see this as much like a boulevard as possible and the church sign did not add to that. Mr. Richmond stated that they would like to light the signs from the ground with no internal lighting; he stated that Sign C was wooden with guide wires. Ms. Auglis asked whether there would be a berm at Route One to block the view of cars, Mr. Johnston replied that they were trying to squeeze the sidewalk easement and the ditch along Route One and a berm would erode into the ditch.

To a question from Mr. Hanson, Mr. Richmond replied that they had designed the walkways with archways to invite pedestrians to walk along the site. To a question from Mr. Callahan, Mr. Richmond replied that there would be security lights around the buildings but the other lighting would have downward fixtures and would be on timers so would not shine to the residential neighborhood. Mr. Johnston noted the lighting study. To a question from Mr. Callahan, Mr. Johnston replied that it did not make a lot of sense to move the traffic light as concluded at the recent DOT meeting.

Mr. Wood stated that the plan was very attractive; he asked about wooden boardwalks. Mr. Richmond replied that the walkways would be different textures in different areas. Mr. Wood stated that he had no concerns with two campus signs. Mr. Ziepniewski quoted the ordinance and stated that there was no option for the Board to allow the traffic impact fee to be paid at the time of occupancy and it must be paid with issuance of the building permit.

Mr. Gorrill stated that they had completed the traffic impact study and filed a movement permit application with the DOT; he stated that the DOT did not find that Royal Ridge Road warranted a traffic signal. Mr. Gorrill stated that Mr. Bray had concerns regarding a left turn lane into Royal Ridge Road and a right turn lane into the road. He stated that the traffic signal at Southgate Road was not warranted and had less traffic than Royal Ridge Road would with this project, but the DOT preferred to keep the signal at Southgate Road; he stated that the DOT was concerned about creating northbound stacking because of the crest in the road. Mr. Gorrill stated that the opportunity for interconnection with the bank and subsequent access with the South-gate intersection was shown. Mr. Gorrill stated that if a restaurant were to move to the site there would be issues with traffic as noted by Mr. Bacon, but if there were no restaurant the conditions would not be necessary. He noted that there was a suggestion that each tenant be checked for traffic use.

To a question from Mr. Wood, Mr. Richmond replied that the four phases of the project were designed so that each building could stand on its own. To a question from Mr. Wood, Mr. Bacon replied that a restaurant or other high traffic tenant would warrant a right turn into the site or a left turn lane. He stated that the applicant indicated there may be office space, rather than a restaurant, which may not need a DOT permit and improvements may not be necessary until tenants were found. He stated that when a building permit was applied for, the Code Enforcement Office would submit traffic information to Mr. Bray for review and a tally would be kept and, until 100 peak trips were generated, a right turn lane would not have to be built.

Mr. Gorrill stated that no one felt it was a good idea to create a center left turn lane in this location, but agreed to consider a delta island to prevent left turns so there would be a right turn in and a right turn out. Mr. Bacon stated that the DOT did not want to saddle this development with all the changes but a contribution may be in order. Mr. Wood noted that if the signal worked differently, it could slow down the traffic or the speed limit could be lowered to 35 MPH.

To a question from Mr. Shanahan, Mr. Johnston replied that they had submitted a phasing plan but would like to be flexible because they did not know what tenants would be first; he stated that the plan showed what had to be done before any structure could be built. Mr. Johnson stated that it was possible to put a restaurant in first but any further development would trigger the 100 peak hour count and require the turning lane. Mr. Bacon stated that the Payne Road impact fee was paid when building permits were issued and this contribution could also be considered at that time. Mr. Ziepniewski stated that a new traffic study could be requested for any new use.

Mr. Hanson stated that this was a nice project but a confusing traffic situation. Ms. Auglis stated that the traffic issues being done in phases did not worry her because by the time the peak hour traffic reached 100 trips, other projects would on Route One to share the responsibility of the traffic improvements. Ms. Auglis suggested that the Board approve the project with phasing in of traffic improvements and the specifics of the conditions to be discussed by the engineers and staff and that the final traffic improvements come back to the Board. Mr. Gorrill stated that they could get the specifics done within a matter of weeks and return to the Board. The Board agreed to table the request to the next meeting for submittal of traffic improvements.

Mr. Wood moved to table the item pending further refinement of the conditions regarding traffic concerns; Ms. Auglis seconded.

Voted 5-0 to table

Because of the late hour, Items 10 through 16 were tabled until the January 9, 2006 meeting.

17. Town Planner's Report

Mr. Ziepniewski stated that Mr. Mike Payeur had submitted a sketch of the sign he would like to erect at Bonney Grove Subdivision which was similar to his sign at Scottow Hill Woods. The Board had no

problems with the sign.

18. Correspondence

Mr. Ziepniewski noted that there was a memo from him and Mr. Bacon suggesting that the Planning Board agendas have small items early in the meeting.

19. Planning Board Comments

There were no comments.

20. Adjournment

The meeting was adjourned at 11:00 P. M.