

Planning Board Minutes
January 5, 2005
7:00 p.m.

Public hearing - Duane Morin - Free Baptist Church Map 7 Lot 70

Vice Chairman, Kurt Clason, called the Public Hearing to order at 7:00 p.m. Attendance from the board is as follows, Roland Denby, and Everett Whitten. Tim Nelson, Teresa Lowell and Jonathan Raymond are absent. Kurt announces that the chair, Sue Dunlap is next door at a Hiring Board Meeting but will be joining the meeting later

Duane Morin, representing the Church introduces himself and describes the project. The proposed church will be a 10,000 square foot building that will accommodate approx. 230 people. The proposed church will have a fellowship hall, a section for Sunday school classrooms and a serving kitchen.

The applicant states that the field the church is to be located in is currently hayed every year and will continue to be used for that purpose.

The applicant explains that there will be separate entrance and exits into the church with the church itself located 200 feet back from the road. There will be 52 parking spaces with additional area for parking on grassy areas if the need arises. The parking lot will be a gravel lot and there will be a detention pond installed to prevent stormwater runoff from leaving the site.

Mr. Morin states that the well has been determined to be a community well and therefore needs to be located 300 feet from the septic system. The original location of the well has been moved to reflect this requirement.

Kurt states that at the sitewalk the board confirmed that neither the entrance nor the exit to the church would line up with the abutters driveway across the street.

Mr. Morin states that the pack lights that will be mounted on the church will be shielded to contain any light on the property. The applicant states that the width of Route 5 had been added to the plan as suggested by Sebago Tech and that Sebago Tech has concurred that the request for a waiver for the Hydro study is appropriate. Mr. Morin states that if necessary, 8 additional parking spaces could be added. Kurt feels that the parking proposed will be adequate.

The applicant states that he will be submitting a height modification request in writing, as the steeple will over the 35 foot limit on the allowed height by the town. The applicant further states that Sebago Tech would prefer to see the parking lot paved. Due to financial

reason, this is not possible at this time but cement curb stops will be used to define the parking spaces.

The applicant feels that all of the issues that Sebago Tech noted have been adequately addressed.

Before ending the public hearing, Kurt asks if there are any questions from the members of the public that are present. There are no comments from the public and the public hearing closes at 7:20 p.m.

Sue returns from the Hiring Board meeting and opens the regular meeting at 7:30 p.m.

II. APPOINTMENTS

Bonnie and David Wickham - Request for screening at Sully's Restaurant Bonnie and David Wickham state that the headlights from the restaurants parking lot are currently shining right into their house. Bonnie reads from Article 5 of the Zoning Ordinance. She would like clarification as to why Sully's Restaurant does not need to meet the requirements put forth in this section.

Sue informs the applicant that the Planning Board only has the authority to enforce these requirements in the case where they are reviewing a site plan or a conditional use. Sue further states that the board has no authority to enforce requirements for site plan when one is not required. This building had a previous business that was a permitted use. When Sully's opened it was also a permitted use, therefore no review was required.

Sue reads Section 5 of the Ordinance and discusses the possibility that the Code Enforcement Officer might have the authority to enforce this section. The wording of this section is vague and Patti Berry states that this section implies that the planning board has authority in this case.

Sue Dunlap states that for the record it should be known that several of the members of the Planning Board have eaten at Sully's Restaurant, but feel that this causes no bias on the part of the board.

An abutter asks if the restaurant increases its water usage would that trigger a requirement for site plan review. Patti states that is unclear but that the restaurant currently is close to the maximum water use amount before requiring site plan review.

Sue feels there must be some way to work things out in this area. The board reviews pictures that the applicant has supplied of the parking area in reference to its location to her deck and yard.

Again Sue states that while it is out of the ordinary, she feels the Board might try to be of

help in suggesting an amicable solution to this problem. Sue suggest the board send Jane Harriman, the owner of Sully's Restaurant, a letter requesting that she voluntarily construct a stockade type fence to shield the Wickham's yard from headlights.

Kurt motions to have the planning board secretary draft a letter requesting that the owner of Sully's Restaurant voluntarily construct a stockade type fence of suitable height to block headlights from the parking lot from going onto the Wickham's property. Everett seconds and the motion carries with a unanimous vote in favor. It is noted that the Planning Board Chair, Sue Dunlap voted in this matter in order to have a voting quorum.

Harold Blake request for subdivision amendment on Map 4 Lot 6 Mr. Blake introduces himself to the board and the board reviews the revised subdivision plans that Mr. Blake has provided for the board. Sue states that she believes Mr. Blake is required to get approval from everyone in the subdivision. The board reviews the original subdivision plan. Patti Berry states that the section that required "interested parties" to be notified does not mean everyone in the subdivision. Patti feels that interested parties means people in the subdivision that own common land, have a shared road maintenance agreement or something similar.

The board reviews various different copies of subdivision plans from the original file. There appears to be a discrepancy in the date on the revised plan. The date printed on the revised plan does not reflect the date on the signed plan on file. The new plan needs reference the recorded plan. The applicant first needs to determine which plan is the correct and recorded plan. The applicant is also directed that he needs to show the whole subdivision on the new amended plan.

SAD 57 Final Plan Review for Massabesic Middle School Sue states that the traffic study has been sent to peer review and the peer reviewer has provided comments. Sue states that the applicant has run the higher numbers provided by Gorrill-Palmer but that has not changed the original conclusions.

Sue states that she is concerned that the left turn bypass lane, located on Main Street turning onto Old Alfred Road, will not be long enough. The applicant answers that it is anticipated to be with the proper signage. The anticipated stacking of vehicles at that intersection for vehicles turning left coming off the Old Alfred Road is anticipated to be 9-10 cars at peak times. Peer review suspects that this stacking may be due on part to left turners (19 at peak hour) exiting Old Alfred Road delaying the right turning traffic (441 in the peak hour). Peer review suggests the Old Alfred Road approach be flared/widened enough to allow the right turning traffic to get past a single left turning vehicle. The applicant states that the cost of such a project is not something the building budget can afford.

The applicant states that the School cant be held responsible for remedying an already existing condition such as at this intersection. The applicant states that according to their

figures the school will not be significantly contributing to this already existing condition. Sue would like to state for the record that cost should not and will not be a factor when it comes to safety issues if indeed there was proof that the school was contributing to the problem. The applicant states that the figures are close to the same and that the addition of the new school will not be changing the level of service at this intersection

The original traffic study indicated that dedicated turn lanes into the school at both entrances were recommended. The peer reviewer feels that these dedicated turn lanes would only create more crash concerns. Kurt also feels that the dedicated turn lanes would create more problems, as vehicles pulling out of the school would have no visibility if there were a vehicle turning in and another vehicle continuing straight. Also discussed is the possibility of traffic backing up if there is no bypass lane. The pro's and con's of both scenarios are discussed. The board also discusses the possibility of putting in the bypass lanes now, and if after a period of time they appear to be creating more of a problem, remove them at that point. The board also inquires as to whether the school might be willing to add them at a later date if it appears there is a need for them. The applicant suggest that putting them in now would be more practical. The applicant states that it takes approximately 5 years to determine if there is a problem. The board feels if there is a problem it should be evident fairly quickly.

The board reviews all the other outstanding issues with the peer review and determines that all other issues have been adequately addressed.

Sue motions to approve the site plan as presented with the condition that an accident assessment be done 2 years after the opening of the school, with the appropriate corrective action taken if any is needed. Everett seconds and the motion carries with a unanimous vote. Sue Dunlap is voting tonight so there is a quorum vote. Sue states for the record that the plan will still also need to be signed

III. MINUTES OF PREVIOUS MEETING

None approved

IV. REPORT OF OFFICERS

V. OLD BUSINESS

VI. COMMUNICATION

The board reviews a letter from Henry Holmes requesting to change the age restriction on his 2 approved projects, River Bend and Sokokis Gardens, to either 55 years or 62 years at their option. The board feels that this should be a request for an ordinance change, as they have no authority to grant one person permission to deviate from the ordinance. The board discusses the fact that the ordinance was just changed from age 55 to age 62. Patti states that the original change to this applicable section of the Growth Ordinance was to

clarify that this age restriction exemption was not for single lots, but for subdivisions that were approved with an age restriction. The board states that there were other reasons for changing the age but they are willing to re-examine this issue

VII. MISCELLANEOUS

VIII. NEW BUSINESS

IX. ADJOURNMENT

Everett made the motion at 10:15 p.m. to continue this meeting to Monday, January 10 at 7:00 p.m. Roland seconded and the motion passed with a unanimous vote in favor.

Approved Date: _____
