

Mr. Decker said that an appropriate buffer could be put in place.

Public comment: NONE

Motion by Mr. Neagle to grant the requested waiver of 206.7.3.5.
Seconded by Mr. Richards.

VOTE: UNANIMOUS

Motion by Mr. Richards to forego the reading of the findings.
Seconded by Mr. Ferland

VOTE: 4 In Favor, 3 Opposed. Motion passed.

Motion by Mr. Neagle to adopt the findings under the Site Plan Review Ordinance and under the Route 100 Design Standards, as proposed by the Town Planner.
Seconded by Mr. Richards.

VOTE: UNANIMOUS

Motion by Mr. Neagle to approve the project under the Site Plan Review Ordinance and under the Route 100 Design Standards, with the standard condition of approval on page 29, with the condition of approval on page 30 that,

- 1) All fees be paid as part of the building permit,
- 2) That the applicant executes a 25' landscape easement with the Town in accordance with the notes in the plan to include curbing and esplanade, sidewalk, lighting and a bench.
- 3) The Town must submit plans for development of the 25' easement area for the Planning Board for approval
- 4) The porch railings are designed to include vertical slats to be more consistent with traditional New England architecture.

Seconded by Ms. Russell.

Comment:

Mr. Coulliard requested that a requirement be added to include a fence or buffer between this building and the Willis property, and he feels that a condition of approval for the Town easement should not be a condition added to this project approval.

Mr. Neagle agreed and amended the third condition of the previous motion to read:

- 3) The Town must submit plans for development of the 25' easement area for the Planning Board for approval prior to development of the easement, but this condition shall not prevent the applicant from proceeding with the rest of the project.

An MDOT Traffic Movement Permit has not yet been issued. It is expected in a few weeks. This is a condition of approval.

The applicant shall be responsible for the construction of a left-turn lane on Main Street at Farwell Avenue if the results of a traffic monitoring study warrants the need. The warrant study shall comprise of conducting a delay and vehicle queue study for the southbound Main Street approach during the weekday PM peak hour and the Saturday peak hour periods three years following project occupancy. This is a condition of approval.

With the two conditions of approval, the Board finds the standards of this section have been met.

.3 Accessway Location and Spacing

Accessways must meet the following standards:

- .1 Private entrance / exits must be located at least fifty (50) feet from the closest unsignalized intersection and one hundred fifty (150) feet from the closest signalized intersection, as measured from the point of tangency for the corner to the point of tangency for the accessway. This requirement may be reduced if the shape of the site does not allow conformance with this standard.
- .2 Private accessways in or out of a development must be separated by a minimum of seventy-five (75) feet where possible.

While Section 206.8.3.1 requires that private egress/exits be located at least 50' from the closest unsignalized intersection, the requirement may be reduced if the shape of the site does not allow for conformance with that section. The site plan shows a 42' separation distance between the Farwell/Main St. intersection and the new exit from the site. The applicant has requested a determination.

The Town's peer review traffic engineer provided a review dated 1/19/09 that indicates the traffic operations analysis is acceptable.

With the approval of the determination under Section 206.8.3.1 the Board finds the standards of this section have been met.

.4 Internal Vehicular Circulation

The layout of the site must provide for the safe movement of passenger, service, and emergency vehicles through the site.

- .1 Projects that will be served by delivery vehicles must provide a clear route for such vehicles with appropriate geometric design to allow turning and backing.

stormwater discharges into a gravel aquifer area or other water supply source, or a great pond.

The stormwater management plan shows a portion of the stormwater will run off site in similar pre-development patterns. This will be supplemented by an on-site infiltration system.

The stormwater management plan has been reviewed and approved by the town engineer.

The Board finds the standards of this section have been met.

.8 Erosion Control

- .1 All building, site, and roadway designs and layouts must harmonize with existing topography and conserve desirable natural surroundings to the fullest extent possible, such that filling, excavation and earth moving activity must be kept to a minimum. Parking lots on sloped sites must be terraced to avoid undue cut and fill, and / or the need for retaining walls. Natural vegetation must be preserved and protected wherever possible.
- .2 Soil erosion and sedimentation of watercourses and water bodies must be minimized by an active program meeting the requirements of the Maine Erosion and Sediment Control Handbook for Construction: Best Management Practices, dated March 1991, and as amended from time to time.

The erosion and sedimentation control plan has been reviewed and approved by the Town Engineer.

The Board finds the standards of this section have been met.

.9 Water Supply Provisions

The development must be provided with a system of water supply that provides each use with an adequate supply of water. If the project is to be served by a public water supply, the applicant must secure and submit a written statement from the supplier that the proposed water supply system conforms with its design and construction standards, will not result in an undue burden on the source of distribution system, and will be installed in a manner adequate to provide needed domestic and fire protection flows.

There is a letter dated 3/18/09 from the Portland Water District indicating capacity to serve.

proposed design of the site, timing of construction, and limiting the extent of excavation.

The site has been fully developed and no portion of the site has been identified as containing historic or archaeological resources.

The Board finds the standards of this section have been met.

.16 Floodplain Management

If any portion of the site is located within a special flood hazard area as identified by the Federal Emergency Management Agency, all use and development of that portion of the site must be consistent with the Town's Floodplain management provisions.

The parcel is located in Zone C – Area of minimal flooding – on FEMA Flood Map 230162 0015 B.

The Board finds the standards of this section have been met.

.17 Exterior Lighting

The proposed development must have adequate exterior lighting to provide for its safe use during nighttime hours, if such use is contemplated. All exterior lighting must be designed and shielded to avoid undue glare, adverse impact on neighboring properties and rights - of way, and the unnecessary lighting of the night sky.

The applicant submitted an acceptable photometric plan. The exterior lighting will be reduced after 9:00 p.m.

The Board finds the standards of this section have been met.

.18 Buffering of Adjacent Uses

The development must provide for the buffering of adjacent uses where there is a transition from one type of use to another use and for the screening of mechanical equipment and service and storage areas. The buffer may be provided by distance, landscaping, fencing, changes in grade, and / or a combination of these or other techniques.

A landscaping plan designed by Peter Biegel, Licensed Landscape Architect, has been submitted, and reviewed by the Town Engineer and Planner. The plan shows proposed plantings and a fence that will buffer the driveway from the northerly abutting property. Evergreen plantings are proposed along the boundary with the cemetery and to the rear of the property.

There will be no dumpster on site; trash will be stored in a proposed shed.

The Board finds the standards of this section have been met.

A landscaping plan designed by Peter Biegel, Licensed Landscape Architect, has been submitted, and reviewed by the Town Engineer and Planner. The plan shows plantings and a 4' -5' high fence to that will buffer the driveway from the northerly abutter. Evergreen plantings are proposed along the boundary with the cemetery and to the rear of the property.

The plan provides for street trees along Main Street and Farwell Avenue and depicts public seating/gathering areas along Main Street and Farwell Avenue.

The Board finds the standards of this section have been met.

.22 Building and Parking Placement

- .1 The site design should avoid creating a building surrounded by a parking lot. Parking should be to the side and preferably in the back. In rural, uncongested areas buildings should be set well back from the road so as to conform with the rural character of the area. If the parking is in front, a generous, landscaped buffer between road and parking lot is to be provided. Unused areas should be kept natural, as field, forest, wetland, etc.
- .2 Where two or more buildings are proposed, the buildings should be grouped and linked with sidewalks; tree planting should be used to provide shade and break up the scale of the site. Parking areas should be separated from the building by a minimum of five (5) to ten (10) feet. Plantings should be provided along the building edge, particularly where building facades consist of long or unbroken walls.

Parking will be located to the rear of the building. The building was sited so as to be of a similar setback as the existing buildings on abutting properties. Unused areas will be lawn, street trees, shrubs, and flower beds.

The Board finds the standards of this section have been met.

.23 Fire Protection

The site design must comply with the Fire Protection Ordinance. The Fire Chief shall issue the applicant a "Certificate of Compliance" once the applicant has met the design requirement of the Town's Fire Protection Ordinance.

The design of the building and site will comply with all applicable local, state and federal codes.

The Board finds the standards of this section have been met.

.24 Aquifer Protection

6. The applicant shall be responsible for the construction of a left-turn lane on Main Street at Farwell Avenue if the result of a traffic monitoring study warrants the need. The warrant study shall comprise of conducting a delay and vehicle queue study for the southbound Main Street approach during the weekday PM peak hour and the Saturday peak hour periods three years following project occupancy.
7. That the applicant purchase the two sewer user permits as required by the town.
8. That the applicant submits notice of demolition to the town and to Maine DEP.
9. That a town easement be provided for the use of the patio and seating area by town residents.
10. That the agreement with the Tardiff's be followed by the applicant as shown on slide presentation by Mr. Long:

Abutter meeting with Michael Tardiff, July 15, 2009

Objectives: To review site plan with abutter

Agreement with abutter:

- Agreed to allow resident to utilize land to garden
- Agreed to allow resident to select fencing

11. That the agreement between the Baca's & Gattine's be followed by the applicant as shown on slide presentation by Mr. Long:

Abutters Meeting – Melissa Gattine and Andrew Baca, July 15, 2009

Objectives: To review site plan with abutters

Agreement with abutters:

- Illustrated new sidewalk on Farwell Avenue. Credit Union agreed to build up side of new sidewalk along property so as to protect it from pedestrian traffic
- Credit Union agreed to request that the Town install a “no Parking Here to Corner” sign from the corner of Main Street along Farwell to just before the second utility pole near the post office
- Acknowledged that there will be free standing signage only which will not be backlit and the proposed lighting will be accomplished using “gooseneck”, downward-facing fixtures
- Agreed to install ATM machine utilizing laser printing rather than impact printing and silent key pad to minimize noise.
- Indicated that lighting will comply with all dark sky standards and will provide no photo trespass. Evening hour lighting will be reduced

Action: Agreement to be drafted to dismiss lawsuit

12. That the 34' oak tree near Main Street be preserved and replaced if necessary.
13. That the applicant be encouraged to use traditional building materials in the construction of the building.

Mr. Vail seconded.

VOTE: UNANIMOUS

F. Administrative Matters:

Ms. Nixon reminded the Board that there is a workshop with the Town Council to review the Comprehensive Plan on Monday, July 27th @ 5:00 p.m.

G. Adjournment:

Motion to adjourn by Mr. Ferland.

Ms. Russell seconded.

VOTE: UNANIMOUS

Meeting adjourned at 10:19 p.m.