

**PLANNING BOARD MEETING
TOWN OF CUMBERLAND
Cumberland Town Hall
290 Tuttle Road, Cumberland, Maine 04021
Tuesday, November 19, 2013
7:00 p.m.**

A. *Call to Order:* The meeting was called to order at 7:00 p.m.

Mr. Neagle noted for the public record that the Planning Board attended a training session with the Town Attorney, Natalie Burns at 6:00 p.m. prior to the Planning Board meeting.

B. *Roll Call:*

Present: Chris Neagle, Chair, John Ferland, Vice-Chair, Teri Maloney-Kelly, Gerry Boivin, Josh Saunders, Peter Sherr, Jeff Davis

Absent: *None*

Staff: Carla Nixon, Town Planner, Pam Bosarge, Administrative Assistant

C. *Approval of Minutes of the October 15, 2013 meeting*

Mr. Ferland moved to approve the minutes of October 15, 2013.

Mr. Sherr seconded.

VOTE: Unanimous 7-0

D. *Staff Site Plan Approvals:*

1. Cumberland Congregational Church – 538 sq. ft. parking and driveway expansion.

Ms. Nixon reviewed the change to the parking at the Congregational Church, reviewing the sketch showing the area of parking. This additional parking was needed due to vehicles driving and backing on these small areas.

2. Maine Standards requested an amendment to the site plan to add a shed for storage of outdoor tools such as shovels etc. The Board was e-mailed the notice of this approval.

E. Minor Change Approvals: Cumberland Animal Clinic requested a change in sign orientation. This was requested due to the location of the building and visibility of the sign.

F. Hearings and Presentations: Public Hearing: Major Site Plan Review for Friend's School for a 15,000 sq. ft. (footprint) school building at 11 US Route One, Tax Assessor Map R01, Lot 10 in the Low Density Residential (LDR) district; Friend's School of Portland, Owner; Steve G. Blais, P.E., Blais Civil Engineers, Representative.

Ms. Nixon presented background information as follows: This is the second appearance before the Board; last December the applicant presented a sketch plan. The plan has been redesigned from the sketch plan concept. DOT & DEP approvals are pending and approval is expected next month. The applicant is addressing outstanding issues and peer review comments. The application is expected to be ready for final approval at the next Planning Board meeting.

Mr. Neagle stated he preferred the smaller 11" x 17" ledger size plans.

Mr. Sherr agreed and appreciated receiving electronic copies.

Ms. Jenny Rowe, Head of School for the Friends School stated Cumberland has been great to work with and they are very pleased with their choice of location and community. She provided background stating the Friend's School is a Pre-K – 8 school and current enrollment is 91 students. The curriculum is based on Quaker fundamentals, peace, harmony etc. They have been located on Mackworth Island since inception; their lease expired and they are thrilled to have twenty one acres in Cumberland. The students have already had field trips and projects located on the lot. Ms. Rowe stated their capital campaign is underway and they are half way to their goal of \$2.7 million. The school intends to finance \$2.8 million from a lending institution. They have met with TD Bank, Bangor Savings Bank, and Gorham Savings Bank and are waiting for letters of commitment. With the guidance of TD Bank and bond counsel Jim Saffian of Pierce Atwood, they are completing the Municipal Securities Approval Program application through the Finance Authority of Maine, hoping to qualify for a tax-exempt bond loan for the project. An appraisal has been ordered to be completed by November 21; they believe they will have letters of commitment in the next two weeks from at least two of the banks.

Ms. Steve Blais, P.E. of Blais Civil Engineers, Representative, stated he was present with Phil Kaplan of Kaplan Architects, and Jennifer Ladd; and reviewed the project as follows:

The applicant was before the Planning Board for a sketch plan review in December of 2012, since that plan we have re-designed and re-located the building to a 13,000 sq. ft. (foot print) building. The project will consist of sixteen (16) developed acres with five acres of parking and playing fields. There is potential for Phase 2 which would include a gymnasium addition and playing fields 2 & 3.

Mr. Neagle asked if it was the applicant's intent to receive approval for Phase II at this time.

Mr. Blais stated yes; Phase I will consist of the driveway with a turning circle and drop off parking trays off the loop. Playfield # 1 will be elevated to the second level of the building; the access bridge to this field has already been constructed. The pavement will end at the basketball court and there will be gravel topped by loam and seed grass up to the play fields. These fields will only be used when the snow melts, with mostly foot traffic; there will be vehicle access for maintenance or aeration of the fields. The site has been designed to minimize wetland impact; there will be 1500 sq. ft. of wetland impact. The applicant has applied for DEP permits for stormwater and a (NRPA) permit; the site has 1.2 acres of impervious area. The applicant is adjusting the plan based on final comments from the DEP and the Town's peer review engineer.

Mr. Blais continued with highlights of outstanding issues and staff review comments:

- A 75' stream buffer is required in Maine; designing the building closer to Route One is a tighter area and requires us to cut within the 75' buffer to allow for solar energy. The building is striving to be energy zero building.
- Lighting: a photometric plan will be provided.
- DOT: wants more information regarding a turning lane; Bill Bray, the traffic engineer has stated it is not warranted for this project. The DOT has requested a 100 watt light be provided at the entrance for safety; and has required two school ahead zone signs be placed on Route One.
- Landscaping Plan: A formal plan has not been drafted; the desire of the applicant is to preserve natural buffering; but we want to satisfy town requirements and will provide more detail.
- Blasting: We have conducted some borings and probing; there is ledge across the street and we think our blasting will be limited. We will provide a blasting plan as required by the Town to prohibit neighbor disturbance.
- Parking: regarding the assembly area, the design is for sixty (60) parking areas which the school feels is adequate based on the current need for the school. The town's peer review engineer has

asked for per seat parking design based on ordinance requirements. We feel the current parking is adequate for the site

Mr. Neagle stated the Town Ordinance does have requirements for parking; and the applicant may want to consider grass road parking for Phase II.

Mr. Blais continued to review comments as follows:

- Building Height: The building will be 37'10" tall; Mr. Blais thanked the Town for their help with amending the Ordinance to allow for a 40' tall building.
- Delivery Vehicles: The school will not provide a cafeteria service; there will be no need for a food delivery trucks.
- Fire Protection: The access is adequate for fire protection vehicles and Chief Small has requested an additional fire hydrant. The truck turning exhibit is an 11" x 17" plan.
- Utilities will be underground to the site.
- Stormwater: There is a large rain garden at the center that treats all the water from the circle and the roof; underground sand treatments will be used for stormwater. The fields will be treated with natural wood buffers. The wood buffers will be marked with no cut areas. In some instances we have level spreaders to allow for sheet flow treatment.
- Storage Shed: will be added to the final plan for storage of playground equipment in the vicinity of Play Area # 3.

Mr. Neagle asked the Board for any comments or questions; stating this meeting is technically a sketch plan (for the newer members) this is a different plan than was presented last time.

Mr. Sherr stated he really likes the project this is a great application for this area of Route One. He asked if this building would be LEED certified.

Mr. Phil Kaplan of Kaplan Thompson Architects stated the school has chosen not pursue LEED certification for a number of reasons, one is we are looking for a net zero energy which is potentially a passive house certification and both of those are considered more aggressive. This project will meet all of the LEED qualifications and has opted for a net zero energy designation.

Mr. Sherr stated there have been some comments about parking and he stated he thought the basketball court could be used for overflow parking. In the sketch plan review there were comments from the public regarding buffering and visibility from the condos. Mr. Sherr stated it will be advantageous to provide a landscape or buffering plan at final submittal. Mr. Sherr also stated he thought a site walk would be helpful for the Board.

Mr. Neagle agreed they would like a site walk within the next month.

Mr. Ferland asked for clarification in Phase II the field in the bottom corner of the plan shows a building setback; is there a plan to place a building in that area.

Mr. Blais stated they have shown the building setback envelope around the entire property. The setback would apply for the future shed that will be placed on the final plan. The shed will be nestled into the trees and if necessary evergreens will be added for buffering.

Mr. Ferland continued stating opposite that is the little arm that goes down to the drainage area, is that simply showing the decline for the drainage.

Mr. Blais stated they have graded a swale along the field to capture the drainage and direct it down a shoot if you will to the clear area; at the bottom there is a level spreader at the bottom which is basically a bathtub on its side which allows the water to sheet flow to the wooded buffer.

Mr. Ferland stated this question speaks to utilization of the site during the winter is there a snow removal or storage plan.

Mr. Blais stated the plan has hatched areas as designated snow storage areas, we think it is adequate. There will be some snowbanks.

Mr. Ferland asked if there was anything specific required by DEP in handling of snow due to the streams on the property.

Mr. Blas stated Bill Bullard the project manager at DEP encouraged them to not push snow into the soil filter. DEP is reviewing the plan; we feel the storage will be adequate.

Mr. Ferland asked about the capacity of parking, the building and identified hours of operation are all in relation to the school; is the school leased to outside groups and would that have an impact on how the site is used.

Ms. Rowe, Head of School stated we haven't been able to lease out any space in the current location; we have thought at some point we may want to allow community groups to use the gym or meeting room. We are an 8:00 to 3:00 school and we have a summer program for our students. At this time there are no plans to lease out the facility.

Mr. Ferland thanked them for the presentation and stated it has been interesting to see how the thinking has evolved and how you are handling all the elements of this site to match your philosophy and to also meet state and local regulations. I look forward to the site walk.

Mr. Boivin asked about the electrical transformer on the back side of the building and asked if there would be some protective measure around the pad mount, some bollards or such.

Mr. Blais answered absolutely; we will add that to the plan.

Mr. Boivin asked if the ball fields were future and asked if there would be a lighting plan incorporated into the final submission.

Mr. Blais stated yes, they wanted to gather any comments from tonight, they have staff and peer review comments and are working to address DEP comments. The lighting plan is completed.

Mr. Boivin stated what would be used for mechanical systems; there are photoelectric cells and asked what else would be used.

Mr. Phil Kaplan stated essentially this will be an all-electric building; the heat will be provided by air source heat pumps. There will be energy recovery vents (ERVs) with ventilators throughout the building. The building will have 35KW of solar panels on the roof; which should be enough to reach net zero energy. The design is to produce as much energy as it consumes annually. There will be no fossil fuels used within the entire building.

Mr. Sherr asked if there would be any backup systems.

Mr. Kaplan stated there will only be electricity.

Mr. Boivin asked if there would be a storage room with batteries.

Mr. Kaplan stated this building will not be off the grid; it will either sell back to the grid or consume the energy.

Ms. Nixon stated regarding the parking the Board recommended a change to the zoning ordinance which states: Off-street parking spaces shall be provided in accordance with the specifications except as otherwise approved by the Planning Board under Chapter 229. The Board has the ability to look at this and if it is determined the harm to the site outweighs the need for parking, a waiver could be granted.

Mr. Neagle stated he was slightly incorrect when stating the Board had limited power to change parking; it is his opinion that parking is a variable he would need to be persuaded of the reason; there are standards for one car for every seat in a stadium.

Mr. Neagle stated landscaping serves a lot of functions such as buffering from the neighbors; he thinks the area is pretty dense, he would like to see a landscaping plan as it relates to the beautification of the campus.

The public portion of the meeting was opened. There were no public comments. The public portion of the meeting was closed.

Mr. Neagle agreed this is a great project and he appreciates the environmental efforts on the plan.

Mr. Blais stated they met with DEP two or three times to resolve questions and comments.

Mr. Sherr moved to table the application until the December meeting.

Mr. Boivin seconded.

VOTE: Unanimous 7 – 0

The Board set the date of December 7, 2013 at 8:00 a.m. for the site walk.

Mr. Neagle stated the Board will be encouraged to stay together as a group during the site visit.

Ms. Nixon asked the applicant to call or e-mail her regarding the site walk.

G. Administrative Matters: none

F. Adjournment: Mr. Neagle adjourned the meeting at 7:55 p.m.

A TRUE COPY ATTEST:

Christopher S. Neagle, Board Chair

Pam Bosarge, Board Clerk