

**BRUNSWICK PLANNING BOARD
SEPTEMBER 25, 2012**

MEMBERS PRESENT: Chairman Charlie Frizzle, Vice Chair Margaret Wilson, Dann Lewis, Jeff Peters, Dana Totman, Richard Visser and Steve Walker

STAFF PRESENT: Anna Breinich

A meeting of the Brunswick Planning Board was held on Tuesday September 25, 2012 at the Municipal Meeting Facility at Brunswick Station, 16 Station Ave. Chairman Charlie Frizzle called the meeting to order at 7:00 P.M.

Case Number: : 12-030 Brunswick Police Station: The Board will review and take action on a **Final Plan** application submitted by the Town of Brunswick to construct a police station at 1 & 3 Stanwood Street and 81 & 85 Pleasant St (**Assessor's Map U15, Lots 74,75,76,77**) in the **Town Residential 1 Zoning District.**

Anna Breinich stated that this is a Final Plan for a police station to be constructed at the corners of Stanwood and Pleasant Streets. She stated that the Board had a joint workshop with the Village Review Board and since that time, the Village Review Board has issued a Certificate of Appropriateness for the design.

Brett Donhm, of Donham and Sweeney Architects, stated that the plan is essentially the same since their last meeting. Brett presented views of what the police station is proposed to look like from Stanwood and Pleasant Streets and reviewed the proposed site plan and cross section. Brett stated that the stimulus for the design was based on the other prominent buildings on Pleasant Street such as the Post Office and the Curtis Memorial Library. Brett stated that they are in full compliance with the zoning requirements and have submitted a stormwater management plan. Brett stated that they have porous paving and that the building does not have any gutters but noted that there is crushed stone going around the building to assist in drainage; there are catch basins and a hydro system for runoff before it enters the sewer system which has sufficient capacity to handle the building. Brett stated that they have submitted an erosion control plan with the application. Brett reviewed the site lighting and stated that it has been designed to not have any off-site casting and to shed all the light down. Brett pointed out that there was a condition that they provide an alternate photometric plan; the Town Engineer has since reviewed and given the approval of the alternate plan. The traffic study has determined that there is no adverse impact and that parking needs are spread out during the course of the day. The landscaping has conditions attached by the Town Arborist, Peter Baecher; the applicant is willing to work with Peter to address these conditions such as adding pruning of existing trees and protection of the trees before work is initiated on the site.

Charlie Frizzle asked if a decision had been made on whether or not the communications tower had to be part of the building or if it could stand alone as this was brought up in the Staff Review discussions. Brett Donham stated that it will be attached to the building as required by the zoning ordinance.

Richard Visser asked for clarification on the request made by the Town Engineer. Brett Donham explained that a photometric plan is how the foot candles fall on the site; the new submittal was approved.

Margaret Wilson asked if the traffic study was included in the packet. Charlie Frizzle replied that it was not but that he was comfortable since it is apparent that the Town Engineer has reviewed it and commented on it. Margaret asked if the traffic study was based on the new slip lane being added on Stanwood Street and Brett Donham replied that it was based on this change. Margaret asked if there was reference to the current letter grade on Stanwood Street and Pleasant Street and also if either letter grade will change once the building is completed. Anna Breinich replied that the level of service prior to the additional lane overall at this intersection is a Level F and remains at a Level F post development. Anna Breinich read a portion of the traffic study to the Board suggesting that traffic going into the police station enter and exits so that they are turning right.

Dana Totman asked if the Soil Survey was not applicable as noted on the application or is a waiver being requested. Anna Breinich replied that she believed it is a waiver being requested. Brett Donham replied that the reason they are asking for a waiver is because they will not have sewage disposal on site and will be using the Town's sewage system and because they have very good sand drainage. Brett replied that non applicability was an assumption on his part.

Jeff Peters asked if the police station was being designed for roughly double the size of the current police force. Brett replied that it was not; the projection was made for the potential needs over 25 years. He stated that a few of the offices have room for a second desk and there is room in the locker room for additional lockers. He stated that the design was based on his study and in working with the police department. Jeff asked if the traffic study took into consideration the projected impacts; Brett replied that the study was based on his projections with 15 to 20 officers. He stated that in the parking count which includes personal cars and cruisers was based on future expansions. Jeff clarified by stated that his concerns were not just parking but traffic going into and out of the department. Anna Breinich replied that the study was based on need to 2030.

Steve Walker asked if the issue with the abutter's driveway/right-of-way had been resolved. Brett Donham replied that it has been resolved by leaving the easement in place.

Chairman Charlie Frizzle opened the meeting to public comment. No public comments made; Chairman Charlie Frizzle closed the public comment.

Dana Totman agreed with Margaret Wilson's earlier concern that there was no traffic study included in the packet. Jeff Peters stated that given the volume of the packet and the importance of the site, he is disappointed that the traffic study was not included. Curt Neufeld replied that the application was submitted to Kris Hultgren who noted that the traffic study was missing; Curt added that copies of the traffic study were made but did not make it into the packet. Margaret stated that she does not want to hold this application up as this has been a long community process and the Town Engineer, John Foster, has reviewed the study. She stated that she is willing to move forward but reluctantly; Charlie Frizzle agreed. Town Manager, Gary Brown,

replied that he wants the Planning Board to be fully comfortable with their decision with no unanswered questions. Manager Brown asked staff if the only missing piece is the traffic study, when could this come back to the Board and would the architect need to be present? Manager Brown stated the Town Engineer could be present as well as Curt Neufeld to answer any questions. Anna Breinich stated that they could review the traffic study and come back on October 2, 2012 to make a motion on the Final Plan.

A decision was made amongst the Board to review the traffic study portion and table the motion for the Final Plan approval until their meeting of October 2, 2012.

**MOTION BY DANN LEWIS TO DEEM THE APPLICATION COMPLETE.
SECONDED BY STEVE WALKER, APPROVED UNANIMOUSLY.**

MOTION BY RICHARD VISSER TO APPROVE THE FOLLOWING WAIVERS:

1. Section 412.2.B.8 – Name, location and width of paving for proposed roads
2. Section 412.2.B.14 – Location of proposed cross section of sanitary sewers
3. Section 412.2.B.16 – Class A Soil Survey

SECONDED BY MARGARET WILSON, APPROVED UNANIMOUSLY.

Case Number 12-031 Brunswick Landing Subdivision: The Board will review and take action on a **Sketch Plan** application submitted by the Midcoast Regional Redevelopment Authority to create 43 lots at Brunswick Landing (**Assessor’s Map 40, Lot 2**) in the **BNAS Reuse Zoning District**.

Anna Breinich stated that this is a Sketch Plan for 43 lots. The proposed subdivision is coming about now for future redevelopment leasing or sales of any structures with land attached to it or vacant lots. Anna stated that there may be changes to the Final Plan after it is approved, but these will be part of the site plan reviews and to keep in mind that this is only the Sketch Plan. Anna stated that at the Final Plan, Midcoast Regional Redevelopment Authority (MRRA) will be requesting a waiver to the Town’s ordinance standard for metes and bounds survey for each individual lot. Anna has checked with the Town Attorney, Pat Scully, who has stated that this is not a state requirement; this can be done via GPS coordinates and at such time that it goes through the actual development this will be when each individual survey will be conducted. Charlie Frizzle clarified by saying that “for purpose of approving this Sketch Plan and the Final Subdivision Plan,” Mr. Scully has stated that the Board can rely on the GPS mapping coordinates. Charlie added that when individual lots within this subdivision come before the Board, or any other entity for review and approval, that will be when formal on the ground surveys will be conducted. Dana Totman, in reading Pat Scully’s letter to the Board, stated that he believes that the Board should make a motion to waive the normal metes and bounds to allow the GPS lot lines to be accepted; Anna Breinich and Charlie state that this does not need to be done for the Sketch Plan but can wait until the Final Plan. Margaret Wilson stated that Mr. Scully’s language is not that it would meet the requirements but that it could require it, it is not absolute. Anna replied that the Board could require it as a condition.

Steve Levesque, Executive Director of Midcoast Regional Redevelopment Authority, stated that in reference to the metes and bounds, it will be difficult to sell property without the metes and

bounds. He stated that they are fully prepared to meet the requirements. Steve stated that about five years ago they went through a robust planning process to develop the Master Reuse Plan for the base property. He stated that what they want to do is now implement that reuse plan and need to put lot lines around this property. Steve reviewed a map of the transfer property; one large parcel which is conveyed in pieces from the Navy. Steve handed out copies of the deed transfer for the Economic Development Conveyance (EDC) and stated that roughly 75% of the EDC piece has been conveyed. Steve stated that they have tried to memorialize what lots would have looked like had they been plotted using the existing buildings as guides.

Jan Wiegman, Engineer with Wright Pierce, stated the phase 1 subdivision consists of roughly 400 acres which have been broken down into zones for Professional Office, Community Mixed Use, Business Technologies and Industries and Recreation. Jan reviewed the proposed zoning map for the Master Reuse Plan and stated that they have made some adjustments to more closely reflect what the actual uses may be (please refer to Case Number 12-023). Jan stated that the proposed Phase 1 consisting of 43 lots utilizes roughly five miles of existing roadways, and has taken into consideration existing wetlands. Jan stated that they have included an Executive Summary, Traffic Study and noted that they are following Alternative 1. He stated that the summary lists improvement based on the anticipated traffic with this redevelopment plan with the first date being 2016. He stated that they recognize improvements that are needed such as a new roadway to line up opposite Merrymeeting Plaza on Bath Road. He stated that the roadway does not follow the Master Reuse Plan exactly but it did follow existing roadways and tried to be practical in approach. He stated that another improvement in the future will need to be a connection to Route 1 which has not been accommodated yet, but will be as the lots develop. Jan stated that lots in Phase 1 will be sewerred and that roughly 17% of the land will be set aside for Open Space and recreation and will be developed as such. Jan stated that they have included a Vernal Pool Study and noted that there are no significant vernal pools located on the property. Jan stated that this plan does not propose any new streets but is using existing streets and are not creating new development but the potential for new development in the future. MRRRA has had discussions with the Sewer District and the Water District who have stated that they have existing capacity leftover from the base closing and until that capacity is used up they still have a fair amount; there is existing electricity, Natural Gas which can be utilized. Jan stated that the base has some detention basins for stormwater and that the direction that they are heading in is smaller watersheds for treatment and will be developed as the lots are developed.

Jeff Peters asked if all the land was turning into a subdivision or if it was only pieces; Steve Levesque replied there are additional properties that they do not have control over yet that will be added as an amendment to this subdivision. Anna Breinich referred Jeff to Section 6 in the application and the proposed subdivision map.

Steve Walker noted that the consultant for the Vernal Pool Study had pool 158 on Lot 43 as significant and asked that this be clarified for the Final Application. Steve asked if the Rare Community Overlay Zone was a new designation; Steve Levesque replied that it is not a formal zone it is self-imposed at this time. Steve Walker asked that other resources be listed for the Final Application such as stream channels that may be NRPZ.

Chairman Charlie Frizzle opened to public comment; no comment made, the comment period was closed.

Margaret Wilson asked if there were areas of the plan that were troublesome or had conflicting considerations. Steve Levesque replied that they had the Reuse Plan and noted that for the most part, it was a built infrastructure. Steve stated that there is one area that is a large parking lot, Lot 32 that will most likely be shared by the surrounding lots for shared parking.

Charlie Frizzle asked, in reference to the Section titled Waivers Requested of the Applicant, that Survey was included; Anna Breinich stated that Survey shouldn't be included and not needed until the Final Plan. Charlie asked if the applicant is asking that the Sketch Plan Application Fee be waived; Anna replied that they are asking that this be waived and is include in their application cover letter. Steve Levesque replied that the fee for the Sketch and Final Plan are roughly \$10,000 and noted that they have already paid the fee. Jeff Peters asked what the criteria were for waiving a fee; Anna replied that there are no criteria and that she believes that the Board has never been requested to waive a fee. Anna noted that when a Town application is submitted for the Board to review, the Town pays all application fees. Dana Totman asked how much the application fee was for the proposed Police Station; Anna replied that she could get that information but noted that the fee for Stowe Elementary was roughly \$35,000. Charlie reiterated that the Town pays the fees required and that it is no more wealthy then MRRA. Anna replied that the fee for the Police Station Site Plan was \$2,120. Dana stated that he was trying to connect the fee to the level of work. Charlie replied that Stowe Elementary was one lot versus an entire subdivision. Dann Lewis replied that this plan is to lease or market the property which he believes is their primary source of income and sees this as a problem of cash flow and the fee can be obtained as they go forward and are able to lease and sell properties. Anna replied that she cannot recall that they have ever waived a survey request and noted that they are allowing this survey to be done at a later date; the survey will be costly and they do recognize this and want to move forward.

MOTION BY DANN LEWIS TO WAIVE THE SKETCH PLAN FEE FOR THE TIME. SECONDED BY DANA TOTMAN, APPROVED BY DANN LEWIS AND DANA TOTMAN, UNAPPROVED BY JEFF PETERS, RICHARD VISSER, MARGARET WILSON, CHARLIE FRIZZLE AND STEVE WALKER. MOTION FAILS 2-5

MOTION BY MARGARET WILSON THAT THE SKETCH PLAN BE DEEMED COMPLETE. SECONDED BY DANN LEWIS, APPROVED UNANIMOUSLY.

Jeff Peters asked if the Board needed to make a motion to approve surveying; Charlie Frizzle replied that they will make this motion at the Final Plan.

MOTION BY DANN LEWIS TO APPROVE THE SKETCH PLAN. SECONDED BY RICHARD VISSER, APPROVED UNANIMOUSLY.

Case Number 12-023 Workshop - Midcoast Regional Redevelopment Authority Subdistrict Amendments: The Board will hold a workshop to review and comment on proposed subdistrict zoning amendments at Brunswick Landing (**Assessor’s Map 40, Lot 2**) in the **BNAS Reuse Zoning District**.

Anna Breinich stated that the Midcoast Regional Redevelopment Authority would like to request several amendments to the Brunswick Naval Air Station (BNAS) as what it is known in Appendix 3 of the Brunswick Zoning Ordinance as the BRU District. She stated that MRRA has been working with staff in the development of the proposed amendments. Anna reviewed the zoning map amendments and proposed changes as outlined in her Memo to the Board dated September 24, 2012. Dave Markovich stated that there are five amendments being requested:

1. Rezone a portion of the R-R (Residential) subdistrict to R-CMU (Community Mixed Use) subdistrict (see attached map), approximately 27 acres.
2. Provide for interim uses in the R-PO (Professional-Office) subdistrict.
3. Allow for a new use in the R-CMU subdistrict, Light Industrial Business, and provide definition for said use.
4. Allow for a new use in all subdistricts excluding R-R, Special Event Use, and provide definition for said use.
5. Amend definitions of “Industry Classifications I and II” in a portion of the R-AR (Aviation-Related) subdistrict.

Dave reviewed the history and reasons why MRRA is requesting these zone changes and the addition of the definition for *Light Industrial Business and Special Event Facility*. Dave stated that they believe that these changes make good economic sense and will have minimal impact because of the way the property is currently zoned.

Jeff Peters asked why MRRA needs the Special Use definition added; Anna Breinich replied that part of the reason is because of the Zoning Ordinance and the capability of using a building for a continued Special Events Use longer than two weeks. She stated it is becoming a Use not just an event.

Anna Breinich noted a change in the definition of Special Event Use.

*“Special Event Use: A temporary outdoor or indoor activity that extends beyond the normal uses and standards allowed by the zoning ordinance, sponsored by a for-profit, non-profit or government entity, lasting 14 consecutive calendar days or less for each event held. Activities include, but are **not** limited to, auto, boat and air shows, trade shows, fairs, exhibitions, or other assembly-type event for 200 or more people.*

Other

Minutes

MOTION BY MARGARET WILSON TO APPROVE THE MINUTES OF JUNE 26, 2012. SECONDED BY DANN LEWIS, APPROVED UNANIMOUSLY AMONG THOSE PRESENT.

MOTION BY MARGARET WILSON TO APPROVE THE MINUTES OF JULY 10, 2012. SECONDED BY RICHARD VISSER APPROVED UNANIMOUS AMONG THOSE PRESENT.

MOTION BY RICHARD VISSER TO APPROVE THE MINUTES OF JULY 24, 2012. SECONDED BY MARGARET WILSON APPROVED UNANIMOUSLY.

Adjourned

This meeting was adjourned at 8:39 P.M.

Attest



Tonya D. Jenusaitis
Recording Secretary