



TOWN OF BRUNSWICK
STAFF REVIEW COMMITTEE

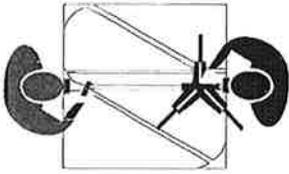
- AGENDA -
BRUNSWICK SCHOOL DEPARTMENT BUILDING
46 FEDERAL STREET, BRUNSWICK

THURSDAY, OCTOBER 24, 2013
10:00 A.M.

1. **Case No. 13-029, Brunswick Commerce Center Reapproval.** The Committee will review and offer recommendation on a request for reapproval of a **Major Subdivision Plan** application submitted by William Moore, President, Moore Properties, Inc. for a commercial/residential subdivision on Durham Road. The plan was originally approved by the Planning Board on June 9, 2009 but was never recorded (**Original Assessor's Map 13, Lot 34**). This property is located in the **Mixed Use 5 (MU5) Zoning District and the Telecommunications Zone 2 Overlay (Lot 5)**.
2. **Other Business**

This agenda is mailed to owners of property within 200 feet of proposed development sites. In cases where Committee action is pending this agenda serves as notice of same. In cases where the Committee's role is to advise the Planning Board, this agenda is mailed as a courtesy along with notice of the Planning Board meeting.

The Staff Review Committee meeting is open to the public. All are invited to attend. For further information call Jeremy Doxsee, AICP at the Brunswick Department of Planning and Development (725-6660).



October 15, 2013

0731-7

Jeremy Doxsee, AICP
Town Planner
Town of Brunswick
28 Federal Street
Brunswick, Maine 04011

**Re: Major Development Review Final Plan Application
Brunswick Commerce Center – Subdivision Plan**

Dear Jeremy,

On behalf of Moore Properties, Inc. please find enclosed one copy of a Major Development Review Final Plan Application for the proposed commercial / residential subdivision on Durham Road in Brunswick, Maine. This application includes this letter, the Major Development Review Final Plan Application form, the application checklist, and associated drawings and attachments.

The purpose of this proposal is to gain approval for a project that has been previously approved and amended twice. However, the originally approved and signed mylar, dated July 28, 2009 and signed by the Planning Board on August 4, 2009, was inexplicably not recorded at the Cumberland County Registry of Deeds within the specified time frame of the Brunswick Land Use Ordinance. Although two subsequent amendments have been approved by the Planning Director and recorded at the Registry, the original subdivision plan has been deemed to be void. Therefore we are requesting approval of a Subdivision Plan, which represents the originally approved plan and incorporates the modifications of both amendments, including Phase lines. As a matter of Title, Right or Interest, we are providing authorization letters from owners of parcels that have been previously conveyed.

This proposal will subdivide 94.4 acres into nineteen (19) lots in accordance with the current zoning. Lots 1 through 4 will be designated as residential lots only with direct access along Durham Road. Lots 1 through 3 have been previously conveyed to Robert Mitchell and he has signed the attached Agent Authorization to allow the approval of the lots as originally delineated. The remainder of the lots will be designated as commercial lots. Lot 5 will have access off U.S. Route 1. A portion of Lot 5 has been leased for the construction of a radio tower. Access for the remaining lots will be along a new 2,230'± public loop road with two entrances from Route 1, which entrances have already been constructed. Approximately 30.8 acres (Lot 19) will be retained by the owner. The proposed lots will be serviced by private on-site water and subsurface

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wastewater disposal systems. All lots will meet or exceed the dimensional requirements of the MU5 (Old Portland Road) Zoning District.

The proposed development will be completed in phases with temporary turnarounds installed at the ends of each phase, which will be removed when the subsequent phase is complete. No particular sequence should be inferred to the phases. The water quality treatment areas will be constructed with each phase. The drainage features have been constructed adjacent to each of the entrances.

In summary, the project meets zoning and space and bulk requirements. In order to facilitate review of this application, the following issues are summarized in accordance with *CHAPTER 5: DEVELOPMENT REVIEW PLAN STANDARDS* of the Ordinance:

501 PRESERVATION OF NATURAL FEATURES AND NET SITE AREA:

The four single family residential lots are fully forested and utilize forested buffers for water quality treatment. The forested buffers are "no-cut" buffers that will be deed restricted upon the sale of each lot. See the "Subdivision Plan" for the location of these buffers. The commercial lots and associated access road have been designed to avoid and/or minimize impacts to the wetland areas and vernal pools identified on the parcel. Within each lot the building envelope has been adjusted to exclude natural features, and a 100' buffer has been established adjacent to streams.

502 FLOOD HAZARD AREA:

Based on the Flood Insurance Rate Map, community panel number 230042 0010 B, Revised January 3, 1986, the project site including the unnamed stream are located within zone C, described as areas of minimal flooding and outside the 100-year flood zone.

503 STEEP SLOPES AND EMBANKMENTS:

There are no steep (greater than 20%) slopes within the areas to be developed. Building envelopes have been configured to precluded construction in the vicinity of any steep slopes.

504 STORM WATER MANAGEMENT:

The proposed project involves the construction of more than 1-acre of new impervious area and meets the definition of a subdivision per Maine DEP and therefore will require a Site Location of Development Act permit. A stormwater management plan has been prepared to provide for peak flow control (flooding standard) and water quality treatment of runoff from the project area. Stormwater flooding control will be provided through the use of a detention basin and the four separate infiltration trenches. Stormwater quality will be achieved through the use of roadside meadow buffers, ditch turnouts to stone bermed level spreaders into forested buffers and several infiltration trenches/basins. A complete stormwater management plan with narrative and calculations has been submitted and approved by the DEP and the Town Engineer. Stormwater



features required by this permit have all been constructed. The DEP Permit is still in affect and the project is in compliance.

505 GROUNDWATER:

The project will be serviced by private wells and septic systems. Through infiltration of the stormwater, the natural groundwater recharge cycle will be preserved. There are no adverse impacts to groundwater anticipated from this development. No activities are proposed or anticipated that will extract groundwater for commercial purposes.

506 EROSION AND SEDIMENTATION:

The project has been designed to incorporate Best Management Practices as outlined in the Maine Erosion and Sediment Control BMPs as published by the Maine Department of Environmental Protection, current edition. The potential for sediment transport from the project area will be mitigated through the use of permanent and temporary erosion control measures. Disturbed areas will be isolated through the use of sediment barrier and other measures to minimize the transport of sediment from the site. Specific provisions for permanent and temporary erosion control features have been provided in the construction drawings. The contractor will be bound to meet the performance standards of the BMPs including erosion control, stabilization, maintenance, and inspection requirements.

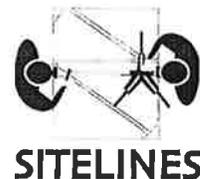
507 SEWAGE DISPOSAL:

The project will be served by private septic systems. It is anticipated that each proposed use will result in 350 GPD or less, which can be served by modest subsurface detention systems. Test pits have been located throughout the development, providing for 2 test pits per developed lot. Test pit data has been developed by both Albert Frick Associates, Inc. and George Patton, Site evaluator, at different times throughout the years as the client has investigated development of the property. Recently Albert Frick Associates, Inc. has augmented the original investigations to ensure 2 test pits per lot as shown on design plans. Test pit logs and reports have been submitted under separate cover for review by the Town Staff. Detailed septic systems will be designed as individual lots are developed.

508 WATER SYSTEM:

All lots for this project will be served by private wells. The project parcel is located over an aquifer and therefore we anticipate a bountiful supply of fresh water. Residential lots having a 4-bedroom home have a typical usage of 360 GPD.

The Maine State Sewer Regulations project design flows for employees at a place of employment (without showers) at 15 gpd per employee. A typical 10,000 s.f. business is expected to employ fewer than 20 full-time employees for a commercial/light manufacturing facility. Therefore, based on a maximum size of 10,000 s.f. for each structure on the commercial lots, it is



anticipated that the future commercial uses will generate no more than 300 GPD. The subsurface detention systems for any anticipated use will be comparable to a typical residential system.

The Maine Geological Survey maps for the project area show wells close to the project and along the aquifer line to be yielding 25 to 50 GPM with well depths of 250 to 400 feet. Based on the documented flows and the development's proximity to a large aquifer it is anticipated there is an adequate supply of water for the development.

509 COMMUNITY FACILITIES IMPACT ANALYSIS: The proposed project will be located on Old Route One in the MU5 (Old Portland Road) zoning district, which is described as a mixed use rural district. Only the four proposed residential lots will have single family residences constructed; therefore the project is anticipated to have a minimal impact on community facilities such as schools.

510 DEVELOPMENT IMPACT FEES:

Impact Fees have been previously calculated at the following rates: The Solid Waste Impact Fee is calculated at a rate of \$258.56 per ton for each of the new housing units. For the four (4) proposed housing units the Recreational Impact Fee is calculated at \$1,034.24.

No sewer impact fees are applicable to this project.

511 DEVELOPMENT OF NEW STREETS:

An approximately 2,230 linear foot loop road is proposed for this project. This road will be built to the same design standards as Industrial Park Road and will be proposed to the Town of Brunswick for acceptance upon completion. The Public Works Director has indicated his willingness to accept responsibility for the completed road should the Town Council accept it.

512 OFF STREET PARKING:

Future commercial sites will provide off street parking as they are developed.

513 CURB CUTS:

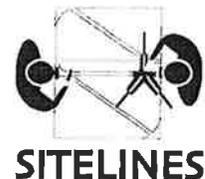
A MDOT Entrance permit was issued for the two curb cuts onto Route 1. The conditions of this permit have currently not been met. No MDOT permits were required for entrances for the Durham Road lots.

514 OFF STREET LOADING:

No off street loading is proposed for this project.

515 APPEARANCE ASSESSMENT:

No structures are proposed for the commercial subdivision at this time. It is anticipated that all four residential lots will have single family residences similar to and consistent with the existing



homes in the area. The structures on the proposed commercial lots will be separated from Route 1 and Durham Road both by a difference in elevation and existing wooded buffers. A 50-foot wooded buffer will be maintained along Route 1.

516 BUILDING CONFIGURATION:

All buildings will be constructed and configured within the building envelopes shown on the Subdivision Plan. With the exception of Lot 5, all commercial buildings will be orientated to face the proposed loop road and all facades will be consistent with the MU5 zoning requirements.

517 PRESERVATION OF HISTORIC RESOURCES:

In a letter from the Maine Historic Preservation Commission dated January 15, 2009, it was recognized that the subject parcel possibly contains one or more prehistoric archeological sites. A Phase I archeological survey was completed by Dr. Leslie Shaw, a professor in the Department of Sociology and Anthropology at Bowdoin College, who is a DEP approved archaeologist. This survey indicated that no further investigation was warranted.

518 ACCESS FOR PERSONS WITH DISABILITIES:

The project will comply in all aspects with the requirements of the ADA. Individual lots will demonstrate compliance with ADA criteria when their designs are prepared.

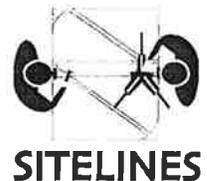
519 RECREATIONAL REQUIREMENTS FOR RESIDENTIAL DEVELOPMENTS:

A letter has been sent to the Brunswick Parks and Recreational Department requesting to pay the fee in lieu of open space. An Impact Fee has been calculated and assessed.

520 FISCAL CAPACITY:

The estimated site costs were approximately \$795,000 to develop the infrastructure for construction of the entire subdivision roadway, utilities, and stormwater management. To date approximately one third of the road and all of the stormwater features have been completed. The remaining work will be financed through the sale of lots.

Costs for the development of the individual lots will be borne by future owner/developer and supported by sale of the lots. The Applicant will self-finance the project infrastructure construction. Although the Applicant can fully fund the entire estimated construction cost, the project is proposed to be constructed in phases. Construction of subsequent phases will be financed from capital raised from sales of lots in the initial/previous phase. A letter from Norway Savings Bank attesting to the financial strength of the Applicant was previously submitted. Infrastructure for Phase I was completed and the roadway paved. All stormwater features required by the MDEP permit have been constructed. The remaining roadway for future phases has been rough graded.



521 PERFORMANCE GUARANTEE:

A performance guarantee will be posted for each phase of the road. The amount of the guarantee will be 110% of the estimated construction costs for the proposed phase.

522 HOME OWNERS/PROPERTY OWNERS ASSOCIATION:

A home owners/property owners association is not proposed.

523 PROTECTED CONSERVATION LAND:

There is no protected conservation land proposed or involved with this project. The layout of the lots and road has been design to avoid and/or minimize impacts to wetlands.

524 NOISE AND DUST:

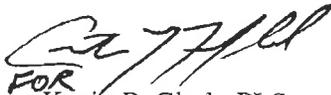
Best Management Practices as outlined in the Maine Erosion and Sediment Control BMP's as published by the Maine Department of Environmental Control, will be utilized to control noise and dust during construction. Noise will be limited through the compliance of the site contractor with the standard hours of construction per Section 524.1. Upon construction completion, there are no anticipated impacts with regard to noise or dust.

SIGNAGE

No project sign is proposed at this time. At such time as a sign is considered, an application will be made through the sign approval process.

We trust that this information satisfactorily addresses the requirements for Subdivision Review and we look forward to your comments. We look forward to meeting with the Planning Board on November 5, 2013 to discuss and approve the project. If you have any questions or require additional information, please do not hesitate to call. Thank you for your assistance with this project.

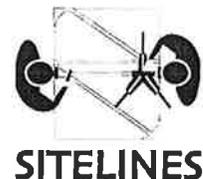
Very Truly Yours,

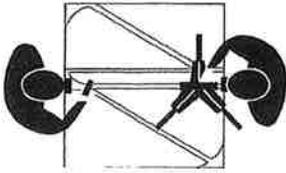


FOR
Kevin P. Clark, PLS
President

Enclosures

cc: Bill Moore





October 15, 2013

731-2

Mr. William Moore, President
Moore Properties, Inc.
228 Old Portland Road
Brunswick, Maine 04011
<via email>

**Re: Designation of Agent Authorization
Brunswick Commerce Center
Brunswick, Maine**

Dear Bill:

As required by various approval agencies, please indicate by signing below that Sitelines, PA is authorized to act as agent for Moore Properties, Inc., for the specific purpose of preparation and submission of local and state permitting applications on your behalf for the Brunswick Commerce Center in Brunswick, Maine.

Sincerely,

Kevin P. Clark, PLS
President

The undersigned hereby gives Sitelines, PA the authority to act as agent for Moore Properties, Inc., for the specific purpose of preparation and submission of local and state permitting applications for the project specifically identified above.

 10-15-13
William Moore Date

The undersigned hereby gives Sitelines, PA the authority to act as agent for the property owner for the specific purpose of preparation and submission of local and state permitting applications for the project specifically identified above.

Signature: Robert S. Mitchell

Printed Name Robert S. Mitchell Date 10-15-13

SITELINES, PA

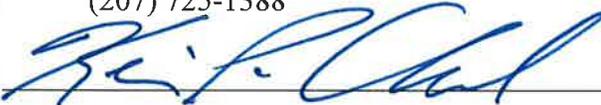
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**MAJOR DEVELOPMENT REVIEW
FINAL PLAN APPLICATION FORM**

1. Project Name: **Brunswick Commerce Center**
Commercial / Residential Subdivision for Moore Properties, Inc.

2. Project Applicant:
Name: William Moore, President
Moore Properties, Inc.
Address: 228 Old Portland Road
Brunswick, ME 04011

Phone Number: (207) 725-1388

3. Applicant Signature:  AGENT

4. Authorized Representative:
Name: Kevin P. Clark, PLS
Sitelines, PA
Address: 8 Cumberland Street
Brunswick, ME 04011

Phone Number: (207) 725-1200 x18

5. List of Design Consultants. Indicate the registration number, address and phone number of any engineer, surveyor, architect, landscape architect or planner used:

1. Engineering & Planning: Sitelines, PA; Curtis Y. Neufeld, PE #9779,
Brunswick, ME

2. Survey: Sitelines, PA; Kevin P. Clark, PLS #2245,
Brunswick, ME

3. Wetlands: Woodlot Alternatives, Inc. / Stantec Environmental
EcoAnalysts

4. Soils / Wetlands: Albert Frick Associates, Inc., SE #163, CSS #66

6. Indicate the interest of the applicant in the property and abutting property. For example, is the applicant the owner of the property and abutting property? If no, who owns the property subject to this application?

Moore Properties, Inc. owns the property subject to this application. A copy of this deed is included with this application.

7. What is the tax map and lot numbers of the property subject to this application?

Map 13 – Lot 34

Required Attachments (by Applicant):

- Final Plan Check List
- Final Plan Check List Addendum for Open Space Developments (if applicable)
- Request for Waivers (if applicable)
- Required Copies of Final Plan

Required Attachment (by Planning and Development Department):

- Listing of all owners of property within 200 foot radius of property under review.

FINAL PLAN REQUIREMENTS

Key: "O" = omit; "S"=submit; "NA"=not applicable; "W" = waiver P=pending

Item	O	S	NA	W	P	Comments
Name of Development		✓				
Scale, date, north point, area, number of lots (if subdivision)		✓				
Boundaries of all lots and tracts with accurate distances and bearings, locations of all permanent monuments property identified as existing or proposed.		✓				
Certification by a professional land surveyor that the land has been surveyed and the boundaries established in accordance with the State of Maine Board of Licensure for Professional Surveyors standards for Category 1 (Standard Boundary Survey), conditions 1, 2, or 3.		✓				
Existing zoning district and overlay designation.		✓				
Names of engineer and surveyor; and professional registration numbers of those who prepared the plan.		✓				
Names of current owner(s) of subject parcel and abutting parcels.		✓				
Name, location, width of paving and rights-of-way, profile, cross-section dimensions, curve radii of existing and proposed streets; profiles of center-lines of proposed streets, at a horizontal scale of 1" equals 50' and vertical scale of 1 inch equals 5 feet, with all elevations referred to in U.S.G.S. datum.		✓				
A general road plan noting circulation, direction, traffic control devices, street lighting and type of lighting proposed.		✓				No street lighting is proposed on access road.
Existing and proposed easements associated with the development.		✓				
Kind, location, profile and cross-section of all proposed drainage facilities, both within the development and outside of it, and a storm-water management plan which includes the submission requirements listed in the storm-water management checklist available in the Planning Department.		✓				Previously Submitted, Reviewed and Approved
Location of features, natural and artificial, such as water bodies, wetlands, streams, vegetation, railroads, ditches and buildings.		✓				

Item	O	S	NA	W	P	Comments
Location of existing and proposed utilities; water, sewer, electrical lines, and profiles of underground facilities. Tentative locations of any private wells.		✓				Previously Submitted, Reviewed and Approved
Existing and proposed location, size, profile and cross section of sanitary sewers; description, plan and location of other means of sewage disposal with evidence of soil suitability.		✓				Previously Submitted, Reviewed and Approved
Topography with counter intervals of not more than 2 feet.		✓				Previously Submitted, Reviewed and Approved
A Class A (high intensity) Soil Survey prepared in accordance with the standards of the Maine Association of Professional Soil Scientists.		✓				Previously Submitted, Reviewed and Approved
Location of all existing trees over 10 inches in diameter, locations of tree stands, and a plan showing all trees to be removed as a result of the development proposal.				✓		Waiver Previously Requested and Granted
Lighting plan showing details of all proposed lighting and the location of that lighting in relation to the site.			✓			
Existing locations and proposed locations, widths and profiles of sidewalks.				✓		Waiver requested for profiles of existing sidewalks. None present.
Location map.		✓				
Approximate locations and dimensions of proposed parking areas.			✓			
Proposed ownership and approximate location and dimensions of open spaces for conservation and recreation.			✓			
Grading, erosion control, and landscaping plan; proposed finished grades, slopes, swells, and ground cover or other means of stabilization.		✓				
Reference to special conditions stipulated by the Planning Board, with conditions either set forth in full or on the plan or identified as specific documents filed with the Board.		✓				
A wetlands map drawn by a specialist delineating wetland boundaries in accordance with the methods prescribed by the US Army Corps of Engineers.		✓				Previously Submitted, Reviewed and Approved
Dedicated public open spaces, areas protected by conservation easements, and existing and proposed open spaces or recreation areas.			✓			

Item	O	S	NA	W	P	Comments
For Open Space Development, a note indicating the total permitted lot count of the entire land tract based upon the destiny standards in this Ordinance, the number of lots created by the Plan, and the number of lots permitted to be subdivided in the future, as well as a table showing setback requirements and impervious surface coverage limits for each lot.			✓			
Building envelopes showing acceptable locations for principal and accessory structures.		✓				

FINAL PLAN/SUPPORTING DOCUMENTS

Key: "O" = omit; "S"=submit; "NA"=not applicable; "W" = waiver P=pending

Item	O	S	NA	W	P	Comments
Documentation of Ownership or contract.		✓				
Drafts of legal documents appropriate to the application, including: deeds, easements, conservation easements, deed restrictions or covenants, home/property owners association declarations and by-laws, and such other agreements or documents as are necessary to show the manner in which conservation land will be owned, maintained, and protected.		✓				
Draft performance guarantee or conditional agreement.			✓			Previously Submitted, Reviewed and Approved
Disclosure of any required permits from the Department of Environmental Protection, Marine Resources, US Army Corps of Engineers, Department of Inland Fisheries and Wildlife, or other agencies, as applicable; or, if a permit has already been granted, a copy of that permit.		✓				MEDEP Site Location of Development Act Permit – Previously Approved
Any additional studies required by the Planning Board which are deemed necessary in accordance with this Ordinance.			✓			
Storm water management program for the proposed project prepared by a professional engineer.		✓				Previously Submitted, Reviewed and Approved
A storm water management checklist prepared by the Cumberland County Soil and Water Conservation District, made available at the Brunswick Department of Planning and Development.			✓			

Item	O	S	NA	W	P	Comments
An erosion and sedimentation control checklist prepared by the Cumberland County Soil and Water Conservation District.			✓			
A statement from the Brunswick-Topsham Water District of conditions under which water will be provided.			✓			
A statement from the Brunswick-Topsham Water District of its review and comments on the proposed use if the project involves development within the Aquifer Protection Zone.			✓			
A Statement from the Fire Chief recommending the number, size, and location of hydrants, available pressure levels, road layout and street and project name, and any other fire protection measures to be taken.		✓				
A statement from the Superintendent of the Brunswick Sewer District of the conditions under which the Sewer District will provide sewerage disposal service and approval of the sanitary sewers proposed within the development.			✓			
Where a septic system is to be used, evidence of soil suitability.		✓				
All applicable materials necessary for the reviewing entity to review the proposal in accordance with the Criteria of <u>Section 411</u> .		✓				
A plan of all buildings with new construction or expansion of an existing facility, including type, size, and footprint, floor layout, setback, elevation of first floor slab, storage, and loading areas.			✓			
An elevation view of all sides of each building proposed indicating height, color, bulk, surface treatment, and signage.			✓			
A circulation plan describing all pedestrian and vehicle traffic flow on surrounding road systems.		✓				See Site Plan
The size and proposed location of water supply and sewage disposal systems.		✓				
A site landscaping plan indicating grade change, vegetation to be preserved, new plantings used to stabilize areas of cut and fill, screening, the size, location and purpose and type of vegetation.			✓			

