



TOWN OF BRUNSWICK

PLANNING BOARD

85 UNION STREET
BRUNSWICK, ME 04011

PLANNING BOARD

AGENDA

BRUNSWICK TOWN HALL

COUNCIL CHAMBERS

85 UNION STREET

TUESDAY, JULY 7, 2015, 7:00 P.M.

1. **Case # 15-028: Wood Pond Village Subdivision, Phase II Reapproval:** The Planning Board will review and take action on an application for reapproval of the Wood Pond Village Phase II (Lots 17-25) Subdivision, originally approved as a phased subdivision on March 20, 1995. The application was submitted by Coastal Building and Investments, LLC, as stipulated in a consent agreement, dated 7/22/2010, between the Town of Brunswick and the developer, requiring subdivision reapproval by 7/15/2015. The subdivision abuts Ledgewood Road and is located in the Farm and Forest 1 (FF1) Zoning District. Assessor's Map 23, Lot 44.
2. **Zoning Ordinance Rewrite Committee (ZORC) Update**
3. **Approval of Minutes**
4. **Other Business**
5. **Adjourn**

This agenda is mailed to owners of property within 200 feet of the above referenced development proposals as well as others upon request. It is the practice of the Planning Board to allow public comment on development review applications and all are invited to attend and participate.

Please call the Brunswick Department of Planning and Development (725-6660) with questions or comments. Individuals needing auxiliary aids for effective communications please call 725-6659 or TDD 725-5521. This meeting will be televised.



TOWN OF BRUNSWICK, MAINE

INCORPORATED 1739

DEPARTMENT OF PLANNING AND DEVELOPMENT
85 UNION STREET
BRUNSWICK, ME 04011

ANNA M. BREINICH, FAICP
DIRECTOR OF PLANNING & DEVELOPMENT

PHONE: 207-725-6660
FAX: 207-725-6663

July 1, 2015

To: Planning Board
From: Anna Breinich, FAICP *AMB*
Subject: Planning Board Subdivision Extension Decision: Wood Pond Village Phase II Plan

In accordance with the July 22, 2010 consent agreement between the Town of Brunswick and Robert Cole, developer, now a principal of Coastal Building and Investments, LLC, a request by the applicant's engineer has been made for a subdivision approval extension for Wood Pond Village, Phase II (Lots 17-25). The applicant's engineer, Curt Neufeld of Sitelines PA, has submitted the attached letter dated June 23, 2015, which outlines the project history and the applicant's intentions, moving forward.

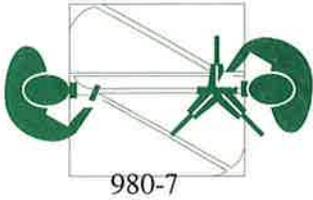
The attached consent agreement stipulated, among other items, that the Planning Board approval reflected on the partially completed Phase II plan would expire on or before July 15, 2015, unless extended by the Planning Board prior to that date. Outstanding items of the current July 22, 2010 Consent Agreement shall be completed as stipulated by the agreement.

Pursuant to Section 407.4.C of the Zoning Ordinance, all approved infrastructure systems must be completed within five years of the extension approval or another extension request be submitted to the Planning Board prior to plan expiration. Any changes to the approved Subdivision Plan require approval from the Planning & Development Department, the Staff Review Committee or Planning Board, as applicable.

DRAFT MOTION
WOOD POND VILLAGE SUBDIVISION PHASE II APPROVAL
EXTENSION REQUEST
CASE NUMBER: 15-028

- Motion 1:** That the Wood Pond Village Subdivision Phase II Approval is extended until July 15, 2020 with the following condition:
1. All agreed upon conditions of the July 22, 2010 Consent Agreement between the Town of Brunswick and Robert Cole, developer, now a principal of Coastal Building and Investments, LLC, shall be completed as stipulated. Should the 2010 agreement be revised and accepted by both parties, those agreed upon conditions shall then apply.

15-28



June 23, 2015

Anna Breinich, Director of Planning and Development
Town of Brunswick
85 Union Street
Brunswick, Maine 04011

**Re: Request for Subdivision Plan Approval Extension
Wood Pond Village
Tax Map 4, Lot 1**

23 44

Dear Anna:

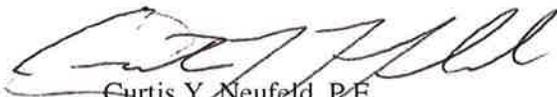
On behalf of Coastal Building & Investments, LLC, this letter serves as a request for a subdivision approval extension for the Wood Pond Village Subdivision in Brunswick, Maine.

Wood Pond Village was approved as a phased subdivision by the Brunswick Planning Board in 1994, with amendments approved through March 20, 1995. The approval(s) were made with conditions to be satisfied with each phase. To clarify the conditions of approval and establish a timeline for compliance, a consent agreement, dated July 22, 2010 was entered into between the Town of Brunswick and Coastal Building & Investments, LLC. The consent agreement stipulated, among other things, that the Planning Board approval reflected on the Phase II plan would expire on or before July 15, 2015, unless extended by the Planning Board prior to that date.

Coastal Building & Investments in engaged with the Town of Brunswick to update the consent agreement. Concurrent with that effort, a five (5) extension of the approval reflected on the Phase II is hereby requested. Other terms of the consent agreement may be revised as a result of the update. A copy of the current consent agreement is included for reference.

We trust that this information is adequate to warrant granting Coastal Building & Investments, LLC site plan approval extension as requested. This request is forwarded with the intention of being heard at the next available Planning Board meeting and we look forward to the opportunity to meet with the Board. 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,


Curtis Y. Neufeld, P.E.
Vice President

Enclosure

cc: Chris Cole, Coastal Building & Investments, LLC

SITELINES, PA

ENGINEERS ■ PLANNERS ■ SURVEYORS ■ LANDSCAPE ARCHITECTS
8 Cumberland Street ■ Brunswick, ME 04011 ■ TEL 207-725-1200 ■ FAX 207-725-1114 ■ www.sitelinespa.com

Consent Agreement

This Consent Agreement is entered into this __ day of July 2010 by and between the Town of Brunswick, Maine (the "Town") and Robert Cole ("Developer"), a resident of Brunswick Maine.

WHEREAS, the Developer obtained subdivision approval from the Town of Brunswick Planning Board (the "Planning Board") for a subdivision development in Brunswick, Maine known as Wood Pond Village (the "Phase II Subdivision"), as reflected in an Amended Subdivision Plan of Wood Pond Village dated October 7, 1994 with revisions through March 20, 1995 and as approved by the Planning Board on April 25, 1995 and recorded in the Cumberland County Registry of Deeds on April 28, 1995 in Plan Book 195, Page 100 (the "Phase II Plan"); and

WHEREAS, as approved the Phase II Subdivision includes nine (9) residential lots to be developed abutting a road identified on the Phase II Plan as Spruce Ridge Road, and now known as Ledgewood Road, said lots identified on the Phase II Plan as numbered Lots 17 through 25 ; and

WHEREAS, between 2003 and 2007 four lots abutting Ledgewood Road have been sold and developed with single family homes, being Lots 17, 18, 24 and 25; and

WHEREAS, the Phase II Plan states that "Interior roads are proposed to be private, but built to Town of Brunswick standards and specifications" and includes on the Plan detailed drawings representing final design, grading, and paving of Ledgewood Road; and

WHEREAS, the Planning Board's approval of the Phase II Plan included certain written conditions of approval, including the following:

That, prior to commencement of construction of each phase, the applicant shall submit evidence of an escrow account in an amount sufficient to construct the infrastructure systems for that phase and enter into an escrow agreement with the Town Manager which guarantees completion of those systems; and

WHEREAS, the Phase II Plan requires that the Developer submit for acceptance by the Town a conservation easement (the "Conservation Easement") over the common open space as such open space is represented on the Phase II Plan, which Conservation Easement was subsequently accepted by the Town and was recorded in the Cumberland County Registry of Deeds on May 31, 1996 in Book 12535, Page 93; and

WHEREAS, the Town contends that the Developer has violated the terms of the Planning Board's decision approving the Phase II Plan in the following respects:

- 1) Ledgewood Road has not been completed and paved in accordance with Town of Brunswick standards and the conditions of approval of the Phase II

- Subdivision as shown on the Phase II Plan and in the Planning Board's written Conditions of Approval; and
- 2) The Developer has not maintained the Escrow Account required by the Planning Board's Conditions of Approval; and
 - 3) All or a portion of one of the septic systems installed to serve the portion of the Phase II Subdivision was built within the open space area as shown on the Phase II Plan, in violation of the Phase II Plan, the Planning Board's Conditions of Approval and the terms of the Conservation Easement; and
 - 4) The Planning Board's approval of the Phase II Subdivision is subject to expiration, as a result of the Developer's failure to complete all of the infrastructure shown on the Phase II Plan.

WHEREAS, the Developer denies the above contentions by the Town and further denies any violation of the Town of Brunswick Subdivision Regulations, the State subdivision statute, the Planning Board's Conditions of Approval of the Phase II Subdivision or the terms of the Conservation Easement; and

WHEREAS, the Developer and the Town wish to resolve their dispute without resorting to litigation.

NOW, THEREFORE, in consideration of the mutual promises and covenants set forth herein and without either admitting or denying any of the contentions of any of the Parties, the Developer and the Town hereby agree as follows:

1. Simultaneously with the execution of this Agreement, the Developer will put in place an unconditional Letter of Credit, in substantially the form attached hereto as Exhibit A, running to the benefit of the Town of Brunswick, in the amount of One Hundred Thousand Dollars (\$100,000.00), to secure completion of the uncompleted infrastructure in the Phase II Subdivision, including but not limited to road completion and paving and construction of the third common septic system, required under the Conditions of Approval of the Phase II Subdivision.

2. Not later than October 15, 2010, Developer will complete all necessary road work to bring that portion of Ledgewood Road between its intersection with Wood Pond Road and adjacent to the northeasterly boundary of Lot 24 (the "Developed Road Segment") up to Town road standards, including any necessary gravel work and binder (base course) pavement, but not final top course (finish) pavement. Provided that Developer has contracts in place and a construction schedule premised on completion of the above road work by October 15, 2010, in the event that severe weather conditions prevent the completion of the above road work by October 15, 2010, it will not be a violation of this Agreement if the work is completed during the fall 2010 construction season and as soon after October 15, 2010 as weather permits. As additional lots on Ledgewood Road are sold and built out, Developer will promptly perform similar road construction on the sections of Ledgewood Road adjacent to such lots. The aforementioned gravel work and binder pavement shall be completed in accordance with

the Phase II Plan, Sheet 8 of 8 and Maine Department of Transportation Standard Specifications, as referenced on the Phase II Plan.

3. Developer will complete final top course (finish) pavement of Ledgewood Road not later than six months after sale and completion of development of all remaining lots on Ledgewood Road.

4. Developer shall not be required to reinstall or otherwise modify the culverts located beneath Ledgewood Road that Developer has installed as of the date of this Agreement, provided that Developer will be responsible to maintain said culverts in a functioning condition.

5. Not later than September 1, 2010 Developer will prepare and submit to the Town a proposed amendment to the Phase II Plan and Conservation Easement to exclude the built septic systems from the described open space area subject to the Conservation Easement, in a form reasonably acceptable to the Town's Planning Department.

6. The Developer and the Town agree that the Planning Board's approval reflected on the Phase II Plan shall expire in the event all infrastructure shown on the Phase II Plan is not completed to the reasonable satisfaction of the Town Engineer on or before July 15, 2015, unless said approval is extended by the Planning Board prior to July 15, 2015. In the event the Developer files a timely request to extend said approval, the Planning Board will consider and act on any such application in good faith in accordance with applicable provisions of Town of Brunswick ordinances and Maine law.

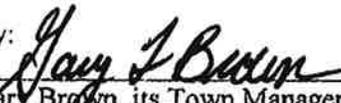
7. Developer shall complete the third common septic system according to the following schedule: Within 30 days after Developer sells the first currently unsold lot within the Phase II Subdivision, Developer will obtain the permits for and install the portion of the third septic system necessary to treat the wastewater discharged from one residence. Within 30 days after Developer sells the second currently unsold lot, Developer shall obtain the permits for and construct the remainder of the third septic system.

8. This Agreement creates conditions running with the land, which will be binding on the Developer and the Developer's heirs, successors and assigns. The Town will record this Agreement in the Cumberland County Registry of Deeds.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first written above.

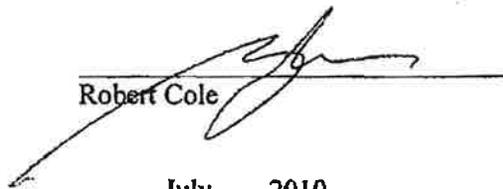
Dated: July __, 2010

TOWN OF BRUNSWICK

By: 
Gary Brown, its Town Manager

Dated: July 28 2010

Robert Cole

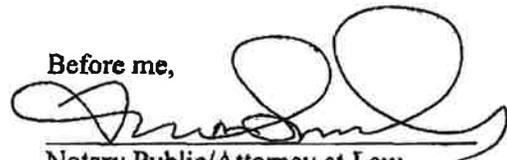


STATE OF MAINE
County of Cumberland, ss

July __, 2010

Personally appeared the above-named Gary Brown in his capacity as Town Manager of the Town of Brunswick, Maine and acknowledges the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said Town.

Before me,



Notary Public/Attorney at Law

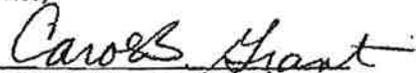
Francis M. Smith Com Ex 1/23/2015

STATE OF MAINE
County of Cumberland, ss

July 22 2010

Personally appeared the above-named Robert Cole and acknowledges the foregoing instrument to be his free act and deed.

Before me,



Notary Public/Attorney at Law

CAROL B. GRANT
NOTARY PUBLIC
STATE OF MAINE
MY COMM. EXP. AUGUST 20, 2016

N 55°43'42" W
886.60

N 55°45'42" W
244.53

LIMIT OF PHASE II CONSTRUCTION
INCLUDES LOTS 17 THRU 25,
SPRUCE RIDGE ROAD, PHASE II
OF SEPTIC DISPOSAL AREA D
AND ASSOCIATED UTILITIES

OPEN SPACE

15' UTILITY
EASEMENT

15' UTILITY
EASEMENT

3/4" I.P.
1" HIGH IN
E TOTE ROAD
338.56' TIE LINE
S 88°23'41" W

FUTURE 3' HIGH
SEPTIC DISPO
AREA

SEPTIC DISPOSAL AREA
(SINGLE FAMILY LOTS
AREA D)

PHASE II

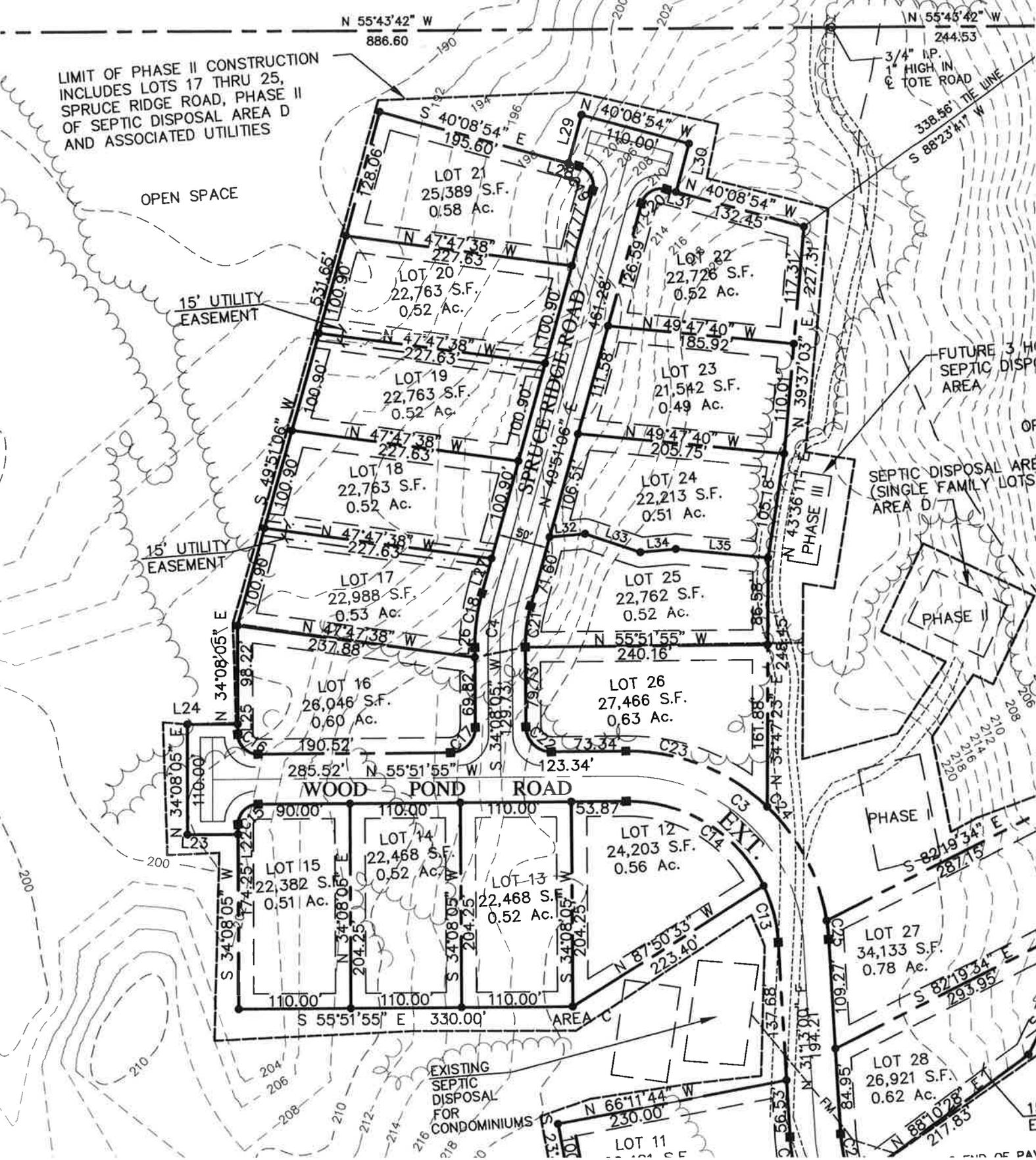
PHASE

LOT 27
34,133 S.F.
0.78 Ac.

LOT 28
26,921 S.F.
0.62 Ac.

EXISTING
SEPTIC
DISPOSAL
FOR
CONDOMINIUMS

LOT 11



WOOD POND ROAD

SPRUCE RIDGE ROAD

EXT.

AREA C

1:
E

**BRUNSWICK PLANNING BOARD
MEETING MINUTES
APRIL 14, 2015**

MEMBERS PRESENT: Chair Charlie Frizzle, Vice Chair Margaret Wilson, Bill Dana, Soxna Dice, Jeremy Evans, Dale King and Richard Visser

STAFF PRESENT: Director of Planning and Development, Anna Breinich; Town Planner, Jeremy Doxsee

A meeting of the Brunswick Planning Board was held on Tuesday, April 14, 2015, in Council Chambers, 85 Union Street. Chair Charlie Frizzle called the meeting to order at 7:00 P.M.

1. Case # 15-002 Chamberlain Woods Final Subdivision: The Board will review and take action regarding a Final Plan Major Review application, submitted by Coastal Buildings and Investments, Inc., for the development of a 9-lot residential subdivision, a 225 foot private drive, and associated site improvements, on a 7.22+ acre parcel with frontage on Barrows Street and the end of Boody Street. The proposed subdivision is located in the Town Residential 5 – Columbia Avenue – Spring Street (TR5) Zoning District. Assessor’s Map U27, Lot 6.

Charlie Frizzle introduced the application for Chamberlain Woods Subdivision, Final Plan Major Review and clarified that earlier materials had stated this was for 10 lots when in fact it is for the development of a 9-lot residential subdivision. The proposal is for 8 new lots, one previously developed lot and a wooded lot to be retained by the owner. Jeremy Doxsee added that the Sketch Plan was approved by the Planning Board on February 5th and stated that the Final Plan application was reviewed by the Staff Review Committee on March 11, 2015; those notes are included in the packet material. Jeremy reviewed the project summary and stated that the parcel is currently 7.2 acres and the applicant is proposing to develop less than 3 acres. Jeremy noted that a stormwater permit from DEP is not required but the stormwater plan has been reviewed by Sebago Technics and those comments were received late on April 10th. Staff has not had the opportunity to address all the concerns. Jeremy said that the Town Engineer comments are also included in the packet and have been conditioned.

Curt Neufeld of Sitelines reiterated Charlie Frizzle and Jeremy Doxsee’s comments and reviewed a PowerPoint presentation. In regards to the stormwater comments received Friday, Curt noted that they are all in agreement. Curt reviewed the aerial photo and pointed out that they will maintain the connection to Crimmins Field. He also reviewed the easement that the applicant will convey to the Town. Curt pointed out that they have gone with the Town Engineer’s suggestion to remove the swails and will have two new catch basins. In addition, Curt said that they have agreed that no foundation will be built below four feet. Curt reviewed the requested waivers and noted that when the road is constructed, they will only cut what needs to be cut and will not be clearing the house lots until they are ready for development.

Charlie Frizzle pointed out that there was also a request to waive sidewalks and noted that Section 5.11.4 of the Brunswick Zoning Ordinance specifically exempts dead end streets with less than 20 units. Therefore, sidewalks are not a requirement for this application and will not

need to be waived and can be removed from the requested waivers. Bill Dana asked if there is enough pitch to push the house back if the homeowner desired. Curt replied that they will have room to move, but that the intention is that the front will drain to the street. With respects to the Town Engineer's request that the circle be bigger in the cul-de-sac, Soxna Dice asked if or how this will effect setbacks. Curt replied that they will meet the requirements and noted that the property lines did not change, just the roadway.

Chair Charlie Frizzle opened the meeting to public comment.

Colleen Congdon, resident of 56 Boody Street, said that she understands that there is no notification requirement, but that it would be nice to know when the construction is going to begin. Colleen would like to know how much acreage is going to be set aside for the road and to understand how the traffic circle can get bigger, yet the housing lots do not change. Charlie Frizzle replied that the applicant moved the edge of the road further into the right-of-way. Colleen would like to know if the drainage pipe will be insulated to prevent freezing and Charlie replied that he believed it will, but the specifics on how much is still being worked on by the Town Engineer, Sebago Technics and the applicant. Colleen asked what housing lots are going to be built and what ones are going to be left. Margaret Wilson replied that the applicant has not designated this yet. Colleen asked if this is a requirement and Charlie replied no. Colleen noted that even if they dig foundations four feet or less, they are still going to need sump pumps. Colleen asked who will assume liability for the drains if they do not work and Anna Breinich replied that this is a question and determination that will need to be made by the Town Engineer. Colleen asked when the clearing will occur for the roadway for the corner lot if it is undetermined at this time when it is going to be built. Margaret suggested that they come back to this. Colleen asked how much of a buffer will be left between the houses being built and the houses that are already there and Charlie replied that they usually don't buffer residential to residential. Colleen stated that the fill is not suitable for planting. Colleen asked where the cluster mailbox is going and Charlie replied that it is up to the post office whether they want to serve a dead-end street. If the post office does not want to serve the street, they require a cluster box out front; it is up to the post office to make this decision. Colleen pointed out that the math on the assessment for recreation in lieu of land is wrong and Charlie replied that this will need to be reviewed with the Recreation Department. Soxna Dice asked for more clarification on the discrepancies and Colleen stated that the lot area for lot 8 is not correct from what was posted as part of the packet. Charlie replied that staff will need to make sure that the land areas concur with the map. With respects to clearing for the pipe, Charlie replied that they will need to come through the lot. Curt Neufeld replied that in terms of construction notification, the applicant will take this into consideration. With respects to the road acreage, Curt does not know, but is willing to talk about it after the meeting. Curt said that road within the right-of-way moved but that the right-of-way did not; property lines and setbacks did not change. Curt said that the insulated pipe, where it is the shallowest, insulation will be doubled and will go across the top, bottom and sides. Curt pointed out the water drainage notes that are on the plan. Curt said that they do not have plans on what lots will be built yet and noted that sump pumps will be recommended for every house. In terms of who would take responsibility for the drainage pipe, the Town would when they take over ownership of the Road. Buffering between the lots is homeowner's

preference. Curt said that he has no knowledge of the post office boxes and would be happy to review any math discrepancies. Margaret Wilson replied that in looking over the math discrepancies she believes it was just a typo for lot 8.

Jeremy Doxsee asked if the four lots would remain wooded until they are developed and Curt replied that they would be. Jeremy asked that the plan state this. The applicants Real Estate consultant, Tom Kohl, replied that they have no intention of clearing lots until they are to be developed, but does not know if there is a way to logistically state this.

Ron Stadden, resident of 54 Columbia Ave, asked what stipulations apply to the lot being retained by the owner. Charlie replied that if a development proposal is created, it would stand on its own merits and possibly stricter merits at that point. Anna Breinich replied that if the owner decided to sell or develop as a single family, it would not come back before the Planning Board and would only require a building permit.

Chair Charlie Frizzle closed the public comment period.

With respect to the concerns by Sebago Technics, Margaret Wilson asked how are those concerns worked out, how they will be codified and where will the results end up. Jeremy Doxsee reviewed the process that the developer would need to go through via the Codes Enforcement Office, Sebago Technics and the Town Engineer. Margaret asked if there is ever a subset of questions that have to be met before they can continue development and what happens to those. Curt Neufeld replied that when review comments arrive late, many times they will be added to the plan with a revised per comments date and submitted to Sebago Technics and the Town Engineer who will write another letter; this is what typically comes back to the Board for final signature. Soxna Dice asked if there is history with insulated pipes and do they freeze. Curt replied that the shallow ones that are old and un-insulated do freeze, which is the reason why they doubled the insulation at the shallowest point; this is a widely used practice. Soxna asked if they require landscaping, do they have any requirement that they have sufficient soil. Charlie replied that in the current ordinance, they have very little in terms of planting longevity, but that they are correcting this in the new ordinance. Charlie said that the homeowner will need to speak to the developer on what they want. Curt replied that they do have provisions within the documents that do address disturbed land. Jeremy Doxsee suggested that they add a condition that street trees be provided, as this will become a Town road. Jeremy acknowledged that they do have 21 Conditions of Approval, but with the notations on the plan now, they may be able to bring this closer to 15. Jeremy said that the Board could also table the application. Charlie agreed that they did have a lot of conditions listed, but that in review of the Ordinance and the conditions, he is comfortable with proceeding especially knowing that the Town Engineer will be involved with settling most of these issues. Soxna stated that she is not comfortable with the level of conditions. Anna agreed and stated that staff needed to bring this forward as to where the plan was.

MOTION BY SOXNA DICE TO TABLE THE FINAL PLAN MAJOR REVIEW APPLICATION FOR CHAMBERLAIN WOODS SUBDIVISION PENDING FURTHER CLARIFICATION. SECONDED BY BILL DANA. MOTION PASSED 4-3.

2. Case # 15-014 Tao Yuan Greenhouse: The Board will review and take action on a Final Plan Major Review application, submitted by Cecile and John Stadler/Cara's Place LLC, as an amendment to a site plan approved 5/27/14. The proposed amendment includes the construction of a 2-story commercial structure with a top-floor greenhouse; and storage/office/work space dedicated to greenhouse and restaurant support tasks located on the ground and basement floors. Structure to be built on the existing foundation with associated parking and site improvements, located on a .16 acre lot, 0 Abbey Road/22 Pleasant Street, and within the Town Center 1 (TC1) Zoning District and Village Review Overlay Zone. Assessor's Map U13, Lot 095/1-3.

Jeremy Doxsee reviewed the project summary amendment for an aquaphonic greenhouse and storage/work area. Jeremy said that this application was seen before the Staff Review Committee on March 11, 2015 and those notes are included in packet. Jeremy stated that there are 4 Conditions of Approval, one included a parking schematic showing staff only in the basement.

Kate Holcombe reviewed the application and presented a PowerPoint presentation. Kate noted that they are not changing the size of the existing foundation, but they are adding a small staircase and loading dock outside of the current foundation. Richard Visser asked why the address was 0 Abbey Road and Anna Breinich explained that it was originally 1-3 Abbey Road, but those condominium units were never constructed and they just need a new number.

Chair Charlie Frizzle opened this meeting to public comment.

Art Boulay, abutting owner for the Brunswick Business Center, asked for more clarification on the offices to be located on the ground floor. John Stadler, applicant, replied that they changed the plan to restaurant use only as they could not put in ramps for handicapped entrances; there will be no public offices. Richard Visser asked if there were any bike requirements and Jeremy Doxsee replied that there are none.

MOTION BY BILL DANA THAT THE MAJOR DEVELOPMENT REVIEW AMENDED SITE PLAN IS DEEMED COMPLETE. MOTION SECONDED BY RICHARD VISSER, APPROVED UNANIMOUSLY.

Charlie Frizzle noted that for Section 411.10 and 411.15 of the Brunswick Zoning Ordinance, this application was reviewed by the Village Review Board and was approved for a Certificate of Appropriateness once the VRB conditions are met.

MOTION BY DALE KING THAT THE FOLLOWING WAIVERS BE GRANTED:

1. Topography with contour intervals. No grading proposed. Site all impervious.
2. Profile, cross-section dimensions, curve radii of existing streets. No changes proposed to Pleasant Street or Abbey Road.

MOTION SECONDED BY BILL DANA, APPROVED UNANIMOUSLY.

**MOTION BY SOXNA DICE THAT THE MAJOR DEVELOPMENT REVIEW
AMENDED SITE PLAN IS APPROVED WITH THE FOLLOWING CONDITIONS:**

1. That the Board's review and approval does hereby refer to these findings of fact, the plans and materials submitted by the applicant and the written and oral comments of the applicant, its representatives, reviewing officials, and members of the public as reflected in the public record. Any changes to the approved plan not called for in these conditions of approval or otherwise approved by the Director of Planning and Development as a minor modification shall require a review and approval in accordance with the Brunswick Zoning Ordinance.
2. Prior to issuance of a building permit, the applicant shall submit a letter from a bank verifying financial capacity, satisfactory to the Director of Planning & Development.
3. Prior to issuance of a building permit, a note shall be added to the plan stating that rain and melt water will be collected from the greenhouse structure and diverted into cistern(s) in the basement.
4. Prior to issuance of a building permit, a parking layout plan with dimensions shall be provided, to the satisfaction of the Director of Planning and Development.

MOTION SECONDED BY BILL DANA, APPROVED UNANIMOUSLY.

3. Zoning Ordinance Rewrite Committee (ZORC) Update

Anna Breinich reviewed the upcoming ZORC meeting schedule.

4. Approval of Minutes

5. Other

6. Adjourn

This meeting was adjourned at 8:26 P.M.

Respectfully Submitted,

Tonya Jenusaitis

Recording Secretary

**BRUNSWICK PLANNING BOARD
MEETING MINUTES
MAY 12, 2015**

MEMBERS PRESENT: Chair Charlie Frizzle, Vice Chair Margaret Wilson, Bill Dana, Soxna Dice, Jeremy Evans, Dale King and Richard Visser

STAFF PRESENT: Director of Planning and Development, Anna Breinich; Town Planner, Jeremy Doxsee

A meeting of the Brunswick Planning Board was held on Tuesday, April 14, 2015 in Council Chambers, 85 Union Street. Chair Charlie Frizzle called the meeting to order at 7:00 P.M.

1. Case # 15-017 Medical Office Building: The Board will review and take action on a combined Sketch / Final Major Review application submitted by Smiling Sailboat Holdings, LLC, for the proposed development of a 5,084 sf office building, a 33-space parking lot, and associated site improvements, on a 1.06-acre lot located at 84 Baribeau Drive, in the Residential 4 (Meredith Drive – West McKeen Street) Zoning District, within the Medical Use Overlay Zone. Assessor's Map 22, Lot 31.

Jeremy Doxsee introduced the combined Sketch / Final Major Review application for the development of dental offices and said that this application was before the Staff Review Committee at their April 29, 2015, meeting; These notes are included in the meeting packet. Jeremy said that the applicant proposes to construct a 5,840 sf dental building on a 1.173 acre parcel in the Medical Use Overlay Zone and the Residential 4 Zoning District and pointed out that the Cooks Corner Design Standards also apply to this application because it will be located within the Medical Use Overlay Zone. Jeremy reviewed the layout which includes stormwater retention ponds and pointed out that Jim Seymour, the consultant, was overall satisfied with the plan but has some conditions such as sedimentation and erosion control and has asked for a few more details. The lighting plan includes three pole mounted lights which have been found satisfactory by the Town Engineer, John Foster; these notes can be found in the packet materials. The application includes a dumpster enclosure and bike rack and pointed out that the 33-space parking lot is bigger than what the applicant has stated they will need. There are residential uses to the west and south and a medical office to the north. Landscaping is also a condition of approval. The Town arborist, Peter Baecher, will be generating a Memo. Jeremy said that to the west the applicant is proposing to maintain a 50-foot buffer. The trees are a little leggy and it is believed that the arborist will require some underbrush. On the south property line, the applicant does have a grading plan but there is 20 to 25 feet of vegetation that they are proposing to maintain and the arborist will be looking at this as well. Jeremy pointed out that there are three white spruces behind the dumpster enclosure that will provide additional screening. The application is under an acre of disturbance and does not trigger a state DEP permit and staff has reviewed the architectural elevations and found them to be in conformance of the CCDS.

Applicant, Michael Scholl, reiterated Jeremy's comments and added that he will be the developer and owner. Richard Visser asked what the percentage of impervious surface was. Jeremy

replied that the existing is 0 and the proposed is .42 acres of an overall 1.1 acres, roughly 40% impervious. Soxna Dice expressed her concerns over the lack of detail required for conditions and stated that she is comfortable when there is a condition listed referencing a standard, but that she is not comfortable with the conditions that say “as long as you give additional details to the satisfaction of the Town Engineer”, and asked details that demonstrate what exactly? Charlie Frizzle replied that in the packet materials, the letter from James Seymour from Sebago Technics dated May 7th, outlines the technical details that he is looking for. Soxna stated that this letter should be referenced if this is the case. Jeremy Doxsee explained what occurs when there are several conditions listed in approvals and stated that they do not usually list all the details in an attempt to keep the conditions shorter. Margaret Wilson stated that she is not entirely comfortable with James Seymour’s letter as it seems as though there are still too many variables that need to be clarified. Bill Dana stated that he believes that is it pretty clear on what they can accept and thinks the Jeremy is right that they are not listing all the technicalities, but the information is in James Seymour’s notes. Soxna replied that if the conditions are more tightly tied to James Seymour’s Memo, she would be more comfortable.

Margaret Wilson stated that she is concerned that they do not have a traffic study and that there are still many issues that need to be worked out in regards to stormwater. Margaret is also very concerned that this does not meet the Cooks Corner Design Standards as the main entrance does not face Baribeau Drive; this is a major component of the CCDS and Margaret pointed out that every other building does have a face on Baribeau Drive. Charlie Frizzle replied that reorienting the plan so that it does face Baribeau Drive should allow adequate time to address the other issues as well. Soxna Dice agreed and noted that they also do not know what the materials will be. Jeremy Doxsee replied that a face on Baribeau Drive was not overlooked and that this application was reviewed by several others. Jeremy noted that there are no sidewalks on Baribeau Drive, that no one uses the front entrances and believed that there are other buildings that did not have clear frontage. Richard Visser stated that if the application does not meet the standards, then the application needs to be reworked. Michael Scholl replied that the reason the building is situated as it is, is so that it faces the parking lot as they could not have parking in the front of the building. Margaret asked how many spaces this application does require as opposed to what they will be construction. Jeremy replied that they only needed 15. Soxna asked why they wanted so many additional parking spaces. Michael replied that they wanted the ability to possibly expand in the future. Anna Breinich reviewed the buffer standards and the landscaping abilities.

Jeremy Doxsee asked if in the future, would the Board like paraphrasing of technical Memos included in the conditions. Charlie Frizzle replied that they would just like the Memos to be referenced.

Charlie Frizzle opened the meeting to the public hearing. There were no comments made and the public hearing period was closed.

MOTION BY BILL DANA TO TABLE COMBINED SKETCH / FINAL MAJOR REVIEW APPLICATION. MOTION SECONDED BY MARGARET WILSON, APPROVED UNANIMOUSLY.

2. Zoning Ordinance Rewrite Committee (ZORC) Update

Anna Breinich stated that the May meeting schedule will be completed shortly.

3. Approval of Minutes

MOTION BY MARGARET WILSON TO APPROVE THE MINUTES OF APRIL 28, 2015. MOTION SECONDED BY DALE KING, APPROVED UNANIMOUSLY BY THOSE PRESENT.

4. Other Business

No other business.

5. Adjourn

This meeting was adjourned at 8:26 P.M.

Respectfully Submitted,

Tonya Jenusaitis

Recording Secretary