

**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 the 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 applicant's 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 aquaponic 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