

**VILLAGE REVIEW BOARD
SEPTEMBER 15, 2015**

MEMBERS PRESENT: Chair Emily Swan, Laura Lienert, Connie Lundquist, Gary Massanek, Brooks Stoddard, Karen Topp and Sande Updegraph

STAFF PRESENT: Director of Planning and Development, Anna Breinich

A meeting of the Village Review Board was held on Tuesday, September 15, 2015 at the Municipal Meeting Facility at 85 Union Street, Council Chambers. Chair Emily Swan called the meeting to order at 7:15 P.M.

1. Case # VRB 15-024 – 136 Maine Street (rear)– The Board will discuss and take action regarding a Certificate of Appropriateness for the demolition of a 2,500 square foot warehouse to the rear of the property and facing Town Hall Place and replace with parking lot for tenants at 136 Maine Street (Map U13, Lot 62).

Anna Breinich introduced the application for a Certificate of Appropriateness (COA) for demolition of a warehouse structure to allow for a 15-spot parking expansion. Anna noted that this structure was not part of the contributing versus non-contributing survey that was conducted a few years ago because it is an accessory structure. Anna said that they could not determine how old this building was because they have no records for it.

The applicant, Dustin Slocum, added that he purchased the property roughly a year ago knowing that there were issues with the structure and is simply moving forward.

Sande Updegraph asked if the planters proposed in the parking lot will be moved during the winter months for snow removal. Dustin Slocum replied that they would be.

Chair Emily Swan opened the meeting to public comment.

Claudia Knox stated that she supports this application and this use will allow for more accessible, useful, parking in the downtown area.

Chair Emily Swan closed the public comment period.

Laura Lienert asked, if, when funds are available, curbing and sidewalk be placed by the Town. Anna Breinich replied that they would be at some point in time.

MOTION BY CONNIE LUNDQUIST THAT THE CERTIFICATE OF APPROPRIATENESS APPLICATION IS DEEMED COMPLETE. MOTION SECONDED BY BROOKS STODDARD, APPROVED UNANIMOUSLY.

MOTION BY CONNIE LUNDQUIST THAT THE BOARD APPROVES THE CERTIFICATE OF APPROPRIATENESS FOR THE DEMOLITION OF THE

REAR WAREHOUSE STRUCTURE AND TO REPLACE WITH AN EXPANDED PARKING LOT ONSITE AT 136 MAINE STREET, AS OUTLINED IN THE APPLICATION, AND WITH THE FOLLOWING CONDITION:

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, his 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 further review and approval in accordance with the Brunswick Zoning Ordinance.

MOTION SECONDED BY GARY MASSENEK, APPROVED UNANIMOUSLY.

Dustin Slocum added that the warehouse will be taken down slowly by a company that will then recycle the materials into furniture.

2. Case # VRB 15-033 – 45 Maine Street / 11 Mason Street– The Board will discuss and take action regarding a Certificate of Appropriateness for the demolition of the existing structure at 11 Mason Street and another Certificate of Appropriateness for the construction of a new Bangor Savings Bank facility on 11 Mason and 45 Maine Street combined (Map U14, Lots 163 and 165).

Anna Breinich introduced the application for the Certificate of Appropriateness (COA) for the demolition of the existing structure at 11 Mason Street. Anna said that included in the packet is documentation regarding the structural integrity of the building. This application also includes a COA for the construction of a 1-story office building; this application is scheduled to be on the September 22nd Planning Board agenda. Anna said that the applicant is proposing a drive-thru in the rear of the building along with a 15-space parking lot and a pocket park.

David Latulippe with CJ Developers and applicant representative for Bangor Savings Bank presented a PowerPoint presentation reviewing the need for demolition of 11 Mason Street, new construction mass, Maine Street view, materials, parking and landscaping, pedestrian and bike access and signage. Sande Updegraph asked what the screening material will be for the dumpsters. David replied that it will be fencing. David noted that they had to add condenser pads and have also located them near the dumpster which is located in the corner near Route 1. Karen Topp asked for clarification on pedestrian and bike access; David replied that there is a front and a side entrance. Laura Lienert asked who would own the building and David replied that the building will be owned and maintained by the bank, Bangor Savings. Emily Swan asked if their landscaping plan included benches for people to enjoy the park. David replied that they do not have benches, but said that they have a green area where they could incorporate one. Karen asked where the monument sign would be located and David replied that it would be on the side; it would be short, but he does not know the exact size. Karen asked

if the front of the building is parallel to the lot or to Maine Street. David replied that the lot line was originally parallel to the lot, but this looked skewed; they sent the surveyor out and the building is now parallel to the street.

Gary Massanek stated that the issue tonight is not really the new building, but whether or not the demolition meets the requirements. Gary asked David Latulippe if he was familiar with the 4 criteria needing to be met and if he felt the application meets the criteria. David replied that when they met with staff, it was believed that they met the criteria. Brooks Stoddard commended the owners of 11 Mason for the care that they have taken in trying to maintain the building, but expressed his sadness that new design does not incorporate more 21st century style. Brooks also believes that the drive thru looks very clunky. Sande Updegraph asked what the color of the proposed brick will be. David replied it would be red. Sande added that she likes the design of the proposed building; it looks like it has been in this location for a while.

Chair Emily Swan opened the meeting to public comment.

Claudia Knox stated that she supports the demolition of 11 Mason Street and commended the current owners for making the area such a pretty spot. Claudia said that this is a case where everything was changed by the loss of the Ranger building and that the fire not only destroyed a building, but that 11 Mason Street also lost its neighbors. Claudia said that this proposed development is in a location that cannot be redeveloped without both lots and hopes that the VRB will give the applicant their blessings.

Dominic Vella, owner of Blessings and resident of 11 Mason Street, said that he is excited about this development as it will help close the retail loop. Dominic stated that he and his wife cannot go any further with their business while maintaining the building; he and his wife look at this as a great opportunity.

Chair Emily Swan closed the public comment period.

Gary Massanek noted that he is disappointed that both applications before the Board tonight have involved tearing down historic buildings to gain parking. Gary stated that in reviewing the staff comments with regards to the criteria needing to be met, he disagrees with 3 of the 4; after reading the engineer and architectural reports, there is no mention of never, but only “not ideal”. Gary said that the only criterion met is the 4th criterion. Emily Swan replied that when she first saw the application, she thought “why can’t we work around this building and include it”, but agrees with Claudia Knox who said that the loss of the Ranger building really changed the dynamics. Emily said that something needs to be put in this location that can function in this space and agrees with Brooks Stoddard that the drive thru is clunky. Laura Lienert stated that this is very difficult because the guidelines that the Board is given for review repeat that every attempt should be given to restore and preserve windows, doors, etc. and asked why they are not trying to preserve this building. Laura does not believe that all the criteria are met for demolition. Laura pointed out that in terms of parking, the Board is being asked to demolish 11 Mason Street so that it can become parking for the bank on Maine Street.

Connie Lundquist clarified that the applicant only needs to meet 1 of the 3 criteria for demolition and reviewed the criteria as listed in the ordinance. Connie asked if the corner could be redeveloped without demolition. Anna Breinich replied that it is not the building itself, but the associated parking and stated that this should be looked at as a package. Anna stated that this lot has lost its grandfathered status and any new building has to meet the current parking requirements per the zoning ordinance. Connie asked if a smaller building could go on this lot. Anna replied that a smaller building could, but pointed out that the proposed building is roughly the same size as the building across the street and asked whether you would want a smaller building on this corner. David Latulippe pointed out that in terms of access to a smaller building, it would be almost impossible on the left side and would be on the corner from the right side. Gary Massanek said that he understands the economic hardship of keeping up 11 Mason Street, but pointed out that the materials provided to the Board do not say that it is not possible to retain the structure. Brooks Stoddard replied that expense is important, but stated that the Board should think more about how historically important this structure is. In terms of the future and future needs, Laura Lienert asked if they want a building so distinctly bank looking on this corner. Coming back to the criteria needing to be met for demolition, Connie said that she does not feel that the current condition of 11 Mason Street meets the criteria. Karen Topp replied that in terms of feasible economic return, the building would require a great deal of funding to make it useable and asked how you would judge a reasonable return. Karen said that she is in favor of demolishing 11 Mason Street and said that they need to be practical in terms of the Board's decision. Emily replied that she agrees with Claudia Knox in that the position of this property and the block has been changed by the fire; this is a key factor even if it is hard to pin the decision to the ordinance. Gary replied that the Board does not know if the cost of renovations to 11 Mason Street would be economically feasible with the materials provided in the packet. Connie agreed that the Board does not have the materials to decide whether or not maintaining 11 Mason Street is formidable. David replied that the parking for the bank would be going where 11 Mason Street is, but pointed out that they are trying to maintain the streetscape per the zoning ordinance and VRB criteria. Brooks said that it would be ideal if the bank was able to incorporate 11 Mason Street into the proposed building.

Dan Miller, architect, stated that when you change the occupancy of a building, it is no longer grandfathered and would need to abide by the new codes. To do this with 11 Mason Street, would cost more than it would to build a new building. Dan added that in addition, the current codes would not allow the residence on the second floor without a separation. Dan said that it would be very difficult in today's market to find a buyer who would use 11 Mason Street in the same way. Gary Massanek replied that this testimony meets at least 1 criterion for demolition. Connie Lundquist asked if another retail went in this location, would it change the use. Dan replied that if another retail went into this location, without any changes, it would be grandfathered. Once the new owners go to change any part of the structure, it would require the owner to go to apply for new fire permits which would trigger modern egress codes. Brooks Stoddard pointed out that any building can be moved. Emily Swan replied that in the materials provided, the owner stated that the building would be difficult to move. Dominic Vella, applicant, replied that

the issue is that the building is in several different sections and stated that all the sections would have to be moved individually. Trying to maintain the timbers without the building collapsing would be extremely difficult and costly. Karen asked Brooks to speak to the historical value of 11 Mason Street and asked if this building is worthwhile to move it. Brooks replied that as stated, the building has been added on to and one can barely see the original frame, but it is old and it would be nice to keep somehow. Karen asked if it was possible to lessen the parking. Anna Breinich replied that there are situations where this can be done such as through shared parking. Emily asked if this was an issue for Karen and Karen replied that she doesn't want to see so much impervious surface. Sande Updegraph pointed out that the bank proposal has 15 parking spaces and the current parking allows for 18 spaces, 3 fewer spaces. David Latulippe replied that the parking will be open to the public, especially after hours.

In terms of the proposed building style, Brooks Stoddard stated that it does not speak to the 20th or 21st century building styles. Brooks stated that the materials are nice and that it has a lot of glass, but that it looks as though it could go anywhere in New England especially with the drive-thru. David Latulippe replied that they tried to incorporate the landscaping into the drive-thru to hide it better. Brooks stated that they could cut the roof massing. David replied that the roof was designed in trying to maintain the massing that the ordinance speaks to. Karen Topp asked if they would consider a two-story building. David replied that the applicant does not need that much space, but this is why they raised the roof so that the building appears larger. Connie Lundquist agrees with Brooks in terms of the looks of the proposed building and with Laura Lienert in the design and future of the building and the need for parking. David replied that this location will have the bank component but will also have several different loan offices. In terms of future use, Emily Swan replied that she is not too concerned as the proposed structure could be used for other office uses unlike a Tim Horton's or Burger King whose building styles have elements that are pure fast food in style. Laura Lienert stated that this building seems "ho-hum" and if the Board is going to demolish a historic structure, she would like to take this opportunity to replace it with something better. David replied that they tried to incorporate the brick and massing per their interpretation of the ordinance, but that he is hearing from the VRB that they want something unique; David suggested that the Board agree on the demolition tonight and provide suggestions to what they would like to see. Anna Breinich noted that this building will still need to abide by the Maine Street components in the Findings of Fact. Brooks said that he would like to see a forward looking, modern building.

MOTION BY GARY MASSANEK THAT THE CERTIFICATE OF APPROPRIATENESS APPLICATION BE DEEMED COMPLETE. MOTION SECONDED BY BROOKS STODDARD, APPROVED UNANIMOUSLY.

MOTION BY GARY MASSANEK THAT THE DEMOLITION OF 11 MASON STREET BE APPROVED PENDING THE DESIGN OF THE REPLACEMENT STRUCTURE APPROVAL BY THE VILLAGE REVIEW BOARD. MOTION SECONDED BY LAURA LIENERT, APPROVED BY EMILY SWAN, GARY MASSANEK, CONNIE LUNDQUIST, BROOKS STODDARD, KAREN TOPP

**AND SANDE UPDEGRAPH. MOTION OPPOSED BY LAURA LIENERT.
MOTION APPROVED 6-1.**

Emily Swan, Brooks Stoddard and Connie Lundquist suggested a modern approach to the design of the proposed building. Emily stated that she did not like the off-center entrance in the front but that she does like the glass. Connie suggested that the archway over the door could be more interesting. In returning to the corner, Gary asked why the applicant choose to keep the proposed building rectangular. David Latulippe replied that they lost footage from differences between the lot lines and the GPS and without putting a flat roof on it, the building looked awkward. Another reason they decided to go rectangular is that they would lose the landscaping / pocket park on the corner. Dan Miller replied that they went through many different versions and tried to comply with what the guidelines listed. Laura asked for more clarification as to why they couldn't anchor the building to the corner. Dan replied that when you look at the angles of the lot looking down the street, you see mostly roof lines; they needed a roof line that was appealing but didn't dominate the site. Connie asked if parking was an issue and David replied that parking was not an issue. Connie said that a bigger park and less parking would be an improvement. Anna Breinich noted that the pocket park also provides landscaping for the drive-thru. Gary asked if they could keep the drive-thru where it is and slide the building closer to the corner. Brooks suggested that the applicant work on the mass of the building; possibly a tower on the corner.

David Latulippe provided an example of another Bangor Savings Bank going into Portland. Brooks said that if they took the design of the Portland building and started from there, they would have something similar to what he is looking for and what was previously at this corner. Karen Topp said that she likes the first floor of the original plan, but she does not like the bulkiness of the roof. Gary asked how tall the ceilings were inside. Dan replied that the offices have 9 foot ceiling and the lobby is up to 14 feet. Anna suggested adding windows to the top of the sections where the roof is 14 feet. Dan said that the top of the windows are 10 feet. Anna suggested rescheduling the Planning Board meeting and scheduling an extra VRB meeting to discuss the new design of the building. David asked for clarification on the roof. Laura replied that if they could make the building look two-story, a flat roof would look fine.

**MOTION BY BROOKS STODDARD TO TABLE THE APPLICATION FOR
CERTIFICATE OF APPROPRIATENESS OF NEW STRUCTURE PENDING
RECEIPT OF NEW DESIGN. MOTION SECONDED BY LAURA LIENERT,
APPROVED UNANIMOUSLY.**

3. Other Business

- Emily Swan updated the Board on the status of the Downtown Historic Designation.
- Historic Preservation workshop will be held next week in Topsham at the United Baptist Church.

4. Approval of Minutes

MOTION BY CONNIE LUNDQUIST TO APPROVE THE MINUTES OF JUNE 16, 2015. MOTION SECONDED BY BROOKS STODDARD, APPROVED UNANIMOUSLY.

Staff Approvals:

- 13 School Street – French door/sliding door
- 85 Maine Street – Signage
- 142 Maine Street – Signage
- 29 School Street – Bike Shed

Adjourn

This meeting was adjourned at 9:42 P.M.

Respectfully Submitted



Tonya Jenusaitis,
Recording Secretary