

**BRUNSWICK PLANNING BOARD
MEETING MINUTES
APRIL 26, 2016**

MEMBERS PRESENT: Chair Charlie Frizzle, Vice Chair Margaret Wilson, Jane Arbuckle, Bill Dana, Jeremy Evans, Sande Updegraph, and Richard Visser

STAFF PRESENT: Director of Planning and Development, Anna Breinich; Town Planner, Jared Woolston

A meeting of the Brunswick Planning Board was held on Tuesday, April 26, 2016, in Town Council Chambers, 85 Union Street. Chair Charlie Frizzle called the meeting to order at 7:00 P.M.

1. Case # 16-012 – Churchill Woods Condominiums: The Planning Board will review and take action on a combined Sketch/Final Major Development Site Plan Reapproval application submitted by Churchill, LLC, for phased construction of 16 residential units; located off of McKeen Street (Assessor’s Map U28, Lot 196), in the R4 Meredith Drive – West McKeen Street Zoning District.

Jared Woolston introduced the application for Churchill Woods Condominiums and said that this application would have gone through a similar approval process, but the applicant narrowly missed the deadline. Jeremy said that this application has no substantive changes and was reviewed by Staff Review. Jared said that there was one concern from a member of the public at the Staff Review meeting with regards to the existing homeowner’s agreement fees, but it has been determined by an attorney that these fees cannot be adjusted.

Curt Neufeld of Sitelines, presented a PowerPoint presentation and reviewed the project for those not familiar with the previous approval. Bill Dana asked for specifications on the pedestrian easement. Curt replied that it is roughly 20 feet wide. Margaret Wilson verified that the trees will not be cleared until the developer is ready to begin construction. Curt replied that this is still his understanding. Curt noted that the phasing has been added to the plan with an estimated begin date.

MOTION BY BILL DANA THAT THE MAJOR DEVELOPMENT REVIEW FINAL SITE AND CONDOMINIUM SUBDIVISION PLAN APPLICATION IS DEEMED COMPLETE. MOTION SECONDED BY JEREMY EVANS, APPROVED UNANIMOUSLY.

Chair Charlie Frizzle opened that meeting to public comment.

Mark Patrick, resident of Hennessy Avenue, said that Phase 1 was clear cut before construction was to begin and asked if the subsequent phase could be clear cut as well. Charlie Frizzle replied that with the units this close together, the area will probably be clear cut; where trees are shown, the developer will need to either leave the trees or plant new trees.

Chair Charlie Frizzle closed the public comment period.

Charlie Frizzle asked if the mailman will have enough room to turn at the mailbox cluster at the access point to McKeen Street. Curt Neufeld replied that the road is a little wider after the bump out, but that there should be no issues with turning. Sande Updegraph asked if the stormwater management plan has been approved by DEP and Curt replied that it was.

MOTION BY RICHARD VISSER THAT THE BOARD WAIVES THE FOLLOWING REQUIREMENTS:

1. Section 412.2.B.17: Waiver for the requirement to show all trees over 10 inches in diameter.
2. Section 412.2.B.8: Waiver for the requirement to show cross section and profiles of existing roads.

MOTION SECONDED BY SANDE UPDEGRAPH, APPROVED UNANIMOUSLY.

MOTION BY JEREMY EVANS THAT THE MAJOR DEVELOPMENT REVIEW FINAL SITE PLAN IS REAPPROVED 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 review and approval in accordance with the Brunswick Zoning Ordinance.
2. That, prior to issuance of Building Permits for Phases 2 & 3, the developer shall provide the Town with a performance guarantee, as required under Section 411.19, to be approved by the Town Engineer.
3. That, prior to issuance of Building Permits, the developer shall provide a public access easement to allow access between Country Lane and the internal loop road to the satisfaction of the Director of Planning and Development.
4. That, prior to issuance of Building Permits, the final plan shall provide a detail of the proposed pedestrian/bicycle path to the satisfaction of the Director of Planning and Development.
5. That, prior to issuance of Building Permits, the stormwater management plan is approved by the Town Engineer and that the Maine D.E.P. Chapter 500 Stormwater Permit is reapproved.
6. That, prior to issuance of Building Permits, an updated Solid Waste Impact Fee is approved by the Director of Public Works, and proof of payment per unit is provided by the applicant.

7. That, prior to issuance of Building Permits, an updated Recreation Impact Fee is approved by the Director of Parks & Recreation and/or Recreation Commission, and proof of payment per unit is provided by the applicant.

8. That, prior to issuance of Building Permits, a revised landscaping plan shall be submitted to the satisfaction of the Director of Planning and Development. This plan shall show site clearing for the development limited to the specific areas required for individual phases of the project; areas for future development are to be left in a natural state until such time as the site work for individual phases commences, which shall not occur until building permits have been issued for the individual phases. No new phase shall begin until landscaping and construction cleanup from the previous phase has been completed, to the satisfaction of the Director of Planning and Development.

9. That, prior to issuance of a Building Permit, the final plan shall include a phasing schedule on the cover sheet to include projected start dates for Phases 2 & 3.

MOTION SECONDED BY SANDE UPDEGRAPH, APPROVED UNANIMOUSLY.

2. WORKSHOP: The Planning Board will review a proposal submitted by Sitelines, PA, the authorized representatives of All Saints Parish, for the proposed development of a 14,685 square foot events center, and a 13,167 square foot building on the St. John's Church property located on Pleasant Street within the Inner Pleasant Street (TR1) Zoning District, and the Intown Railroad Corridor (MU2) Zoning District (Map U16, Lots 47 & 48).

Jared Woolston said that this proposal was reviewed at the last Staff Review meeting and the President of the Northwest Brunswick Neighborhood Association, Laura Lienert, was present and questioned fiscal capacity and Zoning District dimensional and density requirements.

Kevin Clark of Sitelines presented a PowerPoint presentation for the All Saints Parish Events Center Proposal. Sande Updegraph asked if the church feels that they have sufficient parking. Kevin replied that they feel that they should have sufficient parking, but that there may be a few instances when parking maybe tight. Charlie Wierzinski reviewed his understanding of the Common Development Plan review process. Anna Breinich replied that only in Brunswick Landing did they allow the changes in Dimensional Standards, but they have never had Common Development techniques utilized outside of Brunswick Landing. Margaret Wilson said that it appears that they meet the requirements for the MU2. Discussion over Ordinance language interpretation. Margaret suggested that they request interpretation from the Town Attorney on whether they can exceed the current dimensional restrictions.

Chair Charlie Frizzle opened the meeting to public comment.

Suzan Wilson, Town Councilor, replied that with regards to the square footage, Saint Johns in both the physical structure and the parish itself is an integral part of Brunswick's cultural history and she is happy to hear that everyone is willing to communicate in a way that everyone can agree.

Chair Charlie Frizzle closed the public comment period.

Sande Updegraph said that she would like to hear from Laura Lieneret regarding her comments at the Staff Review meeting. Laura replied that her concern is in regards to the impervious percentage and that stepping a few feet to the left or right will make the difference. Laura said that she would like to see another company do the site survey as Sitelines not only conducted the site survey but they are also the acting representative. Jane Arbuckle asked where the 20,000 foot concern came from. Charlie replied that this number has been around for a long time, but he is not sure what the thoughts were when the number was determined. Jane expressed that having more permeable surface is better and urged the applicant to have more permeable surface within the design.

3. WORKSHOP: The Planning Board will hold a workshop to review the Maine Department of Environmental Protection (DEP) Rule, Chapter 1000: Guidelines for Municipal Shoreland Zoning Ordinances (06-096, Ch. 1000), and offer comment regarding an amendment to Brunswick's Zoning Ordinance for filling and earthmoving activities within the Natural Resource Protection Zone (NRPZ).

Jared Woolston briefly reviewed the findings and thresholds from the last workshop as discussed in the MEMO by Anna Breinich dated April 22, 2016.

Chair Charlie Frizzle opened the meeting to public comment.

Suzan Wilson, Town Councilor, pointed out that the vote on the emergency moratorium was unanimous and not 5-4 as noted in the April 22, 2016 MEMO. Suzan said that the moratorium was not controversial, but that they were not comfortable with seeing it retroactive. Suzan said that they need to establish transparency, consistency and enforceability.

John Perreault said that he likes Jared Woolston's submittal. John said that he is glad that this encompasses shoreline stabilization.

Jane Millet, Town Councilor, pointed out that we protect the waterfront, rivers and streams, but they also need to protect the in town water as well from unnecessary pollutants.

Jane Arbuckle asked what the standard is that applicants must abide by. Jared Woolston said that he does not believe that there is a specific standard. Anna Breinich added that they are looking into this.

Chair Charlie Frizzle closed the meeting to public comment.

MOTION BY MARGARET WILSON TO SET A PUBLIC HEARING FOR AN AMENDMENT TO BRUNSWICK'S ZONING ORDINANCE FOR FILLING AND EARTHMOVING ACTIVITIES WITHIN THE NATURAL RESOURCE PROTECTION ZONE (NRPZ). MOTION SECONDED BY BILL DANA, APPROVED UNANIMOUSLY.

4. Zoning Ordinance Rewrite Committee (ZORC) Update: Next meeting scheduled for

5. Approval of Minutes: No minutes were approved at this meeting.

6. Other Business: No other business.

Adjourn

This meeting was adjourned at 8:33 P.M.

Respectfully Submitted,

A handwritten signature in blue ink that reads "Tonya Jenusaitis". The signature is written in a cursive style.

Tonya Jenusaitis

Recording Secretary