

TOWN OF ORLAND  
PLANNING BOARD MINUTES  
February 7, 2016  
7:00PM

I. ROLL CALL

X	JACK MACBRAYNE
X	BRENDA LEAVITT
X	CHARLES GIOSIA
X	BART HUTCHINS
X	ROGER WOOD
X	KRISTIN COOK (ALTERNATE)
X	DON BAKER

Staff Attending:

X	LUKE CHIAVELLI, Code Enforcement Officer & Plumbing Inspector
A	EDWARD RANKIN SR, Chair Selectman
X	LESTER STACKPOLE, Selectman
X	KIMBERLY ARCHER, Board Secretary

Attending Public:

- II. Macbrayne called the Meeting to order at 7:00pm.  
Where we have many members of the public here, MacBrayne suggested going over the minutes later in the meeting and getting right down to business.  
In the interest of time, MacBrayne advised that we waive some of the application requirements to get through the site plan review quickly.

- III. APPROVAL OF MINUTES FOR JANUARY 2017:  
For the January Minutes would anyone like to have any additions or comments?

Does anyone have any questions or comments about the minutes. Or move to approve.

Wood: Motion to approve as written.

Leavitt: Second

Unanimous approval.

CEO REPORT

A. One septic system and one plumbing permit.

IV. COMMUNICATIONS AND CHAIRMAN'S COMMENTS –

V. SELECTMAN COMMENTS: None

VI. UNFINISHED APPLICATIONS- None

VII. NEW APPLICATIONS - None

VIII. PENDING APPLICATIONS: Tradewinds and Wardwell Sites.

Pedestrian Traffic requirements will not change, C7-C14 can all be waived where there is no instruction taking place.

Baker: No exterior construction.

MacBrayne: unless someone disagrees I suggest we waive those items and go through the checklist for the remaining items.

Wood: Motion to waive those items

Baker: I second

Unanimous vote.

MacBrayne: So Moved

With what Julie told us last month in regard to the application;

A1- On the application is in regards to an existing building, all of the fields A1-On with A9

that we waived. There are no easements and the street information, intersections and

onsite parking, the existing buildings and the existing signs are all showing on the maps that Julie has included with the application. All underground facilities, Septic and Well.

There are no known aquifers at that location. Proposed use of the property is to rent out several rooms, one for use as a hair salon, and the permits have already been issued for the additional sinks for the beauty salon which Luke approved.

Everything seems complete within the application and based upon what we saw last month we did not see any issues.

Leavitt: They're not going to put up any signage?

Wardwell: We do have one sign on Rte 1 facing the highway, and another post near the actual building.

Leavitt: is it going to be lit?

Wood: Do we have any feedback from the abutting owners?

As of last Thursday

Leavitt: I motion to approve.

Wood: I move to approve.

Any further discussion? Any

Unanimously approved.

Chiavelli: Come see me Wednesday.( To Wardwell)

MacBrayne: So a couple of months ago, Jeena Detour was here from Carpenter Associates to give us the pre-application presentation for the Rte 1 and Rte 46. Randy Bragg is here from Carpenter associates to discuss the application with us.

The first thing we have to do in regards to the ordinance to see if we have a complete application.

Bragg: I'd be happy to explain what we presented before in a quick summary. If you recall we are going to construct a 60x80. We are going to construct a gas station, we are going to use the existing footprint that is there now, with the only difference is a paved drive. The other thing that we are proposing to do is get our utilities from RTE46 and connect to sewer and water for that side. We are currently proposing to the the DOT to put an entrance on the Rte 1 side. Single story facility, just to address some of the concerns that we received after the initial presentation. We added an aerial photo, closer to 1000 feet away. We also included an additional sign detailing, and our wetland disturbance permit, with verbal that has been approved.

We need approval from the planning board(town), DEP, and A.C.E

Townsperson: Is that considered swamp land?

MacBrayne: DOT has stated that there are two culverts that are blocked, and when they re routed Rte 46, they didnt maintain the culverts and created water to back up to the pond.

Bragg: A concern that there was not enough screening between the original property line and the abutters, we are planting evergreens and a fence. The fence and evergreens will start at least 6ft high.

Cook: Do you have a plan on how to keep those conifers alive? I see a number of plantings and they dont usually live.

Bragg: We plant the trees, but we cannot prevent them from dying, but if they do, the owners can be asked to replant them.

It is our intent to make the ordinance and answer any questions that you may have.

MacBrayne: we do need to quickly go through the checklist and tell Randy whats missing, and go through it line by line, if you will, and handle that. Again, I took the liberty of doing a checklist on my own, I think for the most part, everything has been addressed and I do not think there's much of anything missing,

Leavitt: will provide tech support. And the resume was not included. Section A9 on the checklist.

Bragg: I apologize for not including that. I do have that information I can provide.

MacBrayne: Review of the sections. Existing use of the property, contiguous property information is shown, and existing property information is shown. Randy did provide with supplemental material.

MacBrayne: The one thing I didnt see was in regards to easements.

Bragg: there was some confusion initially, there was in the past a limited time easement. There are no known easements that we know of right now, and we have the stamp to prove that.

MacBrayne: On site vehicle and pedestrian traffic. The existing buildings and signs are shown, and I'm unaware of the existing utilities. We believe water is connected.

Fire protection and no known aquifers. That covers the existing conditions. Proposed structures are shown on the site plan, and the proposed sign is there, which will take some discussion but at least it will be in the existing application. Proposed for C5, thats shown on the site plan. C6 is the traffic volume and that's the DOT report that we know we are waiting for, and had hoped to have a draft at this time.

Bragg: we hired laurel and palmer to do this. We're hoping to get that from them soon. They're traffic engineers. We cannot do anything without their approval.

Additional utilities are all shown on the site plan. Solid and special waste is addressed. Snow storage is addressed, and completion is addressed.

It appears to me that with the two exceptions and one minor thing of just getting a resume. That we can accept the application as complete. What I would suggest that we do from there, is that we state that it was accepted with the board will have to decide, if we think this project needs to have a public hearing or not. And the farther we can get through this we can decide if we need one.

Bragg: Can I ask why there isnt a public hearing tonight.

MacBrayne : In the normal process for projects like this, if we were to have a public meeting it would be published in the paper for the public to attend and would be first on the agenda for next month. On the checklist, the list does not correspond to the site plan.

We know the information, Owner, South Street Development, Map 17, Lot 5-1 The deed is attached to verify ownership, the abutting property information is supplied as a list in the application, and it was mentioned there is a letter from the bank attesting to the financial capability of the company.

Any issues you can see that would prevent approval of the application?

Wood: No, I don't see anything

MacBrayne: Again for the existing property, the property has been vacant for a number of years and I guess I would ask if there is anyone on the board, that thinks that we require any more information from the applicant with respect to existing conditions to what's in the application?

Leavitt: It doesnt really matter but on the checklist it states that the property is commercial?

MacBrayne: We can move onto the meat of the application which is section C. We know the application is for a commercial operation and the site plan shows the layout, the buildings, but there is no elevation listed.

The top of the building should be 22 feet, the front will have a false gable that will prevent runoff from the roof. There will be an awning covering the walkway to the main entrance. There is a double door in the front, a couple real windows and a couple false windows. There will be 2 restrooms and beside those 2 restrooms there will be another exit. We plan to light the front of the building with pole lighting.

Front and side elevations of the building, which shows the building height and so on, and I think that is what is required on the

What we're looking for is an architectural drawing showing the dimensions of the building.

Wood: So the dimensions to the peak is 22 feet?

MacBrayne: So its up to the board, I think its important to add the dimensions to the application.

Wood: what is it going to look like?

Bragg: It is closest to the South Main Street location in Brewer. Its slightly larger than Veazie. Similar to Eddington.

MacBrayne: I think its important to include that information.

Cook: The signage says that it should not exceed 32 square feet.

MacBrayne: The sign size was part of the old ordinance.

Cook: May I suggest something? That the signs not very huge, EBS sign is very modest, and

Leavitt: There are several things that the sign is trying to accomplish. Gas, Tim Hortons, Or what have you, and I don't believe that the sign is going to be that much of an issue.

Bragg: Explained the size of the sign, and wanted to stay within the ordinance. And that the company is willing to comply with any requirements.

MacBrayne: So you would be comfortable with us putting on an approved application that there was a requirement when the building begins, that they have the signage approved when it is built.

Bragg: Yes.

Wood: Does CITGO have a standard for their signage?

Bragg: No. But we do have the ability to tell the company the way its' going to be.

Leavitt: So am I to understand that we are not making a decision on the

Cook: So all of the lighting is pointing down?

Bragg: Yes, we do have all of it on settings, and is all pointing down. The gas canopy will have lights on, as it is independent of everything else, the pumps will be open 24 hours a day for self serve only. There is no diesel there, so its' just gasoline.

MacBrayne: the exterior lighting locations are all shown on the site plan and the information from the lighting manufacturer. Does anyone have any further questions on exterior lighting? C5 is the vehicle and pedestrian traffic on the site, and all of the parking areas are shown on the site plan. This is separate from the traffic survey and DOT. Any Questions or comments about that? Randy described the planning for plantings, and where the fences are.

Bragg: There are plantings and there is a raised bed.

Randy mentioned that most will be coming from the Rte 46 side.

Bragg: We have the appropriate letters showing whether or not it would be ok.

MacBrayne: Any questions for C8 or C9? We have all the appropriate letters from Bucksport waste water stating that they have the supply.

Bragg: All of the runoff comes from the same place on that side. What we are going to do is create a drip edge with gravel so that the runoff can be captured in two culverts and cooled off before it goes back into the land.

Baker: Has that been tested for chemicals from the old business.

Bragg explained the mechanics of the culverts and construction information, and things that will be covered and monitored by the CEO.

MacBrayne: are there any additional comments in regards to the Waste Water or runoff?

Solid and special waste, snow storage areas, all shown on the site plan.

Bragg: In the wintertime the 6 or 7 parking stalls to the south will be used to store any snow or until such time that its too much, and then we'll haul it away.

MacBrayne: Before we figure out what the next steps are we should ask to hear from any members of the audience and ask questions.

Audience Member: What I'm concerned about is whether the traffic will be coming out onto Rte 46.

Snowman: I called DOT and they stated that they could get an entrance on Rte 1, but not an exit.

MacBrayne: Where we certainly understand your concerns, we cannot base the decision of the board on whether or not it will affect a local business.

Snowman: We've never met the man, we've only seen surveyors all over our property, but we've never seen the man.

Bragg: I can't speak for the man, but I will give you his contact information.

Chiavelli: It is not common for the owner to be at a meeting like this, most companies would hire the contracting company and the owner would not be present.

John: IF the traffic on route one, is an exit only, would that be required to move the sign or would it be asked if the sign be moved to somewhere closer to the entrance.

Community member: Initially my concern was the swampland, and then I spoke to some around here and it was not quality wetland.

MacBrayne:

Bragg: There is not a Tim Hortons, or a Dunkin Donuts which would make the traffic insane. We may not have the in and the out.

Snowmans: Will the new building block the sign for Snowmans grocery from Rte 1?

MacBrayne: without knowing the height of the building, we have no way of knowing if the building will block the sign on the roof.

Providing that there are a couple of things that Randy needs to include which are the resume and building elevations which is something he can provide quite readily. But I'd like to wait on the traffic report.

Leavitt: there are only 3 options here without the traffic report.

Bragg: We have options of those things, but ultimately, the DOT is the one who is going to make that decision for us. But ultimately we may have to wait until they let us know, and what Mr. Lawrence is willing to do. When that study comes, we can give to the board and have it reviewed as soon as we have it.

Leavitt: What I'm proposing is that we not hold up the permit for the traffic review and that we hold it with the condition that the documents be submitted for final review.

Baker: So I assume you're going to drain the swamp before you begin?

Snowman: Are you building a slab?

Bragg: We are building a slab with a frost wall and there will be pumps for drainage for the culverts.

Katie asked the question about the public hearing, is this a big enough project that we need to solicit comments from the town of orland in general?

Chiavelli: I can say that I have had no one express concerns aside from those who are present tonight.

Cook: If we are looking to get the technical support information, and DOT information. Should we request a public hearing?

MacBrayne: How long would it be, before you start construction on the property if we gave you the approval tonight?

Leavitt: What would a public hearing profit us?

Bragg: We have addressed the abutting property owners and the DOT has its own process and authority.

Leavitt: What I'm saying here Jack, is that having a public hearing, all that is going to address is the traffic issues that we have discussed here, and the DOT will be the one ultimately making the decision.

Bragg: Has the DOT had a scoping meeting yet in regards to the traffic issues? Ive been involved with ones for the townspeople to address or weigh in on any concerns that they might have.

It might not necessarily require town planning board members, but maybe the town fathers, or selectmen.

Baker: Have the selectmen heard anything from the DOT?

Lester: Not yet.

MacBrayne: I guess the things that we can get out of the way is whether or not we need to have a public hearing.

Wood: I think that we have everything that we need, and its been covered from that standpoint.

MacBrayne:

Leavitt: I move that we approve the site plan, with signage approved non-sight and the dimensions and height and width are approved at a later time, that they will comply with entrances and exits with the DOT traffic assessment. And additionally the submission of the building elevations and technical support resume from Carpenter and Associates.

MacBrayne: On the site plan there is a signature block, and we should pull out one of those and all of us sign it, and approved with conditions and see attached on the bottom.

MacBrayne: Do we approve this application? All in favor?

Unanimous vote.

Leavitt: All signed by board members, I'll send mine around.

MacBrayne: Back to the meeting, and we're all done talking about the Tradewinds things. So those of you that want to stay. And now back to the rest of the agenda.

#### PUBLIC QUESTIONS and COMMENTS-

If the town could preclude planning board approval to have the public express their concerns?

IX. NEXT MEETING will be held Mar 6, 2017 at 7:00pm at the Orland Community Center. I hope that we will be able to cover some of the Wind Energy Ordinance information at our next meeting.

X. OTHER BUSINESS and ADJOURN

MacBrayne: If there is no other questions, before we begin working on the wind energy ordinance, I motion that we adjourn the meeting.

Wood: Second

Meeting Adjourned at 8:54pm

#### WIND ORDINANCE REVIEW

Tabled until next time.