

**City of Hallowell
Planning Board Meeting
September 18, 2019
6:30 pm**

1. Call to Order

Ms. Feinstein called the meeting to order.

2. Roll Call / Quorum

Ms. Feinstein took the roll call and established a quorum.

Present: Judith Feinstein (Vice Chair), Richard Bostwick, Darryl Brown, *Andrew Landry, Jane Orbeton,
*Lisa Rigoulot, Matthew Rolnick (2nd alt.)

Rick Seymour, Jr, Deputy Code Enforcement Officer

Excused: Melvin Morrison (1st alt.), Danielle Obery (Chair)

Mr. Rolnick will be voting.

3. Public Comments (The Board has agreed to limit the time allotted to Public Comment to fifteen minutes.)

None.

* Ms. Rigoulot arrived.

4. Approval of Minutes of the August 21, 2019 Planning Board Meeting

Motion to approve the minutes of the August 21, 2019 meeting as presented.

Moved: Orbeton

Seconded: Rolnick

Ms. Feinstein noted that her address is incorrectly provided as 25 Maple Street and should be 15 Maple Street. Ms. Orbeton and Mr. Rolnick accepted the correction.

Vote on amended motion:

Unanimously approved,
Rigoulot abstaining

5. Certificate of Appropriateness for New Construction in the Historic District for Larry Dibble and Wendy Springborn, 24 Union Street, Map 9 Lot 67

Ms. Feinstein noted that this application was tabled from the last meeting pending consultation with the Historic District consultant.

Wendy Springborn and Larry Dibble presented an application to move an existing window and install a new window at the rear of the house. Ms. Springborn explained that they have presented an alternate proposal since there is insufficient time to complete the full scope of the project. Ms. Feinstein asked if they wished to keep the original application open; Ms. Springborn withdrew the original application. Ms. Springborn said they wished to replace all of the windows. Ms. Orbeton asked for information on the new windows.

Ms. Springborn said the replacement windows are six-over-one. The existing windows are leaky, old, and ugly. They want to add a window in the kitchen to provide additional light and move the existing upstairs window. All will be six-over-one and will have trim as close as possible to the existing trim. The replacement windows will be the same size as the existing windows.

Mr. Bostwick asked how many windows are being replaced; Mr. Dibble said there are thirteen windows being replaced. Ms. Feinstein asked if the existing door would be changed; Ms. Springborn said it would remain as it is and the upstairs window will be centered. Ms. Feinstein asked if the new window would be centered in the space. Ms. Springborn supplied a photograph. Mr. Rolnick explained that in the absence of a detailed application the Board must make the record as complete as possible.

* Mr. Landry arrived.

Mr. Rolnick asked if the existing windows are six-over-one; Ms. Springborn explained that most of the current windows are one-over-one, but one of the original six-over-one windows still exists and they want to go back to the original style. Mr. Rolnick asked for confirmation that the second floor window on the south side will be moved to center it in the gable and will also be six-over-one; Ms. Springborn said that was correct. Mr. Brown asked for an estimated cost. Mr. Dibble said the estimated cost is \$10,000.

Motion to find the application complete as amended orally this evening.

Moved: Orbeton	Seconded: Bostwick	Unanimously approved, Landry abstaining
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Motion to find the application in harmony with Historic District standards and approve the application.

Moved: Orbeton	Seconded: Brown
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Mr. Brown emphasized that it is the application as presented this evening and not the original plan that the Board is approving.

Vote:	Unanimously approved, Landry abstaining
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6. Certificate of Appropriateness for New Construction in the Historic District for Steve Krupinsky, 42 Winthrop Street, Map 6 Lot 41

Steve Krupinsky, 42 Winthrop Street, and Margaret Innes of Studio E Architects presented an application for alterations to create living space in the “back house” and barn. Ms. Innes explained that they plan on adding an accessory apartment. The apartment will have a kitchenette, so it is not a full apartment. The only exterior changes will be the addition of two windows on the east side of the barn, which will be of similar height, grill configuration, exterior trim, and distance from exterior wall face, with rails, muntins and sills of the same size as the existing window. She said she has talked with the Historic District consultant. They are installing the windows slightly lower to differentiate them in compliance with Standard 9 of the Secretary of the Interior Standards.

Mr. Seymour relayed Mr. Ide’s statement that the Board should deal only with the installation of the windows and need not consider the interior changes because no cooking facilities are being installed. Mr. Krupinsky explained that his mother will be occupying the apartment and he will be doing all the cooking.

Ms. Orbeton asked if there is an estimated cost for the windows. Ms. Innes said the windows will be custom-built and the total cost will be about \$2,000.

Motion to find the application complete as amended orally.

Moved: Orbeton	Seconded: Brown	Unanimously approved
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Motion to find the application in harmony with Historic District standards and approve the application as amended.

Moved: Bostwick	Seconded: Landry	Unanimously approved
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7. Certificate of Appropriateness for New Construction in the Historic District for Nathan Sennett, 181 Water St., Map 9 Lot 147

Nathan Sennett, 181 Water Street, presented an application for removal and relocation of existing deck stairs and expansion of the deck.

Mr. Sennett provided a sketch to supplement his application. He confirmed that the existing stairs are pulling away from the building. He wants to relocate the stairs and fill in the space currently occupied by the stairs with a cantilevered addition to the deck, which will not change the deck’s foot-print. Mr. Brown asked if the existing deck would remain; Mr. Sennett said that was so. Mr. Brown observed that the change in the foot-print will be where the stairs will be relocated; Mr. Sennett said that was right. Mr. Brown asked if there was room on the lot for the stairs; Mr. Sennett said there was.

Motion to find the application complete with the addition of the sketch.

Moved: Landry

Seconded: Brown

Unanimously approved

Ms. Orbeton asked if the width of the deck was sufficient to accommodate the stairs. Mr. Sennett explained that the stairs are seven feet long and will fit within the 10.4-foot width of the deck.

Motion to find the application in harmony with Historic District standards and approve the application.

Moved: Brown

Seconded: Bostwick

Unanimously approved

8. Site Plan Review, Minor Project, FEM Katherine Dr., LLC, 26 Katherine Drive, Map 2 Lot 1D

Sean Thies of CES Engineers represented FEM Katherine Drive LLC in presenting an application for expansion of the parking lot. He provided an overview of the project. The new tenant needs additional parking on the site. They are proposing two extensions to the parking lot, one on the north side and one on the south side. The two extensions minimize the impact on the wetlands. The extensions provide an additional 35 parking spaces. The expansion on the south side is standard asphalt paving with storm water treatment to the side and an underdrain soil filter to treat the run-off. The expansion on the north side is pervious pavement because the wetlands didn't provide room for a conventional stormwater treatment system. The increase in impervious area tripped the requirement for a DEP permit, which they have applied for.

Ms. Orbeton asked if the pervious pavement is more expensive; Mr. Thies said it is a best practice pavement but it is more expensive.

Mr. Seymour relayed comments from Mr. Ide. The project seeks to expand the existing parking lot, which is why it is a Site Plan Review for a Minor Project. The applicant has received a permit by rule from DEP to conduct activity adjacent to a protected natural resource and transfer previous approvals to the current applicant. The applicant has submitted an application for a Tier I Natural Resource Protection Act permit because wetlands will be filled in; approval is pending. The applicant has submitted a Storm Water Application to DEP and approval is pending. The applicant has submitted copies of the applications to the City. All abutters were notified by the City. The project's main mitigation features include a grass underdrained soil filter on the southern parking lot expansion and porous pavement on the northern parking lot expansion.

Ms. Feinstein told the Board it needs to decide on whether it wishes to have a site visit and to hold a public hearing. The Board also needs to act on the submission waivers requested by the applicant.

There was discussion of the standards and whether the Board needed consultation. Mr. Seymour noted that the requested waivers are for the location, view, dimensions, and means of lighting of existing signs, and for the location of nearest fire hydrant, dry hydrant, or other water supply for fire protection. Mr. Thies added that these standards are not relevant to a project involving only parking lot expansion.

Ms. Feinstein invited comments from the Public.

Harry Lanphear, Executive Director of the Public Utilities Commission, told the Board the Commission needs the extra parking area for public hearings and meetings. The Commission hopes to move to Katherine Drive on May 1, 2020.

Ms. Rigoulot questioned the statement that the expansion will not create an additional 100 or more vehicle trips per day. She observed that some of the Public Hearings draw large numbers. Mr. Thies pointed out that the hearings are not held on a daily basis. There was discussion of the traffic issue. Mr. Lanphear told the Board that the Commission currently has 62 or 63 employees. Mr. Rolnick asked Mr. Thies if it was reasonable to think that as part of his due diligence that one of his engineers looked it up and made sure that the statement was correct. Mr. Thies said based on 35 new parking spaces it would not generate that much traffic. He pointed out that parking spaces themselves do not generate trips; it is the use of the building that generates trips. Mr. Lanphear told the Board that if the PUC schedules a hearing which it knows will draw large numbers, they will not hold the hearing at this site.

Motion to waive a Public Hearing and a Site Visit.

Moved: Landry

Seconded: Brown

zoning issues; Mr. Morrill said it did not. Mr. Sabatini pointed out that the new owner will have to seek approvals that have nothing to do with this application.

The Code Officer verified that abutters were notified.

Ms. Rigoulot noted the two easements mentioned previously and asked if the access easement at the end of Coos Lane was also being approved tonight; Mr. Morrill said it was approved as part of the previous amendment. Mr. Bostwick questioned the parking lot easement; Mr. Morrill explained that the parking lot easement is for the benefit of the Erskine Building, not the lot being created by this amendment.

Ms. Feinstein enumerated the items submitted and checked them against the submission requirements. She noted that many things were not required due to the nature of the subdivision and the fact that some items are dealt with during Site Plan Review.

Vote on waiver of Public Hearing and Site Visit: Unanimously approved

Motion to find the application complete and approve the application as presented.

Moved: Rolnick Seconded: Bostwick Unanimously approved

The Board members signed the plan.

10. Approval of Findings of Fact

A. Certificate of Appropriateness, Mike Collins, 131 Second St., Map 9 Lot 85

B. Certificate of Appropriateness, Matthew Rolnick and Jeff Chaplin, 17 Union St., Map 9 Lot 55A

C. Site Plan Review, Minor Project, Heritage Place, LLC, Flagg-Dummer Building, Stevens Commons, 9 Beech St., Map 6 Lot 27 (portion)

D. Site Plan Review, Minor Project, SC-Erskine and Landmark Corporation, Erskine Building, Stevens Commons, 7 Beech St., Map 6 Lot 27-6

E. Site Plan Review, Minor Project, State of Maine Department of Agriculture, Conservation, and Forestry, Bureau of Parks and Lands, boat launch, Map 9 Lot 187

Mr. Seymour explained that items 10A and 10B are as approved by the Board. Item 10C was approved by the Board, but the CEO has added two conditions as discussed: 1) receipt of a letter from Greater Augusta Utility District and 2) a site plan for the parking area that shows dimensions, storm water drainage, and total impervious surface added; the applicant will not be able to get a building permit until those conditions are met. Items 10D and 10E are as approved in June but were not approved in July.

Motion to approve the Findings of Fact for A, B, C and D, with the conditions added on C, as presented by the Code Enforcement Officer.

Moved: Orbeton Seconded: Brown

Mr. Brown questioned the wording of Item 1F for Item 10A. There was discussion of the circumstances. The Board decided by consensus to change "The proposed deck entry will have some elements of the proposed porch" to "The proposed deck entry will have some elements of the prior porch".

The Board agreed by consensus to make no changes to Item 10B, to accept the added conditions for Item 10C, and to make no changes to Item 10D.

Vote: Unanimously approved, Rolnick abstaining with respect to Item 10B

Ms. Feinstein explained that Mr. Ide wrote to the Bureau of Parks and Lands as directed by the Board. The Bureau responded with a letter. Mr. Rolnick read the response from the Bureau: "In response to the Planning Board questions on the two attached letters, the plan calls for new concrete plank ramp with riprap along sides. The plan does not call for a new set of boarding floats adjacent to the ramp. The current in this area can be quite strong with rapidly fluctuating water levels during periods of heavy rain. New floats would require the installation of float guide piles, which are not feasible in a scenario like this due to heavy ice floes. They

wouldn't last one winter. We are willing to install an eight-by-eight concrete pad for an ADA accessible portable toilet in the grass island area to the two ADA parking spaces. We can install a wooden fence privacy screen around the pad as well if desired. Portable toilets are cleaned regularly as part of the contract with the supplier and the best option at our sites. It can be in place during the boating season and removed in the off season. The radius turns and drive aisle widths used in the design meet all current standards for boating facilities. A thirty-foot outside radius and twenty-foot inside radius is provided and adequate for today's vehicles and boats. ... We plan to remove one tree as part of the work. We are open to discussing the planting of additional trees on the site by others after the work is completed. We typically do not do plantings due to the maintenance required and the seasonal timing of the projects. The green space along the riverfront will remain as is. The existing granite benches will not be disturbed. All disturbed areas will be repaired with loam and hydroseeded."

There was additional discussion.

David Wood, 4 The Ledges, asked if the Board needed to vote on acceptance immediately because the project has been postponed until next year. Mr. Seymour pointed out that the Board has already approved the Site Plan. Mr. Wood said there are still things that could be done to improve the boat landing. He maintained this should be kept as a landing for small boats. Ms. Feinstein observed that the points Mr. Wood has brought up are not things the Board can deal with at this point and urged him to discuss them with the City Manager.

Motion to accept the Findings of Fact for Item 10E.

Moved: Orbeton

Seconded: Landry

Unanimously approved,
Bostwick abstaining

11. Other Business

Ms. Orbeton asked for an update on the Dummer House, the Central Street Parking lot, and the Liberal Cup's expansion. Mr. Seymour told the Board that the Mayor, the City Manager and the Code Officer have been in touch with Ms. Bean's legal team to discuss finishing the granite on the foundation, the fence, and the seating, which were part of the original agreement. He said the Liberal Cup's construction is well under way and will be done sometime this fall. The Parking Lot is on hold pending receipt of a final bill from MDOT for the Water Street reconstruction.

Ms. Orbeton asked about the roof deck on Mr. Kimball's building. Mr. Seymour relayed information from Mr. Ide that the area has been closed to Mr. Kimball's tenants and no one is allowed on the roof.

Mr. Brown asked if there were any developments regarding Robert Dale's properties. Mr. Seymour said he has seen some stuff being moved out, and the building seems to be less crowded. Ms. Rigoulot mentioned that she has recently heard that his location in Fairfield has been shut down by the town. Mr. Brown asked if there was any information regarding work the city required to be done. Mr. Seymour had no information.

12. Adjournment

Motion to adjourn.

Moved: Bostwick

Seconded: Rigoulot

Unanimously approved

Accepted as Presented on October 16, 2019, by a vote of 5 Yea to 0 Nay.

Attested: _____ S/
Danielle Obery, Chair