

**City of Hallowell
Planning Board Meeting
City Council Chamber
May 17, 2023
6:30 pm**

1. Call to Order

Ms. Obery called the meeting to order.

2. Roll Call / Quorum

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

Present: Danielle Obery (Chair), Richard Bostwick, Darryl Brown, Judith Feinstein, Andrew Landry, Melvin Morrison, Lisa Rigoulot

Excused: Matthew Rolnick (1st alt.), Doug Ide, Code Enforcement Officer

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

None.

4. Approval of Minutes of the April 19, 2023 Planning Board Meeting

Motion to approve the minutes of the April 19, 2023 meeting as presented.

Moved: Landry

Seconded: Bostwick

Yea: Bostwick, Brown, Landry,
Morrison, Obery, Rigoulot

Abstained: Feinstein

Motion carried.

5. Certificate of Appropriateness for New Construction in the Historic District for City of Hallowell, 1 Winthrop Street, Map 5 Lot 134

City Manager Gary Lamb presented an application for replacement of the handicapped access ramp at the Second Street entrance of City Hall. He noted that the existing structure is rusted and crumbling. He plans to install a modular deck with minimum poured concrete. Changing the configuration to a straight ramp out to the street is not possible due to gradient restrictions. He noted that the photos in the application are of ramps at Arch Beta Apartments in Augusta; he is proposing either black or dark brown instead of white. He noted that some of the railroad ties in the retaining wall have rotted and they may have to use interlocking blocks to rebuild it.

Mr. Landry asked if the railings would be the same as in the photos; Mr. Lamb said the railings will be the same height as the existing railings. Mr. Bostwick asked if they would be metal; Mr. Lamb said they will be of vinyl-clad wood. Ms. Rigoulot questioned using vinyl, saying metal would be more historically appropriate and would match the fire escape. Mr. Lamb said he has not priced out alternative materials. Ms. Rigoulot also noted that there have been many negative comments on the blocks used in the retaining wall at the Central Street parking lot and suggested the City look for available granite.

Mr. Bostwick asked if there had been any comment on the project from Row House; Mr. Lamb said he has not reached out to Row House specifically but has been open about the intent to replace the ramp. He added that the work is probably a two-week project.

Motion to find the application complete.

Moved: Landry

Seconded: Feinstein

Unanimously approved

Mr. Morrison observed that the Board has approved similar designs, but he agreed with Ms. Rigoulot's comments. He asked if the Historic District Consultant has evaluated the proposal. Ms. Feinstein echoed his comments. Mr. Brown noted that the example is generic and suggested adding knobs to the posts. Mr. Lamb said the post tops have a lot of options; he added that the vinyl is not readily distinguishable.

Motion to find the application in harmony with Historic District standards and approve the application with the stipulation that the City consult with the Historic District Consultant and modify the materials according to her advice.

Moved: Brown

Mr. Lamb said he will look at several examples with her.

Seconded: Feinstein

Unanimously approved

6. Public Hearing for a Minor Site Plan Review for a Commercial Solar Installation, SC One LLC, Stevens Commons, Map 6 Lot 27

Ms. Obery opened the Public Hearing on the Site Plan Review.

Mike Sabatini, engineer for the project, and Matt Morrill, property owner, presented the application. Nick LaCasse of Perennial Renewables was also present. Mr. Morrill referred to the Board's site walk the previous evening and noted that the plans presented tonight had been updated with the property lines. He observed that the project would be started this summer and completed in the fall. The array will be about $\frac{1}{3}$ the size of the array at the I-95 exit.

Ms. Obery invited members of the Public to speak.

Robert Stubbs, 2 Pleasant Street, observed that this is not a situation where a homeowner is installing a small solar array on a small scale and questioned whether it is compatible with City ordinances. He also noted that the owner has land beyond the site and the array might prevent further development and force creating another entrance. He added that the array will not be good to look at. Mr. Morrill responded that the entrance is too steep to be used as an entrance to a subdivision and the soil on the hill is not suitable for building construction.

Sharon Treat, 22 Page Street, said that highway interchanges were appropriate places for solar installations, but residential neighborhoods are not. She objected to the parking area on the grounds that it would be an attractive nuisance on a blind corner and pointed out that the trail is a local path, not a public trail. She also pointed out that deer and turkeys regularly traverse the area and chain link fencing will prevent that. She asked where the overhead lines would go. Mr. Morrill responded that they had originally contemplated a subdivision with access off Pleasant Street for this area but had looked for a type of development that would minimize traffic impact. All of the electric lines will be underground as far as Beech Street, where they will have to come above ground to connect to the grid. Mr. Sabatini noted that as part of the Stevens Commons Master Plan this is a minor change.

Joan Sturmthal, 21 Second Street, said she thought this was an exceptional site and did not think it would be a major visual impact; she views it as a valuable project.

Stephen Thompson, 24 Pleasant Street, observed that the neighborhood has many children and pedestrians and expressed concern about traffic during construction. He suggested alternative access through the RSU #2 property. He expressed concern that neighbors were not consulted during the planning stages of the project.

Alan Stearns, 23 Pleasant Street, said he strongly supports the project and was happy with the notices of meetings and Mr. Morrill's transparency and cooperation. He said the neighborhood benefits because Mr. Morrill has been generous with the use of the land for recreational trails, and the existing trail is for public use. He added that his greatest concern has been that housing development would be a negative impact and that he has no concerns about one-time construction traffic.

Sam Krajewski, 15 Pleasant Street, said that he is also pleased not to have a housing development on the site, however he questioned the fencing just as Ms. Treat did. He asked if there were a way to provide electricity to

residents of the neighborhood. Mr. LaCasse, explained that the seven-foot fence (or six-foot with chain link) is required by national electric code. He added that they are working to provide agricultural fence with brown posts and fencing similar to chicken wire. He explained that CMP does not allow mixing meters between commercial and residential uses. Mr. Landry clarified that it is the State's rule, not CMP's.

There being no additional comments from the Public, Ms. Obery closed the Public Hearing and asked for questions and comments from the Board members.

Mr. Brown asked about disturbance of the site; Mr. Morrill said it would be minimal. Mr. Brown asked who identified the wetland; Mr. Morrill said it was identified by Vaughn Smith. Mr. Brown noted that the wetland is unusual because it is there only because it is a level area that collects run-off from the hillside.

Ms. Rigoulot noted that access from the RSU #2 property would mitigate traffic on Pleasant Street but would increase the wetland impact. She said she sees the trail access becoming a "Vaughan Woods" situation. Mr. Morrill observed that they don't have to create the parking area; he had considered it a benefit to the community but is willing to eliminate it and can gate the access drive. Mr. Sabatini added that to access the project through the RSU #2 property would probably push the project into wetland mitigation.

Mr. Bostwick questioned the type of fencing. Mr. LaCasse pointed out that the entire height of the fence does not need to be of the same type. Mr. Morrill explained that they plan on using a six-foot height with 4" openings and green wire rather than galvanized.

Ms. Feinstein expressed her concerns about parking. She pointed out that no matter where there is or isn't parking, people will park at the side of the road when they can't access what they think or perceive as a parking area. She recommended against improving access to the trail entrance because it will create a parking problem whether there is a parking area or not. Ms. Rigoulot added that the access area is close to the bend and will create problems.

Mr. Bostwick noted the request for a waiver for storm water and asked if solar panels qualify as impervious surface; Mr. Sabatini explained that only the area of the post is counted as impervious area and that the panel itself only slightly concentrates the run-off.

The Board discussed the approval process and time line.

Mr. Sabatini called the Board's attention to the landscaping changes that were adopted according to the Conservation Commission's recommendations. Mr. Morrill added that there will be no mowing after construction, and Mr. LaCasse pointed out that they will plant with the hope of creating a native pollinator mix.

The Board reviewed the approval standards as addressed in Mr. Sabatini's letter of April 6, 2023 and addressed the standards that it deemed applicable to the project.

1. Adequacy of the Road System Providing Vehicular Access to the Site: The Board agreed that since there will be minimal maintenance, this standard was met.
 2. Vehicular Access into the Site: The Board agreed that since there will be minimal maintenance, this standard was met.
 3. Accessway Location and Spacing: The Board agreed that with the elimination of the parking area and the addition of gated access, and since the trail will remain public but not be promoted, this standard was met.
 4. Natural Features: The Board agreed that since the impact on the wetland will be minimized, this standard was met.
 13. Internal Vehicular Circulation: The Board agreed that with the elimination of the public parking area and the addition of gated access, and since the trail will remain public but not be promoted, this standard was met.
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14. Parking Layout and Design: The Board agreed that with the elimination of the public parking area and the addition of gated access, this standard was met.
17. Landscaping: The Board agreed that since the applicant has modified the plan according to the Conservation Commission's recommendations, this standard was met.
19. Stormwater Management: The Board agreed that since there will be only minor impact to storm water this standard was met.
20. Erosion Control: The Board agreed that since erosion control details have been submitted, this standard was met.
23. Hazardous, Special, and Radioactive Materials: The Board agreed that since the panels will be monitored remotely and any damaged or faulty panels will be replaced quickly, this standard was met.

Motion to find the application complete with the amendments discussed, especially the addition of an access gate.

Moved: Landry

Seconded: Brown

Unanimously approved

Motion to approve the Site Plan Review subject to the condition of including a gate and obtaining all other necessary permits.

Moved: Landry

Seconded: Brown

Ms. Rigoulot pointed out that the motion should also include that the parking area will be minimized to the extent practical to eliminate public parking. Mr. Landry and Mr. Brown accepted the friendly amendment.

Motion as amended:

Unanimously approved

7. Certificate of Appropriateness for New Construction in the Historic District for Leah Waldman, 20 Academy Street, Map 9 Lot 79

Katherine Howes of Honest Property Management represented Leah Waldman in presenting an application for constructing new fire escapes, covering attic windows, uncovering and replacing basement windows, expanding the driveway, rebuilding the front steps, and leveling the yard. She explained that the attic windows were broken and Ms. Waldman had them covered and painted to match the house. She provided updated photos of the covered windows to the Board. The basement windows are currently broken and covered, and they want to replace the windows with new windows in a basic design consistent with the rest of the house. They also want to widen the driveway to provide additional parking. There is currently a hump in the yard that they want to level to improve drainage. The fire escapes are in bad shape and will be reconstructed by engineer Ben Murray to be the same size as the originals.

Ms. Obery noted that the driveway expansion and the leveling of the yard were outside the Board's purview.

Ms. Obery pointed out that the attic windows have already been covered, so this is an after-the-fact approval. She also noted that Ms. Andrews, the Historic District Consultant, provided the CEO with an assessment of the attic windows which he relayed to the Board members by email: "In terms of the Academy Street project, the attic windows can definitely not be covered up with the barn door window effect things they have installed, so they will have to replace the windows. And if they want them to be more energy efficient, etc., they will have to deal with that. As for the doors and exits, she [meaning the consultant] did not make any comments on those because they need to be built to code, and that will change the appearance of them. However she did note that the larger one is definitely screened from view and the shorter one is fairly typical of things in the area but not necessarily appropriate for the house."

Ms. Obery suggested that Ms. Howes contact Ms. Andrews and collaborate with her in modifying the application.

Mr. Landry pointed out that if the windows are broken they can be covered with temporary coverings.

