

**RICHMOND PLANNING BOARD
TUESDAY, JULY 27, 2010
TOWN OFFICE MEETING ROOM
6:00P.M.**

MINUTES

1.0 CALL TO ORDER

Present: Warren and Joan Brooster, Brian Morse, Janet Clement, Harold Averell, Laurisa Loon, Father Chad, Nathaniel Salfas and Daniel Salfas.

Planning Board: Jessica Alexander, Bill Schellinger, Russell Hughes, Michael Lane, Ed Mackenzie, and Tom Nugent.

Chairman called the meeting to order 6:02p.m.

2.0 UNFINISHED BUSINESS-NONE

The Chairman took 5.0 out of order.

William Schellinger made a motion to approve the minutes of June 23, 2012, Ed Mackenzie seconded, motion passed, (5-0-1) Russ Hughes abstained from the vote.

The Chairman took 4.0 out of order.

After review of the shoreland zoning map the board recommends the selectmen approve the map. Russ Hughes made a motion to approve the shoreland zoning map and recommend it be approved by the selectmen and placed on the Town Meeting Warrant, William Schellinger seconded, motion passed (6-0).

3.0 NEW BUSINESS

3.1 Nathaniel Salfas-Office & Cultural Center at 28 Kimball Street/Change of Use-Development Review/Public Hearing

The Code Enforcement Officer Brian Morse gave an overview of what was submitted and what the Public Works Foreman submitted, he stated that the application is complete.

Chairman Lane questioned if Brian had any concerns with the project. Brian stated he was concerned with the classification of the development and that the parking spaces needed to be distinguished, the project is located outside of the historic district.

Chairman Lane recommended that the project be considered under Article 5. Section R.2.F. This would propose one space for each 300 square feet or fraction thereof, of floor area. Tom Nugent added that the building would be used primarily for office space and library Monday-Friday but on weekends would be used for a place of assembly and would like the provision that the 13 spaces depicted on the plan remain for that purpose.

Ed Mackenzie made a motion to classify the project as Article 5 Section R.2.F., with the requirement that the site retain thirteen parking spaces, William Schellinger seconded, motion passed (6-0).

Nathaniel Salfas provided the board with a parking plan and stated that the building would be used as a cultural center, offices, library, and frequently used on Sundays after services and on holidays for special events. The Church currently does not have any space to function and that they currently use the Grange Hall.

William Schellinger made a motion to open the public hearing, Ed Mackenzie seconded motion passed (6-0).

Open to public comment:

Joan Booster stated she was interested in who was behind the project. Father Chad explained that Nate Salfas explained the usage of the facility very well. A lot of the people will walk over from the church to the facility.

Hearing no further comment Tom Nugent made a motion to close the public hearing at 6:28p.m. William Schellinger seconded, motion passed (6-0)

Chairman Michael Lane stated that the board would address Article 8 Section C-Approval Standards and Criteria, Findings of Fact and Conclusion of Law.

Pursuant to the provisions of the Town of Richmond Land Use Ordinance and the standards of 30-A M.R.S.A. § 4404 as currently written as may be amended from time to time, the Richmond Planning Board has considered the application of Nathaniel Salfas including supportive data, public hearing testimony and related materials contained in the record. The Planning Board makes the following Findings of Fact and Conclusion of Law for "28 Kimball Street" at Map U01-166-00 in Richmond, Maine.

HISTORY

Applicant submitted an application on January 4, 2010. The proposal is renovate the first floor of the former livery barn attached to the south end of a residence located at 28 Kimball Street. The space will be used primarily as a study/library office and for informal gatherings for the St. Alexander Nevsky Russian Orthodox parish.

TERMS AND CONDITIONS

In addition to the terms and conditions set forth in these findings, the application (as amended) and all attachments hereto, this approval is subject to the following specific conditions. In the event of a conflict between the above referenced materials, the written findings of fact and conclusions of law shall control conditions of approval.

Special Conditions. In addition to the Terms and Conditions set forth below, this approval shall remain in effect only for so long as the site is used for the St. Alexander Nevsky Russian Orthodox parish or a successor agency. Any change of use from shall require Planning Board approval.

1. The parking spaces located on Hathorn Street must be four (4) feet from the pavement to allow for plow equipment.
2. A final site plan must be submitted to the Code Enforcement Officer depicting the Hathorn parking as four feet from the pavement.
3. Nathaniel Salfas must provide a financial capacity letter to the Code Enforcement Officer before an occupancy permit is granted.
4. The site must retain all 13 parking spaces as depicted on said plan.

APPROVAL STANDARDS AND CRITERIA

1. Compliance with State Law and Richmond Ordinances. The Planning Board shall determine that the application meets each of the following criteria. In all instances the burden of proof shall be on the applicant and such burden shall include the project evidence sufficient to support a find that the proposed development.

Finding:

The proposal complies with ordinances.

Conclusion:

The project complies with State and Richmond Land Use Ordinances.

2. **Shoreland District and Resource Protection District Permit Standards**

FINDINGS:

N/A

CONCLUSION:

N/A

3. **Special Exception Standards in the Resource Protection District**

FINDINGS:

N/A

CONCLUSION:

N/A

4. **Utilization of the Site**

FINDINGS:

The proposed site reflects the natural capabilities to support the development.

CONCLUSION:

The board concludes that the proposed site reflects natural capabilities for use of the site. No environmentally sensitive areas were identified.

5. **Access to the Site**

FINDINGS:

Given the provided plan and suggestions made by public works to the plan there is adequate provision for the circulation of traffic and parking.

CONCLUSION:

There is sufficient access to the site to support the development.

6. **Access into the Site**

FINDINGS:

Given the provided plan and suggestions made by public works to the plan there is adequate provision for the circulation of traffic and parking.

CONCLUSION:

There is sufficient access to the site to support the development.

7. **Access Design**

FINDINGS:

Given the provided plan and suggestions made by public works to the plan there is adequate provision for the circulation of traffic and parking.

CONCLUSION:

The board concludes that the access design is safe and convenient.

8. **Accessway Location and Spacing**

FINDINGS:

Given the provided plan and suggestions made by public works to the plan there is adequate provision for the accessway, location, spacing and parking.

CONCLUSION:

Accessway location and spacing has been located and spaced as in compliance with the ordinance and will provide safe and convenient access and spacing in the development.

9. **Construction Materials/Paving**

FINDINGS:

CONCLUSION:

10. **Internal Vehicular Circulation**

FINDINGS:

Parking and traffic movement patterns are depicted on the plan.

CONCLUSION:

Internal parking is safe and convenient and complies with the ordinance.

11. **Pedestrian Circulation**

FINDINGS:

There are existing sidewalks in the vicinity of the site. The handicapped parking and access provides for safe pedestrian circulation

CONCLUSION:

The project does not change existing pedestrian circulation or traffic pattern.

12. **Stormwater Management**

FINDINGS:

The project is relatively small size and the impervious surface does not appear to have any adverse affect on surrounding properties.

CONCLUSION:

The Site Plan shows sufficient management and impact on stormwater drainage.

13. Erosion Control

FINDINGS:

The site is already existing, limited construction. The site improvement for parking makes adequate provision for erosion control.

CONCLUSION:

The planning board finds the project adequately covers erosion control standards.

14. Water Supply

FINDINGS:

The site is existing and a letter provided by the Utilities Districts show adequate provision for water supply to the site.

CONCLUSION:

The project must meet the standards of the State of Maine for drinking water.

15. Utilities

FINDINGS:

Existing site, the plans do not show that this project would use extraneous use of utilities due to the size and nature of the project there are no adverse impact on utilities.

CONCLUSION:

The site will be provided with adequate utility service.

16. Natural Features

FINDINGS:

The proposed site reflects the natural capabilities to support the development, the parking is to be located on the southern edge of the property and to leave existing green space.

CONCLUSION:

The board concludes that the proposed site reflects natural capabilities for use of the site. No environmentally sensitive areas were identified.

17. **Groundwater Protection**

FINDINGS:

The scale or scope of the project would not adversely affect ground water protection.

CONCLUSION:

The project makes sufficient provision to protect the groundwater.

18. **Water and Air Pollution**

FINDINGS:

Nothing in the application would suggest water or air adversely effected.

CONCLUSION:

The board concludes that the proposed development will not result in any undue water or air pollution.

19. **Exterior Lighting**

FINDINGS:

The exterior lighting identified a single overhead light at three entrances which complies with the ordinance and makes for safe use of the property at night and not burden adjacent properties.

CONCLUSION:

The project will provide adequate exterior lighting.

20. **Waste Disposal**

FINDINGS:

There is nothing in the application nor any evidence that the site will generate hazardous waste.

CONCLUSION:

Disposal of solid waste is adequate.

21. **Landscaping**

FINDINGS:

The Site Plan shows retention of green space and line of trees appears to provide adequate landscaping which complies with the general requirements of the ordinance.

CONCLUSION:

The project provides for adequate landscaping.

22. **Shoreland Relationship**

FINDINGS:
N/A

CONCLUSION:
N/A

23. **Technical and Financial Capacity**

FINDINGS:
The applicant will need to provide the Code Enforcement Officer with a summary of the costs going forward and how it will be paid for before an occupancy permit is issued.

CONCLUSION:
The board requires a cost of project completion, representation that funds are available. Approval is contingent upon receipt of this documentation.

24. **Buffering**

FINDINGS:
The Site Plan and application depicts that buffering has been adequately addressed to meet the ordinance standards.

CONCLUSION:
The applicant has provided sufficient documentation providing adequate buffering.

25. **Off-Street Parking**

FINDINGS:
The Site Plan depicts 13 parking spaces on the development site. There shall be no off-street parking as stated in the Richmond Parking and Traffic Control Ordinance on Hathorn Street.

CONCLUSION:
The project provides for adequate parking for the scale of the development.

26. **Historic and Archaeological Resource.**

FINDINGS:
There is nothing in the application that demonstrates that Historic and/or Archaeological resources would be impacted by the development

CONCLUSION:

There are no historic or archeological resources on site as defined.

No changes, erasures, modifications, or revisions shall be made in any approval after approval has been given by the Planning Board and endorsed in writing on the approval, unless the approval is first resubmitted and the Planning Board approves any modifications. Approval revisions shall be considered new applicants for the purpose of gathering complete materials and holding Public Hearings, so that the proper notice is once again offered to the public and Town officials.

The following language shall be part of the application:

The property shown on this approval, including but not limited to the plans attached hereto may be developed and used only as depicted in this approval. All elements and features of the approval and all representations made by the applicant in the record of the Planning Board proceedings are conditions of the approval. No change from the conditions of approval is permitted unless an amended plan is first submitted to and approved by the Planning Board.

Russ Hughes made a motion to approve the project with the above stated conditions be met and approved by Code Enforcement prior to an occupancy permit is submitted, William Schellinger seconded, motion passed (6-0), project approved.

William Schellinger made a motion to adjourn at 6:49p.m., Jessica Alexander seconded, motion passed (6-0).