

**RICHMOND PLANNING BOARD
TUESDAY, JULY 26, 2011
TOWN OFFICE MEETING ROOM
6:00 P.M.**

MINUTES

1.0 CALL TO ORDER

Board Present: Michael Lane, Russ Hughes, Jeff Severance, Jessica Alexander and Tom Nugent (William Schellinger absent)

Others Present: Wes Thames, Bob Gleason Curtis Neufeld, Town Manager- Marian Anderson and Planning Board Secretary-Laurisa Loon.

2.0 UNFINISHED BUSINESS

**2.1 Down East Credit Union-Development Review/Public Hearing.
Major Project-Construction of Commercial Credit Union**

Curtis Neufeld gave an overview of the proposed construction of the Downeast Credit Union.

The board opened the floor to public comment.

Town Manager, Marian Anderson requested that the planning board request the applicant to construct a sidewalk from the existing Williams Street sidewalks to their proposed site. The estimated cost would be \$20,000-\$25,000.00.

Board members Jeff Severance and Jessica Alexander were concerned that the developer should not have to pay for the cost of installing a sidewalk.

The Town Manager would like to have on record that the town has asked the board to address Article 8 Section C. Subsection 11-Pedestrian Safety.

The town would also be interested in a cost sharing agreement for the construction of the sidewalk if the board was inclined to apply the standard for pedestrian safety. There is a school and business within the vicinity of the proposed credit union and feels there will be anticipated foot traffic in the area.

Chairman Michael Lane feels that it is late in the development review process to bring such a large expense request to the table.

The Town Manager stated that she understood this to be the public hearing for the proposed project and was told this was a proper place to bring up such a request.

Curtis Neufeld stated that the Town's Economic Development Director, Darryl Sterling never brought up the issue of a proposed sidewalk.

Russ Hughes made a motion to close public hearing, Jessica Alexander seconded, motion passed (5-0).

The board moved into Article 8 Approval Standards and Criteria and found the following "Findings of Fact and Conclusion of Law."

IN THE MATTER OF: Priority Management Group, LLC Map U07-038-00, Richmond, Maine.
DECISION OF THE RICHMOND PLANNING BOARD APPROVED: July 26, 2011

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 Priority Management Group, LLC 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 "Downeast Credit Union" at Map U07-038-00 in Richmond, Maine.

HISTORY

Applicant submitted an application on May 10, 2011. The proposal is to construct a commercial space consisting of a credit union building with a two lane drive thru canopy and associated parking.

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.

1. Letter from RUD on Impact Fee.
2. MDOT approval for adequate storm water drainage.

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. The site has no environmentally sensitive areas.

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:

Main Street (Route 197) will provide access to the site. The route provides adequate capacity to accommodate the trips generated by the proposed development.

CONCLUSION:

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

6. Access into the Site

FINDINGS:

Access into the site will be via a one 24-foot wide curb cut that is essentially in the same location as the existing residential driveway, sight distance exceeds 500 feet in both directions. The internal design allows for stacking of vehicles to prevent queuing into the street. A driveway entrance permit for this access has been issued by MDOT.

CONCLUSION:

The proposal as shown on the plan complies with the provision of subsection 6. Access into the site will be safe and convenient.

7. Access Design

FINDINGS:

The primary drive has been designed according to Maine Department of Transportation standards, evidenced by the issuance of MDOT permit.

CONCLUSION:

The primary drive has been designed according to MDOT standards as evidence by the Traffic movement permit. The board concludes that the access design is safe and convenient.

8. Accessway Location and Spacing

FINDINGS:

The access drive location provides adequate spacing from intersections and other accessways.

CONCLUSION:

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

9. Construction Materials/Paving

FINDINGS:

The proposed accessway and parking areas will be paved. There is no existing curbing this area of Main Street.

CONCLUSION:

The primary driving area will be paved, which meet the ordinance requirements.

10. Internal Vehicular Circulation

FINDINGS:

The design provides for safe circulation and parking of customer vehicles. The design also provides for adequate routing of emergency vehicles. The drive-thru services are on the opposite side of the building from the lobby entrance, separating the pedestrian and drive-thru traffic.

CONCLUSION:

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

11. Pedestrian Circulation

Tom Nugent stated he is conflicted on this particular section. If the sidewalk was put in, it would be exclusively for the bank. He does not agree that it's not within the vicinity. The town could pay for a portion, and the credit union pay for a portion.

Chairman Michael Lane stated the board needs to make a vote on whether they feel the Williams Street sidewalks are in the vicinity of the proposed credit union.

Russ Hughes made a motion to find that the Williams Street sidewalks are not in the vicinity of the proposed credit union, Jeff Severance seconded, motion passed 4-1).

FINDINGS:

There are no existing sidewalks in the vicinity of the project, the nearest sidewalk is one ownership away from the project.

CONCLUSION:

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

The board voted (4-1) that there are no existing sidewalks in the vicinity of the project area.

12. Stormwater Management

FINDINGS:

The parcel drains primarily to the north and west, with the residential driveway draining toward Main Street (Route 197). A copy of the stormwater analysis is included as part of the proposed project.

CONCLUSION:

The Site Plan shows sufficient management and impact on stormwater drainage. The project is subject to a letter from DOT on stormwater.

13. Erosion Control

FINDINGS:

Temporary erosion control measures will include sediment barrier down gradient of any disturbed areas to prevent sediment from leaving the development site. Permanent erosion control measures will include seeding and mulching of disturbed areas immediately after final grading is completed.

CONCLUSION:

The board requires that erosion control measures be installed prior to project construction and be maintained throughout the project. Any disrupted soils must be stabilized, the planning board finds the project adequately covers erosion control standards.

14. Water Supply

FINDINGS:

The site will be served by a new 2" service connection from the existing water main located in Main Street and maintained by the Richmond Utility District. The new service will replace the existing service to the parcel.

CONCLUSION:

The board requires that the applicant obtain a letter from the Richmond Utilities District that the project has complied with RUD rules/procedures and has paid any impact fees applicable. The project must meet the standards of the State of Maine for drinking water.

15. Utilities

FINDINGS:

The Plan depicts existing 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.

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 design will provide safe lighting of the entrance and parking areas, as well as building entrances. The design will incorporate "Dark Sky" friendly cut-off luminaries and will limit adverse off-site glare.

CONCLUSION:

The project will provide adequate exterior lighting.

20. Waste Disposal

FINDINGS:

The site will utilize a commercial solid waste hauler to dispose of waste. Sensitive materials will be disposed of via a commercial security shredding contractor. No dumpster enclosure is proposed. 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 depicts 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 is a financial institution and has demonstrated to Federal Regulators that it has the capacity to undertake the project.

CONCLUSION:

The board concludes that the project has the technical and financial capacity.

24. Buffering

FINDINGS:

The 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 Plan depicts 13 parking spaces on the development site.

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.

Michael Lane stated that apart from Section 11. Pedestrian Safety the board voted 5-0) on the 25 remaining criteria.

Russ Hughes made a motion to approve the project subject to the applicant providing a letter in reference to the impact fee from the Richmond Utilities District and a letter from MDOT regarding stormwater drainage, Jessica Alexander seconded, motion passed (5-0).

3.0 NEW BUSINESS-None

4.0 CORRESPONDENCE

The board would like Larry Srock appointed as an alternate member by the Board of Selectmen if he is still interested in serving.

5.0 APPROVE MINUTES JUNE 28, 2011

Jessica Alexander made a motion to approve the minutes, Jeff Severance seconded, motion passed (4-0-1) Tom Nugent abstained.

6.0 ADJOURN

Jeff Severance made a motion to adjourn, Russ Hughes seconded, motion passed (5-0).