

**Town of Turner, Maine  
Planning Board Minutes  
May 14, 2014**

**1 CALL TO ORDER**

Called to order at 7:05pm by Chairman Ms. Margaret Imber. Those Members present were Ms. Imber, R. Edward Morris, Richard Lee, Ms. Shirley Twitchell and Ms. Joan Bryant-Deschenes. Board Members Mark Morris and Thomas Perkins were not present. Planner, John Maloney was present this evening. CEO, Roger Williams was also present this evening.

**2 PUBLIC HEARING**

**A POLAND/BRADEEN-SITE SKETCH PLAN PRE-OWNER CAR SALES**

The Public Hearing was opened at 7:06pm.

Mr. Tyler Poland addressed the Planning Board and stated that this site is the old Wayne Morris Garage located at 2413 Auburn Road. It will be a hub to sell motor vehicles. Mr. Lee asked if there would be running water. The answer was no, but there would be Porta Potties. Mr. Poland stated that the lot next door may go up for sale and it does have a septic system. It may be considered in the future to purchase this property.

The Public Hearing was closed at 7:08pm.

**3 OLD BUSINESS**

**A REPORT OF MAY 7, 2014 SITE WALK-OLD WAYNE MORRIS GARAGE**

Mr. Maloney reviewed the notes he had prepared regarding the Site Walks held on May 7, 2014. He stated that Mr. R. Edward Morris, Mr. Lee, Ms. Imber, Ms. Twitchell and Ms. Bryant-Deschenes were present. Mr. Maloney was also present at the site walk. Mr. Maloney stated that the applicants showed what was planned for the site including the intended renovations. There was a discussion regarding the three existing curb cuts and the possibility of only having one. The applicants agreed with this possibility.

**B POLAND/BRADEEN-SITE PRE-OWNER CAR SALES**

Mr. Maloney reviewed the Application Completeness Checklist for Site Plan Review. Mr. Maloney suggested waiving Items 13, 14, and 30. Ms. Twitchell made a motion to waive Items 13, 14 and 30. Mr. Lee seconded the motion. The Board Members voted unanimously to waive Items 13, 14 and 30. Ms. Twitchell made a motion to find the Application Completeness Checklist as complete. Mr. R. Edward Morris seconded the motion. The Board Members voted unanimously to accept the Application Checklist as complete. There was then a discussion regarding the disposal of used oil and anti-freeze. Mr. Poland stated that the used oil would be taken to Goodwin's Water and Well, Co and the anti-freeze would be taken to Pep Boys. Mr. Maloney stated that containments of the used oil and anti-freeze and their disposal will be added to the Conditions of Approval. Mr. Maloney then reviewed the Findings of Fact and the Conclusion of Law and the Conditions of Approval. There was then a discussion regarding only one curb cut. The applicants agreed that there would be only one curb cut. Mr. Maloney then reviewed the deed with regards to the curb cuts. Mr. Maloney then reviewed the Condition of Approval with regards to protection of ground water. It was stated that improvements to the property would be approximately \$4000.00. Mr. Maloney then reviewed the Conditions of Approval 1 through 6. There was then a discussion/review regarding a picture of the intended driveway. Ms. Twitchell made a motion to accept the Findings of Fact and Conclusion of Law with Conditions 1 through 6. Mr. Lee seconded the motion. The Board Members voted unanimously to accept the Findings of Fact and Conclusion of Law with Conditions 1 through 6.

**C KELVIN YOULAND SITE REVIEW**

This site is located on Route 4. Mr. Maloney stated that the Application had been found complete at the April Planning Board meeting. Mr. Maloney then reviewed the Finds of Fact and the Conclusion of Law. Mr. Maloney stated that the design of the building would be similar to Bryant's. There was a discussion regarding the consolidation of the numerous curb cuts. There was also a discussion regarding off street parking for the workshop/warehouse. It was stated by Mr. Youland that there would be an area reserved for additional parking if the business was to expand to a retail operation in the future. Mr. Maloney then reviewed the Conditions of Approval. It was stated that if the business were to expand to a retail operation that the applicant would need to come to the CEO for a Change of Use. Ms. Twitchell made a motion to accept the Findings of Fact and Conclusion of Law with Conditions 1 through 4. Mr. Lee seconded the motion. The Board Members voted unanimously to accept the Findings of Fact and Conclusion of Law with Conditions 1 through 4.

**D FRANKLIN LAND ASSOCIATES, LLC: SITE REVIEW-COMplete APPLICATION**

Mr. Maloney stated that the company's name had been changed to Turner DMEP IX, LLC. This project is the Dollar General which will be located on Route 117 aka Buckfield Road. Mr. Lee Allen from Northeast Civil Solutions and Mr. Bob Gage from GBT Realty Company are representing this project this evening. Mr. Bill Bray was also present. Mr. Maloney stated that the application had not been found complete at the April Planning Board meeting. Mr. Maloney then reviewed the items that were not complete. Mr. Maloney suggested that Item 14 be waived. There was a short discussion regarding location and size of the proposed sign. There was also a discussion regarding a letter from the MDOT. It appears that the driveway entrance permit has not yet been received. Ms. Twitchell made a motion to waive Item 40 pending the actual signed MDOT Permit. Mr. Lee seconded the motion. The Board Members voted unanimously to waive Item 40 pending the actual signed MDOT Permit. Ms. Twitchell made a motion to waive Item 14. Ms. Bryant-Deschenes seconded the motion. The Board Members voted unanimously to waive Item 14. Ms. Twitchell made a motion to accept the Application Completeness Checklist. Mr. Lee seconded the motion. There was then a discussion regarding the size of the proposed sign, Mr. Williams stated that a wall sign could be no more than 30% of the total area, which according to the plans would be 24 square feet. The Board Members then voted unanimously to accept the Application Completeness Checklist. Mr. Allen then stated that he had met with the abutters and had addressed their concerns which were voiced at the Public Hearing which was held in April. It was stated that an 8 foot fence would be installed; however there was a request by an abutter to have a 10 foot fence installed. It was suggested that berm might work to raise an 8 foot fence to appear to be 10 feet high. Mr. Allen then stated that there would be repairs to an existing culvert and the pavement surrounding the culvert. Mr. Bill Bray then addressed the Planning Board and stated he had done another traffic count on May 14, 2014. He presented a chart with traffic counts taken on March 24, 2009 by the Hannaford Team, and traffic counts taken by himself on March 21, 2014 and May 14, 2014. Mr. Bray stated that he felt the traffic counts were adequate in portraying the complete picture. He stated that there were never more than 4 vehicles queued at one time, even in the busiest part of the day. He also stated that the Warrants had not changed. It was then stated that there was no need for a traffic light. Mr. Gage then described the building design. It was stated that no trees would be removed along the property lines. Most of the trees would be staying. There was then a discussion about what would be seen traveling south down Route 4. Ms. Twitchell asked if mechanical equipment would be showing. The answer was no. The Planning Board asked to see proof of what would be seen from the Route 4 corridor. There was then a discussion regarding the CMP power line. Mr. Maloney asked if the power could be under ground. Mr. Allen stated that CMP had stated that the power could not be located underground. Mr. Allen then stated that he is in continued discussion with CMP regarding the power line. It was then stated that there is a bush in the State right of way that will be removed. Mr. Maloney stated that a full size lighting plan needs to be submitted. The discussion then turned to the septic design. Mr. Allen stated that the existing septic will be used and that there will be a back-up system. There was then a

discussion regarding financial capacity. Mr. Maloney suggested that the Corporate Annual Report be submitted with a letter from the Chief Operating Office stating the allocation for this project. There was then a discussion regarding the NARPA permit. It was then stated that this project is still waiting for documents from DEP and MDOT. There was then another discussion regarding the size of the sign. Mr. Maloney then stated that he would like all additional information regarding this project 14 days prior to the to the June Planning Board meeting. Mr. Maloney then stated that if need be he could condition for the DEP criteria if it had not been received by the applicant. Mr. Maloney stated that if this happened the Chairman would not sign the Plan until the information was received.

Recess was taken from 8:40pm until 8:47pm.

**E ELLSWORTH HOLDINGS, LLC: SITE REVIEW-COMplete APPLICATION AND WAIVER REQUEST**

Mr. Tom Harling, Project Manager from Ellsworth Holdings and Mr. Tom Ellis, the owner of Ellsworth Holdings were representing this project this evening. This project will be located on Route 4 and the old Main St. Mr. Maloney stated that the Application had not been found complete at the April meeting. Mr. Maloney then started to review the Application Completeness Checklist. Mr. Maloney stated that Items 22 and 40 were now to be found complete. Mr. Maloney then suggested waiving Item 14. Ms. Twitchell made a motion to waive Item 14. Mr. Lee seconded the motion. The Board Members voted unanimously to waive Item 14. Ms. Twitchell made a motion to accept the Application Completeness Checklist. Mr. Lee seconded the motion. The Board Members voted unanimously to accept the Application Completeness Checklist. There was then a discussion regarding the requested waiver for the number of required parking spaces. Mr. Maloney stated that the total square footage had been reduced from 19,620 square feet to 18,000 square feet and 11 additional parking spaces had been added to the plan. The requirement for this project is to have 88 parking spaces and there are now 64 being shown on the plan. Mr. Maloney then explained the analysis that had been prepared regarding the parking spaces. A letter from the Town of Hermon with regards to a similar project by Ellsworth Holdings, LLC was also reviewed. The comment was made that this new proposed parking space requirement is now 76% of what the code requires. Mr. Tom Ellis then addressed the Board Members and stated that he owns 40 properties in Maine. He stated that he was surprised that these parking issues arose. Mr. Ellis described how the Town of Hermon project had worked out just fine and there have been no parking issues. There was continued discussion regarding the waiver for the required parking spaces. Mr. Lee made a motion to grant the waiver for Section 5.E.5.m which reduces the number of 72 required spaces to 64. Mr. R. Edward Morris seconded the motion. The Planning Board voted 3 in favor and 1 opposed to grant the parking space requirement waiver for Section 5.E.5.m. Ms. Bryant-Deschenes cast the opposing vote. There was then a discussion regarding the design of the building and the landscaping. It was suggested to keep the building design in line with the Village look. It was stated that this project will be located in a quiet neighborhood and that a fence would not be a good idea. The Board Members agreed that they would like to see screening of mechanical equipment and nice landscaping. There was a discussion regarding the existing snowmobile trail. It was stated that the applicant would work with the Snowmobile Club.

**4 NEW BUSINESS**

None.

**5 OTHER**

**A ORDINANCE AMENDMENTS-TOWN MEETING RESULTS**

Mr. Maloney stated that all of the Ordinance Amendments were all accepted at the annual town meeting.

**6 PLANNING BOARD MINUTES FROM MARCH 18, 2014 AND  
APRIL 9, 2014**

Ms. Twitchell made a motion to accept the March 18, 2014 Planning Board Minutes. Mr. Lee seconded the motion. The Board Members voted unanimously to accept the March 18, 2014 Planning Board Minutes. Ms. Twitchell made a motion to accept the April 9, 2014 Planning Board Minutes. Mr. Lee seconded the motion. The Board Members voted unanimously to accept the April 9, 2014 Planning Board Minutes.

**7 PLANNING BOARD WORKSHOP MINUTES FROM APRIL 2, 2014 AND MAY 7,  
2014**

Ms. Twitchell made a motion to accept the April 2, 2014 Planning Board Workshop Minutes. Mr. Lee seconded the motion. The Board Members voted unanimously to accept the April 2, 2014 Planning Board Workshop Minutes. Ms. Twitchell made a motion to accept the May 7, 2014 Planning Board Workshop Minutes. Mr. Lee seconded the motion. The Board Members voted 4 in favor and 1 abstention to accept the May 7, 2014 Planning Board Workshop Minutes. Ms. Bryant –Deschenes abstained from voting because she was not present at the May 7, 2014 meeting.

**8 PLANER ESCROW**

None.

**9 CEO REPORT**

No action required.

Mr. Maloney suggested that a note be sent to the abutters with regards to what was discussed this evening concerning the Dollar General project. The Board Members agreed.

**10 ADJOURNMENT**

Motion made by Mr. Lee for adjournment, unanimously accepted. The meeting adjourned at 9:42pm.

Respectfully submitted by

Karen Wilcox  
Recording Secretary