

**Town of Turner, Maine
Planning Board Minutes
April 11, 2018**

1 CALL TO ORDER

Called to order at 7:00 pm by Chairman Mr. Thomas Perkins. Those Members present were Mr. Perkins, Mr. R. Edward Morris, Ms. Shirley Twitchell, Mr. Bill Bullard, Mr. Kelvin Youland and Mr. Richard Lee. With the resignation of Mr. Mark Morris, there is a vacancy on the board. Planner, Ms. Shelley Norton, and CEO, Mr. Bob Boutin, were present.

2. Nominations for Vice Chair opened by Mr. Richard Lee for Ms. Twitchell. Ms. Twitchell declined nomination. Ms. Twitchell motioned for Mr. R. Edward Morris motion was seconded by Kelvin Youland. Mr. Morris accepted the position of Vice Chair. Mr. Morris currently holds the position of Secretary as well, and agreed to continue on as Secretary. No other nominations were made.

2 PUBLIC HEARING

Country Bumpkins Daycare

- No questions were asked from the public regarding this project.
- Mr. Perkins and Mr. Youland stepped down from voting on this project due to conflict of interest.
- Mr. Morris assumed the Chair.

Hood Tractor Sales-

- Mr. Thomas Perkins presented the architecture and stated to the board that there was a change in color from the last meeting and he swapped the light gray color to a dark gray color building.
- Mr. Perkins and Mr. Youland stepped down on voting for this project due to conflict of interest.
- No questions were asked from the public regarding this project.

3 VERIFICATION OF QUORUM

Mr. Perkins stated that there were six Board Members in attendance which constitutes a Quorum.

4 PLANNING BOARD MINUTES FROM February 14, 2018, AND March 7, 2018 AND WORKSHOP MINUTES FROM March 7, 2018.

Ms. Twitchell request that that the February 14, 2018 minutes state that she asked the medical marijuana applicant if they had a problem with her voting since she is an abutter and Mr. Baillargeon stated he had no issue with her voting. Mr. Morris asked that the minutes reflect that he asked Mr. Zeissig if he lives in the building and he stated that he did. Ms. Twitchell moved and Mr. Morris seconded a motion to approve the February 14, 2018 meeting minutes with changes. Ms. Twitchell moved and Mr. Morris seconded a motion to approve the March 14, 2018 meeting minutes. Board Members voted and unanimously accepted. Ms. Twitchell moved and Mr. Morris seconded a motion to approve the April 4, 2018 workshop minutes. The motion carried, 5 ayes ((Mr. Lee abstained due to absence at the workshop).

5. OLD BUSINESS

A. Country Bumpkins-

1. Ms. Twitchell moved and Mr. Lee seconded a motion to find the check list complete. The motion carried, 4 ayes (Mr. Perkins and Mr. Youland recused themselves.)
2. Findings of Fact.
The conditions of approval were changed since the workshop, #7 has been removed and 8 became 7 as the board had requested.

Ms. Twitchell moved and Mr. Lee seconded a motion to find the application complete. The motion carried, 4 ayes (Mr. Perkins and Mr. Youland recused themselves.) Ms. Shirley Twitchell moved and Mr. Lee seconded a motion to grant approval of Country Bumpkins Site Plan, with Findings of Fact and Conditions of Approval as written by the Town Planner. The motion carried, 4 ayes (Mr. Perkins and Mr. Youland recused themselves.)

The Findings of Fact and Conditions of Approval was signed by R. Edward Morris.

B. Hood Tractor Sales-

Checklist-

A waiver was requested from # 8, drawings stamped and signed by a licensed professional.

Ms. Twitchell moved and Mr. Lee seconded a motion to grant the waiver. The motion carried, 4 ayes (Mr. Perkins and Mr. Youland recused themselves.)

A waiver was requested from #44, engineering calculations used to determine the drainage requirements. The subdivision had modeled a portion of the water from this lot to be directed to Stonecrest Drive. Additonal water is being directed. Ms. Twitchell stated since the site is well drained gravel she was in support of the waiver request. Ms. Twitchell moved and Mr. Bullard seconded a motion to grant the waiver. The motion carried, 4 ayes (Mr. Perkins and Mr. Youland recused themselves.)

Ms. Twitchell moved and Mr. Bullard seconded a motion to find the application complete. The motion carried, 4 ayes (Mr. Perkins and Mr. Youland recused themselves.)

Ms. Norton and the board discussed the Findings of Fact.

The building is required to be designed according to the town's Design Standards Commercial, Retail & Service Building Architecture. The building is a single story with a cupola and a New England style design, with gray wood shingles, gray vinyl siding and white trim. The North facade is an 80 foot long wall with no windows. This wall requires wall treatments such as windows and that the wall be broken up by offsets.

This area of the building is facing away from the road and toward a swamp land. Mr. Perkins did not see a need to put in a window. He would be able to put in horizontal trim boards to break up the wall if needed. This space was needed for the show room and for shelving.

Mr. Warren Hood feels that it would be a waste of money and he would like to keep windows out of that side of the building for security. The traffic going down route 4 will not be looking at that end and he does not see a need to put in trim board. Ms. Twitchell does not have an issue with the building not to having trim board or windows. Mr. Hood would plant a tree if needed on the corner to hide the side of the building. Ms. Norton stated this should be a waiver request that the board votes on. The Applicant requested a waiver from the architectural standards for the 80

foot wall. Mr. Perkins proposed to the board that they would add some vertical boards to help to the facade if needed.

Mr. Mike Gotto stated this does not appear to meet the standard, but the wall is facing the swamp which is a wooded area and it does not appear that there would be an issue, he asks that the board grant a waiver for the 80 foot wall. Ms. Twitchell moved and Mr. Bullard seconded a motion to grant a waiver for the north side of the building from meeting the requirements for wall plane projections and wall treatments. Mr. Lee mentioned that he would like to make the board aware that they need to be careful on these type of waivers. They would like to keep the buildings in town following a New England style, and that it could be an issue in the future. Mr. Morris agreed and stated that the applicant did make a faithful attempt and that the area of land screening the building would not be able to be developed.

Ms. Norton asked if there would be mechanicals on the building or roof. The applicant stated that there would not be any.

The building must meet all the standards other than the waiver approved for the 80 foot wall. All mechanical equipment will need to be stored out of sight. Mr. Perkins stated that all external mechanical equipment will be store inside. The condition of approval will be kept in place in case a generator or other equipment is needed in the future.

The board agreed to treat this application's use as Agricultural Related Services/Sales.

Ms. Twitchell moved and Mr. Lee seconded a motion to find the application complete. The motion passed unanimously (Mr. Perkins and Mr. Youland recused themselves.)

Ms. Twitchell moved and Mr. Lee seconded a motion to accept the findings of fact and conditions of approval prepared by the Town Planner with changes to the conditions. The motion passed unanimously (Mr. Perkins and Mr. Youland recused themselves.) Mr. Gotto questioned if the building could start now. The board stated that the project could move forward with permits from the town, and that the Findings of Fact and Conditions of Approval would be signed at the next meeting.

Scott's Recreation site plan review.

Steve Roberge SJR Engineering. Reid, the General Manger of Scott's Recreation, could not attend due to a prior commitment. The DEP site location permitting will be needed. The plan is to extend their current storage to a parcel of land diagonal across from the current store. It will operate on about 8 acres of land that will be used to store additional trailers. They are currently working with DEP where there will be filter ponds to help with run off. They will use the same entrance that was used where the farm stand was located and there will be an additional entrance further down the road. They will be doing this so it will be easier for the business to accept deliveries at night time and it will be easier to bring customers over across the road to be able to view the additional trailers. This site will have lights but will not have a sign. Per conversations at work shop there has been a request to remove trees from DOT and they have requested a second entrance with Maine DOT and have not heard back yet. Mr. Lee questioned if they have talked to MDOT and if there were any concerns with the traffic on the road being between the two facilities. Mr. Roberge stated that the intent is to keep the show room in the same location and keep duplicate trailers stored on the other side. Mr. Perkins questioned if there would be a pedestrian walk way. Mr. Roberge said that there would not be a cross walk. They would walk through the woods and cross the road.

Mr. Morris questioned what the security fence would look like. They currently have cement barriers with cable strips in place. Mr. Roberge stated he would talk to the owner and see what they would like to

have in place. There is a planned site walk for the members that were not present for the previous walk through. Mr. Lee questioned in natural vegetation that would be along the fence. There is currently no plan to have trees.

6. NEW BUSINESS

A. JJR Enterprises

- a. Mr. Mike Gotto was part of the original plan in 2007 there was an approval for 3 subdivisions because it took so long to build, the permits have since lapsed. The road was already approved by DOT and still valid for a 3 parcel land and will be modified to 2 lots. The 2 back lots will be combined and deeds will be made for those lots. There will be a truck maintenance facility for Stage Coach Drive. They would like to go from 3 lots to 2 lots in the subdivision. The building would be light tan with light green trim. The building would be 125 foot wide without a pitched roof because of the type of building it is the understanding that there could be a waiver approved. Mr. Perkins discussed that there were conversations regarding this type of building because of the type of building it is. The board will look in the ordinances and see what the definition is and if a waiver will be needed or not. The applicant would like to get this project moving as soon as possible. Mr. Gotto questioned what the board would classify this building as. Mr. Gotto would like to make sure that the design would meet those requirements. There is an engineering firm that has been talked to as they move forward. R. Murray Enterprises did the previous subdivision. Mr. Morris questioned if the road would be built to town guidelines on the first lot. Mr. Lee questioned if there will be signage? This has not be discussed yet but they will talk to JJR Enterprises regarding a sign. Mr. Morris questioned if in the original subdivision if there was conversation regard the road. The attorney they are working with is looking into all of the above. Ms. Twitchell asked if it would be ok if she voted on the project where she is an abutter. Site walk will be April 26, 2018 at 6:00 pm.

7 OTHER

A. ORDINANCE AMENDMENTS

- a. Storm water and Use Table. Revise storm water use table would be appropriate. The Board will schedule their vote after the Public Hearing. The Town Manager has asked that the Board provide the amendments ASAP where town report will need to be printed and distributed prior to town meeting.
- b. Stream protection district will need to be looked at.
- c. Turner has 2 zones for protections for water there needs to be a buffer of 75 feet both sides. There is currently nothing written in the ordinances to define this.
- d. Mr. Perkins questioned why this would need to be looked at because the board has not removed anything from the ordinances. The map currently is unclear on where those resource protections are. This is something that maybe the Comprehensive Plan and planning board could do at the same time.
- e. Resource protection - Campground consistent with resource protection and farm stand and docking if the building is already in use.
- f. Land in Town that is zoned resource protection listed that is other than flood plan. These would be bird habitats or wildlife areas.
- g. Campgrounds and Parking are the only 2 that may be changed.
- h. Mr. Mike Gotto questioned if a restaurant was built in shoreland but the parking is in flood plain or if a golf course to be built in a flood plain.

- i. Mr. Maloney questioned if this is a public hearing where it was discussed that this issue would be talked at that time not now. Martin Stream is a river not a stream so 250 feet protection is required.
 - ii. All the streams must be under stream protection. The understanding from Mr. Perkins was that the intent was to be consistent with the State Guidelines.
 - a. Campgrounds allowed in the resource protection area.
2. Mr. Perkins questioned if the board feels the need to be more restrictive than the State of Maine or not. Ms. Norton asked the Board to be more specific on what they would like to see changed. Mr. Perkins noted that this will bring more permits in for commercial building. This will bring in new business. The Selectman would like the Board to look at this and it will be talked about and voted on at Town meeting. Ms. Twitchell does not agree with changing the tables. If the town is more restrictive than it is. There are plenty of places to build in Turner. Mr. Bullard and Mr. Morris believe it should be brought to the Town for comment. Mr. Lee questioned how much push is there to change. He is leaning towards Ms. Twitchell's stance. The Board will be voting after the Town meeting and those results will be given to the Select Board and they can move forward on their own if they so choose.

Ms. Norton asked for guidance on how the warrants should be written, whether to lump things together or split out anything that seemed to have a lot of discussion. Mr. Kurt Youland mentioned they would like the house keeping as one article. Stormwater as one article and changes to zoning as one article. Mr. Maloney would like to warn the board to be careful how they write the article and what they put into the article and not get into a position that there is a controversial issue that would prevent the warrant from accomplishing what it was designed to accomplish. Mr. Perkins stated it was okay to err on the side of splitting things out instead of grouping too much together.

8 REPORTS

- A. Planner Escrow
Mr. Boutin read the Planner Escrow. No action needed.
- B. CEO Report
Mr. Boutin read the CEO Report.
- C. Other
None.

9 ANNOUNCEMENTS AND CORRESPONDENCE

None.

10 PUBLIC COMMENTS

None.

11 ADJOURNMENT

Mr. Thomas Perkins made a motion for adjournment, unanimously accepted. The meeting adjourned at 9:15 pm.

Respectfully submitted by,

Megan L. Ricker
Secretary