

**Town of Turner, Maine
Planning Board Minutes
February 21, 2024**

1. **Call to Order:** The meeting was called to order at 6:00 p.m. by Bill Bullard, Chairman. Present were Bill Bullard, Kelvin Youland, Eben Shaw, Shirley Twitchell, Brent Fanjoy, Edward Morris. Absent - Scott Abbotts. Also present was Planner Ben Smith.
2. **Verification of Quorum:** Mr. Bullard stated there were six members present, which constitutes a quorum.
3. **Approval of Planning Board Minutes from January 17, 2024:** Action tabled until Secretary Megan Ricker could be present, due to questions/potential adjustments to draft.
4. **Public Hearing – Tractor Supply:** David Jordan from Greenman-Pedersen, Inc. reviewed plan revisions since the last meeting. He noted the well had been relocated to obtain adequate distance from the septic system and added water storage for the fire suppression system. He also said permits had been received from the Maine Department of Environmental Protection, and that the Maine Department of Transportation had approved their entrance permit. They are still working on the final application for the northbound turning lane, which will begin 800 feet south of the property to create a left turn pocket. The road will transition back to two lanes at the northerly property line.

Public Comment: Peter Ouellette said he owns the property abutting the site on the north, at 1630 Auburn Road. He asked if widening the road for the turning lane will affect his property. The plan indicates his property will not be affected. He also asked if the drainage ditch between his property and the project site will be affected. Mr. Jordan said it would not be affected, as it is used to manage existing stormwater.

John Maloney said he was concerned about preservation of existing landscape, and that the developer had paid \$120,000 to the Department of Environmental Protection to disturb 21,000 feet of wetlands, and that the funds would be used elsewhere. He also said he didn't believe the design standards within the ordinance had been followed – that the building design should follow a New England Village vernacular, as illustrated in Appendix A of the Turner Zoning Ordinance. He provided two photos of Tractor Supply stores that he believes meets the design standard, but that this design, in his opinion, does not. He said Hannaford went through design review and came out better than the design initially proposed. He said most buildings built on Route 4 in last five years meet the standard of the ordinance. He said the site on Route 4 is in a 55 mile per hour zone and is concerned about traffic in the area. He said he did not see any analysis of traffic turning movements and is wondering when another traffic signal might be needed. He said the stormwater plan is based on what is required today but storm events in past few years have been worse than the standard now in place. He said he is concerned about the truck lane between the building and Route 4 – that headlights pointing north at night may present a hazard to southbound motorists, and that landscaping should be considered to eliminate that issue. Lastly, he said he was primarily concerned that the architectural standards don't come close to meeting the ordinance standard and that landscaping should be used to screen the retaining wall and rear of the building, especially as other buildings are set back further.

Derrick Doucette said he owns 74 Auto across the road and is concerned about drainage and how much more the road will encroach on his property with the installation of the turning lane. Mr.

Jordan said the road would get about 8 feet closer on the northbound side, but is still within the existing right of way. He also said site runoff would not flow in his direction.

There was no further comment and the public hearing was closed.

5. **Consideration of New Business – Tractor Supply:** Planner Ben Smith provided a summary of the new information in the plan, including the fire suppression addition and movement of catch basins. He also provided an update on state permitting. Mrs. Twitchell said payment of a fee to fill in wetlands may be the new norm but it doesn't seem fair that the funds would be used elsewhere in the state. Mr. Smith said that he can't tell members how to vote – that they would need to decide if the standards within the ordinance were met. Mr. Jordan said the design uses retaining walls to manage wetlands impacts and that they were not affecting any high value wetlands. He said this site is one of the last available properties in Turner where the store could be built. Mr. Fanjoy said he believes the developer has taken steps to minimize wetlands impacts, but there are no specific standards in the town's ordinance. Mr. Jordan said the disturbed wetlands were in an open field and not wooded. Mr. Bullard asked how members felt about the building's appearance. Mr. Jordan said there were two entrances off Route 4 in the initial design. When Maine DOT said it would only allow one entrance, that changed the site layout and altered the appearance. They have tried to use landscaping to soften the impact. Mrs. Twitchell said she was on the board when Hannaford was reviewed and that many hours were spent on building design. Mr. Morris agreed but added that the commercial buildings in the area of the Tractor Supply site are basic metal, including the addition for the machine shop being finished just to the north. Mr. Shaw noted there are horizontal lines on the building that exceed 50 feet. Mrs. Twitchell said horizontal lines on Dollar General were broken up on the side of the building facing Route 4, but allowed to remain on the rear of the building as it would not be seen from the road. Mr. Smith added that awnings had been added to the side of the building but said it would be up to the board to determine if that was enough, from a visual standpoint. He said the ordinance provides general guidance and examples. He noted that updates and adjustment have been made through the process. The question facing the Planning Board is if they've done enough to meet the intent of the ordinance. Mr. Jordan said they could add additional plantings at the top of the slope at the northeast side, to screen the rear of the building. Mr. Fanjoy said he thought that would help, and that the color illustrations do a better job than black and white to illustrate how the side will appear. Mr. Bullard asked how members felt about access. Mr. Shaw asked if a separate southbound turning lane had been considered. Mr. Jordan said the current design is as specified by the DOT, and that there is currently a 10 foot shoulder that southbound traffic can use to turn into the store. Mr. Maloney suggested that the board could require the applicant to fund the cost of a traffic engineering expert to address this concern. Mr. Fanjoy suggested we approach DOT and ask if they'd require a turning lane. Mr. Shaw said we should ask DOT to consider a turning lane if for no other reason than we can't complain if we merely let this pass. He said he'd like to see an actual turning lane and not just painted shoulders. Mrs. Twitchell added that the application does not have an illustration of the sign, which is required. The board continued to navigate the checklist, finding that most of the items are complete. Mr. Youland asked about materials to be stored outside, such as bulk quantities of mulch. Mr. Jordan said items stored outside is packaged, that no raw materials or mineral products are stored outside. Also discussed was financial capacity. Mr. Jordan said Primax is the site developer, but the project is to be transferred to Tractor Supply. It was agreed the board would need a statement regarding Tractor Supply's financial capacity to complete the project as presented. In summary, the Planning Board will need to review a rear elevation, showing new landscaping, as it will appear from the road, a drawing of the signage that will be utilized, and a letter indicating adequacy of financial capacity.

6. Consideration of Old Business

- a. **KRY Auto** – Mr. Smith noted that the applicant had provided information confirming that the requirement for a stormwater management plan was not applicable for this site (waiver request) as well as the requested detail on exterior lighting. On a motion by Mrs. Twitchell, seconded by Mr. Fanjoy, it was voted to waive the requirement for a stormwater management plan. Mr. Kelvin Youland recused himself from the vote. On a motion by Mr. Shaw, seconded by Mrs. Twitchell, it was agreed to find the checklist complete. Mr. Kelvin Youland recused himself from the vote. Mr. Smith reviewed the draft Findings of Fact. On a motion by Mr. Fanjoy, seconded by Mrs. Twitchell, it was voted to approve the KRY Auto project. Mr. Kelvin Youland recused himself from the vote.
- b. **LD 2003 – Affordable Housing Ordinance Amendment** – On a motion by Mrs. Twitchell, seconded by Mr. Shaw, it was unanimously agreed to add the amendments drafted by the Planning Board to the April 6 Town Meeting Warrant.
- c. **Solar Farm Ordinance Amendment** – On a motion by Mrs. Twitchell, seconded by Mr. Youland, it was unanimously agreed to add the amendments as drafted and revised by the Planning Board to the April 6 Town Meeting Warrant.

Both the LD 2003 and Solar Farm amendments were revised following the January 17 Public Hearing.

- 7. **Announcements and Correspondence** – The next workshop meeting will be on March 6, and regular meeting on March 20.
- 8. **Adjournment** – On a motion by Mrs. Twitchell, seconded by Mr. Fanjoy, it was unanimously agreed to adjourn the meeting at 8:20 p.m.

Respectfully submitted,

Kurt E. Schaub
Town Manager