

Minutes

Pittsfield Planning Board

Regular Meeting

January 11, 2016

The Pittsfield Planning Board met on Monday, January 11, 2016 at 7:00 pm in the Council Chambers of the Pittsfield Municipal Building, 112 Somerset Avenue, Pittsfield, Maine.

Present: Jan Laux, Anna Bockis, Tom Cote, Matt Bolster, Brent Newhouse, Royce Sposato, Simone Engelhardt and Vaughan Woodruff. Absent: Walter Reuter. Also Present: Scott Braley of Plymouth Engineering, Inc., Colleen and Rodney Crocker, Jerrit Blomgren, Chris Blomgren, Evan Kelley, Carol Starbird, Mayor Robert Stackhouse, Councilor Scott Strom, Town Manager Kathryn Ruth and Building Inspector Steve Seekins.

1. Chair Royce Sposato opened the meeting by leading the Pledge of Allegiance to the flag.

Chair Royce Sposato appointed Vaughan Woodruff voting rights due to the absence of Walter Reuter.

2. Motion by **Jan Laux** and seconded by **Tom Cote** to adopt the minutes of the meeting of September 14, 2015.

VOTE: UNANIMOUS AYE

3. Old Business: None

4. Public Hearing: None

5. New Business:

- a. Election of Planning Board Officers, Chair and Vice Chair

Brent Newhouse nominated **Royce Sposato** as Chair, seconded by **Jan Laux**. No other nominations were made.

VOTE: UNANIMOUS AYE

Royce Sposato nominated **Jan Laux** as Vice Chair, seconded by **Anna Bockis**. No other nominations were made.

VOTE: UNANIMOUS AYE

- b. Site Plan Review application meeting by Plymouth Engineering on a proposed development at the Somerset Plaza Tax Map 31 Lot 1.

Scott Braley of Plymouth Engineering, Inc. representing JFJ Holdings explained the plans for a proposed Dunkin Donuts restaurant with a drive-through. The following is a summary of the discussion that followed. The developer will acquire approximately 40,000 square feet of land at the southwest corner of Somerset Plaza parking lot just east of west drive entrance. Maine DOT will require adding an ADA compliant sidewalk from east Plaza entrance of parking lot to west entrance with relocated cross walks to the Industrial Park Street, all in the public way. The park and ride area will be relocated along the west property line of the Plaza. The private sewer owned by the Plaza will be relocated so as not to run under the proposed building. This has been discussed with Scott Noble. The building will be 2080 square feet with a front patio. There will be 26 Parking spaces on the newly formed lot. The traffic study required by Maine DOT does not

require a turning lane or traffic light on Somerset Ave. Donuts and muffins are cooked off site. Dumpsters will be in a fenced-in gated area and will have covers. Restaurant hours will be 5:00 am to 12:00 mid-night. Product deliveries will be at off hours. The restaurant will seat 30 people plus the patio area. Additional lighting will be added at the street entrance of the Plaza parking lot. Snow removal stock piles will be along along the west side or rear of the Plaza lot. The lot will be landscaped with trees and grass areas. Parking lot lights will be added per the lighting study. Anna Bockis asked questions on design and color of the building. Scott Braley advised that the developer will be building a standard Dunkin Donuts design. Colors of the building will be muted tans. He will present building drawings at the 2-8-16 meeting. Steve Seekins advised more detail on signage is needed to determine compliance with town codes. Construction is expected to take place this summer. The project cost is expected to be \$500,000 (+ or -). Vaughan Woodruff questioned the traffic study. Scott Braley advised he will have a draft copy of the traffic study for the 2-8-16 meeting. Anna Bockis questioned the sewer system plan. Scott Braley advise the sewer piping is a private system owned by the plaza that runs to the town sewer. Scott Braley's request for waiver for a storm water study was discussed and the following waiver was granted conditioned on the fact that DEP not require one.

Motion by **Jan Laux** seconded by **Tom Cote** to waive the requirement for a storm water study provided it is not required by the Maine DEP.

VOTE: UNANIMOUS AYE

- c. A discussion on a request by a citizen to consider an ordinance that would prohibit the use of outdoor wood boiler in the warmer months of the year.

Colleen & Rodney Crocker explained their reasons for requesting an ordinance that would prohibit the use of outdoor wood boiler in the warmer months of the year (5-30 to 9-1). She stated her smoke alarms have gone off before when smoke from the boiler next door entered through the open windows in the summer. Also laundry is hung outside to dry they pick up a smoke odor. The owner of the boiler next door has agreed to not run his boiler during the warmer months. However, the Crocker's are concerned that this could change especially should the house be sold. Steve Seekins explained the cleanest burning boiler per DEP standard must be setback at least 50 feet from the property lines and 70 feet from any neighboring home. The Crockers believe the boiler next door meets those setbacks. Steve Seekins suggested that should the town consider such an ordinance that it be limited to only times of allowed use and not get into emission standards since the town would need testing equipment. The DEP rules cover the emission standards and the Town does not need to become involved in this compliance issue. Vaughan Woodruff pointed out that often Dairy farms use these boilers to heat large amounts water quickly which emits little smoke. Limiting the time of use would be a hardship to them. Vaughan Woodruff states the issue appear to be a nuance issue that would be covered by current DEP rules. Concern was expressed by others that limited use would cause current owners to have to purchase alternate water heating equipment. Others in the audience and Board Members express concern or opposition to a time regulated ordinance. The Board Members requested ordinances from other towns that had enacted this type of ordinance. Colleen Crocker advised she plans to request information or possibly have a DEP Representative speak at next meeting.

Motion by **Tom Cote** and seconded by **Vaughan Woodruff** to table the discussion to next meeting.

VOTE: UNANIMOUS AYE

6. Other items that come before the Board

- d. Update on Proposed Ordinance Amendments recommended through the new Comprehensive Plan and housekeeping amendments proposed by the staff: Schedule.

Kathryn Ruth updated the board on the staff's progress on this item. The Planning Board approved their last updates for ordinances as recommended in the Comprehensive Plan, including a few housekeeping items that the CEO had proposed, at the May 2015 Board Meeting. The CEO was in his busy period and was unable to start working on the proposed amendments to go forward for approval until Fall. With all of the medical/family/personal leaves taking place in the office, the staff were concentrating on the customers and therefore, not able to work on the codification of the ordinances until later in December. To assist, I also went through everything that was compiled.

The Town Manager advised that we have two items that will need to be set to public hearing by the Planning Board to complete your package of amendments for the Comp Plan and the housekeeping items proposed by the CEO. This will not be difficult to address as the Planning Board can set these items to public hearing formally at your February meeting and then hold the public hearing at your March meeting.

Meanwhile, the Ordinance Committee will start meeting to begin working on these items. With scheduling conflicts last year, the Ordinance Committee could not have met on the amendments at that time anyway. Until this was all together in one package, the Town Council and its committees would not start reviewing and moving these items forward. It is much easier and user-friendly to have one set of amendments for consideration.

- e. Update on new Tax Acquired Properties acquired by the Town in December 2015: 2 properties

Kathryn Ruth advised the board of the two new foreclosures for 2013 property taxes. The staff makes multiple attempts to assist the taxpayers in paying their taxes and/or establishing payment plans before a property forecloses. In this case, there are two properties that the prior owners stated they did not want and/or could not pay the taxes on and to let the process take place. One is a large tract of land off the discontinued/abandoned section of Hussey Road owned by an individual who lives out of state. The second is a small storage building off Detroit Street which the heirs no longer want to deal with and pay the taxes. The staff are working on the background now to get clearance to put the two properties out to bid along with the small landlocked parcel at the Pittsfield/Palmyra line off Spring Road that we tried to sell before from the 2012 tax foreclosure.

7. Adjournment:

Motion by **Tom Cote** and seconded by **Anna Bockis** that the meeting be adjourned.

VOTE: UNANIMOUS AYE

Respectfully submitted by:
Steve Seekins, Building Inspector
Nicole Nickolan, Town Clerk