

PLANNING BOARD OF THE CITY OF BANGOR

MEETING OF JANUARY 21, 2014

MINUTES

Board Members Present:

**Andrew Sturgeon, Chairman
Paul Bolin
John Kenney
Wayne Mallar
Dora McCarthy, Alternate Member
John Miller
Julie Williams**

City Staff Present:

David Gould

1. ELECTION OF OFFICERS

Chairman Sturgeon noted that this was the first meeting of the newly appointed board and welcomed Dora McCarthy as the new Alternate Member.

Chairman Sturgeon noted that the first order of business for the evening was the election of Officers for 2014.

Mr. Miller nominated Mr. Sturgeon for Chairman and Mr. Bolin as Vice Chairman of the Planning Board for 2014. Mr. Kenney seconded the motion. There being no further nominations, nominations ceased. Mr. Sturgeon asked for a vote on the nominations on the floor. The Board voted unanimously to elect Mr. Sturgeon as Chairman and Mr. Bolin as Vice Chairman.

Chairman Sturgeon noted the next item on the Agenda was the Consent Agenda. He noted if there were any members of the Board who had questions or wished to discuss the item they should make it known.

Mr. Mallar indicated that he had two questions to ask the applicant.

Mr. Gould noted that the item would be taken up as New Business and the Board should proceed to Item #3 under Public Hearing and take up Item #2 as New Business.

PUBLIC HEARINGS

Item No. 3: To amend the Land Development Code by changing a parcel of land located at approximately 1732 Ohio Street from a Contract Government and Institutional Service District to a Rural Residence and Agricultural District. Said parcel contains approximately 4.1 acres. Mark D. Butterfield, applicant. C.O. # 14-060.

Chairman Sturgeon opened the Public Hearing and asked for the applicant to provide the Board with the details of what he wanted to do on the property.

Mr. Mark Butterfield indicated that he was seeking to rezone the property such that he could build a single-family home.

There were no other proponents or opponents to the rezoning request.

Chairman Sturgeon closed the Public Hearing and asked Planning Officer Gould to provide the Staff report.

Planning Officer Gould noted that the application was to rezone 3.1 acres from a contract Government and Institutional Service District to a Rural Residence and Agricultural District. Mr. Gould explained that in 2004 the Pilgrim Orthodox Presbyterian Church had obtained a contract zone change to relocate their facility to this Ohio Street address. Subsequent to that, the church was able to meet their space needs at their existing property on Mount Hope Avenue. Given the church no longer had an institutional use for the property, they sold it to the applicant who is requesting to return it to Rural Residence and Agricultural zoning.

Member Williams made a motion to recommend the proposed zone change to the City Council. Member Kenney seconded the motion. The Board voted unanimously in favor of the motion to recommend that the City Council approve the rezoning from Contract G&ISD to RR&A as contained in C.O. # 14-060.

NEW BUSINESS

Item No. 2: Site Development Plan approval to construct a 112,616 sq. ft., 124-room hotel with restaurant and site improvements including circulation, parking and utilities on Bass Park Boulevard in a Contract Bass Park District. BANRES, LLC and City of Bangor, applicants.

Member Kenney noted he may have a conflict as he is employed by the design firm, WBRC, who is representing the project. Mr. Miller moved to excuse Mr. Kenney from participation in the Board's review of this item. Mr. Bolin seconded the motion and the remaining Board Members voted unanimously in favor of the motion that Member Kenney be excused.

Chairman Sturgeon noted that he, too, worked for the Engineering firm doing the traffic permitting for the project (James W. Sewall Company). Mr. Miller moved to excuse Mr. Sturgeon from participation in the Board's review of this item. Ms. Williams seconded the motion and the remaining Board Members voted unanimously that Mr. Sturgeon be excused.

Vice Chairman Bolin asked the applicant's representatives to address Mr. Mallar's questions. Mr. Mallar noted that the Staff report had questioned whether the existing buffer between the hotel and the abutting homes could remain functional during construction. Mr. Rob Frank and Mr. Paul Monyok of WBRC reviewed the plantings in the proposed buffer yard and noted that while the buffer has existed for several years some grading would need to take place there to insure proper drainage. Mr. Frank noted efforts would be made to schedule the work to shorten the span when no buffer would be present and they would preserve all existing planting possible.

Mr. Mallar's second question was regarding the length of time before the applicant would know about the traffic permit. Mr. John Theriault of James W. Sewall Company noted that the Saturday Peak hour trip generation would be approximately 163 trips putting the application into the 100-200 trip category. At the scoping meeting with the Maine Department of Transportation (MDOT), the only issue which arose was a driveway outlet to Main Street which was also flagged by Planner Gould as a potential issue.

Mr. Theriault anticipated they would hear back from MDOT in four to six weeks. Given that the access to Main Street was eliminated, there did not appear to be any outstanding issues.

With the questions addressed Vice Chairman Bolin asked for a motion. Ms. Williams moved to approve the Site Development Plan to construct a 112,616 sq. ft., 124-room hotel with restaurant and site improvements including circulation, parking and utilities on Bass Park Boulevard in a Contract Bass Park District. BANRES, LLC and City of Bangor, applicants. Mr. Miller seconded the motion and the Board voted 5 to 0 in favor to approve the Site Development Plan of BANRES LLC and City of Bangor.

APPROVAL OF MINUTES

Chairman Sturgeon and Mr. Kenney rejoined the Board.

Item No. 4: **Planning Board Approval of Minutes.**

Chairman Sturgeon indicated there were two sets of minutes for the Board's review.

Mr. Bolin moved approval of the December 17, 2013 Minutes and the January 7, 2014 Minutes. Ms. Williams seconded the motion and the Board voted unanimously to accept the Minutes as written.

OTHER BUSINESS

Mr. Mallar noted that he was concerned about a recent project approval by the Board which appears to have removed more of the existing vegetation than the plans call for. He was concerned that the Code Enforcement Officer did not appear to have the plan set approved by the Board.

Mr. Gould noted that it has been the Planning Office's protocol to annotate the approved drawings for the record and send a copy to the Code Office with a copy of the applicant's approval letter. Mr. Gould did note that sometimes when the plans change frequently the Code Office may have several versions. Mr. Gould would check with the Code Enforcement office to insure they have a copy of the current approved plan.

There being no further items for discussion, the meeting adjourned at 7:36 p.m.