

PLANNING BOARD OF THE CITY OF BANGOR

MEETING OF SEPTEMBER 2, 2014

MINUTES

Board Members Present: Andy Sturgeon, Chairman
Paul Bolin
Charles Boothby
John Kenney
Wayne Mallar
Dora McCarthy, Alternate Member
John Miller
Julie Williams

City Staff Present: David Gould
Lynn Johnson

City Councilors Present: Councilor Civiello

News Media Present: Bangor Daily News
WKIT Radio

Chairman Sturgeon called the meeting to order at 7:00 p.m.

PUBLIC HEARINGS

Item No. 1: To amend the Land Development Code by changing two parcels of land located at 100, 101, 106, 107, 108 and 111 First Street from an Urban Residence 2 District to a Contract Multi-Family and Service District. Said parcels containing approximately 49,000 sq. ft. Bangor Housing Development Corporation, applicant. C.O. # 14-273.

Chairman Sturgeon opened the Public Hearing. Mr. Boothby indicated that he had a conflict of interest as he is a Board Member of the Bangor Housing Authority (the applicant corporation is under the direction of the Bangor Housing Authority). Mr. Bolin felt that because Mr. Boothby is a volunteer he did not have a conflict of

interest. Mr. Miller agreed as Mr. Boothby would have no financial gain. Ms. Williams moved that Member Boothby has a conflict of interest. Mr. Miller seconded the motion. The Board voted 0 in favor and 7 opposed. Mr. Boothby indicated that he did not feel comfortable participating and excused himself. Mr. Kenney indicated that because he works for the firm presenting this item, that he had a conflict of interest. Mr. Bolin moved that Mr. Kenney has a conflict of interest. Mr. Miller seconded the motion. The motion carried by a vote of 6 to 0. Alternate Member McCarthy was asked to vote.

Chairman Sturgeon opened the Public Hearing and asked the applicant or their representative to provide a brief overview of their request.

Mr. Mike Myatt, Executive Director of the Bangor Housing Authority, explained that the applicant, Bangor Housing Development Corporation, is a corporation under the direction of the Bangor Housing Authority. He indicated that the applicant sought out and acquired these parcels in June of 2013 and demolished the six existing buildings on the lots in the fall of 2013. They are now proposing to construct 2 and 3 bedroom units designed for working families.

Attorney Andrew Hamilton, representing the applicant, discussed the proposed contract zone change conditions indicating that the conditions, while not appropriate for every lot, were designed specifically for these two lots. The applicant is proposing to construct housing on the larger of the two lots which is located on the corner of First Street and Davis Court (limited to 25 units). He noted that the applicant is proposing that the smaller lot be utilized for parking or some accessory structure. Other conditions proposed provide for design standards that would make the new construction consistent with the existing architectural style along First Street. Attorney Hamilton also discussed with the Board various excerpts from the City's 2012 Comprehensive Plan indicating that the proposed contract zone change request was consistent with the Comprehensive Plan.

Mr. Paul Brody, Landscape Architect with WBRC Architects-Engineers, discussed proposed drawing schematics of building type, landscaping and parking designs. Mr. Brody indicated that the smaller lot would be utilized for parking and possibly an accessory building. Ms. McCarthy asked how many spaces would be provided per unit. Mr. Brody indicated that they were proposing one space per unit. Ms. McCarthy didn't feel that one space per unit would be adequate especially for working families. Mr. Brody noted that additional parking could be available within 500 feet of the site for off-site parking. Mr. Brody noted that given the urban location while some units may have multiple cars some may not have any.

Mr. Mallar asked what the parking requirements were for this district. Mr. Gould indicated that parking requirements for each district are based upon the use and not the district.

Also present in support of the request were Paul Chaiken and Dan Belyea, Board Members of the Bangor Housing Authority.

Chairman Sturgeon asked if there were opponents of the rezoning proposal. Mr. Steven Hicks, a Sanford Street resident, spoke in opposition to the requested change. He noted the lack of single-family homes in this neighborhood. He said that he felt that the introduction of rental units would hurt ownership rates in the neighborhood, it did not offer enough parking, and he didn't see the value of adding rental units.

Chairman Sturgeon asked if there were any proponents. Mr. Dennis Marble, Director of the Bangor Homeless Shelter, noted that he was a Member of the Comprehensive Plan Committee. At that time, it was the consensus of the Committee that the direction was to advocate for high density housing in the urban core and to discourage sprawl. He indicated that he felt that this project would be good for this area and an improvement to the neighborhood, as well as, the community.

Chairman Sturgeon closed the Public Hearing and asked for Staff comments. Planning Officer Gould indicated that this is a request for a contract zone change from Urban Residence 2 District to Contract Multi-Family and Service District. The Land Use Map calls for High Density Residential use and the Zoning Policy Map calls for Urban Residence 2 District use. He noted that it was for the Board to determine if the proposed contract zone change is consistent with the Comprehensive Plan, consistent with existing uses, and the adjacent zoning.

The Board discussed the proposed contract conditions and the Land Use and Zoning Policy of the Comprehensive Plan.

Mr. Bolin moved to recommend approval to the City Council of the contract zone change request from Urban Residence Two District to Contract Multi-Family and Service District as contained in 14-273. Mr. Miller seconded the motion. Ms. McCarthy indicated that she felt that this development would be overpopulating a small area and it was not in character with the neighborhood. She also noted that the crime rate was already too high in this neighborhood. The Board voted five in favor and one opposed to the motion to recommend approval to the City Council.

NEW BUSINESS

Item No. 2: Site Development Plan and Site Location of Development Modification approvals to renovate and expand the existing domestic terminal building, redevelop existing aircraft apron and minor changes to site grading and on-site stormwater mitigation at 287 Godfrey Boulevard in an

Airport Development District. Bangor International Airport, applicant.

Mr. Matt O'Brien discussed the request for Site Development Plan and Site Location of Development Modification approvals to renovate and expand the existing domestic terminal building, to redevelop the existing aircraft apron and make minor changes to site grading and on-site stormwater mitigation. Because they are adding 13,000 sq. ft. of impervious surface area, they will add 13,000 sq. ft. of pervious area on another part of the site. That area will be a grassy area that will be mowed to prevent birds from using it as a habitat.

Planning Officer Gould noted that while this is primarily an interior renovation at the Airport terminal there are elements of the plan which require that they receive approvals for Site Development Plan and Site Location of Development Modification from the Planning Board. A portion of the building is expanding out over existing tarmac. The Site Law provides specific guidance for existing facilities like the Airport that were developed prior to the Stormwater Law. The Site Law exemption directs the DEP Staff to determine if an exemption is warranted. Where this is a delegated authority review the Planning Board is the entity to make that decision. Mr. Kenney asked the applicant's representative what measures they explored to mitigate water quality impacts. Mr. O'Brian indicated they planned to remove an equal amount of existing pervious and return it to a vegetated state. Mr. Kenney noted the Airport had previously undertaken some stormwater remediation projects.

Ms. Williams moved to approve the Site Development Plan and Site Location of Development Modification applications to renovate and expand the existing domestic terminal building, redevelop the existing aircraft apron and for minor changes to site grading and on-site stormwater mitigation at 287 Godfrey Boulevard in an Airport Development District. Mr. Boothby seconded the motion, which carried by a vote of 7 to 0.

Item No. 3: Site Development Plan approval to construct a 1,800 sq. ft. addition to the existing building, a new 6,400 sq. ft. building (for new garage and service space and office space use), and a 32 sq. ft. addition to the existing automobile showroom located at 729 Hogan Road in a General Commercial and Service District. Van Syckle, Inc., applicant.

Mr. Sean Thies, with CES, Inc., explained that the applicant is requesting Site Development Plan approval in order to construct a 1,800 sq. ft. addition to the existing building, a new 6,400 sq. ft. building (for new garage and service space and office space), and a 32 sq. ft. addition to the existing automobile showroom. The

total square footage requested for approval is 8,232 sq. ft. Overall, there will be a decrease in impervious surface area.

Planning Officer Gould noted that because this development was approved in phases on two different lots in order for the front of the lot to maintain its grandfathered status, the applicant will need to create 32 square feet of pervious area on the front lot to account for the 32 sq. ft. addition (impervious area) to the showroom.

Dave Merritt, indicated that the site could be altered on the front of the property to accommodate 32 sq. ft. of pervious area.

Mr. Miller asked if the two-story addition would require installation of an elevator. Mr. Merritt indicated that a two-story building does not require an elevator.

There being no further discussion, Chairman Sturgeon asked for a motion. Mr. Kenney moved to approve the Site Development Plan to construct a 1,800 sq. ft. addition to the existing building, a new 6,400 sq. ft. building (for new garage and service space and office space), and a 32 sq. ft. addition to the existing automobile showroom at 729 Hogan Road in a General Commercial and Service District with the condition that 32 sq. ft. of impervious surface area be converted to 32 sq. ft. of pervious area (on the front portion of the lot). Mr. Boothby seconded the motion. The Board voted 7 to 0 in favor.

APPROVAL OF MINUTES

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

Chairman Sturgeon indicated that the Minutes of the August 19, 2014 meeting were in order. Ms. Williams moved to approve the Minutes of the August 19, 2014 Meeting. The motion was seconded by Mr. Boothby and it passed by a vote of 7 to 0.

Member Mallar asked if the Board could reconsider its vote on the contract rezoning. He noted that under contract zone change condition No. 6 of the application for Item No. 1 the language indicated one or more of the following conditions rather than indicating all of them. He expressed his concern that it was not apparent to him that only one of the mitigation measures would be required.

Chairman Sturgeon suggested that if he felt that he was misled that he should go to the City Council Meeting on Monday, September 8, 2014 and speak before the City Council.

There being no further business, the meeting was adjourned at 8:55 p.m.