

MINUTES
TOWN OF TOPSHAM
PLANNING BOARD MEETING
MARCH 3, 2009, 7:00 P.M.

MEMBERS PRESENT: Don Spann, Chairman
Don Russell, Vice Chairman
Ronald Bisson
Michael Colleran
Tim Dunham
Stephen Mathieu

MEMBERS ABSENT: Nora Wilson had been excused.

STAFF PRESENT: Richard Roedner, Planning Director

A meeting of the Topsham, Maine Planning Board was held on March 3, 2009 at the Municipal Building at 100 Main Street, Topsham, Maine. Chairman Spann called the meeting to order at 7:00.

1. **ROLL CALL**

The recording secretary conducted the roll call and noted that all members were present except for Nora Wilson who had been excused.

2. **MINUTES FROM THE FEBRUARY 17, 2009 MEETING**

Motion was made by Don Russell, seconded by Michael Colleran, and it was

VOTED

To approve the minutes of the February 17, 2009 meeting as written.

(Vote was 5-0 with 1 abstention (Stephen Mathieu).

3. **AMENDED SITE PLAN AND SUBDIVISION - THE HIGHLANDS HAS SUBMITTED PROPOSED AMENDMENTS TO THE MEMORY LOSS WING AT 30 GOVERNORS WAY, TAX MAP U07, LOT 004C.**

Chris Belanger from Belanger Engineering represented the applicant. Mr. Belanger noted that Matt Teare from the Highlands was also present to answer any questions.

This site plan is back before the Board for site plan review. At a prior meeting, the Board agreed that because of the nature of this proposal, compared to the previously approved proposal, that it would not be necessary to hold a Public Hearing.

Mr. Belanger addressed concerns that were expressed at Sketch Plan Review, including:

Setbacks: Lot lines have been redrawn and the building footprint adjusted to maintain a 15-foot setback for the Maine Lodge and the Memory Loss Unit.

Rear Access: Mr. Belanger reviewed how the path will be upgraded. It will be a 15-foot wide gravel way with a depth of 18 inches.

Hydrant: A new hydrant was shown on the west side of Governor's Way as requested by the Fire Chief.

Architectural Plans: At Sketch Plan Review the Board requested architectural plans and floor plans for their review. Mr. Belanger distributed the plans to each Board member and said the plans meet the standards of Ordinance Section 175-11, with the possible exception of the façade articulation requirement along the left side of the front façade. (Section facing the parking lot.) Mr. Belanger requested that Section 175-11 be waived as this is an interior structure, screened by view from the public way. Each Board member commented on the request and the Board was in agreement that the project met the intent of the standards as submitted without the waiver.

Utilities: Mr. Belanger told the Board that he had requested confirmation letters from the Sewer and Water Districts but has not received them yet. He said he did not expect any issues.

Chiller Location: Mr. Belanger pointed out on the plans where the new location was for the chiller pads - behind the Cadigan Lodge and out of sight from the travel ways and public.

Work on the Main Lodge: At the Sketch Plan Review it was noted that there was some proposed work to be done on the Maine Lodge. Mr. Belanger said the proposed work is some maintenance on existing concrete pads and entryways.

Density: There was a lengthy discussion on necessary density for the project. Mr. Belanger reviewed the overall density. It was noted that there will be a net increase of 14 dwelling units in the Maine Lodge. The expansion of the Cadigan Lodge with the Memory Loss Units will not result in new dwelling units as the use is not classified as a dwelling unit. The site plan includes notes on all of the density calculations showing that the project meets density requirements.

Don Russell presented some history on how the original density requirements were set up going back to the original project when owned by Mr. Slattery. He said the code was originally established for large houses in the R-1 Zone to be able to convert them into multi-family units because it was too costly to operate them as a single-family house.

The Planning Director asked Mr. Russell when the provisions for 10,000 for the first year and 2,000 for each of the other units in the R-1 District got entered into the code.

Mr. Russell said it was in the code from approximately 1965 or 1966 because it was included in the revision of the code issued in 1967.

Following discussion the Board was in agreement that density was not an issue.

Site Plan and Subdivision Review: Mr. Belanger told the Board that as the project will include the creation of 14 new dwelling units, it will require subdivision approval as amendments are requested to the previously approved plans. He said that surveyor Paul Ruopp will prepare the appropriate boundary plan for signature and recording after the proposed boundary line has been reviewed and agreed to.

DEP Review: It was noted that a DEP modification will be required. A DEP Permit was issued for the project in 2006 and a project modification will be submitted for the proposed change.

Following discussion, motion was made by Stephen Mathieu, seconded by Donald Russell and it unanimously

VOTED:

To grant the Amended Site Plan Approval and Amended Subdivision Approval for The Highlands Memory Loss Wing and the Cadigan Lodge Renovations at 30 Governors Way, Tax Map U07, Lot 004C with conditions 1 through 11, as follows:

1. This approval is not final until such time as final plans showing all conditions and waivers have been signed by the Planning Board.
2. This approval is based on the approved plans and on all submissions and information provided by the applicant at final approval.
3. All work shall be completed in conformance with the approved plans, entitled "Cadigan Lodge Renovation Project," drawn by Belanger Engineering, consisting of the following page(s):

Sheet 1	Density Calculation – Option 1	Dated 2/13/09
Sheet C1	Civil General Notes and Legend	Dated 3/2/09
Sheet C2	Amended Site Development Plan	Dated 3/2/09
Sheet C3	Existing Conditions and Demolition Plan	Dated 3/2/09
Sheet C4	Grading and Utility Plan	Dated 3/2/09
Sheet C5	Landscape Plan	Dated 3/2/09
Sheet C6	Site Plan Secure Garden Area	Dated 3/2/09
Sheet C7	Erosion Control and Site Stabilization	Dated 1/11/09
Sheet C8	Civil Details 1	Dated 3/2/09
Sheet C9	Civil Details 2	Dated 1/11/09
Sheet C10	Landscaping Details	Dated 3/2/09
Sheet C11	Landscape Details 2	Dated 3/2/09
Sheet C12	Landscape Details 3	Dated 3/2/09

Sheet A301 Cadigan Lodge Memory Loss Addition
 Reflected Ceiling Plan
 Gawron Turgeon Architects Dated 2/1/09

Sheet A401 Cadigan Lodge Memory Loss Addition
 Building Elevations
 Gawron Turgeon Architects Dated 2/1/09

4. No occupancy of new construction shall be permitted until all infrastructure serving the new construction has been completed according to the approved plans.
5. No deviations from the approved plans are permitted without prior approval from the Planning Board or Planning Office.
6. CADD files of all plans shall be provided to the Planning Office.
7. No work shall be started until the applicant has established a performance guarantee acceptable to the Planning Board and/or the Planning Director.
8. All landscaping shall be guaranteed for a minimum of three years following installation.
9. All work shall be completed in accordance with Best Management Practices for Soil Erosion and Sediment Control.
10. This permit is limited to site plan review and final subdivision. A separate blasting permit shall be obtained before any site work begins, if needed.
11. This approval is conditioned on the applicant receiving all necessary Maine Department of Environmental Protection permits.

4. **NEW BUSINESS**

There was no new business to address.

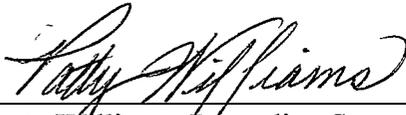
5. **OLD BUSINESS**

There being no old business to address. The meeting was adjourned and the Board moved into Workshop Session to discuss the following:

WORKSHOP

Digital Signs - Open Space Fee - Residential Zoning Amendments - Dead End Roads

Respectfully submitted,



Patty Williams, Recording Secretary