

## **NORTH BERWICK, MAINE 03906**

### **MINUTES OF PLANNING BOARD APRIL 25, 2013**

**Present:** Chairman Barry Chase, Shaun DeWolf, Rick Reynolds, Geoffrey Aleva, Mark Cahoon, Jon Morse, Anne Whitten, Lawrence Huntley, CEO

**Also Present:** Michael D. Johnson, Jr., Lee Jay Feldman, Bill McKenney, Tyler Sterling, Chelsea Budgell, Jordan Seger, James Benedict, Nancy Guptill, Amelia Small

1. Call to Order:

Chairman Barry Chase opened the Planning Board meeting at 6:31 pm.

Larry Huntley introduced Lee Feldman from the Southern Maine Regional Planning Commission. He will be helping us throughout this process with Hannaford.

Chairman Chase stated that we would move past the next item on the Agenda, which is Review Previous Minutes, and go on to Current Business. They will come back to the minutes at end of meeting.

3. Current Business:

Chairman Chase stated that the first item under current business was Michael Johnson, Jr. He is proposing to replace an existing barn within the Shoreland Zone. (Map 22, lot 26) 5 Canal Street.

Mr. Johnson stated that he thought he could just replace the existing barn with a new one, but was told that he had to file an application and present it to the Planning Board. He states that he would like to square it off to the house, which would gain 8 ft by 14 ft in this area. He said that he is not putting a second story on it so it is a loss of 200 plus feet. He also stated that everything is on the back side of the house and away from the river. Chairman Chase asked Larry Huntley to comment. Larry said that Mr. Johnson is talking about replacing a barn that existed in the Shoreland Zone. He stated that before we changed the Ordinance we had volume and square footage. Now we only have square footage. We deal with 1500 square feet total in the new situation. Mr. Johnson has 1500 square feet right now and he is allowed to add 500 square feet because of the Ordinance and how we use it today.

Chairman Chase asked what the setback was for this and stated that he currently had 27 feet from the property line. Mr. Johnson stated that it was Village Center so it is 20 feet requirement. Mr. Huntley stated that he would recommend that the Board allow him to build the new barn.

Chairman Chase opened the meeting to public comment at 6:37 pm. There were no comments. Chairman Chase closed the meeting to public comment at 6:37 pm. Rick Reynolds motioned to accept the proposal by Michael Johnson, Jr. to replace the existing barn within the Shoreland Zone (map 22, lot 26) at 5 Canal Street. Mark Cahoon seconded the motion.  
VOTE: 5-0

The next item on the Agenda is the Hannaford Brothers Company. They are proposing a Supermarket & Pharmacy at 33 Somersworth Road. (Map 17, lot 6 & 7) Sketch Plan Review.

Tyler Sterling and Bill McKenney are the representatives from Hannaford Brothers that are here to present their Plan. Mr. Sterling gave a brief overview of the company. He stated the corporate office is located in Scarborough. He stated that Hannaford likes to be as active as possible in the community. They do a lot of things for charity on a large scale in all stores such as fighting hunger and donate to Food Banks. One of the things they try to do is empower the managers at each store to find local things that they can get involved with. He stated that there would be 90-100 jobs. About two thirds of those jobs or about 60% are part time positions, with the rest being the Department Managers and other full time positions. They like to employ a lot of students.

He went on to discuss how they got here at this time. In December of 2012, they presented a concept plan, similar to the one presented tonight, to the Town Manager and Code Enforcement Officer. The Town Manager and Code Enforcement Officer told them that they could not accept their application at this time because the zoning in the area they were looking to build on did not allow it.

He did state that one of the things that had changed from the initial presentation was that the Wick house is now included as part of the sale. The Wick's will be maintaining the lots where they currently have duplexes.

Mr. McKenney stepped forward to discuss the layout of the property and the architecture of the building. He went on to point out on his map exactly where the location was going to be in reference to Route 9 and Route 4. They are proposing a 36,000 square foot store, which is one of the smaller stores that they build. He went on to show where the parking lot, loading dock and other features would be located. He did state that they would not have a drive thru pharmacy. They will have one inside the store. They are proposing a bottle recycling center, which is new to some of their stores. The parking lot is predominantly in the front of the store for customer convenience and parking on either side of the store for associates. There are 2 access points-one on Somersworth Road and another on Route 4. They are proposing 2 freestanding signs at each of the 2 driveways. The way the site is set up is intended to minimize wetland impacts.

He stated that they wanted to present this proposal to the Board prior to filing the application. They want to take any suggestions and ideas back and fully engineer the

plan. He asked if they wanted to discuss the site plans now or review the architecture and discuss both after the presentation. Chairman Chase said to look at the architecture first and then discuss both at the same time.

Mr. McKenney pulled out a drawing of what the proposed building would look like. They are proposing a primary Gable element, which is the entry element. The Gable look is a very traditional New England look. There are shed roofs on either side. They are keeping the windows with a more residential feel. They are not the traditional large windows that you see in most retail stores. Regarding the materials, they are proposing a masonry base, clapboards, shingles and adding trim along the top of the building.

Geoffrey Aleva asked a question regarding the wetland impact on the property. He was wondering if they had submitted a DEP permit. Mr. McKenney stated that they had not done so yet because they like to meet with the town first. They do want to minimize wetland impact as much as they can. Mr. McKenney thinks that the total impact would be a little less than 15,000 square feet. They don't know for sure because they have not done a grading plan yet and the side slopes along the parking and drives can affect the square footage of the impact.

Geoffrey Aleva inquired about the access road that goes off to Route 4 and the fact that it is going to drain towards the detention pond that goes off on the southern part of the property. He wanted to know if they were thinking about curbing along that road to direct water to that or were they going to do dish lines with cross culverts. Mr. McKenney stated that they generally like their paving to be curbed as opposed to uncurbed.

Geoffrey Aleva also inquired about the buffering on the eastern side of the property and parking lot with the residential units that line Route 4. He stated that he didn't see fencing on the plan so he is assuming that they will use vegetative buffering. Mr. McKenney stated that this would be featured more when they bring forth the landscaping proposals.

Anne Whitten stated that this is very open to the residents and she suggested maybe using some White Pine or something that actually cuts you off from Route 4 so it completely buffers all the neighbors. Jon Morse asked what they would be looking to do for buffering on the west side-fences or trees. Mr. McKenney stated that it depends on how much room there is available for buffering.

Jon Morse asked on when they stores accept deliveries. Mr. McKenney stated that Hannaford has their own trucking company that helps make them more efficient and keeps prices down. He stated that it is challenging to establish a set schedule because it depends on the route and how much volume the store generates. Hannaford does have a policy that they do not like deliveries in the front of the store and not to occur during store hours. They stock shelves at night so the truck deliveries are usually during the middle of the night when store is closed.

Geoffrey Aleva asked if they had given any consideration to pedestrians coming to the store via sidewalks. There is nothing on Route 4 or Route 9 now so he was wondering if any thought had been given to that. Mr. McKenney stated that they were open to some type of pedestrian access. Mark Cahoon stated that several people had commented about walking to the store and would really like to see sidewalks.

Larry Huntley asked if they had given any thoughts to headlights going across the street and flashing into the house that is across from the entrance. Mr. McKenney stated that they were now going to take that into consideration.

Shaun DeWolf asked about the glare from the site lighting. He recommended that they keep it lit as low as possible. He also suggested to have the lights as low as possible and keep it natural looking.

Shaun also mentioned that the signage would need to be looked at because the Town does not allow a lot of square footage for signs. Mr. McKenney stated that typically, for this size store, it is about 155 square feet for the front sign. The sign on the side of the building is also 155 square feet. The signs at the driveways are 100 square feet. The Town Ordinance only allows 60 feet per use. Mr. McKenney stated that they would work it out.

Shaun DeWolf asked what the siding was on the Route 9 side of the building. Mr. McKenney stated that this was also clapboard like the front side of the building. Several members of the Board stated that they would like to see clapboard on all 4 sides of the building.

Anne Whitten asked what the yellow areas next to the mechanical room were in the back of the store. Mr. McKenney stated that the first yellow area is a covered area for vendor receiving. The next 2 yellow rectangles are slabs for 2 bottle storage units. They are like shipping containers. The next rectangle on the corner is where the compacter sits.

Hannaford does not have open dumpsters. Instead they have a sealed compacter, which is attached to the building by a chute. All the trash is thrown down the chute from inside the store. The last 2 large yellow areas are the loading for the tractor-trailer truck deliveries. Larry Huntley stated that the Town has an Ordinance regarding shipping containers and they are only allowed for 30 days at a time. Lee Feldman suggested that they make it an appendage of the building instead unless they act as roll offs and someone picks them up and takes them away. Mr. McKenney stated that they are intended to sit there. The Board stated that they would like to see details about these containers. Mr. McKenney stated that he would provide these details.

Geoffrey Aleva asked if the Board was going to be furnished with a traffic report which will show a break out of the turning for both exits. Mr. McKenney stated that they need to submit a traffic study to the Maine Department of Transportation, but will let us know when they do that.

Anne Whitten would like to have a photometric design plan done to show how the lights will be lit. Mr. McKenney stated that they could present this to the Board.

Chairman Chase said the one thing that he would like to see is in the architecture of the building. He would like to see it more Gable style and less like a warehouse, especially from the Route 9 side. Mr. McKenney stated that they would take that into consideration. Anne Whitten asked if they were going to do an environmental study because Wick's has been a garage for a long period of time. Mr. McKenney stated that they are expecting to have some issues with this and they will follow up to take care of any problems.

Geoffrey Aleva inquired about what their schedule expectation is at this point. Mr. McKenney stated that he would like to have an application submitted within a month or so. Larry Huntley stated that when they come back with the application, they would have to meet with the Planning Board again. Larry will then provide copies of what Hannaford submits to all the Department Heads and everyone that needs to make comments on it. Then there would either be another meeting with the Planning Board if necessary. If everything looks good and we think that it is fair, then we should go to a Public Hearing.

Lee Feldman stated that one of the things that they should consider is that when they prepare their packet and get ready to submit it, go through the Ordinance and look for the findings of facts. As part of your packet, you should put together a letter or list of how you think you met your submission information and how you met the statement of all the findings that need to be made. That way, when it comes down to the application being reviewed, it's going to make the process a lot smoother. Mr. McKenney said that they would submit a complete application.

Geoffrey Aleva stated that he knows that some of these studies may take awhile to get back. If they want to come back in a month and give the Board more detail based on the suggestions that were made, that would be great. That way the Board can make sure that they are addressing the issues. Larry Huntley stated that they really need an official application submitted before moving any further.

Lee Feldman asked if they were going to file a 500 storm water permit with DEP. Mr. McKenney stated they would be working on this. Deluca, Hoffman & Associates and Gorrill and Palmer. The Town hired Underwood Associates to review the results from Hannaford's consultants.

Shaun DeWolf asked if the truck traffic was limited to the Route 9 entrance only. Mr. McKenney stated that it was not limited to Route 9 only. He stated that the vendor trucks are small so they will be coming in either entrance. Shaun stated that it would be a good idea to limit the tractor-trailer trucks to the Route 9 entrance. Mr. McKenney stated that they would take it into consideration.

Chairman Chase asked what the construction time was for a project like this. Mr. McKenney said it usually takes about 9 months.

2. Review of Previous Minutes:

Rick Reynolds stated that on Page 2 in the paragraph before last, it should read “Dwayne Morin, Road Commissioner” instead of “Dwayne Morin and Road Commissioner”. Also on Page 4 in the first paragraph, it states, “Mr. Huntley states that the next meeting...” but should read, “Mr. Huntley stated that the next meeting...”

Rick Reynolds motioned to accept the amended minutes of the Planning Board from April 11, 2013.

Mark Cahoon seconded the motion.

VOTE: 5-0

4. Other Business:

Larry Huntley stated that the next meeting would be May 9<sup>th</sup>, 2013. There will be 2 conditional use permits. The first one is for a winery on Oak Woods Road. The other one is a business in the condominium projects behind Johnson's.

5. Adjournment:

Mark Cahoon motioned to adjourn the meeting at 8:05 pm.

Rick Reynolds seconded the motion.

VOTE: 5-0

Lawrence Huntley, CEO  
Planning Coordinator

Respectively Submitted,  
Susan Niehoff, Stenographer

Chairman Barry Chase

Shaun DeWolf

Rick Reynolds

Mark Cahoon

Geoffrey Aleva

Jon Morse

Anne Whitten