

**CITY OF SOUTH PORTLAND**

**Name of Body:**  
**Results for Meeting of:**  
**Meeting Begins:**  
**Meeting Location:**

**Planning Board**  
**September 12, 2017**  
**7:00 p.m.**  
**Council Chambers, City Hall**

**RESULTS**

**Members Present**

Kevin Carr, Chairperson  
Linda Boudreau  
Adrian Dowling  
Leslie Dillon  
Katherine Gatti  
Mary DeRose  
William Laidley

**Staff Present**

Steve Puleo, Community Planner

**Absent**

Tex Haeuser, Planning & Develop. Director

**Pledge of Allegiance**

Chairperson Carr opened the meeting at 7:00 p.m. and welcomed all in attendance. He reviewed the meeting’s agenda and reminded the audience and Board of policies regarding a Planning Board Meeting and Public Hearings. He read into the record Planning Board Regulation #5, standard condition of approval: This approval is dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed to by the applicant. No project, plan or development previously approved by the Planning Board may be altered or modified without securing prior approval of the Planning Board in the form of an amended approval; provided however, that, if at any time it becomes necessary or desirable to make modifications to the project, plan or development, the Planning Director may approve modifications determined by the Planning Director to be de minimis in that they (i) do not amount to a waiver or substantial alteration of any condition or requirement set by the Planning Board; (ii) do not affect any approval standard; (iii) meet all applicable ordinances and laws; (iv) are reviewed and approved by all appropriate City staff and consultants; and (v) do not involve any changes to lot lines. De minimis changes include only the modifications listed in Section 24-27 of the Subdivision Ordinance and Section 27-140 of the Zoning Ordinance.

**Item #1. Approval of the August 22, 2017, Planning Board minutes**

**A. Dowling motioned to approve the August 22, 2017, Planning Board minutes. L. Boudreau seconded; (7-0).**

**Item #2. Consent Calendar**

No items

**Item #3. PUBLIC HEARING – Non-Conforming Lots of Record Request – Single-Family Residence – 10 Coolidge Avenue – Cost Mangement, Inc. – FINDINGS**

Cost Management, Inc. is requesting a site plan approval to develop a non-conforming residential lot of record. The applicant is proposing to construct a three-bedroom 936 SF two-story detached single-family home located at 10 Coolidge Avenue. The parcel is 3,770 SF in size with 41.8 feet of street frontage. Public utilities are available in the Coolidge Ave. ROW. The site plan shows parking for two vehicles along the northwest side of the proposed residence. The property is further identified as Assessor’s Map 11, Lot 224B, located within the Residential A District.

Public hearing notices were mailed on July 18, 2017, to 135 property owners within 500 feet of the proposed project and applicant and were sent by email to Conservation Commission, Planning Board, and City Council.

**A. Dowling motioned to approve the site plan application of Cost Mangement, Inc. to build a single-family home on a nonconforming lot of record located at 10 Coolidge Avenue, dated May 30, 2017, through August 28, 2017, and drawings dated May 30, 2017, through August 28, 2017, with the following conditions of approval:**

- 1. Planning Board Regulation #5, standard condition of approval, as read by the Chair at the opening of the meeting.**
- 2. Prior to issuing building permits, the applicant shall provide evidence to the Planning and Development Director that they have recorded the Certificate of Approval and Findings of Fact for the development in the Cumberland County Registry of Deeds (CCRD) and that they have signed the Level One Contractor's Erosion and Sediment Control Certification.**
- 3. Prior to issuing the certificate of occupancy, the applicant shall complete all improvements in accordance with the approved site plan, and said improvements shall have been inspected and found satisfactory by the City's Engineer or other duly designated person.**
- 4. Prior to the issuance of the certificate of occupancy, the applicant shall provide the Planning & Development Director with evidence satisfactory to the Corporation Counsel that a maintenance plan and drainage maintenance agreement has been accepted by the City of South Portland and will be executed and recorded at the Cumberland County Registry of Deeds (CCRD).**
- 5. Prior to issuing the certificate of occupancy, the applicant shall provide to the Planning and Development Director a certified "as-built" grading plan meeting the City's G.I.S. requirements; grades will not be modified without first obtaining a Planning Board approval.**
- 6. Prior to providing an occupancy permit, the applicant shall include a Stormwater Management Maintenance Plan acceptable to the Planning & Development Director that has been recorded at the Cumberland County Registry of Deeds. The owner of the property and all future owners shall be required to maintain all elements of the Drainage Plan as contained in the Stormwater Management Maintenance Plan.**
- 7. Prior to the issuance of building permits, the applicant shall provide to the Planning & Development Director satisfactory evidence that one of the six methods set forth in Section #2 (g)(b) of the City's Non-conforming Lots of Record application form relating to the applicant's financial capacity is in place.**
- 8. In accordance with Section 27-304 (f)(2), the height of the building shall not exceed 28 feet. This condition will be attached to the building permit.**
- 9. The area between the ~~two~~ three street utility excavations shall be milled so that pavement restoration is unified.**

**L. Boudreau seconded.**

**Vote (7-0).**

**FINDINGS**

**L. Boudreau motioned to approve the findings as amended. W. Laidley seconded; (7-0).**

Item #4. PUBLIC HEARING – Zoning Text Amendment and Map Change Request – Proposed West End Neighborhood Zoning Text and Map Amendments – City of South Portland

The City of South Portland's Comprehensive Plan Implementation Committee is requesting a Planning Board land use recommendation of the proposed West End Neighborhood Zoning Amendments as supported by the West End Neighborhood Master Plan. The new zoning creates a unified district on both

sides of Western Avenue (the WACC), a mixed-use housing concept (the WNC), and provides a more up-to-date multi-family housing zone (the WR) that replaces several of the existing districts. The IL zone is extended to pick up the PACTIV packaging facility and the old Residential Farm (RF) zone is removed from this area.

The Planning Board will make a recommendation to the City Council on the proposed zoning map change and zoning text amendment.

Legal advertisements appeared in the Portland Press Herald on August 22 and 28, 2017, and were posted in City Hall on August 22, 2017. Public hearing notices were mailed on August 22, 2017, to 83 property owners within the area to be rezoned and were sent by email to the Conservation Commission, Planning Board, and City Council.

**L. Boudreau** motioned that the Planning Board recommend in favor of the proposed West End Neighborhood Zoning Text and Map amendments based on their conformance with the South Portland Comprehensive Plan and the West End Neighborhood Master Plan. **L. Dillon** seconded; (7-0).

Item #5. Public Comment on Items Not on the Agenda

**Russ Lunt, Brigham St.**, recognized the good comments from Ms. Dillon. He spoke about cemeteries and Aviation Blvd. On the Coolidge Ave. item, he thinks the Board is right. They met the criteria, but he can also understand the neighbors.

Item #6. Comments from the Planning Board and Director of Planning & Development

**S. Puleo** said the next meeting is September 26<sup>th</sup>.

**L. Boudreau** congratulated the Chair on how well he handled the first item. It was challenging; clearly the residents were passionate. He managed the questions well and maintained control of the situation.

**K. Carr** thanked Ms. Boudreau and Mr. Dowling and others for educating people that the Board is regulatory, not legislative. Ms. Dillon put it concisely that they are not elected officials.

**L. Dillon** said, given seeing some things going on across the bridge, a continued effort on educating and ensuring the residents of South Portland know how they can participate and when it's most effective is needed and helpful.

**A. Dowling** reminded everyone that close to 50% of residents are renters and they don't get the Public Notice. It's unfortunate and he thinks it should change.

**K. Carr** said the last item was a situation where there were lots of meetings and community gatherings that would inform the community. There are other examples where that may not happen. He reminded the Board that they cannot get together with three or more members without a public notice.

Item #7. Adjournment

**9:50 pm L. Boudreau** motioned to adjourn. **W. Laidley** seconded; (7-0).

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**Please Note:** No new agenda items will be begun after 11:00 p.m. If during the course of a Planning Board meeting it becomes apparent that the Board will not reach certain agenda items, the Board may, prior to its 11:00 p.m. cut-off, offer to the proponents of such items the opportunity to have their items tabled immediately to the beginning of the next regularly scheduled meeting. Agenda items remaining after the 11:00 p.m. cut-off time will automatically be tabled to the next regularly scheduled meeting

