

Name of Body: Planning Board
Minutes for Meeting of: February 14, 2017
Meeting Begins: 7:00 p.m.
Meeting Location: Council Chambers, City Hall

MINUTES

Members Present

Kevin Carr, Chairperson
Linda Boudreau
Adrian Dowling
Taylor Neff
William Laidley
Kathleen Phillips

Staff Present

Tex Haeuser, Planning & Develop. Director
Steve Puleo, Community Planner

Absent

Isaac Misiuk

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 January 10, 2017, Planning Board minutes

A. Dowling noted that the minutes listed Mr. Laidley as Chair in the attendance column.

K. Carr said that the minutes have been amended.

A. Dowling motioned to approve the January 10, 2017, Planning Board minutes.

L. Boudreau seconded; (6-0) (I. Misiuk absent).

Item #2. Consent Calendar

No items

Item #3. PUBLIC HEARING – Special Exception Accessory Dwelling Unit Request
Dawson-ADU – 1309 Broadway – Keith & Joyce Dawson – FINDINGS

Keith & Joyce Dawson are requesting a Special Exception approval for a proposed Accessory Dwelling Unit (ADU) to be created in their home located at 1309 Broadway. The single-family home is 4,926 SF in area and the proposed ADU is 742 SF in area. The home has an existing dwelling located above an attached two-car garage. The applicant shows at least four vehicle parking spaces available for vehicles on-site. The property is further identified as Assessor's Map 32, Lot 170A, located within the Residential District A.

Public hearing notices were mailed on February 7, 2017, to 56 property owners within 500 feet of the proposed project and the applicant, and sent via email to the Conservation Commission, Planning Board members, and City Council.

T. Haeuser introduced the item and showed the location on a map. He showed the home and garage, stating there is an existing unit that the applicants would like to make into a legal ADU. He stated that he didn't have any concerns in his review. Staff recommendation is for approval.

Keith Dawson, 1309 Broadway, introduced himself and stated that the existing unit was never properly approved as an ADU. They want to make sure they are doing everything legally.

PUBLIC HEARING OPEN

T. Neff noted that the square footage of the structure and ADU on the memo does not match the square footage under Tab 2, pages 3 and 4. She wondered how they arrived at these calculations.

S. Puleo reviewed the numbers and explained that the applicant gave the square footage, which includes the ADU space since it's all principal. The ADU is based on both stairways being attributed. He confirmed that the ADU comes out to 744 SF. He explained that they do not usually include look at appraisal numbers or include them with ADU information. They take the square footage based on the assessor's records and that which the Code office determines as four-season is included. Usually the basement is included as livable space. He confirmed that the numbers are correct.

T. Neff noted mention of the breezeway and asked if it's new. **K. Dawson** said no, it's existing and attaches the main house to the garage.

L. Boudreau said she's heard of this being a boarding home. **K. Dawson** said it started as a nursing home and turned into a boarding home.

PUBLIC HEARING CLOSED

K. Phillips motioned to approve the special exception application of Keith & Joyce Dawson dated January 3, 2017, through February 7, 2017, and drawings dated December 20, 2016, for an Accessory Dwelling Unit located at 1309 Broadway with the following conditions:

Conditions:

- 1. Planning Board Regulation #5, standard condition of approval, as read by the Chair at the opening of the meeting.**
- 2. Prior to issuance of the certificate of occupancy, the applicant shall provide evidence to the Planning and Development Director that the Certificate of Approval for the ADU has been recorded in the Cumberland County Registry of Deeds.**

W. Laidley seconded; (6-0) (I. Misiuk absent).

FINDINGS

L. Boudreau motioned to accept the findings. A. Dowling seconded; (6-0) (I. Misiuk absent).

Item #4. PUBLIC HEARING – Minor Subdivision, Site Plan, and Special Exception – 14 E Street Supportive Housing Project – 14 E Street – SHI SP 2016 House Associates, LLC – FINDINGS

Specialized Housing, Inc. (SHI) SP 2016 House Associates, LLC is requesting approval for a proposed minor subdivision, site plan, and special exception approval to renovate an existing single-family home and construct a new addition for a "congregate housing individual unit ownership facility" located at 14 E Street. The applicant obtained a zoning text amendment for Section 27-579 to allow the facility's addition. The proposal is to convert the existing structure into two staff apartments and construct a 5,000 SF addition for ten bedroom-style apartments for special needs adults. The application proposes to provide three parking spaces, two for the staff apartments and one for visitor parking. The property is further identified as Assessor's Map 15, Lot 126, located within the Village Residential District (VR).

A public hearing legal notice was published in the Portland Press Herald on February 7, 2017, and public hearing notices were mailed on February 7, 2017, to the 103 South Portland property owners within 500 feet, the applicant, Conservation Commission, Planning Board, and City Council.

T. Haeuser showed the location on a map and introduced the item. He showed the home on street view and pointed out the previous project, 20 E Street. He stated that the residents do not drive and do not require on-site parking. The paved driveway can accommodate three vehicles for on-site parking, which will serve as staff and guest parking. The applicant is proposing to connect a five-foot wide sidewalk to the existing sidewalk from the abutting property at 20 E Street. The applicant will provide a sidewalk along the frontage of the site, within the E Street ROW. An ADA accessible four-foot wide walkway is proposed from the E Street ROW to the new addition as well as the existing home.

He reviewed stormwater, stating that the applicant proposes to go beyond erosion measure as required under Chapter 500 Stormwater Rules. The applicant's additional stormwater practices include disconnection of the rooftop drains by stalling for downspouts at the corners of the building. The drywells will be installed at each downspout location to eliminate, to the greatest extent practical, stormwater runoff entering the City storm drain system. The roof runoff from

the gutter downspout locations will eventually drain across pervious lawn and landscape areas before leaving the site. The design of the drywell is based on the South Portland Stormwater Manual. Finally, the applicant proposes to create a soil restoration/enhancement area where runoff will be directed and allowed to infiltrate to the subsurface soils.

Staff recommendation is for approval and no waivers are needed. He reviewed the conditions.

Peter Roth, Specialized Housing, introduced himself. He reminded everyone that this is a residence for ten disabled adults. The property is structured as a large single-family house with two staff apartments. There is a full-time manager during the week and staff that covers weekends and overnights. This is a model that Specialized Housing has developed. He reiterated that this is a very stable program. He explained that they struggle to keep the costs down; it's not just the first cost of developing but also the ongoing operating costs. This is a significant opportunity for disabled adults to have an independent lifestyle but it is generally costly. 20 E Street is an example of how the program works.

Will Conway, Sebago Technics, showed a plan on the board. E Street was situated at the bottom and the white rectangle is the existing home. The tan color rectangle is the three-story addition that is interconnected. The first and second floors of the addition can be accessed from the existing structure and the third floor is contained within the addition. He showed the sidewalks and driveway. He stated that there are several mature trees on the property and they have tried to save almost all of them but have to take one down. There will be a small patio for residents and they will add some foundation plantings and a small ornamental tree.

PUBLIC HEARING OPEN

Dan Hogan, 3 E Street, spoke in favor of the project. 20 E Street have been good neighbors. They applicant has gathered neighbors and showed them the plans and he believes many neighbors are in favor of the project.

Lisa Page, 11 Houlton St., Portland, hopes her brother will be a resident here. It can be hard to get her brother outside, he is slightly physically disabled, so things like a wide sidewalk, landscaping, and the area to link and draw the residences together as a larger community are a huge part of success.

Mary Chris Semrow, Falmouth, has a daughter who lives at 20 E Street. She reiterated that the families are the ones who fund the building of the property. Home ownership is key as a parent. She believes it brings a sense of community within the families that join the house and a sense of common mission to make this project and home stable and the best it can be. They work well together because of the common mission. The consistency of staff and housemates is important. This adds ten units to the tax roll; they want to be part of the community and do their part.

T. Haeuser read an email from Michael Drinan, owner of the marketplace, who could not attend the meeting but supports the project. He said 20 E Street has been nothing less than a huge success. It has enriched the neighborhood and he wishes them the best.

A. Dowling asked to see the satellite view to see on street parking.

T. Haeuser showed this. He isn't sure what the parking restrictions are.

A. Dowling asked if people can park on both sides.

M. Semrow said she hasn't seen any signs restricting parking. **D. Hogan** agreed.

S. Puleo added that this street happens to be a wide right of way. E Street is unusually wide. Relative to on street parking, there is plenty of room for residents to move around even with cars on both sides of the street. There is availability for three cars to park in the driveway as well. Typically at 20 E Street, you see very little cars parked in the driveway so this should accommodate their needs.

A. Dowling asked if staff feels comfortable with a single guest space. **T. Haeuser** said yes.

L. Boudreau said parking was flagged for her as well. She was surprised by the size of the staff house. Is it normally two in each unit or are they families of staff? They look like large units.

P. Roth said one is a one-bedroom and one is a studio. They aren't that large. The footprint of the house is small and the front two-thirds of the existing house is used for staff, one on the upper and lower floors. The back of the house is secondary living space shared among the disabled residents. There is a bedroom and bath for a private unit in the back.

L. Boudreau didn't understand there would be residents in the existing house. The explanation helped her a lot.

P. Roth said there is one resident bedroom in the back of the second floor and one on the first floor that is handicap accessible. There are eight more bedrooms, four on second floor and four on third floor of the addition. The balance of the ground floor addition is living, dining, a small staff office, a shared kitchen, bathrooms, an exercise area, and storage. Staff is often an individual, but sometimes a couple. They are oriented towards social work, trained by SHI staff, and share overnight and some weekend responsibility.

L. Boudreau asked if there are other staff who come in.

P. Roth said there is a house manager from noon to 8 p.m. Monday-Friday. They run the house, organize staff, and help prepare the meal shared between residents every evening. Sometimes there is staff on weekends depending on coverage with resident staff. There is never more than one additional staff person in addition to the live-in at any point in time. Some houses have cars, some don't. This location is transit friendly and this attracts staff that may not have a car.

T. Neff said the project is great and she loves the design. She originally thought the addition was large but it fits well and the aesthetics fit with the architecture. She asked about trash, stating that they have three trash cans and three recycling bins but they originally requested more. Is this sufficient?

P. Roth said it will work—20 E Street has this many. There is an enclosure incorporated into the plans. If there is need for more, they can work with City staff.

T. Neff asked about the lack of response to the note about being sprinkled.

P. Roth said SHI sprinkles all houses as an added level of safety. Regardless of what the fire department requires, they sprinkle both the existing house and addition.

T. Neff asked about the fence at the rear. It was suggested but they don't see it necessary.

P. Roth said the side yard fence will be maintained. In the back, there is a chain link fence that will be restored. The neighbor has a stockade fence for privacy that they will keep. They like to foster neighborliness and tend not to put fences up but there was already one here. The sister house is on the other side and they are looking forward to the patio space.

W. Laidley was concerned about the single parking spot but saw that Waterman Drive is just down the street and should accommodate anyone wanting to visit.

K. Phillips has no concerns and thinks it's a wonderful project.

K. Carr has a nephew that will someday benefit from a facility like this. He is familiar with the concept and is impressed with the project.

PUBLIC HEARING CLOSED

A. Dowling motioned to approve the minor subdivision, site plan, and special exception application from Specialized Housing, Inc. (SHI) SP 2016 House Associates, LLC dated December 23, 2016, through February 2, 2017, and drawings dated December 23, 2016, through February 2, 2017, for the 14 E Street Supportive Housing Project located 14 E Street, with the following conditions:

Conditions for Subdivision and Site Plan Approval:

- 1. Prior to the release of the signed subdivision mylar, the applicant shall pay all outstanding review escrow account fees, post the necessary performance guarantee(s) in such amount(s) as established by the City, post and sedimentation control inspection escrow, and pay all compensation and/or impact fees as determined by the Planning Board.**
- 2. Planning Board Regulation #5, standard condition of approval, as read by the Chair at the opening of the meeting.**
- 3. The property is subject to a Stormwater Management System Maintenance Agreement that runs with the land and is binding upon the property owner and its successors and assigns as their interests may from time to time appear. Prior to the scheduling of a preconstruction meeting, said agreement shall be duly executed and recorded by the applicant at the Cumberland County Registry of Deeds, with a copy of the recorded instrument contemporaneously provided to the Director of Planning and Development.**

- 4. **Prior to the issuance of a building permit, the applicant shall provide the Planning and Development Director with satisfactory evidence that one of the first six methods set forth in Section #3(B) of the City’s Site Plan application form relating to the applicant’s financial capacity is in place.**
 - 5. **Prior to the issuance of any sign permit, the applicant shall provide the Director of Planning and Development with details of the location, size, and materials, pursuant to Section 27-1561 of the South Portland Code of Ordinances, as may be amended.**
- T. Neff seconded; (6-0) (I. Misiuk absent).**

FINDINGS

W. Laidley motioned to accept the findings. K. Phillips seconded; (6-0) (I. Misiuk absent).

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

None

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

K. Carr said there is a mylar to sign.

W. Laidley asked what is happening with Mr. Lunt. His absence has been noted at a few meetings. **K. Carr** heard he may be having hip surgery.

Item #7. Adjournment

7:50 pm L. Boudreau motioned to adjourn. A. Dowling seconded; (6-0) (I. Misiuk absent).

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.