

Minutes of the meeting of the Town of Chebeague Island Planning Board, Thursday November 19, 2009 at 7:15 at the Hall.

Members present: Sam Birkett, Ernie Burgess, Louise Doughty, Mabel Doughty, Jane Frizzell, Beth Howe and Tad Runge.

Visitors: Beverly Johnson, Eldon Mayer, Leila and Suhail Bisharat, Kelley Rich, Vicki Todd, Peter and Nancy Olney and Gina Ross.

1. Minutes

Mabel moved, seconded by Sam that the minutes from October 29, 2009 be adopted. Approved unanimously.

2. Kids Place site plan review.

Beth began by giving some background about the role of the planning Board:

This is a site plan review for two proposed options for the location of a day care center, Kids Place.

In a site plan review the planning Board does not consider broad policy questions about whether having a day care is good for the community.

It also not consider whether the proposals makes economic sense for the applicant, nor which of these two options is the better one.

It does not consider whether the building is ugly or beautiful.

It acts in a quasi judicial capacity to take evidence, written and oral, on whether the proposals meet the criteria for a site plan laid out in the Zoning Ordinance.

Often in the early stages of a review not all the criteria are met but the applicant returns until either all the criteria are met or the applicant determines that s/he cannot, or does not choose to, meet all of them, and the application is withdrawn.

These applications are not complete and some significant information was only given to the Board yesterday.

So she proposes to have a public hearing tonight to see what is complete and not complete in the applications. Then another public hearing will be held on December 17 at which a complete application can be considered.

Beth went briefly over the order for the reviews: the applicant describes the project and takes questions from the Planning Board. Then the public hearing is opened and members of the public testify. Then the Planning Board works through the criteria to see if they are met. The Planning Board can grant waivers for pieces of information required by the ordinance but which the Planning Board determines are not required in order for them to determine compliance with the standards.

Kids Place option between the School and the Recreation Center

Beth asked Beverly to present the application for Kids Place between the School and the Rec Center. She said it would provide a properly sized day care center. The space at the Rec now is

too small. They need to serve more families. It would use a refurbished portable classroom, custom fitted out as a day care with play space, nap space, office, storage, a restroom and a kitchenette.

By locating the day care at the school, it would minimize the need to transport the kids from other places.

There would be space for up to 30 children but they are asking for licensing for 20. The number of staff depends on how many infants they serve. There must be one staff person for 4 infants. Beth asked whether 4 parking spaces would be enough for staff for 30 kids. They do not anticipate having more than 4 staff people even if they went to more than 20 children. If there were more staff they could park at the Rec Center.

Beth and Mabel asked how the driveway for Kids Place would work. How would people turn around? What would be done with the snow. Bev and Kelley said that people would drive in, leave their children and then back into one of the parking spaces to turn around. What if all the parking spaces were full? They could back out. Peter said he thought this would be dangerous given that there might be children in the driveway.

The snow is now pushed over toward the Rec Center and this could still be done. But the Town could also come and remove it to another part of the school site with a front-end loader. It would make a pile for the children. Peter suggested that this would not be very practical, especially since the narrow space between the school and the day care would probably be a place where blown snow would collect.

Beth asked about what they would do for play space. Bev said that they could use the school playground when school is not using it. But they also anticipate having a small area designed just for younger children with a sandbox and some other play equipment. Beth suggested that this area be shown on the map.

Someone raised the issue of keeping a fire-lane open around the school. Is that required? Now a walking path is cleared around the building in winter, but it is not cleared for fire trucks. Tad said he had talked with Ralph Munroe. Ralph would like to review the plan himself and with Chief Small in Cumberland. Beth said they would have to be consistent with the fire ordinance, but it still an open question about what specifically is required.

Nancy said there will also need to be a handicapped access to the day care and space would have to be allowed for that.

Beth said that since there would be quite a lot of impervious surface around the school – the basketball court/parking lot, the circular drive, the school, the Kids Place driveway, Kids Place and the tennis court next to the Rec – they should provide some information about how drainage would be handled. Bev said they had talked with Sevee Maher about looking into this. Beth also asked whether it would be possible to take the Kids Place driveway out of the project. The needed parking could go closer to the street. Bev said she didn't see any reason why not. It

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> Beth might also be possible to arrange to share parking with the Rec or the School. Beth said there
> would have to be a formal agreement if it met the requirement for the parking.
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> Beth asked about walking paths. Kelley said the walking path from the Rec Center is the most
> important. Beth suggested that it be shown on the map.

At the beginning of the meeting Bev gave the members of the Board a report on the two septic proposals from Al Frick. Beth said that would be taken up in more detail at the next meeting. She asked if the Rec/School septic system has enough capacity to serve the Kids Place as well. Bev said that she had monitored the water usage at the Rec and the School when the rec was built, and it was much lower than what had been anticipated. The septic system is engineered to process 1157 gallons per day and the current usage is only several hundred gallons. There should be no problem serving Kids Place.

The water supply will also come from the school well. Kids Place will be connected to the boiler room at the school, where the water comes into the school. Beverly said that there is enough capacity in the well. Carol White has been asked to send an email on the quality of the water.

Ken Pelton is working on a plan for providing overhead utility lines to Kids Place.

Beth asked whether the portable classroom has a sprinkler system. No one knew. Beth said that water for fire-fighting need to be provided. Tad said the swimming pool can be used. It does not freeze fully in the winter. He also said that Ralph had asked how the alarm-box would be connected. Would it be separate from the alarm at the Rec. Also Ralph said that a Knox Box would be required.

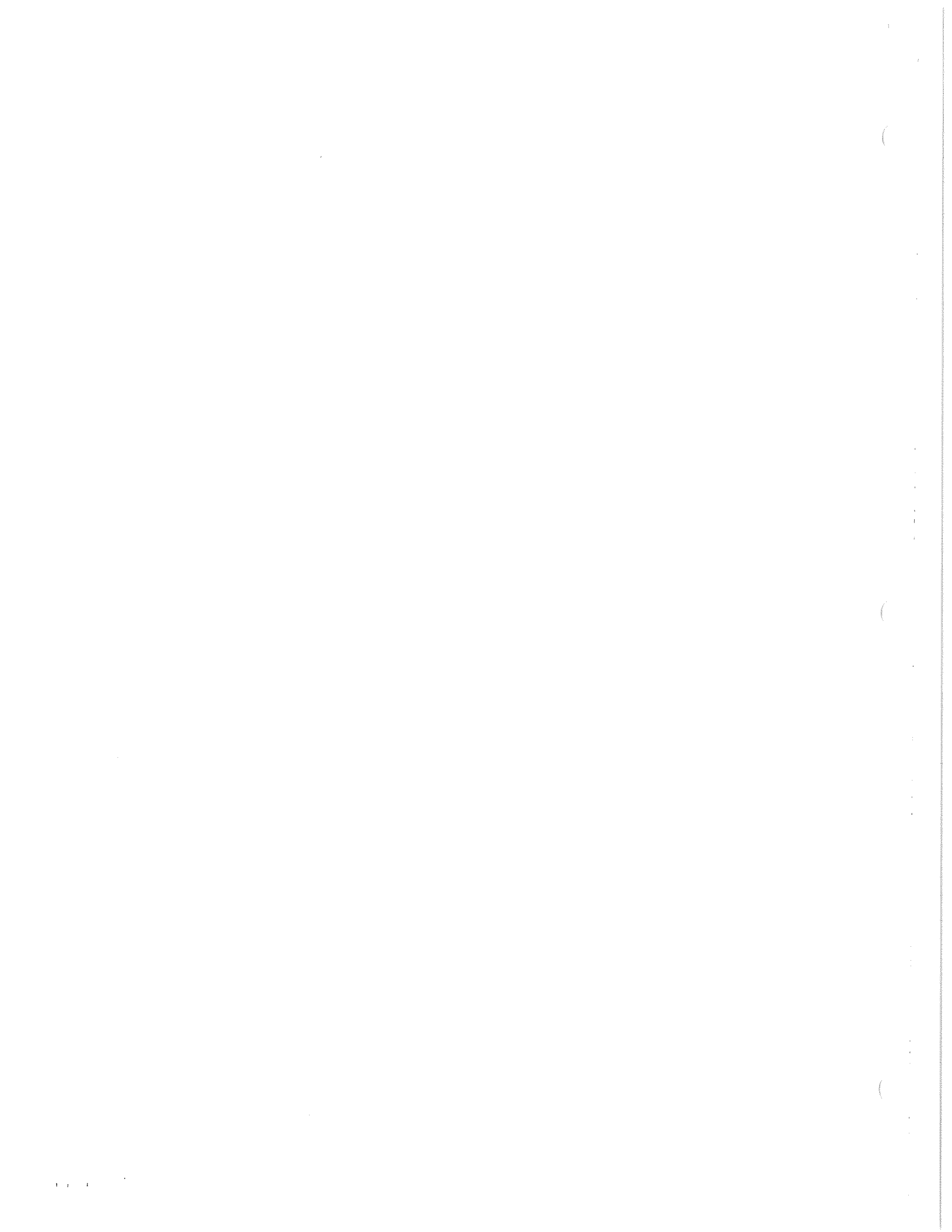
Beth asked about the Rec Center's financial capacity to build the project. They have \$ in pledges and \$ in cash. The goal is to reach \$150,000 which would cover the \$109,000 cost of putting up the building including water and septic and driveway/parking, and leave a capital account for maintenance. The Kids Place committee is also thinking of applying for a USDA grant that would cover 15 percent of the project. Also USDA could give them a low interest loan for up to 90% of the project. They have applied to Recompense for money. They also have heard that Maine Bank and Trust has a grant program. The portable classroom will be bought, not leased.

Beth asked how tall the building will be relative to the School building. Bev said she didn't know.

Beth asked if they really need to have a bathroom and a kitchen if they are located so close to the School. Kelley said that you can't send kids out into the cold to go to a bathroom in another building. Also with infants and small children it is important to be able to have and heat food. The kitchen in the school is fully utilized.

Beth asked about exterior lighting. There will be some. Beth suggested showing it on the map.

Landscaping? Only what is there now.



Beth opened the public hearing:

Nancy Olney said she had issues with the process that has been used. She said that the Zoning Ordinance says that a complete application is supposed to be submitted to the Planning Board three weeks before the meeting at which it will be discussed. If there is any information missing, the applicant can add it up to 14 days before the meeting. This application was not complete 21 days before this meeting and the applicant was still providing information today. This means that neither the Planning Board members nor members of the public could form a complete picture of what the two proposals are. It is common for applicants to come to more than one meeting as proposals are tweaked and changed, but the basic application is supposed to be complete. She said there is particularly no evidence of "right, title or interest" in either property and that acting on such an application would be open to legal challenge. Because the applications were incomplete, the Planning Board should not hold a public hearing on them.

She also said that the meeting of the Appeals Board had not properly noticed the proposal at Newcomb Park. The Planning Board is supposed to act only after action by the Board of Appeals, so if it acted on the Newcomb Park proposal tonight it would be in violation of the ordinance. There was considerable discussion of this issue. Beth said that either Nancy or the applicants should talk with Scott Seaver and Paul White about this issue. It is not within the providence of the Planning Board.

Beth said she agreed with Nancy's description of the incomplete nature of the applications, but she did not see any harm to holding a properly noticed public hearing on the two proposals. The hearing need not result in action on either proposal, but it can provide information both to the Board and to the applicant. The Board will schedule another public hearing, with notice, for December 17. This will be two days before the Town Meeting that is scheduled to vote on whether the school property can be used for the day care.

Peter Olney said that he has a substantive issue with the proposal between the School and the Rec Center. The site is really quite small and putting the day care so close to the School will put it right in the middle of all the activity of the School. He thinks it would be better for a day care to be in a quieter site, at the edge of the property. Also he thinks the drop-off pattern is very bad. Children will be walking up the drive as cars are backing down it. The school bus will also come into the circular drive and that is an additional complication. Having a driveway along the windows of the School is very distracting. This is already a problem with the parking lot on the other side of the school.

Sam said the traffic estimate is 44 trips per day. That would be quite a lot of traffic. Mabel agreed.

Drainage is also an issue. There will be a lot of impervious roof, asphalt and gravel drive in the area of the school and not much room to deal with the water. In addition the snow will be a problem for access to the building since it is likely to drift in the wind. There is really not enough room to maneuver, especially if there is snow. He asked whether it would be possible to develop a global solution to the parking by talking with the School and the Rec and working on parking for all three.

Nancy said that with a requirement for 1000 square feet of lot per child in the day care, it would be important to make sure that any lease for land on the school site between Kids Place and the Town allow at least that amount of space – 20,000 to 30,000 square feet depending on whether the enrollment is 20 or 30 children.

Louise suggested having a site visit to both parcels before the next public hearing. Beth said yes. It was agreed to schedule it for 2:30 on December 17.

Beth asked if there were any more comments on the proposal to put Kids Place between the School and the Rec Center. Seeing none, she went on to the proposal to place the day care at Newcomb Park.

Kids Place at Newcomb Park

Beth said that for many of the criteria, the answers will be the same for this proposal as for the first one.

Beverly said that the site belongs to the Rec Center. It is a separate lot from the Town/School lot that the Rec Center itself is on. The building will be 75 feet back from the property line. The septic system will be in front of the building as will a one-way access drive that will lead from the Rec Center parking lot to North Road. There will be 4 parking spaces off the access drive. The site will have its own septic system. The design by Al Frick was given to the Board at the beginning of the meeting. The water supply will come from the school well which is more than 300 feet from the septic system as is required for a public water source.

Beth said it did not look as if the parking is set back 15 feet from the front property line. Peter suggested having parallel parking rather than perpendicular parking along the access road. Kelley said that there will also be room enough for the school bus which will sometimes be used to transport the children.

This ended the discussion of the proposals from Kids Place, and the meeting was adjourned.

Respectfully submitted,

Beth Howe