

**TOWN OF HOLDEN
PLANNING BOARD MEETING MINUTES
Tuesday, May 9, 2018
Holden Municipal Building
6:00 P.M.**

I. Open Meeting

Chair, Jeffrey McBurnie opened the meeting at 6:00 P.M.

Members present: Jeffrey McBurnie, Carol Cuddy, Joy Knowles, Michael Pedreschi and Allan Poole.

Members absent: Lance Lord and Susan McKay.

Others present: Town Manager/Code Enforcement Officer Ben Breadmore, Arthur Unobskey, new Holden Code Enforcement Officer, Steve LaFreniere of Eastbrook Timber Co., John Cousins of Atlantic Designs, and Denise Guiggey resident.

II. Public Comment

Town Manager Ben Breadmore introduced Arthur Unobskey, Holden's new Code Enforcement Officer.

Denise Guiggey, neighbor to Kitchen Design Studios, expressed concern about the taking down of trees which will open up her home to more traffic noise from Route 1A. Chair Jeffrey McBurnie advised that the site plan shows that the only tree removal would be for the driveway, and the trees on the property line would remain. Ms. Guiggey requested that a fence be installed between her house and the Kitchen Design Studios property. Chair McBurnie stated that we would address this request when we get to the Site Plan Review discussion.

III. Minutes of December 12, 2017, digital recordings on file.

MOTION was made by Michael Pedreschi and seconded by Carol Cuddy to approve the Minutes for December 20, 2017. Vote 3 in favor, 2 abstentions, and 2 absent.

IV. Site Plan Review request to build a Kitchen Design Studio/Office and Warehouse on Lot 3 of Tax Map 20, Main Road. Blackhawk Properties LLC applicant.

John Cousins, known as J.C. Cousins with Atlantic Designs in Bangor, introduced himself. Mr. Cousins said his father is retiring and their building on Outer Hammond Street is being sold, so Mr. Cousins is looking to build a 40 x 60 ft. building in Holden with an interior showroom and distribution center. He predicts getting about 2-3 semi-trucks a week depending on sales. The location and parking is more than sufficient for

what he needs, as he anticipates only an average of 4-5 customers a day. Everything will be in the one unit with no additional buildings or accessory storage units.

Upon questioning from Chairman Jeffrey McBurnie, Mr. Cousins explained that the site itself is completely wooded to the road, and that they plan to retain a buffer along the property lines, and he would be willing to put a fence or dense bushes along the edge of the parking lot. Chairman McBurnie suggested a condition that Mr. Cousins and Town Manager Ben Breadmore discuss this aspect of the site plan to assure that what is used or retained as a buffer ends up being fairly dense. Town Manager Breadmore stated that the trees are mostly softwood and are 10 ft. thick on the right side and 20 ft. thick on the left side right now. Town Manager Breadmore further stated that the applicant has met the minimum requirements of the zoning ordinance, and that the applicant has agreed to do some sort of screening to maintain the buffering which he has agreed can be made a condition as part of the approval of this application.

Town Manager Ben Breadmore clarified that the Revised Planning Board Order in front of us today is for a “service business” as opposed to what was on the first version sent to the Board which said “retail sales.” Those two words are the only revisions.

Public Hearing – Chairman Jeffrey McBurnie explained the reasons for holding or not holding a public hearing. MOTION was made by Joy Knowles and seconded by Carol Cuddy that we waive the public hearing, Vote 5 in favor, 2 absent.

Site Plan Review -- Background Information

1. The applicant is Blackhawk Properties LLC;
2. The applicant has demonstrated a legal interest in the property by providing a copy of the Quit Claim Deed dated December 12, 2017;
3. The parcel is located on the North side of Route 1A, and is identified on the Holden Tax Map 20, Lot 3;
4. The parcel is currently located wholly within the General Commercial Zone;
5. The project will use private sewer and water;
6. Service Business is an allowed use within the General Commercial Zone.

Waivers Requested – none.

Five Conditions were made as part of the approval of this site plan:

1. The applicant, their heirs and assigns, shall construct and utilize the site according to the plans and documents submitted as part of this review and the approved site plan as well as any oral commitments regarding the project which were specifically made by the applicant to the Board in the course of its deliberations.
2. This site plan approval is for Blackhawk Properties LLC.
3. All exterior lighting shall be downward casting in focus.
4. The applicant/occupant shall submit to the Holden Code Enforcement Officer copies of any new or revised State and/or Federal permit approvals which may include, but

are not limited to, Maine Department of Transportation, Maine Department of Environmental Protection, and Department of Public Safety Office of State Fire Marshall prior to any Certificates of Occupancy.

5. The applicant shall apply for all necessary permits (building, plumbing, electrical, sign, street opening, fill and grade, Certificate of Occupancy, etc.) at least two weeks prior to the desired start date.

Site Plan Review Criteria under Article 8, Section 815 were reviewed by the Board. Sections 815.5, 815.8 and 815.9 were deemed not applicable.

Section 815.14 - MOTION was made by Michael Pedreschi and seconded by Joy Knowles to adopt the findings and five conditions contained herein, and based upon the findings and conditions contained therein, to determine that the proposed development does conform in all respects with the provisions of this ordinance. Vote 5 in favor, 2 absent.

MOTION was made by Michael Pedreschi and seconded by Allan Poole that based upon the Findings of Fact and Conclusions of Law, together with the background information for this application and conditions listed, the Planning Board hereby votes on this day, May 9, 2018 in favor of the proposed Blackhawk Properties LLC site plan. Vote 5 in favor, 2 absent.

V. Minor Subdivision Amendment request for Brewer Lake Shores. Eastbrook Timber Co. LLC applicant.

Town Manager Breadmore introduced Steve LaFreniere, owner and developer (and only abutter). He explained that the original subdivision was done in 1972 about six months after Maine subdivision law was approved, and because the original plat plan was recorded in the Registry of Deeds, the Planning Board does have to approve combining the lots – turning 6 lots into 3 lots -- and making larger lots on Brewer Lake. This is a minor amendment to an existing subdivision. Chairman McBurnie said this will be a positive impact, combining 2 lots into 1.

Background Information

1. The applicant is Steve LaFreniere of Eastbrook Timber Co., Inc. and Schoodic Forestry LLC.
2. The applicant has demonstrated a legal interest in the property by providing a survey with deed references listed under note 3.
3. The parcel is located on the Southern side of Cottage Shore Drive, and is identified on the Holden Tax Map 16, Lots 1, 2, 3, 4, 5 and 6.
4. The parcels are currently located within both the R3 - Rural Resource/Residential Zone, and the RP – Low Value and Non-Rated Freshwater Wetlands;
5. The original subdivision was approved on April 26, 1972 and it does require Planning Board approval for amendment as it was approved post September 23, 1971 in accordance with the State of Maine Subdivision law.

6. Bill Webber of Webber Surveying has provided an amended plan for the combination of previously approved lots.

There being no public comment and no abutters to this property, MOTION was made by Joy Knowles and seconded by Carol Cuddy to waive the public hearing. Vote 5 in favor, 2 absent.

MOTION made by Joy Knowles and seconded by Carol Cuddy that based upon the Findings of Fact and Conclusions of Law, together with the background information for this application, the Planning Board hereby votes on this day, May 9th, 2018, in favor of the proposed minor subdivision amendment on Brewer Lake Shore Subdivision.

VI. Adjournment

MOTION made by Allan Poole and seconded by Joy Knowles to adjourn the meeting. Meeting adjourned at 6:50 p.m.

Approved: December 11, 2018