

**MINUTES
PLANNING BOARD MEETING
TOWN OF BOWDOINHAM - 13 SCHOOL STREET
IN PERSON IN THE KENDALL MEETING ROOM,
ON-LINE VIA ZOOM, OR BY TELEPHONE
AUGUST 24, 2023 – 6:00 P.M.**

MEMBERS PRESENT: Nate Drummond (Chair)
Tracy Krueger (Vice Chair)
Justin Schlawin

MEMBERS ABSENT: Richard Joyce, William Shippen, Reeve Wood

STAFF PRESENT: Matthew James, Code Enforcement Officer

1. REGULAR MEETING - CALL TO ORDER AND DETERMINE QUORUM

On Thursday, August 24, 2023, a meeting of the Bowdoinham, Maine Planning Board was held in the Kendall Room at the Town Office. Chairman Drummond called the meeting to order at 6:20 p.m. (Meeting was scheduled to begin at 6:00 p.m., but due to a video glitch, did not start until 6:20 p.m. It was determined that a quorum was present.

2. CONSIDERATION OF THE MINUTES FROM THE JULY 27, 2023 MEETING

This item was moved to the end of the meeting.

NEW BUSINESS

ITEM 3 – SITE PLAN REVIEW – TIER II APPLICATION

APPLICANT ATDT, LLC (DOUG TOURTELOTTE) IS REQUESTING TO RELOCATE FOUR GAS PUMPS LOCATED AT 50 RIVER ROAD AUTOMOBILE SERVICE STATION, AND THE ASSOCIATED STORAGE TANK TO THE LOT ACROSS THE STREET AT U03-026

Chairman Drummond noted the application and backup material included. He asked the applicant, Doug Tourtelotte, if he wished to speak to his project. Mr. Tourtelotte said he had nothing more to add to the information provided with the application. Some of the information provided included:

- Applicant is proposing to move existing gas station business to the gravel parking lot across from the gas station.
- Applicant would like to install a new double wall UL 2085 9,000 gallon above ground fuel tank (6,000 gallons gas and 3,000 diesel) and remove the 27-year-old 12,000-gallon underground tank in front of the gas station.
- The existing fuel dispenser will be used, which has two diesel nozzles and two gas nozzles.

- The new site has been used as a gravel parking lot for many years.
- The elevation where the new pad will be is 8-inches above the flood plain and will be raised another 6-inches to finish grade.
- The island, which the dispensers sit on will be another 12-inches higher.
- The project will have minimal changes to stormwater runoff.
- The lighting and fire suppression system will be reused on the new site.
- A 25-foot vegetated buffer will be maintained from the property lines around the entire property, except for the entrance on the south side.
- The new tank will have fencing around it to shield it from view as much as possible.
- The signage will be very simple and will be according to Town specifications.
- There will be no water or sewer needed.
- The business will be open 24 hours a day, 7 days a week, as it is now.
- A fence will be installed on the north side to serve as a buffer for the abutter.
- Total cost for the project is estimated at \$258,500 (Portland Pump Company \$212,000; Excavation \$23,000; Building \$10,000; Running Power \$8,500 and Paving \$28,000.
- Estimate from Portland Pump Company was included in the application covering permits, site preparation, tank removal, tank system and use of a crane.
- Abutters include Bowdoinham Country Store, LLC, Lot U03-003; Susan Hill, Lot U03-025; Village Lodge Masons #26, Lot U01-068 and FHC, Inc., Lot U01-069.

The Application Checklist was reviewed and noted to be complete and in order.

Following discussion, motion was made by Ms. Krueger, seconded by Mr. Schlawin, and it was unanimously

VOTED

That the application for **Site Plan Review** from ATDT, LLC requesting to relocate four gas pumps located at 50 River Road and the associated storage tank to the lot across the street at U03-026 is found to be complete.

Motion was made by Ms. Krueger, seconded by Mr. Schlawin, and it was unanimously

VOTED

That the **Shoreland Zoning** portion of the application from ATDT, LLC requesting to relocate four gas pumps located at 50 River Road, and the associated storage tank to the lot across the street at U03-026, is found to be complete.

The Board was in agreement to schedule a Public Hearing on the application for the next meeting of the Planning Board at 6:15 p.m. The applicant, Mr. Tourtelotte, said he will be out of town on that date but will join the meeting via Zoom. A site walk was scheduled for Tuesday, September 12th at 3:30 p.m.

At this point in the meeting the Performance Standards were reviewed. Some of the resulting comments from Board members are typed in italics.

1. Vehicular Access - The proposed site layout will provide for safe access to and egress from public and private roads. – *The Board agreed that the DEP permit has been obtained and the layout of the pad assures safe access to and egress from public road.*
2. Internal Vehicular Circulation - The proposed site layout will provide for the safe movement of passenger, service, and emergency vehicles through the site. – *Discussion was that the proposed plan provides smooth flow to and from the gas pumps and there is ample room for fuel delivery trucks to turn. Applicant said the truck can also back into his property across the street if necessary.*
3. Pedestrian Circulation - The proposed site layout will provide for safe pedestrian circulation both on-site and off-site. - *The proposed site layout indicates that there is adequate pedestrian circulation so this approval criteria is met.*
4. Municipal Services - The development will not have an unreasonable adverse impact on municipal services, including municipal road systems, fire department, solid waste program, schools, open spaces, recreational programs and facilities, and other municipal services and facilities. - *The development will not have any adverse impact on municipal services.*
5. Visual Impact - The proposed development will not have an adverse effect on the scenic or natural beauty of the area, including water views and scenic views. - *The proposed plan does not adversely affect the scenic views if anything, it improves the visual appearance of the area.*
6. Lighting - All exterior lighting will be designed to avoid undue glare, adverse impact on neighboring properties and rights-of-ways, and the unnecessary lighting of the night sky. - *The existing lights that are on the current pumps will be used and they meet the ordinance criteria.*
7. Signage - The proposed signage will not detract from the design of the proposed development and the surrounding properties and will not constitute hazards to vehicles and pedestrians. - *The sign will be in compliance with the Town Ordinance.*
8. Buildings - The proposed structures will relate harmoniously to the terrain and to existing buildings in the vicinity, to have a minimally adverse effect on the environmental and aesthetic qualities of the neighboring areas. - *The building will be one story, 10'x12' to house electronics. It will have vinyl or cedar shakes.*
9. Landscaping - The proposed development will provide adequate landscaping in order to define, soften, and/or screen the appearance of parking and developed areas as well as to enhance the physical design of the buildings and the overall development. - *The applicant will maintain a 25-foot green buffer on both the east and west sides and the south side (both sides and rear of the property). There is no landscape plan at this time for the north (road) side of the property.*
10. Buffering - The proposed development will provide for the buffering of adjacent uses where there is a transition from one type of use to another use and for the screening of mechanical equipment and service and storage areas. - *The new tank will be 100% fenced and the property on the east side will have a fence or some type of buffering for privacy of the abutter. There will not be a dumpster on the site.*

11. Utilities - The proposed development will not impose an unreasonable burden on existing utilities. - The Planning Board finds that this criteria is met as the power will be underground.
12. Water Supply - *The proposed development will be provided with an adequate supply of water.*
13. Sewage Disposal - The proposed development will be provided with adequate sewage waste disposal. - *N/A*
14. Fire Protection - The proposed development will have adequate fire protection. - *The existing fire suppression system will be retained.*
15. Capacity of Applicant – The Board finds that the applicant has the capacity to carry out the proposed project.
 - a) Right, Title and Interest in the Property - The applicant has the right, title, and interest in the property.
 - b) Financial Capacity – The applicant has the financial capacity to complete the proposed development.
 - c) Technical Ability – The applicant has the technical ability to carry out elements of the plan including expanding the driveway back to the storage lot.
16. Special Resources
 - a. Shoreland - The proposed development will be in compliance with the Town's Shoreland Zoning Ordinance. - *The applicant will be in compliance with the Town's Shoreland Zoning Ordinance.*
 - b. Floodplain - The proposed development will be in compliance with the Town's Floodplain Management Ordinance. - *The tank and proposed building will be 2-feet above the flood plain. (Applicant will look further at the flood plain levels.)*
 - c. Wetlands & Waterbodies - The proposed development will not have an adverse impact on wetlands and/or waterbodies, to the extent that is practicable. - *The proposed development will not have an adverse impact due to the vegetative buffer between the river and the site.*
 - d. Historic and Archaeological - The proposed development will not have an adverse effect on historic and/or archaeological sites. - *N/A*
 - e. Groundwater - The proposed development will not adversely impact either the quality or quantity of groundwater available to abutting properties or to public water supply systems.
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N/A
 - f. Wildlife Habitat – The proposed development will not have an undue adverse effect on wildlife habitat. - *N/A*

- g. Natural Areas – The proposed development will not have an undue adverse effect on rare and irreplaceable natural areas. - *N/A*

17. **Environmental Impact** – The landscape will be preserved in its natural state to the extent that is practical by minimizing tree removal, disturbance of soil and retaining existing vegetation. - *Because there will be minimal soil disturbance and no trees will be cut or removed, this criteria is met.*

- a. Solid Waste Management – The proposed development will provide for adequate disposal of solid wastes. - *N/A*

- b. Hazardous, Special and Radioactive Materials – The proposed development will handle, store, and use all materials identified as hazardous, special, or radioactive in accordance with the standards of Federal and State Agencies. - *N/A*

- c. Air Quality – The proposed development will not result in undue air pollution or odors. - *The development will have no undue air pollution or odors, therefore meeting this criteria.*

- d. Water Quality – The proposed development will not result in water pollution. - *The business will not contribute to water pollution.*

- e. Stormwater – The proposed development will provide for the collection and disposal of all stormwater that runs off proposed streets, parking areas, roofs, and other impervious surfaces, which must not have an adverse impact on abutting or downstream properties. - *No new stormwater provisions are proposed and existing grade will be maintained. Applicant said he is willing to make a little berm along the abutters line and along the river to be sure it would catch any drips of gas.*

- f. Sedimentation and Erosion Control - The proposed development will take adequate measures to prevent soil erosion and the sedimentation of water courses and waterbodies. - *Sedimentation and Erosion Control measures will be used during construction phases of the project.*

18. Noise_- The applicant will control noise levels so that it will not create a nuisance for neighboring properties. - *There will be no increase in noise levels with the operation.*

19. Compliance with Ordinances – The proposed development conforms with the provisions of this Land Use Ordinance and other ordinances and regulations of the Town of Bowdoinham. - *The proposed development will conform with the provisions of the Land Use Ordinance and other ordinances and regulations of the Town.*

20. Town Plans & Vision Statements – The proposed development is consistent with the intent of the Town’s Plans, including but not limited to the Comprehensive Plan, Waterfront Plan, and Transportation Vision Statement.

OTHER BUSINESS

ITEM 4 – FUTURE MEETING DISCUSSION – No comments.

3. CONSIDERATION OF THE MINUTES FROM THE JULY 27, 2023 MEETING

Motion was made by Ms. Krueger, seconded by Mr. Schlawin, and it was

VOTED

To approve the minutes of the July 27, 2023 meeting as corrected.

(Correction: Page 4, number 10, under VOTED, change “swelling” to “dwelling.”)

ITEM 5 -ADJOURN

Motion was made, seconded and it was unanimously

VOTED

To adjourn the meeting.

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