NORTHSTAR PLANNING

MEMORANDUM

TO: Lisbon Planning Board
Through Mark Stambach, Code Enforcement Officer

CC: Andrew Skelton / Skelton's Foreign Auto, LLC
Springer Holdings, LLC

From: Kate Burch, Senior Planner, North Star Planning

RE: Site Plan Review and Conditional Use, 42 Lisbon Street– Planning Board meeting August 22, 2024

Date: August 14, 2024

Overview

The applicant proposes to demolish the existing building at 42 Lisbon Street and build a new auto showroom and repair shop. The property is in the Commercial zone and is located in the Highway Character District of the Route 196 Design Standards. The rear of the parcel is in Resource Protection and the majority of the parcel is located in the Aquifer Overlay Zone 2. This property was previously used as a used auto showroom but is now closed. There is no previous site plan on file for this property.

The new building will be located to the rear of the existing building. The applicant will clear approximately 20' from the existing tree line. The proposed development will not occur in the Resource Protection zone. The applicant does not propose any stormwater management infrastructure. The property is served by public water and sewer.

The applicant has provided a letter of financial capacity from Androscoggin Bank and a commercial lease with option to purchase.

The applicant proposes to use the existing driveway entrances. Because the applicant will continue to use this property as an auto showroom, there is no change of use and a review of Section 46 Access Management standards is not required.

Route 196 Design Standards

This project is located within the Highway Commercial Character District of the Route 196 Design Standards.

- The Board should review the photo provided, which shows a prefabricated building with exterior metal cladding in a neutral color, to confirm that the building meets traditional New England character and materials.
- The dumpster will be located behind a privacy fence.

- The front area will include grass islands with trees, shrubs, and landscaping.
- The sign will be placed in the grass median at the front of the lot.
- There is a designated area for snow storage on the plan.
- Downward facing lighting will be in the soffit of the building and the grass islands in the front of the lot.

Aquifer Protection Overlay

The property is located in Zone 2 of the Aquifer Protection Overlay. Auto or vehicle repair facilities are a conditional use in this overlay. There is a 50% maximum impervious surface in this overlay, which the project meets.

The applicant will follow best practices for erosion control during construction. A low-salt mix will be used for winter parking lot maintenance. No additional chemical or petroleum products will be used on site during construction beyond what is in the construction equipment.

Chemicals including oil will be stored in closed, labeled, water-tight containers. Waste oil will be burned and Clean Harbors will retrieve coolant waste. Two tanks will be present on site for waste oil, and a furnace tank for recycling waste oil. There will be no floor drains in the building.

The applicant should confirm if he will also contract with a provider for regular waste disposal.

Application Stage

The Board should vote on application completeness and to schedule a public hearing.

Applicant: Andrew Skelton / Skelton's Foreign Auto

Owner: Springer Holdings, LLC

Location: 42 Lisbon Street

Zoning: Commercial/Resource Protection

Tax Map Number: Map U25 Lot 022

Existing Land Use: used auto showroom (closed)

Proposed Land Use: auto showroom

Acreage: 7

Waivers: The applicant has not requested any waivers.

Site Walk: A site walk has not been scheduled for this project.

Public Hearing: A public hearing for this project has not been scheduled.

Completeness Review: The Planning Board has not voted on completeness.

Suggested Motion: To find the Site Plan and Conditional Use applications for 42 Lisbon Street, Map U25 Lot 22 **[complete/not complete]** in regard to the submission requirements of Chapter 62 and Chapter 70 of the Lisbon Land Use Ordinance, and to hold a public hearing at the next Planning Board meeting.

Site Plan Review - Findings of Fact:

1. Generally

- The applicant has designed the project to meet the standards as outlined within the Ordinance.

2. Landscape Preservation

- The project will clear trees from an area approximately 20' deep.
- No impacts upon scenic areas and views identified in the Lisbon Comprehensive Plan are proposed.
- The rear of the parcel is within the Resource Protection zone. No construction is proposed within this area.
- The rear of the parcel includes a flood zone area. No construction is proposed within this area.

3. Vehicular Access

- The property has 2 existing entrances onto Route 196.
- Because there is no change of use, a review of Section 46 Access Management standards is not required.

4. Parking Requirements

- Section 70-661 requires about 25 parking spaces, depending on the final gross square footage of display area.
- The project will use the existing parking area which currently provides about 80 parking spaces.

5. Pedestrian Circulation

- The property is a used car lot without existing sidewalks.

6. Stormwater Management

- The project does not propose any stormwater management systems.

7. Conservation, Erosion, Sediment Control

- The project will follow best practices during construction.

8. Exterior Lighting

- The development will have down lights on building soffits and landscaped islands.

9. Emergency Vehicle Access

- The building, driveway, and parking lot design allows for safe emergency vehicle access.

10. Water Supply

- The property is currently served by public water.

11. Groundwater
- There are no on-site water supply or sewage disposal systems.

12. Air Emissions

- No excessive air emissions are anticipated as a result of the development.

13. Odor

- No excessive odors are anticipated as a result of the development.

14. Noise

- No excessive noise is anticipated as a result of the development.

15. Sewage Disposal

- The property is currently served by the public sewer system.

16. Waste Disposal

- The project includes a dumpster for waste disposal.
- Waste oil will be safely burned in a dedicated furnace.
- Clean Harbors will be contracted to pick up additional waste.

17. Compliance with Comprehensive Plan

- The proposed development is located within the Commercial District, in the designated Commercial Transition Area.
- The project complies with the 2019 Comprehensive Plan goals to direct commercial growth to central commercial locations with existing infrastructure, and promote high aesthetic quality commercial development.

18. Proof of Federal or State Required Permits
- No federal or state permits are required.

19. Archaeological Resources

- No historic properties or archaeological resources are impacted by the proposed development.

20. Protection of Significant Wildlife Habitat

- The rear of the property includes wetlands. No development is proposed on this part of the parcel.

21. Rare and Endangered Species

- No rare botanical features will be directly impacted by the project.

22. Building Design

- The proposed new buildings reflect traditional New England building forms and are harmoniously related to the neighborhood.
- The sides and rear of the development will be screened with a fence and existing trees.
- The dumpster will be screened from public view.

23. Impact on Public Facilities and Services

- No negative impacts on community services or facilities will result from the proposed development.

24. Aquifer Protection Overlay

- The development is located in Zone 2 of the Aquifer Protection Overlay.
- The project will cover less than 50% of the lot.
- The applicant will follow best practices for erosion control during construction.
- A low-salt mix will be used for winter parking lot maintenance.
- No additional chemical or petroleum products will be used on site during construction beyond what is in the construction equipment.
- Chemicals including oil will be stored in closed, labeled, water-tight containers.
- Two tanks will be present on site for waste oil, and a furnace tank for recycling waste oil.
- There will be no floor drains in the building.

25. Lisbon Route 196 Corridor Design Standards

- The Board should confirm that the building meets traditional New England character and materials.
- The dumpster will be located behind a privacy fence.
- The front area will include grass islands with trees, shrubs, and landscaping.
- The sign will be placed in the grass median at the front of the lot.
- There is a designated area for snow storage on the plan.
- Downward facing lighting will be in the soffit of the building and the grass islands in the front of the lot.

Conclusions of Law

1. The landscape **(will/will not)** be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, retaining existing vegetation where desirable, and keeping any grade changes in character with the general appearance of neighboring areas.
2. The proposed development **(will/will not)** provide safe vehicular access to and from public and private streets.

3. Development parking **(will/will not)** meet the town standards as set forth in section 70-661 et seq.
4. The development plan **(will/will not)** provide for a system of pedestrian circulation within the development and interconnection with existing facilities.
5. Adequate provision **(will/will not)** be made for disposal of all storm water generated within the development through a management system of ditches, swales, culverts, underdrains, and/or storm drains.
6. Stripping of vegetation or other development **(will/will not)** be done in such a way as to minimize erosion and sedimentation. The development **(does/does not)** include best management practices as provided by the Maine Department of Environmental Protection.
7. All exterior lighting **(will/will not)** be designed to encourage energy efficiency, to ensure safe movement of people and vehicles, and to minimize adverse impact on neighboring properties and public ways.
8. Provisions **(will/will not)** be made for providing and maintaining convenient and safe emergency vehicle access to all buildings and structures at all times.
9. The development **(will/will not)** be provided with a system of water supply that provides each use with an adequate supply of water meeting the standards of the state for drinking water.
10. The project demonstrates that the groundwater at the property line **(will/will not)** comply with the standards for safe drinking water as established by the state.
11. All air pollution control **(will/will not)** comply with minimum state requirements.
12. The proposed development **(will/will not)** produce offensive or harmful odors perceptible beyond their lot lines either at ground or habitable elevation.
13. Noise (**will/will not)** comply with the standards as set forth in Chapter 26, Article IV of this Code.
14. A sanitary sewer system **(will/will not)** be installed at the expense of the developer.
15. The proposed development **(will/will not)** provide for adequate disposal of solid wastes and hazardous wastes.
16. All new development and redevelopment **(is/is not)** in conformance with the town's comprehensive plan and shall be consistent with the goals and objectives stated in such plan.
17. The applicant **(will/will not)** provide proof of any required state or federal permits.
18. The proposed development **(does/does not)** involve structural development or soil disturbance on or adjacent to sites listed on, or eligible to be listed on the National Register of Historic Places.
19. The proposed development **(will/will not)** impact wildlife resources identified in the Town of Lisbon comprehensive plan or by the Maine Department of Inland Fisheries and Wildlife.
20. The proposed development **(will/will not)** impact rare or endangered species identified by the Maine Natural Areas Program.
21. The proposed structures **(will/will not)** be related harmoniously to the terrain and to existing buildings in the vicinity that have a visual relationship to the proposed structures so as to have a minimally adverse affect on the aesthetic qualities of the developed and neighboring areas.
22. The proposed development **(will/will not)** impact municipal services beyond current capacity.