

Union Planning Board Minutes
Thursday, November 9, 2023, 6:30 p.m.
William L. Pullen Municipal Building Downstairs Meeting Room

Present: Robin Milliken, Gerald S. Brooks, Jr. (“Jerry,” Chair), Mike Johnson, Dale Flint

Others Present: CEO Grant Watmough, Kyle Bergey, Jenna Bergey

- 1. Meeting called to order:** 6:30 p.m. by Jerry Brooks.
- 2. Preapplication – Site Plan Review Map 26 Lot 11 (part) – Kyle and Jenna Bergey, Storage Facility and Auto Shop:**

Jerry noted this property is currently owned by Thompson and Cosgrove LLC. The board has a copy of the signed Purchase and Sale agreement. He explained tonight’s preapplication review is the first step in a four-step process required by Site Plan Review, Article 2, page 71, Land Use Ordinance. He went over the procedure.

Jerry then established no conflict or bias regarding the application, and a quorum. He read a summary of the application: Kyle and Jenna Bergey propose to construct an automobile repair shop and storage facility at the property located at Map 26 Lot 11. He noted this is the board’s second preapplication review for the same use (by a different entity). Grant said the previous time, the sale did not get completed.

Jerry established the board has jurisdiction, the Bergeys have standing to apply, and all relevant fees and applications have been submitted. He invited the Bergeys to present their proposal.

Kyle noted a map they had submitted as well as a preapproval letter from DOT for the proposed entrance, which is existing with DOT-approved change of use. Jerry asked about the storage building. Jenna said it would be mixed use, with some allocated for storing cars, boats, etc. and a smaller space for self-access storage. Kyle noted there would be about 15 or 16 units for the latter.

Grant summarized some storage units would be compartmentalized and some not. Jenna said the larger units, which are for customers, would be accessed only through them. Grant said, referring to page 19, our ordinance says compartmentalized storage facilities with planning board approval are allowed in the commercial zone; a commercial storage facility for cars, boats, etc. is not. He does not know why.

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Jerry said if it was part of the auto repair... Grant said that could potentially be the way that could happen. It's for the board to decide. Mike asked what if it was just more bays, more compartmentalized instead of an open area. Grant said that would be something they could approve. Kyle asked if it would be self service at that point. Grant thought the key was in the word "compartmentalized."

In answer to Dale, Grant said he didn't think there was a distinction between customer access and they (the owners) controlling what comes in and what goes out. Mike suggested a big area just with stalls, no doors. Kyle said it would be compartmentalized, with 15 accessible units outside, then another 30' by 100' compartment that's shared inside. He asked how big a compartment could be. Mike thought Grant was saying it's individual customers, each one with their own unit. Kyle said so two customers can't share a unit?

Dale had the same question: what differentiates between commercial storage and compartmentalized? Mike could see commercial storage as what they are saying: a big area, they let people in and store boats, cars, etc. Dale finished then when people want to take their boat, car, etc. out, they contact them and take it out. Kyle said he currently does seasonal storage for cars, motorcycles, etc. Jerry noted Shepard's has stalls which are individual Mike added.

Jenna suggested chain link fences, which Grant said could work. Mike clarified some sort of division inside the larger.

Jerry questioned the logic. Grant echoed why would a commercial storage facility not be allowed in a commercial district. Robin said somebody stopped before they completed what could go in there. Grant said he thought it was a roundabout way of banning it, noting it's (allowed) in the industrial zone which has not been established.

Mike brought up painted lines on the floor. Jenna asked for clarification, as they had not been intending to have public access to that unit all the time. Mike said yes, it's managed, but each one would have its own area. Mike said what if it's a gated facility, then noted they had a good solution: just some sort of division.

In answer to Jerry, Grant said an example of a commercial storage facility would be a big building where, for example, UPS stores all their packages in one big area, or Fed Ex, or a trucking concern. Jerry said we don't care whether the access is external and locked outside, or whether it's internal; compartmentalized would be as simple as painted lines on the floor. Grant reminded this board added compartmentalized storage to the ordinance; it was accepted by the voters and had not been allowed earlier.

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Jerry said the question for the board is do we make this a condition for approval if it gets that far – painted lines, chains, etc. Grant felt they just define it as “compartmentalized” and let them decide what that means to them. Jerry echoed Grant’s sentiment.

In answer to Jerry, Kyle said the auto repair shop would be more forward toward the road. They referred to the map re: parking area for the auto repair, and access to the storage units. Jerry asked for questions from the board.

In answer to Dale, Kyle said no outdoor storage is proposed at this time, noting they are kind of out of real estate with the setback from the St. George. In answer to Mike, Kyle said the self storage is not heated, with the larger portion potentially heated down the road. Mike confirmed 7500 SF building total, noting he believed that was the upper limit for heated self storage before having to install sprinklers. Kyle was referred to the Fire Marshal on this.

Grant brought up setbacks. Kyle said they should have a survey within the next couple of weeks. Grant thought Rt. 17 was a 100’ wide ROW, from the center of the road to where you start measuring to meet the setback. Kyle said they’d need another 30’. Grant said DOT will tell them when they are getting that permit, also 100’ from the river.

Grant brought up the storage building from the property line by the quarry. Kyle said the proposed property line is 6’ off the end of the quarry and another 20’ off that. Grant said that was good. The submitted map was reviewed.

Jerry said they will need two copies of the site plan review application and two copies of a site plan per specifications in 2.4.2.1.2. He then went through the list of items required on the drawing, and checked off 2.4.2.2.1. through 2.4.2.2.4.

They will need to know location of water courses in 2.4.2.2.5; marshes and bedrock, no.

Existing soil conditions per 2.4.2.2.6. – NA.

Jenna said they are working with soil and septic; they have been approved and just waiting for the letter. Grant confirmed there would be plumbing.

2.4.2.2.7. Location of proposed public utilities, etc. – required.

2.4.2.2.8. Location of fencing, screening, or landscape work – NA.

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2.4.2.2.9. Contour lines, etc. – NA.

2.4.2.2.10. Municipal tax map (abutters), etc. – required.

2.4.2.2.11. Survey is being done.

2.4.2.2.12. Exact dimensions and acreage of parcel – check.

2.4.2.2.13. Location of all buildings within 300’ of the property boundaries – required.
Brief discussion centered on the antique shop.

2.4.2.2.14. Location of all other structures, etc. within 300’ of boundary lines – NA.

2.4.2.2.15. Size, shape, and location of existing and proposed buildings, etc. – consensus was, as Mike said, hand drawn would do since they await engineer drawings for a metal building.

2.4.2.2.16. Access ways, etc. – required vehicular access and parking areas, the remainder NA.

2.4.2.2.17. Signature block, etc. – required.

Jerry then reviewed 2.4.2.3. through 2.4.2.5. He asked if they would be ready for the next meeting. Brief discussion followed. Grant suggested a final in December if they are at that point with a public hearing in January.

Grant asked, re: auto repair, what they would do about fluids. Kyle said they heat with waste oil, and the only thing that will be disposed of will be coolant.

Jerry reviewed 2.4.2.6. through 2.4.2.7. (NA as long as you can get a fire truck in there per Dale). He reviewed 2.4.2.8 (performance guarantees NA) and 2.4.2.9.

Beginning on page 74, Jerry reviewed 2.5 Review Criteria and Performance Standards. He asked about 2.5.11. Glare. Kyle said there would be downcast lighting. Under 2.5.12. Noise, Jerry asked about business hours which Kyle said would be, for auto repair, 7:30 a.m. to 5:00 p.m. Performance guarantees were waived.

Jerry again reviewed 2.5 Review Criteria and Performance Standards. Dale noted they have to comply with state and federal regulations. Grant confirmed they are doing auto repair, not painting and/or bodywork. Kyle confirmed a silt fence is noted on the current plan for construction (re: soil erosion). Vehicular access and parking will be laid out. In answer to Mike, Grant confirmed they are under one acre which does not kick in DEP re: soil erosion. Septic is in the works. Grant is the plumbing inspector.

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They discussed industrial chemical waste. Sewage plan will be included on the site plan. It is not a historic site. It complies with the Comprehensive Plan. Setbacks address the 100-Year Flood Elevation. Jerry reiterated performance guarantees were waived.

Grant will put them on the agenda for December. That will help determine when the public hearing will be including a notice in the paper (two weeks before) and notice to abutters. Grant encouraged them to get in touch with the owner of the antique shop. In answer to Jenna, Grant clarified any permits he issues can be appealed though unlikely.

Jenna brought up landscaping, which was waived. Grant said they could do planting on their own if they wanted to. In answer to Kyle, Grant said building permits are good for two years, and he can give a two-year extension. Jerry and Grant added they have a year to start and show substantial progress. Grant said he can issue permits in steps.

Jerry asked for any other questions or concerns from the board. In answer to Mike, Kyle said they would like to pave it. Grant confirmed our ordinance talks about lot coverage by buildings; every other town he's been code officer in has 20%.

The board thanked the Bergeys, who in turn thanked the board.

3. Approve minutes of September 13, 2023 (note PB had a quorum at the joint public hearing on October 18 but no vote taken):

Motion to approve by: Dale Flint

2nd by: Mike Johnson

Robin said she attended the September 13 meeting but was not listed.

Amended motion to approve adding Robin as above by: Dale Flint

2nd by: Mike Johnson

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4. Any other business by the board: None.

5. Adjourn:

Meeting adjourned at 7:48 p.m.

Respectfully submitted,

Sherry Abaldo
Secretary