

**DRAFT FINDINGS OF FACT
Minor Development Review
Meeting Date: October 17, 2019**

Project Name: Grace Reformed Baptist – Minor Development Review
Address: 34 Grover Lane
Case Number: 19-043
Tax Map: Map 41, Lot 23A
Zoning: RR – Rural Residential
Applicant: Grace Reformed Baptist Church
PO Box 152
Brunswick, ME

Authorized

Representative: Curtis Neufeld, Sitelines PA
119 Purinton Rd. Ste. A
Brunswick, ME 04011

Staff reviewed the application and has made a determination of completeness.

DRAFT Motion 1:

That the Minor Development Review Permit application is deemed complete.

PROJECT SUMMARY

Staff review is based on the applicant’s Minor Development Review application to redevelopment an existing religious institution with a new facility. The project previously appeared before the SRC and Planning Board for Case 19-007 in which the applicant received a Conditional Use Permit application for “religious institution” as a principal use in the RR Zoning District. A project narrative and a site plan is included with the packet. Additionally, the applicant provided the deed for the subject property as proof of right, title, and interest.

Review Standards from the Town of Brunswick Zoning Ordinance

4.1 Applicability of Property Development Standards

The proposed redevelopment activity is located primarily within the Rural Residential (RR) Zoning District. As proposed, the development complies with all applicable property development standards set forth in Chapter 4 of the Zoning Ordinance. *The Committee finds that the provisions of Section 4.1 are satisfied.*

4.2 Dimensional and Density Standards

The proposed church building with associated parking, infrastructure, and landscaping comply with the dimensional and density standards for the RR District. The proposed

development is not residential and density is therefore not applicable. *The Committee finds that the provisions of Section 4.2 are satisfied.*

4.3 Natural and Historic Areas

- 4.3.1 Mapping of Natural and Historic Areas Requirements. The proposed redevelopment area has been previously disturbed from the original construction associated with former church building, landscaped areas, a subsurface wastewater disposal system, and parking lot. Forested areas and two (2) small ponds within the subject lot are identified on the site plan. No other natural features were identified that are important to the natural, scenic, and historic character of the Town or that add to the visual quality of the development.
- 4.3.2 Pollution. The applicant referenced the FEMA flood insurance rate maps in determining the site is outside the 100-year flood plain. No undue air or water pollution is proposed.
- 4.3.3 Protection of Natural Vegetation. Site disturbance for the proposed redevelopment activity is primarily within existing developed areas. The development maximizes the preservation of natural landscape features, does not occur within or cause harm to land not suitable for development, and will not have an undue adverse effect on the area's scenic or natural beauty.
- 4.3.4 Protection of Significant Plant and Animal Habitat. No significant wildlife habitat was identified on the subject parcel. The proposed development is not within the Wildlife Habitat Overlay, and no other mapped significant plant and animal habitats were identified during review. Therefore, the proposed development will not have an undue adverse effect on important plant and animal habitats identified by the Maine Department of Inland Fisheries and Wildlife or Town of Brunswick, or on rare and irreplaceable natural areas, such as rare and exemplary natural communities and rare plant habitat as identified by the Maine Natural Areas Program.
- 4.3.5 Steep Slopes: The application indicates the development site contains less than 5,000 square feet of contiguous slopes exceeding 25 percent.
- 4.3.6 Erosion and Sedimentation. The proposed development is designed in accordance with Best Management Practices (BMPs) to avoid causing unreasonable soil erosion or a reduction in the land's capacity to hold water so that a dangerous or unhealthy situation results.
- 4.3.7 Groundwater. The application indicates the proposed activity will not extract groundwater for operations. Staff note the building will be served by a private drinking water well. Water use is presumed to be similar to the previous religious institution use. No undue adverse effect to the quantity or quality of groundwater is proposed.
- 4.3.8 Surface waters, Wetlands, and Marine Resources. The proposed development will have no undue adverse effect on wetlands, waterbodies, and their shorelines within the watershed of the development site.
- 4.3.9 Historic and Archeological Resources. No historic or archeological resources were identified within the proposed development area. Therefore, the proposed development will have no undue adverse effect on any historic or archeological resources. *The Committee finds that the provisions of Section 4.3 are approved.*

4.4 Flood Hazard Areas

The proposed development is not located in a Flood Protection Overlay (FPO) District or Flood Hazard Area. *The Committee finds subsection 4.4 is not applicable.*

4.5 Basic Municipal Services

4.5.1. Sewage Disposal. The proposed development will connect to a private subsurface wastewater disposal system. Therefore, sewage disposal will not cause an unreasonable burden on municipal services.

4.5.2. Water Supply and Quality. The proposed development will connect to a private water service. The proposed use is anticipated to be similar to the previous use on-site. Therefore, the applicant will have sufficient water for the reasonably foreseeable needs of the development, and no undue adverse impact on existing water supplies are anticipated.

4.5.3 Solid Waste Disposal. The proposed redevelopment activity is not required to pay solid waste impact fees.

4.5.4. Stormwater Management. The net increase in impervious area is below .25 acres and the drainage pattern will remain the same. *The Committee finds that the provisions of Section 4.5 are satisfied.*

4.6 Landscaping Requirements

The applicant proposes to enhance existing landscaped areas with new plantings. The proposed landscaping will enhance the proposed site improvements and minimize the effect on abutting properties. *The Committee finds the provisions of Section 4.7 are satisfied.*

4.7 Residential Recreation Requirements

The proposed development is not a residential use and no recreation impacts are anticipated. *The Committee finds that the provisions of Section 4.6 is not applicable.*

4.8 Circulation and Access

The proposed driveway reconfiguration and parking areas is substantially the same as the former facility. Staff note a slightly smaller church building will be constructed in a different location than the previous church which will slightly alter pedestrian movement on-site. The proposed development will not cause unreasonable congestion or unsafe conditions on highways or public roads, either existing or proposed, and the traffic associated with the development will maintain the existing Level of Service on any public road within 200 feet of any existing or proposed curb-cut. *The Committee finds that the provisions of Section 4.8 are satisfied.*

4.9 Parking and Loading

The proposed church building is smaller than the former building. No changes are proposed to the parking lot. The proposed parking lot provides adequate off-street parking and loading/unloading areas for motor vehicles and bicycles. *The Committee finds that the provisions of Section 4.9 are satisfied.*

4.10 Lighting

Exterior lights will be installed at the building entrances. The applicant provided a lighting plan to demonstrate compliance with this subsection. *The Committee finds that the provisions of Section 4.10 are satisfied.*

4.11 Architectural Compatibility

The applicant provided renderings of the proposed church building. The proposed development is compatible with its architectural surroundings in terms of its size, mass, and design. *The Committee finds that the provisions of Section 4.11 are satisfied.*

4.12 Neighborhood Protection Standards

Subsection 4.12 is not applicable to the proposed development. *The Committee finds that the neighborhood protection standards at Section 4.12 are not applicable.*

4.13 Signs

The applicant provided a sign rendering. Provided the applicant is approved for a sign permit, the proposed sign will be compatible in design and scale with surroundings and not unreasonably interfering with the safe operation of adjoining roads, sidewalks, parking areas, or uses are not applicable. *The Committee finds that the provisions of Section 4.13 are satisfied conditioned on the approval of a sign permit.*

4.14 Performance Standards

The proposed development will operate in accordance with the performance standards listed at Section 4.14. No additional operating hours are proposed. No exceedance in Section 4.14 standards is proposed. The application indicates the development will comply with the Site Law permit standards applicable to smoke and particulate matter. *The Committee finds that the provisions of Section 4.14 are satisfied.*

4.15 Site Feature Maintenance

All site features constructed or installed as required by this development approval will be maintained in good repair, and replaced if damaged or destroyed. As proposed, no landscaped areas are proposed. In the event that the SRC requires new landscaped areas, all living materials, if they die or are effectively destroyed after installation shall be replaced in accordance with subsection 4.15. *The Committee finds that the provisions of Section 4.15 are satisfied.*

4.16 Financial and Technical Capacity

The applicant hired qualified professionals to design the technical aspects of the proposed activity. The applicant provided acceptable proof of financial capacity in accordance with subsection 4.16.2.B. *The Committee finds that the applicant has adequate financial and technical capacity to meet Section 4.16.*

4.17 Administrative Adjustments / Alternative Equivalent Compliance

No administrative adjustment is proposed by the applicant at this time. *The Committee finds that the provisions of Section 4.17 are not applicable.*

**DRAFT MOTIONS
MINOR DEVELOPMENT REVIEW
GRACE REFORMED BAPTIST
CASE NUMBER: 19-043**

Motion 1: Completeness (above ‘Project Summary’)

Motion 2: That the Minor Development Review is approved with the following conditions:

1. That the Board’s review and approval does hereby refer to these findings of fact, the plans and materials submitted by the applicant and the written and oral comments of the applicant, its representatives, reviewing officials, and members of the public as reflected in the public record. Any changes to the approved plan not called for in these conditions of approval or otherwise approved by the Director of Planning and Development as a minor modification shall require a review and approval in accordance with the Brunswick Zoning Ordinance.