

Arundel Planning Board

Minutes

December 5, 2023 7:00 pm

Board Attendees: Rich Ganong, Paul Green, Susan Roth, Marty Cain, Jamie Lowery, Lee Jay Feldman, Planner

Public Attendees: George & Annette Labrecque, Mabeth & Michael Deluca, Pam Roberge, Michael Thomas, Patrick Steiner, Tom Byrne, Tom Gillis, Gray Phillips, Pete & Kim Gillingham, Laurie Webb, Sharon Binette, Dolly Smith, Richard & Margaret Sylvain, Paulette Morin, Amy & Scott Hooper, Jake Hawkins, Erica Everett, Stella McCormick, Bruce Read, Andrew Morrell, Anthony Trottier, Johnathan Malloy

Call to Order: Chairman Ganong called the meeting to order at 7:00p.m.

I. APPROVAL OF AGENDA

Motion: Mr. Green moved to approve the agenda. Mr. Cain seconds.

Vote: 5-0

II. APPROVAL OF MINUTES *November 14, 2023*

Motion: Ms. Roth moved to approve the minutes of November 14, 2023. Mr. Green seconds.

Vote: 4-0-1 Mr. Lowery abstains.

III. PUBLIC COMMENT: There were no comments from the public.

IV. PUBLIC HEARING

Item 1:	Trottier Paving-Site Plan Review Application: The applicant, Anthony Trottier, is proposing to construct a 6,592 square foot, 4-bay commercial garage on Heavy Hammer Lane. The parcel is Tax Map 4 Lot 23C in the ARD Zone. The property owner is BDF Holdings, LLC and Johnathan Malloy, PE of St. Germain is the applicant's engineer.
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The public hearing for Trottier Paving was opened at 7:03p.m. Mr. Malloy gave an overview of the project.

There were no comments or questions from the public and the hearing was closed at 7:04p.m.

V. PENDING BUSINESS

Item 1:	Glencoe Heights-Subdivision Preliminary Plan: The applicant is proposing a 13 lot subdivision on Jasper Lane, Tax Map 1 Lot 18. The parcel is 51.49 acres in the R3 and R4 zones. The plan includes 13 single family homes. The project will have 900' ± of reconstructed roadway and an additional 1,100'± of new road. Colleen Campbell is the property owner and Dempsey, LLC is the applicant represented by Thomas Gillis.
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Tom Gillis and Tom Byrne are present this evening. Mr. Gillis indicates he believes the application is now complete and states that the road is approximately 1,100' long.

Ms. Roth asked if they had resolved the issue with the abutter? Mr. Gillis states they have and the plan will show that the septic system is away from the road.

Mr. Lowery asks if there are any other impacts of wetlands and Mr. Gillis states no, there is not.

Motion: Mr. Lowery moves to deem the preliminary **application complete**. Ms. Roth seconds.

Vote: 5-0

Motion: Mr. Lowery moves to set a date for the **public hearing** on January 2, 2024 @7p.m. Ms. Roth seconds.

Vote: 5-0

Item 2:	Trottier Paving-Site Plan Review Application: The applicant, Anthony Trottier, is proposing to construct a 6,592 square foot, 4-bay commercial garage on Heavy Hammer Lane. The parcel is Tax Map 4 Lot 23C in the ARD Zone. The property owner is BDF Holdings, LLC and Johnathan Malloy, PE of St. Germain is the applicant's engineer.
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John Malloy, P.E. is present along with Anthony Trottier. Mr. Malloy indicated that the plans reflect the discussion of the site walk that was held on December 2, 2023.

Mr. Lowery inquired if a stormwater application was submitted. Mr. Malloy replied yes, it was completed by BDF Holdings, LLC as part of a general site permit and they will be abiding by that permit.

Motion: Ms. Roth moved to approve the site plan for Trottier Paving. Mr. Green seconds.

Vote: 5-0

The findings of fact and the plan were signed by the Board.

Item 3:	Sunset Place Subdivision-Preliminary Plan Application and Clearview Estates-Subdivision Amendment: The applicant, Michael Thomas, is proposing to develop a 6-lot subdivision on parcels (Tax Map 17, Lot 14-14 & a portion of Map 9 Lot 3). The project will consist of 5 single family homes known as the Sunset Place Subdivision as well as a 10-unit condominium community on Lot 6 known as Sunset Community Condominiums. The proposed project will be accessed by a proposed public roadway across 189 Clearview Drive (Lot 14 Clearview Estates –Tax Map 17 Lot 14-14). Since access to this project will be across lot 14 Clearview Estates –Tax Map 17 Lot 14-14 an amendment to the Clearview Estates subdivision will be required as part of this review. Andrew Morrell of BH2M is the applicant's engineer.
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Bruce Read, esq. is present this evening and introduced Michael Thomas, the applicant, and Andrew Morrell, P.E.

Mr. Read explained that they are here this evening seeking a finding of a complete application by the Board. Mr. Read states that he has met with the Town Attorney, Town Manager, and the Public Works Director. They went through the history of Clearview in regards to how Marcel Dubois entered into a consent decree with the town to correct numerous violations including the location of the road as it pertains to Mr. Thomas' property. Mr. Thomas is prepared to pay for the expense of a new survey and correction of deeds and this will not need to go to town meeting.

Mr. Ganong indicated that until this issue of correcting the deeds is resolved the application should be tabled.

Mr. Lowery asked Mr. Read to clarify that the process is to make the consent decree whole? Mr. Read replied yes, by correcting the deed description. Mr. Lowery asked if it will be part of the amended Clearview Estates subdivision plan? Mr. Read replied yes.

Mr. Lowery indicated he feels comfortable moving forward with the understanding that the Clearview Estates subdivision plan gets corrected.

Mr. Cain stated he does not think that tonight should be the night to move forward.

Motion: Mr. Lowery moved to deem **both** the application for Clearview Estates Amendment and Sunset Place preliminary **application as complete**. Mr. Green seconds.

Vote: 4-1 Cain opposed

Motion: Ms. Roth moved to set a **public hearing** on January 16th at 7p.m. for both applications. Mr. Lowery seconds.

Vote: 5-0

VI. OTHER BUSINESS

PLANNER'S BUSINESS

1. Lee Jay informed the Board that the Select Board would like to meet on December 19th at 6p.m. for a workshop with the Planning Board to discuss workforce housing. This workshop will occur immediately prior to the regularly scheduled Planning Board meeting at 7p.m.
2. Proposed amendments to §5.7 of the Land Use Ordinance. The Board requested that the amendment include a requirement that a cistern be inspected two times a year by the owner and those records will be provided to the Fire Chief. The board will continue review and discussion on this at the next meeting.

Adjourn

Motion: Ms. Roth moved to adjourn at 8:10p.m. Mr. Green seconds.

Vote: 5-0