

Arundel Planning Board Minutes

March 7, 2023 7:00 pm

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

Public Attendees: Gary & Joy Welch, Brandon Mazer, Craig Cameron, Emily Haranas, Adam Burgess, Mary Boswell, Lorraine Kimball

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

I. APPROVAL OF AGENDA

Motion: Mr. Green moved to approve the agenda as written. Ms. Roth seconds.

Vote: 5-0

II. APPROVAL OF MINUTES: *February 21, 2023*

Motion: Ms. Sinnott moved to approve the minutes of February 21, 2023 as written. Mr. Green seconds.

Vote: 5-0

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

IV. PUBLIC HEARING

Item 1: Vinegar Hill Music Theatre: Major Conditional Use Application Vinegar Hill Music Theatre: Site Plan Application: Proposal to use an area for an outdoor entertainment venue, to include accommodating up to three food trucks, as well as the establishment of a banquet use for weddings and other public events.

The public hearing was opened at 7:03p.m.

Brandon Mazer discussed the changes made to the plan based on the last meeting.

Mary Boswell of 708 River Rd spoke about the theater being an indoor venue when she purchased her home in 2014. Due to COVID she was understanding their need to have outdoor events and she wanted them to survive during the pandemic. She is concerned about the increase in outdoor food trucks but primarily with the outdoor stage and the music events they have. The bass from the music is felt as a constant pounding throughout her home and she feels her quality of life is impacted and would like the Board to consider that in their decision tonight. She also submitted a written comment to the Planner which will be kept in the file.

The public hearing was closed at 7:08p.m.

V. PENDING APPLICATIONS

Item 1: Vinegar Hill Music Theatre: Major Conditional Use Application Vinegar Hill Music Theatre: Site Plan Application: Proposal to use an area for an outdoor entertainment venue, to include accommodating up to three food trucks, as well as the establishment of a banquet use for weddings and other public events.

Ms. Roth asked if the food trucks are open to the public or only to people going to the concerts. The response was only people who have tickets to the events. She also wondered if the sound issue could be mitigated with some sort of walls on 3 sides of the stage to deflect the sound.

Mr. Mazer explained that a sound mitigation plan was submitted in the January packet to the Board.

Mr. Cain asked if they take measurements with the sound meter will they be recorded and logged. The information will have to be available to the Town should the need arise for them to be reviewed.

Mr. Ganong commented that he was of the belief that only one event per day was allowed due to the limiting factor of the septic system. The Planner explained that the issue of the Septic System had been dealt with by Town Staff and the system will accommodate up to 350 patrons per day total with no limit to the number of events, just a max of 350/day.

Motion: Mr. Green moved to approve the application of Vinegar Hill. Ms. Roth seconds.

Discussion: Amend the motion to include a condition that the letter from the property owners at Mann Clinic be submitted for the file regarding overflow parking agreement.

Mr. Green and Ms. Roth concur.

Vote: 4-1 with Mr. Ganong opposed

VI. NEW APPLICATIONS

Item 1: **Gary's Auto Salvage: *Conditional Use Permit renewal*** for an existing auto salvage yard on a portion of a 16.5-acre site located at 258 River Road, Tax Map 40, Lot 3 and 3A in the R-4 District. Gary Welch is the owner and applicant.

Gary & Joy Welch are present this evening. The Board reviewed their submitted renewal application and plan for the automobile salvage yard.

Waiver requests were discussed by the Board.

Motion: Mr. Cain moved to approve the waiver requests submitted. Ms. Roth seconds.

Vote: 5-0

Application Complete:

Motion: Mr. Cain moved to deem the application complete. Ms. Roth seconds.

Vote: 5-0

Site Walk & Public Hearing:

Motion: Mr. Green moved to hold a site walk on Saturday, March 18, 2023 at 10:30a.m., and the public hearing on April 4, 2023 at 7p.m. Ms. Roth seconds.

Vote: 5-0

OTHER BUSINESS

Town Planner's Report

1. **Housing Amendments LD2003**-Discussion with Board regarding proposed amendment to the Land Use Ordinance regarding accessory dwelling units.

The Board reviewed the proposed amendment to 9.3.1 Accessory Apartments.

Discussion around #1. to amend the wording and the requirement that the property owner must occupy the main structure and not the ADU brought forward by Mr. Green.

The Board agreed to amend the wording to eliminate this requirement. Lee Jay will amend accordingly and the Board agreed to hold the public hearing on the amendment on April 4, 2023

Adjourn

Motion: to adjourn at 8:30p.m. with all in favor.