



To: Arundel Planning Board
From: Lee Jay Feldman, Contract Planner
Date: May 3, 2022
Re: Site Plan Review/Conditional Use -Vinegar Hill-53 Old Post Road

I. Proposal

Vinegar Hill Performing Arts facility is seeking an expansion of the operation to include the continued use of the property for Outdoor performances including a Movie screen and concert stage. This aspect of the review comes by way of the Site Plan Review portion of the Ordinance under Section 10 10.2.1.1 which reads *“The one-time construction or expansion of any non-residential structure or building in excess of a total floor area of 1,000 square feet, or the establishment of new non-residential use involving more than 1,000 square feet of area, even where no buildings or structures are proposed;”*

The applicant is also seeking a Conditional Use permit Article 9 Section 9.3.22 for the placement of Food Trucks on the site to support the activities noted above, a Major Conditional Use 9.3.22.9 is required in order to accommodate four (4) Food Trucks on a property at any one time. The applicant will also need to obtain a Food Truck license from the Selectboard to operate.

This process is coming forward at this time as a follow up to the past 2 years under Covid protocol. Vinegar Hill provided arts entertainment outdoors in order to continue the operation. Now that life is getting back to normal, they want to continue to provide outdoor opportunities in order to expand the operation.

II. Issues to consider

- **The stage is being considered portable in nature. Will it be moved to other locations during a season? Regardless, it needs to have a Maine Certified Engineer stamp the design in order to determine it can hold the loads that may be placed on it.**
- **The plan shows outdoor Porta potties. It is my understanding from the Code Officer that these are not allowed under the State**

plumbing code as an Alternative toilet to be left on site during an entire season (*See Chapter 10-144 Chapter 241 Stae of Maine Subsurface wastewater disposal rules Section 4 Design Criteria 4.1.M.B*)

- According to the file we have on record, the septic system design may not handle the septic load as proposed. As part of the official submission the applicant should provide a letter from a Soil scientist indicating the system in place is capable of handling the added load (*see Albert Frick Letter in the existing file*)
- Noise is of concern with the outdoor venue as proposed. The zoning Ordinance Section 5 5.11 establishes the level of noise allowed in the Business District which is 65dB from 7 AM -10PM and 60dB after 10 PM at the property line.
- The plan as submitted does not meet the necessary standards as a Site Plan for the board to undertake an adequate review and should be revised to mee the standards in Article 10 of the zoning ordinance.