

Arundel Planning Board Minutes

October 12, 2017 7:00pm

Mildred L. Day School Library - 600 Limerick Rd. Arundel

Board Attendees: Jens-Peter Bergen, Richard Ganong, Chip Bassett, Roger Morin, Jamie Lowery, Tom McGinn, Marty Cain, Tad Redway *Town Planner*, and Corinne Goulet, *Board Secretary*

Attendees: Chad Morrisite, Paul Gadbois, Ben Fitzpatrick, Dave Fitzpatrick, Shawn Garrity, and Jacob Auger

Call to Order: Chair Bassett called the meeting to order at 7:04pm.

I. APPROVAL OF AGENDA:

Motion: Mr. McGinn moved and Mr. Ganong seconded the motion to approve the agenda with *Item 2: Bracy Subdivision* removed.

Vote: Unanimous in favor.

II. APPROVAL OF MINUTES:

Motion: Mr. McGinn moved and Mr. Ganong seconded the motion to approve the minutes from September 28, 2017's meeting as amended to revise description of commercial stables to "10 or less", remove mention of "two-way traffic", and to remove all mentions of Mr. Cain due to absence from meeting.

Vote: Mr. Cain abstains due to absence; otherwise unanimous in favor.

Motion: Mr. Morin moved and Mr. Lowery seconded the motion to approve the September 30, 2017 278 Thompson Rd site walk minutes as amended to remove Mr. Bassett's association with subdivision discussion and to correct dates.

Vote: Mr. Gonong and Mr. McGinn abstain; otherwise unanimous in favor.

III. PENDING APPLICATIONS

Item 1: Lineman Farm Road: *Private Way Application: Discussion of Requested 50' Right-of-Way Waiver*

Discussion centers around alternative actions for Mr. Morrisite to take in lieu of the waiver, if deliberation is required and if abutting landowners are amenable. Mr. Lowery insists on deliberation because cutting the standard enforced 50' right-of-way to 25' is a notable deviation from code. Mr. Ganong suggests producing a document for abutters to sign confirming agreement with waiver.

Mr. Redway suggests, through The Chair, that the Board schedule a public hearing two weeks from current meeting date.

Motion: Mr. Ganong motions and Mr. McGinn seconds to have a public hearing to specifically address the 25' ROW as requested by Mr. Morrisite at next meeting, October 26th, 2017.

Vote: Unanimous in favor.

IV. NEW APPLICATIONS

Item 1: BDF Holdings: *Site Plan Review, Pre-application:*

Mr. Fitzpatrick presents plans to put a 50' by 100' building on 32 acre parcel located at 715 Alfred Rd with a paved apron to accompany. Requesting approval for temporary entry/access with two new curb cuts.

Mr. Bergen questions if the five waivers requested are even applicable. The Board raises concerns about whether or not the proposed development on this lot represents a subdivision. It's requested of Mr. Redway that he investigate the matter.

There is also notable discussion around how the plan, as presented, is representative of two separate projects. One being Mr. Fitzpatrick's, and the other being "Ledgecliff". It is suggested by Mr. Redway, through The Chair, that Ledgecliff be removed on all future presentations by Mr. Fitzpatrick.

In summary, it's established that no significant waivers are required, a high intensity soil survey will be necessary, and so will a storm water plan.

Motion: Mr. Morin motions and Mr. Ganong seconds a site walk on October 21, 2017.

Vote: 5 in favor [Mr. Ganong, Mr. Bassett, Mr. Morin, Mr. Lowery & Mr. Cain] vs. 2 against [Mr. Bergen & Mr. McGinn]; motion carries

V. LAND USE ORDINANCE REVISIONS

Item 1: Discussion of Legislative Changes to Retail Marijuana Law

Mr. Redway reviewed the status of the survey. There is currently no official tabulation but the estimate is that there are approximately 400 +/- responses received. Since the survey was distributed the State has changed some regulations and the "Opt In" or "Opt Out" process. Chair Bassett questions the timing for Arundel specific decision making. Mr. Redway indicates a deadline of July 2018. Chair Bassett states preference for final survey tabulation and review of results prior to proceeding.

Motion: Mr. Lowery motions and Mr. Ganong seconds the further discussion of the Legislative Changes to the Retail Marijuana Law to be scheduled for the November 30, 2017 Board meeting.

Vote: Unanimous

Item 2: LUO 5.9: Discussion of proposed Landscaping & Buffering amendments
Chair Bassett suggests deferring this topic to a future meeting. No objection from other Board members.

VI. OTHER BUSINESS

Mr. Redway highlights three topics to make the Board aware of:

- ❖ Bentley's would like to change the phasing and number of camp sites in the current plan that the Board has already reviewed. The goal is to reduce the number of sites to cater to large campers. There will be a gated section of the property to allow for more exclusivity and the sites will be pull through. Bentley will have to revisit changes with the board and the DEP permit will need modification. No action necessary from the Board at this time.
- ❖ Seasonal Cottages has three requests of the Board:
 - In Phase 2 there are some cottages that have sun exposure and/or privacy issues. The request is to allow the use of pergolas.
 - The Board sees no need to involve in the regulation of pergolas despite some concern about unintended future consequences with their approval.
 - The request is to allow for the previously approved storage sheds to be increased in length to 12' and to add electrical supply.
 - The Board agrees to limit shed size to 100 square feet, allowing for an 8' by 12' shed size. Prevention of the addition of electricity to the sheds is determined to be beyond the authority of the Board.
 - The last request is to extend the annual period of allowed residence from 8 months to 9 months out of the year.
 - This matter was met with decisive resistance and a unanimous "NO".
- ❖ Elizabeth's Way:
 - Mr. Redway expresses concerns that the 3 Lot Subdivision's roadway is being constructed with subpar material, technique, and compaction. Additionally, the gradation of the gravel may not be up to standards either. The bond associated with the project is \$11,200.

Mr. Morin makes it known to the Board that he will be absent from meetings in the months of January, February, and March.

Motion: Mr. Ganong moves to adjourn and Mr. McGinn seconds. Chair Bassett declares the meeting adjourned.

ADJOURNED at 9:55pm.