

Arundel Planning Board Minutes

November 30, 2017 7:00pm

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

Board Attendees: Mr. Cain, Mr. McGinn, Mr. Lowery, Mr. Morin, Mr. Bassett, Mr. Bergen, Mr. Ganong, Town Planner Mr. Redway, Secretary Ms. Goulet

Attendees: Phil Labbe, Sally Bates, William Stilphen, David Jones, Kristi Kenney, Kevin Downing, Lynn Howe, Jason Vafiades, Stacy Gile, Charles Baldwin, Jeff Stolp

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

I. APPROVAL OF AGENDA:

Motion: Mr. Ganong Motions, Mr. Bergen Seconds the motion to approve the agenda with the removal of Item 1 in Section III and the addition of discussion regarding a citizen discussion period as requested by Mr. Bassett.

Vote: All in favor.

II. APPROVAL OF MINUTES

Motion: Mr. Ganong motions and Mr. Morin seconds the approval of the October 21, 2017 Site Walk Minutes as written.

Vote: Mr. Bassett, Mr. Lowery Mr. Morin, Mr. Ganong and Mr. Cain approve. Mr. Bergen and Mr. McGinn abstain.

Motion: Mr. McGinn motions and Mr. Morin seconds the approval of the November 9, 2017 Meeting Minutes as written.

Vote: Mr. McGinn, Mr. Morin, Mr. Lowery, Mr. Bergen and Mr. Cain approve. Mr. Ganong and Mr. Bassett abstain.

III. PENDING APPLICATIONS

Item 1: Lineman Farm Road: *private way Application:* Proposal to upgrade a driveway serving two existing lots to a private way serving three lots and an 18 acre parcel at 278 Thompson Road; Tax Map 20, Lot 11G in the R-4 District. Chad Moreside is the owner and applicant.

-Application has been tabled until the storm water drainage plan is developed.
Topic pulled from the agenda.

Item 2: Pave Tec Corp Contractor Yard: *Conditional Use Application:* Proposal for the establishment of a Contractor Yard 2 operation for an existing paving contractor business located on an interior 5 acre parcel. Tax Map 37, Lot 8A. Served by the private way Stilphen Lane with access off Sinnott Road in the R-4 District. William Stilphen is the owner and applicant, and Atlantic Resource Consultants is the applicant's agent.

Mr. Bassett recuses himself because he is an abutting land owner to the applicant.

Mr. Ganong notes a couple of questions regarding the checklist accompanying the application. Particularly the need for a Letter of Compliance from the Fire Chief and the ground water study. Board members support the need for both items. Mr. Lowery suggests that a consultant would be the most appropriate entity to identify the parameters needed for the ground water study.

It's confirmed that a soil investigation is unnecessary as there is a septic system already on site.

Attendee Ms. Howe raises concerns and requests that a traffic impact study, ground water study, soil assessment, and a noise study be conducted. She also emphasizes that the zone is a conservation district.

Mr. Vafiades, of Atlantic Resource Consultants, indicates that this project falls far below the trigger point where the Maine DOT would require a traffic study.

The Board confirms that they are comfortable with that assessment and will not require a traffic study.

Mr. Lowery suggests that a noise study be done to identify basic parameters of the decibel levels at the property line. Mr. Morin and Mr. McGinn support this proposal.

Mr. Redway asks Mr. Vafiades how the applicant plans on respecting the lot setbacks and not parking in those particular areas. Mr. Vafiades notes that it is a work in progress – that it's difficult to identify parking areas on gravel. Perhaps signage?

Attendee Ms. Gile states that "Conditional Uses" should reflect abutting uses, according to zoning.

Mr. Ganong closes discussion regarding the application stating that it is incomplete. It's noted that another site walk is required upon completion. There is some discussion on how the site walk should be timed at a busier time for the location.

III. NEW APPLICATIONS

Item 1: Seashore Trolley Museum: *Conditional Use Application:* Proposal to convert a single family home into a storage facility for archival materials from the Seashore Trolley Museum. Located at 203 Log Cabin Road; Tax Map 31, Lot 12 in the R-3 and SO Districts. Seashore Trolley Museum is the owner and applicant and Kristi Kenney of KW Architects is the applicant's agent.

Motion: Mr. Ganong motions and Mr. Morin seconds the recommendation to put this request in front of the Site Plan Review Committee.

Vote: All in favor.

IV. LAND USE ORDINANCE REVISIONS

Item 1: Review of Citizen Retail Marijuana Survey

The Board recognizes that the responsiveness for the survey was overwhelming in comparison to historic response for past issues in Arundel. The Board also recognizes that those surveyed are tax payers only. No renters.

Mr. Bassett notes that it's still possible that the State may provide for the allowance that a percentage of the tax revenue for the uses may go to the municipality. And that a vote against the issues at hand today could be reversed in the future. A vote in favor of the issues cannot be revised/amended at a later date.

-Marijuana Social Clubs-

Motion: Mr. Ganong moves that the LUO be amended as not to allow Marijuana Social Clubs. Mr. Morin seconds.

Vote: Mr. Ganong, Mr. Morin, Mr. Lowery, Mr. McGinn and Mr. Cain approve. Mr. Bergen abstains

-Retail Stores-

Motion: Mr. Ganong motions that the LUO be amended to prohibit Retail Stores. Mr. Morin seconds.

Vote: Mr. Ganong, Mr. Morin, Mr. Bassett, Mr. Lowery, Mr. McGinn and Mr. Bergen approve. Mr. Cain against.

-Manufacturing-

Motion: Mr. Ganong motions that the LUO be amended to prohibit. Mr. Morin seconds.

Vote: Mr. Ganong, Mr. Morin, Mr. Bassett, Mr. Lowery, Mr. McGinn and Mr. Cain approve. Mr. Bergen abstains.

-Cultivation-

Motion: Mr. Ganong motions that the LUO be amended to prohibit. Mr. Morin seconds.

Vote: Mr. Ganong, Mr. Morin, Mr. Bassett, and Mr. Lowery approve. Mr. McGinn and Mr. Cain vote against. Mr. Bergen abstains.

-Testing/Research-

Motion: Mr. Ganong motions that the LUO be amended to prohibit. Mr. Morin seconds.

Vote: Mr. Ganong, Mr. Morin, Mr. Bassett, and Mr. Lowery approve. Mr. McGinn, Mr. Cain and Mr. Bergen vote against.

Item 2: LUO & Subdivision Regulations: *Application fees to be determined periodically by Board of Selectmen*

It's suggested that the first paragraph's phrasing be changed to: "in an amount specified in a schedule of fees... established by the Board of Selectmen.

Mr. Ganong notes a preference for a minimum cost. Mr. Bassett questions "peer review" resulting in the insertion of "professional".

Section 7.1.B changed to:

The applicant shall pay the cost of any professional peer reviews required by the Lanning Board in the review of the application."

Motion: Mr. McGinn motions to approve with changes. Mr. Ganong seconds.

Vote: Unanimous in approval.

Item 3: LUO 9.3.5 Animal Husbandry: *Setting specie standards for commercial production of livestock in various districts*

Motion: Mr. Morin moves to table the Item. Mr. Ganong seconds.

Vote: Unanimous in favor.

Attendee, Mr. Baldwin, speaks up to clarify the reasoning/direction of this LUO. Also, to make the Board aware of the "Growing Farm Friendly Communities" Forum on January 18th.

V. OTHER BUSINESS

Mr. Redway requests permission to enforce or pursue the violation of outstanding subdivision issues.

Motion: Mr. Ganong moves to allow. Mr. Lowery seconds.

Vote: Mr. Bassett, Mr. Morin, Mr. McGinn and Mr. Cain approve. Mr. Bergen abstains.

Site walk scheduled for Saturday Dec 2nd at 8am.

It's noted that there has been little/no progress on the legal issues discussed in recent meetings.

Mr. Morin Motions to adjourn at 9:57pm. Mr. Bassett seconds.

Adjourn