

**Arundel Planning Board  
Minutes-Special Workshop  
April 21, 2016 at 7:00 pm  
Fire Station Meeting Room**

**Board Attendees:** Rich Ganong, Jamie Lowery, Marty Cain, John Der Kinderen, Roger Morin, and Tad Redway, Town Planner

**Public Attendees:** Bob Zuke, Linda Zuke, Roger Taschereau, Renald Tardif, Deputy Fire Chief; Public Works Director; Mark Patterson, Maine Association of Homebuilders/Patco Construction

**CALL TO ORDER:** Chair Ganong called the meeting to order at 7:01 pm. Attendance was taken.

**I. APPROVAL OF AGENDA:**

*MOTION:* Mr. Morin moved and Mr. Cain seconded the motion to approve the agenda as written.

*VOTE:* Unanimous in favor

**II. APPROVAL OF MINUTES:**

**Motion:** Mr. Morin moved to approve the Planning Board minutes of the March 10, 2016 site walk as written. Seconded by Mr. Der Kinderen.

**Vote:** Unanimous in favor.

**Motion:** Mr. Morin moved to approve the Planning Board minutes of March 10, 2016 as written. Seconded by Mr. Der Kinderen.

**Vote:** Unanimous in favor.

**III. LAND USE & SUBDIVISION ORDINANCE REVISIONS**

**Item 1: Discussion with Action: Proposed Fire Protection Ordinance and modifications to Land Use and Subdivision Ordinances**

Deputy Chief Tardif reported that he had reviewed the Planning Board revisions to LUO 7.21 after the April 14<sup>th</sup> meeting. Despite these changes, the Deputy still advocated for the requirement that all new residential and commercial structures (as defined in 7.21) be outfitted with sprinklers. Deputy Tardif stated that the sprinklers offered a superlative advantage to homeowners and the Town in that:

- Sprinklers significantly reduce Home insurance rates both for the individual and for the Town's ISO rating;
- Sprinklers save lives better than smoke detectors alone;
- The deterioration of fire protection cisterns and fire ponds represent an unfunded liability for the Arundel taxpayer and the continued requirement for them increases the Town's financial exposure. Sprinklers remain the responsibility of the homeowner and give the Fire Department time to establish water relays from existing facilities.

Mr. Mark Patterson of PATCO and the Maine Homebuilder's Association disputed the Deputy's assessments stating that:

- "New Buildings don't burn"- in that improvements to building codes and the requirement for smoke detectors since 1986 have dramatically curtailed structure fires and greatly reduced residential fatalities. Mr. Patterson distributed handouts substantiating the claim.
- Sprinklers add a significant additional cost to housing prices thereby shutting more families out of the housing market;
- The current trend in requiring sprinklers is fueled by the manufacturers.

Mr. Bob Zuke challenged the Deputy to provide data to substantiate the fiscal benefit of sprinklers and the fiscal liabilities of the current fire water supplies. Rather than burdening the homeowner with cost of sprinklers, he suggested that the Town charge fire protection fees that would fund improvements and repairs to the existing water supplies. The Deputy responded that the Planning Board and the Fire Department did propose a Fire Protection Impact Fee system to the Selectmen but the proposal did not gain traction. Mr. Zuke recommended that the Impact fee system be resubmitted to the Selectmen for another look.

Chair Ganong requested that the Fire Department provide additional substantiation for the fiscal and life-saving benefits of sprinklers vs. cisterns and water supplies. He also asked that the Fire Chief be in attendance to answer questions.

**Item 2: Discussion with Action:** Reorganization of proposed Land Use Ordinance reformat

The Board reviewed the Planners three options to reorganize the Land Use Ordinance in response to the Special Town Meeting's rejection of the proposed format. The Planner stated that option three would be very difficult to prepare in time for the public hearing but he would accomplish it if the Board requested. The Board debated the merits and demerits of each organizational option.

**Motion:** Mr. Der Kinderen moved to adopt the Option 2 format as proposed by the Planner. There was no second, so the motion failed.

**Motion:** Mr. Morin moved to adopt the Option 3 format as proposed by the Planner. There was no second, so the motion failed.

**Motion:** Mr. Cain moved to adopt the Option 1 format as proposed by the Planner with Mr. Lowery seconding.

**Vote:** **Aye:** Mr. Cain and Mr. Lowery. **Nay:** Mr. Ganong, Mr. Der Kinderen, and Mr. Morin. Motion fails.

**Motion:** Mr. Der Kinderen moved to adopt the Option 2 format as proposed by the Planner with Mr. Morin seconding.

**Vote:** **Aye:** Mr. Der Kinderen and Mr. Morin. **Nay:** Mr. Ganong, Mr. Cain, and Mr. Lowery. Motion fails.

Chair Ganong closed the agenda item.

**Item 3: Discussion with Action:** Addition of proposed LUO section 8.27 [\*11.3.19] Equestrian Centers and Riding Stables

Mr. Redway outlined the basic concepts and specific text of the proposed performance standards for Equestrian Centers and Riding stables. The Town has many horse stables but the current land use regulations prohibit commercial operations and events. The proposed performance standards are intended to remedy this situation, especially in the residential districts.

During the course of the discussion, the Planning Board arrived at the following conclusions:

- The proposed minimum density of 1 equine per half acre may be too dense. The Board asked the Planner to seek Northeastern or New England references rather than the Maryland, Kentucky, and Arizona references employed by staff.
- The Board generally agreed that the maximum number of horses permitted in an Equestrian Stable should be 10 rather than the 15 proposed.
- The Board would like to expand the minimum lot size for a Equestrian Stable to 5 acres.
- Feed storage should not be restricted to air-tight containers
- A two week schedule for manure removal is unrealistic and should be changed.

The Board discussed the proposed schedule of equestrian uses in the zoning districts.

**Motion:** Mr. Morin moved to strike Equestrian Stables as a Conditional Use in the R1 district as proposed by the Planner. There was no second, so the motion failed.

**Motion:** Mr. Lowery moved to permit Equestrian Centers as a Conditional Use in the BI district, with Mr. Cain seconding.

**Vote:** *Unanimous in favor.*

**Motion:** Mr. Cain moved to permit Equestrian Centers as a Conditional Use in the DB-2 district, with Mr. Der Kinderen seconding.

**Vote:** *Aye:* Mr. Der Kinderen, Mr. Cain, and Mr. Lowery. *Nay:* Mr. Ganong and Mr. Morin.

*Motion passes.*

**Item 5: Discussion with Action:** Amend LUO 7.7.B.8.a. [\*5.5.1] to permit commercial estate lots in the BI district

The Chair deferred discussion of Item 5 to another meeting.

**Item 6: Discussion with Action:** Amend LUO 7.7.B.8.d. [\*5.5.5] to require principal driveways to be constructed within the access strip of an Estate Lot.

The Chair deferred discussion of Item 6 to another meeting.

#### **IV. MYLAR SIGNING**

The Board signed mylars of approved projects.

**ADJORNMENT:** Mr. Lowery moved to adjourn at 9:58 pm, with Mr. Cain seconding the motion, and it passed with all in favor.

Respectfully Submitted,

Tad Redway  
*Planning Board Secretary, Pro Temp*