

**Arundel Planning Board
Minutes Regular Meeting
June 23, 2016 at 7:00 pm
Fire Station Meeting Room**

Board Attendees: Rich Ganong, Tom McGinn, Marty Cain, John Der Kinderen, Roger Morin, Chip Bassett, and Tad Redway, Town Planner

Public Attendees: Rob McKie, Atlantic Mini-Storage; Michael Sudah, Attar Engineering; Paul Gadbois, PE, Tim Stentiford, Motorland LLC

CALL TO ORDER: Chair Ganong called the meeting to order at 7:05 pm. Attendance was taken.

I. APPROVAL OF AGENDA:

MOTION: Mr. Der Kinderen moved and Mr. Morin seconded the motion to approve the agenda with the amendment that the minutes of June 9, 2016 would not be considered.

VOTE: Unanimous in favor

II. APPROVAL OF MINUTES:

MOTION: Mr. Der Kinderen moved to amend the May 26, 2016 minutes by adding the following language to page 2 second paragraph: "The Board discussed removal of the privacy fence. Mr. Der Kinderen expressed concern that the fence design be modified to reflect the Land Use Ordinance language and to address visibility and safety issues". Mr. Cain seconded the motion. In addition Mr. Der Kinderen moved to add the following to the last item in Section VII Planner's Report: "The Board replied that notifications of violation is not a Planning Board obligation".

VOTE: Aye: Mr. Ganong, Mr. Cain, Mr. Der Kinderen, Mr. McGinn, and Mr. Morin. *Abstain:* Mr. Bassett

MOTION: Mr. Mr. Cain moved to approve the minutes as amended, seconded by Mr. der Kinderen.

VOTE: Aye: Mr. Ganong, Mr. Cain, Mr. Der Kinderen, Mr. McGinn, and Mr. Morin. *Abstain:* Mr. Bassett

III. PUBLIC HEARING

Item 1: Motorland: Conditional Use Application: Proposal to construct a 60 foot x 210 foot metal multi-purpose building, relocate existing septic system associated paved access for motor vehicle storage at the existing *Motorland Showroom & Service Center* at 2564 Portland Road, Tax Map 2, Lot 1, in the BI district. *Motorland LLC* is the owner and applicant, and Paul Gadbois PE is the applicant's agent.

Chair Ganong called the public hearing to order at 7:14 pm. No one from the public spoke. The Chair called the Public Hearing closed at 7:15pm.

IV. PENDING BUSINESS

Item 1: Motorland: Conditional Use Application: Proposal to construct a 60 foot x 210 foot metal multi-purpose building, relocate existing septic system associated paved access for motor vehicle storage at the existing *Motorland Showroom & Service Center* at 2564 Portland Road, Tax Map 2, Lot 1, in the BI district. *Motorland LLC* is the owner and applicant, and Paul Gadbois PE is the applicant's agent.

Paul Gadbois presented the revisions to the Motorland Plan that had been made since the May 26th meeting including the following:

- Contrary to testimony at the May meeting, the applicant is proposing to use an existing car wash facility within the existing bays for the washing and preparation of inventory vehicles. A revised HHE-200 plan was submitted to the Planner, and a second design for the relocated septic system is

included on the plans. The car wash will not be open to the public and used only for details autos repaired or stored at the facility. The applicant stated that the car wash is actually a repair bay with a hose and floor drain.

- Tim Stentiford, of Motorland LLC, presented a sign design concept to treat the monotony of the proposed front yard façade of the proposed new building. Photos of stepped facades from other auto garages dating back to the Depression era and 1950's were presented. The Board noted that the proposed untapped façade bore little resemblance to the historical architecture. Upon being informed that the BI district regulations limit the amount of signage on the site, Mr. Stentiford said he would have to reassess his sign inventory and would seek a sign permit from the CEO and Planner after any approvals.
- Upon questions from the Planner, Mr. Gadbois confirmed that the "man-made" stream located at the rear of the proposed building would be retained and the culvert removed. Planner asked for details of the treatment to stabilize the stream banks.
- A total of six repair bays will be available with three bays in the existing building and three in the new facility.
- The new building will now have an employee lunch room, and office, heated storage for vehicles and three repair bays with lifts. The Board and the Planner reminded the applicant of the need to consult with the CEO regarding structural separation of use groups.
- The Board asked that the employee parking for the 12 employees and the customer parking be delineated on the final plans and signed in the field.

The applicant asked when an approval would be forthcoming and the Board stated that the revisions discussed must be incorporated into the plans and presented to the Board.

Item 2: Atlantic Mini Storage: *Plenary Site Plan Review-Determination of Completeness:* Proposal to construct an additional 42,000 square feet of storage space in six buildings located on 7.6 acre parcel Tax Map 34 Lot 3C and a 4.0 acre portion of the existing parcel Tax Map 34, Lot 3B at 1448 Portland Road in the DB-2 district. JTF Corporation is the owner and applicant and Kenneth Wood of Attar Engineering is the applicant's agent.

The applicant has not had the opportunity to make the revisions discussed by the Staff Recommendations and the Board at the June 9th meeting. Consequently the Board focused on the discovery and issues raised at the site walk conducted at 6:00 pm that evening.

Mr. McGinn expressed concern about the environmental impact of the close proximity of the proposed pavement and structures to the vernal pools and other wetlands on the site. Mr. Der Kinderen reiterated Mr. Lowery's concerns about how the applicant was going to maintain the drainage facilities over the long term so they function as intended. Mr. Bassett expressed concern with soil stabilization of the parking lot side slopes, and chemical runoff from snow storage piles into the wetlands.

Mr. Ganong expressed concern at the precipitous elevation difference between proposed Building 2 and 3 (ele. 106.5) and the existing buildings (ele. 102.5) and the runoff flooding the buildings.

In response to these questions Mr. Sudah of Attar Engineering reported the following:

- The wetlands are located very close to the proposed buildings but the siting meets DEP's 25% coverage rule for Significant Vernal Pools, and DEP is requiring runoff pre-treatment prior to discharge into the wetlands.
- Attar Engineering is currently modeling the detention /retention capabilities of the site wetlands since they were not achieving the peak runoff detention required.
- Maintenance schedules for USF ponds and grassed waterways have been included as notes on the plans.
- Five locations have been delineated on the plan for snow storage and pre-treatment facilities have been designed to accommodate the melt water.

- Mr. McKie stated that the buildings are designed with a precipitous reverse slope that will prevent runoff from the Building 2 & 3 pad from flooding the existing storage units below.
- Mr. McKie stated that he will submit the construction costs.
- Mr. Sudah stated that several revisions identified by the Planner's report have yet to be included on the plans, including with off-site grading associated with Building 3, vernal pool coverage figures, rear setback lines, and traffic study data.

The applicant will submit the revised plans and data in time prior to the next meeting.

V: ORDINANCE REVISIONS:

Item 1: Review of New Land Use Ordinance Format: Reorganization of Districts into revised Table of Contents

Mr. Der Kinderen advocated the Planner's proposed Option 2 organization of the LUO, because it most closely follows the organization of the Comprehensive Plan. Mr. Bassett stated that Option 1 was the most user friendly organization. Mr. McGinn and Mr. Ganong stated that Option 3 was the least controversial and simply organized all districts into one category without use distinctions. Mr. Cain questioned why the Planning Board had to be beholden to the Comprehensive Plan recommendations. He further stated that Option 3 provided the simplest and most flexible organization.

MOTION: Mr. Morin moved to adopt the Option 3 format as presented by the Planner. Mr. Bassett seconded the motion.

VOTE: *Aye:* Mr. Ganong, Mr. Bassett, Mr. Cain, Mr. McGinn, and Mr. Morin. *Nay:* Mr. Der Kinderen

MOTION PASSES

Item 2: Residential Growth Ordinance Revisions: Review of building permit activity over the past ten years to determine if the mandatory annual residential building permit cap should be modified.

The Board resumed their discussion from the June 9th meeting. Chair Ganong polled the Board as to the building cap favored by the membership, with the results as follows:

Ganong: 40; Bassett: 28-36; McGinn: 36; Der Kinderen : 16; Morin: Lower; Cain: 24

MOTION: Mr. Mr. Cain moved to lower the maximum number of building permits issued under the Residential Growth Ordinance from 40 to 24 permits per year or two per month. Motion seconded by Mr. McGinn.

VOTE: *Aye:* Mr. Cain and Mr. McGinn. *Nay:*, Mr. Bassett, Mr. Der Kinderen, Mr. Ganong, and Mr. Morin.

MOTION: Mr. McGinn moved to lower the maximum number of building permits issued under the Residential Growth Ordinance from 40 to 28 permits per year. Motion seconded by Mr. Bassett.

VOTE: *Aye:* Mr. Bassett, Mr. Cain, Mr. Morin, and Mr. McGinn. *Nay:* Mr. Ganong and Mr. Der Kinderen.

MOTION PASSED.

VI: PLANNER'S REPORT

- Mr. Redway informed the Board that a new 3-lot subdivision will be on the July 14th agenda.
- The Planner requested that a workshop be scheduled to finalize uncompleted performance standards for equestrian centers and fire protection. Mr. Ganong stated that a Ferrier resource informed him that one acre of pasture was required if feeding a horse grain while 2 acres were required for pasturing. The Chair called for a Special Workshop meeting to be scheduled for July 21st

- Planner also reminded the Board that they still have not tackled the reorganization of the residential districts, as proposed by the Comprehensive Plan Review Committee and approved by Town Meeting in 2014.
- Planner reported on the death of a woman who wandered off the east side of the Eastern Trail and drowned in marshes and ponds on the eastern portions of the Pinette land.
- Planner reported on the progress of the Cape Arundel Covenants and Declarations. KACP will be before the Planning Board on July 14th seeking approval for tool sheds to be individually owned and maintained by the cottage owners. The Board discussed options such as leasing of storage sheds or including tool shed
- RFQ's for the sewer system engineering firms will be due on Monday June 27, 2016.
- Planning Board members were sent pdf links to the completed Thatcher Brook watershed Study. The Planner reported that he prepared and submitted a commitment for in-kind services to be provided by Arundel staff and Planning Board members as match to a Federal implementation grant being sought by the City of Biddeford and Town of Arundel. Planning Board contribution will include watershed protection regulations and designation of those portions of Upper Thatcher and Richardson Brooks as shoreland zoning jurisdictions.
- Mr. Cain asked about progress on the Town Hall construction project. The Planner responded that Sebago Technics will be making a formal presentation of their findings at the Selectmen's Meeting on June 27th.

ADJORNMENT: Mr. Morin moved to adjourn at 9: 50 pm, with Mr. Bassett seconding the motion, and it passed with all in favor.

Respectfully Submitted,



Tad Redway
Planning Board Secretary, Pro Temp