

**Arundel Planning Board  
Minutes Regular Meeting  
September 22, 2016 at 7:00 pm  
Mildred L Day Library 600 Limerick Road**

**Board Attendees:** Tom McGinn, Jamie Lowery, Chip Bassett, Marty Cain, Roger Morin, and Tad Redway, *Town Planner*

**Public Attendees:** Jason Nedeau, *J Group*, Jason Beaulieu, *J Group*; Charles Dolan, *Arundel Commerce Center LLC*; Mark Welch, *M. Welch & Sons*; Phil Labbe, *Selectman*; Dan Dubois, *Selectman*.

**CALL TO ORDER:** Acting Chair McGinn called the meeting to order at 7:04 pm. Attendance was taken.

**I. APPROVAL OF AGENDA:**

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

*VOTE:* Unanimous in favor

**II. APPROVAL OF MINUTES:** *Minutes of September 8, 2016*

*MOTION:* Mr. Bassett moved and Mr. Lowery seconded the motion to defer the September 8, 2016 minutes until the minutes could be compared to member notes.

*VOTE:* Unanimous in favor

**III. PENDING APPLICATIONS**

**Item 1: Lot 3 Arundel Commerce Center: *Plenary Site Plan Review-Determination of Completeness:*** Proposal to construct a 17,700 square foot boat storage building with a 16,350 square foot parking lot on 1.45 acre parcel Tax Map 30 Lot 31A-03 located at Commerce Drive in the DB-2 district. Arundel Commerce Center LLC is the owner, Michael Shea is the applicant, and Corporation is the owner and applicant and Dan Riley, PE of Sebago Technics is the applicant's agent.

Mr. Dolan attended representing the application as the property owner. He reported that no agreement had been reached with Mr. Moreau regarding the well easement on Lot 3 to date.

The Planner submitted a letter from Dan Riley of Sebago Technics, Inc. requesting a 30 day extension before a Planning Board decision.

*MOTION:* Mr. Morin moved and Mr. Cain seconded the motion to extend a 30 day extension of the Lot 3 Commerce Drive application.

*VOTE:* Unanimous in favor

**Item 2: Brookside Estates: *Review of Site Walk Findings-*** Discussion landscape amendments to the 25 foot landscape buffer in the approved Brookside Subdivision located at 182 Log Cabin Road, Tax Map 32, Lot 14C in the R3 and Shoreland Overlay Districts. J Group LLC is the owner/applicant.

The Board received a letter from Robert Metcalf, RLA, dated September 22, 2016 certifying that the proposed landscape planting plan prepared by *Mitchell & Associates* met the design intentions of LUO 7.8 Landscaping. The Planner noted that the landscape architect based his assessment on the standards for LUO 7.8 Landscaping instead of the more stringent buffering standards of LUO 8.4.B.11 required in the Cluster Subdivision performance standards.

*MOTION:* Mr. Cain moved and Mr. Lowery seconded the motion to approve the landscape mitigation plan for Lot 1, as prepared by *Mitchell & Associates*, contingent upon: 1) certification by Mr. Metcalf that his proposed

planting plan still met the standards of LUO 8.4.B.11, and 2) any excess plant material specified would be used to reinforce the visual barrier on Lot 1.

**VOTE:** Aye: Messrs Cain, Lowery, and McGinn. Nay: Messrs. Morin and Bassett. **Motion Passes**

Mr. Bassett noted that the buffer understory on Lot 10 had been eliminated and that the buffer width was less than the 25 feet required by the approved plan. Mr. McGinn also noted that the existing tree line as drawn on the *Mitchell & Associates* planting plan was inaccurate and should be corrected or eliminated from the plan.

**MOTION:** Mr. Bassett moved and Mr. Morin seconded the motion that the landscape architect either provide a remedial planting plan for Lot 10 or a certification that the existing conditions on Lot 10 met the visual buffering requirements of LUO 8.4.B.11.

**VOTE:** Unanimous in favor

## VI. NEW APPLICATIONS

**Item 1: M Welch & Sons: Registration of Existing Contractor Yard 2:** Request to register an existing Contractor Yard and Construction Business as a *Contractor Yard 2* on a 30 acre site located at 24 Welch Lane, Tax Map 34, Lot 1A in the R-1 District. M Welch & Sons is the applicant and Mark Welch is the owner.

Mr. Welch explained that his Contractor Yard has been operating in this location for 30 years and has posed no nuisances to neighbors or the Town due to its setback position, access via a private way, and extensive buffering.

Mr. Bassett asked several questions regarding property mergers and private way maintenance agreements. Given the accuracy of the survey submission and the Board's extensive experience licensing the property, the Board determined that a site walk was unnecessary.

**MOTION:** Mr. Bassett moved and Mr. Morin seconded the motion to deem the application of M Welch & Sons to be complete.

**VOTE:** Unanimous in favor.

**MOTION:** Mr. Bassett moved and Mr. Cain seconded the motion to schedule a Public Hearing on the application of M Welch & Sons for October 13, 2016.

**VOTE:** Unanimous in favor.

## VII. PLANNER'S REPORT:

The Planner presented the following reports:

- A letter from Hissong Group requesting an amendment to their approval for Bartlett Farms II subdivision that would permit the developers to draw building permits for up to 25 homes. The 2007 decision barred Hissong from building on any lots until all infrastructure including the second means of access via Liberty Acres Road is completed. The Board discussed the issue at length and determined that Hissong should present the application at the October 13<sup>th</sup> meeting.
- A request from Rick Laflamme that the Accessory Apartment performance standards be changed to allow accessory apartments to be stand alone structures and the principal building be relieved from having to be owner-occupied. The Board expressed grave concern that this request had been made at the end of April and the Board did not receive it until now. The Planner reminded the Board that they have been pre-occupied with applications for the last four months and have yet to implement either the Comprehensive Plan changes or the performance standards passed by the voters two years ago. The Board issued a directive that any zoning request made by any citizen should be presented to the Board at the next meeting. The request is to be placed on the October 13<sup>th</sup> agenda.

- The Equestrian Ad Hoc Committee has not submitted any comments or proposed ordinance changes to the Planner's Office to date. An email has been sent to the Chair Milda Castner requesting a status report.
- The Fire Chief will be presenting his revisions to the proposed Fire Protection performance standard at the October 13<sup>th</sup> meeting.
- Mr. Cain requested a punch list from the Planner of all Ordinance revisions that the Board must address.

**ADJORNMENT:** Mr. Morin moved to adjourn at 8:40 pm, with Mr. Lowery seconding the motion. Motion passed unanimously.

Respectfully Submitted,



Tad Redway

*Planning Board Secretary, Pro Temp*