

Arundel Planning Board
Minutes
May 1, 2014 at 7:00 pm
Arundel Firehouse Meeting Room

Board: Rich Ganong, Bob Coon, Roger Morin, Tom McGinn, Marty Cain, James Lowery, Tad Redway, Planner, Ann Tardif, Board Secretary

Public: Bud Legros

Call to Order: Chairman Morin called the meeting to order at 7:01 pm. Attendance was taken and the agenda was reviewed.

I. Proposed Zoning Ordinance Amendments

Item 1. Finalization of Administrative Amendments

1. Definitions

The Planner gave a summary of the definitions to the Board. These new and changed definitions will be incorporated into the existing definitions section of the ordinance.

The only change that will need to be done is the deletion of the definition for “Club” in the current ordinance which is being replaced with “Service Club”.

2. Conditional Use Performance Standards

a. 8.25 Drive Thru Facilities

The Board reviewed the standards and was in agreement that there are no changes necessary and it can move forward as written.

b. 8.26 Pet Day Care Center

The following changes were made by the Board

#10 addition of wording: shall be set back at least 50’ from the property line.

#14 change wording: change monotonous to excessive; remove word ~~bored~~; remove words ~~if offered~~.

#15 change reference to year ~~2010~~ and amend to read latest revision instead.

3. Performance Standard Revisions

a. 7.5 Lighting

Minor revisions made by the Board:

7.5.B- change reference to Community Commercial South to DB1 and DB2

7.5.B.1- change wording from ~~Gasoline Station~~ to Automobile Service Station.

7.5.B.3.b- change reference to Community Commercial South to DB1, DB2 & TCD

b. 7.6 Off Street Parking and Loading

The Board reviewed the standards and was in agreement that there are no changes necessary and it can move forward as written.

c. 7.8 Landscaping & Buffering

All references to the Recommended Street Trees List shall be changed and referred to as Street Trees for the Town of Arundel.

7.8.3 Street Trees- change the table for Conifers: Minimum Planting Size from 14 feet height to 6-8 feet height.

7.8.3.3 Species Selection:

~~Eliminate: b. where applicable, species selection shall be made from species designated for the site in the Master Street Tree Plan.~~

d. 7.12 Signs

Table 7.12.J correct formatting to match the formatting of table 7.12.N. referencing the correct section for the DB1/DB2/TCD districts.

Table 7.12.N move footnote #1 below table.

Remove sign type “Operating Farm Sign” from the table completely. The Board will revisit this in more detail at a later date and also develop a definition for operating farm and create sign standards for the use in a residential zone.

e. Section 6 District Regulations

correct formatting in table 6.3.A dimensional requirements.

Item 2: Finalization of District Regulations

DB1- Page 5 8.21.5 Signs; correct section reference 5.4 to 7.12

DB2- Page 7 8.22.6 #4 correct wording to read: Route 1 Intersection Standards: All proposed streets, private ways, and driveways with ingress and/or egress onto Route 1 shall comply with design and construction standards specified in section 7.7.D.

TCD- Page 4- 2 Parking a. correct section reference from 5.6.5 to 7.8.6

Section 13 District Descriptions

The Board reviewed the district descriptions and was in agreement that there are no changes necessary and it can move forward as written.

Resource Protection District (Shore land Zone)

Bud Legros is present this evening and the Planner reminded the Board that he had requested that they consider amending the map which locates his property in the NRC zone which is a resource protection zone. He states that there are no deer wintering yards located on his property and this has been confirmed by a representative of the Inland Fisheries and Wildlife Dept.

The Planner began doing research through the archived records in the Town Office to determine why this area had been designated as a NRC zone. He had assumed it was because of the deer wintering yard designations but in looking back at the records he discovered that this area is designated as a wetland protection area and the zone is delineated by the required 250’ setback. He questions whether or not the wetlands should still be classified as “high value” since the State

of Maine has amended that definition recently. At this point there needs to be field verification of the wetlands by the appropriate authority to determine their value as well as the boundaries. Once this verification is complete then, perhaps, based on those findings the maps may be altered. The Planner also indicated that the Town definition of Resource Protection needs to be reviewed as well.

Item 3: Finalization of Miscellaneous Changes

1. Addition of pet Day Care to R-4 and BI use list- Board approved of this.
2. Change duration of stay in Section 8.17.A.5 Seasonal Cottages

The Board reviewed the proposed wording to the Seasonal Cottage amendment as presented:

- 8.17.A.5 Seasonal resorts shall be open to the cottage owners and their guests from May 1 to ~~October~~ December 31. Other than maintenance and security staff, no full-time, year -round residents will be allowed to live on the resort premises, nor shall any children be enrolled in the RSU 21 school system except those of the resident maintenance and security staff.

The Board had lengthy discussion regarding the statement about children in the RSU 21 system. The Planner advised them that Selectman Danylik felt that the exclusion could be considered a civil rights violation.

Ganong moved to strike the language from the amendment from “nor shall any children...” onward. Coon seconded the motion and it passed with four in favor and two (Cain & McGinn) opposed.

Item 4: Finalization of Zoning Map Amendments

The Board reviewed the three new district maps for the DB1, DB2, and TCD districts. The only change requested was on the TCD District map to more clearly show the town boundary line between Arundel and Kennebunkport.

Item 5: Miscellaneous Changes and Format

The Board is agreeable with the Planner making any necessary administrative changes for miscellaneous items and formatting within the proposed ordinances.

II Schedule Public Hearing

MOTION: *Morin moved that:*

The Planning Board hereby sets the public hearing date for May 22, 2014 for the public to comment on the following proposed amendments and additions to the Arundel Land Use Ordinance :

- Additions and deletions to Section 2.2 Definitions
- Additions and deletions to the Official Land Use Map under Section 3.3
- Additions and deletions to section 6.2 District Regulations, and 6.3 Dimensional Requirements
- Additions and deletions to section 7.5 Lighting
- Additions and deletions to section 7.6 Off-street parking
- Rescind and replace section 7.8 Landscaping
- Additions and deletions to section 7.12 Signs

- Addition of Section 8.21 Downtown Business District 1
- Addition of Section 8.22 Downtown Business District 2
- Reserve section 8.23
- Addition of Section 8.24 Townhouse Corner District
- Addition of Section 8.25 Drive Thru Facilities
- Addition Section 8.26 Pet Day Care Facilities
- Rescind and replace section 13.1 Description of DB-1 district
- Rescind and replace section 13.3 Description of DB-2 district
- ADD section 13.5 Description of Townhouse Corner District and renumber rest of section 13
- Amend the Ordinance for grammatical, numbering, and reference errors.
- Addition of Pet Day Care Facility as conditional uses in the R-4 and BI districts
- Amend section 8.17.A.5 to extend duration of stay in seasonal cottages to December 31st of every calendar year

Seconded by Ganong, the motion passed with five in favor and one (Cain) opposed.

Adjourn

Ganong moved to adjourn at 9:55 pm McGinn seconded the motion and it passed with all in favor.

Respectfully Submitted,

Ann Tardif
Planning Board Secretary