

**Arundel Planning Board**  
**Minutes**  
**September 25, 2014**  
**M L Day School Library**

**Board:** Tom McGinn, Bob Coon, Jamie Lowery, John Der Kinderen, Marty Cain

**Public:** Paul Sfreddo, Todd Shea, Donna Der Kinderen, Bud Legros

**Call to Order:** Vice Chairman McGinn called the meeting to order at 7:00 pm. Attendance was taken and the agenda was reviewed.

**I. Approval of Agenda**

The Planner would like to add 2 items to the agenda. 1. Discuss holding a public hearing for the proposed ordinance revision for the seasonal cottage project. 2. Discuss/approve earth moving operations occurring on site for the seasonal cottage project.

*Cain moved to approve the agenda with the 2 additional items requested by the Planner. Second by Coon, motion passed with all in favor.*

**II. Public Comment** (on non-agenda items)

There were no comments from the audience.

**III. Approval of Minutes:** 9/11/2014

Coon noted a spelling error on pg. 1; Board requested amending pg. 2, 4<sup>th</sup> sentence and deletion of the fifth sentence. (Planner noted changes on his copy for amendments).

*Coon moved to approve as amended, Der Kinderen seconded the motion and it passed with all in favor.*

**IV. Arundel Seasonal Cottage Resort**

Item 1. The Board needs to schedule a public hearing regarding the proposed amendment to the seasonal cottage ordinance. This proposed amendment would allow the seasonal cottages to be open from May 1 through December 31 of each year. The definitions will need to be amended as well and presented at the public hearing. The Board of Selectmen will determine the date of the special Town meeting. Todd Shea, Town Manager is present this evening and commented that the BOS would like to have a special town meeting to address two matters. First, the proposed new formatting of the Land Use Ordinance and second, the proposed extension of the time the seasonal cottages can be open as well as the correction of the definition.

It is likely that this special town meeting will occur after the November elections.

Todd noted that there is a condition in the TIF agreement that states the Arundel Seasonal Cottage resort must remain seasonal and if they ever became year round then they would lose their TIF.

The Planner asked the town manager if he would like the public hearing to be for both the new LUO formatting as well as the change to the seasonal cottage ordinance. Todd replied that would be best and depending on when the LUO is ready, in the new format, will determine when that public hearing can be held.

Cain questioned whether or not it would be better to vote on the changes by ballot, given the history of low voter turnout at town meeting. Todd stated that due to timing there was not adequate time to put these issues on the November ballot and also, by having a special town meeting the public can ask questions about what is being voted on.

The Planning Board will set the date for the public hearing once the Town manager knows if Southern Maine Regional Planning Commission can do the new formatting in a reasonable amount of time; if not then two public hearings may be necessary. Todd thinks he should have an answer by the October 9, 2014 meeting.

Notice of two weeks prior is required for the public hearing but you can hold the public hearing and the special town meeting on the same date.

***Coon moved to hold the public hearing for the special town meeting items on a date coordinated by the Town Manager and the Town Planner. Lowery seconded the motion and it passed with all in favor.***

Item 2: The developer of the Arundel Seasonal Cottages would like to export excess material from the site. They are seeking Board permission to move material off site. This is considered material removed as a result of construction, it is not a separate project. They would like a statement from the Board that the ordinance permits this to occur. The Board reviewed section 8.5.B.1.

McGinn polled the Board, asking if they agreed that the developer is compliant with the standards of 8.5.B.1 in removing material off site. The Board agreed unanimously with Tom's statement. The Planner will be drafting a statement indicating the Board's belief that the developer is in compliance with the land use ordinance in exporting the materials and will send it to the developer.

Cain commented to the Town Manager that if the Seasonal Cottages has that much extra material they may wish to donate some to the Town for the town property on Route One to use as fill.

## **V. Zoning Ordinance Amendments**

### ***Item 1: Gateway District: Discussion of Proposed Uses and Design Standards***

The Planner informed the Board that the abutters and property owners in the Gateway District were notified of the public hearing coming up on October 9, 2014. The notices were mailed out yesterday.

Vice-Chair McGinn commented that the Board needs to review the district boundary as well as the uses in preparation for the upcoming public hearing.

Permitted Uses were discussed at length.

Single Family Residence: The board reviewed the definition of single family residence. They decided to change the wording in the definition to read single family dwelling and two family dwelling units. The definition will be corrected to exclude seasonal cottages, hotels, etc. . . .

Cain brought up the question of whether or not mobile homes should be considered and/or allowed as single family residences in the Gateway District. The Board will bring the matter up for discussion at the public hearing.

Square footage limits were discussed. Donna Der Kinderen read the description of the Gateway district from the Comprehensive Plan and noted that it is meant to have small to medium scale uses.

### **Gateway District (GWD)**

The Gateway District designation applies to the northern end of the Route 1 Corridor and is intended as a mixed-use district accommodating residential, business, and community uses.

**Uses**

The Gateway district will permit small to medium scale retail, office, service, and community uses as well as single and multi-family dwellings. New residential subdivisions, as defined by state statute, will be excluded.

Donna noted that the Comp. Plan also calls for small to medium scale uses and specifically states 20,000 sq. ft. in the description as follows:

**Uses**

The DB 1 district will permit small to medium [20,000 sf] scale retail, office, and service uses as well as community uses. Residential uses, both single and multifamily, that are part of a mixed-use project will be permitted, but new residential subdivisions, as defined by state statute, and family lot divisions will be excluded.

Coon commented on and the Board agreed to the fact that the Comprehensive Plan is open to interpretation and there is a need to address this in the future.

The Board did not come to a final conclusion as to the amount of square footage they felt was appropriate for the Gateway District and will discuss it further at the public hearing.

**Permitted and Conditional Uses**

The Board went through the list of permitted uses and was in favor of all the proposed uses, as well as recommending a few additions such as churches and garden centers. The Planner asked the Board to review the list again and to make note of any additional uses they would like to discuss at the public hearing.

Recreational Facilities were discussed and the board will wait to get public feedback before deciding on what types of facilities should be permitted and/or conditional in the Gateway District.

Contractor Storage Yards: The Board is in favor of Contractor storage yards, Level I being a conditional use in the Gateway district.

**V. Planner's Report**

There is a potential new owner for the former County Auto Connection property. The business is the same type of business as was previously there. The Planner will keep the Board informed as things develop.

Reminder: There is a workshop with Leah Rachin, Town attorney, scheduled for Wednesday, October 1, 2014 at 7:00pm at the M L Day School Library for all Boards and Committees, please make every effort to attend.

**Adjourn**

*Coon moved to adjourn at 9:20 pm., second by Der Kinderen. Motion passed with all in favor.*

Respectfully Submitted,

Ann Tardif  
Planning Board Secretary