

## Arundel Planning Board Minutes

January 24<sup>th</sup>, 2019 - 7:00pm

Mildred L. Day School Library - 600 Limerick Rd. Arundel

**Board Attendees:** Mr. Cain, Mr. McGinn, Ms. Roth, Mr. Ganong, Mr. Bergen, Planner - Mr. Redway, Secretary - Ms. Goulet

**Attendees:** Phillip Labbe, Richard Lessard, Janice Lessard

**Call to Order:** Chair Ganong calls meeting to order at 7:02pm.

### I. APPROVAL OF AGENDA:

**Motion:** Mr. McGinn motions to accept the agenda as written. Ms. Roth seconds.

**Vote:** Unanimous in favor.

### II. APPROVAL OF MINUTES:

**Motion:** Ms. Roth motions to approve the January 10, 2019 minutes as written. Mr. Bergen seconds.

**Vote:** Mr. McGinn abstains. Remaining members in favor.

### III. CITIZEN COMMENTS:

Citizen comment period opened and closed at 7:05pm with no comments to record.

### IV. Old Business

#### **Item 1: Ledgewood Meadows Subdivision: Expiration of Subdivision Approval:**

*Determination that the Ledgewood Meadows Subdivision, located at 14 Ledge Cliff Drive, Tax Map 4, Lots 24 and 25B, in the AR district has failed to substantially complete all approved improvements within the time period specified by the Major Subdivision permit and Section 8.3.F of Arundel Subdivision Regulations. Under Section 8.3.F, the Board shall notify the York County Registry of Deeds that the Ledgewood Meadows Subdivision is null and void and shall be removed from the County deed and map references. Phillip Labbe is the owner and permit holder.*

Mr. Labbe reviews the project and also his progress. He feels that the project is "significantly begun" with the area having been cleared and stumped. Blasting is ready to commence.

Mr. Ganong notes that the Ordinance states that there should be "substantial completion" and without it "Ledgewood Meadows Subdivision is null and void and shall be removed from County deed and map references". If this is the case, the applicant would not be able to reapply because the Business zone no longer allows for new residential subdivision applications.

Mr. Bergen asked what the applicant has spent to date on the project, what the projected cost is, and whether those costs are documentable. Mr. Bergen also draws attention to Mr. Labbe's use of the phrase "substantially begun" in his remarks and asks what Mr. Labbe's interpretation of what "substantially completed" is.

Mr. Labbe indicates that his interpretation was that there was a categorization for "substantially begun". Perhaps in Section 8.3.F? The original cost estimate for the project that was submitted to the Planner was approximately \$160,000. Though Mr. Labbe did put in a significant amount of work himself, he did believe that he could accurately account for the current expenditures for this project.

Based on LUO, if it can be documented that over 30% of the projected cost of the project has been invested, the Board can justify allowing the project to continue.

**Motion:** Mr. Bergen motions that the subject be tabled until February 14<sup>th</sup>, 2019 to allow the applicant to collect appropriate documentation of project expenditures.

Ms. Roth seconds.

**Vote:** Unanimous in favor.

Mr. Redway reminds the applicant that, assuming documentation can be provided, inspections will need to be discussed.

## **V. LAND USE ORDINANCE REVISIONS**

**Item 1: Revisions to LUO 9.3.3:** *Discussion of performance standards for proposed Age Restricted Housing and amending LUO 9.3.31 Multi-Family Housing accordingly.*

Mr. Redway points out that Double Density is allowed for 55+ in all residential districts and in B-1 where it's part of a business/PUD/Mixed development. He recommends separating age restricted and multi-family so that each category stands alone.

Mr. McGinn expresses the need for caution about how this is handled. If the language in the Ordinance encourages too many retirees to the community that could lead to the decline of school age children and change the overall demographic of the Town.

Extensive discussion ensues on how to develop the LUO in a way to encourage diversity in the Town's demographics while being thoughtful enough to maintain the rich rural character that's currently enjoyed. Ideas discussed:

- Town Green
- Well-designed development/not letting design be an afterthought

**Item 2: Revisions to LUO 9.3.3:** *Discussion of potential amendments to Cluster Housing.*

Is there interest in changing the current ordinance? If an alternative to clustering is desired and large lots are allowed, does that direction achieve the appropriate intent? Large lot, 10 acre, subdivisions would the forfeiture of the owner's rights to further develop/subdivide that 10 acre parcel.

The Board's reception to this addition/alternative seemed warm.

**Item 3: Proposal of LUO 9.3.22:** *Discussion of revisions to the proposed Food Trucks performance standards.*

The two revisions actively discussed were:

- Exemptions for events (there is currently a restriction against it in residential zones)
- Make an adjustment to allow for a "food court" type gathering of food trucks (multiple trucks on one parcel)

Mr. Ganong asks what order the Board would like to tackle the revision process for these topics. Food Trucks was unanimously at the top of the list – no consensus was reached on whether Cluster Housing or Age Restricted/Multi-Family would be next.

## **VI. OTHER BUSINESS**

Mr. Ganong notes that a "Farm Overlay" could be established. This action would place Commercial Animal Husbandry under Maine Department of Agriculture's regulatory purview.

It's noted that industrial agriculture could become a problem. Ms. Roth asks if it's possible to utilize the State's guidelines but handle/enforce locally?

Mylars are signed and the Board is reminded that the second site walk scheduled for January 26<sup>th</sup> has been cancelled because the applicant withdrew the application from consideration.

Ms. Roth motions to adjourn at 9:27pm. Mr. Bergen seconds.

## **Adjourn**

Respectfully submitted,



Corinne A. Goulet  
Secretary to the Planning Board