

# Arundel Planning Board Minutes

December 14, 2017 7:00pm

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

**Board Attendees:** Mr. Ganong, Mr. Bassett, Mr. Morin, Mr. McGinn, Mr. Cain, Mr. Bergen (late arrival & not part of roll call) Town Planner Mr. Redway, Secretary Ms. Goulet

**Attendees:** June Labbe, Kris Woodward, Roger Taschereau, Jessica Robichaud, Phil Labbe

**Call to Order:** Chair Bassett calls meeting to order at 7:06pm.

## I. APPROVAL OF AGENDA:

Item 2 in section VI has been tabled and as a result is removed from the agenda for the evening.

**Motion:** Mr. Morin motions to approve the agenda with the appropriate change. Mr. Ganongs seconds.

**Vote:** Unanimous in favor

## II. APPROVAL OF MINUTES

Some grammatical changes have already been made based on Mr. Bassett's recommendation. Board does not have revised copy.

**Motion:** Mr. McGinn motions to approve as amended. Mr. Ganong seconds.

**Vote:** Unanimous in favor.

## III. CITIZEN COMMENTS

Attendee Taschereau inquires about a joint meeting with the Board of Selectmen and others.

Mr. Bassett confirms that this is in the works but that efforts will have to be renewed.

## IV. PUBLIC HEARINGS

**Item 1: Citizen Petition to amend Arundel Land Use Ordinance: *Section 9.3.33 Pet Day Center Performance Standards***

Public Hearing open at 7:13pm.

Attendee Robicheau states that the existing LUO is more appropriate and specific. As it stands, a facility is required to employ a professional pet trainer. She also notes that the wording should be "Certified Professional Dog Trainer".

Mr. Redway brings letters in favor of the petition to the Board's attention. It is ultimately decided that the letters do not need to be read into record due to lack of relevance.

Public Hearing closed at 7:25pm

**Item 2: Proposed amendments to Arundel Land Use Ordinance: *Add Section 1.9***

*Omitted Uses*

Public Hearing Open @ 7:26pm

Attendee Taschereau expresses resistance to the addition. His concern is that it will discourage new growth because anything not stated in code will be prohibited. How can it be predicted what type of business will be developed in the future?

Mr. Bassett notes that the Land Use Ordinance is not actually being changed. This section is simply being brought to the forefront for clarity. The Ordinance is, in fact, already in effect.

Public Hearing Closed @ 7:34pm

**Item 3: Proposed amendments to the Arundel Land Use Ordinance and Subdivision Regulations: *Amend the application fee system in LUO sections 1.8.2.1.d.1, 1.8.2.2.a, 5.8.5, 9.3.18.5.c, 11.5.1.2 and 11.5.3.4 and in Subdivision Regulations sections 7.1.B and 8.1.B***

Public Hearing Open @ 7:35pm

Mr. Bassett makes note that it is important that care be taken with the language used in the amendment.

Public Hearing Closed @ 7:37pm

**Item 4: Proposed amendments to the Arundel Land Use Ordinance: *Repeal and replace section 5.9 Landscaping and Buffering***

Public Hearing Open @ 7:37pm

No comments or discussion.

Public Hearing Closed @ 7:38pm

**Item 5: Proposed amendments to the Arundel Land Use Ordinance: *Add sections 9.2.9 and 10.6.4 requiring applicants to demonstrate technical and financial capacity to complete a project under Conditional Use or Site Plan Review***

Public Hearing Open @ 7:38pm

No comments or discussion.

Public Hearing Closed @ 7:39pm

**V. RECOMMENDATION TO THE BOARD OF SELECTMEN**

**Item 1: Citizen Petition to amend Arundel Land Use Ordinance: *Section 9.3.33 Pet Day Center Performance Standards***

Mr. Ganong mentions concern that the requested changes would/could be applied to all zones, and if the changes are adopted, control would be relinquished to the State.

Mr. Bassett voices concerns about fence height, the presence/lack of “coyote rollers” and how the petition is tailored specifically to this proposed business.

**Motion:** Mr. Ganong motions to NOT recommend the adoption of the amendment by Board of Selectmen. Mr. McGinn seconds.

**Vote:** Motion carries unanimously.

**Item 2: Proposed amendments to Arundel Land Use Ordinance: *Add Section 1.9 Omitted Uses***

Mr. Cain raises concerns about the lack of definitions restricting development.

**Motion:** Mr. Ganong motions to recommend adoption. Mr. Morin seconds.

**Vote:** Mr. Cain opposed. Motion carries with the support of Mr. Ganong, Mr. Bassett, Mr. Morin and Mr. McGinn.

**Item 3: Proposed amendments to the Arundel Land Use Ordinance and Subdivision Regulations: *Amend the application fee system in LUO sections 1.8.2.1.d.1, 1.8.2.2.a, 5.8.5, 9.3.18.5.c, 11.5.1.2 and 11.5.3.4 and in Subdivision Regulations sections 7.1.B and 8.1.B***

**Motion:** Mr. McGinn motions for the recommendation for adoption by the Board of Selectmen. Mr. Cain seconds.

**Vote:** Unanimous in favor.

**Item 4: Proposed amendments to the Arundel Land Use Ordinance: *Repeal and replace section 5.9 Landscaping and Buffering***

**Motion:** Mr. Ganong motions to support the recommendation for adoption by the Board of Selectmen. Mr. McGinn seconds.

**Vote:** Unanimous in favor.

**Item 5: Proposed amendments to the Arundel Land Use Ordinance: *Add sections 9.2.9 and 10.6.4 requiring applicants to demonstrate technical and financial capacity to complete a project under Conditional Use or Site Plan Review***

**Motion:** Mr. Morin motions to recommend a withdrawal from the Warrant. Mr. Ganong seconds.

**Vote:** Motion carries unanimously.

## **VI. PENDING APPLICATIONS**

**Item 1: Ledgewood Meadows Subdivision: *request for Subdivision Permit***

**Extension:** *Proposed development of 2-lot commercial subdivision and a for lot cluster subdivision on 20.76 acres located at 14 Ledge Cliff Drive, Tax Map 4, Lots 24 and 25B, in the CCN and R4 zones. Phillip Labbe is the applicant and Paul Gadbois, PE is the owner's agent.*

It is confirmed that the Subdivision was originally approved in January of 2016 and that the Board is currently waiting on revised documentation.

**Motion:** Mr. Cain motions to allow a 1 year extension. Mr. McGinn seconds.

**Vote:** Unanimous in favor.

**~~Item 2: Pave Tec Corp Contractor Yard: Conditional Use Application: Request to amend parameters of hydrogeologic study and noise study:~~**

Item tabled and not discussed in meeting.

## **V. OTHER BUSINESS**

Mr. Redway notes that Grondon has “blown out” to Hidden Meadows and that he has been approached with the request to relocate the undesirable fill (clay/blast material) to the old Kazinski Pit. The goal would be to fill the pit and restore it according to a closure plan.

Mr. Ganong points out that it would be important to know what the plan/final product is to be and what alternative there would be if they can’t use the roads to transport the undesirable fill.

Mr. Bassett expresses the need to see the Consent Decree involving the Kazinski Pit. He also inquires about whether or not a full closure plan would include ground monitoring.

Mr. Redway makes note of the court’s decision against Dubois Livestock. It was determined that Dubois is required to allow DEP on site.

Mr. Cain inquires if it’s necessary to meet on December 28<sup>th</sup>. Mr. Bassett confirms that it is not as there is nothing currently on the agenda.

Mr. Ganong moves to adjourn. Mr. Morin seconds. Meeting adjourned @ 9:01pm

**Adjourn**