

Arundel Planning Board Minutes

March 12th, 2020 - 7:00pm

Mildred L. Day School Spanish Room - 600 Limerick Rd. Arundel

Board Attendees: Mr. Cain, Mr. Lowery, Ms. Roth, Mr. Ganong, Mr. Bergen, Secretary; Ms. Goulet

Attendees: Kirk Butterfield, Gary Welch, Joy Welch, Mike Corsie, Steve Doe, Donna Hall, Linda Zuke, Robert Piantoni, Ben Fitzpatrick, Luke Binette

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

I. APPROVAL OF AGENDA:

Motion: Mr. Cain motions to approve the Agenda as written. Ms. Roth seconds.

Vote: Unanimous in favor.

II. PUBLIC COMMENT:

Citizen comment period opened and closed at 7:04pm with no commentary to record.

III. APPROVAL OF MINUTES:

Motion: Mr. Bergen motions to approve the February 27th, 2020 Minutes as written.

Mr. Cain seconds.

Vote: Unanimous in favor.

IV. PENDING APPLICATIONS:

Item 1: Gary's Auto Salvage: Conditional Use Permit Renewal: Proposal for an existing auto salvage yard on a portion of a 16.5-acre site located at 258 River Road, Tax Map 40, Lot 3 in the R-4 District. Gary Welch is the owner and applicant.

Both Ms. Roth and Mr. Bergen comment on how organized the yard was.

Mr. Bergen does note that the drawings should accurately reflect the dimensions of the yard. It seemed to be larger than depicted on the provided map – perhaps approximately 3 acres and not the 200' x 200' as depicted on the documentation.

Mr. Ganong requests that the applicant provide a new map for the **next** renewal.

Motion: Mr. Cain motions to hold the Public Hearing on March 26th, 2020. Ms. Roth seconds.

Vote: Unanimous in favor.

Item 2: BDF Holdings INC: Minor Subdivision Application: Proposal to subdivide a 31.5 acre parcel, Tax Map 4, Lot 23 at 715 Alfred Road in the AR District into 4 lots, subdivide the existing 5,000 sf building on proposed Lot 2 into an additional 4 units, and make improvements to the existing Heavy Hammer Lane to bring it into conformance with Town commercial driveway standards. BDF Holdings is the owner and applicant.

Mr. Fitzpatrick provides previously missing documentation for the Board's review. He is also hoping to hold off on the full hydro-geologic study until it's known for certain what use will occupy the large back lot. He notes that he's spoken with the Fire Chief regarding whether or not the road extension is acceptable in his eyes.

Mr. Ganong points out that the Chief *must* supply any acceptance in writing. He also inquires about the lack of notation regarding removal of forest cover for Lots #2, #3, and #4.

Mr. Fitzpatrick indicates that there will be none – or at least that no additional forest cover removal is planned.

Motion: Mr. Bergen motions that the Application be determined Complete. Ms. Roth seconds.

Vote: Unanimous in favor.

Motion: Mr. Bergen motions that the Public Hearing be held on March 26th, 2020. Ms. Roth seconds.

Vote: Unanimous in favor.

V. NEW APPLICATIONS:

Item 1: Terrapin Landscapes: *Plenary Site Plan Application – Determination of Completeness:* Proposal to construct a 40,280 square foot gravel parking lot for the storage of equipment, trucks, mulch, loam and other earth materials associated with a Landscape Design and installation business located at 1544 Portland Road, Tax Map 29, Lot 19 in the DB-1 and DB-2 districts. Corsie Holdings Inc is the owner and applicant.

Mr. Doe presents a recap of the plan.

Mr. Ganong asks how many trucks would be operating on site.

Mr. Corsie indicates that there would be 12 total trucks but they are only heavy duty pickups or 1-ton models.

Ms. Roth suggests that an assessment of the decibel levels should be provided in order to maintain common standards.

Mr. Corsie notes that the fuel storage on site is in the form of a 200gal double walled tank that is mobile.

Mr. Lowery suggests that a mitigation plan be noted even though he believes this sized tank to be below the threshold that requires one.

Mr. Ganong indicates that a Peer Review is needed for the Stormwater plan. Is a site walk warranted?

Motion: Mr. Lowery motions that a Site Walk be held on March 26th, 2020 at 6:15pm. Mr. Bergen seconds.

Vote: Unanimous in favor.

Item 2: Arundel Self Storage: Major Conditional Use Application – Determination of Completeness: *Proposal to operate an approximately 32 vehicle livery-transport business within the existing Arundel Self Storage facility located at 2501 Portland Road, Tax Map 1, Lot 1F in the BI district. Improvements include construction of an 800-sf office and a 6,800 square foot paved parking lot for the transport vehicles. The Blue Chip Corp Group is the owner, John Smart of Smart Transportation is the applicant, and Kirk Butterfield is the applicant’s agent.*

Mr. Butterfield, a Realtor, explains the intent of the application and notes that the Planning Board approval is a contingency of the sale of the property.

Ms. Roth suggests that the Application be tabled until all appropriate parties may be available – Mr. Butterfield is a stand-in and Mr. Redway is absent due to illness.

Mr. Ganong confirms, there are too many unanswered questions to justify a determination of completeness at this time.

Motion: Ms. Roth motions that a Site Walk be held at 5:45pm on March 26th, 2020. Mr. Lowery seconds.

Vote: Unanimous in favor.

Item 3: Elizabeth’s Way: Amendment to Approved Major Subdivision: *Request to amend the location of the 50-foot right of way for Elizabeth’s Way in which a portion of the existing right-of-way will be conveyed to Tax Map 28 Lot 6E in order to attain a 50-foot building foot setback for an existing residence, while a portion of land will be conveyed to the right of way from Tax Map 28, Lot 6D to maintain the 50-foot width of Elizabeth’s way. Peter Lovejoy and Elizabeth Clark are the owners and Northeast Trading Corp is the applicant.*

Ms. Hall presents.

The Board reviews the newly provided maps.

Motion: Mr. Bergen motions to approve the amendment to the approved subdivision. Ms. Roth seconds.

[Discussion] All corrections/modifications necessary appear to have been made to create a compliant plan/subdivision.

Vote: Unanimous in favor.

Item 4: Weirs Buick GMC Service Expansion: Plenary Site Plan Pre-Application: *Proposal to construct a 2,581 square foot expansion on the north side of the existing showroom, amend the current parking layout, and relocate site lighting for an existing vehicle sales and service facility located 15 13 Portland Road, Tax Map 33 Lot 2 in the DB-1 and DB-2 districts. Weirs Motor Sales Inc is the owner and the applicant.*

Linda Zuke presents and also notes an extension from the 32’ addition to a 36’ addition to accommodate for the larger trucks with plows.

There appears to be some confusion about how complete/incomplete the application is – exacerbated by Mr. Redway’s unexpected absence.

Motion: Ms. Roth motions to hold a Site Walk at 6:45pm on March 26th, 2020. Mr. Bergen seconds.

Vote: Unanimous in favor.

VI. LAND USE ORDINANCE AMENDMENTS:

Item 1: Amendments to LUO Section 9.2.9 – Review proposed amendments proposed by Town Attorney to nuisances in the Conditional Use Permit review criteria:

There is notable discussion regarding how to handle any proposed amendments.

Mr. Lowery suggests that the Board should have Leah propose appropriate language for any changes.

Mr. Bergen notes that there should be a modifier or qualifier such as: materially or unreasonably. Such terms should be objective and *not* subjective.

Mr. Ganong concurs and highlights that direction is needed from the Town's attorney for any hope to get something proposed in time for Town Meeting.

Item 2: Update on Medical Marijuana Caregiver Revisions –

No updates at this time.

Item 3: Public Hearing Dates for Proposed Revisions to LUO and Subdivision Ordinance –

Intent to put what is available for Public Hearing on the Agenda for April 9th, 2020.

VII. OTHER BUSINESS:

None discussed.

Motion: Mr. Bergen motions to adjourn at 9:00pm. Ms. Roth seconds.

Vote: Unanimous in favor.

Adjourn

Respectfully submitted,

Corinne A. Goulet
Secretary to the Planning Board