

**Arundel Planning Board
Regular Meeting Minutes
May 26, 2016 at 7:00 pm
ML Day Library**

Board Attendees: Rich Ganong, Tom McGinn, Jamie Lowery, Marty Cain, John Der Kinderen, Roger Morin, and Tad Redway, Town Planner

Public Attendees: Tim Stentiford, Motorland LLC; Paul Gadbois, PE, Jason Beaulieu, J Group.

CALL TO ORDER: Chair Ganong called the meeting to order at 7:00 pm. Attendance was taken.

I. APPROVAL OF AGENDA:

Chair Ganong read the agenda and noted that the agent for Bentley's Campground requested that their application be tabled until the June 23, 2016 meeting.

MOTION: Mr. Der Kinderen moved and Mr. Morin seconded the motion to approve the agenda, as amended.

VOTE: Unanimous in favor

II. APPROVAL OF MINUTES:

MOTION: Mr. McGinn moved and Mr. Morin seconded the motion to approve the site walk minutes of May 12, 2016 with proviso that Item # 4 be amended as follows: " 4. ~~Determined~~ *Discussed* that the existing fence along the southern boundary of the property could be removed from the front property line to the first post at the eastern edge of the parking lot to improve visibility."

VOTE: Aye: Mr. Cain Mr. Lowery, Mr. McGinn and Mr. Morin. *Abstain:* Mr. Der Kinderen and Mr. Ganong.

MOTION: Mr. Der Kinderen moved and Mr. Cain seconded the motion to approve the minutes of the May 12, 2016 regular meeting, as written.

VOTE: Aye: Mr. Cain, Mr. Der Kinderen, Mr. Lowery, Mr. McGinn and Mr. Morin. *Abstain:* Mr. Ganong.

III. Pending Business

Item 2: *Motorland: Conditional Use Application, Determination of Completeness:* Proposal to construct a 60 foot x 210 foot metal multi-purpose building, relocate existing septic system, construct associated paved access for motor vehicle storage at the existing *Motorland Showroom & Service Center* at 2564 Portland Road, Tax Map 2, Lot 1, in the BI district. *Motorland LLC* is the owner and applicant, and Paul Gadbois PE is the applicant's agent.

Paul Gadbois, PE presented proposed revisions to the site plan made in the wake of the May 12, 2016 site walk, including the location of the building, including delineation of customer and employee parking.

Mr. Lowery asked whether the building would be intruding upon the stream in the rear of the property. He also asked if the applicant was planning to provide an architectural detail of the cornice treatment the applicant proposed to improve the appearance of the front of the proposed steel building.

Mr. Gadbois stated that the building would not be expanded further west as proposed at the site walk. The building corner would be touching the existing culvert.

Mr. Gadbois proposed that five trees would be installed between the northeast parking area and the adjacent lot. However although the detention basin has been reduced in size, it is insufficient to provide enough area to install a 15-foot landscape strip between the proposed building and the wetland.

MOTION: Mr. Ganong moved that based on LUO 8.25.5.4.e and the existing wetland on the adjacent lot, the requirement to install a 15-foot wide buffer strip was unwarranted. Mr. Cain seconded the motion.

VOTE: Unanimous.

The Planner stated that the applicant needed to verify used group building requirements with the CEO in order to determine if these requirements would impact the building design or internal layout.

In response to Board questions the applicant stated that they would not be washing vehicle on site.

The Board discussed removal of the privacy fence

MOTION: Mr. Der Kinderen moved that the privacy fence on the southern boundary of the property may be removed from the eastern boundary to the first post within the existing paved parking lot. Mr. Morin seconded the motion.

VOTE: Unanimous.

The Board discussed the completeness of the application and public hearing notification requirements with the Planner. Mr. Lowery stated that the application was complete even with the outstanding changes the applicant needs to make before final approval.

MOTION: Mr. Der Kinderen moved that the Motorland application was deemed complete and to schedule a public hearing for June 23, 2016. Mr. Cain seconded the motion.

VOTE: Unanimous.

Item 2: Brookside Estates: *Revision of Approved Subdivision Plan*- Discussion with Action: Remediation to the elimination of the required 25 foot landscape buffer in the approved Brookside Subdivision located at 182 Log Cabin Road, Tax Map 32, Lot 14C in the R3 and Shoreland Overlay Districts. J Group LLC is the owner/applicant and the owner's agent is Walter Pelkey of BH2M.

The Town Planner presented the Code Enforcement Officer's May 20, 2016 letter notifying the Planning Board that the J Group was in violation of the conditions of their Subdivision approval in that the 25-foot natural vegetation buffer along Log Cabin Road had been cut instead of retained.

Mr. Beaulieu of the J Group responded that the CEO's letter was inaccurate in that the natural buffer south of Scouts Way had been retained in its entirety and the vegetation north of Scouts Way was cut only where the ledge removal was mandated by Maine Department of Transportation within the Log Cabin Road right of way. The Planner noted that the approved grading plan prepared by BH2M showed the terminus of ledge removal was not to extend any farther than 8-10 feet into the property for a distance of only 100 feet. The vegetation could have been retained. Mr. Beaulieu responded that the existing trees on top of the ledge would be unstable and it was his professional opinion that these hazards should be removed.

Mr. Ganong stated that BH2M showed that the ledge should be cut without removing all the trees.

Mr. Der Kinderen stated that in order to remain in compliance, the applicant should submit a remedial planting plan to reinstate the vegetative buffer in all areas where the buffer was removed. Mr. Beaulieu concurred and stated that he would provide a plan by the next Planning Board meeting. The issue of how much buffering was required and the Planner read the requirement of LUO 8.4.B.11 which requires an "effective visual barrier" be located along all exterior lot lines including along Log Cabin Road.

Mr. Beaulieu stated that he would confer with Pierson Nurseries to achieve this goal.

Mr. Ganong asked about the status of the performance bond that was supposed to be provided the Town before any work began on the road. Mr. Beaulieu stated that J Group had the financing in place and could not wait to begin construction. Mr. Beaulieu expressed reservations about providing a Letter of Credit given the cost. The Planner informed the applicant that Saco Biddeford Savings Bank was offered the option of using a no-cost Tri-Party Agreement as a surety and the Bank rejected that option.

Mr. Ganong reminded the applicant that the condition for approval of the Brookside Subdivision was the provision of the performance assurance prior to the commencement of construction.

Mr. Beaulieu assured the Board that he would provide the Town with the surety in the next week.

Mr. Der Kinderen stated that as long as the Town received the surety, a violation citation by the CEO would not be necessary.

Mr. Beaulieu stated that a Letter of Credit was submitted to the Town. The Planner stated that he had not received that document. Mr. Beaulieu stated that he would send the Planner copy of the LOC next week.

VII: PLANNER'S REPORT

- Mr. Redway stated that he would be sending all inspection reports for Planning Board projects directly to the Members.
- The Planner also reported on issuance of a Request for Qualifications for Wastewater Engineering firms to assist the Town in determining the feasibility of constructing a sewer line in Portland Road. Pre-bid conference is slated for June 1st.
- Planner discussed the revenues that will be coming to the Town from the Cape Arundel in FY17 and how those will finance the sewer project.
- Mr. Redway also asked the Board if they wanted to review changes to storage and building layouts proposed by the Cape Arundel developers. As long as the developers did not exceed the 1,025 sf footprint, internal changes including screen porches could be approved by staff. Any change in the maximum footprint must be approved by the Planning Board. The Board also stated that individual storage units situated in the backyard of cottages as proposed by the developer must be approved by the Planning Board.
- Mr. Redway also stated concerns as to where unit owners will store large items such as boats, trailers, RVs, canoes, ATVs and snowmobiles if no large item storage is provided by the developer. The Board stated that the owners would have to resort to off-site storage facilities unless an on-project storage area was designated and approved by the Board.
- The Planner reminded the Board that they are requested to attend a Selectmen Executive Session to review the proposed Dubois Livestock Consent Agreement on June 6, 2016 at 6pm.
- Mr. Redway also informed the Board that the Selectmen will be voting to confirm the Town Manager's nomination of Chip Bassett to the Planning Board.
- Mr. Ganong stated that the Town manager informed him that Planning Board members should immediately notify the CEO if they see any violations of Planning Board approved projects.

ADJORNMENT: Mr. McGinn moved to adjourn at 8:45 pm, with Mr. Morin seconding the motion, and it passed with all in favor.

Respectfully Submitted,



Tad Redway

Planning Board Secretary, Pro Temp