

Arundel Planning Board Minutes

June 28th, 2018 - 7:00pm

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

Board Attendees: Mr. McGinn, Mr. Morin, Mr. Lowery, Mr. Bassett, Mr. Ganong, Mr. Bergen, Town Planner Mr. Redway, Secretary Ms. Goulet

Attendees: Joan Hull, Edward C. Frady, Elizabeth Teagan, Jeff Swecker, Alan Dow, Robert Danzilo, Leia Lowery

Call to Order: Chair Bassett calls meeting to order at 7:03pm.

I. APPROVAL OF AGENDA:

Motion: Mr. Ganong motions to approve the Agenda as written. Mr. Lowery seconds.

Vote: All in favor.

II. APPROVAL OF MINUTES

Motion: Mr. McGinn motions to Table the April 26th, 2018 Minutes until a hard copy can be made available to Board members. Mr. Morin seconds.

Vote: Mr. Lowery abstains due to absence. All others in favor. Motion carries.

Motion: Mr. McGinn motions to approve the June 14th, 2018 Minutes as written. Mr. Ganong seconds.

Vote: Mr. Lowery and Mr. Bergen abstain due to absence. Remaining members in favor. Motion carries.

III. CITIZEN COMMENTS

Citizen comment period opens and closes at 7:07pm because all attendees are present for topics on the agenda.

IV. PENDING APPLICATIONS

Item 1: Champagne Energy: Preliminary Site Plan Review: *Determination of*

Completeness: Proposal to install and operate a 12,000-gallon propane filling station open to the public on a 6.65 acre site currently used as a fleet parking lot at 833 Old Post Road, Tax Map 1, Lot 1A in the BI District. Champagne Energy is the owner and applicant. Eric Williams, PE of SGC Engineering LLC, is the applicant's agent.

Mr. Dow reviews plans and notes the possibility to have the filling station tended by a "yard person". He also requests that the unofficial suggestions that the Board makes be put into a list so that Champagne can implement as much as possible beyond the regulated requirements.

Mr. Redway will help facilitate that communication.

Mr. Bassett inquires about adding more jersey barriers on the East/South-East side of the tank.

Mr. Dow indicates that it may not be possible to place more barriers on the Eastern side due to close wetland proximity. South-East could be possible though.

Mr. McGinn suggests extending the guardrail. In reference to the requested High Intensity Soil Survey waiver, Mr. McGinn notes that there has been no new disturbance. If a soil survey was not required for the initial submission then why require it now?

Motion: Mr. McGinn motions to grant the requested waiver for the High Intensity Soil Survey. Mr. Ganong seconds.

Vote: All in favor.

Mr. Bergen suggests that the applicant hand out some sort of flyer or notification with receipts to notify customers of the filling station's move across the street. Without getting the word out, the problem of added congestion will persist at the main office.

It's also noted that the plan/drawing should properly identify fencing, lighting and gravel areas.

V. NEW APPLICATIONS

Item 1: Estate of Vivian Elma Swecker: *Zone Change Request:* Request to rezone an 18-acre property, Tax Map 34, Lot 2, located at 132 Limerick Road in the R1 district to DB1 or DB2 in order to permit the reuse of the property as a commercial event center. Estate of Vivian Elma Swecker is the owner, and Jeff Swecker is the agent for the applicant.

Mr. Swecker reviews how the property has been divided in probate and that the request for a zoning change would be applicable to the 13-acre parcel where the farmhouse and barn sit. The property has been available for sale for quite some time and several of those that have shown interest in purchasing would like to have done so with the intent to utilize as a wedding venue.

Mr. Bassett points out that a rezoning of the property would allow for any conditional use allowed in the DB-1 or DB-2 zones.

Mr. Redway states that the DB-1 zone is a little more limiting and also has design requirements. In response to Mr. Bassett's inquiry, Mr. Redway also confirms that a wedding venue would *not* be allowed under the current zoning (R1).

Neighbors, Robert Danzilo, Edward Frady, and Elizabeth Teagan, express concerns about the significant noise and traffic that a wedding venue would produce. They feel that a large venue would impact the quiet and rural nature of the neighborhood.

Mr. Redway highlights that, under current zoning, the property could be utilized for multifamily/townhome development. Or even a 55+ community which benefits from looser density requirements. Any of these uses would also have a significant impact to the immediate area's noise and traffic volume.

Mr. Bassett reviews again how changing the zone to DB-1 or DB-2 would give any buyer the right to use the property for any use permitted under those zones. A wedding venue would not be the only new accepted use. Mr. Bassett recommends that the applicant review goals and explore all avenues to reach those goals.

Mr. Lowery reminds the room that a change of zoning would have to go to a Town vote.

Item 2: Arundel Conservation Trust Trails at Limerick: *Conditional use and Shoreland Zoning Application*: Proposal to construct low impact walking trails linking the future Town Hall site with the Eastern Trail via a 37-acre parcel, Tax Map 28, Lot 5A. Located on Limerick Road in the R1, Shoreland Overlay, and Resource Protection District. Kennebunkport Conservation Trust is the owner, the Arundel Conservation Trust is the applicant, and Leia Lowery and Joan Hull are the applicant's agents.

Mr. Lowery recuses himself due to family relation.

Ms. Lowery and Ms. Hull review the intent for type of trail and boardwalks.

- The Arundel Conservation Trust (ACT) has already attained an easement to connect to the Eastern Trail and the Kennebunk River.
- Pedestrian and bicycle traffic only; NO motorized vehicles/ATV's allowed for regular use.
- The Trust may use ATVs for occasional trail maintenance.

Mr. Bassett questions how the Trust will be able to police the no motorized vehicle policy.

Mr. Redway speaks up to acknowledge that it would be impossible to keep motorized vehicles completely but that the public would police the issue. The Eastern Trail has similar rules and the more it has been used by the public, the more successful the ban on motorized vehicles has been. Mr. Redway expects this situation to be similar.

The ACT has requested three (3) waivers:

- Storm Water Drainage Study
- Traffic Impact Study
- Groundwater Study

Mr. McGinn inquires if culverts will be utilized in trail creation. Ms. Lowery verifies that the trail is as low impact as possible given the topography and that very basic boardwalks/bridges will be used in lieu of culverts.

Motion: Mr. Ganong moves to grant the three requested waivers; Storm Water Drainage, Traffic Impact and Groundwater Studies. Mr. Bergen seconds.

Vote: All in favor but for Mr. Lowery who is recused.

Mr. Bergen inquires about how the trails will be built and maintained. Ms. Hull responds that a volunteer force will be used. Because of the affiliation with the

Kennebunkport Conservation Trust, they already have a substantial amount of contacts and many even have extensive trail experience already.

Motion: Mr. Ganong motions that the Board do a site walk on July 12th, 2018 at 5:15pm. Mr. Morin seconds.

Vote: All in favor but for Mr. Lowery who is recused.

VI. LAND USE ORDINANCE REVISIONS

Item 1: Reprioritization of Ordinance Revision Priorities:

Mr. Ganong and Mr. Morin suggest that a meeting be scheduled where the Comprehensive Plan Committee is invited to attend and discuss R-1. Mr. Ganong voices the aversion to tackling the topics of animal husbandry or equestrian stables in the near future.

Mr. Bassett states that he feels that animal husbandry needs to remain in the Board's sights. Mr. Redway echo's that thought and indicates that they will be topics that are on the Comprehensive Plan Committee will want to visit.

Mr. Bassett voices the aversion to R-2 absorbing R-3 because it would take away some of the landowner's rights in the current R-3.

Mr. Redway points out that part of the problem is that the proposed design standards were never adopted in R-3.

V. OTHER BUSINESS

Mr. Bassett notifies the Board that he has requested not to be reappointed to the Board in part due to the PR disaster brought on by the animal husbandry and equestrian topics and also due to the anticipation that he will need to be approaching the Board for personal projects in the future.

Motion: Mr. Ganong motions to adjourn at 9:05pm. Mr. McGinn seconds.

Adjourn

Respectfully submitted,

Corinne A. Goulet
Secretary to the Planning Board