

**Arundel Planning Board
Minutes Regular Meeting
June 9, 2016 at 7:00 pm**

ML Day Library

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

Public Attendees: Rob McKie, Atlantic Mini-Storage; Michael Sudah, Attar Engineering; Paul Gadbois, PE, Tim

CALL TO ORDER: Chair Ganong called the meeting to order at 7:00 pm. Attendance was taken. Mr. Der Kinderen moved and Mr. Cain seconded to officially welcome Chip Bassett as the new member of the Board. Chair Ganong read the agenda.

I. APPROVAL OF AGENDA:

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

VOTE: Unanimous in favor

II. APPROVAL OF MINUTES:

MOTION: Mr. McGinn moved and Mr. Der Kinderen seconded the motion to postpone approval of the minutes until the next meeting.

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

III. PENDING BUSINESS

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.

There was no representative of J Group in attendance to represent the project. The Planner suggested the application to be deferred in the event the applicants appear. Several members recommended tabling the application until the next meeting.

MOTION: Mr. McGinn moved and Mr. Morin seconded that Item III-1 be tabled until after review of the Residential Growth Ordinance.

VOTE: Aye: Mr. Ganong, Mr. Bassett, Mr. Der Kinderen, Mr. Lowery, Mr. McGinn, and Mr. Morin.
Nay: Mr. Cain.

IV: NEW BUSINESS:

Item 1: Atlantic Mini Storage: *Plenary Site Plan Review-Determination of Completeness*: Proposal to construct an additional 42,000 square feet of storage space in six buildings located on 7.6 acre parcel Tax Map 34 Lot 3C and a 4.0 acre portion of the existing parcel Tax Map 34, Lot 3B at 1448 Portland Road in the DB-2 district. JTF Corporation is the owner and applicant and Kenneth Wood of Attar Engineering is the applicant's agent.

Mr. Sudah of Attar Engineering gave a brief overview of the proposed project, and proceeded to respond to the staff comments of June 3, 2016.

Mr. Lowery expressed great concern that the sand filters required to qualitatively treat stormwater prior to discharge must have a verifiable maintenance schedule, otherwise they fail.

MOTION: Mr. Morin moved and Mr. McGinn seconded the motion to schedule a site walk of Atlantic Mini Storage property on June 23, 2016 at 6:00 pm.

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

Abstain: Mr. Lowery

V: Ordinance Revisions:

Item 1: Residential Growth Ordinance Revisions: Review of building permit activity over the past ten years to determine if the mandatory annual residential building permit cap should be modified.

The Planner presented his analysis of residential building permit activity during the past ten years as contained in his memos of June 2nd and June 10th. His conclusion was that the permit cap did not require any alteration at this time.

Messers Cain, McGinn, Der Kinderen, and Morin are in favor of reducing the permit cap, while Ganong Lowery and Bassett are in favor of maintaining the current 40 permit cap. The Board discussed the pros and cons of reducing the building cap to achieve a slower growth rate in the community. In the debate for past practices, the Board requested the Planner research the fluctuation of building caps per year from today to the 1977 promulgation and report his findings to the Board at the next meeting.

Item 2: Discussion with Action: Addition of proposed LUO section 8.40- Equestrian Centers and Riding Stables

Per the Board's previous request, the Planner provided copies of equestrian standards from other Maine municipalities, including the Towns of Ellsworth, Gray, Bar Harbor, and Casco. The common equine density of these other municipalities averages to ½ acre per animal.

Mr. Der Kinderen maintains that setbacks of barns, manure piles, and riding rings will be more significant than acreage in reducing impacts to neighbors.

While initially ready to adopt a 2 acre minimum area with a ½ acre per horse density standard for riding stables, the Board determined that it needed direct input from existing riding stables and horse farms in Arundel and gather more information of densities at existing equine operations in Arundel.

Planning Board suggested holding the meeting with equestrian owners in mid July.

Item 2: Brookside Estates: Revision of Approved Subdivision Plan- Discussion with Action: resumed 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.

No representative from J Group appeared and the Board determined to discuss the case. In response to an inquiry from the Chair, the Planner reported that neither the Town Clerk nor he had received the surety that had been promised by J Group at the May 26th meeting, nor had the Planner received any email from J Group validating that a previous surety had been prepared and filed with the Town.

The Board determined that the J Group was in violation of both the Subdivision Ordinance and the conditions of the March 10, 2016 approval. The Planner was instructed that despite his qualifications, he was not to provide

the applicants with a remedial landscape plan for reestablishing the 25 foot buffer strip to the standards of the Zoning Ordinance. After expressing frustration with these continuing violations, the Board discussed its options to facilitate enforcement.

MOTION: Mr. McGinn moved and Mr. Bassett seconded the motion that the Town Planner shall send a statement to the Town Manager notifying him that multiple violations exist on the Brookside Subdivision and to request enforcement of the Planning Board permits.

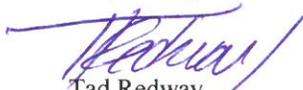
VOTE: Aye: Unanimous.

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. Morin moved to adjourn at 9: 38pm, with Mr. Bassett seconding the motion, and it passed with all in favor.

Respectfully Submitted,



Tad Redway
Planning Board Secretary, Pro Temp