

Arundel Planning Board Minutes

June 8, 2017 7:00pm

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

Board Attendees: Richard Ganong, Chip Bassett, Roger Morin, Jamie Lowery, Marty Cain, and Tad Redway *Town Planner*, Corinne Goulet, *Board Secretary*

Attendees: Bentley Warren III, Robert Kline, Esq., Rick Licht, Gerda Towne, Mignon and Sylvain Theriault

Call to Order: Chair Ganong called the meeting to order at 7:00pm.

I. APPROVAL OF AGENDA:

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

VOTE: Unanimous in favor.

II. APPROVAL OF MINUTES:

MOTION: Mr. Cain moved and Mr. Bassett seconded the motion to approve the April 27, 2017 minutes. (Mr. Morin and Mr. Ganong abstain due to absence on that date)

MOTION: Mr. Lowery moved and Mr. Morin seconded the motion to approve the May 25, 2017 minutes as amended. Vote is unanimous in agreement.

III. PUBLIC HEARINGS:

Chair Ganong declares Public Hearing open at: 7:06pm

Item I: Bentley's Campground

G. Towne is of the opinion to "Let him have it!"

M. Therreault voices issue with the 100' setback.

-wants guarantee that it will be 100% respected.

-wants more defined noted on clearing as she feels that the allowance to clear for diseased greenery too liberal

S. Therreault wants a "no cut" 100' setback

Chair Ganong declares Public Hearing closed at: 7:12pm

IV. PENDING APPLICATIONS:

Item 1 - Bentley's Campground: Conditional Use: Major Conditional Use:

Mr. Lowery opens discussion with a focus on Findings of Fact #17. Noting that one of the buffers is a deeded visual buffer and the other visual buffer only noted on the plan. Though Mr. Licht makes known that he and his client feel that the standard as set forth in the Screening & Buffering Ordinance has been met and that noting both buffer zones on the deed would be an encumbrance. He does, however, concede to the involvement of Arundel's Code Enforcement Officer prior to any cutting of trees within the screening & buffering zones – deeded or otherwise noted on the plan.

Note: In Findings of Fact & Motion for Approval for Conditional Use Permit for Expansion of Bentley's Campground there are several areas where "5 phases" are noted. There are, in fact, additional 6 phases.

CONFORMANCE WITH CONDITIONAL USE CRITERIA

After due review and consideration the Arundel Planning Board has determined the application to be in conformance with the criteria 9.2.9 of the Arundel Land Use Ordinance as follows:

9.2.9.1 That the use is compatible with and similar to the general categories of uses of neighboring properties.

MOTION: Mr. Morin
SECOND: Mr. Lowery
Board in unanimous agreement

9.2.9.2 The use is consistent with the Comprehensive Plan and the anticipated future development of the neighborhood within that...

MOTION: Mr. Cain
SECOND: Mr. Morin
Board in unanimous agreement

9.2.9.3 That there is adequate and safe pedestrian and vehicular access to and into the site to accommodate anticipated traffic to and from the use.

MOTION: Mr. Bassett
SECOND: Mr. Morin
Board in unanimous agreement

9.2.9.4 That there is adequate water supply and sewage disposal available to service the use.

MOTION: Mr. Morin
SECOND: Mr. Bassett
Board in unanimous agreement

9.2.9.5 That there will be no noise, dust, odor, vibration or smoke generated by the use that will adversely affect neighboring properties in that...

-Mr. Cain confirms that the same fire "rings" previously approved by the fire chief will be in use for any additional phases. The term "ring" replaces "pits" in the Vibration/Smoke section.

MOTION: Mr. Cain
SECOND: Mr. Lowery
Board in unanimous agreement w/ above change

9.2.9.6 That the physical characteristics of the site including location, slope, soils, drainage and vegetative cover are suitable for the proposed use.

MOTION: Mr. Morin
SECOND: Mr. Cain
Board in unanimous agreement

9.2.9.7 That the use will not constitute a public or private nuisance.

MOTION: Mr. Cain
SECOND: Mr. Morin
Board in unanimous agreement

9.2.9.8 That all other requirements and applicable provisions of this ordinance, particularly any pertinent performance standards, are met.

MOTION: Mr. Bassett
SECOND: Mr. Morin
Board in unanimous agreement

Conditions Edited:

3) Final sentence changed to read: Contractors performing work within the campground or tavern may use the road.

13) “will” changed to “may” in: Failure of the applicant to adhere to the conditions and terms of this approval or to the standards of the Arundel Land Use Ordinance **may** subject this permit to revocation by the Arundel Planning Board.

SO APPROVED by Arundel Planning Board this 8th day of June 2017:

MOTION: Mr. Bassett

SECOND: Mr. Morin

Board unanimous in agreement with stated changes

Item 2 – Cape Arundel Cottage Preserve: Amendment to Original Subdivision Approval:

Discussion opens with the recognition that the near equivalent to a verbal approval had already been given in a past meeting but the lack of official Findings of Fact caused the need to revisit. Mr. Bassett notes concern that the letter received from the fire Chief in effort to approve modifications was ambiguous. Requests that Planner Redway secure additional clarification in writing, not just verbally.

FINDINGS OF FACT –

6) Plans and engineering drawings dated May 25, 2017. Other dates noted removed.

IN RESOLUTION –

1) Board adds: No Certificate of Occupancy or Building Permits will be issued in Phase 4 until the road connecting to Hidden Meadows is complete.

SO APPROVED AS AMMENDED by the Arundel Planning Board this 8th day of June 2017

MOTION: Mr. Bassett (subject to letter of clarification from Chief)

SECOND: Mr. Morin

Board unanimous in agreement

Signing of Plans by board members.

V. ORDINANCE REVISIONS:

Item 1: Proposed Addition of Section 9.3.22: Food Trucks & Food Carts

Discussion opens with Mr. Bassett stating his reconsideration to allow mobile food trailers. Mr. Cain notes that any commercial use trailer over 3,000 lbs would require state inspection and registration.

Discussion concludes with a motion to include mobile food trailers over 3,000lbs in the Food Truck Performance Standards 9.3.22.

MOTION: Mr. Bassett

SECOND: Mr. Cain

Motion passes; 3 in favor including Mr. Lowery; Mr. Morin & Mr. Ganong against

Item 2: Proposed Changes to Residential Districts R1, R2, and R3.

Not discussed due to time constraint.

Item 3: Proposed Repeal and Replacement of LUO 5.9 Landscaping & Buffering

Not discussed due to time constraint.

VI. MYLAR SIGNING & OTHER BUSINESS:

Upcoming meetings:

-6/22/17 – site walk for Bill and scheduled Planning Board Meeting

-6/29/17 – meeting with Town attorney RE: Dubois

-7/6/17 – workshop added to facilitate in Bentley Warren’s goal of changing the vote prior to October 1.

Two applications expected to be discussed on 6/22/17

- Motorland – Proof of 2.999 acres of impervious surface & detention pond?
- Branch Brook
- Private Way

MOTION made to adjourn meeting by Mr. Morin

SECOND: Mr. Lowery