

Arundel Planning Board Minutes

September 19th, 2019 - 7:00pm

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

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

Attendees: Steve Doe, Chip Haskell, Shawn Labbe, Phil Labbe, Mike Corsie, Michael Nadeau, Jason Vafiades, Drew O., Joe Paolini, Rick Licht

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

I. APPROVAL OF AGENDA:

Motion: Mr. McGinn motions to approve the Agenda with the amendment to remove the Approval of Minutes since there are no Minutes to approve. Mr. Morin seconds.

Vote: Unanimous in favor.

II. PUBLIC COMMENT:

Citizen comment period opened and closed at 7:03pm. No comments to record.

III. PENDING APPLICATIONS:

Item 1: Oak Ridge Terrace; Major Preliminary Subdivision Application- Proposal to develop a 14 lot subdivision on a 66.9 acre parcel identified as Tax Map 17, Lot 15A, at the intersection of South Skillings Road and Limerick Road in the R2 and Shoreland Zones. Walter Woods is the property owner and Jason Vafiades is the applicant of record.

Mr. Vafiades presents current status of the project. Specifically: The 100' hard setback will be observed from the identified vernal pool. The overall wetland impact for the project will be under the levels that would trigger involvement/approvals from Army Core of Engineers. The proposed splitting of the lots has been shown to be illegal. As a remedy, all lots will be included in the subdivision and the Plan will be resubmitted to reflect changes accurately.

Mr. McGinn expresses concerns that the lots on South Skillings/Limerick Rd do not meet standards for frontage and/or setbacks.

Mr. Vafiades points out that the plan observes abutting setback for the two lots on South Skillings.

Mr. Nadeau (abutter) expresses concerns about the protection of natural resources (specifically open fields) and also expresses dismay regarding the impact these outlying lots will have on the immediate vicinity of his farm/residence.

There is notable discussion amongst the Board regarding the 2 outlying lots. The LUO requires the lots in a Clustered Subdivision to be clustered to the most

“practical” extent possible. Has that been accomplished here? Some members feel that all lots should indeed be clustered. Others feel that these two outlying lots actually disturb interior woodland less by keeping along South Skillings.

Mr. Ganong asks each Board member if they feel that adequate preservation has been pursued in the planning of this project. Mr. McGinn expresses reservations regarding the outlying lots but remaining members are comfortable with efforts that have been made. Mr. Bergen makes the suggestion that the open field area closest to Mr. Nadeau’s farm be deeded in a way that ensures it remains untouched. Mr. Vafiades seems to think this can be accommodated.

Mr. Ganong reads an exception in the Subdivision Ordinance regarding the exemption of setback minimums. This would/could be applied to the outlying lots on South Skillings.

Mr. Vafiades notes that the Stormwater review was received earlier in the day. Some of the details will need to be addressed but overall the Plan will not change. All changes and adjustments will be reflected in the next submission. Mr. Vafiades also relays his client’s request to have the Public Hearing waived.

The Board denies the request to waive the requirement for a Public Hearing.

Motion: Mr. Morin motions to hold the Public Hearing for the project on October 10th. Mr. McGinn seconds.

Vote: Unanimous in favor.

Item 2: AIM American Iron & Metal: Major Conditional Use Application- *Determination of Completeness:* *Application for renewal of an expired conditional use permit for a 43,000 sf solid waste disposal facility and metal recycling yard located on a 22.9 acre parcel located at 2244 Portland Road, Tax map 12, Lot 9 in the BI District. American Iron and Metal is the owner and the applicant and CES Inc is the applicant’s agent.*

Mr. Haskell reviews the application. He/his client have concluded that the materials on site are valuable/profitable. The business is subject to ongoing oversight to regulate and eliminate any possible contamination. Because of these factors, they are hoping to eliminate the need for bonding.

Mr. Lowery inquires about the stabilization of the site.

Mr. Haskell notes that the term “stabilization” is typically reserved for sites such as gravel pits that require some sort of activity to bring the location back to a certain level of reclamation. That is not exactly applicable here.

Mr. McGinn requests that it be written into the plan that any contaminants remaining on site will be removed. Mr. Ganong requests that it be identified that soils will be tested and notes that costs associated with closure need to be identified

even if it is believed that the sale of remaining materials will more than cover these expenses.

Mr. Haskell inquires whether or not it would be possible to set up an escrow account instead of posting a bond. The Board finds this reasonable.

Motion: Mr. McGinn motions that the Public Hearing be schedule on October 10th subject to the Board's receipt of the requested information. Mr. Morin seconds.

Vote: Unanimous in favor.

Item 3: Labbe Subdivision: *Minor Subdivision Application*- Proposal to subdivide three lots on a 5.71 acre parcel, Tax Map 27 Lot 8B, located on Campground Road in the R1 District. Shawn Labbe is the owner and applicant and Steven Doe, RLS, of Sebago Technics is the applicant's agent.

Motion: Mr. Cain motions to determine the Application complete. Mr. McGinn seconds.

Vote: Unanimous in favor.

Motion: Mr. Lowery motions to schedule the Public Hearing on October 10th. Mr. Cain seconds.

Vote: Unanimous in favor.

Item 4: Terrapin Landscapes: *Pre-application Plenary Site Plan*- Proposal to repurpose the former "The Garage" vehicle repair shop located at 1544 Portland Road on a 12 acre parcel, Tax Map 29 Lot 19, in the DB-1 and DB-2 districts for a combination Landscape display and Contractor Yard 2 business. Peter and Jeanne Chase are the property owners, Mike Corse is the applicant, and Steven Doe, RLS, of Sebago Technics is the applicant's agent.

The Board asks the applicant if the intent is to utilize this location more for Landscape display/Service use or as a Contractor 2 Yard. The response is the former. The recommendation is to revise/rethink the application to reflect this and simply submit for Peer Review. A much simpler process and more appropriate given the intent. It is also recommended that they consider developing a Phased Plan.

IV. NEW APPLICATIONS:

Item 1: Cape Arundel Cottage Preserve: *Major Conditional Use Application- Determination of Completeness*: Proposal to expand facilities at the Cape Arundel Community Center including an additional swimming pool on a 300+ acre parcel Tax Map 15, Lot 13 in the BI district. *Arundel-Kennebunk Cottage Preserve LLC* is the owner and applicant and Rick Licht of Licht Environmental Design LLC is the applicant's agent.

Mr. Licht reviews the intent of the project. Overall impervious surface will remain under the level stated in the Master Plan. 15 grass parking spots are noted on the plan revision.

Motion: Mr. McGinn motions to do a site walk at 8am on Saturday October 5th. Mr. Bergen seconds.

Mr. Cain notes that he may not be able to attend.

Vote: Unanimous in favor.

Item 2: Cape Arundel Cottage Preserve: Amendment to an Approved Subdivision: Proposal to acquire an additional acre of Land from an adjacent 10.11 acre parcel, Tax Map 15, Lot 4 and incorporate it into Phase 4A of the Cape Arundel Cottage Preserve project, Tax Map 15, Lot 13 in the BI district. *Arundel-Kennebunk Cottage Preserve LLC* is the owner and applicant and Rick Licht of Licht Environmental Design LLC is the applicant's agent.

The Board does not take issue with this action. Intent is expressed for viewing this area while on the site walk to gain a better of understanding of the shifting of location of the building.

V. OTHER BUSINESS:

Mr. Redway makes the Board aware that Arundel may be able to get grants (from DEP/EPA) for culvert replacements. Also that many of the local streams appear to be unnamed – any help or insight on finding that information out would be helpful.

Bandaloop will be opening soon.

Private Way Application is expected. It's a revision/redo of Lady Slipper.

Reminder of the Special Town Meeting on Monday the 23rd. The Dog Daycare Ordinance Petition and the revised Street Design will be up for vote.

Mark Pinette will also be coming before the Board regarding permissions for spreading of shellfish/seafood compost permits.

Motion: Mr. Bergen motions to adjourn at 9:10pm. Mr. McGinn seconds.

Vote: Unanimous in favor.

Adjourn

Respectfully submitted,



Corinne A. Goulet
Secretary to the Planning Board