

Arundel Planning Board
Minutes
March 27, 2014 at 7:00 pm
Mildred L. Day School Library

Board: Roger Morin, James Lowery, John Der Kinderen, Tom McGinn, Rich Ganong, Marty Cain, Bob Coon, Tad Redway, Planner, Ann Tardif, Board Secretary

Public: Lucas Patry, Alison Leary, Pam Drew, Paul Sfreddo, Paul Gadbois, Paul Larivierre

Call to Order: Chairman Morin called the meeting to order at 7:10 pm. Attendance was taken and the agenda was reviewed.

I. Approval of Minutes: *March 6, 2014 and March 13, 2014*

March 6, 2014: *Coon moved to approve the minutes as written. Der Kinderen seconded the motion and it passed with five in favor and two (McGinn & Ganong) abstaining.*

March 13, 2014: *Ganong moved to approve as written with one minor grammar correction. Cain seconded the motion and it passed with four in favor and three (Lowery, McGinn and Der Kinderen) abstaining.*

II. Public Comment: *Non agenda items*

There were no comments from the public.

III. Pending Applications:

Item 1: 1362 Portland Road Commercial Building: Conditional Use Application- Proposed construction of a 5,520 sf building with a future 1,296 sf expansion containing low impact manufacturing, warehousing, and retail uses on a 1.96 acre parcel, located at 1362 Portland Road, Tax Map 34, Lot 4A in the CCS District. Lord Boys, LLC is the owner/applicant and Steve Doe of Sebago Technics, Inc. is the applicant's agent.

The Planner gave a status update to the Board.

Cost estimates have been received by the Planner. The applicant and the town will most likely enter into a tri-party agreement as a performance assurance.

Site walk was held at 6:00 this evening. The Board had questions and comments for the applicant.

Septic System: The applicant indicated on the site walk that he was unsure if he would be installing the separate grey water system as originally proposed. This was to be used for the waste water from the granite cutting operations. The Planner stated that if he does choose to eliminate that system then the plan will need to be amended.

Kevin Lord, owner/applicant is present this evening and after discussion made the determination that he will not be installing the grey water system. He will utilize a water recycling system that will be an internal system. The Planner indicated that was fine but he should submit some detail sheets on the system for the Board to review and keep in the file as well as remove the original proposed system from the plan as well as make a note on the plan regarding the recycling system.

Buffering- The Planner asked if there were any concerns with the proposed buffering. The applicant intends to keep the natural buffering in place for the rear and side property lines and will install loam and seed in the front of the lot. The Board expressed no concerns with this as proposed.

Lighting- The applicant has submitted all proposed lighting with the application and it does meet the ordinance.

Phasing- The project will be done in two phases of construction. The retail space will be a future expansion but all the site work will be done with the initial phase.

McGinn moved to hold a public hearing for this application on April 10, 2014. Ganong seconded the motion and it passed with all in favor.

Item 2: Southern Maine Marine: Plenary Site Plan Review: Proposal to remove an existing 1,125 sf building and box trailers, construct a 6,000 sf retail building, a 11,800 sf storage building, and a 23,500 sf gravel boat storage yard on a 2.9 acre parcel containing an existing marine sales, service and storage facility located at 2461 Portland Road, Tax Map 12, Lot 4-2 in the BI district. PBL Holdings, LLC is the owner and Paul Gadbois, PE is the applicant's agent.

The applicant and his agent are both present tonight.

The Board held a site walk earlier this evening and offered the following comment:

Coon commented that there are propane tanks on site and would recommend shielding them during the construction project for safety reasons.

Mr. Gadbois addressed the Board and presented the plan for review. As requested at the last meeting he did plot out a cul-de-sac which has a sixty foot radius, which will accommodate fire department apparatus. The plan also shows a hammerhead turn around and a fire lane area.

Parking- The plan shows eight customer parking spaces as well as five employee spaces, which meets the requirements of the ordinance.

Performance Assurance- The applicant has the preliminary project costs figured and will get that information to the Planner within the week so an agreement can be drawn up regarding a performance assurance.

The Board discussed section 7.7.D.8.b of the ordinance and noted that for commercial driveways, which this is, paving is required within 30 feet from the right of way. Gadbois made note of the requirement.

Ganong moved to schedule a public hearing for this application on April 10, 2014. Coon seconded the motion and it passed with all in favor.

IV. New Applications

Item 1: Kate's Butter Cow Barn- Conditional Use Application: Proposal to construct a 6,476 sf dairy barn on the site of Kate's Homemade Butter Agricultural Demonstration Facility on a 37.82 acre parcel located at 852 Alfred Road, Tax Map 5, Lot 9A in the R4 district. Daniel and Karen Patry are the owners and Lucas Patry and Alison Leary are the applicants.

Mr. Coon and Mr. Der Kinderen recused themselves from the Board and sat in the audience. They are both property owners that abut this parcel.

Lucas Patry and Alison Leary are present this evening to address the Board.

Planner update: This afternoon the applicant submitted a revised plan based on the informal discussion they had with the Board at the last meeting. The elevation of the barn floor has been lowered and a new grading plan has been done and submitted. The plan was distributed to the Board and the Planner acknowledged that he had not really had time to review it prior to the meeting tonight.

Mr. Patry presented the plan to the Board. They are proposing a 6,476 square foot barn which will house 30 cows. This facility will be used primarily for research and development of new products for the business. They will construct a separate hay barn on the site as well as the cow barn.

Ganong asked the Planner what the total lot coverage will be with the proposed expansion. The Planner calculated those figures and the existing structures with the proposed new construction will equal 31,009 square feet. The maximum allowable acreage is 50,000 square feet. The total impervious surface will be 2.5 acres, 5 acres would be the maximum.

Water supply- Patry will run a line from the residence to the barn for water supply.

Patry explained that they intend to compost the manure on site and possibly sell it as well.

Fire Protection- The issue of fire protection for the proposed barns was discussed at length. The Board would like the applicant to meet with the Fire Chief and present the plan to him. They will seek his input regarding fire protection for the project.

Site walk- a site walk has been scheduled for April 10th at 6pm. The applicant will stake out the barn location for the Board.

IV. Zoning Ordinance Modifications:

Item 1: DB2 District: *Discussion with Action:* Incentive based regulations for business uses versus residential uses.

As the Board had requested, the Planner provided them with four options for the proposed DB2 district. The document is titled "Commercial Incentives and Residential Use options in the DB2 District". It was distributed to the board via e-mail prior to the meeting tonight.

The Planner gave a brief summary of the four options drafted as follows:

Option 1- Density based proposal.

Option 2- Ratio based proposal- the greater the amount of commercial square footage the smaller the allowed lot size.

Option 3- Ratio based also but utilizes the % of the parcel dedicated to commercial use.

Option 4- PMUD based allowing a mix of residential and commercial uses.

The Board discussed all four options at length. Each board member was given the opportunity to express their thoughts on all four options. After lengthy deliberations the Chair called for a poll of the board to see which option was preferred by the majority. The following is a list of each member's choice:

Cain- option 3, Coon-option 1 with changes, McGinn-option 1, Lowery- option 1 with changes, Der Kinderen- option 3, Morin- option 1, Ganong-likes none but would choose option 1.

Ganong moved that the Board will work with Option 1 and make changes based on discussion. McGinn seconded the motion and it passed with five in favor and two (Cain & Der Kinderen) opposed.

The Board reviewed option 1 at length and deleted the Maximum Building Footprint for residential uses in both categories, with and without public sewer. The board also agreed to add in Net Development Density calculations to insure that only developable lands are included in the calculations.

Lowery believes that there should be a greater minimum lot area required for residential uses without public sewer, he suggested 3 acres/unit. He believes that there needs to be some incentive to encourage the Town to fund sewer line extension up Portland Rd. Some members agreed with his point, while others did not.

Ganong moved that the Board accept option 1as written, with the exception of taking the maximum building footprint out for residential use and adding the NDD component into the table. McGinn seconded the motion and it passed with four in favor and three (Cain, Lowery and Der Kinderen) opposed.

V. Town Planner's Report

1. AIM- The applicant has submitted a new plan. The Planner distributed the plan to the board, the applicant will be on the next regular meeting agenda.
2. There will be a 5 lot cluster subdivision plan coming before the Board soon from Peter Lovejoy, located on the Limerick Rd.
3. The CMP TIF district was approved by voters at a special town meeting on March 24, 2014.
4. The Board of Selectmen is still working on the TIF proposal for the seasonal cottage development. Mr. Paolini has approached the Planner and will be appearing before the board to request a change to the zoning ordinance. He would like to make a change to the six month occupancy limit and increase it to allow eight months of occupancy. The item will be placed on an upcoming agenda.
5. Mining in the BI District- some time ago the Board had worked out the details of a proposal to allow mining in the BI District but it was never presented to town meeting for a vote. Mr. Paolini had asked Tad about it and the planner would like to know the Board's thoughts on bringing the matter back up for discussion. The Board is agreeable to doing so and it will be on an upcoming zoning workshop agenda.
6. Chairman Morin received a call recently from Bud Legros inquiring about the status of his request to change the map for his property regarding deer wintering yards. Tad explained that he can change the map based on evidence provided by Mr. Legros and if the I F & W map can be reviewed by the Planner as well. The map change would still have to go to town meeting for a vote however.

VI. Set next Zoning Workshop date

The Board will meet on Thursday, April 3, 2014 at 7:00 pm in the CEO office at Town Hall. The agenda items will be finalization of the DB2 district, THC district and Mining in the BI district.

Adjourn

Ganong moved to adjourn at 10:05pm Coon seconded the motion and it passed with all in favor.

Respectfully submitted,

Ann Tardif
Planning Board Secretary