

**Arundel Planning Board**  
**Minutes**  
**November 14, 2013 at 7:00 PM**  
**Mildred L. Day School**

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

**Comprehensive Plan Committee:** Donna Der Kinderen, Rae Reimer, Simone Boissonneault, Dorothy Gregoire, Diane Robbins, Philip Printz, Shawn Hayes

**Public:** Florian Legros, Sam Hull, Jack Reetz, Rick Dubois, Marcel Dubois, John Bell, Randy Dubois, Lexus Dubois, Sol Fedder, Steve Katon, Linda Zuke, Jennifer Burrows, Todd Shea

**Call to Order:** Chairman Morin called the meeting to order at 7:00 p.m. Attendance was taken and the agenda was reviewed.

**I. Approval of Minutes: October 24, 2013**

*Ganong moved to approve the minutes of October 24, 2013 as written. Coon seconded the motion and it passed with six in favor. (Lowery was not yet present at meeting)*

**II. Public Hearing**

**Item 1: Dubois Automobile Salvage-Conditional Use Renewal:** Proposed application to renew expired permit to continue operation of an existing 85,000 +/- automobile salvage area on a 3.6 acre site located at 2 Irving Road, Tax Map 19, Lot 6 in the R-4 district. Dubois Livestock, Inc. is the applicant.

Chairman Morin opened the public hearing at 7:01 p.m.

There were no questions or comments from either the public or the applicant.

Chairman Morin closed the public hearing at 7:02 p.m.

**III. Applications**

**Item 1: Dubois Automobile Salvage-Conditional Use Renewal:** Proposed application to renew expired permit to continue operation of an existing 85,000 +/- automobile salvage area on a 3.6 acre site located at 2 Irving Road, Tax Map 19, Lot 6 in the R-4 district. Dubois Livestock, Inc. is the applicant.

Chairman Morin commented that the Planning Board had deemed the applicant complete at a prior meeting. The Town Planner is not in attendance tonight, nor has he been available in the office this week due to a death in his family. The applicant was informed that the Planning Board will review the findings of fact at the December 12, 2013 meeting. The Chairman commented that the Planning Board has 30 days from the date of the public hearing to act on an application, and December 12<sup>th</sup> will be within that time frame.

**IV. Workshop with Comprehensive Plan Committee**

**Item 1: Proposed Mixed Use Districts M1-M5:** Revisions to 2007 Comprehensive Plan for the following proposed mixed use districts in the following locations:

- The existing CCS and R2 zones along Rte 1, from Searles Lane to Kennebunk River
- The proposed Gateway District portion of the BI district near the Biddeford city line
- Portions of Arundel Road and Log Cabin Road in the R-3 and R-4 zones
- The CCN zone along Rte 111 from Biddeford to the CMP pole line

Chairman Morin welcomed the members of the Comprehensive Plan Committee and they introduced themselves for the record.

Prior to this evening's meeting the CPC disseminated a document titled Comprehensive Plan Review Committee-Draft Proposal 11/14/13. This is the document being reviewed this evening.

Donna Der Kinderen, Chair of the CPC gave a brief summary to the Planning Board as to the focus of the work that the CPC has done on the plan to date.

They have met four times and have reviewed the Planning Board's proposed DB1 and DB2 districts.

She commented that normally the Comprehensive Plan is amended prior to the ordinance changes so this is somewhat of a different process in that both documents are being amended simultaneously.

### **M1-M2**

She explained the M1-M5 classifications are not intended to change the names of the district but were done in order to simplify the different areas for purposes of discussion by the committee. M1 and M2 essentially mirror the proposed drafts of DB1 and DB2 done by the Planning Board.

The CPC used geographic data in determining the areas they identified as M1-M5.

The CPC had a concern regarding the draft DB2 zoning which permits a residential use provided it is subordinate to a business use. The CPC believes it infringes upon the property owners rights to build a stand-alone residential dwelling unit on their property and would propose that owners of existing lots of record be permitted to do so. The CPC did however agree that no residential subdivisions should be permitted in the M1-M2 areas.

John Der Kinderen commented that part of the reason the PB limited residential use in the DB1-DB2 zones is because there is a limited area for business in town.

Further discussion by the group indicates a desire by both boards to meet with property owners of the M1-M2 area to discuss their thoughts on these proposals.

The concern regarding infrastructure along Rte 1 was discussed briefly. Everyone acknowledged that it is a concern when looking at ways to increase business, that proper infrastructure, such as street lights, be considered. The Comprehensive Plan could certainly recommend that infrastructure improvements be made but it would be up to the voters in town to have the final say on funding such improvements.

### **M3- Gateway District**

This is the small area at the Northern end of Rte. 1, it appears that both boards are in agreement on the proposed development of this area into a Gateway District in to Arundel.

#### **M4- Town House Corner District**

The group discussed the proposal presented by the CPC, the issue of minimum lot size, which was originally proposed at 1 acre by the CPC was reviewed. The group decided to remove the 1 acre minimum lot size and instead word it as “site conditions will determine the lot size”. There are a significant number of existing properties that are under an acre in size and that is the reason for this change. The group also determined that the Development Standards for the proposed M5 (CCN) area will be incorporated in the M4 standards as they would apply equally as well in this area.

The group asked for any comments from the audience members as there was several representatives from the Economic Development Committee present. Linda Zuke said it is a good idea to remove the 1 acre minimum lot size from the M4 area.

Rich Ganong asked if the CPC envisions allowing single family subdivisions in the M4 area and Donna replied that the CPC will be looking at that option further but noted that most of the lots in that area are fairly small and that more review is needed.

#### **M5- CCN**

The M5 area is along Route 111. The CPC proposes changing that zone to begin at the Biddeford/Arundel town line and continue up Route 111 to the Western edge of the CMP utility corridor.

The group discussed the allowable uses as proposed by the CPC in their draft which include a mix of small, medium and large scale retail, office, service, low-impact manufacturing and community uses. Donna explained that the reasons they proposed these types of uses was because there is an area behind the existing residential areas that could support them without affecting the existing residences in a negative way.

Bob Coon inquired why the CPC proposed to stop that zone at the utility corridor. Donna stated that the CPC intends to look at the area further and in fact it will be an agenda item for their next meeting. They plan to review existing uses along Route 111 and also look into site constraints.

#### **Further Discussion**

Donna believes the CPC needs to review the residential districts also and to look closely at what is there and see how it makes sense to re-define these areas.

Simone Boissonneault asked the Planning Board to look into development of an Eastern Trail District for the area surrounding the trail. Morin informed her that the Planner had touched upon the idea but it has not been reviewed further by the Planning Board yet. The Board will bring it up in discussions with the Planner again.

#### **Public Comments**

Jack Reetz, resident commented that in looking at the big picture and considering all five of the proposed zones for business how many businesses would that be and how much revenue would they generate for the Town and how long will that take?

Bob Coon responded and stated that you really cannot forecast that kind of data and there are various committees that are all ultimately working toward the same goal and regardless of how long it takes it is good to be moving forward and working toward a common goal, realizing that it is a constant learning and revising process.

Jennifer Burrows commented as a member of the Economic Development Committee that these groups all working together toward a common goal is a positive thing and generates a good image in the community in highlighting the Town's potential.

Simone Boissonneault asked that the Planning Board consider what types of businesses are allowed in the residential areas since some of the existing ones may not be appropriate. Coon commented that the Board did address some of these issues with the implementation of Contractor Storage Yards in the Land Use Ordinance and that they will be looking further into the issue of businesses in a residential zone and what should or should not be permitted.

Tom McGinn asked the CPC members their opinion on how likely it is that voters will approve the changes proposed. Diane Robbins replied that a lot will depend on how the changes are in the property owner's best interest. If the changes are not too restrictive it will be a positive thing. Communication about the changes is crucial so public hearings will be very important and must be held far enough in advance to hear and respond to public comments.

John Bell of the EDC suggested that invitations for public participation be sent with information about the items being discussed.

John Der Kinderen suggested that social media might be a tool to utilize to spread the word. Donna commented that the only issue with using social media is if one person posts something false. Linda Zuke disagreed with Donna and comments that if you allow people to comment on Facebook you can correct the misinformation and it also creates discussion on the subject.

Philip Printz inquired what the projected timeline is for presenting this to voters. Donna suggested that perhaps portions of it could be presented to voters at June town meeting.

Coon noted that the difficulty in that proposal is that the Planning Board is approaching this as a total re-write and replacement of the existing Land Use Ordinance and therefore it is not really conducive to replacing only certain portions at a time. Todd Shea commented that he would have concerns in particular with performance standards.

This is an issue that Todd, Donna, Tad and the Planning Board will discuss further to determine the best option.

John Der Kinderen asked Todd if the State still needs to approve the Comprehensive Plan revision. Todd replied that theoretically yes, but given the current absence of a State Planning Office he is not sure how that will impact the process. He will look into the matter further and report back to the CPC.

**Adjourn**

*Der Kinderen moved to adjourn the meeting at 8:50 p.m. Ganong seconded the motion and it passed with all in favor.*