

**Arundel Planning Board
Draft Minutes of Regular Meeting
February 26, 2015
Mildred L Day Library 600 Limerick Road
Called to order: 7:03 PM**

Attendees: Tad Redway, Town Planner; Richard Ganong, Chairman; Marie Burgie, secretary
Board: Marty Cain, Bob Coon, Tom McGinn, John Der Kinderen, Roger Morin, James Lowery
Public: Sean Thies, Bill Reed, Harry Pontan, Paul Kochs

I. Approval of Agenda: *Der Kinderen motioned to approve as amended and McInn seconded*

II. Approval of Minutes: Tabled since not available

III. Public Hearing for Stickman Dialysis: Began 7:06 pm Ended 7:07pm

Item 1: Stickman Dialysis Industries, Inc. Plenary Site Plan Application: Proposal to construct a one-story 2,400 square foot building on a 2.2 acre site located at Enterprise Drive, Tax Map 12, Lot 8E-8 in the BI district.

Pending Applications:

Item 1: Stickman Dialysis Industries, Inc. Plenary Site Plan Application: Proposal to construct a one-story 2,400 square foot building on a 2.2 acre site located at Enterprise Drive, Tax Map 12, Lot 8E-8 in the BI district. It was determined that all submissions are in and application is complete. *Motioned by Der Kinderen to approve*

FINDINGS OF FACT AND MOTION FOR APPROVAL:

WHEREAS on January 8, 2015, the Arundel Planning Board received a Plenary Site Plan application from Stickman Dialysis Industries, Inc. to construct a one-story 2,400 square foot building on a 2.2 acre site located at Enterprise Drive, Tax Map 12, Lot 8E-8 in the BI district. Peter **IV:** Mourmouras et al is the owner, Jean Clermont of Stickman Dialysis Industries, Inc. is the applicant, and Paul Gadbois, PE is the applicant's agent.

WHEREAS, on Jan. 17, 2015 the Arundel Planning Board conducted a public site walk of the project site accordance with Section 9.8.F.3.c of the Arundel Land Use Ordinance to determine the legitimacy of requests by the applicant for a variety of application submission waivers.

WHEREAS, on February 26, 2015 the Arundel Planning Board conducted a public hearing of the project after duly notifying abutters and posting and advertisement in the Journal Tribune and on the Arundel Town website;

AND WHEREAS the Arundel Planning Board has determined the following Findings of Fact and Notice of Decision: **FINDINGS OF FACT**

1. The owner of the property is Peter Mourmoras and the applicant is Stickman Dialysis Industries, Inc. The applicant has presented an executed purchase and sale agreement establishing right interest in pursuing this application.

2. The property is located at the end of Enterprise Drive, Tax Map 12, Lot 8E-8 in the BI district.
3. The property is approximately 2.2 acres in size.
4. The property is currently vacant land.
5. The applicant proposes to construct a one-story 2,400 sq ft building with associated 4 car parking lot, back up loading area for loading and unloading and a future four car parking lot located adjacent to the proposed driveway entrance off the cul de sac at Enterprise Drive. The operation will initially employ 3 persons providing adequate parking to meet the parking requirements of the Land Use Ordinance. Expansion parking is available to meet the business' future needs.
6. The proposed use involves the assembly and manufacture of personal accoutrements including bags carriers and clothing for dialysis patients. The projected waste stream generated by the manufacturing process will be limited to fabric and shipping materials.
7. The proposed use will be serviced by on site well and septic system. Electric service, cable, and telephone will be underground emanating from the cul-de-sac.
8. The proposed building meets all setbacks and dimensional requirements of the B-I district as established in Section 6 of the Land Use Ordinance.
9. The applicant is proposing no exterior dumpsters.
10. Stormwater management facilities have already been installed in the subdivision and the proposed project is substantially below the post development impervious surface limits approved by the Planning Board.
11. Documentation provided by the applicant include a Site Plan, and a Detail Sheet, prepared by Paul Gadbois, PE. Dated Dec. 23, 2014 along with storm water calculations prepared by Paul Gadbois.
12. Exterior lighting is limited to four shielded security lights located on the building.
13. The Arundel Fire Chief has testified that existing hydrant resources on Route 1 are sufficient to meet fire protection needs of the proposed project.

CONFORMANCE WITH SITE PLAN APPROVAL CRITERIA

Der Kinderen moved to approve Fact Finding and Motion for Approval

After due review and consideration the Arundel Planning Board has determined the application to be in conformance with criteria of Section 9.8.F.4 of the Arundel Land Use Ordinance as follows:

A) The proposed project conforms to all standards of the zoning district and meets or exceeds performance standards specified in Sections 7, 8, and 9.8 of this Ordinance;

Motioned by Der Kinderen, second by Morin - Unanimously Approved

B) The proposed project does not require any state or Federal permits.

Motioned by Der Kinderen, second by Morin - Unanimously Approve

C) The proposed project does not unreasonably impact public safety and fire protection, and will not create a financial burden for the Town of Arundel in the provision of emergency services and law enforcement to the project site and the neighborhood; in that the Arundel Fire Department has determined that adequate fire protection resources are available on Rte 1, the project will generate

no additional traffic or situations that will increase demand public safety resources.

Motioned by Der Kinderen, second by McGinn - Unanimously Approved

D) The proposed project will not have an adverse impact upon the quality of surface or groundwater resources. *Motioned by McGinn, second by Der Kinderen - Unanimously Approved*

E) The project provides adequate storm water management facilities to produce no additional peak runoff from the site during a 25-year storm event and will not have an undue impact on municipal storm water facilities or downstream properties;

Motioned by Der Kinderen, second by McGinn - Unanimously Approved

F) The proposed project will not have an adverse on-site and off-site impact upon existing vehicular and pedestrian circulation systems within the community or neighborhood; in that the proposed project will generate approximately 6-8 additional vehicle trips per day from and to the site.

Motioned by Morin, second by McGinn - clarified by Coon "per day" Unanimously Approved

G) The proposed project will not have an adverse impact upon environmental quality, critical wildlife habitats, marine resources, important cultural resources or visual quality of neighborhood, surrounding environs, or the community; in that the project is not located in or in close proximity to such resources. *Motioned by Der Kinderen, second by Coon - Unanimously Approved*

H) The proposed project will not produce noise, odors, dust, debris, glare, solar obstruction or other nuisances that will adversely impact the quality of life of surrounding parcels, in that the proposed facility will not be serviced by any utilities that can produce off-site nuisances, and will not generate dust, odors, or other such nuisances. *As Amended Motioned by McInn, second by Morin - Unanimously Approved*

I) The proposed project will have a positive fiscal impact on municipal government, in that the property tax revenue generated by the proposed activity will exceed the costs of municipal services demanded by the activity. *Motioned by Der Kinderen, Second by McGinn - Unanimously Approved*

Lowery seconded Der Kinderen's initial motion, Unanimously Approved

THEREFORE BE IT RESOLVED that based on the above findings and conclusions the Arundel Planning Board hereby approves the Plenary Site Plan application of Stickman Dialysis Industries, Inc. to construct a one-story 2,400 square foot building on a 2.2 acre site located at Enterprise Drive, Tax Map 12, Lot 8E-8 in the BI district, subject to the following conditions:

1. No Certificate of Occupancy shall be issued for any phase of the proposed project until the design engineer certifies in writing to the Town Planner that all improvements have been completed in accordance with these approved plans;
2. All soil erosion control devices shall be installed prior to the commencement of site work, and no site work shall be shut down for the winter until all required soil stabilization mechanisms prescribed herein are made effective;

SO APPROVED by the Arundel Planning Board this 26th day of February 2015

Discussion: Cain asked about surveyor to give GPS coordinates. Redway stated survey is more accurate than GPS coordinates. Cain requested applicant to record distance of building to fire hydrant. Ganong's opinion was since it wasn't asked for previously, it would incur more cost for them to update the mylar, etc. that has been completed. Cain is not asking to hold up approval. Coon stated that the fire chief has already approved. DerKinderen stated that it had been discussed; agreed that it wasn't a requirement. Applicant asked to provide as a reference.

All board members then signed Mylar. Applicant's representative confirmed that the last few items of discussion are conditions of approval.

Item 2: AIM Recycling USA: Major Conditional Use Application – Proposed application to expand operation of an existing 43,000 +/- sf solid waste recycling facility on a 22.9 acre site located at 2244 Portland Road, Tax Map 12, Lot 9 in the BI District. AIM Recycling USA is the owner/applicant and Chip Haskell of CES is the applicant's agent. Redway explained that this is essentially an auto graveyard where individuals will come and be able to strip parts off of vehicles. Coon noted that although agenda stated permit is expired, that was untrue. Therefore, Agenda was amended to adjust. Redway also explained that permit would be based on them obtaining a DEP permit. Cain asked about any water quality changes that may need addressing. Sean Thies of CES, Inc. gave presentation showing expanded storage area for vehicles where all fluids and batter would be removed. Customers will remove parts from vehicle and then vehicles will be crushed and removed from site. Solid waste permit with DEP had to be amended to include new area and to meet storm water requirements. The application is complete and being reviewed by DEP which their approval is a town conditional requirement. Thies answered a number of questions dealing with their and neighbors water quality issues including impervious pavement. In this case, Arundel is holder stricter requirement than DEP. Planning board recommended that applicant get degree of expertise information of storm water DEP engineer to see if it meets or exceeds our "Chapter 500 criteria". If it doesn't, then applicant will have added cost of town doing third part peer review. Copies of the DEP manual were given to the board for review. Condition of DEP approval and any state conditions must be completed. Questions of traffic flow, height of vehicles on rim stands and fluid draining process was answered. They have been doing this in Canada and will be opening the Bangor site and then Arundel. The general public will be the ones to remove the parts. No torches or power tools will be used on site. Hand tools will be used on site. Otherwise, the entire car is purchased and removed from premises. Redway explained that DOT is monitoring our town carefully about traffic and curb cuts. Applicant asked about another meeting to gather information for public hearing. Board will need blasting plans relating to water quality and assurance that no changes are being made to existing building. The front of approved area will parking spaces.

Item 3: Zoning Map Change: Request to change Shoreland Resource Protection (RP) and Natural Resource Protection (NRP) district boundaries on land surrounding Brimstone Pond on property identified as Map 19, Lot 7 and Map23, Lot 15. Florian Legros is the applicant: A new map was distributed to the board. Neither Legros or Frick were available, but staff had previously reviewed this with them. RP zone is to be changed, not the NRP zone. Brimstone Pond has a Beaver Dam. Significant acreage within his 51 acres are to be changed. It does not include bird nesting area and is outside of Shoreland Protection. Shoreland overlay reduced resource protection zone goes up to and a little beyond his property. The proposed building locations, which will be a family development are to be reviewed at a later time. Ganong asked Redway if this was a reasonable request. Originally it was considered a deeryard but since it's not thick enough, it never truly was such which FN&W confirmed with their maps. Old maps show it was never designated as such. Layer for Shoreland zoning was the National wetland upland mapping. Coon pointed out that the houses on the sketch are insignificant since board is looking at boundary lines only. Redway felt to fix problem, they could turn off layer with road and houses, label RP zone and resubmit. He also wanted to add a GIS layer before presenting the map. Also, a drafting error will be sent to Al Frick to be corrected. The amendment can't be done

without correcting the map. Coon asked about the 100' setback shown on map. He suggested to board to not even see the proposed houses. This is simply a map to approve the zoning change and it must be very clear for the public meeting. The applicant will be asked for the revised map to not include future proposed houses, label the NRP zone and provide a GIS layer. Changes must also be on future map. Tabled for clarifications.

V: New Applications –

Item 1 Champion Auto Body: Major Conditional Use Permit: Proposal to construct a 4,000 sf addition to an existing auto repair facility, with proposed site re-grading, parking area reconfiguration and box trailer storage relocation on a 2.17 acre site located at 1617 Portland Road, Tax Map 29, Lot 20Pin the CCS District. Mario Binette is the owner/applicant and Paul Gadbois is the owner's agent. Tabled for 2 wee

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VI. Cain (added to agenda) to discuss Definition of Snowfarm vs Snowdump to add in definitions: Der Kinderen suggested it best to have these conform to other regulations that are already in place. Ganong suggested to wait until someone wants to have one and or after town meeting since other items need to be handled.

VII: Proposed Ordinance Change:

Item 1 Review of Proposed Alfred Road District on Rt 111. Tabled for 2 weeks

VII. Planners Report- went to Sign Concepts to see Arundel Market sign. Filmed it and will present next week to show signs in the field. Would like to show board examples of signs in field. His Iphone didn't photo well so plans to use a different type of camera.

Arundel Keep: they have done their evaluation and can't do cluster subdivision. They do not see the value in building a road. They now plan to build a minor subdivision of 3 houses along the road, then in 5 years do another minor subdivision.

Cape Arundel - Construction meeting on Thurs. at town hall. We have received conditional approval of the TIF. We have to send monitoring report every 3 years and inventory the captured value. They'll need to set a designated home site for caretaker and if any of the units go year round, the TIF money is lost.

Dubois – No news, but in hands of Code Enforcement and Town Attorney

Branch Brook - will be sending our Chief, Dep. Chief and others to training regarding propane emergency treatment.

Fire chief went to Hemlock campground and felt it was once of best facilities he'd seen.

Cain asked if chief was familiar with our policy of hydrants every 1000 feet? Questioning Enterprise Drive. Redway said it may be a good idea to set zoning requirements under fire protection category, especially in the business district of Route 1.

Next meeting at the firestation with hopes of finishing ARD

Adjourn: *Morin motion McGinn* second adjourned 9:18 pm