

## Arundel Planning Board Minutes

August 8<sup>th</sup>, 2019 - 7:00pm

Code Enforcement Office - 468 Limerick Road, Arundel

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

**Attendees:** Michael Marrocco, Paul Marrocco, Paul Gadbois, Sandra Guay, Steve Doe, Jason Vafiades, Tim Stentiford

**Call to Order:** Chair Ganong calls meeting to order at 7:01pm.

### I. APPROVAL OF AGENDA:

**Motion:** Mr. Cain motions to approve as written. Mr. McGinn seconds.

**Vote:** Unanimous in favor.

### II. PUBLIC COMMENT:

Citizen comment period opened and closed at 7:02pm. No commentary to record.

### III. APPROVAL OF MINUTES:

Mr. Morin notes that there is a typo on page 2 in the spelling of his name. Correction requested.

**Motion:** Mr. Morin motions to approve the July 25<sup>th</sup> Minutes as amended. Mr. Cain seconds.

**Vote:** Mr. McGinn abstains. Remaining members in favor.

### IV. PUBLIC HEARINGS:

**Item 1: Marrocco Enterprises, LLC: Plenary Site Plan Application-** Proposal to construct a 5,000 sf commercial building with five leasable spaces each on two approved subdivision lots in the Enterprise Drive Commercial Subdivision, Tax Map 12, Lots 8E-9, consisting of 1.46 acres and Tax Map 12, Lot 8E-10 consisting of 1.58 acres in the BI district. The two sites will be serviced by a common driveway from Enterprise Drive. Marrocco Enterprises, LLC is the owner and the applicant.

Public Hearing opened and closed at 7:04pm. Mr. Gadbois briefly reviews. No public comments to record.

### V. PENDING APPLICATIONS:

**Item 1: Marrocco Enterprises, LLC: Plenary Site Plan Application-** Proposal to construct a 5,000 sf commercial building with five leasable spaces each on two approved subdivision lots in the Enterprise Drive Commercial Subdivision, Tax Map 12, Lots 8E-9, consisting of 1.46 acres and Tax Map 12, Lot 8E-10 consisting of 1.58 acres in the BI district. The two sites will be serviced by a common driveway from Enterprise Drive. Marrocco Enterprises, LLC is the owner and the applicant.

Mr. Gadbois notes that clearing limits have been added to the plan, no storm water issues have been raised by DEP, and they are waiting on DEP regarding wetland fill. The required cost estimate was provided tonight.

**Item 2: Motorland Classic Cars; Request for Reconsideration of a Major Conditional Use Permit:** Request to reconsider conditions attached to a Major Conditional Use Permit issued for museum parking associated with a used auto sales and service facility located on a 4.9+/- acre site at 2564 Portland Road, Tax Map 2, Lot 1, in the BI District. Motorland LLC is the owner and applicant, and Sandra Guay, Esq is the applicant's agent.

Motorland shifted later in the schedule to allow for Mr. Stentiford to arrive.

**Item 3: American Iron & Metal: Major Conditional Use Application:** Application for a conditional use permit for an existing 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 & Metal is the owner and applicant. CES Inc. is the applicant's agent.

American Iron & Metal has requested an extension to allow time to secure a required bond.

**Motion:** Mr. Cain motions to grant the 60 day extension as requested by the applicant. Mr. McGinn seconds.

**Vote:** Unanimous in favor.

**Item 4: 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 reviews the current progress on the project. Wetland surveyors for this project and the abutting property agree that a vernal pool is present but not on its boundaries. More information is needed to show it on the plan. Expected upgrades to Laurel Lane (to bring up to Town standard) include addition of gravel, addition of appropriate culverts, and digging out ditches.

Mr. Redway reminds Mr. Vafiades that he will need a letter from the Arundel Fire Chief regarding the preferred location of the cisterns for fire suppression. The lawyers also need to chat regarding the subdivision of lots #1 and #2 to go over the exemption utilized to subdivide more than 3 times within the five year period.

**Item 2: Motorland Classic Cars; Request for Reconsideration of a Major Conditional Use Permit:** Request to reconsider conditions attached to a Major Conditional Use Permit issued for museum parking associated with a used auto sales and service facility located on a 4.9+/-

*acre site at 2564 Portland Road, Tax Map 2, Lot 1, in the BI District. Motorland LLC is the owner and applicant, and Sandra Guay, Esq is the applicant's agent. [REVISITED]*

Mr. Ganong reads Ms. Guay's emailed letter into record. (attached at the end of the Minutes for reference)

Mr. Ganong is troubled by the Board's reconsideration of the approved permit because he feels it sets a bad precedent and the request for 12 events a year would cause the museum to fall into an event center type category instead of a museum.

Ms. Roth points out that the request lacks specificity that the Board needs to make an educated decision.

Mr. McGinn asks for clarification on what type of events would be held.

Mr. Stentiford indicates that activities/events/seminars would be held in efforts to support the mission of the museum. Events would likely occur year round.

The Board discusses allowing a smaller number of events (less than the requested 12) over a year's time. Part of the discussion also centers on why a new application isn't submitted. In this dialogue, it comes to light that Motorland LLC does not own this adjacent property and is not currently under lease agreement with the owners. Lack of lease agreement proves to be a significant hurdle for the Board.

**Motion:** Mr. Morin motions to decline the request for consideration. Ms. Roth seconds.

**Vote:** Unanimous in favor.

## **VI. NEW APPLICATIONS:**

**Item 1: *Pitchforth Subdivision: Amendment to a Major Subdivision Plan: Proposed amendment to an approved subdivision of multi-family units where the applicant proposes to subdivide off a net 2 acre parcel in lieu of constructing an approved duplex located at 132 Log Cabin Road, Tax Map 38, Lot 18A in the R3 District. Barry Pitchforth is the applicant and owner. Stephen Doe, RLS of Sebago Technics, Inc is the applicant's agent.***

Mr. Redway makes note that the Fire Chief needs to visit the sight. All other pieces are in place to continue moving forward.

**Motion:** Mr. Morin motions to schedule a public hearing on August 22<sup>nd</sup>, 2019. Mr. McGinn seconds.

**Vote:** Unanimous in favor.

## **VII. OTHER BUSINESS:**

-Cease and desist order issued for Josh West

- Application activity is slowing down a little bit
- Equestrian Center application in the works

**Motion:** Mr. McGinn motions to adjourn at 8:30pm. Mr. Cain seconds.

**Vote:** Unanimous in favor.

## **Adjourn**

Respectfully submitted,

Corinne A. Goulet  
Secretary to the Planning Board

WOODMAN EDMANDS DANYLIK AUSTIN  
SMITH & JACQUES, P.A.

ATTORNEYS-AT-LAW

ROBERT B. WOODMAN  
THOMAS DANYLIK  
RALPH W. AUSTIN  
JAMES B. SMITH  
KEITH R. JACQUES  
MICHAEL J. O'TOOLE  
HARRY B. CENTER II  
SANDRA L. GUAY  
AMY McNALLY

234 MAIN STREET  
P.O. BOX 468  
BIDDEFORD, ME 04005-0468  
TELEPHONE: 207-284-4581  
FAX: 207-284-2078  
E-MAIL: SLG@woodedlaw.com

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PETER L. EDMANDS  
(Retired)

July 18, 2019

*Via Email*

Rich Ganong, Chair  
Planning Board Members  
C/O Tad Redway, Planner  
Town of Arundel  
468 Limerick Road  
Arundel, ME 04046

Re: Additional Information in Support of Occasional Short-Term Parking  
Motorland Properties, LLC/ 2564 Portland Road

Dear Rich and Planning Board Members:

Thank you for your vote at the July 11, 2019 meeting to reconsider Finding of Fact 9.2.9.3, and the related Condition 3, in the Planning Board's June 20, 2019 approval of Motorland's revised parking layout. As requested by the Board, below please find additional information concerning Motorland's request to amend the Finding and Condition in order to allow for short-term parking for occasional events on the abutting property, located at 2564 Portland Road.

While Motorland has done its best to provide the information that the Board has requested, please keep in mind that the Museum has just opened and there is therefore no "history" to rely on in order to give precise answers. Motorland will be happy to discuss any additional questions at the July 25, 2019 meeting.

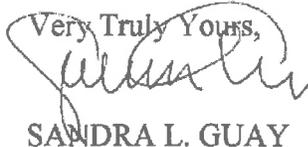
1. Paul Gadbois has calculated the size of the existing gravel area as 23,000FS and that 60 cars could be parked in that area.
2. Paul Gadbois has also calculated that existing driveway entrance has a 22-foot wide paved apron.

**WOODMAN EDMANDS DANYLIK AUSTIN SMITH & JACQUES, P.A.**

Rich Ganong, Chair  
Planning Board Members  
July 18, 2019  
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3. The estimated number of functions that may require use of 2564 Portland Road is 12 per year.
4. *Maximum* number of overflow cars that would be parked there is estimated to be 20.
5. *Maximum* amount of time that cars will be parked there is estimated to be four hours, although 1-3 hours is more likely.
6. Motorland would prefer to use valet parking which is available. In addition there will always be a parking attendant on duty.

Thank you once again for review and attention to the request.

Very Truly Yours,  
  
SANDRA L. GUAY

SLG/lb

Copy to :

Tad Redway, Town Planner  
Tim Stentiford, Motorland