

Arundel Planning Board Minutes

October 25, 2018 - 7:00pm

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

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

Attendees: Nancy Cormier, Carolyn Wrzosek, Linda Stowe, Alan LaBrecque, Tim Stentiford, Sandra Guay, Jamie Paschal, Cliff Gajtkowski, Bree Gajtkowski, Anthony Costello, Anthony Donovan, Bruce Pitt

Call to Order: Mr. Lowery calls meeting to order at 7:02pm.

I. APPROVAL OF AGENDA:

Site walk minutes for Oct 13th are not yet available for approval. Item #5, Huston and Company, was requested to be tabled.

Motion: Mr. McGinn motions to approve the agenda with the adjustments. Mr. Bergen seconds.

Vote: All in favor.

II. APPROVAL OF MINUTES

Two corrections requested, one on page 3, another on page 5.

Motion: Mr. McGinn motions to approve as amended. Mr. Morin seconds.

Vote: Mr. Cain abstains. All others in favor.

III. CITIZEN COMMENTS

Citizen comment period opened and closed at 7:09pm. No comments to record.

IV. PENDING APPLICATIONS

Item 1: Legros Lane: *Private Way Application:* Proposal to extend Legros Lane an additional 625 linear feet for the purpose of providing legal access and frontage for two residential lots exempt from subdivision review under 30-A MRSA 4401.4 and 4401.4.D-4. Frances V. Legros is the owner and applicant. Dana Libby RLS is the applicant's agent.

Gino Sartioni has requested a 30 day extension on the applicant's behalf. The extension serves to allow the owner and existing residents to meet. There continues to be confusion over the financial responsibility for road maintenance and construction.

Motion: Mr. Morin motions to grant the requested extension. Mr. McGinn seconds.

Vote: Unanimous in favor.

Item 2: Request for Amendment to Land Use Ordinance: *Request to add "Museum" to the list of Permitted Uses specified in the Business Industrial Office District (BI) in LUO 6.6.2. Motorland Classic Cars is the applicant and Sandra Guay Esq. of Woodman, Edwards et al is the applicant's agent.*

Ms. Guay summarizes status and highlights parking requirements that Tad has proposed. She makes special note that the request is to make "Museum" a *permitted* use and not a *conditional* use. Maybe, in calculating the required amount of parking, the "square footage dedicated to use" could be used instead of "gross square feet of space"?

Mr. Lowery notes that, given other existing permitted uses, the museum request does not seem problematic.

Ms. Guay points out that in other, even adjacent zones, that it's a permitted use.

Mr. Redway comments that, given the intensity of use, it's less intensive than some of the other existing permitted and/or conditional uses.

Discussion redirects to the calculation to be used for required amounts of parking for the use. Mr. Redway had initially suggested:

- 1 spot per 400 sq/ft up to 5000 sq/ft of building
- 1 spot per 600 sq/ft above 5000 sq/ft of building

To keep calculations more straight forward, the Board makes a slight adjustment after considerable discussion.

- 1 spot per 500 sq/ft up to 5000 sq/ft of building
- 1 spot per 600 sq/ft above 5000 sq/ft of building

Motion: Mr. McGinn motions to approve the adjusted parking calculation. Mr. Bergen seconds.

Vote: Unanimous in favor.

Mr. Lowery summarizes the discussion by noting that there will be no formal action tonight. Discussion and details are intended to help direct the Planner on how to craft the proposed Town Meeting material.

Item 3: KKWWD Water Storage Tank: Major Conditional Use Permit: *Proposed construction of a 15-foot wide access road from Route 1 within a 30-foot easement across a 33.32-acre parcel. Tax Map 15, Lot 14, to access a 13.34-acre parcel; Tax Map 15, Lot 8, which will serve as the site of a future vertical water tank(s). Kennebunk, Kennebunkport,*

and Wells Water District (KKWWD) is the owner of Tax Map 15, Lot 8 and is the applicant, and Jamie Paschal, District Engineer, is the applicant's agent. The owner of Tax Map 15, Lot 14, is Elizabeth Buzzell.

Mr. Paschal dives in and provides pictures of a nearly identical tank in Massachusetts. Additional photos are provided from balloon launches meant to identify visibility or, more accurately, lack of visibility.

Mr. Lowery asks if DEP permitting will be necessary for drainage and if there was any progress with the DOT.

Mr. Paschal indicates that he feels it to be unlikely that DEP will require permitting since the tank site is already quite rocky and fairly impermeable. DOT has reviewed the application again and it's currently pending approval with conditions since it is intended to be a temporary access. Conditions being:

- Message board while work is under way
- Gated and locked when not in use

The overall goal is to have the drive/roadway finished before May.

Mr. McGinn asks if the tank will be visible from The Cottages.

Mr. Paschal indicates that the top would not be visible but that the gray walls of the tank would likely be visible through the trees if someone were to search for it.

Mr. Redway asks if the culverts would be switched out to 15-inch.

Mr. Paschal indicates that they would but that they are hoping to get conceptual approval before moving forward and really investing a significant amount of money.

Mr. Lowery identifies the situation as he sees it;

- KKWWD has done due diligence with the site
- Progress with DOT is encouraging
- The road and drainage design is important to have in hand for review

Ms. Roth further clarifies that Mr. Paschal is wanting to know if the Board objects to the tank before moving forward. Straw pole? Overall positive feedback.

Mr. Lowery reiterates that the Board will need a driveway design and drainage plan. He also suggests that KKWWD reach out to DEP to ask any and all pertinent questions so answers are on hand when the Board takes this up for consideration next.

Mr. Paschal indicates that, with this positive feedback, that he should be able to secure a plan for the first 200' of driveway, including culverts for when the project will come in front of the Board again.

Item 4: Raptor Falls: *Plenary Site Plan Review: Determination of Completeness:*

Proposal to construct an 18-hole miniature golf course with a dinosaur theme complete with range building, and associated off-site parking on an 8-acre (formally Fritz's Tire). Located at 1912 Portland Road, Tax Map 15, Lot 12, in the DB-1 District. Clifford Gajtkowski and Bree Gajtkowski are the owners and applicants.

Mr. Gajtkowski reviews the concerns that came up in the last meeting:

- Is the proposed building footprint within the footprint of the existing structure?
- Grading needed to be shown on the course itself.
- Landscaping plan was inadequate as originally presented.

Each of those concerns has been addressed. Mr. Redway has even indicated that the revised landscaping plan is more robust than necessary. Correspondence with the DOT has confirmed that the existing two driveway access points do *not* meet standards. One entrance is now planned that will meet the DOT's requests as well as help assuage neighbor concerns regarding visibility. There is only one truly tall dinosaur, at 24 feet, the next tallest is 12 feet tall. They do move and make noise. Maximum decibel level of the dinosaurs is 110 decibels but they do have volume control and it is not expected that they will be at max volume.

Mr. Lowery notes that concerns remain regarding the noise – concerns from the neighbors and the Board.

Mr. Gajtkowski acknowledges this and indicates that a sound study will be completed.

Mr. Costello indicates that the lighting will be downlit only and that it will be shut off after closing.

Ms. Roth asks about security.

Mr. Gajtkowski indicates that there will be cameras on the dinosaurs but there is discussion on how often it would be checked.

Mr. LaBrecque, of Fritz Ln, asks that a little more of a buffer be put in between his driveway and the parking lot.

Mr. McGinn (directing his observation to the neighbors from The Cottages) indicates that the site really is in a low spot in the land and that activities should not disturb neighbors.

Mr. Cain suggests that The Cottages host an info session so they can become a bit more informed about the project.

The Board will need to see:

- Driveway relocation shown on the plan

- Sound study (audio of the dinosaurs)
- Make sure all stages/changes to plan have been combined into final plan

Mr. Redway notes that he'll work with the engineer to fine tune the placement of vegetation.

Motion: Mr. Morin motions to deem the application complete. Ms. Roth seconds.

Mr. Cain states that he would like written record of the Fire Chief's approval of acceptable water access and the notation of lack of significant fire threat. The Chief did recognize the stairs as being a challenge to emergency access but doesn't make it impossible.

Mr. Lowery reviews the waivers requested by the applicant to ensure that members of the Board don't have concerns.

Vote: Unanimous in favor.

Motion: Mr. McGinn motions that the public hearing be scheduled on November 8th. Mr. Morin seconds.

Vote: Unanimous in favor.

V. LAND USE ORDINANCE AMENDMENTS

Item 1: Proposed special Town Meeting warrant articles for Pre-Release Correctional Facilities, Contractor Yards and Wind Energy Conversion Systems Zoning Districts.

This topic was discussed last meeting. Waiting on the Planner to write the warrant.

The Board needs to tackle the Residential zones in coordination with the COMP Plan next.

Mr. Cain asks when the Special Town Meeting is anticipated to occur.

Mr. Redway indicates that it is anticipated to be held before the January 1, 2019.

Discussion occurs and it seems that it the Board's inclination to encourage the Meeting to be held in January.

V. OTHER BUSINESS

FEMA to hold a "public hearing" to announce/discuss the adoption of the new flood zones. The "hearing" is intended to inform the public but not for open discussion on the topic.

Mylars to sign.

Mr. Morin motions to adjourn at 9:31pm. Mr. Bergen seconds.

Adjourn

Respectfully submitted,

A handwritten signature in blue ink, reading "Corinne A. Goulet". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Corinne A. Goulet
Secretary to the Planning Board