

Arundel Planning Board Minutes

November 21st, 2019 - 7:00pm

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

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

Attendees: Charles Bassett, Joan Hull, Sam Hull, Leia Lowery

Call to Order: Chair Ganong calls meeting to order at 7:02pm.

I. APPROVAL OF AGENDA:

Motion: Mr. Morin motions to approve the Agenda as written. Ms. Roth seconds.

Vote: Unanimous in favor.

II. PUBLIC COMMENT:

Citizen comment period opened and closed at 7:04pm with no comments to record.

III. APPROVAL OF MINUTES:

Motion: Mr. McGinn motions to approve the November 7th, 2019 Minutes as written. Mr. Morin seconds.

Vote: Ms. Roth and Mr. Bergen abstain. Remaining members in favor.

Motion: Ms. Roth motions to approve the October 24th 2019 Minutes as written. Mr. Morin seconds.

Vote: Mr. Lowery, Mr. Ganong, and Mr. Bergen abstain. Remaining members in favor.

IV. CHANGES TO BYLAWS AND PROCEDURES:

Item 1: Discussion and Changes to Planning Board ByLaws/Rules and Procedures

Site walks & Commitment to Attendance; Determination of Completeness Criteria; Public Hearing-Criteria for Calling Hearings; Special Exception Criteria; Amendments to Petition Process

A) Site Walks:

Some discussion occurs regarding the pros and cons of the 4 options presented by the Planner. Ultimately, option 3 gets the most support

3) Establish a subcommittee consisting of 3 members who attend a site walk and report their findings back to the full Board.

Motion: Mr. McGinn motions to adopt Option 3, the Ad hoc Committee, for Site Walks. Mr. Bergen seconds.

Vote: Unanimous in favor.

B) Determination of Completeness:

The question is whether or not to add the following language into the Bylaws:

“D. Determination of Completeness: Before taking action on an application, the Planning Board shall formally review all submissions to determine if the applicant has provided all of the information required by the Land Use Ordinance and the Subdivision Regulations for approval. The Application Submission checklist shall be reviewed by the Board prior to determining an application to be complete.”

Mr. Lowery points out that this language does not prevent the Board from requesting improvements upon submitted applications.

Motion: Mr. McGinn motions to adopt paragraph “D” into the Bylaws. Mr. Morin seconds.

Vote: Unanimous in favor.

C) Public Hearings – When to call them?

Mr. Ganong voices his opinion that the Board should not be determining an application complete and holding a Public Hearing in the same night.

Mr. Lowery sees no issue with this. He also points out that this particular Board does allow for *some* discussion/feedback from abutters/interested parties throughout the process.

Perhaps a timeline for when oppositional documentation can be submitted for the Board’s review should be established? This would prevent last minute objections that would take things off course.

Attendee Bassett asks what would happen if notification of events were not received.

Mr. Lowery pointedly states that this would provide grounds for appeal.

D) Special Exception Criteria:

Mr. Redway discusses how exceptions allowed by the Board should truly be unusual and special. Providing guidelines allows for the decision-making process provides for a standard to fall back on and evaluate the situation. Five possible conditions as follows:

1. The affected lot must be a lot of record prior to June 14, 2017 and has no alternative site for a single-family dwelling unit on the property.
2. The forested wetland must be an isolated wetland less than 4 acres in a non-contiguous area and must not be a part of a larger non-forested wetland nor wetlands associated with a stream.
3. The wetland must not be a (significant) vernal pool.
4. The gradient of the bordering upland is pitched away from the wetland.
5. There are no slopes exceeding 20% in the SO setback area.

The Board discusses the merits of each criterium and whether 4 out of 5 should be required for and exception or all 5. It is noted that “significant” should be added to the vernal pool description in #3.

Motion: Mr. Bergen motions to adopt the Special Exception Criteria with the addition of “significant” in reference to vernal pools in #3. Ms. Roth seconds.

Vote: Unanimous in favor.

VI. OTHER ORDINANCES AND PLANS:

Item 1: Open Space Plan- Discussion of working with the Arundel Conservation Trust to formulate a comprehensive open space plan for Arundel (*moved up in the Agenda out of courtesy to attendees*)

Mr. Redway reviews intent behind discussion;

- Looking for help developing guidelines for open space retention in the community
- Looking to involve ATC and the Comprehensive Plan members
- Hoping to achieve residents' buy-in on the preservation of open spaces and/or an open corridor

Ms. Roth notes that individual developments aren't created with a cohesive look or contiguous open corridors in mind. And, how to establish if there are special resources on the property? Incentivize or penalize?

Mr. Redway encourages the ideology that incentivizing is the way to go.

ACT member attendees confirm that incentivizing is the best method. Ms. L. Lowery also notes that mapping is integral to the process.

Mr. Redway also notes that actually creating a definition for what "rural character" means to Arundel will greatly aid in increasing enthusiasm/buy-in for this endeavor.

Ms. L. Lowery notes that she, at the Kennebunkport Land Trust, has just been funded for a climate initiative. Part of this project is a community based mapping project where people communicate what parts of Town are special to people. A similar activity could help immensely for Arundel's goal here. As the Kennebunkport project develops it might be possible to bring some of the ideas to Arundel as well.

Mr. Redway indicates that it's his hope to get this project rolling after the New Year.

IV. CHANGES TO BYLAWS AND PROCEDURES (Cont'd):

E) Changes to the Citizen Petition Process:

Mr. Redway reviews his proposal which is modeled after State parameters.

Significant discussion occurs surrounding how many signatures would be needed on a petition/how the minimum required number is calculated. Besides the uncertainty regarding the required number of signatures, the Board expresses support in moving forward with making changes to the petition process.

Regarding the fee – instead of setting a set figure, the fee should cover all associated costs of a particular petition.

V. PROPOSED AMENDMENTS TO LAND USE ORDINANCE:

Item 1: Shoreland Zoning- Revisions to LUO 8.6.1.4; 8.6.2.4; and 8.6.3.4- Reduction in shoreland lot frontage

Discussion begins with a focus on commercial frontage with river frontage and "great" ponds being of primary concern.

Mr. McGinn suggests that classifications (residential, recreational, commercial) be eliminated and a 200' frontage minimum be required.

Mr. Redway notes that the 200' is drawn from State standards.

Motion: Mr. McGinn motions that a 200' minimum frontage be required, regardless of use, on the Kennebunk River or any great pond. Mr. Lowery seconds.

Vote: Unanimous in favor.

Item 2: RC District - Scheduling of Workshops and criteria for making alterations to the RC District Regulations in response to the 2016 Comprehensive Plan Revisions:

This topic is tabled but Mr. Redway does make special note that this topic and the open space plan discussed earlier in the meeting are intertwined so the RC District needs to remain in the Board's sights.

VI. OTHER ORDINANCES AND PLANS (Cont'd):

Item 2: NFPA 101 Life Safety Code - Discussion about integrating LUO with proposed NFPA 101 ordinance proposed by Arundel Fire Chief:

As the Board reviews the provided document, a multitude of conflicts and omissions are discovered. Mr. Bergen eventually suggests that Town Council review the document and make appropriate suggestions to the Selectmen.

VII. OTHER BUSINESS:

None discussed.

Motion: Mr. Lowery motions to adjourn at 9:30pm. Mr. McGinn seconds.

Vote: Unanimous in favor.

Adjourn

Respectfully submitted,



Corinne A. Goulet
Secretary to the Planning Board