

Arundel Planning Board Minutes

February 22, 2018 7:00pm

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

Board Attendees: Mr. Cain, Mr. McGinn, Mr. Lowery, Mr. Bassett, Mr. Ganong, Town Planner Mr. Redway, Secretary Ms. Goulet

Attendees: John Hughes, Milda Castner, Matt Wyman, Erin Metevier

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

I. APPROVAL OF AGENDA:

Motion: Mr. McGinn motions to approve the agenda as is. Mr. Ganong seconds.

Vote: All in favor.

II. APPROVAL OF MINUTES

Motion: Mr. Ganong motions to approve the December 2nd 2017 minutes. Mr. Cain seconds with debate.

Vote: Mr. Cain, Mr. Ganong & Mr. Lowery in favor. Mr. Bassett and Mr. McGinn abstain.

Motion: Mr. Ganong motions to approve the January 25th, 2018 minutes. Mr. Cain seconds.

Vote: Mr. Cain, Mr. McGinn, Mr. Lowery, and Mr. Ganong in favor. Mr. Bassett abstains.

Motion: Mr. Ganong motions to approve the February 8th, 2018 minutes. Mr. McGinn seconds.

Vote: All in favor.

III. CITIZEN COMMENTS

Citizen comment period open at 7:12pm. Closed at 7:13pm with no comments to document.

IV. NEW APPLICATIONS

Item 1: Branch Brook Fuel: Amendment to Conditional Use Approval: Discussion concerning modification of existing permit so as to increase size and volume of approved 12,000 gallon K-1 tank to a 20,000 gallon #2 tank and alter piping system in an existing fuel storage depot located at 14 Sawmill Lane, Tax Map 36, Lots 15 & 23 in the DB2 District. Branch Brook Fuels is the owner and John Hughes is the applicant's agent.

Mr. Hughes clarifies that there will be the same total number of tanks, that the containment field/dyke remains the same size, that there will be less piping and only one pump involved with this proposed amendment.

Mr. Redway notes that this is simply an increase of intensity of use. The purpose now is for the applicant to ask what, if any, action need be taken.

Mr. Bassett floats the idea that the Board hold a public hearing and take action on the topic within a single meeting.

Motion: Mr. Lowery motions to hold a public hearing on the amendment during the March 8, 2018 meeting. Mr. McGinn seconds.

Vote: Motion carries unanimously.

V. LAND USE ORDINANCE REVISIONS

Item 1: Proposed amendments to the Arundel Land Use Ordinance: Finalization of proposed addition of Equestrian Stable to Section 9.3.19 Equestrian Facilities with an emphasis on commercial stables supporting less than 6 equines.

Discussion centers on the total number of equines allowed in the R-1 zone. The number of 6 total equines allowed in R-1 as discussed in the previous meeting is decided to be arbitrary. The question arises about whether or not it would be possible to regulate the percentage of equines boarded on a property.

Motion: Mr. Ganong motions that LUO 9.3.19B be revised to state that 1 equine per ½ acre up to a maximum of 10. In the R-1, only 1 equine per 1 acre up to a maximum of 6 be allowed. Seconded by Mr. McGinn.

Vote: In favor; Mr. Ganong and Mr. McGinn. Against; Mr. Bassett, Mr. Lowery, Mr. Cain.

Mr. Cain suggests that the same concept be followed as the previous motion but that the maximum number of equines should be 10 instead of 6 in R-1.

Motion: Mr. Cain motions that LUO 9.3.19B be revised to state that 1 equine per ½ acre up to a maximum of 10 be allowed. With the exception of the R-1 zone specifically, only 1 equine per 1 acre up to a maximum of 10 will be allowed.

Vote: In favor; Mr. Bassett, Mr. Lowery, Mr. McGinn, and Mr. Cain. Against; Mr. Ganong.

Mr. Bassett questions what the minimum lot size should be. 2 acres? Should wetlands actually be excluded in the overall acreage calculation?

Mr. Ganong questions if buildings and driveways should be excluded.

Last hurdle of the evening on the topic is how to allow for training sessions with a trainer, a few additional students, and their personal equines?

The Board expresses concern about the size of these training sessions but cannot come to agreement on how to word restrictions to allow for ease of regulation.

Attendee Milda Castner points out that restrictions create hurdles for accomplished riders to improve upon their skills.

Mr. Ganong has two suggestions: Leave this portion of the ordinance as it was approved on January 8, 2018. Alternatively, remove the phrase, "provided training is limited to those equines being boarded on the property."

Motion: Mr. McGinn motions that the Board remove "provided training is limited to those equines being boarded on the property." Mr. Lowery seconds.

Vote: Unanimous in favor.

Mr. Bassett highlights the topic of lighting. The Board decides that the ordinance is acceptable as written.

Item 2: Proposed amendments to the Arundel Land Use Ordinance: *Discussion regarding regulations on commercial animal husbandry limitations in residential and rural districts.*

Mr. Bassett notes the issues as he sees them;

- water contamination/pollution (ground water & surface water)
- odor
- insects/noise

The Board then struggles with the new way of looking at the "Animal Unit". The concept allows for a way to identify how many of any variety of animals could be kept on a property but the charts are difficult to understand as shown. Decisions on the topic are postponed until the Town Planner is able to further research, more succinctly summarize, and show "Animal Unit" calculations for consideration.

VI. OTHER BUSINESS

An extra meeting may have to be held to effectively discuss all items in queue in a timely manner.

It is decided that Mr. Bassett will request an Executive session to discuss both a personnel issue and legal issues.

Mr. Bassett lodges a formal complaint regarding the complete lack of communication from a lawyer representing him in the ongoing lawsuit from Dubois. Other Board members note similar experience. The Board gives permission for Chair Bassett to inquire about progress/lack of progress on the issue with the Town Manager and/or the Town Lawyer.

Adjourn

Mr. Ganong moves to adjourn at 10:22pm. Mr. McGinn seconds. All in favor.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Corinne A. Goulet". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Corinne A. Goulet
Secretary to the Planning Board