

Arundel Planning Board
Minutes of the Regular Meeting
February 8, 2018 7:00 pm
Mildred L Day School Library 600 Limerick Road

Board Attendees: Chip Bassett, Rich Ganong, Marty Cain, Tom McGinn, and Tad Redway, *Town Planner*

Public Attendees: Donna Hall; John Rouleau, Jr. ; *Peter Lovejoy*, Applicant; Daniel Rush, *Applicant's Attorney*.

CALL TO ORDER: Chair Bassett called the meeting to order at 7:03 pm.

I. APPROVAL OF AGENDA

MOTION: Mr. Ganong moved and Mr. McGinn seconded the motion to approve the agenda with the revision that the minutes be tabled since there insufficient quorum to approve, and Item 2 *Motorland Classic Cars* application be tabled at the request of the applicant.

VOTE: Unanimous in favor

III. PUBLIC COMMENT

No one from the public spoke.

IV. PENDING APPLICATIONS

Item 1: Lovejoy Subdivision: *Amendment to Final Subdivision Approval:* Proposal to amend Condition # 6 in the January 12, 2017 Major Subdivision approval for a three lot subdivision of a 5.31 acre parcel located at 295 Limerick Road, Tax Map 28 Lot 6 in the R1 district. Owner and applicant is Peter Lovejoy and Paul Gadbois, PE is the applicant's agent.

Attorney Dan Rush presented the applicant's proposal to amend Condition #6 of the January 12, 2017 Planning Board subdivision approval in which the applicant would a financial surety in lieu of the restriction on building permit issuance would be issued until Elizabeth's Way was certified as constructed in accordance with plans by the Town Engineer. The amount of surety proposed was \$ 22,549.80- the amount of money required to cover final road construction, as documented and confirmed by the Town Engineers *Atlantic Resource Consultants*.

Ms. Hall and Mr. Rouleau, property owners of the lots on Elizabeth Way, spoke in favor of granting the change to Condition # 6. Both property owners testified that the delay in receiving building permits until the road was completed imposed financial hardships.

Board members expressed sympathy for the property owner's situation, but they also noted that the applicant requested this building permit restriction in lieu of the mandatory cash surety during the approval hearing. Board members also stated that this caveat remained an effective performance assurance that would guarantee timely completion of all required improvements.

MOTION: Mr. Ganong moved and Mr. Cain seconded the motion to deny the applicant's request to amend Condition # 6 of the Planning Board's January 12, 2017 approval of the Peter Lovejoy Subdivision, located at 295 Limerick Road, Tax Map 28 Lot 6 in the R1 district.

VOTE: Unanimous in favor

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

The Planning Board Chair stated that he wished to defer consideration of the Land Use Ordinance revisions until more of a full Board was in attendance. The rest of the Board agreed and postponed taking action on Item 1 and 2 until the next Planning Board meeting.

The Chair stated that he had the following comments about the Equestrian Ordinance:

1. The reduction of the number of horses in an Equestrian Stable from 10 to 6 discouraged the family farm.
2. Equestrian Stables were not feasible in the Townhouse Corner District due to acreage sizes.
3. Questioned the prohibition of “hobby: stables in the BI district.

Mr. Cain commented that the Manure Management materials from the NRCS were very illuminating and an important consideration in assessing animal husbandry impacts on groundwater quality.

VI. Other Business

- The Town Planner reported on several forthcoming subdivisions and projects that will be appearing before the Board.
- The Board posed a number of questions in the Planner’s staff notes regarding potential amendments to the LUO in the BI.
- The Planner also reported on another appeal filed by Dubois Livestock Inc against the Planning Board, the ZBA, and the Town. The Chair asked that the Town Attorney provide an update on the progress of litigation for Planning Board members who have been individually sued.

Adjourn: MOTION: Mr. Ganong moved and Mr. McGinn seconded the motion to adjourn the meeting at 7:56 pm.

VOTE: Unanimous in favor.

I hereby attest the preceding is a true and accurate account of the Arundel Planning Board Meeting of February 8, 2018.



Tad Redway
Secretary Pro Temp