

Arundel Planning Board Minutes

March 28th, 2019 - 7:00pm

Mildred L. Day School – Spanish Room - 600 Limerick Rd. Arundel

Board Attendees: Mr. Cain, Mr. Lowery, Mr. McGinn, Ms. Roth, Mr. Ganong, Mr. Ganong, Planner – Mr. Redway, Secretary - Ms. Goulet

Attendees: Paul Gadbois, Mike Vaillancourt, Nicolas Raymond, Emily Brewer, Mario Binette, Richard Pate, Marcel Bertrand, D. Raymond

Call to Order: Chair Ganong calls meeting to order at 7:03pm.

I. APPROVAL OF AGENDA:

Motion: Mr. McGinn motions to approve the agenda as changed – To add to the Land Use Ordinance section; #3 R-2 District Boundary Amendment (for Hidden Meadows). Mr. Morin seconds.

Vote: Unanimous in favor.

II. CITIZEN COMMENTS:

Citizen comment period opened and closed at 7:05pm with no comments to record.

III. APPROVAL OF MINUTES:

Motion: Mr. McGinn motions to approve the Minutes from March 14th, 2019 as written. Mr. Cain seconds.

Vote: Mr. Morin, Mr. Bergen and Ms. Roth abstain. Mr. Cain, Mr. Lowery, Mr. McGinn and Mr. Ganong in favor.

Motion: Mr. McGinn motions to approve the Minutes from March 21st, 2019 with the corrections to the motions to read “no recommendation” instead of “not recommended”. Mr. Cain seconds.

Vote: Mr. Morin, Mr. Bergen and Ms. Roth abstain. Mr. Cain, Mr. Lowery, Mr. McGinn and Mr. Ganong in favor.

IV. NEW APPLICATIONS:

Item 1: Arundel Machine: Plenary Site Plan Review Application – Determination of Completeness: Proposal to construct a 22,163 square foot expansion to the existing manufacturing facility with associated parking and site improvements located on a 7.76 acre parcel Tax Map 12, Lot 7-3 is located at 20 Technology Drive in the BI District. In addition, Arundel Machine also proposes to construct a new 11,200 square foot manufacturing facility on the adjacent 3.75 acre parcel, Tax Map 12, Lot 7-2 with associated parking, site improvements, and interconnectivity with circulation and parking facilities on Lot 7-3. DCB Properties is the owner and applicant and Paul Gadbois, PE is the authorized agent.

The Board had completed the site walk.

Mr. McGinn asks how far the pavement for the parking area is from Route 1.

Mr. Gadbois indicates the distance is 37'. Mr. Gadbois notes that 29 five foot tall emerald green arborvitae type plantings are planned to buffer this area from Route 1. Additionally, there may be some revisions to the lighting plan to eliminate the light poles in the parking lot. The Army Core of Engineers has come back with their approval. Payment just needs to be made for the fill and the stipulation not to cut trees during the bat season must be followed. They are still waiting for official DEP approval but the application has been submitted and receipt of the submission has been confirmed.

Motion: Mr. Cain motions to deem the application complete subject to the receipt of DEP approval. Mr. Bergen seconds.

Vote: Unanimous in favor.

Motion: Mr. Morin motions to hold the public hearing on April 11th, 2019 at 7pm. Mr. McGinn seconds.

Vote: Unanimous in favor.

Item 2: Driveway access – Site Plan Review: *Request for a permit for an after-the-fact driveway access road constructed on a 31 acre parcel. Tax Map 12, Lot 7, Located at 2209 Portland Road in the BI, SO, and SP districts. Mario Binette and Richard Pate are the owners and applicants.*

Applicant provides the information that had been requested at the site walk back in late Fall 2018.

Mr. Cain voices his opinion in support of the retro-active permit but does suggest the addition of a paved apron.

Mr. Redway confirms that some upgrades to the driveway will need to be made when the lot is actively used. A paved apron is one of those upgrades. And, to be clear, this retro-active permit is for the importation of >100 cubic yards of material that allowed the creation of the driveway.

Motion: Mr. Morin motions to hold a public hearing on April 11th, 2019 at 7pm. Mr. Bergen seconds.

Vote: Unanimous in favor.

Item 3: Raymond Acres: Resubdivision of an approved Subdivision: *Proposed resubdivision of Lot 5-03 addition of land from Tax Map 30, Lot 5A to create a fifth lot in the Raymond Acres Subdivision at 22 Black Dog Road in the R-2 and SP districts. Nicholas Raymond is the applicant and Marianne Raymond is the property owner.*

Mr. Raymond begins by reviewing what he's found in his research. That there was a second, revised, subdivision plan that eliminated the cul-de-sac in favor of a hammerhead turn around. This design provides for adequate frontage for a 5th lot.

Unfortunately, while this revised plan was approved by the Planning Board, it was never filed with the registry of deeds. Because this revised plan was never filed, public records indicate that the septic system for the residence on Lot 4 of the existing subdivision does not have appropriate setback from the paper cul-de-sac. As part of the hopeful success of this application, the applicant is proposing to transfer the rights to the area of cul-de-sac to the current owners of Lot 4. This would bring lot 4 into compliance with setbacks and the proposed hammer head turn around would provide adequate frontage for the proposed 5th lot. The applicant is requesting 2 waivers; the first is in relation to wetland delineation and the second is regarding the private way/road upgrades.

The Board's discussion centers primarily around the wetland delineation waiver request. Can and/or should the Planning Board allow for a wetland delineation waiver? The proposed 5th lot falls .64 acres of upland short under current LUO. The Board notes that this is not an insignificant shortfall. To approve the wetland waiver would also have a direct impact on the Net Residential Density. Due to the length of time since the origination of this subdivision, the generality of the requests, and potential impact on future, similar situations elsewhere in Town the Board decides to confer with Leah Rachin before proceeding.

V. ORDINANCE REVISIONS

Item 1: Amendment to 10.6.3.6; Plan Review Extensions: *Proposal to change the 30-day extension to three (3) regularly scheduled Planning Board Meetings.*

The idea behind this proposed amendment would be to allow an applicant more time after a public hearing to address any issues that come up. As it currently stands, there are scenarios where an applicant could have two weeks to adjust as needed before documents would need to be submitted to the Planner to get onto the next meeting's agenda. This can be difficult for the applicant and the agents.

Mr. Lowery inquires why an arbitrary timeline needs to be in place and why there are limitations on the number of extensions that can be requested.

Mr. Redway reminds the Board that these types of deadlines and limitations help keep the Board *and* applicants moving forward in the application process.

Mr. Bergen suggests that the Board consider a two-tiered process. An application should go through staff review, then public hearing, *then* come before the Board for determination of completeness.

Discussion continues. Much of it revolves around the public hearing. Should it be changed where in the process public hearing should be held? Within 30 days of receipt of the application? Determine an application complete *after* a public hearing?

One notable concern raised with changing up the application/public hearing/determination of completion process was the need to identify at what point

would an ongoing application be protected from ordinance change. Mr. Redway will be conferring with Leah Rachin on the topic.

Item 2: Schedule the Public Hearing for Land Use Ordinance Changes:

This was not discussed in any depth. Mr. Redway is consulting with Leah Rachin and the Board may very well decide to hold a public hearing regarding possible changes to where in the application process the public hearing takes place.

Item 3: Proposal to Amend the R-2 District Boundary: *Hidden Meadows*:

The purpose of this proposal is to remove Hidden Meadows from the BI District and put the subdivision in the R-2 where it rightfully should be. Hidden Meadows was built before the BI District was implemented.

Motion: Mr. Cain motions to hold a public hearing on April 25th, 2019. Mr. McGinn seconds.

Vote: Unanimous in favor.

OTHER BUSINESS

The Arundel Cottage's has broached the idea of using Hidden Meadows as a construction exit onto Mountain Rd. Originally, the Board had delegated this as an emergency exit only. Mr. Redway expects there to be significant amount of resistance at a public hearing.

Joint Planning Board/Comp Plan Committee Progress:

- there is agreement on the schedule of land uses but the topic of animal husbandry continues to be a hurdle
- still hopeful to develop a simple system for regulation of commercial animal husbandry practices

Motion: Ms. Roth motions to adjourn at 10:00pm. Mr. McGinn seconds

Vote: Unanimous in favor.

Adjourn

Respectfully submitted,

Corinne A. Goulet
Secretary to the Planning Board