

Arundel Planning Board Minutes
April 9, 2020 - 7:00pm
Remote Zoom Planning Board Public Hearing

Board Attendees: Mr. Ganong, Ms. Roth, Mr. Cain, Mr. Lowery, Mr. McGinn, Mr. Morin and Tad Redway, Town Planner

Attendees: Pricilla Narlan, Stephen Grabowski, David Burr, Jen Burrows, Bob Metcalf, John Fitzpatrick, Jackie Skowsky, and Linda Zuke

Call to Order: Chair Ganong calls meeting to order at 7:00 PM.

I. APPROVAL OF AGENDA:

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

Vote: Unanimous in favor.

II: PUBLIC HEARINGS OF AMENDMENTS TO THE LAND USE ORDINANCE

Chair Ganong opened the Public Hearing at 7:04 PM.

Item 1: Amend LUO § 1.8.1.2.c Citizen Petition Procedures to Amend the Land Use Ordinance:

Chair Ganong read the summary of the proposed amendment. Mr. Cain asked who would pay for the petition process. Staff reported that the cost would be absorbed by the Town.

No from the public commented.

Item 2: Amend LUO § 3.2 Definitions

- **Addition of Automobile and Water Craft definition**

Chair Ganong read the summary of the proposed amendment. Ms. Zuke asked why automotive and watercraft sales were being defined. Mr. Redway responded that while these uses were permitted in the BI district, there was no definition of the use in section 3.2.

No one else from the public commented.

- **Amend Separate definition of Arterial Streets and Collector Streets**

Chair Ganong read the summary of the proposed amendment. There was no public comment.

- **Add definition of Livery Operations**

Chair Ganong read the summary of the proposed amendment. There was no public comment.

- **Amend Definition of Medical Marijuana Caregiver Production Facility**

Chair Ganong read the summary of the proposed amendment. There was no public comment.

- **Add Town Assessor to the membership of the Staff Review Committee**

Chair Ganong read the summary of the proposed amendment. There was no public comment.

- **Add automobile and watercraft to the list of exclusions in the Retail definition due to their inclusion in a separate definition.**

Chair Ganong read the summary of the proposed amendment. Ms. Zuke asked why this change was necessary, Mr. Ganong stated that since automobile and watercraft sales were defined separately there no need to repeat it in the definition of retail. There was no other public comment.

Item 3: Add LUO § 5.5.5 Private Ways: Requiring the Access Strip to serve as the principle driveway location for an Estate Lot.

Chair Ganong read the summary of the proposed amendment. There was no public comment.

Item 4: Amend LUO § 6.6.2 Conditional Uses in the Business, Office Park, and Industrial District (BI) by adding the following and renumber the section:

12. Livery Operations

Chair Ganong read the summary of the proposed amendment. There was no public comment.

Item 5: Amend LUO § 6.9.3 Space and Bulk Requirements for the Townhouse Corner District: To increase the density of multi-family units on a lot serviced by either water or sewer from the current 1 unit per 20,000 square feet NDD to 1 unit per 10,000 square feet NDD.

Chair Ganong read the summary of the proposed amendment. There was no public comment.

Item 6: Amend LUO § 6.5.2.12 Medical Marijuana Caregiver Production Facility: Proposed revisions to conform to changes in Maine Revised Statutes and to change setback requirements.
Chair Ganong read the summary of the proposed amendment. There was no public comment.

Item 7: Amendments to LUO § 8.0 Shoreland Zoning:

- **Add LUO § 8.6.2.5 establishing criteria for setback reductions in Shoreland Overlay Wetlands**

Chair Ganong read the summary of the proposed amendment. There was no public comment.

- **Amend LUO § 8.6.1.4. Space & Bulk Requirements for the Resource Protection District limiting shore frontage requirements only to Brimstone Pond and the Kennebunk River and to eliminate Commercial Use frontages**

Chair Ganong read the summary of the proposed amendment. There was no public comment.

- **Amend LUO § 8.6.2.4. Space & Bulk Requirements for the Shoreland Overlay District limiting shore frontage requirements only to Brimstone Pond and the Kennebunk River and to eliminate Commercial Use frontages**

Chair Ganong read the summary of the proposed amendment. There was no public comment.

- **Amend LUO § 8.6.3.4. Space & Bulk Requirements for the Stream Protection District limiting shore frontage requirements only to Brimstone Pond and the Kennebunk River and to eliminate Commercial Use frontages**

Chair Ganong read the summary of the proposed amendment. Ms. Luke asked why these changes were being proposed. Mr. Redway explained that mandatory shoreland frontage is designed to prevent shoreline crowding on recreational waters like the ocean, riverfronts, or lakes and Arundel only has Brimstone Pond and the Kennebunk River that would qualify. The current ordinance requires minimum frontage for lots containing wetlands and streams thereby creating an undue burden on property owners.

Ms. Zuke also commented that the proposed ordinance revisions were not well publicized and difficult to locate. Mr. Redway responded that the actual revisions have been posted on the Town website for two weeks and were distributed by the Town bulk email service, notices and directions to the documents on the Town website were published in the newspaper and displayed on the Town website splash page. Mr. Redway further apologized that the COVID-19 shutdown interfered with providing hard copies to the public.

Mr. Ganong declared the public hearing closed at 7:16 pm.

III. REFERRAL TO SELECTMEN OF AMENDMENTS TO THE LAND USE ORDINANCE

Motion: Mr. Lowery made the motion that all of the amendments to the Land Use Ordinance proposed in this agenda be remanded to Selectmen with the Planning Board's recommendation for adoption. Mr. Morin seconds. **Vote:** Unanimous in favor.

IV. OTHER BUSINESS

Mr. Cain asked who would pay for the Town Attorney review of the Citizen petition, and Mr. Redway responded that Leah Rachin, Town Attorney, advised that the financial burden would be on the municipality, as it rests on the Attorney General's Office in Statewide petitions.

ADJOURN

Motion: Mr. Cain moved Mr. McGinn seconded to adjourn the meeting at 7:30 PM. **Vote:** *Unanimous in favor.*

Respectfully submitted,



Tad Redway
Secretary Pro Temp to the Planning Board

