



City of Caribou, Maine

AGENDA Caribou Planning Board Regular Meeting Thursday, July 12, 2018 at 5:30 p.m. City Council Chambers

*Municipal Building
25 High Street
Caribou, ME 04736
Telephone (207) 493-3324
Fax (207) 498-3954
www.cariboumaine.org*

- I. Call Meeting to Order
- II. Approval of minutes from the June 14, 2018 Planning Board meeting.
- III. New Business
 - a. Public Hearing to receive comment and consider approval of a Daycare Application from Nicole Plourde & Nicholas Plourde for Miss Cole's Kids Daycare at 40 Russ Street, Caribou, Tax Map 24, Lot 8-C.
 - b. Review of a Daycare Application from Deavin Robertson for Miss Deavin's Daycare at 17 Violette Street, Caribou, Tax Map 41, Lot 25.
- IV. New Communications
- V. Staff Report
 - a. Updates from Code Enforcement Officer/Zoning Administrator.
- VI. Planning Board Training
- VII. Other Business
 - a. Discussion on Tiny House Movement in Maine.
 - b. Continue work on Chapter 13, Zoning of Caribou Code
- VIII. Adjournment



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Caribou Planning Board Meeting Minutes Thursday, June 14, 2018 @ 5:30 pm City Council Chambers

Members Present: Robert White, Evan Graves, Todd Pelletier and Thomas Ayer

Members Absent: Phil Cyr, Philip McDonough III and Matthew Hunter

Others Present: Ken Murchison –CEO & Zoning Administrator and Denise Lausier –Executive Assistant to the City Manager

- I. Call Meeting to Order** –The meeting was called to order at 5:30 pm.
- II. Approval of minutes from the May 10, 2018 Planning Board meeting** – Todd Pelletier moved to accept the minutes as presented with one correction, to change the spelling of Tim Roix last name; seconded by Evan Graves. Motion carried with all in favor.

Ken Murchison introduced a project that is being proposed on the Lombard Road by the Seventh Day Adventist Church. Cary Simpson presented the project with plans to the Board. They would like to build a Christian Education Center on land at 100 Lombard Road in the R-3 zone. They wanted to present the project to the Board to see if it would be a doable project before purchasing the land. The Center would be a multi educational facility with practical trades for kids, medical missionary work and where people can come to be ministered to for both spiritual and physical health. They would have the school building, industrial arts building, maintenance building and greenhouses for the students. The students will learn practical trades, agriculture, mechanics and building trades; things that will help them carry themselves financially and bring them to a point of proficiency. They plan to have a small group of elementary level students and a secondary level group of late teens and beyond. They will not achieve state or federal accreditation for the school. Also, they will have cabins as temporary living facilities, seasonal for now. Mr. Simpson stated they would use Robert Kervin as a contractor on this project. They have a good relationship and he would be willing to invest for the long haul. Tom Ayer stated that he is familiar with the land and the only suggestion he would have is to put in an irrigation pipe down through the lot. Tom stated this would be a wonderful addition to Caribou. Ken stated this is a good project, that it may constitute a subdivision, but it is doable. The Board supported the project.

III. New Business –

- a. Use Permit & Sign Permit Applications for a Beauty Supply Retail Store at 159 Bennett Drive, Suite 4.** – Jamie Paradis from Majestic Enterprises presented his plan to the Board. This is a wholesale/retail store selling beauty supplies to professional salons. Mr. Paradis has rented the space at 159 Bennett Drive. They will not be opened to the public; his customers need to be licensed to purchase products to sell to their customers. Mr. Paradis has been selling products for 25 years now in the area. His customers have been asking for years to have a shop here in the

area. He has hired four employees and is hoping to draw Canadian customers. Permit fees have been paid, the space is 1,000 square feet.

Ken Murchison stated the building is in the C-2 zone. Sign is done and permit is done. The building inspector has been there. They have cleaned up the space and brought in shelving to set up shop. Thomas Ayer moved to approve the application from Majestic Enterprises for a beauty supply store at 159 Bennett Drive, Suite 4; seconded by Todd Pelletier. Motion carried with all in favor.

- IV. New Communications** – Nicole Plourde has submitted an application for a daycare; Miss Coles' Kids at 40 Russ Street and was present to speak to the Board. She would like to set up before school starts. Todd Pelletier moved to schedule a public hearing for Miss Cole's Kids daycare at 40 Russ Street for the July 12, 2018 Planning Board meeting; seconded by Thomas Ayer. Motion carried with all in favor.

Ken Murchison heard from the Federal Firearms office, they were making sure that the City is working with Thomas Ayer on his federal firearms license.

V. Staff Report -

- a. Updates from Code Enforcement Officer/Zoning Administrator** – Ken Murchison gave the Board updates on the various violations since the snow has been gone. Overgrown grass, garbage, unregistered vehicles in yards, chickens, an unlicensed rubbish hauler and dangerous buildings. Ken gave an update on the Birdseye site, LED street lights, Tri-Community Landfill and River Road. Also, Ken shared with the Board that he passed his Shoreland Zoning training.

VI. Planning Board Training – None.

VII. Other Business -

- a. Continue work on Chapter 13, Zoning of Caribou Code** – Ken Murchison had worked on and reviewed with the Board land use table definitions they had requested. Ken Murchison had also put together a list of agricultural land owners for the Board.

- IX. Adjournment** – Evan Graves moved to adjourn the meeting; seconded by Todd Pelletier. Motion carried with all in favor. Meeting adjourned at 6:27 pm.

Respectfully Submitted,

Philip McDonough III
Planning Board Secretary

PM/dl



City of Caribou Day Care Application

Planning & Code Enforcement
25 High St.
Caribou, Maine 04736
(207) 493 - 3324 X 214
kmurchison@cariboumaine.org

Note to Applicant: Complete this application and return it with the required documents. In addition, the required fee must be returned along with this completed application. Make checks payable to: "City of Caribou", in the amount of \$90.00.

Name of Property Owner / Developer: Nicole N. Plourde / Nicholas B. Plourde
Development Name: Miss Cole's Kids
Location of Property (Street Locations): 40 Russ Street
City of Caribou Tax Map: 24 Lot: 8C Zone: R1

Applicant Information

Person and address to which all correspondence regarding this application should be sent to:

Nicole N. Plourde / Nicholas B. Plourde Day Time Phone: (207) 227-6291 ^{Nicole}
40 Russ Street ^{Nick} 540-0444
Caribou, ME 04736 Night Time Phone: _____
E-mail: nicolenoelle14@gmail.com

What legal interest does the applicant have in property to be developed (ownership, owners representative, option, purchase & sales contract, etc?) option

(Attach supportive legal documentation)

General Information

Date your State of Maine Day Care License was approved: pending
(Attach a copy of License or DHHS pre-approval checklist)

Has the site been inspected by the State Fire Marshal's Office and approved?
() Yes (☒) No
(Attach Documentation)

Has the site been inspected by the Maine Department of Health & Human Services and approved?
() Yes (☒) No
(Attach Documentation)

Structure & Site Plan Details

Does the building have a Carbon Monoxide Detector? (☒) Yes () No

Does the building have a smoke detector? (☒) Yes () No

Is the garage attached to the house/building? () Yes (☒) No N/A

If yes, is there a minimal of 1/2" sheet rock fire-rated wall between the garage and house/building?
() Yes () No

Do you have a basement? (☒) Yes () No

Will the basement be accessible to children? () Yes (☒) No

If yes, are there graspable handrails and guardrails on the staircase? () Yes () No
The outdoor play area shall not be located near hazardous areas (such as streets, open wells, open water) unless protected by fencing?

Do you have fencing around the outdoor play area? () Yes (☒) No

If yes, how tall and what type? _____

The fencing must be a minimum of four (4) feet high.

Subsurface Waste Water Disposal System – No person may expand the use of a structure using a private subsurface waste water disposal system until documentation is provided to the municipal officers and a notice of the documentation is recorded in the appropriate agency of deeds that, in the event of a future malfunction of the system, the disposal system can be replaced and enlarged to comply with the rules adopted under Title 22 M.R.S. § 42, and any municipal ordinances governing subsurface waste water disposal systems, No requirements of these rules and ordinances may be waived for an expanded structure.

Have you provided documentation showing that the current disposal system can be replaced and enlarged? () Yes () No N/A Town Water
Do you have an outdoor lighting system to support egress/ingress? (☒) Yes () No

Planning Board Requirements Checklist

- ☐ The home occupation shall only employ residents of the dwelling unit.
- ☐ The home occupation shall be carried on entirely within the principle or accessory structure.
- ☐ The home occupation shall not occupy more than 50% of the total floor area of the principle dwelling structure. Accessory structures used for the home occupation may use up to 100%.
- ☐ No client or customer shall be allowed on any floor other than the first floor ground level unless the structure is protected throughout with a State Fire Marshal approved sprinkler system.
- ☐ Objectionable noise, vibrations, smoke, dust, electrical disturbance, odors, heat, glare or other nuisances are not permitted.

Day Care Application for:

Nicole N. Plourde / Nicholas B. Plourde

Address:

40 Russ Street, Caribou, ME 04736

Approved by the Caribou Planning Board

Date: ____ / ____ / ____

Signed:

Chairman, Caribou Planning Board

Conditions of Approval:

Plan Review Criteria Checklist

Once a completed application is received the application will be scheduled for the next available Planning Board meeting.

1. _____ Name and address of the owner of record and applicant (if different).
Brent and Deborah Plourde (owners of property)
2. _____ Name of the proposed development and location.
40 Russ Street, Caribou, ME
3. _____ A copy of the deed to the property, option to purchase the property, or other documentation to demonstrate right, title, or interest to operate a daycare in the property on the part of the applicant.. *Attached*
4. **Plans to show the following elements for review:** *Attached*
 - _____ a. Size, shape, and location of existing and proposed buildings on the site including dimensions of the buildings and setbacks from property lines.
 - _____ b. Access for Emergency Vehicles, location and layout design of vehicular parking, circulation areas, loading areas, and walkways including curb cuts, driveways, parking space and vehicle turn around areas.
 - _____ 3. Location of outdoor play areas, fences, exterior lighting, signage and accessory structures.

To the best of my knowledge, all of the information submitted in this application is true and correct.

Signature of Applicant:

Nicholas Plourde
Bill B. Plourde

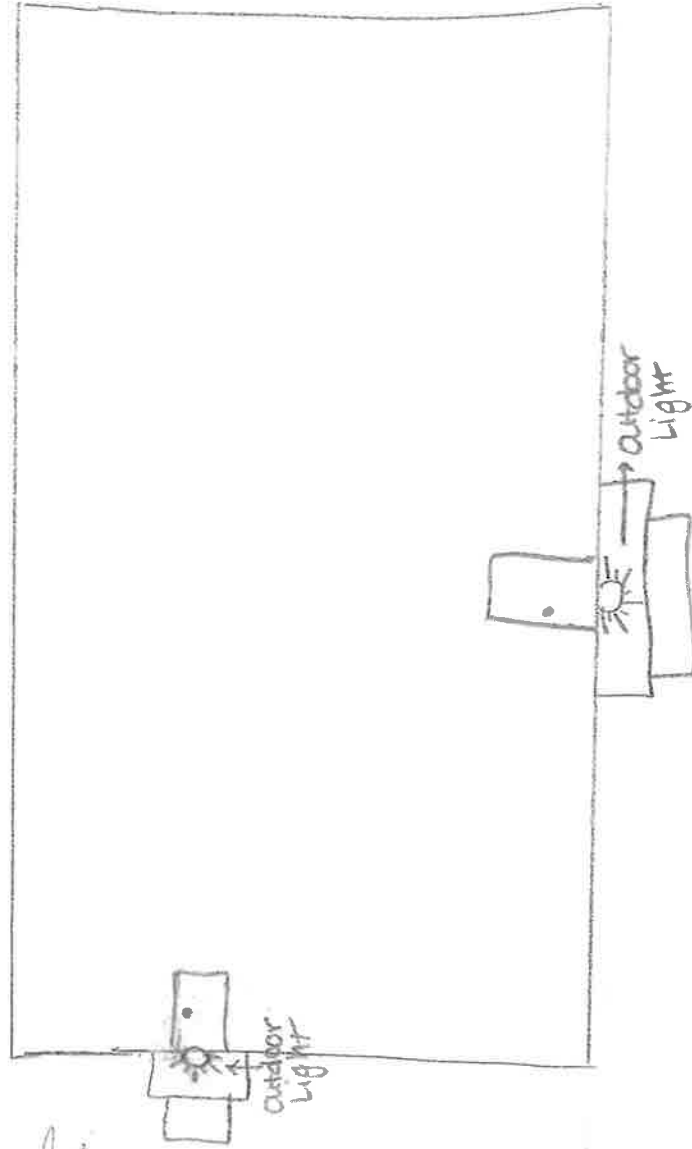
Date:

5/25/18

Shed

Shed

Outdoor Play
Area



Sidewalk

Road

Definitions, chapter 13

Construction Trailer: A temporary structure or structures, to include a mobile home, tractor trailer, or similar structure, which is used in conjunction with construction activities and which is used or constructed in such a manner as to permit daily occupancy and/or the storage of equipment and materials.

Continuing Care Retirement Community: An age-restricted development that provides a continuum of accommodations and care, from independent living to long-term bed care, and enters into contracts to provide lifelong care in exchange for the payment of monthly fees and an entrance fee in excess of one year of monthly fees.

Contract Zoning: The process by which the property owner, in consideration of the zoning of that person's property, agrees to the imposition of certain conditions or restrictions not imposed on other similarly zoned properties.

Convalescent Home, Rest Home, or Nursing Home: A facility in which nursing care and medical services are performed under the general direction of persons licensed to provide medical care in the State of Maine for the accommodation of convalescent or other persons who are not in need of hospital care, but who do require, on a 24-hour basis, nursing care and related medical services. A convalescent home, rest home, or nursing home is distinct from elderly congregate housing.

Crawl Space: A space, usually about two (2) feet high, provided in a building in order to enable access to plumbing, wiring, and/or equipment.

Curb Cut: The opening along the curb line or right-of-way line at which point vehicles may enter or leave the road.

Day Care Facility: "Day Care Facility" shall mean any dwelling, building, or portion thereof which child day care services are provided including any on-site outdoor play area as permitted by the City and further defined under Section 13-900 (2).

Deck: An uncovered structure with a floor, elevated above ground level.

Decorative Changes: Repainting or re-siding; removing or replacing trim, railings, or other non-structural architectural details; or the addition, removal, or change of location of windows and doors.

Deer Wintering Areas: Areas used by deer during the winter for protection from deep snows, cold winds, and low temperatures, as identified by the Maine Department of Inland Fisheries and Wildlife.

Demolition/Waste Disposal: A facility, including a landfill, operated by a public, quasi-public, or private entity which purpose is to dispose of useless, unwanted, or discarded solid material with insufficient liquid content to be free flowing, including by way of an example, and not by limitation to, rubbish, garbage, scrap metals, junk, refuse, inert material, landscape refuse, and demolition debris. The definition does not, however, include commercial hazardous waste disposal facilities or recycling of products.

Density: The number of units per acre of land.

Developed Area: Any area on which a site improvement or change is made, including buildings, landscaping, parking areas, and streets.

Developer: A person who is developing the land. The developer, owner, and the applicant may be one in the same.

Development: Any man-made changes to improved or unimproved real estate, including but not limited to, subdivisions, buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations.

Dimensional Requirements: Numerical standards relating to spatial relationships, including but not limited to, setback, lot area, shore or road frontage, and height.

Direct Watershed: That portion of the watershed which does not first drain through an upstream lake.

Disability, Physical or Mental: Any disability infirmity, malformation, disfigurement, congenial defect or mental condition caused by bodily injury, accident, disease, birth defect, environmental conditions or illness, and includes the physical or mental condition of a person that constitutes a substantial disability as determined by a physician or, in the case of mental disability, by a psychiatrist or psychologist, as well as any other health or sensory impairment that requires special education, vocational rehabilitation, or related services.

To Whom It May Concern:

We, Brent and Deborah Plourde, grant our permission for the tenants, Nicholas and Nicole Plourde, to operate a state licensed in-home child care business at the address 40 Russ Street, Caribou, ME 04736.



5/31/18

Landlord Signature

Date Signed:



5/31/18

Landlord Signature

Date Signed:



City of Caribou Day Care Application

Planning & Code Enforcement
25 High St.
Caribou, Maine 04736
(207) 493 - 3324 X 214
kmurchison@cariboumaine.org

Note to Applicant: Complete this application and return it with the required documents. In addition, the required fee must be returned along with this completed application. Make checks payable to: "City of Caribou", in the amount of \$90.00.

Name of Property Owner / Developer: Deavin Robertson
Development Name: Miss Deavin's Daycare
Location of Property (Street Locations): 17 Vidette St.
City of Caribou Tax Map: 041 Lot: 025 Zone: Residential

Applicant Information

Person and address to which all correspondence regarding this application should be sent to:

Deavin Robertson Day Time Phone: 227-7249
17 Violette St. Night Time Phone: (same)
Caribou, Me. 04736 E-mail: robertson srdj@gmail.com

What legal interest does the applicant have in property to be developed (ownership, owners representative, option, purchase & sales contract, etc?)

N/A

(Attach supportive legal documentation)

General Information

Date your State of Maine Day Care License was approved: _____

(Attach _____)

Has the site been inspected by the State Fire Marshal's Office and _____

Has the site been inspected by the Maine Department of Health & _____

Licensing in
the process
of being
completed.

Structure & Site Plan Details

Does the building have a Carbon Monoxide Detector? _____

Does the building have a smoke detector? _____

☒ Yes ☐ No

Is the garage attached to the house/building? _____

☒ Yes ☐ No

If yes, is there a minimal of 1/2" sheet rock fire-rated wall between the garage and house/building? _____

☒ Yes ☐ No

Do you have a basement? _____

☒ Yes ☐ No

Will the basement be accessible to children? _____

☐ Yes ☒ No

If yes, are there graspable handrails and guardrails on the staircase? _____

☐ Yes ☐ No

The outdoor play area shall not be located near hazardous areas (such as streets, open wells, open water) unless protected by fencing? _____

Do you have fencing around the outdoor play area? _____

☐ Yes ☒ No

If yes, how tall and what type? _____

The fencing must be a minimum of four (4) feet high.

Subsurface Waste Water Disposal System – No person may expand the use of a structure using a private subsurface waste water disposal system until documentation is provided to the municipal officers and a notice of the documentation is recorded in the appropriate agency of deeds that, in the event of a future malfunction of the system, the disposal system can be replaced and enlarged to comply with the rules adopted under Title 22 M.R.S. § 42, and any municipal ordinances governing subsurface waste water disposal systems, No requirements of these rules and ordinances may be waived for an expanded structure.

Have you provided documentation showing that the current disposal system can be replaced and enlarged? _____

☐ Yes ☐ No

Do you have an outdoor lighting system to support egress/ingress? _____

☒ Yes ☐ No

Plan Review Criteria Checklist

Once a completed application is received the application will be scheduled for the next available Planning Board meeting.

1. ☒ Name and address of the owner of record and applicant (if different).
2. ☒ Name of the proposed development and location.
3. ☒ A copy of the deed to the property, option to purchase the property, or other documentation to demonstrate right, title, or interest to operate a daycare in the property on the part of the applicant..
4. **Plans to show the following elements for review:**
 - ☒ a. Size, shape, and location of existing and proposed buildings on the site including dimensions of the buildings and setbacks from property lines.
 - ☒ b. Access for Emergency Vehicles, location and layout design of vehicular parking, circulation areas, loading areas, and walkways including curb cuts, driveways, parking space and vehicle turn around areas.
 - ☒ 3. Location of outdoor play areas, fences, exterior lighting, signage and accessory structures.

To the best of my knowledge, all of the information submitted in this application is true and correct.

Signature of Applicant: *Devin Robinson* Date: 6/14/18

Planning Board Requirements Checklist

- ☒ The home occupation shall only employee residents of the dwelling unit.
- ☒ The home occupation shall be carried on entirely within the principle or accessory structure.
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- ☒ No client or customer shall be allowed on any floor other than the first floor ground level unless the structure is protected throughout with a State Fire Marshal approved sprinkler system.
- ☒ Objectionable noise, vibrations, smoke, dust, electrical disturbance, odors, heat, glare or other nuisances are not permitted.

Day Care Application for: Deavin Robertson

Address: 17 Violette St.

Approved by the Caribou Planning Board

Date: ____/____/____

Signed:

Chairman, Caribou Planning Board

Conditions of Approval:

QUITCLAIM DEED WITH COVENANT

(Maine Statutory Short Form)

KNOW ALL MEN BY THESE PRESENTS, THAT **The County Federal Credit Union** of Presque Isle, County of Aroostook, State of Maine, for consideration paid, grants to **Samuel R. Robertson** and **Deavin J. Robertson**, whose mailing address is 116 Glenn Street, Caribou, ME 04736, with **Quitclaim Covenant**, as joint tenants, the land in Caribou, County of Aroostook, State of Maine, described as follows:

Parcel One:

A certain piece or parcel of land being a part of Lot Numbered Five (5) in that part of Caribou, formerly "I" Township, County of Aroostook and State of Maine, and more particularly described as follows:

Lot 100 according to the plan of the Corriveau Subdivision Plans Book 14, Page 31, Southern Aroostook Registry of Deeds, said lot being approximately 128' by 120'.

Parcel One being the same premises conveyed to County Federal Credit Union by Release Deed of Leslie R. Anderson f/k/a Leslie R. Pelletier dated November 16, 2017 and recorded at said Registry of Deeds in Book 5730, Page 319.

Parcel Two:

A certain piece or parcel of land being a part of Lot Numbered Five (5) in that part of Caribou, formerly "I" Township, County of Aroostook and State of Maine, and more particularly described as follows:

Lot Numbered One Hundred One (101) according to plan of Corriveau Subdivision dated August 14, 1956 recorded in Book of Plans Vol.14, Page 31.

EXCEPTING AND RESERVING from the above described conveyance, the easements granted by Stanley F. Brescia to Maine Public Service Company by deed dated May 10, 1956, and recorded in the Aroostook Registry of Deeds in Volume 711, Page 363.

In accepting this deed the Grantees covenant and agree for themselves, their heirs, executors and assigns, that no old buildings shall be moved on said land; that no building shall be erected on said land, except the dwelling house and private garage; that said dwelling shall dispose of its sewage in the municipal sewer system, or into a properly constructed and maintained septic tank; that said land shall be used solely for residential purposes; that no building shall be erected within Thirty (30) Feet of any street line; that no building shall be left unfinished or unpainted for

an unreasonable length of time unless the exterior finish and siding on said building are materials that do not require painting to give a finished or completed appearance to the building; that no building shall be used by more than two (2) families; that no dwelling shall be erected on said land unless its cost, exclusive of the land exceeds \$10,000.00; that no livestock or poultry shall be kept on said land. And the Grantees further agree for themselves, their heirs, executors and assigns, that this covenant shall run with the land for the benefit of owners of the other lots in the said Walter J. Corriveau and Rose M. Corriveau Additions, and may be enforced by any owner of property in said Corriveau Addition.

The above restrictive clause, however, shall not apply to the following Lots Number 1, 2, 3, 4, 5, 6, 12, 13, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156 and 157; and lots designated as a, b, c, d, e and f, as shown on said plan recorded in said Registry in Volume 14, Page 31.

Parcel Two being the same premises conveyed to County Federal Credit Union by Quitclaim Deed of Stacy L. Moir dated November 13, 2017 and recorded at said Registry of Deeds in Book 5730, Page 317.

Dated this 12th day of April, 2018



Witness

The County Federal Credit Union

By 


Daniel J. Bagley, Vice President

MAINE TRANSFER
TAX PAID

Sate of Maine
County of Aroostook, ss.

April 12, 2018

Personally appeared the above named, Daniel J. Bagley and acknowledged the foregoing instrument to be his free act and deed and the free act and deed of said company.

Before me,


Notary Public/Attorney at Law
RICHARD D. SOLMAN
[Printed/Typed Name]

Violette St.

128'

120'

225'

Violette St.

Miss Deavin's Daycare
17 Violette St.

1850 sq. ft.

swing set



105'

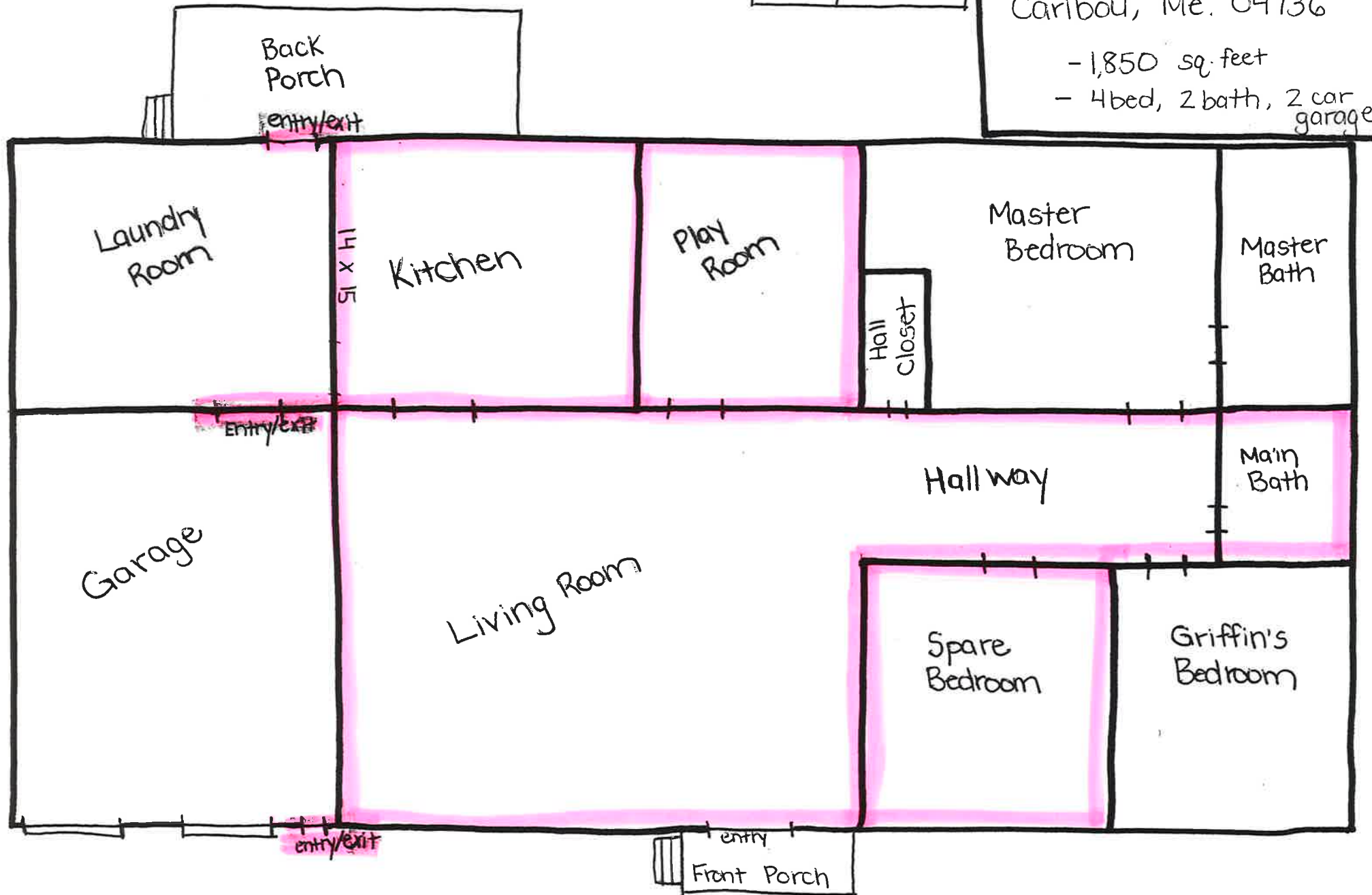
192'

--- driveway / walkway
Ⓣ tree

Area's used
by children

17 Violette St.
Caribou, Me. 04736

- 1,850 sq. feet
- 4 bed, 2 bath, 2 car
garage



- Miss Deavin's Daycare -

Tiny Houses

Many local governmental building and zoning regulations make it difficult to construct and permanently reside in tiny houses, particularly those on wheels. While some governments simply haven't thoroughly considered the issue, some cite concerns over maintaining the integrity of neighborhoods and property values, ensuring safe building standards, and avoiding transient populations.

However, a growing number of municipalities are easing or amending regulations in favor tiny houses. They see potential disadvantages outweighed by benefits like increasing housing stock, increasing affordable housing, facilitating intergenerational living, attracting new residents, increasing revenue, supporting vulnerable populations, and generally providing residents with more lifestyle freedom. Furthermore, they recognize that many tiny house residents are ignoring current regulations, taking their chances living illegally until forced to move.

Still, these governments represent a small minority. Like many new trends, widespread regulation has not caught up to the tiny house movement. For those governments interested in learning more about how their community wants to address this topic, this guide will overview basic policy considerations and a handful of case studies from around the country.

Session - 128th Maine Legislature

**HP0622
LD 873**

**LR 255
Item 1**

Bill Tracking, Additional Documents Chamber Status

An Act To Adopt Tiny House Standards in the Maine Uniform Building and Energy Code

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 10 MRSA §9721, sub-§5 is enacted to read:

5. Tiny house. "Tiny house" means a dwelling that is less than 400 square feet in floor area, excluding the area of any floor level located above the main floor.

Sec. 2. 10 MRSA §9722, sub-§6, ¶J, as amended by PL 2011, c. 365, §1 and c. 408, §2, is further amended to read:

J. In the adoption and amendment of the Maine Uniform Building and Energy Code, ensure that nontraditional or experimental construction, including but not limited to straw bale and earth berm construction and tiny house construction, is permissible under the code;

Sec. 3. Standards for tiny house construction. No later than January 1, 2018, the Technical Building Codes and Standards Board shall adopt standards for tiny house construction consistent with the Tiny House Appendix to the International Residential Code, RB 168-16,

Appendix V, as approved by the International Code Council in December 2016. The adoption of standards pursuant to this section is considered routine technical rulemaking under the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

SUMMARY

This bill requires the Technical Building Codes and Standards Board to ensure that tiny house construction is permissible under the Maine Uniform Building and Energy Code. The bill also requires that the Technical Building Codes and Standards Board adopt standards for tiny house construction consistent with the Tiny House Appendix to the International Residential Code, as approved by the International Code Council in December 2016.

(Currently this legislation is dead)