



## *City of Caribou, Maine*

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### **Caribou Planning Board Meeting Minutes Thursday, January 10, 2019 @ 5:30 pm City Council Chambers**

**Members Present:** Robert White, Phil Cyr, Evan Graves, Philip McDonough III, Todd Pelletier and Dan Bagley

**Others Present:** Ken Murchison –CEO & Zoning Administrator, Denise Lausier –Executive Assistant to the City Manager, Derrell Richardson, Gloria Boykin, Darrell Theriault, Zachary Wright, Mariah Mink, Aaron Cray and Jennifer Kiandros

- I. Call Meeting to Order** –The meeting was called to order at 5:30 pm.
- II. Welcome New Board Members** – Chairman Robert White welcomed Dan Bagley to the Board.
- III. Election of Officers for 2019** – Phil Cyr moved that the officers remain as they are; seconded by Philip McDonough III. Motion carried with all in favor.
  - a. Chairman** – Robert White
  - b. Vice-Chairman** – Phil Cyr
  - c. Secretary** – Philip McDonough III
- IV. Setting Meeting Dates/Times for 2019** – Philip McDonough III moved to keep the meeting dates and times the second Thursday of every month at 5:30 pm; seconded by Phil Cyr. Motion carried with all in favor.
- V. Approval of minutes from the December 13, 2018 Planning Board meeting** – Phil Cyr moved to accept the minutes as presented; seconded by Todd Pelletier. Motion carried with all in favor.
- VI. New Business** –
  - a. Continue review of a Site Design Review application for Dunkin Brands, Inc.** -
  - b. Site Design Review for Caribou Senior Living, LLC** – CEO Ken Murchison has not heard from either Dunkin Brands or Caribou Senior Living. Waiting on plans, no action needed.
  - c. Flood Plain Ordinance** – CEO Ken Murchison told the Board this Flood Plain Ordinance was shared by the State and he recommends to adopt it as delivered. Will need to send it to the City Council separately from the Chapter 13 re-write to get it on the books. The State is waiting on us. Philip McDonough III moved to send the Flood Plain Ordinance based on State regulations to the City Council; seconded by Todd Pelletier. Motion carried with all in favor.

## VII. New Communications –

- a. **Notice of Violation for odor issues related to Medical Marijuana Grow Facility at 9 Bog Road.** – CEO Ken Murchison received a formal complaint on the odor at 9 Bog Road. A Notice of Violation has gone out to Derrell Richardson. He will have 30 days to fix the issue.
- b. **Ongoing Notice of Violation for Lighting Ordinance at 46 Coolidge Avenue.** – CEO Ken Murchison sent out a Notice of Violation on a light at 46 Coolidge Avenue. The light is lighting up the neighbor's yard on Pioneer Avenue. The Police Department has been out there on three occasions. Keeping an eye on it. Remedy is to move the light or change the direction of the light. This has been ongoing since November.
- c. **Home Occupation Application for Sonia Godin Salon.** – CEO Ken Murchison explained that she had a beauty salon on Route 89 years ago. She left the area and has returned. The Board will have a public hearing at the next meeting. Dan Bagley stated that the application was incomplete and that should be communicated to her.

## VIII. Staff Report.

- a. **Updates from Code Enforcement Officer/Zoning Administrator** – CEO Ken Murchison has been working on demo permits. The Sincock building and the Learning Center need to come down. Just waiting on a final walk through at the Learning Center. 25 Liberty Street needs to come down as well. Ken has completed 2018 trainings. Ken had his evaluation and that went well. Working on 2019 round of CDBG grants.
- b. **Update on Moratorium concerning owner operated personal services businesses related to a Medical Marijuana Caregiver status.** – Moratorium went to City Council on Monday. This will stop medical marijuana caregiver businesses from starting until we have time to put together an ordinance as far as zoning and land use. The moratorium will give us 90 days to review, it could take up to a half a year to sort things out. The registered medical marijuana caregivers in the community are doing business according to the State. At 9 Bog Road, there are several land uses, cultivation, caregiver business and potentially multi family housing. Under review for retail glassware, will review the permit to see if complete and will bring it back next month.

Chairman Robert White opened the floor up for public comments.

Darrell Theriault asked the Board why we can't do like Canada is doing and just use their laws for here. Philip McDonough III explained that it is prohibited by Federal law here in the U.S. CEO Ken Murchison explained there is no guidance for this level of government, it's happening at the State level and that he would need to talk to delegation.

Derrell Richardson stated that he didn't receive the Notice of Violation. CEO Ken Murchison told Mr. Richardson that he would hand deliver it to him.

Jennifer Kiandros apologized if they are in violation and stated they are willing to fix the issue. Ms. Kiandros asked if there are guidelines or regulations to go by. CEO Ken Murchison explained that the Notice of Violation mentions best practices and that perhaps an air handling system would help.

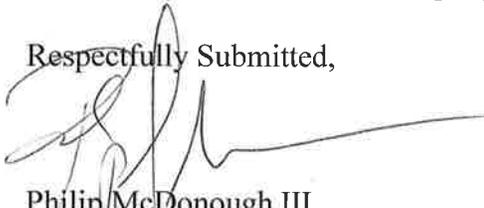
Todd Pelletier stated that it smells every time he goes by especially when it's cold out, it seems to hover over the area.

Gloria Boykin stated that she has been here a year, she has breast cancer and has been through treatments. She spoke of how the medical marijuana has helped her and she has not had nausea through treatments. She was given prescriptions from the doctor for side effects and instead she used the medical marijuana, it has helped her tremendously.

Chairman Robert White stated that the Board was not operating from a standpoint to get rid of the business. Co-Chairman Phil Cyr explained that the Board does what they can to help neighbors get along with neighbors. They have ordinances to try and keep peace in neighborhoods, that is their function. The Planning Board is pro-business. They have had complaints on odors, so they have had to look into it. Eliminating the odors is a big step to bring harmony to the neighborhood.

- IX. Planning Board Training** – CEO Ken Murchison told the Board that Jay Kamm from NMDC will be doing a training with them on Planning Board officials.
- X. 2019 Planning Board Goals** – Finish Chapter 13, Zoning of City Code to send to City Council. CEO Ken Murchison suggested the Board hold a workshop to finish up with revisions. Some other goals set by the Board is to do a review of the Comprehensive Plan, review Home Occupations and to look at potential riverfront development.
- VIII. Continue work on Chapter 13, Zoning of Caribou Code.** – Board set a workshop time of Thursday, January 24, 2019 @ 5:30 pm in Council Chambers to finish up revisions to Chapter 13, Zoning of City Code.
- IX. Other Business** – None.
- X. Adjournment** – Meeting adjourned at 6:27 pm.

Respectfully Submitted,



Philip/McDonough III  
Planning Board Secretary

PM/dl