



City of Caribou, Maine

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Caribou Planning Board Meeting Minutes Thursday, February 14, 2019 @ 5:30 pm City Council Chambers

Members Present: Robert White, Philip McDonough III, Todd Pelletier and Christine Solman

Members Absent: Phil Cyr, Evan Graves and Daniel Bagley

Others Present: Ken Murchison –CEO & Zoning Administrator, 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 January 10, 2019 Planning Board Meeting** – Todd Pelletier moved to accept the minutes as presented; seconded by Philip McDonough III. Motion carried with all in favor.
- III. Public Hearings** –
 - a. Use Permit application from Derrell Richardson, d/b/a Richardson Remedies for a Retail Glassware Shop at 9 Bog Road, Tax Map 15, Lot 51-B.** – CEO Ken Murchison explained to the Board this permit application has been looked at by the Board before and it was tabled due to it being incomplete. There is now a diagram which was included in the packet. It is in an appropriate zone. Todd Pelletier questioned if the Fire Marshal or Fire Chief needs to do a walk through. CEO Ken Murchison stated that it does not because it's an existing building and building permits were done for the site.

Matthew Hunter was present to speak on behalf of Derrell Richardson as his attorney. Mr. Hunter stated that there is no guidance in the ordinance. It is clearly a retail shop, similar to Cigaret Shopper, not a marijuana store. It's a pipe store and clothing. Mr. Hunter stated there is no reason it couldn't be granted.

Christine Solman questioned parking and traffic and what Mr. Richardson expects. Mr. Richardson stated that there isn't much traffic now. Ms. Solman questioned if he will see an increase in what they have now and Mr. Richardson replied there is room if needed. CEO Ken Murchison stated that for parking all planning documents are based on square footage of the retail shop.

Chairman Robert White opened the Public Hearing at 5:38 pm. With no public comment, the Public Hearing was closed at 5:38 pm.

Todd Pelletier stated that because of it being a store front, he would like to know if the Fire Marshal needs to inspect it. Derrell Richardson said that the State came to inspect it but no Fire

Marshal. Mr. Richardson already has a tobacco and retail license. His goal is to separate everything, the marijuana from the retail.

Todd Pelletier moved to accept the use permit application for Derrell Richardson, d/b/a Richardson Remedies for a Retail Glassware Shop at 9 Bog Road contingent upon life safety codes being met; seconded by Philip McDonough III. Motion carried with all in favor.

- b. Home Occupation application from Sonia Godin, d/b/a Serenity Beauty Spa for a Salon at 11 Summer Street, Tax Map 32, Lot 157.** – CEO Ken Murchison stated that Sonia Godin called and said she couldn't make the meeting tonight. Public Hearing was opened at 5:45 pm. Philip McDonough III stated the application was not complete. CEO Ken Murchison stated there is an entrance to one side and ample parking. The realtor is April Caron. Christine Solman questioned if it needs to meet life safety standards. Public Hearing was closed at 5:47 pm.

Philip McDonough III moved to table this application until the next meeting when Sonia Godin can be present to answer questions the Board may have; seconded by Christine Solman. Motion carried with all in favor.

The Board requested that CEO Ken Murchison let Ms. Godin know what is needed for the next meeting.

IV. New Business –

- a. Continue review of a Site Design Review application for Dunkin Brands, Inc.** – CEO Ken Murchison explained that Dunkin Donuts requested a building permit but have not completed the site design review.

Philip McDonough III moved to table the application until they have a purchase and sale agreement, MDOT permit and meet everything under existing ordinances; seconded by Todd Pelletier. Motion carried with all in favor.

- b. Site Design Review for Caribou Senior Living, LLC.** – CEO Ken Murchison explained that he has spoken with the architect but we don't have any plans as of yet. They have requested a building permit, but site design review needs to be done before we give them a permit. They have been doing a lot of façade work and parking area changes.

V. New Communications –

- a. Consider Building Permit for Dunkin Brands, Inc.** – This item is tabled.
- b. Inquiry of ongoing animal cruelty and abuse at Belanger Road address.** – CEO Ken Murchison explained this has been an ongoing complaint since 2018. A notice of violation was sent out but the issue was never truly resolved. There are chickens running around and the neighbor is saying there are other animals, goats, turkeys etc. that are not being taken care of. The State Animal Welfare was contacted but the neighbor has been feeding the animals and Animal Welfare said the animals are ok. They did give the owner a list of things that need to be accomplished. They need to license the many dogs they own by April 14th, the goats hooves need to be sheared and by June 1st the old manure needs to be cleaned up.

VI. Staff Report –

- a. Updates from Code Enforcement Officer/Zoning Administrator** - CEO Ken Murchison stated that he has had a couple of complaints of people being in substandard housing. The building behind the Rec Center is at stand still because of snow. Birdseye is at a stand still, it's almost all taken down. A scrap metal business has been hired to come in. Working on CDBG grants and letters of intent. One of the letters of intent is for an age friendly service, looking to do a transportation type project modeled after projects downstate. Jordyn Rossignol has been nominated for MaineBiz Business Leader of the Year. They have provided an anchor to the downtown and put a lot of people to work.
- b. Flood Plain Ordinance (redline copy)** – CEO Ken Murchison stated that the Flood Plain Ordinance is going to the City Council for a public hearing. The redline copy is a comparison of what we have to the updated State copy. It's ready for Council.
- c. Update on Moratorium concerning owner operated personal services businesses related to a Medical Marijuana Caregiver status.** – CEO Ken Murchison gave an update on the moratorium. Collected sample ordinances all over the state, everyone is dealing with this. An emergency moratorium gives us 60 days, subject to be extended. If we opt out, no more start ups, those in place would be grandfathered. If we opt in would give us ways to regulate zoning, odor plan etc.

We have a new interest of a registered medical marijuana caregiver that is interested in building in town. It's in the correct zone, away from neighbors. Christine Solman questioned if there are opt in and opt out regulations. CEO Ken Murchison stated that there are, would be able to come up with sample ordinances if we opt in. There are lawsuits here to California and across Canada. The Board will want to look at both opt in and opt out, there is language on both sides.

- d. Chapter 13, Zoning of Caribou Coe (redline copy, parking spaces by land use, and Official Zoning Map).** – CEO Ken Murchison stated that the Board can hold their public hearing on Chapter 13, Zoning at their next meeting on March 14th.

VII. Planning Board Training – None.

VIII. 2019 Planning Board Goals – No discussion.

VIII. Other Business – None.

IX. Adjournment – Philip McDonough III moved to adjourn the meeting at 6:30 pm; seconded by Todd Pelletier. Motion carried with all in favor.

Respectfully Submitted,



Philip McDonough III
Planning Board Secretary

PM/dl