



## *City of Caribou, Maine*

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

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

**Members Absent:** Phil Cyr and Evan Graves

**Others Present:** Ken Murchison –CEO & Zoning Administrator, Denise Lausier –Executive Assistant to the City Manager, Rick Goduti -Goduti Thompson Architects, Gilles Levesque, Alanna Rideout, April Caron, Sonia Godin, Carl Soderberg, Jeff Irving, Shawn Pelletier, Stacey Trudel Nadeau and Sam Collins

- I. Call Meeting to Order** –The meeting was called to order at 5:30 pm.
- II. Approval of minutes from the February 14, 2019 Planning Board Meeting** – Philip McDonough III moved to accept the minutes as presented; seconded by Todd Pelletier. Motion carried with all in favor.
- III. Public Hearings** –
  - a. Chapter 13 City of Caribou Zoning Code Revisions** – Public Hearing was opened at 5:34 pm. Christine Solman spoke as a Caribou resident. She noticed the zoning proposal on the zoning map between the hospital and Griffeth Ford was changed to R-3 and wondered why it was changed. Ms. Solman felt that it would be better defined as commercial.

Todd Pelletier explained there were spots of zones on the map all over and they were attempting to clean it up. The outskirts were made into R-3.

Philip McDonough III stated that anything can be done in an R-3 and it would be easy to rezone if needed.

Ken Murchison stated that on the last official map that area was a C-2. The projects that were proposed in that area have been consistent with C-2.

Dan Bagley questioned if there are any impacts that would be negative to this change.

Christine Solman commented that the access to the rear of property lends itself to commercial development.

Philip McDonough III moved to not change that parcel from C-2 to R-3, but keep it C-2; seconded by Todd Pelletier. 3 – Yes (Robert White, Philip McDonough II, Todd Pelletier) 1 – No (Dan Bagley) 1 – Abstention (Christine Solman)

CEO Ken Murchison stated that this has been an ongoing effort for many years now with constant revisions. It's a living document. Robert White commented that the shoreland zoning piece is ready for revisions to comply with state regulations.

Public Hearing was closed at 5:42 pm.

Philip McDonough moved to present Chapter 13, Zoning with the Zoning Map to the City Council with the change to the parcel on the map between the hospital and Griffeth Ford from an R-3 to C-2 zone; seconded by Todd Pelletier. Motion carried with all in favor.

#### **IV. New Business –**

- a. 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 explained this application came before the Board but it wasn't complete. Ms. Godin has since completed the application.

Sonia Godin was present to speak. She is opening a salon in a duplex at 11 Summer Street. The salon will be in one half, she will live in the other half. The salon will have a separate entrance. She has different rooms for different services – hair, pedicures/manicures, facials & massages and a tanning bed. The front entrance is for the salon, ½ of the lower level is for the business, two bedrooms upstairs, residence entrance is on the back side. The salon has a private bathroom and a handicap ramp on the back side. Ms. Godin will be the only employee.

CEO Ken Murchison stated that included with the application is a purchase and sale agreement. Ms. Godin's father owns the building, she will be leasing it from him.

Dan Bagley requested the City receive a copy of the lease agreement.

Christine Solman questioned if there was designated parking. Ms. Godin replied there is plenty of parking, her own personal vehicle will be in the garage.

Dan Bagley also questioned if there will be signs. Ms. Godin answered that there will be just one 3x3 sign against the wall facing Summer Street. CEO Ken Murchison stated that he will make sure the sign meets specifications.

CEO Ken Murchison stated that abutters notices went out prior to the public hearing at the last meeting.

Todd Pelletier moved to approve the application with condition that the City receive a copy of the lease agreement and that the sign will be approved by the CEO; seconded by Christine Solman. Motion carried with all in favor.

- b. Use Permit for Derrell Richardson** – CEO Ken Murchison explained that the Board's stipulation at the last meeting was to have the Fire Marshal inspect the building, but the square footage of the building doesn't call for a Fire Marshal inspection. Mr. Murchison and the City's Building Official have been there to inspect and there are no issues. The Board signed the Use Permit.
- c. Consider Site Design Review for Caribou Senior Living, LLC** – Rick Goduti from Goduti Thompson Architects gave a presentation on the project.

CEO Ken Murchison questioned if they have handicap and van access spots, they do. Robert White stated there are no easement issues.

Dan Bagley questioned if there will be any capacity issues with the sewer line, Mr. Goduti stated that it is sufficient, they had a mechanical engineer check this.

Todd Pelletier questioned if the parking for the ball fields have been addressed with Superintendent of Parks & Rec, Gary Marquis. Shawn Pelletier stated there was sufficient parking, that many of the residents will not have vehicles. Dan Bagley questioned if they will have an agreement with the City for parking for ball games. Carl Soderberg stated there is an easement in place now from the street and up the whole side.

Robert White questioned if there is ample lighting for those who have exterior entrances. Mr. Goduti stated each will have their own lighting fixtures. Christine Solman questioned what they had for exterior lighting. Mr. Goduti stated there are pole lights and each unit has recessed lights underneath the individual porticos.

CEO Ken Murchison stated that staff has been through the building and is satisfied. They are ADA compliant. The architects did a great job at addressing concerns.

The Board reviewed the site design review checklist requirements and found the project to be in compliance. Dan Bagley moved to approve the application as presented; seconded by Philip McDonough III. Motion carried with all in favor.

- d. **Consider Building Permit for Caribou Senior Living, LLC** – CEO Ken Murchison explained that the building permit came to him before the site design application. The building permit is already approved, just needed the site design done to sign off on the building permit.
- e. **Continue review of a Site Design Review application for Dunkin Brands, Inc.** – CEO Ken Murchison received all of their updated information last minute today so he hasn't had time to review it. They have not received approval from MDOT as of yet but they have made some improvements, per MDOT. The Board tabled this item.
- f. **Consider Building Permit for Dunkin Brands, Inc.** – This item was tabled.

## V. **New Communications** –

- a. **Proposed Registered Medical Marijuana Caregiver Activity** – CEO Ken Murchison explained that this went before the City Council. The Council action was that they had no issue with him conducting the activity. The Code cannot regulate much of what he does.
- b. **Proposed Registered Medical Marijuana Caregiver Bakery** – CEO Ken Murchison explained that he hasn't heard on this for a while, so it's not ready yet. He will not have to acquire a permit.

## VI. **Staff Report** –

- a. **Updates from Code Enforcement Officer/Zoning Administrator** – CEO Ken Murchison stated that the Shoreland Zoning Ordinance needs updating. It will need approval from the State. The Board will need to revisit. A goal of the Board is to work on the Comprehensive Plan update. NMDC will help with the transportation and demographics sections. The Board can decide if they want to have a committee or tackle the project as a Board. The State requires a

public process. It is a year long process to update. Some things in the plan will stay as is, the things that don't change.

- b. Update on Moratorium concerning owner operated personal services businesses related to a Medical Marijuana Caregiver status.** – CEO Ken Murchison explained that the Council didn't act and didn't extend the moratorium. The default will be a prohibition against. Current dispensaries will be grandfathered in. The City won't be able to inspect and no permit fees. There are some in the community, but we don't know where. Medical marijuana caregivers register with the State, the State gets the fee, but nothing for the City. The City will need to write an ordinance. We will need to understand caregiver's rights and recognize Council action.

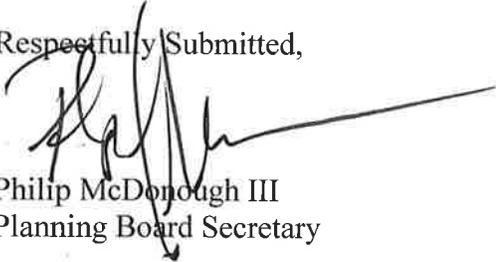
**VII. Planning Board Training** – None.

**VIII. 2019 Planning Board Goals** – CEO Ken Murchison will check to see what other cities are doing with home occupations. Philip McDonough III requested copies from other towns home occupations that have been provided.

**VIII. Other Business** – None.

**IX. Adjournment** – Meeting adjourned at 6:59 pm.

Respectfully Submitted,



Philip McDonough III  
Planning Board Secretary

PM/dl