



City of Caribou, Maine

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Caribou Planning Board Meeting Minutes Thursday, May 9, 2019 @ 5:30 pm City Council Chambers

Members Present: Robert White, Phil Cyr, Christine Solman and Todd Pelletier

Members Absent: Philip McDonough III, Evan Graves and Dan Bagley

Others Present: Ken Murchison –CEO & Zoning Administrator, Denise Lausier –Executive Assistant to the City Manager, Thomas Ayer –Council Liaison, Ted Walker, Philip Duplessie, Jodi Duplessie, Riley Duplessie and Gary Nadeau, Sr.

- I. Call Meeting to Order** –The meeting was called to order at 5:30 pm.
- II. Approval of minutes from the April 11, 2019 Planning Board Meeting** – Phil Cyr moved to accept the minutes as presented; seconded by Todd Pelletier. Motion carried with all in favor.
- III. Public Hearing**
 - a. Use Permit for Neal Griffeth requesting Land Use change from Commercial to Residential Use, pending sale of a portion of the property at 416 Van Buren Road.** – Public Hearing opened at 5:44 pm. CEO Ken Murchison explained that this is a proposal to turn a portion of the lot into a residential lot that Neal Griffeth can sell. Renovations are being made so it can be sold as a residence.

Ted Walker was present to speak on this request. Mr. Walker intends to purchase this property, live there and own a medical marijuana grow house, no store. It's five acres, solar paneled, middle driveway, back piece is land locked with a right of way and a big building. Each lot will be at least five acres.

CEO Ken Murchison stated that Dale Blackstone did a survey and had a sketch for the Board. The lot is the rear lot and it needs to be at least an acre to be residential. Mr. Walker commented that it shares the septic, there is a garage and there is a right of way to enter the property that doesn't include the garage. He wants to keep the garage for now, it's full of stuff and sell it later.

City Manager Dennis Marker commented that the City Code requires frontage.

CEO Ken Murchison commented that it is an issue dividing one lot into three, will need to consider it a subdivision. Manager Dennis Marker stated that it's not a subdivision if he keeps the center lot. Manager Marker also commented that the City cannot approve a non-conforming lot.

Public Hearing closed at 5:53 pm.

After discussion, the Board decided that they need a formal survey from Dale Blackstone, the issue is the split of the property into three lots which requires subdivision review.

Manager Marker commented needing something that defines more clearly the right of way, legal access to the property. There's a non-conforming fronting parcel. There is nothing to consider going from commercial to residential. Need to check with DEP if any issues with the septic. It's a permitted use by City code. With the zoning side there are no issues. With the building side it is a little different, it will need to comply with residential code.

Consider action on the Use Permit Application from Neal Griffeth. - CEO Ken Murchison stated that it's ok to move forward with residential use. Manager Marker commented to get a building permit, DEP approval on septic and right of way. CEO Murchison stated he will report to the Building Officials that it is good to go and ok to move forward with the building permit.

IV. Old Business

- a. **Continued from the April 11 Planning Board Meeting, continue consideration of the Use Permit from Philip Duplessie requesting a Land Use change from Residential to Commercial to start an automotive repair business at his 565 Van Buren Road Property.** – CEO Ken Murchison explained that at the last meeting, the Planning Board had conditions of approval for Mr. Duplessie. New pictures of the property were included in their packets and the Board reviewed them. Mr. Duplessie commented that he has two personal vehicles on the property he is working on that are unregistered. Mr. Murchison explained that he has installed an oil water separator when he could have had the drain sealed over. He will put up a fence on both property lines as well. It's a change of use, residential to commercial. It's in an R-3 which is an appropriate use for this zone.

Mr. Duplessie's neighbor Gary Nadeau, Sr. commented that he has more than two vehicles on the property. He has concerns with the vehicles and potential contamination of wells.

Phil Cyr commented that things have been cleaned up. Chairman Robert White also commented that the CEO stated things have been cleaned up and are in conformance.

CEO Ken Murchison stated that the conditions of the building permit have not been met yet because of siding and the fence being set up. Chairman Robert White stated to put a 90 day deadline for fencing and siding.

- b. **Field trip to 565 Van Buren Property to observe actual conditions at the site in question.** – The Board did not feel the need to take a field trip to the property. CEO Ken Murchison supplied them with current photos of the property and stated that things have been cleaned up. Mr. Murchison will continue to monitor his progress.

Consider action on the Use Permit Application from Philip Duplessie. - Phil Cyr moved to support the CEO in proceeding with his duties in issuing this use permit with conditions; install a fence between properties, complete clean-up of property and complete existing building permit by applying siding to the garage building; seconded by Todd Pelletier. Motion carried with all in favor.

V. **New Business** – None.

VI. **New Communications** – None.

VII. Staff Report from CEO Ken Murchison -

- a. **Notices of Violation (Unsafe Building and Garbage issues)** – Have had twenty one violations on garbage and unsafe buildings, collapsed buildings. Have one property on Veronica Street that has a collapsed foundation and fuel tank on the side, the owner is Rosenberg a Texas Mortgage Company.
- b. **Blight Removal** – Having an asbestos inspection done on tax acquired properties by licensed inspectors. Will go to Council at their next meeting. Will be inspections costs and abatement costs, will be costly to tear down.
- c. **Mayors Committee on Urban Renewal** – The Mayor has formed a special committee for urban renewal. It will be an official committee that will take a look at these buildings.
- d. **Birdseye Demolition** – Birdseye is coming to completion. The digester building is still standing and it's full of effluent. The City has contracted with a metal company, will get paid \$65.00 a ton.
- e. **60 Access Highway** – May have to look at having the Fire Marshal inspect. ADA restrooms, it's an 8-10 week process. The Food Pantry wanted to move in quicker than that, so they ended up finding a place on Herschel Street, they are renovating an 800 square foot space and settled on lease payments.
- f. **Small Communities Grants (Septic Applications)** – Small communities grant for malfunctioning septic systems all over the state. We are a little behind the eight ball, have had five good applications out of six. Those that have potential impact to water bodies. Couple of applications came in late, they are good applications for emergency funds.
- g. **Public Services CDBG Letter of Intent** – CDBG grant for the Age Friendly group at Cary Medical Center. A letter of intent went out on a transportation grant bringing together all the transportation agencies and coordinating them.
- h. **Comprehensive Plan Update Progress** – Will make sure the City Council all receive copies of the Comprehensive Plan. Will put together a workshop with the Planning Board and City Council to review. Will get the public involved as well. We are a little behind in the process, but Mr. Murchison has put together a checklist to go by.

VIII. City Manager's Review of Chapter 13-200 – City Manager Dennis Marker has been working on the review of Chapter 13, Zoning of City Code. He has recommendations on Section 13-200 for the Board to review.

IX. Other Business – None.

X. Adjournment – The Board adjourned at 6:45 pm.

Respectfully Submitted,



Philip McDonough III
Planning Board Secretary

PM/dl