



## *City of Caribou, Maine*

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### **Caribou Planning Board Meeting Minutes Thursday, June 8, 2017 @ 5:30 pm City Council Chambers**

**Members Present:** Phil Cyr, Michele Smith, Robert White, Todd Pelletier and Matt Hunter

**Members Absent:** Evan Graves and Philip McDonough III

**Others Present:** Steve Wentworth –Planning Board Advisor, Penny Thompson –Tax Assessor/CEO, Philip McDonough II –Council Planning Board Liaison, Tim Roix –Engineer BR Smith Associates, Karen Henderson –BR Smith Associates, Daniel Rosenberg, Tammy Belanger, Chelsea Lipham –PDT Architects, Mark Bouchard –RSU 39, Karla Bell, John Morrill –Custom Car Wash, Karen St.Peter, Joseph Ginish, John DeVeau –United Veterans of Maine, Bruce Hagelstein, Elvin Thomas and Denise Lausier –Executive Assistant to City Manager.

#### **I. Call to Order.**

Phil Cyr called the meeting to order at 5:30 pm.

#### **II. Approval of May 11, 2017 Planning Board Minutes**

Motion by Todd Pelletier to approve; seconded by Matthew Hunter. Motion carried with all in favor.

#### **III. Public Hearings**

- 1) **Final review of a Site Design Application for the parking lot at the proposed RSU 39 Central Office Building, 69 Glenn Street.** Chairman Phil Cyr opened the Public Hearing at 5:32 pm. With no public comment, the Public Hearing closed at 5:32 pm. Robert White reminded the Board this is for the parking lot only. Advisor Steve Wentworth stated this is professional office space and is a positive addition to the community. The Board reviewed the site design review criteria. With everything in order, Matthew Hunter moved to approve the application; seconded by Michele Smith. Motion carried with all in favor.
- 2) **Final review of a Site Design Application from Caribou Management Company, LLC for parking lot development at Skyway Plaza.** Chairman Phil Cyr opened the Public Hearing at 5:39 pm. John Morrill from Custom Car Wash abutting land owner, spoke in favor of development, but had a concern with the storm water drainage. Mr. Morrill stated that there needs to be a smooth transition so there is no runoff onto his property. Robert White commented that this needs to be addressed during development, not after. Chairman Phil Cyr stated he needed to abstain because John Morrill is one of his employees and a former brother in law. Tim Roix, Engineer on this project from BRSA addressed Mr. Morrill's concern. He stated that the design they have in place addresses this concern and he is comfortable with the current design. Karla Bell lives in behind Skyway Plaza

and was questioning if there are any plans for the land. Mr. Roix answered that there will be three new lots along Van Buren Road under the Subdivision, Lot #4. With no further comment, Public Hearing was closed at 5:45 pm. The Board reviewed the Site Design Review Criteria. At site access, Advisor Steve Wentworth stated that he reviewed the plan and there is street frontage that stops at the start of the property at Skyway Drive. When that accessibility route extends into the Skyway Plaza Subdivision, it needs to be deeded as a right of way across the side of the new lots being developed. Mr. Wentworth recommends to the Board that they approve the plan with a contingency that the engineers create a deeded right of way. A fifty foot right of way is required per City Code. Board discussion on right of ways. The Board completed the review of the site design review criteria. With everything in order, Matthew Hunter moved to approve the application; seconded by Michele Smith. Motion carried with all in favor.

- 3) **Final review of a Subdivision Review Application from Caribou Management Company, LLC for the re-division of a subdivision at Skyway Plaza.** Chairman Phil Cyr opened the Public Hearing at 5:54 pm. Tim Roix, Engineer from BRSA stated that the lot and layout has stayed the same, only additional housekeeping notes have been added. John Morrill, Custom Car Wash questioned how the utilities will be fed to this property, mainly water and sewer and was asking how it may impact him. Mr. Roix stated that the water is available at Skyway Drive at the end of Jim's property. Two different options have been discussed on sewer; putting in a gravity sewer line at Bennett Drive right down Skyway Drive or putting in a pump station in behind the DHHS building and connecting to the existing sewer line. They have discussed both with the Utilities District and the pump station makes more sense. Mr. Morrill questioned how they would tap in on Skyway Drive. Mr. Roix stated that in their research they found that Caribou Management actually owns Skyway Drive, although the City paves and maintains it. There is a declaration of easement that allows people to travel across it. Discussion on easements.

Daniel Rosenberg, Caribou Management Company, LLC stated that he and his father acquired the property from his grandfather. They have no bad intentions, if anything their plans are for improvement.

The easement was granted for businesses in Skyway Plaza before Van Buren Road even came into play. Advisor Steve Wentworth stated he reviewed the deed and there are references to several different easements. Title work would determine the easements. With no other comments, Public Hearing was closed at 6:08 pm. The Board reviewed the Final Plan Review Criteria. At lots & density, Advisor Steve Wentworth read general requirements for development. Mr. Wentworth commented that in creating three new lots 4, 5, and 6, there needs to be deeded right of way fifty feet wide creating access to the lots. This will guarantee access to the lots for those who buy them. Mr. Wentworth said there needs to be a contingency on approval. Robert White moved to approve the subdivision with the condition that the deeded right of way access be changed to fifty feet; seconded by Matthew Hunter. Motion carried with all in favor.

- 4) **Review of a request to re-zone a portion of Skyway Plaza property along Solman Street from Residential to Commercial.** Chairman Phil Cyr opened the Public Hearing at 6:20 pm. John Morrill questioned what level of commercial this will be and what type of development could go in there. Advisor Steve Wentworth stated Commercial 2, which is intended for easier accessibility verses the Commercial 1 zone. Mr. Morrill stated the area is mostly residential and is the neighborhood he resides in. He is wondering what could happen there. Chairman Phil Cyr clarified that it was all zoned commercial at one time and was asked to go residential because of the homes there. No development has happened, so they are looking to go back to commercial. Engineer Tim Roix stated there are no plans for it, just makes sense to go back to commercial. Chairman Phil Cyr commented

that perhaps the property if commercial would have more value if they ever want to sell. Karla Bell lives on the corner of Corriveau Street and Solman Street. Ms. Bell has no opposition towards the proposal. She questioned if some residential could be developed in the Commercial 2 zone. Advisor Steve Wentworth stated that Commercial 2 has a certain amount of a limited capacity for residential development. Ms. Bell asked if there would be a buffer between them and any development on that street. Mr. Wentworth stated there are setback requirements and trees, plantings, fences, etc. could be used to create a divider. Ms. Bell commented that it is a very quiet neighborhood, all residential with a couple of hair salons and daycares. Ms. Bell would like to keep it quiet and keep the ambiance of the area; there is low traffic and some walking by elderly. Public Hearing closed at 6:57 pm. Matthew Hunter moved to recommend to the City Council that this property be re-zoned from Residential to Commercial 2; seconded by Michele Smith. Motion carried with all in favor.

#### IV. New Business

- 1) **Preliminary Review of a Site Design Application from Neal Griffeth for an additional retail business at 16 Access Highway, Tax Map 11, Lot 3.** Chairman Phil Cyr opened the Public Hearing at 6:30 pm. Engineer Tim Riox from BR Smith Associates gave an overview. This is a 70 x 100' building with a portion retail and a portion warehousing. There will be handicap spaces, sidewalks and an overhead door for parts to be delivered with access through Van Buren Road on a private drive to the building. Advisor Steve Wentworth stated that this has already been approved by the State Fire Marshall and the permit is in the file. Public Hearing closed at 6:32 pm. The Board reviewed the preliminary review criteria. With everything in order, Todd Pelletier moved to send this application to final review and public hearing at the next scheduled Planning Board meeting; seconded by Robert White. Motion carried with all in favor.
  
- 2) **Preliminary Review of a Site Design Application from United Veterans of Maine for a Supportive Living Site for Military Veterans with Agricultural Training at 358 Washburn Street, Tax Map 7, Lot 45J.** The Public Hearing opened at 6:43 pm. John Deveau, Executive Director for United Veterans of Maine gave an overview. They will be signing the documents for the property in June. The Board was given copies of the lot plan and proposed lots for the next four duplexes. Also, they were given plans for wastewater disposal and designs for the duplexes in the packet. Advisor Steve Wentworth stated the four cabins are 24x24 with a dividing wall for two living quarters and each has a private bathroom. There are two leach fields with 1,000 gallon septic tanks attached to them with two cabins per leach field. Cabins are 150' back from the roadway. Chairman Phil Cyr questioned if they have plans for expansion. Mr. Deveau stated hopefully not more than eight duplexes, there is room for a third and fourth septic system for up to twelve duplexes. The parcel is 12 ½ acres. The leach fields are lower elevations than the wells. There is a natural drain that will help with water run off and septic. Mr. Wentworth stated the cabins are in compliance with MUBEC codes. The cabins will have heat pumps or electric heat, depending on the cost. Mr. Wentworth said this has been promoted, they held a telethon on March 9<sup>th</sup> and raised in excess of \$45,000. Cary Medical Center has been very supportive of the whole project and has been involved with the work done. Mr. Deveau stated that multiple organizations have donated supplies for the project and individuals as well as Job Corps that have donated labor. They have had lots of support and they are looking for Caribou's support.

Public Hearing closed at 6:53 pm. The Board reviewed the site design review criteria. With everything in order, Robert White moved to final review with a public hearing at the next meeting in July; seconded by Todd Pelletier. Motion carried with all in favor.

## VI . Public Input

- 1) **Request from Tammy Belanger to have a Dog Grooming Business at 32 Roberts Street.** This item was moved by Chairman Phil Cyr before Other Business. Tammy Belanger was present and gave an overview of what she is looking to do. Owning this dog grooming business has been a twenty year dream of hers. This business has been in place for seventeen years in Presque Isle and it is up for sale. The current clientele is 50% outside of Presque Isle and 25% Caribou. Ms. Belanger was born and raised in Caribou and she has a heart to bring this business to Caribou. The property at 32 Roberts Street was willed to her and would be perfect for her business, however it's in the R-1 zone which doesn't allow pet grooming. There are no issues with the current neighbor. Ms. Belanger would have six to seven cars per day, no retail and no boarding, Ms. Belanger would be working there 8-10 hours per day. There is an apartment upstairs that she does not intend to utilize as an apartment. Ms. Belanger attempted being a landlord before and it didn't go well. Extensive renovations have been done in the building. Ms. Belanger is closing on the business October 1<sup>st</sup> and was looking for Board approval. The Board discussed uses in the R-1 zone and the abutting zones. Chairman Phil Cyr stated that this property would be part of the zone changes the Board will be presenting to City Council as part of their Chapter 13, Zoning re-write. Robert White recommended to put this item on a workshop agenda to discuss.

## V. Other Business

- 1) **Revisit the Site Design Application from Kip Griffin to be an Auto Recycler at 960 Access Highway, from the May Planning Board Meeting.** Chairman Phil Cyr stated that he had spoken with Advisor Steve Wentworth and was informed that when this application was approved at the last meeting by the Planning Board, it was not done properly. A permit may not be granted for an auto recycler within 30 feet of a well that supplies private or public water supply. The neighboring property does have a well within 30 feet.

CEO Penny Thompson was present to speak on this item. Ms. Thompson has concerns with the City Ordinance regarding auto recycling. This portion of code has not been updated since 1980. Substantial changes were done in the state statute in 1993 and 2003. City code needs to be updated to state statute. There is a lot of information that was not looked at when the application was approved. Ms. Thompson asked the Board what they can do now to the time that the ordinance is updated so things can be done properly.

CEO Penny Thompson has given the state statutes four different times to Mr. Griffin, but he has not been willing to take the initiative to follow the application requirements.

Advisor Steve Wentworth explained there are many issues with location of the well, the fencing, screening, location of cars from property lines and a whole list of requirements have not been met. He does not meet the review criteria mandated by the state. CEO Penny Thompson cannot sign off on the permit knowing it does not meet state criteria.

CEO Penny Thompson obtained a legal opinion from Maine Municipal Association. Ms. Thompson did not receive the paperwork requested from Mr. Griffin to complete the application. Also, if approved it would need to go to the Municipal Officers for a public hearing and approval before granted a permit. MMA legal said to have the Planning Board revisit it.

Motion made by Todd Pelletier to rescind the motion made to approve the application on May 11, 2017. Motion died for lack of second.

Todd Pelletier moved to revisit the Kip Griffin application when all of the requirements needed by the CEO are met. Motion died for lack of second.

Matthew Hunter moved to withdraw the approval. Motion died for lack of second.

Chairman Phil Cyr stated that perhaps they should leave it alone. This is something that would need to go to City Council to approve and they would need all the required documentation from Mr. Griffin to do that.

Advisor Steve Wentworth commented that if an applicant is not happy with an administrative decision, they have the choice to appeal to the Zoning Board of Appeals or Superior Court.

- 2) **Schedule a workshop to continue re-write of Chapter 13, Zoning of City Code.** – The Board scheduled a workshop for June 29<sup>th</sup> at 5:30 pm.

**VII. New Communications**

None

**VIII. Adjournment**

Meeting adjourned at 8:03 pm.

Respectfully Submitted,



Robert White  
Planning Board Secretary

RW/dl