



## *City of Caribou, Maine*

*Municipal Building  
25 High Street  
Caribou, ME 04736  
Telephone (207) 493-3324  
Fax (207) 498-3954  
[www.cariboumaine.org](http://www.cariboumaine.org)*

### **Caribou Planning Board Meeting Minutes Thursday, October 22, 2020 @ 5:30 pm City Council Chambers**

**Members Present:** Robert White, Frank McElwain, Amanda Jandreau, Drew Ayer, Dave Corriveau, Dan Bagley and Christine Solman

**Others Present:** Ken Murchison –CEO/Zoning Administrator, Dennis Marker –City Manager, James Bacon and 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 August 13, 2020 Planning Board Meeting.** – Frank McElwain moved to approve the minutes; seconded by Drew Ayer.

Roll call vote.

Amanda – yes; Drew – yes; Dave – yes; Robert – yes; Dan – yes; Frank – yes; Christine – yes  
Motion carried with all in favor.

**III. Aroostook Renewables, LLC, Ratify Amendments to Approved Site Design Application.** – Chairman White stated it was being proposed to change the construction dates for the solar development that the Board approved at the last meeting. The change of dates is basically to satisfy long term requirements to get people to invest in a project this size. Chairman White asked the Board to ratify the change of dates for this development.

Dave Corriveau moved to ratify the change of dates; seconded by Frank McElwain.

Roll call vote.

Christine – yes; Frank – yes; Dan – yes; Robert – yes; Dave – yes; Drew – yes; Amanda – yes  
Motion carried with all in favor.

**IV. New Communications –**

**a. Request for Rezoning of 31 Herschel Street Map 31, Lot 17 from C-1 to R-2.** – CEO Ken Murchison explained that he received a request for a rezone at 31 Herschel Street from Mr. Kelly. CEO Murchison looked at the area and talked with a landowner in the same neighborhood who also wants to rezone. It is not the City's desire to spot zone, but to look at the area.

Discussion on desire for apartments in the area, the businesses in the area relating to the R-2 zone and that a Mixed-Use zone would best fit the need. Board consensus for the area is Mixed-Use zone. Chairman White stated that it will take some time but they could incorporate this area into Mixed-Use zone in the re-write of the Zoning Code.

CEO Murchison stated that as they move forward with Land Use and the Comp Plan, the Mixed-Use zone will be discussed. There are other areas on Main Street, Sweden Street and High Street that have the same issues.

CEO Murchison also stated that Mr. Kelly has been asked to not put in any more apartments on the first floor in that building.

Motion made by Dave Corriveau to table this item; seconded by Christine Solman.

Roll call vote.

Amanda – yes; Drew – yes; Dave – yes; Robert – yes; Dan – yes; Frank – yes; Christine – yes  
Motion carried with all in favor.

- b. Requested Code Amendment pertaining to temporary subsurface wastewater disposal systems.** – CEO Ken Murchison explained there has been an issue at 44 Washburn Street with property owned by James Bacon. Mr. Bacon’s lawyer came up with sample language for City ordinance. CEO Murchison explained that an old pipe collapsed between the foundation and the edge of the road. The sewer main is fourteen feet deep and would need to go around the storm drain and communications cable, which is cost prohibitive to do, so they are seeking other efforts.

Mr. Bacon explained that he looked at a private sub surface system, but it was denied by the Licensed Plumbing Inspector and State code. The appeals process was denied, no response from Caribou Utilities District. CEO Murchison stated this is a temporary solution while they come up with a more permanent solution.

Amanda Jandreau questioned where the public utility ends. CEO Murchison explained it is seventy feet from the building and that from the foundation to the main line is at the expense of the owner. Washburn Street would need to be shut down in order to do the work.

Mr. Bacon explained that this has been going on since April. He purchased a house, refurbished it and the sewer backed up in March. He had it steamed twice and it got worse. The pipe is deteriorated, the main line is on the other side of the street. The street would need to be shut down in order to do the work. Some contractors won’t touch it. Mr. Bacon had one contractor quote him a price of \$30,000-\$50,000. A system was designed and he had a contractor to do it, but he couldn’t get a permit.

Dave Corriveau stated that Tim Todd has a horizontal unit, could punch a 2” line with a pump station. Amanda Jandreau said with a temporary holding tank that pumps out.

Dan Bagley questioned State statute. City Manager Dennis Marker stated that a temporary holding tank or septic is allowed under State statute. LPI can grant a one-year temporary situation. If going to attach to the main line, it is not contradicting or going against State code. The City is more restrictive than State code.

Frank McElwain asked if the main line was failing, Mr. Bacon answered that it was not.

CEO Murchison stated that he would like the proposed language to be closer to State code. Discussion on preparing the wording for the next meeting and to hold a public hearing. Manager Marker and CEO Murchison will work on proposed language.

Motion made by Dave Corriveau to schedule a public hearing for the next Planning Board meeting; seconded by Amanda Jandreau.

Roll call vote.

Christine – yes; Frank – yes; Dan – yes; Robert – yes; Dave – yes; Drew – yes; Amanda – yes  
Motion carried with all in favor.

- c. **Draft Medical Marijuana Ordinance revisions.** – CEO Murchison explained there is a request for a retail store in town and the City Code does not address this. Currently the Code addresses a non-profit dispensary, need to add retail.

Discussion on differences between dispensaries and retail stores, as well as dispensaries non-profit, caregivers non-profit, caregiver retail and recreational retail.

Dan Bagley moved to hold a Public Hearing at the next Planning Board meeting to discuss and approve language for medical marijuana; seconded by Drew Ayer.

Roll call vote.

Amanda – yes; Drew – yes; Dave – yes; Robert – yes; Dan – yes; Frank – yes; Christine – yes  
Motion carried with all in favor.

Manager Marker clarified specific to related facilities.

#### V. **Staff Report; CEO Ken Murchison –**

- a. **Blight Initiative and Demolition (110 Washburn Street)** – Blight Toolkit has been published. 110 Washburn Street has been town down by Public Works.
- b. **Daughters International Self Storage** – Met with Mr. Belair from DEP and looked at the site. Drainage is adequate.
- c. **412 Access Highway (New Court Date)** – New court date of November 5<sup>th</sup>.
- d. **Riverfront Development Committee** – Met for the second time and worked on scoping for a five-mile section. Meeting again on November 18<sup>th</sup>.
- e. **Small Communities Grant (Septic Systems)** – Two installed this year.
- f. **US Cellular Building Permit** –
- g. **Day Care Permit Pending State Licensure** – Held up by Covid.
- h. **Caribou Stream and River Side Trailer Parks Septic Issues** – Septic issues at these Trailer Parks and in Delwood Trailer Park as well. CEO Murchison is working with the Licensed Plumbing Inspector on this, it's a health and safety issue.
- i. **Use Permits** – Couple of possible use permits for the downtown area. Physical Therapy studio where Second Hand Rose was and Tae Quon Doe where Stitches used to be.

#### VI. **Chapter 13 –**

- a. **Land Use Table and General Zone Standards** – City Manager Dennis Marker presented some more proposed updates to the Zoning Code. Setback areas for landscaping development. Proposed reduction in required landscape buffer of twenty feet in the C-1 zone; smaller, narrower lots.

Consolidated setback requirements into one section and added footnotes. Added setbacks for porches and garage doors.

**VII. Comprehensive Plan Update –**

- a. Future Land Use (Information Only) –** CEO Murchison stated that an analysis is being done for the proposed Land Use section using the work that was done for the Blight Survey. Primary and secondary land use. Lot by lot and point by point analysis.

**VIII. Executive Session to discuss pending or reasonably eminent legal action under M.R.S.A. Title 1, §405.6. –** Dave Corriveau moved to go into Executive Session; seconded by Frank McElwain. Motion carried with all in favor.

The Board came out of Executive Session. Chairman White stated that a legal matter came before the Board with legal advice. No motion was made.

**IX. Adjournment –** Dave Corriveau moved to adjourn; seconded by Amanda Jandreau. Motion carried with all in favor.

Respectfully Submitted,



Christine Solman  
Planning Board Secretary

CS/dl