



City of Caribou, Maine

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Caribou Planning Board Meeting Minutes Thursday, May 13, 2021 @ 5:30 pm City Council Chambers

Members Present: Dan Bagley, Christine Solman, Amanda Jandreau, Frank McElwain, Eric Hitchcock and David Corriveau

Members Absent: Drew Ayer

Others Present: Ken Murchison –CEO/Zoning Administrator, Lucas Roy, Linda Hartford, Jean Shaw, Devon Curtis, Troy Haney, Fred Dobbs, Gary Gagnon, Dennis Marker –City Manager, Denise Lausier – Executive Assistant to the City Manager

Tom Ayer –Councilor Liaison (absent – attended a Council meeting)

I. Call Meeting to Order, Determine Quorum. Chairman Dan Bagley called the meeting to order at 5:30 pm, a quorum was present.

II. Public Hearings

a. Public Hearing #1: to consider a Use Permit Application from Fred and Lisa Dobbs on behalf of Lucas Roy DBA Luke’s Small Engine Shop, a power equipment sales and service business at 369 Van Buren Road, Tax Map 14 Lot 34-N in the R-3 District.

Chairman Dan Bagley introduced this item. The applicant Lucas Roy was present. The Public Hearing was opened at 5:34 pm.

CEO Ken Murchison stated that there were no comments from the public on this application.

Applicant Lucas Roy explained that he opened his shop in 2018. It is a two car garage, been working for the past three years now. He lettered his truck last year. His business is an outlet for Mike’s in Presque Isle. Mr. Roy built his business by word of mouth.

CEO Ken Murchison explained that what prompted a Public Hearing on this application is the fact that at that building it used to be a commercial business, Soucy’s Saw Shop and has been empty for over a year.

Mr. Roy explained that he will be a dealer of equipment on display. He will be repairing vehicles and the back side of the shop will be storage for them. No hazardous materials. No leaking oils, waste oil goes to Public Works fifteen gallons at a time. Mr. Roy was reminded that if he decides to put up signs he will need to get a permit.

Public Hearing was closed at 5:39 pm.

Dave Corriveau commented that Soucy had a business there for a number of years in that area, makes sense to continue with it. Mr. Roy has taken on Soucy’s customers.

Dave Corriveau moved to approve the application; seconded by Frank McElwain.

Roll call vote.

Eric Hitchcock – yes; Dave Corriveau – yes; Christine Solman – yes; Amanda Jandreau – yes; Frank McElwain – yes.

Motion carried with all in favor.

b. Public Hearing #2: A rezoning request at 14 Evergreen Parkway, Tax Map 39 Lot 279 from 1-2 (Industrial District) to C-2 (General Commercial District).

Chairman Dan Bagley introduced this item as a rezoning request. Applicant Gary Gagnon was present. The Public Hearing was opened at 5:40 pm.

CEO Ken Murchison stated that there were no public comments on this application. CEO Murchison explained that Mr. Gagnon would like to redevelop a business on Evergreen Parkway and it is the only address on this street. To address parking, Mr. Gagnon is purchasing the Department of Transportation lot and petitioned the City to vacate Evergreen Parkway to acquire that as well. There is a 100 feet of road frontage. Development can go on as proposed.

Gary Gagnon stated that it is developed and appropriate to grow a business there.

Chairman Dan Bagley commented that it is an I-2 in the middle of C-2.

Public Hearing was closed at 5:43 pm.

Amanda Jandreau moved to recommend to the City Council to change the lot from an I-2 to C-2; seconded by Eric Hitchcock.

Roll call vote.

Eric Hitchcock – yes; Dave Corriveau – yes; Christine Solman – yes; Amanda Jandreau – yes; Frank McElwain – yes.

Motion carried with all in favor.

c. Public Hearing #3: For proposed amendments to Caribou Code Sections 13-204 Land Use Table and 13-700 §6 Campground and/ or Recreational Vehicle Park.

Chairman Dan Bagley gave an overview on the campground and recreational vehicle park amendments. The Public Hearing was opened at 5:45 pm.

CEO Ken Murchison stated that Troy Haney approached the City with an idea of an RV Park. Looked over different options. City Manager Dennis Marker recommended to amend to R-2 that allows that use with Planning Board approval. CEO Ken Murchison passed out maps of the area to the Board and also commented that there were no public comments on the amendments.

Troy Haney was present. Mr. Haney is advocating for riverfront development. It is a crown jewel of Caribou that needs to be developed. Steel cars, frames etc have been cleaned up, some things are still remaining. Looking to clean up area, has ability to flood annually so no permanent structures mid May to September. Electrical would be elevated so no water would touch them. This would put to use the four acre lot that has no other use. The design of the campground is for seasonal campers and snowbirds coming back from Florida to live in campers next to the river.

Christine Solman stated that most of zoning of R-2 is small lots.

CEO Ken Murchison stated that a hidden benefit of developing around the river front is cleaning up an area that needs to be cleaned up.

Public Hearing was closed at 5:52 pm.

Chairman Dan Bagley stated that there is a State set of rules for campgrounds and need to make sure the amendments are consistent with the State. CEO Ken Murchison commented that they will look at that during the Site Design Review and that the State agrees this is a good application.

Eric Hitchcock stated that where the property was cleaned up previously there should be no problems with shoreland zoning at this point. Mr. Hitchcock questioned how far back it will be from the river. Troy Haney answered that beyond it is roughly 20-25 feet. DEP has already been there. No special permits are needed for this project, just City permits only.

Chairman Dan Bagley questioned the right of way; Mr. Haney stated he owns it now and the State says if no deed to sign annual lease to go across the tracks.

CEO Ken Murchison stated that water and sewer will be available from CUD as well.

Christine Solman moved to approve the amendments to Caribou Code Sections 13-204 Land Use Table and 13-700 §6 Campground and/ or Recreational Vehicle Park; seconded by Dave Corriveau. Chairman Bagley added; changes as written as well as the land use table, to forward to Council.

Roll call vote.

Eric Hitchcock – yes; Dave Corriveau – yes; Christine Solman – yes; Amanda Jandreau – yes; Frank McElwain – yes.

Motion carried with all in favor.

d. Public Hearing #4: to consider a Home Occupation Application from Devon Curtis, DBA Mainly Delicious Delights LLC. Bakery at 15 Pilgrim Road, Tax Map 35 Lot 22 in the R-1 District.

Chairman Dan Bagley gave an overview of this application, the residence is in the R-1 district. Applicant Devon Curtis was present. The Public Hearing was opened at 6:00 pm.

CEO Ken Murchison said that he only received one phone call from RSU 39; the abutters list included the school's bus garage. They had no opinion one way or another.

Applicant Devon Curtis stated that he moved up here a year ago and wants to bake for the community. He plans to start small and move to bigger if it goes well.

Chairman Dan Bagley stated this is a simple application. Chairman Bagley questioned traffic. Mr. Curtis answered that it will be pick up only at certain times only. Chairman Bagley asked how much for volume. Mr. Curtis was not sure as of yet. Mr. Curtis will not have a sign, just word of mouth and a website. Chairman Bagley also questioned if he has a State license for food service. Mr. Curtis answered that he does.

CEO Ken Murchison said that the State wants the City's blessing and visa versa.

Linda Hartford commented that her and her husband live on Pilgrim Road and they are not against it, but there is no parking for people to come. They also question how much traffic there will be in a quiet residential area.

Jean Shaw commented that she lives kitty corner to this house and feels the same way as Ms. Hartford regarding the traffic, it is a quiet neighborhood. Ms. Shaw had no concerns on parking and commented that it is a good idea, just not sure about it being so close to her house.

Frank McElwain questioned hours of operation. Mr. Curtis answered that there are no hours of operation, only made to order. Frank McElwain questioned if there will be early morning customers. Mr. Curtis stated that he will deliver as well. He has another job and will only be baking two days a week. 9:00 or 10:00 am will be the earliest for customers.

Dave Corriveau commented that he likes Mr. Curtis' approach. Small steps, until it grows and then make steps to accommodate growth.

Christine Solman asked if he is renting. Mr. Curtis stated that his partner Dale Saucier is the owner. Mr. Curtis stated that he can bring in a letter of consent if needed. Chairman Bagley stated that is not required right now.

Mr. Curtis stated that customers will pull into the driveway and under the canopy area. Just using the kitchen.

Public Hearing was closed at 6:08 pm.

Chairman Bagley said that he does recognize the concerns of the traffic and the applicant not being able to say how much traffic will be.

Frank McElwain questioned if after a year a legitimate traffic issue surfaces, is the time to address it at the annual renewal. Christine Solman stated that Josephine Bell cooked bread for years behind Daigle Oil Company. People would pick it up when they could on that day. If the applicant is only baking twice a week, how much could be put out. This business wouldn't be much different than what Ms. Bell was doing and her business was not a detriment to the neighborhood.

CEO Murchison stated there will be no excessive traffic, only traffic time to time. No excessive noise, no vibrations, dust etc. Only the employee lives there. Meets the qualifications for a home occupation.

Dave Corriveau questioned if the permit needs to be renewed on an annual basis. CEO Murchison said yes a renewal in house but no fee.

The Board reviewed the Home Occupation criteria to make sure the application meets the criteria of the Ordinance. The only question was perhaps the traffic noise.

Jean Shaw asked if it will be rezoned commercial. Chairman Bagley stated that it will not and that home occupations can occur in many of the zones except industrial.

Dave Corriveau moved to approve the application; seconded by Amanda Jandreau.

Roll call vote.

Eric Hitchcock – yes; Dave Corriveau – yes; Christine Solman – yes; Amanda Jandreau – yes; Frank McElwain – yes.

Motion carried with all in favor.

- e. **Public Hearing #5: Resume Public Hearing to consider Administrative Amendments to Chapter 13, Zoning of City Code carried over from the Planning Board Meeting of April 8, 2021.**

Chairman Bagley stated that this is a continuance of the Public Hearing – opened at 6:18 pm.

CEO Ken Murchison commented that there was no input from the public and that this is the second time for the Public Hearing.

City Manager Dennis Marker stated these are administrative amendments to City Code. Since the last meeting, Mr. Marker incorporated the comments from Board members and it was given to the Board prior to this meeting. Mr. Marker said that this is a third of the overall Zoning Code and it is dealing just with the administrative elements.

CEO Ken Murchison commented that work on this has been going on for quite some time with this Board and previous Planning Boards. Through that time they have learned it is a living document that continues to change. CEO Murchison stated that they need to take what is done so far and decide if sending to City Council.

Public Hearing was closed at 6:20 pm.

Chairman Bagley thanked City Manager Dennis Marker for incorporating the changes and said he has no problems at all to move this forward to the City Council.

Frank McElwain moved to forward the recommended changes to City Council for consideration; seconded by Christine Solman.

Roll call vote.

Eric Hitchcock – yes; Dave Corriveau – yes; Christine Solman – yes; Amanda Jandreau – yes; Frank McElwain – yes.

Motion carried with all in favor.

III. Approval of minutes from the April 8, 2021 Planning Board meeting.

Frank McElwain moved to approve the minutes of the April 8, 2021 Planning Board meeting; seconded by Dave Corriveau.

Roll call vote.

Eric Hitchcock – yes; Dave Corriveau – yes; Christine Solman – yes; Amanda Jandreau – yes; Frank McElwain – yes.

Motion carried with all in favor.

IV. Discussion on the completion of the balance of Chapter 13 revisions, possible action, and recommendations to City Council.

City Manager Dennis Marker stated that they still have Home Occupation regulations that need to be looked at. There are some concerns with moving forward with the re-write process when Mr. Marker leaves. Mr. Marker may continue with this process with the City, but that has not been solidified yet.

City Manager Marker stated what is left to look at is the standards and they need to look at community preference for them. National standards are available to look at. It is a living document that can be worked through a bit at a time. Processes need to be the way they want them. Mr. Marker recommend that they try to be proactive instead of reactionary with the Code.

V. Discussion of our Site Design Review procedures.

Chairman Bagley brought up waivers on Site Design Review criteria. There is a big gap in the process to need engineered plans for small projects. CEO Murchison commented to perhaps call it standards for existing facilities instead of waivers.

Chairman Bagley said that they need criteria for smaller/minor projects. City Manager Marker recommended to look at this during the process re-write. Chairman Bagley questioned if the Board is going to allow waivers on Site Design Review criteria. Dave Corriveau and Eric Hitchcock both agreed to establish minimum standards, not waivers. Eric Hitchcock recommended to codify the exemptions, to keep things consistent.

Chairman Bagley wants to address this at the next meeting with specific ideas to come up with a minor change to not require expensive engineering for minor projects.

VI. Discussion on Public Hearing procedures.

Chairman Bagley stated he would like to give staff the approval to schedule Public Hearings instead of the Planning Board. Discussion.

Amanda Jandreau moved to give City administration the approval to schedule Public Hearings as needed; seconded by Dave Corriveau. CEO Murchison stated that the Board can give this approval at the beginning of each year, unless it is changed in Code.

Roll call vote.

Eric Hitchcock – yes; Dave Corriveau – yes; Christine Solman – yes; Amanda Jandreau – yes; Frank McElwain – yes.

Motion carried with all in favor.

VII. New Business:

a. Discussion and possible action on revisions to Home Occupations Application.

b. Discussion on Revisions to Section 13-700.13 Home Occupations.

City Manager Dennis Marker gave an overview of the proposed revisions. What may work in one community, may not be the same standards wanted in Caribou. Part of this Code amendment is the preferences of the group. Reviewed home occupations of two communities. Conditional uses apply as things come before the Board. Shoreland Zoning definitions and definitions were included in the administrative amendments. Daycares have specific standards some is State code. Employees in the home is a preference of the Board. Visual impact in neighborhoods. Business vehicles, look at impact of neighborhood and parking on street. Child care and preschool, only issues is usually traffic. Concerns with explosives, need to establish a fixed quantity or prohibit.

Discussion on traffic and how to figure that and how to monitor. Child care and preschools is typically higher traffic, others are very minimal in traffic.

Discussion on vehicles and number of employees in a Home Occupation.

Chairman Bagley instructed the Board to review the comments and revisions and bring back to the next meeting. City Manager Marker said that some is just preference not standards for Caribou.

VIII. Staff Report; CEO Ken Murchison –

a. Land Bank Legislation - Went from LR to the revisers office and is now an LD, went to hearing today. Very successful in short time to get the bill in front of them. Universally well liked. City Manager Marker commented that the ordinance is on docket for Monday night. Tax Acquired Properties - leverage properties and work with non profit groups to renovate or redevelop them. Instead of a City land bank, utilize the non profits as land banks for the City.

b. Land Use Survey Mapping - Dedicating as much as he can to this. Working in rural areas. Hoping to have ready by the end of June.

- c. **Demolition of 827 Main Street** - Asbestos abatement - inspection is done, waiting on an estimate from them. Holding estimates on demolition, hopefully will be done before the end of June.
- d. **Otter Brook Bridge on Limestone Street** - Will be discussed with City Council on Monday. Disposition of bridge on Limestone Street. (Restore the bridge to natural state.)
- e. **Continued Clean-up of Former Birdseye Processing Facility** - One petroleum and one asbestos site. DEP further testing on site.
- f. **Riverfront Redevelopment Committee** - Survey at River Run Off Canoe Kayak Race at 10:00 am on Saturday. Meeting coming up, starting to see some interest on the riverfront.
- g. **CEO Activity/Violation Notices** - Lots of garbage, violations, pop up junk yards.

Dave Corriveau brought up possibly considering a fee based system for political sign placement with the objective being that signs will get picked up. It is a safety issue with the metal sticks left in the ground. The Rec Department and citizens are picking them up.

City Manager Marker stated it is a freedom of speech and that the City can only do certain things with these signs. The public right of way is public realm for public speech. There is only a limited amount the City can do on public streets. The City has no way to enforce having them down after thirty days.

IX. Adjournment

Meeting adjourned at 7:40 pm.

Respectfully Submitted,



Amanda Jandreau
Planning Board Secretary

AJ/dl