



City of Caribou, Maine

Municipal Building
25 High Street
Caribou, ME 04736
Telephone (207) 493-3324
Fax (207) 498-3954
www.cariboumaine.org

Caribou Planning Board Special Meeting Minutes Thursday, August 26, 2021 @ 5:30 pm City Council Chambers

Members Present: Dan Bagley, Christine Solman, Amanda Jandreau, Frank McElwain, Dave Corriveau and Stephen Wentworth

Members Absent: Eric Hitchcock

Others Present: Troy Haney, Ken Murchison, CEO/Zoning Administration; Denise Lausier, Executive Assistant to City Manager.

Tom Ayer, Councilor Liaison – Absent

- I. Call Meeting to Order, Determine Quorum** – Chairman Dan Bagley called the meeting called to order at 5:32 pm. The purpose of the meeting is to continue discussions on the Kacie's Place Campground application.
- II. Public Hearings** – None.
- III. Approval of minutes of the August 12, 2021, Planning Board meeting.** – These will be presented at the next regular Planning Board Meeting September 9, 2021.
- IV. New Business** – None.
- V. Old Business**
 - a. Continue Final Site Design Review Application for Troy Haney for the Kacie's Place Campground on 154 Limestone Street Tax Map 38 Lots 105, 106 and 108.** –

Chairman Bagley explained this is a continuation of discussion on August 12th. Staff put through zoning changes on wording and rezone of property on Limestone Street. The Board held a Public Hearing and Concept Review in July with the Final Review in August. There were a number of items inconsistent with the standards and they also found key items missing from the package. Based on discussions, the Board decided to table this item to spend more time and to go through each item to see what can be worked out.

CEO Ken Murchison stated they have received the lease for the passage over the railroad right of way and also received DEP's report. CEO Murchison explained that looking at the Shoreland Zone, floodplain, DHHS and City Ordinances, they found irregularities.

Troy Haney talked about redrawing the plan, can go 60 feet wide and 60x85 foot campsite and update the plan with that. Mr. Haney said he will redraw the paths, mowed a path to the river. As far as the soil test, DEP said that it is unusual to do a soil test for a runoff, that is usually tied to septic designs.

Can do one for special circumstances, specific to the Shoreland Zoning Ordinance. Mr. Haney said he is prepared to do the steps needed.

Christine Solman asked if the property had been surveyed. Mr. Haney said it had not been. Christine Solman also asked if Mr. Haney had any interest in getting a formal boundary survey. Mr. Haney said he can do that. Mr. Haney explained that the highwater mark can be set by DEP onsite. They drove stakes for a 75 foot setback; the line is on the plan. A silt fence is there already so they don't go beyond that point for earthwork. Mr. Haney said that the official pin is on the road curb at the right side of the property. The boundary is at the end of road and he will not be developing that area wherever that line may be.

The Board reviewed the list of things required for the application from Section 13-700 General Requirements for Land Uses, §6 Campground and/or Recreational Vehicle Park in City Code.

- An approved state license should be specified as a condition of approval.
 - Mr. Haney addressed that he has gone over this with DHHS. He is asking for a variance for a shower, men's and women's bathroom. Seasonal RV's only, self contained. If the Board approves the application, Mr. Haney stated he would ask for a letter from the City for an exemption on this item.
- All campground and/or RV park sites or structures shall be located at least 100 feet from any property line.
 - CEO Murchison passed out maps showing the Ordinance rules for setbacks and how it looks on different parcels and how it ends up with 16 feet in the middle of the property left to develop. CEO Murchison stated that the Ordinances are broken. CEO Murchison gave examples of different properties with the standards in the Ordinance and it wouldn't work on any property. Campground development in the R-2 would be a challenge, with lots six acres or less, it would not work.
 - Mr. Haney stated that with a 450 ft lot and 100 ft setback on either side, it would cramp the campers together. Mr. Haney said this discourages campgrounds in Caribou. Mr. Haney also said that towns all around Caribou have campgrounds and they don't have the 100 ft setbacks.
 - Chairman Bagley questioned if there is any reference to draw from for the 100 ft setback from property lines. CEO Murchison explained that there is a 100 ft frontage and a 5,000 sq ft reference in the Shoreland Zoning Ordinance, the Board could go with one or the other. The 100 ft setback is unique to Caribou and is not typical for residential business. Chairman Bagley questioned if it could be approved in a variance request if the 100 ft setback is not the norm.
- Sites are clearly visible in some areas along Limestone Street, due to the clearing of trees that has already occurred. The proposed plan does not meet this standard for screening.
 - Mr. Haney explained he is planning for a natural buffer of trees along the railroad bed and also plans to install a six foot stockade fence along the drive way at the south entrance to the property.
- Max density in Shoreland areas is 7 sites/acre.
 - Mr. Haney explained that the State rule is 5,000 sq ft per campsite, so the campers are not jammed together. Property size is the base of quantity. Mr. Haney stated that the intent of the whole design is to have campers from away that come for the summer with enough comfortable space for each site.

CEO Murchison stated that the 5,000 sq ft rule and 100 ft setback rule are found in two separate places in the Code. The Board can decide if they want to use both or one or the other. Mr. Haney said he can meet everything the Board is asking except the width and the 100 ft setback.

Dave Corriveau stated that they are a decision making Board and asked why the Planning Board cannot make the decision instead of an appeal. Mr. Corriveau proposed to make an allocation to except something less than, to make an exception of the rule. Chairman Bagley stated that the Board can decide to approve something that doesn't meet the Ordinance.

Dave Corriveau stated that with the factors given, the fact there is no RV park in the City and there should be one. There is one in every other town around us. It was a former junkyard and has been cleaned up, it fits in with the Riverside Development project. The plan has also worked from day one with the Code Enforcement Officer.

CEO Murchison stated that the Board can approve it, work on the Ordinance and work with Mr. Haney. The Board can approve it conditionally. Amanda Jandreau stated the Board cannot approve because other things need to be worked on. Steve Wentworth mentioned a Consent Agreement or letter of no contest from the City Council.

Chairman Bagley stated either a variance request or Ordinance change. CEO Murchison said that they can approve conditionally and work on Ordinance changes.

Steve Wentworth commented that with a variance it must be undue hardship, this project would not qualify.

The Board continued to review the list of criteria needed with Mr. Haney which included construction of roads, trash receptacles, fire extinguishers, soil erosion and sedimentation control plan, 5,000 sq ft rule in State law, construction of roads and driveway plan, stormwater runoff plan, removal of vegetation, soil report, any activities requiring a permit and details of design for lighting.

Chairman Bagley asked CEO Murchison for recommendations to proceed. CEO Murchison stated he envisions doing a conditional approval. Ordinance changes would be the clean way. Going to the Zoning Board of Appeals, it would be hard to approve a hardship. Need to add campgrounds in the R-2 zone in the Land Use Table, accept DHHS standards for the City's Ordinance, or Shoreland Zoning. Ultimately, it's the Board's decision.

Dave Corriveau asked the Board if Mr. Haney could proceed and the Board go forward to send changes in the Ordinance to Council to approve. Mr. Corriveau stated that he would not like to see the only RV park in Caribou held back another year.

Amanda Jandreau moved to table the application until a further date and in the meantime deal with Ordinance changes until the next Planning Board meeting on September 9th at which time the Board can reassess; seconded by Christine Solman.

Roll call vote.

Steve Wentworth – Yes; Frank McElwain – Yes; Amanda Jandreau – Yes; Christine Solman – Yes; Dave Corriveau – No.

Motion passes. 4 – Yes; 1 – No.

Amanda Jandreau moved to recommend to the City Council to adjust the ordinance from 5,000 sq ft minimum lot size for an RV site, from 100 ft width setback to 50 ft width, adjusting the setbacks to meet minimum setbacks for DHHS specifically; adjust the land use table to allow campgrounds in the R-2 Zone for the next Planning Board meeting and hold a Public Hearing on September 9, 2021; seconded by Dave Corriveau

Roll call vote.

Steve Wentworth – Yes; Frank McElwain – Yes; Amanda Jandreau – Yes; Christine Solman – Yes; Dave Corriveau – Yes.

Motion carries.

Mr. Haney stated that he came to the City in April with a viable use of property. Mr. Haney grew up in Caribou and is committed to the community; he has volunteered on the Planning Board and is a former chair and also has volunteered as a fire fighter. Mr. Haney stated that if he was from outside of town, he would be discouraged with the process. The reality of a business plan is to buy property and look for return on the investment. Mr. Haney was concerned that the process is going to turn into two years. Mr. Haney commented that there were open discussions with motions to change the Ordinances, but that the Planning Board has the ability to put contingencies and allow him to move forward. There is no better use of the property. Mr. Haney stated that he checked with DEP, sat with code enforcement and he said it looks like a great project, so Mr. Haney purchased the property. He is upset at the process that started in April and is going into September and will decide if he will withdraw the project. Mr. Haney stated that he feels the Board is tasked with the ability to make decisions and exceptions to rules if the project makes sense. Mr. Haney stated he appreciates the Board's time.

VI. Staff Report; CEO Ken Murchison –

- a. Land Bank, Broadband Projects by Business Investment Group (BIG) –** Take possession of 30 North Street. Building is rough, evaluate and maybe bring value back.
- b. Land Use Survey Mapping –** Ongoing work.
- c. Demolition of 37 Home Farm Road –** Received a couple of demolition bids. Need to move forward cautiously. Dangerous building statute.
- d. Continued Clean-up of Former Birdseye Processing Facility –** Two site clean ups, petroleum spill and asbestos hot spot.
- e. Riverfront Redevelopment Committee Draft Ordinance –** Public Hearing at next Council meeting to become an official committee of the City. Working on Master Plan.
- f. Caribou Trailer Park –** The closure is happening, November 17th is the final date.

VII. Adjournment – Amanda Jandreau moved to adjourn the meeting at 7:30 pm; seconded by Christine Solman.

Roll call vote.

Steve Wentworth – Yes; Frank McElwain – Yes; Amanda Jandreau – Yes; Christine Solman – Yes; Dave Corriveau - Yes.

Motion carries.

Respectfully Submitted,



Amanda Jandreau
Planning Board Secretary