



## *City of Caribou, Maine*

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### **Caribou Planning Board Meeting Minutes Thursday, August 13, 2020 @ 5:30 pm City Council Chambers**

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

**Others Present:** Ken Murchison –CEO/Zoning Administrator, Kelly Rioux –Aroostook Renewables, Bruce Tingley, Theresa Dube, Phil Duplessie, Priscilla Glass, Michelle Grant 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. Presentation from Aunt Maggie’s Farm Medical Marijuana, Medical Marijuana Caregivers. Use Permit pending for September 10, 2020 Planning Board Meeting –**

Chairman White moved this item to the beginning of the meeting.

Robert Ellis was present on behalf of Aunt Maggie’s Farm and explained to the Board that this is for medical marijuana and a location to provide edibles. Customers would need a card from a doctor to be able to purchase and a driver’s license to prove who they are. The location is at 159 Bennett Drive.

CEO Murchison explained this location is where the former Majestic Hair Care was.

Chairman White questioned if it is a far enough distance from the school; CEO Murchison stated that it is a sufficient distance from the school and churches.

Christine Solman asked if he has run a business like this before. Mr. Ellis said this is the first business of this nature, but he has run his own business in the past.

Chairman White questioned if this is going to a public hearing; CEO Murchison stated that there will be a public hearing at the next Planning Board meeting for the preliminary site design review.

Chairman White stated that abutters notices need to go out to the tenants as well as the landlords because some of the landlords are not in the area and the tenants might not get the notice.

**III. Approval of Minutes from the July 9, 2020 Planning Board meeting –**

Frank McElwain moved to approve the minutes as written; seconded by Dan Bagley.

Roll call vote.

Dan – yes; Christine – yes; Drew – yes; Amanda – yes; Frank – yes; Dave – yes; Robert – yes.

Motion carried with all in favor.

#### **IV. Public Hearings:**

##### **a. Aroostook Renewables, LLC., a proposed Solar Array to be placed on the Dow Siding Road -**

Public Hearing was opened at 5:45 pm.

Chairman White stated this is the preliminary review and the final review will be at the next meeting.

Kelly Rioux, co-owner of Aroostook Renewables, LLC was present and gave an overview of the project. He has been in the renewable business for about ten years and the land business for about 18 years buying land and developing it and cutting woodlots. There has been a solar push in Maine since the legislation passed. In 2018, he acquired 93 acres on the Dow Siding Road for logging purposes and has decided to pursue solar. Has two other projects in Madawaska and Grand Isle. All three have been permitted by the DEP. Looking to do a 4.9 megawatt project on the Dow Siding Road. It can be no more than 5 megawatts per the legislation that was passed, that is the standard they set. Originally it was a wood lot. The footprint can be no more than 20 acres to not get into site law with DEP, this is 19.99 acres, including the easement. Working with Versant Power. Everything has been drafted by his co-owner, Peter Mahar who is an owner of an engineer firm that has about 40 solar projects in front of them. They are one of the leading permitters for the state.

CEO Murchison stated it is a complete application.

CEO Murchison commented that upon review with other staff it was asked if they got an entrance permit from public works, minor detail. Also if it would be possible to leave a “beauty strip” out front with some trees as a barrier although it is not a requirement.

Kelly Rioux stated he will contact public works on the entrance permit. Mr. Rioux also stated that the footprint will have a fence. Buffers are built into the siting itself. To squeeze in 5 megawatts, need to utilize all of the footprint which is just under 20 acres.

Christine Solman and Drew Ayer both stated they don’t see how this will be any different than the project the Board approved last month.

Chairman White stated everything seems to be in order. Chairman White said the Board will hold the hearing in September, but that is 28 days from now, so if all is approved it won’t be signed for two more days to meet the 30 day requirement.

Christine Solman moved to hold a final public hearing on the site design review for Aroostook Renewables, LLC at the September Planning Board meeting; seconded by Drew Ayer.

Roll Call Vote.

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

##### **b. Daughters International Self Storage for a proposed self-storage facility on Washburn Street –**

Public Hearing was opened at 5:58 pm.

Bruce Tingley purchased land at 490 Washburn Road for storage units. He would like to start with 12 units this year and add on after that.

Chairman White questioned if it will be fenced. Bruce Tingley stated there will not be fencing, he planted trees in the front.

The Board reviewed the CEO report on the project. CEO Murchison stated that Mr. Tingley has been very responsive and working to get things done. The Amish will be constructing the storage facility.

Bruce Tingley stated that they will be constructing the storage facility on site. 20x60 unit, all metal, blue/gray siding and roof. 12 units (9 ½ x 9 ½) on a concrete pad with 5 ½ inch blue board underneath. Also putting in a 6x36 unit for own personal use. Would like to build two more buildings with smaller units in the future.

Dan Bagley stated that Mr. Tingley could include all of the buildings on the same permit. Permits are good for one year.

Chairman White asked if he will prepare the site. Mr. Tingley stated that Mike Martin is going to do the yard work with three inch stone to start, crushed stone on the base.

CEO Murchison stated that they have a good survey from Blackstone's. Already reached out to DOT for a curb cut.

Dan Bagley questioned if the State Fire Marshal or Fire Chief will be inspecting these units. CEO Murchison replied that no one will be inhabiting the buildings, so an inspection is not needed. It's cold storage only.

CEO Murchison commented that Mr. Tingley should be ready to come back for a final review in September.

Dan Bagley moved to schedule a final concept review at the next Planning Board meeting in September; seconded by Dave Corriveau.

Roll Call Vote.

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

**V. New Business – None.**

**VI. Old Business**

**a. Determination of the conditional approval of the Use Permit for Phillip Duplessie's automotive repair business at his 565 Van Buren Road property. Placement of fence barrier, completion of Initial Building Permit. Additional measures, fire rated wall between the residential portion of the structure and the commercial garage building –**

CEO Murchison stated this approved permit went to City Council and it has been sent back to the Planning Board for clarification about conditions on the permit for fencing on the north and south side. The fence has been completed on the south side of the property. CEO Murchison has visited the property and the business cannot be seen from either side. There have been no incidences regarding noise. He also had Mr. Duplessie turn on his compressors and Mr. Murchison sees no issue with the noise.

Chairman White asked what assurance if a waiver is given, does the Board have that this won't come back to the Board through City Council. CEO Murchison stated no assurances.

Dan Bagley questioned why not just build the fence. Mr. Duplessie replied that no fence is needed, there is 100 feet of buildings and tree line.

Dan Bagley questioned if it was approved contingent on a fence. CEO Murchison stated that it is on the application as a condition. There is a barrier tree line and buildings.

Christine Solman commented that Mr. Duplessie has made more than reasonable effort to comply with what the Planning Board has asked of him.

Mr. Duplessie stated that there is a fence up near the Nadeau's to keep the peace and not one on the other side because of the buildings and tree line.

Frank McElwain moved to approve the condition on the permit have been satisfied. Chairman White replied that the Board cannot do that, it needs to be waived.

Frank McElwain moved to approve with condition that the north fence not be required and to amend the use permit application to waive the requirement for a north fence; seconded by Amanda Jandreau.

Roll Call Vote.

Dan – no; Christine – yes; Drew – yes; Amanda – yes; Frank – yes; Dave – yes; Robert – yes.  
6 – Yes; 1 – No. Motion carried.

## VII. Staff Report

- a. **Blight Initiative and demolition** – To concentrate on the River Road, the original list was set aside and demolition was done this summer.

With the Blight Initiative, the City will have innovative tools; one being land banks, amendments to existing ordinances done by elected officials, ownership & transfer of land, review of policies on tax acquired properties. The Blight Committee hasn't met since March.

- b. **Birdseye Clean-up** – McGillan's excavator was onsite recently to remove petroleum pollutant in the ground. There are also mounds of mangled dirt, metals and plastic items left over that McGillan's will be removing. Took thirty loads to the landfill; metals, tires, potato waste, etc. Saved money on clean-up effort. This will look good to DEP when the City applies for funding. Will have a developable lot.
- c. **412 Access Highway (pop-up junk yard)** – Notice of violation has gone out, had a hard time to find the property owner. DEP, State Police and DMV were on site.
- d. **110 Washburn Street nuisance property** – Council action was not to award a quitclaim deed on this property. Need to notify owners.
- e. **569 Van Buren Road (Illegal Septic System)** – Mr. Nadeau's brother in law has an illegal septic system on his property. CEO Murchison gave guidance to Mr. Chapman's advocate that there are small community grants available to him for septic systems. The septic system currently is a 275 gallon plastic container with a pipe to the house and a pipe out. It's a self-engineered system that functions illegally. ACAP will be helping him with a new system.
- f. **Small Communities Grant (Septic Systems)** – Two to three projects; site evaluations have been done. These will be advertised in next week's paper and hopefully will be installed in September.

## VIII. Chapter 13

- a. **Definitions** – City Manager Dennis Marker could not be at the meeting to present proposed revisions.

Chairman White called on two ladies that were present that had not spoken. They explained they were the owners of 110 Washburn Street and that they are waiting to see if it is going to be returned to them. They left their phone number and CEO Murchison will reach out to them.

**IX. Comprehensive Plan Update**

**a. Transportation Plan (Access Management and Road Interconnectivity)** – CEO Ken Murchison reviewed some access issues and some proposed roads to create better interconnectivity from neighborhoods to the highway, create access to developable lots, clear up access issues for businesses, etc. CEO Murchison asked the Board to review what he proposed and comment.

**X. New Communications**

**a. Continued interest for proposed rezoning in the area Main Street, Map 031 Lot 123 and 31 Herschel Street Map 031 Lot 017. These lot is currently zoned as Commercial and historically has housed office space and retail space on the first floor and residential on the second floor. The trend that we have been tracking suggest that there is need for multi-family housing in the areas adjacent to our traditional downtown area –**

Christine Solman mentioned the multi-unit dwelling on Herschel Street. (Item a under New Communications on the agenda.)

CEO Murchison stated there is a non-conformance on Herschel Street in the building where Nelson's Piano is. An apartment that is a residential use in a commercial zone that is not allowed.

CEO Murchison stated that currently there is no market for businesses, the interest seems to be for nicer apartments, but there are issues with that kind of activity in a commercial zone. CEO Murchison questions if the City needs to look at the Comp Plan and a Mixed Use zone or extend the R-2 zone that is around that area.

Chairman White stated that there is no direct street frontage. CEO Murchison said that parking is tight and the historic use has been housing on either end of Herschel Street.

Christine Solman asked if they have a certificate of occupancy; CEO Murchison stated that they do not. Christine Solman clarified that people are living there; CEO Murchison replied yes.

Chairman White stated that they can't continue.

Dan Bagley stated that he would not entertain rezoning.

CEO Murchison stated that he has asked Mr. Kelly not to put anymore apartments in downstairs.

**XI. Adjournment** – Meeting adjourned at 7:00 pm.

Respectfully Submitted,

  
Christine Solman  
Planning Board Secretary

CS/dl

