

VII.

Adjournment

City of Caribou, Maine

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

AGENDA Caribou Planning Board Regular Meeting Thursday, October 8, 2020 at 5:30 p.m. City Council Chambers

www.cariboumaine.org

I.	Call Meeting to Order	
11.	Approval of minutes from the August 13, 2020 Planning Board meeting.	Pgs.2-6
$\Pi I_{\bar{e}}$	Old Business	
	 a. Final Sire Approval Amendment for Aroostook Renewables, LLC, a proposed Solar Array to be placed on the Dow Siding Road. 	Pgs. 7-16
IV.	Staff Report	
	 a. Aunt Maggie's Farm Medical Marijuana b. Rezone Request at 31 Herschel Street. C-2 to R-2. c. Blight Initiative and Demolition (110 Washburn Street) d. 412 Access Highway (pop-up junk yard) e. Riverfront Development Committee f. Small Communities Grant (Septic Systems) g. US Cellular Building Permit h. Day Care Permit Pending State Licensure i. Caribou Stream and River Side Trailer Parks Septic Issues j. Use Permit for Pronto Burrito Restaurant k. Use Permit for Martial Arts Studio l. Medical Marijuana Ordinance 	Pg. 17 Pg. 18
V.	Chapter 13	
	a. Land Use Table and General Zone Characteristics	Pgs. 19-21
VI.	Comprehensive Plan Update	
	a. Future Land Use (Information Only)	

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 coowner, 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 ($9 \frac{1}{2} \times 9 \frac{1}{2}$) on a concrete pad with $5 \frac{1}{2}$ 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



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Amendment #1 Site Design Application

At a meeting of the Caribou Planning Board September 10, 2020 final approval was award to Aroostook Renewables for the Development of Crow Solar, a solar array proposed for the Dow Side Road. See attached.

Upon closer review we find that on page three (3) of the application document the "Anticipated start date for construction and Completion" line did not properly reflect the construction timeline.

Amendment #1, at the request of the developer, would amend the Anticipated start of Construction to be August 2021 and completion to be August 2024.

This Amendment is herewith in effect September 21, 2020 and is subject to ratification at the next scheduled Caribou Planning Board Meeting October 8, 2020.

Best Regards,

Kenneth Murchison Jr., Zoning Administrator Code Enforcement Officer

City of Caribou

Cc: City Manager, Police Chief, Fire Chief / Health Officer, Building Official, Local Plumbing Inspector



Ken Murchison

From:

Kelly Rioux <kelly@kellyerioux.com>

Sent:

Wednesday, September 16, 2020 9:37 AM

To:

Ken Murchison

Subject:

Re: permit/ dow siding

great Ken. I too agree that this could be a very simple move and done administratively 100%.

The range currently is August 2021 to October 2021. We can keep August 2021 because theres still ample work to do.

Could we say 2024? That DOES NOT mean that it will take that long to physically construct. Timing in the energy business is everything. So you leave a window. Construction *could* start the following year (2022) as is dependent on subscribers and panel/inverter availability and system upgrades etc.

If it was 2022 then we'd be covered.

I would be fine as would an Investor or Utility looking at this deal if it said Anticipated 8/21 to 8/24. If that can work for you guys.

Kelly

On Sep 16, 2020, at 9:17 AM, Ken Murchison wrote:

Not yet and not because of your project. We have to seek a legal opinion on the other application.

I have seen some support by the Board to have me make the time extension administratively and avoid the extra meeting for you but I haven't seen any follow up on that one comment.

Are there dates that are better for you?

We will keep you posted.

Ken

From: Kelly Rioux <kelly@kellyerioux.com>

Sent: Wednesday, September 16, 2020 9:14 AM

To: Ken Murchison < kmurchison@cariboumaine.org>

Subject: Re: permit/ dow siding

Hi Ken.

Any discussions on date?

kelly

On Sep 14, 2020, at 9:41 AM, Ken Murchison wrote:

Identify existing use(s) of land (farmland, woodlot, residential, etc.) Woodlot	. X							
Indicate any restrictive covenants to be placed in the deed (Please attach list)								
Does the applicant propose to dedicate any recreation area, or common lands?	() Yes	(
Recreation area(s) Estimated Area & Description: N/A X								
Common land(s) Estimated Area & Description: N/A X								
Anticipated start date for construction: month / year 08 / 21 X Com	pletion: 10	/ <u>21</u> X						
Does any portion of the proposal cross or abut an adjoining municipal line?	() Yes	(<u>✓</u>) No X						
Does this development require extension of public services?	() Yes	(<u>✓</u>) No X						
Roads: Storm Drainage: Sidewalks: Sewer Lines:	Other	:						
Estimated cost for infrastructure improvements: \$\text{N/A} \times \text{X}								
Water Supply: Private Well: (N/A) Public Water Supply: (N/A)								
Sewerage Disposal: Private SSWD: (N/A) Public Sewer: (N/A)								
Estimated sewerage disposal gallons per day: (N/A / day)								
Does the building require plan review by the State Fire Marshal Office? (Attach Barrier free and Construction Permits from SFMO)	() Yes	(<u>✓</u>) No X						
Have the plans been reviewed & approved by the Caribou Fire Chief?	() Yes	() No X						
Does the building have an automatic sprinkler system?	() Yes	(<u>✓</u>) No X						
Does the building have an automatic fire detection system?	() Ycs	(<u>✓</u>) No χ						
Will the development require a hydrant or dry hydrant fire pond?	() Yes	(<u>/</u>) No X						

Concept Plan Review Criterian

The Planning Board shall review applications first as a Concept Plan. Concept Plan Review is intended to insure the proposed plan is in conformance with the Caribou Comprehensive Plan and all City Ordinances. The completed application and concept plans shall be delivered to the Code Enforcement Office no less than 21 days prior to the first day of the next month. The



Site Design Application

Planning & Code Enforcement City of Caribou 25 High St. Caribou, Maine 04736

(207) 493 – 3324 option 3 pthompson@cariboumaine.org

Note to Applicant: Complete this application and return it with the required documents. In addition, the required fee must be returned along with this completed application. Make checks payable to: "City of Caribou", in the amount of \$90.00 plus \$10.00 per 2000 square feet of total gross floor area for commercial, industrial or other non residential applications.

Please print or type all information

Name of Property	Owner / Developer: Aroostoo	k Renewables, LLC		
Development Nam	e: Crown Solar			
Location of Proper	ty (Street Locations): <u>Dow Sid</u>	ling Road	11-21-11-11-11-11-11-11-11-11-11-11-11-1	
City of Caribou	Tax Map: <u>5</u>	Lot: 12	Zone: R-3	

Site Design Review Application - City of Caribon, Maine

Site Design approval will not be considered complete until the Planning Board has determined it has all of the necessary information to review the proposal and render a decision. You are advised to meet with the Code Enforcement Officer prior to completing the application as it may not be necessary to comply with all of the items shown on the form. The review of your application shall consist of at least (2) two presentations to the Planning Board and possibly additional presentations until all required information has been provided. A "Performance Bond" may be required prior to approval of this project.

Applicant Information
lease provide a brief description of this project. the project involves the placement of solar panels within a 19.99-acre parcel. These panels will produce 4.95 MW AC frenewable energy. Property of the project involves the placement of solar panels within a 19.99-acre parcel. These panels will produce 4.95 MW AC frenewable energy. Property of the project involves the placement of solar panels within a 19.99-acre parcel. These panels will produce 4.95 MW AC frenewable energy. Property of the project involves the placement of solar panels within a 19.99-acre parcel. These panels will produce 4.95 MW AC frenewable energy. Phone: 207.879.9229 Property of State Registration, in the project of the project of the project panels will produce 4.95 MW AC frenewable energy. Property of State Registration, the project project professionals and project professionals. (attach list if needed) Blackstone Land Surveying
Please provide a brief description of this project. The project involves the placement of solar panels within a 19.99-acre parcel. These panels will produce 4.95 MW AC of renewable energy. Person and address to which all correspondence regarding this application should be sent to: Aroostook Renewables, LLC
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Person and address to which all correspondence regarding this application should be sent to:
Aroostook Renewables, LLC
P.O. Box 1644
Portland, ME 04104 E-mail: kelly@kellyerioux.com
Name of Land Surveyor, Engineer, Architect or other Design Professionals. (attach list if needed)
Blackstone Land Surveying Phone: 207.498.3321
Sevee & Maher Engineers, Inc. Phone: 207.829.5016
What legal interest does the applicant have in property to be developed (ownership, owners representative, option, purchase & sales contract, etc?)
100% Ownership
(Attach supportive legal documentation)
General Information
What interest does the applicant have in any abutting property? None.
Is any portion of the property within 250 feet of the normal high water line of a lake, pond, river, or wetland or within 75 feet of any stream? () Yes () No
Is any portion of the property within a Flood Hazard Zone? () Yes (_✓_) No
Total area or acreage of parcel: 19.99 acres Total area or acreage to be developed: 19.99 acres
Has this land been part of subdivision in the past five years? () Yes () No

Identify existing use(s) of land (farmland, woodlot, residential, etc.) Woodlot	l	
Indicate any restrictive covenants to be placed in the deed (Please attach list)	N/A	
Does the applicant propose to dedicate any recreation area, or common lands?		(✓) No
Recreation area(s) Estimated Area & Description: N/A		
Common land(s) Estimated Area & Description: N/A		
Anticipated start date for construction: month / year <u>08 / 21</u> Com		
Does any portion of the proposal cross or abut an adjoining municipal line?		
Does this development require extension of public services?	() Yes	
Roads: Storm Drainage: Sidewalks: Sewer Lines:		
Estimated cost for infrastructure improvements: \$ N/A		
Water Supply: Private Well: (N/A) Public Water Supply: (N/A)		
Sewerage Disposal: Private SSWD: (N/A) Public Sewer: (N/A)		
Estimated sewerage disposal gallons per day: (N/A / day)		
Ooes the building require plan review by the State Fire Marshal Office? (Attach Barrier free and Construction Permits from SFMO)	() Yes	(<u>✓</u>) No
lave the plans been reviewed & approved by the Caribou Fire Chief?	() Yes	(_✓_) No
oes the building have an automatic sprinkler system?	() Yes	
oes the building have an automatic fire detection system?	() Yes	
ill the development require a hydrant or dry hydrant fire pond?	() Yes	
	,	

Concept Plan Review Criterion

The Planning Board shall review applications first as a Concept Plan. Concept Plan Review is intended to insure the proposed plan is in conformance with the Caribou Comprehensive Plan and all City Ordinances. The completed application and concept plans shall be delivered to the Code Enforcement Office no less than 21 days prior to the first day of the next month. The

Chairman of the Planning Board shall determine the schedule and agenda of the next meeting when the application and plans will receive Concept Plan Review. At a minimum, Concept Plan applications shall include the following:

Ĺ		Na	me and address of the owner of record and applicant (if different).							
2,		Na	me of the proposed development and location.							
3.		Na	Names and addresses of all property owners within 500 feet of the property.							
4.	✓	doc	copy of the deed to the property, option to purchase the property, or other cumentation to demonstrate right, title, or interest in the property on the part of the blicant.							
5.		Nar	mes and addresses of all consultants working on the project.							
6.	<u>✓</u>	1 cc	Plans to be included: Boundary Survey Storm Water Management Erosion and Sediment Control Finish Grading Plan Site Improvement Detail Building Elevations and Structural Plans							
7.	Plans to	show	the following elements for review:							
	<u> </u>	a.	Graphic scale and north arrow.							
	<u> </u>	b.	Location and dimensions of any existing or proposed easements and copies of existing covenants or deed restrictions.							
	<u> </u>	C.	Name, registration number, and seal of the land surveyor, architect, engineer, and/or similar professional who prepared the Plan.							
	√	d.	All property boundaries, land area, and zoning designations of the site, regardless of whether all or part is being developed at this time.							
	N/A	e.	Size, shape, and location of existing and proposed buildings on the site including dimensions of the buildings and setbacks from property lines.							
	✓	f.	Access for Emergency Vehicles, location and layout design of vehicular parking, circulation areas, loading areas, and walkways including curb cuts, driveways, parking space and vehicle turn around areas.							
	N/A	g.	Location and names of streets and rights-of-way within 200' and adjacent to the proposed development.							
	<u> </u>	h.	Proposed finish grades and graphic arrows indicating the direction of storm water runoff,							
	N/A	i.	Conceptual treatment of on and off site storm water management facilities.							
	N/A	j.	Location and sizes of existing and proposed sewer and water services including connections.							
	✓	k.	Conceptual treatment of landscaping buffers, screens, and plantings.							

- Location of outdoor storage areas, fences, signage and accessory structures.
- m. Context map illustrating the area surrounding the site which will be affected by the proposal including all streets, sidewalks, intersections, storm water drainage ways, sanitary sewer lines and pump stations, nearby properties and buildings, zoning Districts, and geographic features such as, but not limited to, wetlands, natural features, historic sites, flood plains, significant scenic areas, and significant wildlife habitats as provided in the Comprehensive Plan.
- N/A

 n. All proposed signage and exterior lighting including the location, size and wording of all signs, type of exterior lights, radius of light, manufacturer's specifications sheet, and the ground level intensity in foot-candles of all exterior lights.

Final Site Design Plan Requirements

Following approval of the Concept Plan Review, the Planning Board may by majority vote schedule the Site Design Application for Final Plan Review. Final Plan Review must be at least 30 days following Concept Plan Approval. If additional information is required by the Planning Board following the Concept Plan Review, a complete set of revised plans shall be provided for final review and approval. If additional information or a change of information is required, the revised plans shall be delivered to the Code Enforcement Office at least 21 days prior to the next scheduled meeting.

Final Site Design Plan Review shall require three (3) 24" X 36" sets of plans for Board Signatures.

If the Planning Board determines that third party review will be necessary to make a sound decision, the applicant will be responsible for any fees incurred for the third party review.

During the Final Site Design Review the Chairman or designee shall determine that all of the elements of review 7-a., through 7-n. above have been addressed. The chair may then call for a motion.

If the Final Plan is approved by the Planning Board, no work may commence for a period of 30 days following the date of approval.

Final Site Design Plans shall provide an area designated for all seven Planning Board members signatures.

Applicant Signature:

To the best of my knowledge, all of the information submitted in this application is true and correct.

Signature of Applicant: Aroas rank Renewally 1/6 Date: July 23, 2020

Final Site Design Review Criteria by Planning Board

	Date: 9/10/2020	Yes	No	N/A
A.	Conformance with Comprehensive Plan	X		
B.	Traffic	M		\times
C.	Site Access	*	-	***************************************
D.	Parking & Vehicle Circulation	×	-	
		Yes	No	N/A
Е.	Pedestrian Circulation		 2	\times
F.	Site Conditions	×		
G.	Open Space			~
H.	Sanitary Sewage		:	X
[,	Water			\sim
J.	Emergency Vehicle Access			hoppear-alleadoppealad-se,
K.	Waste Disposal			X
L.	Buffering	×		
M.	Natural Areas			×
N.	Exterior Lighting	\times		*
O.	Stormwater Management		distance of the same	**************************************
P.	Erosion & Sediment Control	×		ar-reserve and state
Q.	Buildings		· · · · · · · · · · · · · · · · · · ·	
R.	Existing Landscaping		5 579 1185 7	_
S.	Infrastructure	7	-	
T.	Advertising Features		:	×
U.	Design Relationship to Site	X		-
	& Surrounding Properties	\succeq		-

V.	Scenic Vistas & Areas			\times
W.	Utilities		×	
X.	Mineral Exploration		7	Y
Y.	General Requirements	(Pg. 859)	× _	
Z.	Phosphorus Export			7
Planni	f Caribou, Maine ing Board esign Review for:	Crown Solar Dow Siding 1		
On_ applica The app	Address: 7/10 ZOLO tion for Site Design Review Design Was: Denied	(date) the members of the Cow on the property referenced	Carihou Planning Board met to	consider the
Approv	ed by the Caribou Plan	ning Board		
Signed:	10 10	Ita.	airman of the Planning Board	
Date:_9	10,2020			
Conditio	ns of Approval:			

22 § 2429-D

aigns that have a high r that are specifically rs of age;

he property line of a municipality chooses ; by or on behalf of a nan or less than 1,000 preexisting public or

igns, advertising and to subsection 2; or na plants or harvested ult use or recreational or marketing material. lepartment shall adopt; and marketing by or sy include, but are not

in advertising or marbenefit claims on the

ng on the Internet, innass-market websites; nat does not permit an

toward location-based les, unless the marketce by the owner of the a permanent and easy

ty requirements and

apter, edible marijuana in accordance with this

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§ 2429-D. Local regulation

Pursuant to the home rule authority granted under the Constitution of Maine, Article VIII, Part Second and Title 30-A, section 3001, a municipality may regulate registered caregivers, caregiver retail stores operating pursuant to section 2423-A, subsection 2, paragraph P, registered dispensaries, marijuana testing facilities and manufacturing facilities.

A municipality may not:

- 1. Registered caregivers. Prohibit or limit the number of registered caregivers;
- 2. Stores, dispensaries, testing and manufacturing facilities. Prohibit caregiver retail stores, registered dispensaries, marijuana testing facilities and manufacturing facilities that are operating with municipal approval in the municipality prior to the effective date of this section. For purposes of this subsection, "municipal approval" means an examination and approval of the store, dispensary or facility for the use of the premises consistent with conduct authorized under this chapter, including, but not limited to, a conditional use approval or site plan approval. "Municipal approval" does not include issuance of a building, electrical or other similar permit or authorization that does not address the use of the structure or facility for which the permit or authorization is issued; or
- 3. Municipal authorization needed. Authorize caregiver retail stores, registered dispensaries, marijuana testing facilities and manufacturing facilities that are not operating on the effective date of this section to operate in the municipality unless the municipal legislative body, as defined in Title 30-A, section 2001, subsection 9, has voted to adopt or amend an ordinance or approve a warrant article allowing caregiver retail stores, registered dispensaries, marijuana testing facilities or manufacturing facilities, as applicable, to operate within the municipality.

§ 2430. Medical Use of Marijuana Fund established

- 1. Fund established. The Medical Use of Marijuana Fund, referred to in this section as "the fund," is established as an Other Special Revenue Funds account in the department for the purposes specified in this section.
 - 2. Sources of fund. The State Controller shall credit to the fund:
 - A. All money received as a result of applications and reapplications for registration as a qualifying patient, caregiver, dispensary, manufacturing facility and marijuana testing facility;
 - **B.** All money received as a result of applications and reapplications for registry identification cards for registered patients, caregivers, dispensaries and officers



September 10, 2020

City of Caribou Attn: Caribou Planning Board Caribou, Maine

Dear Caribou Planning Board:

As a property management company operating in Aroostook County, I am seeking approval of a zoning change to R-2 for my property at 31 Hershel Street, Caribou. As you may be aware, this property has gone through many renovations over the years due to my pride in providing tenants and business owners with quality rentals. This building is currently being used and has been used as a multi-use commercial and residential property for many years.

Due to the shortage of high-end rentals and by the request of my business relationship with Cary Medical Center & Pines Health Center, I am requesting that you approve the first story renovations which have been made to allow for two additional apartments to help accommodate Cary Medical Center's staff. These two apartments that I am seeking approval for are currently being utilized, as I previously called the City of Caribou due to the desperate need for traveling doctors and nurses. At this time, quality rentals are in high demand in Aroostook County and property management companies and the cities need to work together to provide options for housing. If this offer is declined, I will be forced to evict tenants who have done no wrong and will displace housing for the hospital staff, along with leaving a property unoccupied.

I hope you have recognized the positive improvements to 31 Hershel Street and many other properties since my ownership and believe that this is only a positive impact to the Caribou community and Aroostook County. We are doing these same changes in other communities and always follow the rules. Your careful and affirmative approval of my request is respectfully requested. I am available as always to answer any additional questions.

Sincerely,

Mark J Kelley
Country Farms Properties
207-227-1108
countryfarmsmarket@gmail.com

4. Dimensional Requirements for Properties in the Various Zones.

A. Properties shall meet or exceed the dimensional requirement listed below.

Dimensional Standards	Zone								
	R-1 ⁵	R-25	R-3 ⁶	MU	C-1 ³	C-2 ³	I-1 ³	H-1 ³	A^3
Minimum Area (sq.ft.)									
Single Family Lot	9000	9000	43560	43560	NA	NA	NA	NA	NA
Two Family Dwelling	10500	10500	65000	43560	NA	NA	NA	NA	NA
Multi-Family Dwelling ³	NA	12000 ¹	87000 ²	43560	See Ta		NA	NA	See Note
Other Allowed Uses ³	12,000	10,500	65,000	43,560	247		43560	9000/ 20000 ⁴	3
Minimum Frontage (ft)			"						
Single Family Lot	85	75	150	150	NA	NA	NA	NA	NA
Two Family Dwelling	95	85	160	150	NA	NA	NA	NA	NA
Multi-Family Dwelling	100	95¹	175²	150	See Ta		NA	NA	See Note
Other Allowed Uses	100	85	160	150			100	75	3

- The R-2 standards are the minimum for a three-unit structure. An additional 1,500 square feet of area and 10 feet of frontage is required for each unit over three.
- 2. The R-3 standards are the minimum for a three-unit structure. An additional 10,000 square feet of area and 10 feet of frontage is required for each unit over three.
- The minimum frontage and area requirements are use specific and predicated upon compliance with environmental, parking, landscaping, and other site development standards of this ordinance.
- 4. The lesser area requirement is applicable if the property will have public sewer.
- 5. Corner lots for residential dwellings shall have an additional 5% of land area.
- Non conforming Lots of Record, recorded prior to May 1980, in the Residential R-3 zone, consisting of less than one acre (43,560 square feet) shall comply with the dimensional requirements of the R-1 & R-2 zones.
 - B. No yard or lot existing at the time of passage of this Ordinance shall be reduced in dimension or area below the minimum requirement, herein. Exceptions to these standards may be found in each zone's specific regulations or upon the granting of a variance.
 - C. No part of a yard, or other open space, or off-street parking or loading space required in connection with any building for the purpose of complying with this Ordinance, shall be included as part of a yard or; open space, or off-street parking or loading space similarly required for any other property building.

4.5. Setback Requirements for Structures in the Various Zones.

A. Properties shall meet or exceed the setback requirements listed below and shall not exceed the indicated maximum impervious surface area for the property. Additional setback requirements may be required as noted in overlay zone standards.

Setback Standards	Zone								
	R-1 ⁴	R-2 ⁴	R-3	MU	C-1	C-2	I-1	H-1	A
Main Structure							114		to I a
Front to Occupied Area	20	20	30	30	0	10	20	40	10
Front to Porch	20	10	30	15	NA	NA	NA	NA	NA
Front to Garage Door	30	30	30	30	20	20	30	50	50
Side ¹	5	5	15	15	0	10	10	10	10
Rear ¹	10	10	15	15	0	10	20	20	10
Accessory Structures				100		3 11 1		1 7 5	
Rear	32	32	3^2	.5 ²	5	5	5	15	
Side	32	32	32	52	5	5	5	15	1
Required Parking					1 1 X 1	2 11 1		1300	7 1
Front	20	20	20	20 10	20 10	20	20	2030	20
Side	20	20	20	205	205	20	2053	20	20
Rear	20	20	20	206	205	20	200	20	20
Signage	100			1 N 1	THE R	100	full st	11	1000
Front to Permanent Sign									
Side to Permanent Sign							1		
Rear to Permanent Sign									
Temporary Signs to									

Commented [DM130]: "Buffering requirements currently require a 20 "green" strip around the perimeter of uses needing site plan review.

- 1. The rear and side setbacks on corner lots are interchangeable to maximize buildable areas and design options.
- An additional foot of setback shall be required for each 2 feet of wall height above 8-feet.
- 4-3. The parking setback shall be applicable within the front setback of the property, to the front of the main building or in all areas unfenced and open to public view, whichever is greater.
- 2-4 Residential R-1 & R-2 zones shall require that primary structure height be limited to a 3:1 (three to one) ratio from the side and rear setbacks.
 - B. Setback Measurements and Exceptions:
 - The front yard setback requirements of this Ordinance for dwellings may be reduced to shall
 not apply to any lot where the average setback on of developed lots located wholly or in part
 within 100 feet on each side of such lot and within the same block and zoning District and
 fronting on the same street as such lot, is less than the minimum setback required.
 - 2. Accessory structures or appurtenances require a lot line setback distance of no less than its height.

5.6. Height Limitations for Structures in the Various Zones.

A. Buildings and Structures shall comply with the following height standards.

Height Standards	Zone								
	R-1	R-2	R-3	MU	C-1	C-2	I-1	H-1	Α
Maximum Heights	35	35	35	60	45	45	45	20	45

B. Exceptions. Height requirements do not apply to barns, barn silos, flagpoles, chimneys, transmission towers, steeples, windmills, cooling towers, elevator bulkheads, sky lights,

71

Commented [DM131]: This provision was located in the height standards. A typical backyard shed is 8 feet tall. Note: Building code allows a zero setback if adequate fire protection materials are in place. Recommend a minimum 3' setback for runoff control

ventilators, and other necessary appurtenances carried above roofs; nor towers, stacks, spires, if not used for human occupancy; nor to ornamental towers, observatory towers, television and radio broadcasting towers and antennas and similar structures that do not occupy more than twenty-five (25) percent of the lot area; nor to churches and public institutional buildings; nor similar structures, usually erected at a greater height than the principal building.

- B.C. Proximity to the Airport. In addition to the above standards, no structure shall be built nor vegetation growth be allowed to encroach within the protected airspace of FAA and/or MDOT defined approach or takeoff angles from the Caribou Municipal Airport.
- Measurement of Height. A structure's shall be determined as the vertical measurement from a point on the ground at the mean finish grade adjoining the foundation as calculated by averaging the highest and lowest finished grade around the building or structure, to the highest point of the building or structure. The highest point shall exclude farm building components, flagpoles, chimneys, ventilators, skylights, domes, water towers, bell towers, church spires, processing towers, tanks, bulkheads, or other building accessory features usually erected at a height greater than the main roofs of buildings.