



City of Caribou, Maine

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Caribou Planning Board Meeting Minutes Thursday, February 11, 2021 @ 5:30 pm Via Zoom

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

Others Present: Ken Murchison –CEO/Zoning Administrator, Dennis Marker –City Manager, Denise Lausier –Executive Assistant to the City Manager; Tom Ayer –Councilor Liaison; Joshua Smart

I. Call Meeting to Order – Meeting was called to order at 5:30 pm. Meeting was held via Zoom.

II. Approval of Minutes from the January 14, 2021 Planning Board Meeting –

Frank McElwain moved to approve the minutes as presented; seconded by Drew Ayer.

Roll call vote.

Dave – Yes; Frank – Yes; Eric – Yes; Amanda – Yes; Drew – Yes; Christine – Yes; Dan – Yes
Motion carried with all in favor.

III. Public Hearing to hear comments regarding a Home Occupation Application from Joshua Smart DBA Delta Defense Precision Arms at 128 Ogren Road Tax Map 16 – Lot 26. –

Chairman Dan Bagley opened the Public Hearing at 5:35 pm.

Joshua Smart was present and gave an overview of the business which is basically gunsmithing and sales of firearms. Chairman Bagley questioned if there will be signage. Mr. Smart stated that there will be no sign initially, perhaps in the future.

CEO Ken Murchison read into the record a public comment received via a phone call wishing to remain anonymous who was concerned with traffic and the ATV trail going through where there may be shooting. Also, Loretta Holmes submitted an email with concerns. CEO Murchison read the email into the record. Exhibit A is attached.

Joshua Smart stated that there will be no public range, but he will have the ability to test and fire guns after they are repaired and also be able to do a demonstration if someone is having an issue. The customer would always be in his presence. No other shooting than for that reason. Mr. Smart commented that several people on the road shoot guns, so it's not an uncommon thing in that area. Mr. Smart also stated that as far as traffic is concerned, it would be no different than any other business on that road, no more than the other businesses.

Frank McElwain questioned parking. Mr. Smart stated there is a lot of parking and that he also included a diagram of the area with the application.

Frank McElwain questioned if there is a safe place to try out a firearm. Mr. Smart commented that will not be part of the business or the sale.

Frank McElwain stated that when doing gunsmithing, it would need to be test fired. Mr. Smart said that he would personally check them. Customers would have to adjust things on their own off the property. Any shooting on the property would be done by himself, not customers.

Dave Corriveau stated that the Guerrette's have a large piece of land there and perhaps in the future, Mr. Smart could approach the landowners to set something up a good distance from the Ogren Road into farm land which would alleviate some concerns.

Chairman Bagley questioned where on the lot will the firing be done. Mr. Smart stated straight back behind the house, about 20-30 feet at the right of the well, in the wooded area. Mr. Smart stated that safety is his #1 concern, he has been shooting a long time. Chairman Bagley also questioned the location of the ATV trail. Mr. Smart stated that the trail is heading towards Watson Memorial Drive on the rail bed.

Amanda Jandreau questioned if there is any state licensing he would need for this type of business. Mr. Smart replied that any gunsmithing business needs a federal firearms license, nothing at the state level.

Chairman Bagley asked if Mr. Smart has obtained his federal firearms license. Mr. Smart said he is working on the application which is clear that the business proposal is first, then go back to the application and process. They require a background check and fingerprinting. A field officer goes out to inspect the business and property as well as what he will be doing. They also educate about the laws on the federal level.

Chairman Bagley questioned if gunsmithing and sales is one or two different licenses. Mr. Smart stated it is one license. Chairman Bagley also questioned if he would be refrained from operating until he got his license. Mr. Smart replied that he would be.

With no further comments, Chairman Bagley closed the Public Hearing at 5:55 pm.

Chairman Bagley stated that nothing was mentioned on proposed lighting or signage in the application but everything else was included. Mr. Bagley stated that staff has reviewed the application and has no concerns with each of the criteria but questioned why there were no concerns on ADA compliance. CEO Murchison replied that for ADA compliance, Mr. Smart can go to the customer if they cannot access the house.

IV. Consider a Home Occupation Application from Joshua Smart DBA Delta Defense Precision Arms at 128 Ogren Road Tax Map 16 – Lot 26.

Dave Corriveau moved to approve the application; seconded by Drew Ayer.

Roll call vote.

Dave – Yes; Frank – Yes; Eric – Yes; Amanda – Yes; Drew – Yes; Christine – Yes; Dan – Yes
Motion carried with all in favor.

V. New Business -

a. Revisions to the Site Design Review Application document –

Chairman Bagley stated he met with Manager Marker and CEO Murchison on the Site Design Review processes and the application. Mr. Bagley spent time refining the form and made it into a fillable PDF which will give another tool to search for applications and to keep them electronically. Mr. Bagley stated that it is also now more encompassing so both the CEO and Planning Board could use it.

Manager Marker, CEO Murchison and Assistant Denise Lausier offered comments and changes on the document.

Dave Corriveau commented that it is very thorough and user friendly. Drew Ayer stated that the Board has talked about this in the past and it looks like everything has been solved. Eric Hitchcock commented that fillable forms make the process go a lot faster and he supports the changes. Frank McElwain said the best test is in using it and suggests approving.

Drew Ayer moved to accept the Site Design Review Application as presented; seconded by Amanda Jandreau.

Roll call vote.

Dave – Yes; Frank – Yes; Eric – Yes; Amanda – Yes; Drew – Yes; Christine – Yes; Dan – Yes
Motion carried with all in favor.

b. Site Design Review process -

Chairman Bagley brought up public hearings and how they are not required by Code, only for potential significant impact, but technically, not required. Suspending and resuming public hearings – not in ordinance, good idea to do, keeps period open for public comment. Not having them alleviates the burden of notifications, etc. Chairman Bagley asked the Board if they should move closer to what the ordinance says, and not hold public hearings or should the practices be kept in place and revise the ordinance. Mr. Bagley stated he believes there is good value in having public hearings.

Frank McElwain stated it is a good idea to keep with current practice. Drew Ayer said public input is a good thing. Eric Hitchcock stated that public hearings alleviate problems later on and gives an avenue for public to speak concerns. Amanda Jandreau questioned if there are other towns we could look at for procedures and that she believes public hearings are standard in towns in Maine. CEO Murchison said that state statute requires public hearings for large scale commercial developments. Manager Marker stated it gives transparency for decisions, which is the main reason for public hearings.

Consensus of the Board is that there is value to having public hearings and to continue having them.

Manager Marker stated that people have the right to appeal decisions of the Board. They have the right when they had not received notice of it.

Manager Marker reviewed the current site plan review process with the Board as well as simplifying the processes in the re-write of Chapter 13, Zoning of City Code.

Chairman Bagley stated that what we have now doesn't fit different sized projects, a modified process would help with that. Manager Marker stated to perhaps have a review team where everyone would be at the table at the same time with the applicant, which would help expedite the process. CEO Murchison commented with staff support, it helps with customer service.

Chairman Bagley stated that consistent application standards are needed across the board.

Chairman Bagley brought up discussion on waivers. For final plan review, engineered plans are required. The Board has not waived this requirement. Consensus of Chairman Bagley, Manager Marker, CEO Murchison and Planning Board members is to keep doing what is being done right now and not grant waivers.

Drew Ayer stated that everyone needs to be handled by the same standard to be fair. Manager Marker commented that there are different requirements based on the scope of the project.

After discussion, Board consensus is to have two different forms for larger projects versus smaller scale projects.

Discussion on next Planning Board meeting, consensus is to meet via Zoom.

VI. Staff Report; CEO Ken Murchison –

- a. **Land Bank Legislation** – CEO Murchison said he has been working with stakeholder groups from all over, there is legislation out.
- b. **Notices of Violation (junk vehicles)** – CEO Murchison stated that Mark’s Towing has a crusher that could take care of these junk vehicles. Can the City contact these junk vehicle properties to see if this could work out, Mr. Murchison has been talking with them and believes it may work out.
- c. **CDBG** – Looking at second location for area business, using an underutilized lot.
- d. **Maine Working Communities Challenge Grant** – CEO Murchison stated that Caribou is collaborating with Presque Isle on a space to receive training where a young entrepreneur could have office space. A letter of intent was sent out and first plan. If invited to second round, will give money for larger project.
- e. **Riverfront Development Group** – Looking at designating a riverfront development district. Land Use and Comp Plan update, use as a test run.

VII. Chapter 13 Revision Process for City Council; City Manager Dennis Marker –

Review of Home Occupations. Drafted language for minor and major occupations.

VIII. Adjournment -

Frank McElwain moved to adjourn the meeting at 7:32 pm; seconded by Drew Ayer.

Roll call vote.

Dave – Yes; Frank – Yes; Eric – Yes; Amanda – Yes; Drew – Yes; Christine – Yes; Dan – Yes

Motion carried with all in favor.

Respectfully Submitted,



Amanda Jandreau
Planning Board Secretary