MINUTES
PLANNING BOARD
APRIL 7, 2016

Dan Nezol - Regular 2017
Karin Paradis - Regular 2018
James Lemieux - Associate 2018
Vacant - Regular 2018
Scott T. Hall – Associate 2016
Curtis Lunt- Regular 2016
Don Fellows - Regular 2016

1. **CALL TO ORDER:** The Chairman, Mrs. Paradis called the meeting to order at 6:00 PM.

2. **ROLL CALL:** Regular members present were Karin Paradis, Dan Nezol, Donald Fellows, Curtis Lunt and Scott Hall. Excused absence was Associate member James Lemieux. Also present was Dennis Douglass, Code Enforcement Officer; Amanda Bunker, Contracted Town Planner; Councilors Bickford and 6 members in the audience.

3. **CHAIR'S REVIEW OF MEETING RULES:**

   The Chair informed the audience that the review of the meeting rules is on the back of each agenda available in the document holder by the door.

4. **WRITTEN COMMUNICATIONS:**

   Minutes of March 10, 2016

   VOTE (2016-22) Mr. Lunt, seconded by Mr. Fellows moved to approve the minutes of March 10, 2016. **Order passed - Vote 5-0.**

5. **NEW BUSINESS:**

   Site Plan Review Application

   Case #16-2 Applicants: Miller Industries
   Property Location: 3 Mill Street, Lisbon Falls, ME 04252
   Tax Map: U5 Lot 14
   Intended Use: Worumbo Mill Demolition

Dennis Douglass, Code Enforcement Officer said that this application is unusual because it is a demolition and not the typical development that requires a Site Plan Review however, because the filling is grade 2 it is before the board this evening. He said he performed a cross-check of the entire town's ordinances, there was nothing that applies to this project on his end, and therefore he considers this a complete application.

Amanda Bunker, Contracted Town Planner, asked if they have received the required state permitting.

Mr. Douglass said they have submitted the required permits but have not received them back from the State. He said Miller Industries is working with Sevee & Maher Engineers who specialize in environmental engineering so he is confident they have filed for the proper permitting.

Mr. Fellows asked if there is a timeframe on the demolition of the mill. Mr. Douglass said he doesn't have one in writing but has been told verbally that it would be done by Moxie Day.

Mr. Hall wanted it noted that he is not the same Scott Hall that is listed on the abutters list for this case.

Mr. Lunt asked if they could explain the process they would be going through. Mr. Douglass said they would grind the concrete and fill the foot print with the materials hauling in approximately 2,000 yards of gravel to fill.

Mr. Fellow mentioned that with the history of demolition not being complete to the same extent of what was expected. Mr. Douglass said that he has expressed those concerns to Miller Industries so they are aware but he doesn't have anything in writing.

The Chair, Mrs. Paradis asked if the Planning Board had any other concerns or if there was a motion to accept the application as complete.

VOTE (2016-23) Mr. Lunt, seconded by Mr. Hall moved to accept the Site Plan Review application for Miller Industries to demolish the Worumbo Mill as complete. **Order passed - Vote 5-0.**

6. PUBLIC HEARING:

Site Plan Review Application

Case #16-2 Applicants: Miller Industries
Intended Use: Worumbo Mill Demolition

The Chair, Mrs. Paradis opened the public hearing.

Tim Miller, representing Miller Industries said they understand the concern regarding the other mill demolition and they do not want that for this site either. He said that once the building is down they will let it settle, gravel, loam, seed, and possibly plant some shrubbery unless it sells before that. Mr. Miller said the demolition company is recouping and handling the recyclable materials. He said there was some asbestos found that will be abated but other than that the site is clean and it shouldn't take more than 30 days to complete. Mr. Miller explained that any debris that will not fit in the footprint will be hauled off.

Fern Larochelle, 2 Canal Street, wanted to express that this is a great opportunity for the Town of Lisbon. It is a blessing that Jo Miller is committed enough to the town to take the building down instead of leaving it there to deteriorate. He also mentioned that the demolition company is a local one that cares about their reputation locally. He hopes the board looks at this application and approves it.

There were no further questions or comments from the public, the Chair closed the public hearing.

7. UNFINISHED BUSINESS:

Site Plan Review Application

Case #16-2 Applicants: Miller Industries
Intended Use: Worumbo Mill Demolition

Mr. Fellows asked for clarification on the timeline for demolition. Mr. Miller said that it would be 30-45 days for the inner portion of the project and 30 days for the exterior. Mr. Fellows asked if there would be any way the demolition would not be completed by the end of the calendar year. Mr. Miller said that it should be done by the end of June.

Mrs. Paradis asked if there would be a condition for the DEP permitting.

Mr. Lunt asked if they could include a timeline for completion.

Mrs. Bunker mentioned adding a not that the site would be secure and safe for the Moxie Festival.

Mr. Fellows wants to include the acceptance of waivers in the motion.

VOTE (2016-24) Mr. Fellows, seconded by Mr. Lunt moved to approve the Site Plan Review application for Miller Industries to demolish the Worumbo Mill with the following conditions:

- Pending all required Federal and State Permits
- Total completion by December 31, 2016
- Landscape with loam, seed, and shrubbery
- Site will be secure and safe for Moxie Festival
- Accept waivers for Landscape preservation, vehicular access, parking requirements, pedestrian circulation, stormwater management, signs, exterior lighting, emergency vehicle access, water supply, groundwater, odor, sewage disposal, waste disposal, compliance with comprehensive plan, archaeological resources, protection of significant wildlife habitat, rare and endangered species, building design, and impacts of public facilities and services.

Order passed - Vote 5-0.

8. NEW BUSINESS:

Conditional Use Application

Case #16-3 Applicants: Tina Judd
Property Location: 10 Hasey St., Lisbon, ME 04250
Tax Map: U15 Lot 055
Intended Use: Home Daycare Business

Mr. Douglass reviewed the application with the board. He said the applicant went to the Zoning Board of Appeals and were granted a lot of record. The applicant has run a home daycare in Lisbon for 19 years and wants to continue running the business in this new location. Mr. Douglass read through the attachments checklists with the Planning Board and expressed in his opinion the application is complete.

Mrs. Bunker did not think the sketch provided is sufficient for the plan and it would be nice to see something drawn to scale which also shows placement on the actual lot.

Mr. Lunt asked if there would be a fenced in area. The applicant, Tina Judd said she would and that it is a requirement of the State to have a fence. Mr. Lunt asked how many children she would be providing care for. Mrs. Judd said she would care for 8 children.

Mrs. Paradis asked if Hasey Street is a town road. Mr. Douglass said it is an unmaintained public road.

VOTE (2016-25) Mr. Fellows, seconded by Mr. Lunt moved to approve the Conditional Use application for Tina Judd as complete pending a scale drawing of the lot to be submitted at the public hearing. **Order passed - Vote 5-0.**

VOTE (2016-26) Mr. Fellows, seconded by Mr. Lunt moved to schedule a public hearing on April 21, 2016 at 7:00 PM for Case 16-3 Conditional Use Application for Tina Judd. **Order passed - Vote 5-0.**

9. OTHER BUSINESS:

Yard Sale Draft Ordinance

Mrs. Bunker reviewed the changes made since the ordinance was first drafted. They discussed sending in for legal review and setting a public hearing.

VOTE (2016-27) Mr. Fellows, seconded by Mr. Lunt moved to schedule a public hearing on May 12, 2016 at 7:00 PM on the Yard Sale Ordinance. **Order passed - Vote 5-0.**

VOTE (2016-28) Mr. Fellows, seconded by Mr. Lunt moved to recess for 15 minutes at 6:40 PM. **Order passed - Vote 5-0.**

10. PUBLIC HEARING:

Zoning Amendments Route 196 Corridor and Villages

16 members in the audience for the public hearing on Zoning Amendments Route 196 Corridor and Villages

The Chair, Mrs. Paradis called the meeting back to order at 7:00 PM and introduced Amanda Bunker, Contracted Town Planner to give an overview of the proposed zoning amendments to the Route 196 corridor and village areas.

Mrs. Bunker said she would give a brief recap of the scope and process before the public hearing begins. She presented a slideshow to the members in the audience that explained when this work began, outlined the process, areas, and zoning changes proposed.

The Chair, Mrs. Paradis opened the public hearing.

David Plummer, resident of Park Street said he lives on the other side of the street from the proposed change and he didn't get a notice regarding this and he doesn't want businesses going in on Park St. Mr. Plummer said that having businesses on their street would affect their property values and he doesn't understand why he did not get notified.

Janice Plummer, resident of Park Street said they bought their house 52 years ago because it is a nice quiet residential area and they don't want businesses in their area. She said there are plenty of places for businesses without taking residential areas when the residents have resided there for a long time and are comfortable.

Dave Gelhar, property owner of 1 Birch Street, Lisbon Falls asked for clarification on the rezoning in the Lisbon Falls area and wanted to know if there would be expanded sidewalks. Mrs. Bunker said there has been talk and plans for the sidewalks but there is nothing concrete so it would be in the future if ever.

David Blethen, resident of Park Street said he owns property in the Center of Park St. on the East said and he also did not get notice. He said most of the residents he has spoken with are concerned about it. Mr. Blethen stated there are 13 single family homes or single family with in-law apartments on the street and the neighborhood has been revitalized because they did it on their own without assistance from the town. He said all the blighted homes have been flipped and it does not make sense to rezone and they don't want it. Also, he doesn't understand how this change will help the committee reach their mission.

Curt Newfallen, representing Kelly Park, said they have struggled for many years to attract business into the park and are interested in changing it to a mixed residential use. If Kelly Park was included in the Village zone they would be back to the Planning Board very soon with some potential ideas, possibly an upscale multifamily use.

Paul Fillion, owns 6 Bonafide Street a 5-unit apartment building and was curious if the proposed changes would allow him to add another unit because he doesn't have enough parking. Mr. Douglass said that the off street parking requirement does not change per zone. Mr. Fillion wanted to know if the zoning change would cause taxes to change. The board members who discussed this with the Assessor who said there wouldn't be a substantial change. He also asked if any of these changes would clean up the old Graziano's site because he takes good care of his property and it is discouraging to see that lot all overgrown and unmaintained. Mr. Douglass said if the Property Maintenance Ordinance passes the Town could help with some of these issues but it will not address the length of the grass.

Roger Cote, resident of Route 9 said that when the Comprehensive Plan was done he was on the commission in 2007 and the State says you should do a new plan every 10 years so he doesn't understand why they have spent all this time working on these little parts when next year the whole thing needs to be done again. Mr. Fellows said that the Comprehensive Plan will get revised but not in its entirety, the only thing that needs to be changed with these amendments is the future land use map. Mrs. Bunker said the changes made would be the same rather they did it as part of a Comprehensive Plan review and the Downtown Plans would still exists to compliment the Comprehensive Plan.

There were no further questions or comments from the public, the Chair closed the public hearing.

Mr. Lunt would like to remove Park Street from the Village Zone and include Kelly Park. Mr. Fellows agrees with Mr. Lunt on the removal of Park Street from the Village Zone because they mostly wanted to see Village Street included in that zone. He said Kelly Park is a different story but changing it to the Village Zone would be a better fit with the Aquifer Protection Overlay Zone. Mr. Fellows wondered if it would be cause for concern because they haven't notified the abutters of Kelly Park. Mrs. Bunker said you only have to notify the lots affected and since the owner proposed this particular change the notice should not be a cause for concern. Mr. Douglass said the notice of the hearing and proposed zoning amendments was also printed in the newspapers and published on the Town's website.

VOTE (2016-29) Mr. Lunt, seconded by Mr. Fellows moved to approve the proposed zoning amendments for the Route 196 Corridor and Villages with the addition of Kelly Park in the Village Zone and the exclusion of Park Street from the Village Zone. **Order passed - Vote 5-0.**

11. CODE ENFORCEMENT OFFICIAL BUSINESS: None.

12. TOWN PLANNER OFFICIAL BUSINESS:

Mrs. Bunker reminded the board she would not be at the meeting on April 21, 2016 and will return the last week of April. They are scheduled to start working on the Route 9 Corridor in May and wondered if there was interest in doing an online survey. The Planning Board Members felt the online survey was beneficial when they worked on Route 196 and would be interested in doing another one for Route 9. Mrs. Bunker will draft a set of questions for the board to review at the meeting on April 21st.

13. ADJOURN:

VOTE (2016-25) Mr. Fellows, seconded by Mr. Lunt moved to adjourn at 8:13 PM. **Order passed - Vote 5-0.**

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Jody Durisko, Administrative Assistant

Date Approved: _____

** These minutes are not verbatim. A recording of the meeting is on file.*