



MINUTES PLANNING BOARD MAY 26, 2011

John Potvin - Regular 2014
Don Fellows - Regular 2015
Jeffrey Ganong - Regular 2015
Dan Nezol - Regular 2011
Francis Drake, Jr. - Regular 2011
Gerry Kamke - Associate 2014
Steve Warren - Associate 2011

- 1. CALL TO ORDER:** The Chairman, Mr. Potvin called the meeting to order at 7:04 PM.
- 2. ROLL CALL:** Regular members present were John Potvin, Dan Nezol, Francis Drake, Jr., Jeff Ganong, and Don Fellows. Associate members present were Steve Warren and Gerry Kamke was an excused absence. Also present was Code Enforcement Officer, Michael Cote, and four citizens in the audience.

The Chairman, John Potvin reviewed the Board's policies, procedures, and referred the running of the remainder of the meeting to Vice Chairman, Jeff Ganong.

Vice Chairman, Jeff Ganong granted voting privileges to associate member, Steve Warren.

3. PUBLIC HEARINGS:

TOWN OF LISBON ACCESS MANAGEMENT ORDINANCE: DRIVEWAY STANDARDS APPLIED TO ALL PUBLIC AND PRIVATE ACCECESS ONTO STATE AND STATE-AID ROADS.

The Vice Chairman, Jeff Ganong opened the public hearing and asked Joan Walton, AVCOG Transportation Planner to explain what we are trying to do with this ordinance.

Joan explained that the purpose of the ordinance is to limit the number of access points into some of the major state roads that run through Lisbon. The State of Maine has requirements but they do not apply to Route 196 because it is classified as an Urban Compact Road and this has been the source of the access management problems on Route 196 in Lisbon and Lewiston. Ms. Walton recommends that communities adopt an ordinance so they have some local control. The Planning Board held a workshop since the ordinance was first introduced during which the ordinance was scaled back to the state numbered Routes 196, 125, Mill Street, and Upland Road.

The Vice Chairman, Jeff Ganong addressed the audience for comments.

Paul Griesbach, 57 Main Street, Lisbon Falls is concerned about how this relates to the village area. He can see how it relates to Route 196 and Route 9 but feels it conflicts with the purpose of the Village Zone.

Jeff asked Mr. Griesbach exactly what items in the ordinance would be too restrictive.

Mr. Griesbach said that the no change of use, parking provisions, and waivers.

John Potvin asked if it would work if they excluded the Village Zone from the Access Management Standards.

Joan Walton suggested that a better alternative to that is to exclude from Huston Street to Route 196 from this ordinance.

Dan Nezol said that we have an ordinance for On-street Parking.

Jeff Ganong said he noted that as well and was going to bring it up as well.

There were no comments and the Chairman closed the Public Hearing for this case.

4. REGULAR MEETING:

TOWN OF LISBON ACCESS MANAGEMENT ORDINANCE: DRIVEWAY STANDARDS APPLIED TO ALL PUBLIC AND PRIVATE ACCESESS ONTO STATE AND STATE-AID ROADS:

Jeff Ganong said that one item that has been discussed heavily was the idea of waivers. Some board members have concerns about granting them, I being one of them, and other board members feel strongly that the Planning Board should have the authority to grant waivers. Would it be a possibility to change the trigger from a change of use to a change of footprint? In other words, this ordinance would come in to effect only if the property was changing its existing access point.

Don Fellows would have a problem with that as a trigger because a if it is just a change in use triggers the standards but not a change in ownership so it is the use of the property that triggers the standards for instance residential to commercial is a change of use vs. a change in ownership and regulates what is coming in and out of that property. I am not crazy about the idea of granting waivers but would lean toward that over changing the trigger because if you say it is not waiver able it is a lot easier to stick to the standard than if you say it is waiver able. I would be more inclined to exclude the granting of waivers for site distance if we exclude some of the areas that these standards were not intended for.

John Potvin thinks that within a 25 mph speed zone that entering and exiting is safe it is when you get into the 45-50 mph then it would be more applicable.

Joan Walton, AVCOG Transportation Planner said that the basis is the State rules that don't apply to roads with speed limits less than 35 mph. In essence, what you could do is apply the ordinance to Route 125 North of Huston Street.

John Potvin would rather apply the ordinance to Route 125 North of Huston Street versus granting waivers for site distance or changing the trigger.

Don Fellows mentioned another area on Route 196 that they thought might be another conflict with these standards.

Joan Walton asked if he was referring to the former Food City lot and said that an engineer from her office is working on a schematic to show, the Planning Board how you could potentially redevelop that lot within these standards and make the curve safer. I would also caution the board against making changes based on the speed limit only because Mill Street would fall within the 25 mph speed limit and this is a potential area for development. Areas surrounding schools become very desirable and may attract future development in that area.

Don Fellows agrees that Mill Street is a potential for development and should be looked at.

The Planning Board Member deliberated if they were ready to act on this ordinance or if another workshop is needed. Since Joan Walton was here, the board wanted to look at a couple of different locations on Google Earth and evaluate how these standards would or would not affect them.

ACTION TAKEN: Don Fellows seconded by Francis Drake moved to table the Town of Lisbon Access Management Ordinance. Vote 5-0 Carried.

Stephen Eldridge, Town Manager suggested the Planning Board make a list of the items the board would like to resolve so the public could hear what the items to be addressed would be.

Jeff Ganong listed the items as follows:

- Confirm the applicable roads to be covered by the Access Management Ordinance (AMO)

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

- Determine a proper mitigation mechanism that can be used in the 2.18 section of the AMO
- Resolve how the Planning Board wants to regulate the downtown area of Rt. 125 (Main St.)
- Determine what provisions the Planning Board has the ability to waive
- Resolve current issues with Chapter 46 Section 133 of the town ordinance (Issues identified in Joan Walton's e-mail on 5-13-2011)
- Determine if the Planning Board should adopt access management standards for all roads

A workshop will be scheduled for June 8, 2011 at 3:00 p.m. to discuss these items.

- 5. OTHER BUSINESS:** Rick Belanger would like to see if the Planning Board would consider granting a Conditional Use Permit to Belanger's Farm Stand, 337 Lisbon Street to have a corn maze in the Diversified Development District under Section 70-502-4 Non-listed use. This year it would be a pick your own pumpkins and add the corn maze next year. The parking lot is 350' x 110' deep so there is plenty of parking to accommodate the use.

The Planning Board did not foresee any issues and advised Rick Belanger to file the proper applications and/or paperwork with the Code Enforcement Officer.

6. WRITTEN COMMUNICATIONS:

Minutes of April 28, 2011.

ACTION TAKEN: John Potvin seconded by Don Fellows moved to approve the minutes of April 28, 2011. Vote 5-0. Carried.

7. ADJOURNMENT:

ACTION TAKEN: John Potvin, seconded by Francis Drake moved to adjourn at 8:21 PM. Vote 5-0 Carried.

Respectfully submitted,

Jody Durisko
Administrative Assistant