



MINUTES  
PLANNING BOARD  
JUNE 24, 2010

John Potvin - Regular 2014  
Gerald Kamke - Regular 2010  
Jeffrey Ganong - Regular 2010  
Dan Nezol - Regular 2011  
Francis Drake, Jr. - Regular 2011  
Don Fellows - Associate 2014  
Steve Warren - Associate 2011

1. **CALL TO ORDER:** The Acting Chairman, Mr. Ganong, called the meeting to order at 7:08 PM.
2. **ROLL CALL:** Regular members present were Dan Nezol, Jeffrey Ganong, Francis Drake, Jr., John Potvin and Gerry Kamke was excused absences. Associate members present were Don Fellows and Steve Warren. Also present was Councilor Lunt, Councilor Cote, Councilor Mason, Commissioner Wells and approximately 5 citizens in the audience.

The Acting Chairman granted Steve Warren and Don Fellows voting privileges and reviewed the Board's policies and procedures.

3. **PUBLIC HEARINGS:**

The Acting Chairman Explained that he will not be asking representatives to come forward to explain the Zoning Map Amendments or the Wellhead Protection Ordinance because they are being tabled by the board and will be heard at the July 22, 2010 Planning Board Meeting.

**CONDITIONAL USE PERMIT:**

Case #10-01     Applicant: Randy Crafts  
                         Property Location: 501 Lisbon Street, Lisbon Falls  
                         Tax Map: R6-1  
                         Zone: Commercial  
                         Intended Use: Fill more than 500 cubic yards, requesting 25,000 cubic yards of fill

The Acting Chairman, Mr. Ganong opened the public hearing and asked Mr. Crafts to explain his plans. Mr. Crafts said he was requesting the fill to raise the level of the parking lot to be level with Route 196. Mr. Fellows asked if it would be near the Resource Protection area and Mr. Crafts and Mr. Cote, Code Enforcement Officer confirmed that it was not. Mr. Ganong asked if construction and addition of the fill would have an impact on traffic. Mr. Crafts said that the impact if any would be minimal. Mr. Warren asked what elevation the lot would be and if drainage would be used. Mr. Crafts said the elevation of the lot is indicated on the plans he submitted and that a catch basin and underground drainage would be installed. Mr. Warren asked what he was doing to prevent erosion. Mr. Crafts informed him that silk fencing is already in place. Mr. Warren asked if the retaining wall mentioned was going to be built up so vehicles can't go over the far edge of the parking lot. Mr. Crafts said that is a part of the plan submitted for his conditional use permit and he would ensure vehicles could not go over the edge as the property owner he also would not want that liability. There were no further comments and the Acting Chairman closed the Public Hearing for this case.

**CONDITIONAL USE PERMIT:**

Case #10-02     Applicant: Paul Mason  
                         Property Location: 290 Ridge Road, Lisbon Falls  
                         Tax Map: R4-8  
                         Zone: Rural Open Space / Resource Protection  
                         Intended Use: Fill more than 500 cubic yards, requesting 5,000 cubic yards of fill

The Acting Chairman, Mr. Ganong opened the public hearing and asked Mr. Rick Mason to explain the request; Rick will be doing the work for his father (Paul Mason). Mr. Mason said that they want to fill in basin left from an old pit and what used to be the Old County Road. Mr. Mason said he would like to modify the fill amount from 5,000 to 25,000. Mr. Warren asked how long it was since the gravel pit was used and if he knew what the ground water level is. Mr. Mason said that it is ledge and there is no water. Mr. Warren asked where he was getting the fill. Mr. Mason said that he was getting the fill from K & K from the Route 9 project. Councilor Cote highly recommends approving the fill permit to turn the property back into a field and help improve the property. Mr. Warren said he has a concern with the quality of the fill and it's approximation to the Resource Protection Zone. Mr. Cote said that any run off would not flow toward the Resource Protection area. There were no further comments and the Acting Chairman closed the Public Hearing for this case.

#### FLOOD HAZARD DEVELOPMENT PERMIT APPLICATION:

Case # 10-03    Applicant: Miller Industries  
Property Location: 2&5 Canal Street, Lisbon Falls  
Tax Map: U5-11, 13, 14  
Zone: Commercial  
Intended Use: Demolish & dispose of five buildings and one overhead walkway associated with the Worumbo Mill Site.

The Acting Chairman, Mr. Ganong opened the public hearing and asked Matthew Muzzy, representing Miller Industries to explain their application. Mr. Muzzy said that owners of that property have let the buildings set vacant for some time with no maintenance and they want to move forward with the use of property either for redevelopment or demolishing of the buildings. Mr. Ganong asked if there was a timetable for the demolition or is it an option to keep open. Mr. Muzzy said that the buildings between Route 196 and Canal Street would begin around August and the bigger buildings possibly next year. Mr. Fellows asked if they had asbestos in the buildings. Mr. Muzzy said essentially most of the asbestos has been removed but they do have a couple of areas that it has been identified and they are working on that. Ms. Fitzgerald said it would be a shame to see the historical Worumbo mill building to be torn down but she understands it is an important issue. Councilor Mason asked if some of the demolition materials could be used to fill the canal. In the 80's they tried to do that with previous demolition and they were told they could not do that because the canal is an avid cold waterway. Mr. Cote, Code Enforcement Officer said that our Economic and Community Development Director, Rosie Bradley is working with potential developers and this is part of working with them. Mr. Warren asked about hazardous waste at the site? Mr. Muzzy said the letter from the State is certification that contaminants have been mitigated and are no longer there. There were no further comments and the Acting Chairman closed the Public Hearing for this case.

#### REVIEW STREET LIGHTING ORDINANCE:

The Acting Chairman, Mr. Ganong opened the public hearing and asked if there was any public comments on the proposed Street Lighting Ordinance. Commissioner Wells asked why we tabled the Wellhead Protection Ordinance. Mr. Cote said that the Town Attorney needed to add more verbiage and copies will be made available to the public. Mr. Ganong apologized for the last minute change. Mr. Fellows said that he thinks that there are a couple of things that need to be changed such as: it references an application in the ordinance and it should include one so I made one, on P.5 subsection 7.2.3 last paragraph it should say then not than, P.9 subsection 9.4 add must be in writing by application to Town engineer, P.9 subsection 9.5 add prior to installation or removal., P.9 subsection 10.0 add may request in writing by application. Councilor Cote asked if copies of this ordinance were going to be available for the public. Mr. Cote gave him a copy. There were no further comments and the Acting Chairman closed the Public Hearing for this case.

**4. REGULAR MEETING:****CONDITIONAL USE PERMIT:**

Case #10-01 Applicant: Randy Crafts

Intended Use: Fill more than 500 cubic yards, requesting 25,000 cubic yards of fill

ACTION TAKEN: Mr. Fellows seconded by Mr. Warren moved to approve the Conditional Use Permit for 25,000 cubic yards of fill with the condition that a retaining wall is extended above the ground level. Vote 5-0 Carried.

**CONDITIONAL USE PERMIT:**

Case #10-02 Applicant: Paul Mason

Intended Use: Fill more than 500 cubic yards, requesting 5,000 cubic yards of fill

ACTION TAKEN: Mr. Warren seconded by Mr. Fellows moved to approve the Conditional Use Permit for 25,000 cubic yards of fill. Vote 5-0 Carried.

**FLOOD HAZARD DEVELOPMENT PERMIT APPLICATION:**

Case # 10-03 Applicant: Miller Industries

Property Location: 2&amp;5 Canal Street, Lisbon Falls

Intended Use: Demolish &amp; dispose of five buildings and one overhead walkway associated with the Worumbo Mill Site.

ACTION TAKEN: Mr. Fellows seconded by Mr. Nezol moved to approve the Flood Hazard Development Permit. Vote 3-2 Carried. (Mr. Ganong & Mr. Warren Opposed).

**REVIEW STREET LIGHTING ORDINANCE:**

ACTION TAKEN: Mr. Warren seconded by Mr. Fellows moved to approve the Street Lighting Ordinance with the following amendments:

Pg. 5 Subsection 7.2.3 - Change the word than to: then.

Pg. 9 Subsection 9.4 - Change directed to the city to: in writing by application to the Town Engineer.

Pg. 9 Subsection 9.5 - Add the words or removal so it reads: must be reviewed by the Town Engineer, Public Safety Departments (Police and Fire) and Public Works prior to installation or removal.

Pg. 9 Subsection 10.1 - Change wording to read: Property owners may request in writing by application additional street lighting for roadway illumination purposed from the electrical utility company at no cost to the Town and on with approval by of the Town Engineer/Public Works/Public Safety and 100 % of all property owners within 440 feet of the proposed streetlight location. The Town Engineer shall use the following criteria in evaluating requests:

Pg. 10 Subsection 14.0 A. ZONING MAP COPIES (Large Scale Copy)

Pg. 10 Subsection 14.0 - Add Letter E. Request Application. Vote 5-0 Carried.

**REVIEW WELLHEAD PROTECTION ORDINANCE:**

ACTION TAKEN: Mr. Ganong seconded by Mr. Warren moved to table the proposed Wellhead Protection Ordinance until the July 22, 2010 Planning Board Meeting. Vote 5-0 Carried.

**REVIEW ZONING MAP CHANGES:**

ACTION TAKEN: Mr. Drake seconded by Mr. Fellows moved to table the proposed Zoning Map Changes until the July 22, 2010 Planning Board Meeting. Vote 5-0 Carried.

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

5. OTHER BUSINESS: None.

6. WRITTEN COMMUNICATIONS:

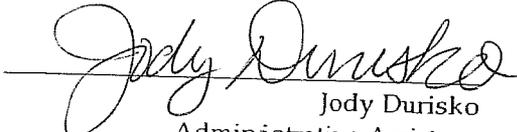
Minutes of May 27, 2010.

ACTION TAKEN: Mr. Ganong seconded by Mr. Drake moved to approve the minutes of May 27, 2010. Vote 5-0. Carried

7. ADJOURNMENT:

ACTION TAKEN: Mr. Drake, seconded by Mr. Warren moved to adjourn at 8:37 PM. Vote 5-0 Carried.

Respectfully submitted,

  
Jody Durisko  
Administrative Assistant