



MINUTES PLANNING BOARD JULY 25, 2013

Dan Nezol - Regular 2014
Joshua Holmes - Regular 2015
James Lemieux - Regular 2015
Karin Paradis - Associate 2015
Curtis Lunt - Regular 2016
Don Fellows - Regular 2016
Tyler Goletti - Associate - 2016

- 1. CALL TO ORDER:** The Chairman, Mr. Fellows called the meeting to order at 7:01 PM.
- 2. ROLL CALL:** Regular members present were Don Fellows, Josh Holmes, James Lemieux, Curtis Lunt, and Dan Nezol. Associate members present were Tyler Golletti and Karin Paradis. Also, present were Amanda Bunker, Wright-Pierce Community & Land Use Planner; Dennis Douglass, Code Enforcement Officer; Councilor Larochelle, Councilor Bickford, and approximately 4 citizens in the audience.
- 3. CHAIR'S REVIEW OF MEETING RULES:** The Chairman, Mr. Fellows said that all regular members were present so no voting privileges will be granted this evening. He explained that this is a regular meeting not a public hearing. Public comment is allowed after the Board has finished their discussion and at the discretion of the Chair.
- 4. WRITTEN COMMUNICATIONS:**

Minutes of July 11, 2013

VOTE (2013-43) Mr. Lunt seconded by Mr. Holmes moved to approve the minutes of July 11, 2013.

Mr. Fellows said that James Lemieux should be listed as an excused absence.

Mr. Lunt seconded by Mr. Holmes moved to approve the minutes of July 11, 2013 with the correction. **Order passed - Vote 4-0-1** (Abstained: Lemieux).

- 5. PUBLIC HEARING: None**
- 6. UNFINISHED BUSINESS: None**
- 7. NEW BUSINESS:**

Chapter 70 Section 731 (70-731) Timber Harvesting

Dennis Douglass, Code Enforcement Officer reviewed the three options the Town has relative to Timber Harvesting and related activities in the Shoreland areas.

Option #1: Repeal all language in local ordinance referring to timber harvesting in Shoreland areas.

Option#2: Adopt identical standards as the Statewide Standards.

Option #3: Keep existing Shoreland zoning ordinances.

Effective January 1st, 2013

Option #1: Maine Forest Service (MFS) takes over enforcement

Option #2: Municipalities may request the MFS administer and enforce the ordinance or to participate in joint administration and enforcement with MFS subject to a standard memorandum of agreement.

Option #3: Municipality administers and enforces their ordinance.

Summary: To comply with the new Shoreland Zoning Regulations we must adopt one of the three options listed. Currently we are listed as Option #1. To be in compliance we must repeal the Timber Harvesting language and refer to the Statewide Standards (MFS Rule - Chapter 21). See also Chapter 1000: Guidelines for Municipal Shoreland Ordinances.

Mr. Fellows asked why other Town's would choose options #2 or #3.

Mr. Douglass said that most other towns have gone with option #1 but he could only speculate as to why. One reason may be to have greater local control if the town had someone locally qualified in Timber Harvesting or want to have a permitting process versus the notification and review process that the State offers at no cost to those who file. He also said that it made sense to have the State expertise checking these standards instead of falling on the Code Enforcement Officer who may not have the same qualifications since it can be subjective in certain areas.

Mr. Lunt said that the State does a good job communicating with towns on these filings.

VOTE (2013-44) Mr. Lunt seconded by Mr. Nezol moved to recommend Option #1 repealing all local ordinance language except the definition of Timber Harvesting Sec. 70-1 to the Town Council for adoption. **Order passed - Vote 4-1** (Opposed: Holmes).

8. CODE ENFORCEMENT OFFICIAL BUSINESS:

Permit Update

Mr. Douglass reviewed his department report for the second quarter of 2013 with the Planning Board. There were 42 building, 6 plumbing, 11 electrical, and 17 miscellaneous permits issued through the Code Enforcement Office in the months of April, May, and June. He spoke about the difficulties in handling abandoned properties complaints/violations.

9. PLANNING ASSOCIATE OFFICIAL BUSINESS:

Subdivision Checklist Update

Mrs. Bunker reviewed a couple of changes made to the Subdivision procedures checklist. The first item is #1 in the procedures checklist suggesting a pre-application meeting with the Planning Board, the addition of the Dedication of Open Space Form, and she also went through and double-checked timelines, etc.

The Planning Board unanimously approved the Subdivision application, forms, and checklist for use.

Route 196 Master Plan Update

Mrs. Bunker said there isn't a lot to report on the Route 196 Master Planning at this time. She said there are handouts in the hall at the Town Office that were available at the Route 196 Steering Committee Booth at the Moxie Festival.

She said a joint meeting is scheduled with the School Facilities Committee to discuss the Master Planning efforts on August 27, 2013.

Mrs. Bunker said that the Board will begin to hold workshops to work on Design standards and the next forms to work on will be for the Floodplain and Shoreland Ordinances.

10. OTHER BUSINESS:

The Chairman, Mr. Fellows said AVCOG is having a webinar on eminent domain that will be available on YouTube if the Planning Board members are interested. He will have Dennis send the link out to them.

He said that to date no cases have been filed for the August 8th meeting and since there have been extra meetings scheduled in August, he was wondering if the board wanted to cancel the meeting if no cases are filed.

VOTE (2013-45) Mr. Lunt seconded by Mr. Lemieux moved to cancel the meeting scheduled for August 8, 2013 if no cases are filed. **Order passed - Vote 5-0.**

The Chairman, Mr. Fellows reminded everyone that the meeting scheduled for August 22, 2013 has been rescheduled to Thursday, August 29, 2013 and they are scheduled to take part in the Joint Workshop with the Rt. 196 Steering Committee, Council, and School Facilities Committee on Tuesday, August 27, 2013 at 7:00 PM. Looking ahead there will more than likely be a public session on design standards sometime in September.

Dorothy Fitzgerald resident of School Street, Lisbon Falls said she would like to know if someone can help business owners with sign design and said she appreciates Dennis's help with abandoned homes in town.

Mr. Fellows said that Mr. Douglass is helping people meet the current regulations of the existing ordinances in regards to signage.

Ms. Fitzgerald also said that she is willing to donate several large cedar trees from her property to help as a buffer for the proposed water tower if someone would be willing to dig, relocate, and replace them with something new in its place.

11. EXECUTIVE SESSION: NONE**12. ADJOURNMENT**

VOTE (2013-46) Mr. Holmes, seconded by Mr. Lunt moved to adjourn to workshop at 7:48 PM. **Order passed - Vote 5-0.**

Jody Durisko,
Administrative Assistant

Date Approved: _____

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