

AGENDA
PLANNING BOARD MEETING
JUNE 23, 2022
LISBON TOWN OFFICE
SITE VISIT 6:30 PM Case #22-11 at 8 Western Avenue Lisbon
Meeting at 7:00 PM

1. CALL TO ORDER

2. ROLL CALL

____Curtis Lunt (Vice-Chair)

____William Kuhl (Chair)

____Shaun Carr

____Chris Huston

____Patrick Maloy

____Nicholas Craig (Associate)

____Dan Leeman (Associate)

3. CHAIRMAN'S REVIEW OF MEETING RULES

4. WRITTEN COMMUNICATIONS – Minutes of June 09, 2022

Site Visit Comments – **Case #22-11**

5. PUBLIC HEARINGS – **Case # 22-11** – A Tree Pro – Conditional Use Application

6. UNFINISHED BUSINESS – **Findings of Fact – Case #22-06** - Home Day Care, Kelli Daigle

Findings of Fact – Case #22-07 – Sullivan Rear Lot

Findings of Fact – Case #22-08 – Crafts Subdivision

Findings of Fact – Case #22-09 – Public Works Salt Shed

Findings of Fact – Case #22-10 - Fill Permit Celine Goddard

Case #22-11 Conditional Use Application

A Tree Pro

James W. Carville

8 Western Avenue

Lisbon, Me 04250

Map U16 Lot053

7. NEW BUSINESS – **Case #22-12** – Conditional Use Application

Smoky Falls

Ashley St. Amand

694 Lisbon Street

Lisbon Falls, Me 04252

Map U05 Lot 219

Case #22-13 – Conditional Use Application

East Coast Cure

580 Lisbon Street

Lisbon Falls, Me 04252

Map U09 Lot 015

8. OTHER BUSINESS - A. **Case #22-09** Public Works Salt Shed – Wellhead Protection
 B. Proposed Sign Ordinance Amendment

9. CODE ENFORCEMENT OFFICER ITEMS –

10. ADJOURNMENT -

LISBON PLANNING BOARD – MEETING/HEARING RULES

The Board welcomes everyone to the meeting of the Lisbon Planning Board. If this is a meeting which will include a hearing, some special provisions will apply and are listed below. While we value the input of every interested person, we must limit the comment period in order to conduct business in a timely fashion.

Meeting Format – The format for each meeting (whether regular or special) shall be in strict accordance with Article 4, Section 4.1.6 of the Planning Board Bylaws. *Please note that the **Chair may change the order of business for the current meeting upon a majority vote of the Board.***

All meetings shall be conducted in such a manner as to be completed within two and one half (2.5) hours of commencement. The Board, by unanimous consent, may decide to extend a meeting but only at the point where the meeting can be concluded within another hour. Any action after that point requires a tabling or postponing order.

Public Participation – With regard to participation by the public, all comments to the Board and from the Board shall be made through the Chair. The attending public may participate as follows:

- **During Regular Meetings**– is allowed at the discretion of the Chair, but only after introduction of an agenda item and appropriate motions with time for explanation and Board member questions. The public may be allowed to comment, but during that period, the **public may address that agenda item only** and each participant shall be limited **two (2) minutes**. Each participant may address the Board only one time unless requested by the Chair to comment further, and the Chair may limit time for comments to no more than **ten (10) minutes in total** on any one agenda item. **A member of the public who wishes to comment on an item not on the agenda may be allowed to speak during the “Other Business” portion of the agenda.**
- **During Workshops** – The attending public may not participate unless the Chair allows or requests such comment.
- **During Site Visits**– This is a **special meeting** in all respects except that **the public is not allowed to participate**. Although the public is allowed to be present, comments and explanations will only be accepted by Board members and an applicant or agents representing an applicant. Only participant comments may be considered in any notes taken for minutes of such meeting.
- **During Hearings** – The attending public may speak only in accordance with the specific rules set up for hearings.
 - The public must comment only when specifically allowed. **The Chair shall emphasize that no decisions are made during the hearing and the process may not conclude during the regular current meeting. Finally, the Chair will state that order must be maintained and is required of all participants.**
 - There will be a Call by the Chair to open a specific hearing with case number followed by a Call for a **Presentation by the Applicant or Representative or attorney and witnesses without interruption**. Then general **questions may be asked through the Chair to the applicant by Board members and people who will be directly affected by the project (e.g., abutters)**. Then requests for more detailed information on the evidence presented by the applicant will be allowed by the same parties.
 - **Next** there will be a call for presentations by **abutters or others** including their attorneys and witnesses, who will be **directly affected by the project**.
 - Then **questions** through the Chair, **by the applicant and Board members to the people directly affected** and the witnesses who made presentations will be allowed.
 - **Next there may be rebuttal statements by any of the people who testified previously.**
 - Following that, **comments or questions by other interested people** in the audience will be entertained. Comment by those other interested people in the audience will be limited in the same fashion as for regular meetings, i.e. **two (2) minutes per person and ten (10) minutes overall**. The hearing will be closed at the end of public comment.
- It is important that **respect for each person** be considered. There will be opposing views and opinions and all will be considered without impunity. All persons speaking within the guidelines delineated herein will be treated with respect and allowed to complete the statement or viewpoint. **Any individual who speaks out of turn or in such a manner as to be considered unruly by the Chair, may be warned and then removed** if the situation creates a significant disruption of the orderly conduct of the business of the Board.



TOWN OF LISBON

300 Lisbon Street, Lisbon, ME 04250

Lisa M. Ward

Town Clerk

PUBLIC HEARING

Notice is hereby given that the Lisbon Planning Board intends to hold a Public Hearing on Thursday, June 23, 2022 at 7:00 PM in the Town Office Public Meeting Room to hear comments on the following:

Case #22-11 Conditional Use Application

A Tree Pro

James W. Carville

8 Western Avenue

Lisbon, Me 04250

Map U16 Lot 053

The public is invited to attend.

Lisa M. Ward, Town Clerk

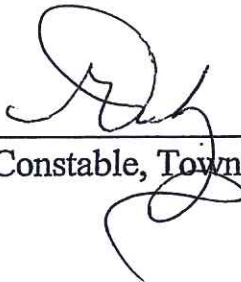
Constable's
Return Of Posting
State Of Maine

Lisbon,

Androscoggin, ss.

Pursuant to the within notice, I have posted said notice at the Lisbon Center Post Office and the Town Office Building, these being in District 1, and the Lisbon Falls Post Office, this being in District 2, all being conspicuous and public places within the Town of Lisbon.

Date: 6-10-22



Constable, Town of Lisbon



PLANNING BOARD MINUTES JUNE 9, 2022

Christopher Huston- Regular 2022
Curtis Lunt- Regular 2022
Patrick Maloy - Member 2024
William Kuhl - Regular 2023
Nicholas Craig - Associate 2024
Shaun Carr - Regular 2024
Dan Leeman - Associate 2022

- 1. CALL TO ORDER:** The Chairman, Mr. Kuhl called the meeting to order at 7:00 PM.
- 2. ROLL CALL:** Regular members present were William Kuhl, Curtis Lunt, Shaun Carr and Patrick Maloy. Chris Huston was excused. Associate Members Dan Leeman and Nicholas Craig were present as well. Also present was Mark Stambach, Code Enforcement Officer; Glenn Michalowski, Assistant Town Manager and Don Fellows, Town Council Liaison. There were six audience members.

3. REVIEW OF MEETING RULES:

The Chairman explained the meeting rules are located on the back of each agenda.

4. WRITTEN COMMUNICATIONS: Minutes of May 26, 2022

The meeting minutes of May 26, 2022 were distributed to all the members. The Chairman asked if there were corrections or additions.

VOTE (2022-38) Mr. Lunt, seconded by Mr. Carr moved to approve the Minutes of May 26, 2022.

Vote: 4-0 Carried.

5. PUBLIC HEARINGS – Case #22-06 – Kelli Daigle – Home Day Care

The Chairman opened the Public Hearing. Hearing no comments, the Chairman closed the Public Hearing.

Case #22-07 – Sullivan Rear Lot

The Chairman opened the Public Hearing.

The applicant stated he currently has a 20-acre lot off of Route 9 and a two-family home. He would like to build an additional 5-bedroom home to be located 150 feet from the existing home and 150-200 feet from every property line with a driveway that is 1,000 feet long. He said he has a septic system already installed for two homes, electrical is set up and a well that is sufficient for both homes.

Hearing no further comments, the Chairman closed the Public Hearing.

Case #22-08 – Crafts Subdivision

The Chairman opened and closed the Public Hearing with no comments.

Case #22-09 – Public Works Salt Shed

The Chairman opened and closed the Public Hearing with no comments.

Case #22-10 Celine Goddard – Fill and Tree Planting for privacy

The Chairman opened and closed the Public Hearing with no comments.

6. UNFINISHED BUSINESS - Case #22-06 Conditional Use Application

Home Day Care
Kelli Daigle
7 Ridlon Road
Lisbon, Me 04250
Map R8 Lot 9C

Mr. Stambach went through the Checklists and stated the only issue is the Septic System is undersized. He said the

Applicant is currently working on correcting that.

VOTE: (2022-39) Mr. Lunt, seconded by Mr. Carr moved to accept the application as complete with a condition that the Septic System be acceptable. **Vote: 4-0 Carried.**

Case #22-07 Conditional Use Application
Sullivan Rear Lot
20 Therese Lane
Lisbon Falls, Me 04252
Map R-05 Lot 001C

Mr. Stambach stated the applicant is looking to do a second rear lot off of an access that is already in existence. He said there is an existing 2-family home on the front portion of the lot. Because of the zoning, he is not allowed to add another structure onto that lot. Mr. Stambach said the rear lot ordinance does allow for two rear lots to be supported off of one access. Mr. Stambach also stated there needs to be a lot line created that provides adequate setback from both structures and enough area in the front which will require 120,000 square feet in the front lot because of it being a two unit.

VOTE: (2022-40) Mr. Carr, seconded by Mr. Lunt moved to approve the application as complete with a condition that a lot line be created to establish two separate lots. **Vote: 4-0 Carried.**

Case #22-08 Subdivision Review Application
Crafts Subdivision
Ridge Road
Map R-5 Lot 001-C-2

Mr. Stambach stated Mr. Crafts is creating two additional lots to the existing parcel. He said the access is still more than 20 feet at the narrowest point for the rear lot and the area and frontage on the front lots are of adequate size.

VOTE: (2022-41) Mr. Lunt, seconded by Mr. Carr moved to approve the application as submitted.
Vote: 4-0 Carried.

Case #22-09 Site Plan Review
Town of Lisbon – Public Works Salt Shed
14 Capital Avenue
Lisbon Falls, Me 04252
Map U10 Lot 004

Councilor Fellows stated the Salt Shed is in Wellhead Protection Zone III and wanted the Planning Board to be aware that there was salt leakage in that area before and should keep that in mind when moving forward with this project.

VOTE: (2022-42) Mr. Lunt, seconded by Mr. Maloy moved to approve the application as complete with the condition that any wellhead protection issues are addressed. **Vote: 4-0 Carried.**

Case #22-10 Conditional Use Application
Celine Goddard
167 Ridge Road
Lisbon Falls, Me 04252
Map R05 Lot 009 L

Mrs. Goddard stated she will need to create a 12-foot roadway to haul 1,650 plus yards of fill to create an elevation to be able to plant trees and create a border on her property to limit visibility and noise from her neighbor's property, which has a backyard parking lot with a lot of equipment.

Mr. Stambach went through the Checklists with no objections.

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

VOTE: (2022-43) Mr. Lunt, seconded by Mr. Carr moved to approve the application as complete with a condition that the installation is done using Best Management Practices under Maine DEP rules. **Vote 4-0 Carried.**

7. NEW BUSINESS – Case #22-11 Conditional Use Application

A Tree Pro
James W. Carville
8 Western Avenue
Lisbon, Me 04250
Map U16 Lot053

Mr. Stambach stated Mr. Carville has a tree service and is looking to have the ability to park his equipment On-Site at his home, which is general residential, which allows for a small business with an area of land or building that is under 2,500 sq. feet. Mr. Carville would like to park his equipment on the back portion of his property, along Western Avenue.

Mr. Carr asked the applicant if any wood was being processed there. Mr. Carville, said no, not anymore. Mr. Carville stated he burns firewood for his home, so he processes his own firewood only.

Mr. Stambach stated Mr. Carville would also like to have a small Camp wood stand out in front of his property on Village Street.

VOTE: (2022-44) Mr. Kuhl, seconded by Mr. Maloy moved to accept the application as complete and schedule a Site Visit on June 23 at 6:30pm and a Public Hearing at 7:00pm. **Vote 4-0 Carried.**

8. OTHER BUSINESS – The Chairman, Mr. Kuhl introduced the New Assistant Town Manager, Glenn Michalowski and welcomed him to Lisbon. He also shared with the Planning Board that he presented the request for a Planner at the prior Council Meeting. The Council will request an RFP (Request for Proposal) in the next couple of weeks.

Mr. Kuhl stated also that several concerned citizens have requested to the Council that a moratorium be put on New Marijuana Operations. He said this will be discussed at the next Council Meeting.

9. CODE ENFORCEMENT OFFICER – Mr. Stambach stated that under the new Sign Ordinance, the Planning Board is required to approve any new signs. He presented the Board with a new sign design for a business called Lil Jam Cookies.

VOTE: (2022-45) Mr. Lunt, seconded by Mr. Carr moved to approve the Sign presented by the Code Enforcement Officer for Lil Jam Cookies, 580 Lisbon Street, Lisbon Falls, Me 04252. **Vote: 4-0 Carried.**

10. ADJOURNMENT

VOTE: (2022-46) Mr. Carr, seconded by Mr. Lunt moved to adjourn at 8:00 pm. **Vote: 4-0 Carried**

Respectfully Submitted: _____
Lisa B. Smith, Deputy Town Clerk
Date Approved: June 23, 2022



Town of Lisbon
Planning Board
300 Lisbon Street
Lisbon, ME 04250

In the Matter of:

Case 22-06: Home Day Care, Kelli Daigle
Conditional Use Permit

Approval of Home Daycare
20 Therese Lane
Map R05 Lot 001C to create R05 Lot 001C 001

Findings of Fact

The applicant proposed the creation of a home daycare for up to 12 students. The Planning Board first considered the application on May 26, 2022. On May 26, 2022 the Board accepted the application as complete. On June 9, 2022 the Board conducted a public hearing. On June 9, 2022 the Board approved the project with conditions.

Conclusion of Law

General Review Standards: Lisbon Code of Ordinances. Chapter 70 Article III Conditional Uses.

Performance Standards.

1. Application for Site Plan Review
 - Completed the Local Ordinances Checklist
 - Completed the Conditional Use Permit Standards Checklist

Therefore, the Planning Board hereby approves the application for a home daycare with up to 12 students with the following conditions:

- 1) The septic system be acceptable

Please note that this means the system must be expanded due to the additional load from the new use prior to the establishment of the new use.

By: _____
William Kuhl
Lisbon Planning Board Chair

Date _____



Town of Lisbon

Planning Board

**300 Lisbon Street
Lisbon, ME 04250**

In the Matter of:

**Case 22-07: Sullivan Rear Lot
Conditional Use Permit**

**Create a second rear lot
20 Therese Lane
Map R05 Lot 001C to create R05 Lot 001C 001**

Findings of Fact

The applicant proposed the creation of a second rear lot
The Planning Board first considered the application on May 12, 2022. On May 26, 2022 the Board accepted the application as complete. On May 26, 2022 the Board conducted a public hearing. On May 26, 2022 the Board approved the project with conditions.

Conclusion of Law

General Review Standards: Lisbon Code of Ordinances. Chapter 70 Article III Conditional Uses.

Performance Standards.

1. Application for Site Plan Review

- Completed the Local Ordinances Checklist
- Completed the Conditional Use Permit Standards Checklist

Therefore, the Planning Board hereby approves the application for the creation of a second rear lot with the following conditions:

- 1) A lot line will be created to establish 2 separate lots.

Please note that the lot does not have to be divided, but each lot must meet minimum standards for the Limited Residential zone and the requirements of Rear Lot Ordinance, Section 70-641 of the Zoning Ordinance of the Town of Lisbon.

By: _____
William Kuhl
Lisbon Planning Board Chair

Date _____



Town of Lisbon

Planning Board

**300 Lisbon Street
Lisbon, ME 04250**

In the Matter of:

Case 22-08: Crafts Subdivision Subdivision Review

**Create a 3 lot subdivision
Ridge Road
Map R05 Lot 001C 2**

Findings of Fact

The applicant proposed the creation of a 3 lot subdivision
The Planning Board first considered the application on May 26, 2022. On May 26, 2022 the Board accepted the application as complete. On June 9, 2022 the Board conducted a public hearing. On June 9, 2022 the Board approved the project with conditions.

Conclusion of Law

General Review Standards: Lisbon Code of Ordinances. Chapter 66 Subdivisions.

Performance Standards.

1. Application for Site Plan Review

- Completed the Local Ordinances Checklist
- Completed the Planning Board Review Standards Checklist

**Therefore, the Town of Lisbon Planning Board hereby approves the Subdivision
Amendment application as submitted.**

By: _____
William Kuhl
Lisbon Planning Board Chair

Date _____



Town of Lisbon

Planning Board

**300 Lisbon Street
Lisbon, ME 04250**

In the Matter of:

**Case 22-09: Public Works Salt Shed
Town of Lisbon
Site Plan Review**

**Construction of a salt storage shed
14 Capital Ave. Lisbon Falls, ME 04252
Map U10 Lot 004**

Findings of Fact

The applicant proposed construction of a 5400 s.f. salt storage shed.

The Planning Board first considered the application on May 26, 2022. On May 26, 2022 the Board accepted the application as complete. On June 9, 2022 the Board conducted a public hearing. On June 9, 2022 the Board approved the project with conditions.

Conclusion of Law

General Review Standards: Lisbon Code of Ordinances. Chapter 62, Site Plan Review.

Performance Standards.

1. Application for Site Plan Review

- Completed the Local Ordinances Checklist
- Completed the Tier 1 and Tier 2 Standards Checklist

Therefore, the Planning Board hereby approves the application for the construction of a 5400 s.f. salt storage shed with the following conditions:

- 1) A review of any wellhead protection issues are addressed.

By: _____
William Kuhl
Lisbon Planning Board Chair

Date _____



Town of Lisbon

Planning Board

300 Lisbon Street
Lisbon, ME 04250

In the Matter of:

**Case 22-10: Fill permit Celine Goddard
Conditional Use Permit**

**Fill permit for up to 1650 cubic yards
167 Ridge Road
Map R05 Lot 009L**

Findings of Fact

The applicant proposed the installation of fill up to 1650 cubic yards. The Planning Board first considered the application on May 26, 2022. On May 26, 2022 the Board accepted the application as complete. On June 9, 2022 the Board conducted a public hearing. On June 9, 2022 the Board approved the project with conditions.

Conclusion of Law

General Review Standards: Lisbon Code of Ordinances. Chapter 70 Article III Conditional Uses.

Performance Standards.

1. Application for Site Plan Review

- Completed the Local Ordinances Checklist
- Completed the Conditional Use Permit Standards Checklist

Therefore, the Planning Board hereby approves the application for the installation of up to 1650 cubic yards of fill with the following conditions:

- 1) The installation is done using Best Management Practices under Maine DEP rules.

By: _____
William Kuhl
Lisbon Planning Board Chair

Date _____

1414 v
June 10-2022

OFFICE USE ONLY – Conditional Use Application (REFERENCE Chapter 70, Article III, Lisbon Code of Ordinances)	
Application Number: 22-12	Date Received:
Project Name:	Fee Paid (amount): 150.00
Applicant:	



Town of Lisbon, Maine CONDITIONAL USE APPLICATION

Project Name/Title: Smolay Falls

This application must be received at the Town Office by close of business on the 2nd Thursday of the month to be considered at the regular Planning Board meeting on the 4th Thursday of the month. The applicant shall provide 10 copies of the application form and all submission materials.

Applicant Information

2. Name of Applicant:

Address

Telephone

Ashley StAmant
1226 Hallowell Rd, Durham, ME 0422
(207) 504-3828

1. Name of Property Owner (if different):

Address

Telephone

Brittany StAmant
same as above
(207) 837-8445

3. Name of authorized agent (if different):

Address

Telephone

()

4. If applicant is a corporation, check if licensed in Maine:

☐ No ☒ Yes

(if yes, attach a copy of State registration)

5. Person and address to which all correspondence regarding this application should be sent (if different):

Name

Address

Telephone

()

I have reviewed all submission requirements and completed the remaining pages of this application form.

☒ Attachments Checklist

☐ Waiver Request Form

To the best of my knowledge, all the information submitted in this application is complete and correct.

Brittany StAmant
Signature of Applicant

6/10/22
Date

Property Information

6. Location of Property (Street or Road) 694 Lisbon Street

Register of Deeds Book 10841 Page 304

Lisbon Tax Maps Map 405 Lot 219

7. What legal interest does the applicant/owner have in the property to be developed (fee ownership, option, purchase and sale contract, etc.)? Attach evidence of interest.

Owner

8. What interest does the applicant/owner have in any property abutting the parcel to be developed?

N/A

9. Are there any easements or restrictive covenants on the property to be developed?

____ Yes ☒ No If yes, please specify: _____

10. Current zoning of property: P5

Current use(s) of property: None

11. Is any part of the project or property(s) in question part of an overlay zone?

____ Aquifer Protection Overlay ____ Wellhead Protection Overlay

11. Indicate if this property has previously been reviewed and/or permitted as part of a town-approved subdivision, site plan review, conditional use, floodplain development, or other planning board or appeals board review:

N/A

Project Information

If the applicant is not the owner of the property, then a letter of intent from the owner authorizing the application as submitted and noting that it is provided with the full authority of the owner.

12. Nature of the Project. Provide a brief description of the proposed project, including proposed use(s), proposed buildings and structures, proposed site work and other improvements to the property, or other information to familiarize the Planning Board with your application.

Medical Cannabis Retail Storefront

OFFICE USE ONLY – Conditional Use Application (REFERENCE Chapter 70, Article III, Lisbon Code of Ordinances)	
Application Number: <u>22-13</u>	Date Received: <u>6/13/22</u>
Project Name:	Fee Paid (amount): <u>\$150.00</u> <u>PAID 6/14/22</u>
Applicant:	



Town of Lisbon, Maine CONDITIONAL USE APPLICATION

Project Name/Title: East Coast cure 580 Lisbon st

This application must be received at the Town Office by close of business on the **2nd Thursday of the month** to be considered at the regular Planning Board meeting on the 4th Thursday of the month. The applicant shall provide **10 copies** of the application form and all submission materials.

Applicant Information

2. Name of Applicant: Dylan Proctor
 Address: PO Box 42 Orrington ME 04474
 Telephone: (207) 353370

1. Name of Property Owner (if different): John wood
 Address: 3 Edgewood avenue kennebunkport 04046
 Telephone: (207) 5766325

3. Name of authorized agent (if different): _____
 Address: _____
 Telephone: ()

4. If applicant is a corporation, check if _____ No _____ Yes
 licensed in Maine: (if yes, attach a copy of State registration)

5. Person and address to which all correspondence regarding this application should be sent (if different):
 Name: _____
 Address: _____
 Telephone: ()

I have reviewed all submission requirements and completed the remaining pages of this application form.

____ Attachments Checklist

____ Waiver Request Form

To the best of my knowledge, all the information submitted in this application is complete and correct.

[Signature]
 Signature of Applicant

6/13/2022
 Date

Application Number:

Project Name:

Property Information

6. Location of Property (Street or Road) 580 Lisbon st

Register of Deeds Book _____ Page _____

Lisbon Tax Maps Map 409 Lot 015

7. What legal interest does the applicant/owner have in the property to be developed (fee ownership, option, purchase and sale contract, etc.)? Attach evidence of interest.

Medical Cannabis retail

8. What interest does the applicant/owner have in any property abutting the parcel to be developed?

None

9. Are there any easements or restrictive covenants on the property to be developed?

 Yes X No If yes, please specify: _____

10. Current zoning of property: _____

Current use(s) of property: _____

11. Is any part of the project or property(s) in question part of an overlay zone?

 Aquifer Protection Overlay Wellhead Protection Overlay

11. Indicate if this property has previously been reviewed and/or permitted as part of a town-approved subdivision, site plan review, conditional use, floodplain development, or other planning board or appeals board review:

Project Information

If the applicant is not the owner of the property, then a letter of intent from the owner authorizing the application as submitted and noting that it is provided with the full authority of the owner.

12. Nature of the Project. Provide a brief description of the proposed project, including proposed use(s), proposed buildings and structures, proposed site work and other improvements to the property, or other information to familiarize the Planning Board with your application.

Outfitting a current existing retail store to a cannabis medical
store.

For informational purposes, applicant not required to submit this form.
(REFERENCE Chapter 70, Article III, Lisbon Code of Ordinances)

Conditional Use Permit Standards Checklist

Waivers. Where the code enforcement officer and/or planning board makes written findings of fact that extraordinary and unnecessary hardships may result from strict compliance with review standards, or where there are special circumstances of a particular project, the code enforcement officer and/or planning board may waive any review standard provided that such waivers will not have the effect of nullifying the purpose of this chapter, Code or comprehensive plan. In granting waivers, the code enforcement officer and/or planning board shall require such conditions as will assure the purpose of this chapter are met.

Sec. 70-194. - Factors applicable to conditional uses

(c) **Primary factors.** In considering a conditional use permit, the planning board shall evaluate the immediate and long-range effects of the proposed use upon:

Met <input type="checkbox"/>	Not <input type="checkbox"/>	6. <i>Health.</i> The maintenance of safe and healthful conditions. <i>Conditions:</i>
Met <input type="checkbox"/>	Not <input type="checkbox"/>	7. <i>Pollution.</i> The prevention and control of water pollution and sedimentation. <i>Conditions:</i>
Met <input type="checkbox"/>	Not <input type="checkbox"/>	8. <i>Building sites.</i> The control of building sites, placement of structures and land uses. <i>Conditions:</i>
Met <input type="checkbox"/>	Not <input type="checkbox"/>	9. <i>Wildlife habitat.</i> The protection of spawning grounds, fish, aquatic life, bird and other wildlife habitat. <i>Conditions:</i>
Met <input type="checkbox"/>	Not <input type="checkbox"/>	10. <i>Shore cover.</i> The conservation of shore cover, visual as well as actual points of access to inland and coastal waters and natural beauty. <i>Conditions:</i>

For informational purposes, applicant not required to submit this form.
(REFERENCE Chapter 70, Article III, Lisbon Code of Ordinances)

(d) **Additional factors.** The planning board shall also consider the following factors:

Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	12. Compatibility with area. The compatibility of the proposed use with adjacent land uses. Conditions:
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	13. Need. The need of a particular location for the proposed use. Conditions:
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	14. Access. Access to the site from existing or proposed roads. Conditions:
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	15. Flooding. The location of the site with respect to floodplains and floodways of rivers or streams. Conditions:
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	16. Waste disposal. The amount and type of wastes to be generated by the proposed use and the adequacy of the proposed disposal systems. Conditions:
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	17. Impact on land and water. The impact of the proposed use on the land and adjacent water bodies and the capability of the land and water to sustain such use without degradation. Conditions:
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	18. Topography. Existing topographic and drainage features and vegetative cover on the site. Conditions:

For informational purposes, applicant not required to submit this form.
(REFERENCE Chapter 70, Article III, Lisbon Code of Ordinances)

Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	19. Erosion. The erosion potential of the site based upon degree and direction of slope, soil type and vegetative cover. Conditions:
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	20. Transportation. The impact of the proposed use on transportation facilities. Conditions:
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	21. Community facilities. The impact of the proposed use on local population and community facilities. Conditions:
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	22. Water supply. The impact of the proposed use on local water supplies. Conditions:

Additional conditions list, next page.

*For informational purposes, applicant not required to submit this form.
(REFERENCE Chapter 70, Article III, Lisbon Code of Ordinances)*

Sec. 70-195. - Conditions attached to conditional uses

Additional conditions. Upon consideration of the factors listed in section 70-194, the planning board may attach such conditions, in addition to those required elsewhere in this chapter, that it finds necessary to further the purposes of this chapter. Such conditions may include, but are not limited to specifications for:

<i>Additional Factors</i>	<i>Conditions</i>
Type of vegetation:	
Increased setbacks and yards:	
Specified sewage disposal and water supply facilities:	
Landscaping and planting screens:	
Period of operation:	
Operational controls:	
Professional inspection and maintenance:	
Sureties:	
Deed restrictions:	
Restrictive covenants:	
Locations of piers, docks, parking and signs, type of construction:	
Any other conditions necessary to fulfill the purpose of the conditional use chapter:	

For informational purposes, applicant not required to submit this form.

Site Plan Review

Local Ordinances Checklist:

This checklist is provided to ensure that all municipal ordinances have been considered for applicability and that appropriate standards are met. Full ordinance text available on the Town website or at the town office. Applicants are encouraged to contact Code Enforcement to review applicability of any special standards or provisions under the Lisbon Code of Ordinances to their project.

N/A <input type="checkbox"/>	Met <input type="checkbox"/>	Table of Land Uses, Table of Dimensional Requirements. Chapter 70, Article IV, Division 13 and Division 14 <i>These tables list all permitted and non-permitted land uses by zone/district, and indicate dimensional requirements (lot size, density, frontage, setbacks) by zone.</i>
N/A <input type="checkbox"/>	Met <input type="checkbox"/>	Manufactured Housing, Mobile Homes and Trailers, [Parks]. Chapter 22, Article II <i>No manufactured housing, house trailer or mobile home park shall be established in the town except upon application to the planning board and the town council.</i>
N/A <input type="checkbox"/>	Met <input type="checkbox"/>	Entrances onto Public Ways. Chapter 46, Article V <i>Any new entrance onto a public way requires a permit and must meet specified standards. Access Management (Sec. 46-134): This chapter includes specific standards and permitting for driveway access onto Lisbon Street (Route 196), Main Street north of Huston Street (Route 125), Mill Street, Ridge Road (Route 9), or Upland Road.</i>
N/A <input type="checkbox"/>	Met <input type="checkbox"/>	Building Code. Chapter 54, Article II <i>In accordance with 30-A M.R.S.A. § 3003, the Town of Lisbon has adopted the mandatory standards and regulations of the International Building Code 2003 and the International Residential Code 2003, both published by the International Code Council, Inc.</i>
N/A <input type="checkbox"/>	Met <input type="checkbox"/>	Floodplain Management. Chapter 58, Article II <i>Land uses within any special flood hazard areas (Zones A and A1-30 identified by FEMA) are subject to evaluation and to land use and control measures to reduce future flood impacts, in accordance with the National Flood Insurance Program.</i>
N/A <input type="checkbox"/>	Met <input type="checkbox"/>	Shoreland Zoning. <i>The standards and provisions of shoreland zoning apply to any development, structure, or land use activities in land areas within 250 feet horizontal distance of (1) the normal high-water line or any great pond or river, (2) the upland edge of a coastal wetland, (3) the upland edge of a freshwater wetland, (4) all land areas within 75 feet horizontal distance of the normal high-water line of a stream. This Ordinance also applies to any structure built on, over or abutting a dock, wharf or pier, or other structure extending or located below the normal high-water line of a water body or within a wetland.</i>

For informational purposes, applicant not required to submit this form.

N/A <input type="checkbox"/>	Met <input type="checkbox"/>	Site Plan Review. Chapter 62, Article I <i>Commercial, industrial and institutional development, including and multifamily that is not considered to be a subdivision under 30-A M.R.S.A. § 4401, must meet the standards of this chapter to ensure that the development occurs in a manner which minimizes adverse effects on public facilities, the environment and neighboring uses.</i>
N/A <input type="checkbox"/>	Met <input type="checkbox"/>	Subdivisions. Chapter 66, Article I <i>All subdivisions are subject to review and must meet the standards and provisions of this chapter according to state statute 30-A M.R.S.A. § 4401. "Subdivision" means the division of a tract or parcel of land into 3 or more lots within any 5-year period beginning on or after September 23, 1971, including the creation of or division of structure(s) to have 3 or more dwelling units within a 5-year period, or conversion from a non-residential use to residential creating 3 or more dwelling units. Subdivisions in ROS Districts: All subdivisions in ROS zones greater than 10 acres must meet the Open Space Subdivision standards. Open Space Subdivisions: This chapter includes specific provisions to allow for open space preservation through increased flexibility in subdivision standards and requirements.</i>
N/A <input type="checkbox"/>	Met <input type="checkbox"/>	Groundwater & Wellhead Protection. Chapter 70, Article V, Division 2 <i>Includes special regulations to protect the town's sensitive sand and gravel aquifers and public drinking water supplies (wellheads) from development impacts, based on the mapped overlay zones.</i>
N/A <input type="checkbox"/>	Met <input type="checkbox"/>	Supplementary Zoning Regulations. Chapter 70, Article VI, Division I <i>Includes additional regulations for the following:</i> <ul style="list-style-type: none"> • Accessory buildings • Agriculture • Campgrounds • Filling, grading, dredging, earth moving • High-intensity farming • Home occupations • Sanitation • Drainage • Conversion of existing building to multi-unit housing • Water quality • Archeological sites • Roads and driveways • Essential services
N/A <input type="checkbox"/>	Met <input type="checkbox"/>	Rear Lots. Chapter 70, Article VI, Division 2, Sec. 70-641 <i>The creation of a rear lot may be permitted through conditional use review, and must meet the requirements within this section.</i>

For informational purposes, applicant not required to submit this form.

N/A <input type="checkbox"/>	Met <input type="checkbox"/>	<u>Off-Street Parking and Loading.</u> Chapter 70, Article VI, Division 3 <i>Includes standards for the provision of off-street parking and loading areas, excluding single-family and duplex units.</i>
N/A <input type="checkbox"/>	Met <input type="checkbox"/>	<u>Marine Structures.</u> Chapter 70, Article VI, Division 4 <i>Includes standards for piers, docks or other shoreline construction. (See also Shoreland Zoning.)</i>
N/A <input type="checkbox"/>	Met <input type="checkbox"/>	<u>Signs.</u> Chapter 70, Article VI, Division 5 <i>Includes standards for all public and private signage. (See also Table of Land Uses, Chapter 70, Article IV, Division 13, for permitted zones.)</i>
N/A <input type="checkbox"/>	Met <input type="checkbox"/>	<u>Timber Harvesting and Clearing Vegetation.</u> Chapter 70, Article VI, Division 6 <i>Includes standards for all timber harvesting within 250 feet horizontal distance of the normal high-water line of a river or the upland edge of a freshwater wetland, or within 75 feet of the normal high-water line of a stream.</i>
N/A <input type="checkbox"/>	Met <input type="checkbox"/>	<u>Planned Unit or Cluster Development.</u> Chapter 70, Article VI, Division 7 <i>Specific provisions applying to a planned development under unified management, planned and developed as a whole according to comprehensive and detailed plans.</i>
N/A <input type="checkbox"/>	Met <input type="checkbox"/>	<u>Expansion of Sand and Gravel Mining within Aquifer Protection Overlay District.</u> Chapter 70, Article VI, Division 9 <i>Standards applying to overlay district zones 2 or 3, zone 1 expansions not permitted.</i>

OFFICE USE ONLY – Conditional Use Application (REFERENCE Chapter 70, Article III, Lisbon Code of Ordinances)	
Application Number:	Date Received:
Project Name:	Fee Paid (amount):
Applicant:	

OFFICE USE ONLY:

Conditional Use Final Planning Board Decision

Page 1 of 2

- ☐ Application approved
☐ Application approved with conditions
☐ Application denied

See written decision and conditions, next page.

Planning Board Signatures:

Signature of Planning Board Member

Date

Signature of Planning Board Member

Date

Signature of Planning Board Member

Date

Signature of Planning Board Member

Date

Signature of Planning Board Member

Date

A conditional use permit secured under the provisions of this article by vote of the planning board shall expire if the work or change involved is not commenced within one year of the date on which the conditional use is authorized, and if the work or change is not substantially completed within two years

Chapter 70 - ZONING ORDINANCE

ARTICLE VI. - SUPPLEMENTARY DISTRICT REGULATIONS^[10]

DIVISION 5. - SIGNS

Sec. 70-712. - Applicability.

(1) This ordinance shall apply to all exterior signs and signage placed on buildings and structures as seen from the exterior.

(2) Except under [section 70-717](#) Nonconforming Signs or for signs otherwise exempt under this ordinance, no sign shall be erected, enlarged, illuminated or substantially altered without a sign permit issued by the code enforcement officer.

(3) These standards do not supersede any state or federal requirements. Where any apparent conflicts between local and state standards occur, the more restrictive standard shall apply.

(4) Where conflicts between this ordinance and other **Town** of Lisbon Code or ordinance occur, the more restrictive of the requirements shall apply.

(5) From time to time the Town Council may deem it necessary to suspend portions of this ordinance dealing with temporary signs not in conflict with a law to the contrary. Suspensions are intended to support the resolution of exigent temporary circumstances. These would unforeseen circumstances caused by natural or public disaster as well as planned disruptive construction projects. The Town Council shall have the right to suspend the ordinance for specific, clearly defined sections of Town or for the entire town as it designates. The Town Council, however, shall only have the power to suspend enforcement for a defined period not to exceed 90 days and shall renew such suspension as many times as is required for continued disruptive circumstances.

Sec. 70-715. - Definitions and sign types.

Temporary sign means a sign that is not designed or intended to be permanently mounted or affixed to the ground, a building, or a structure, and which is displayed only for a temporary or limited timeframe.

Temporary sign types:

(a) *Real estate signs* means any temporary sign placed by a real estate agency or realtor to advertise a property or building for sale, rent or lease.

b) *Political signs* means any temporary sign for use in political advertising

(c) *Signs giving notice* means temporary signs used to provide public notice, as required by local, state or federal law

(d) *Project/contractor signs* means a small temporary sign advertising a builder(s), engineer(s), designer(s), or similar individual(s) who is (are) responsible for the development under construction, used only during the construction and development of a site or building

(e) *Advertising flags and banners* means any use of flags or banners to advertise and promote a business, product, or business-related activity

(f) *Window signs for advertising* means any non-permanent signs placed in the window or doorway to be visible to the public or clients.

(g) *Temporary business identification signs* means the use of a banner or other temporary signage form as an interim identification sign, or business/use relocation sign, intended to be replaced by a permitted permanent sign.

(h) *Community, charitable and non-profit signs* means any signage used expressly for a community, non-profit, or charitable entity, use or activity

(i) *Temporary public safety signs* means any temporary sign used to maintain public safety, health, and well-being for a limited time period by the **Town** of Lisbon, state or federal agency or authority, or for use in a construction area as maintained by a professional contractor.

(j) *Temporary advertising features* means any object displayed outside that advertises or may be construed to advertise a business/use, product, service, event, or non-residential activity.

(k) *Temporary advertising signs at a residence* means a sign advertising the sale of goods or personal property at a place of residence, but not including advertisement for services (e.g. lawn care) or other home occupation.

(l) *Farm stand signage* means a sign used seasonally to advertise the sale of agricultural goods or products. See also Agricultural Signs.

Sec. 70-716. Signs not requiring a permit.

The following types of signs do not require a sign permit, and do not count towards the total sign square footage (maximum sign area) allowed for a property. All signs in this section (below) are subject to the provisions of section 70-718 General Standards except where expressly noted, and temporary signs are subject to the provisions of section 70-720 Temporary Signs.

- (1) Residential signs, not exceeding two (2) square feet.
- (2) All Temporary political signs placed within the public right-of-way may be placed for a maximum of 12 weeks per calendar year, except that a temporary sign may not be placed within the public right-of-way for more than 6 weeks from January 1st to June 30th or for more than 6 weeks from July 1st to December 31st. A temporary sign may not be placed within 30 feet of another temporary sign bearing the same or substantially the same message. A temporary sign may not exceed 4 feet by 8 feet in size. A sign under this paragraph must include or be marked with the name and address of the individual, entity or organization that placed the sign within the public right-of-way and the date the sign was erected within the public right-of-way

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- (3) Temporary real estate signs.
 - (4) Trespass, hunting, posted property signs. Any signage permitted or required by state or local law to post public notice of no trespassing, no hunting, or otherwise posting a private property.
 - (5) Temporary signs smaller than twelve (12) square feet.
 - (6) Public safety signs, placed by or required by the town or any state or federal authority.
 - (7) Informational signs less than two (2) square feet in size, providing direction or information to the public or clients, provided that the signs are located entirely on the property to which they pertain, and that signs do not include the name or logo of the business or use. Any property with more than four (4) such signs with additional permitted signs shall be required to submit a signage plan for approval to the code enforcement officer.
 - (8) Signs and graphics printed on or affixed to a registered motor vehicle. (See also standards related to motor vehicle signs, section 70-718(2).)
 - (9) Signs permitted through the Maine Department of Transportation not related to traffic or roadway rules and information, and located within the road right-of-way, such as official business directional signs or service club signs.
 - (10) Street address numbers not exceeding two (2) square feet.
 - (11) The flag of any nation or political subdivision.
 - (12) Flags, banners, balloons, or other decorations not expressly used to advertise a business, product, or business-related event or activity.
 - (13) Religious symbols or insignias.
 - (14) Historic plaques, or memorial signs or tablets, provided that such plaques do not exceed four (4) square feet in area.
 - (15) Subdivision or residential development signs. A residential development shall have no more than one (1) non-internally lit sign at each driveway entrance, not to exceed twenty-four (24) square feet per sign.

(C.M. of 12-2-2014, V. 2014-257)

Sec. 70-720. - Temporary signs.

(3) Duration of sign use or posting; sign removal.

(a) Temporary signs, both requiring a permit and not requiring a permit, shall be limited to use for ninety (90) days in any 12-month period, except as indicated otherwise under this section or **in Maine state statute.**

(4) Standards by temporary sign type.

(e) Political signs. Signs bearing political messages relating to an election, primary or referendum shall be allowed in any district. **See Sec 70-16 for placement.** ~~Political signs shall be allowed to be placed within a public right-of-way in such locations as will not create a safety hazard, not prior to six (6) weeks before the election, primary or referendum to which they relate and~~ **Such signs** must be removed by the candidate or political committee not later than one (1) week after election day.