



**AGENDA**  
**PLANNING BOARD MEETING**  
**JANUARY 12, 2023**  
**LISBON TOWN OFFICE**  
**7:00 PM**

William Kuhl, Chair- Regular 2023  
Curtis Lunt, Vice Chair- Regular 2025  
Christopher Huston- Regular 2025  
Patrick Maloy – Regular 2024  
Shaun Carr – Regular 2024  
Dan Leeman – Associate 2025  
Nicholas Craig – Associate 2024

1. CALL TO ORDER

2. ROLL CALL

\_\_\_\_ William Kuhl (Chair)

\_\_\_\_ Curtis Lunt (Vice-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 December 8, 2022

5. PUBLIC HEARINGS –

A. Amendment to Sign Ordinance – *Second Reading*

B. Case # 22-18 Conditional Use Application – Girl Pro-Custom

C. Case #22-19 Conditional Use Application – River Driver

D. Case #22-20 Conditional Use Application – Lisbon Public Works

6. UNFINISHED BUSINESS – Findings of Fact – **Case #22-17** Alchemy Massage

Amendment to Sign Ordinance – *Second Reading*

**Case # 22-18** Conditional Use Application

Gabrielle D. Profenno

Girl Pro-Custom

18 Ferry Road

Lisbon Me 04250

Map U15 Lot 002

**Case #22-19** Conditional Use Application

Lisa Finlayson Brown

Adult Use Marijuana Manufacturing Facility-River Driver

8 Main Street

Lisbon Falls, Me 04252

Map U05 Lot 221

**Case #22-20** Conditional Use Application

Lisbon Public Works

14 Capital Ave

Lisbon Falls, Me 04252

Map U10 Lot004

7. NEW BUSINESS –

**Case #22-21** – Site Plan Review Application  
Conditional Use Application

Jason Smith

Medical/Adult Use Marijuana Cultivation Facility

743 Lisbon Street

Lisbon Falls, Me

Map U1 Lot 002

8. OTHER BUSINESS - Schedule Workshop to discuss changes to ROSI & ROSII Ordinance
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.





## PLANNING BOARD MINUTES DECEMBER 8, 2022

William Kuhl, Chair- Regular 2023  
Curtis Lunt, Vice Chair- Regular 2025  
Christopher Huston- Regular 2025  
Patrick Maloy - Regular 2024  
Shaun Carr - Regular 2024  
Dan Leeman - Associate 2025  
Nicholas Craig - Associate 2024

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, Chris Huston and Patrick Maloy. Associate Members Dan Leeman and Nicholas Craig were present as well. Also present was Mark Stambach, Code Enforcement Officer; Councilor Fellows, Town Council Liaison; and 8 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 November 17, 2022

The meeting minutes of November 17, 2022 were distributed to all the members. The Chairman asked if there were corrections or additions.

**VOTE: (2022-92)** Mr. Lunt, seconded by Mr. Carr moved to approve the Minutes of November 17, 2022.

**Vote: 5-0 Carried.**

### 5. PUBLIC HEARINGS –

**A. Conditional Use Application – Alchemy Massage LLC –** There were no comments

**B. Amendments to Chapter 70 Zoning Ordinance, Section 70-614 Building & Property Maintenance Standards –** There were no comments

### 6. UNFINISHED BUSINESS - Case #22-17 Conditional Use Application

April Andreasen  
Alchemy Massage LLC  
6 Pinewoods Road  
Lisbon Me 04250  
Map U20 Lot 003

Mr. Stambach went through the Conditional Use Standards Checklist and Site Plan Review Checklist.

Mr. Lunt asked if there would be a follow up inspection to check that the business is operating under compliance. Mr. Stambach said only if conditions change and the applicant comes back to the Planning Board or if there was a complaint filed.

**VOTE: (2022-93)** Mr. Huston, seconded by Mr. Lunt moved to approve the Application for Case #22-17, Conditional Use Application for Alchemy Massage, LLC.

**Vote: 5-0 Carried.**

**Amendments to Chapter 70 Zoning Ordinance, Section 70-614 Building & Property Maintenance Standards**



**VOTE: (2022-94)** Mr. Lunt, seconded by Mr. Huston moved to approve the Amendments to Chapter 70 Zoning Ordinance, Section 70-614 Building & Property Maintenance Standards and recommend it for Council approval.

**Vote: 5-0 Carried.**

**7. NEW BUSINESS – Amendment to Sign Ordinance – *First Reading***

**VOTE: (2022-95)** Mr. Lunt, seconded by Mr. Carr moved to approve the Amendments to the Sign Ordinance and Schedule a Public Hearing for January 12, 2023.

**Vote: 5-0 Carried.**

**Case # 22-18 Conditional Use Application**

Gabrielle D. Profenno

Girl Pro-Custom

18 Ferry Road

Lisbon Me 04250

Map U15 Lot 002

Ms. Profenno stated she has a small one bay shop attached to her home. She said she is not putting up any signs, has no employees and is not making any changes to the current property. She has natural screening on the back and east side of the property and a small fence near the entrance, next door to the neighbor. The entrance to the shop is in the back of the building. Ms. Profenno stated she does custom work on vehicles, which does not include body work, painting or general automotive service. The work she does will be by appointment only.

Mr. Kuhl asked if Ms. Profenno has an established customer base. Ms. Profenno stated appointments can be made on-line and she also acquires customers from a Restoration Shop in Freeport who refers them to her.

Mr. Carr asked what the operating hours would be. Ms. Profenno said the shop will be open during daytime hours.

Mr. Huston asked if there is a chance she will have vehicles parked outside the shop waiting to be worked on. Ms. Profenno said no.

Mr. Lunt asked Ms. Profenno if it would be reasonable to put a condition on this project that would limit the business to have one vehicle in storage at a time. Mr. Profenno said yes.

**VOTE: (2022-96)** Mr. Lunt, seconded by Mr. Carr moved to accept the application as complete for Case #22-18 Conditional Use Application for Girl Pro-Custom and schedule a Public Hearing for January 12, 2023.

**Vote: 5-0 Carried.**

**Case #22-19 Conditional Use Application**

Lisa Finlayson Brown

Adult Use Marijuana Manufacturing Facility-River Driver

8 Main Street

Lisbon Falls, Me 04252

Map U05 Lot 221

Raymond Payne, Business Partner to Lisa Finlayson Brown stated they are looking for a Conditional

Change of Use for the downstairs portion of their business to change it to a Manufacturing Facility for the purpose of making Water Hash. Mr. Payne said it's extracted with water and ice and has no dangerous substances like Butane, Propane, CO2 or Ethanol. Mr. Kuhl asked what the output is for waste-water. Mr. Payne said it would go down a drain as basically dirty water without any additives etc. Mr. Payne stated they are required to be licensed through the State as well, including cameras and lighting. He said the hours of operation will be 9:00am to 5:00pm a few days a week with only employees present. Mr. Payne said there will be no odor output and out of courtesy, will put a Carbon Filter in.

**VOTE: (2022-97)** Mr. Lunt, seconded by Mr. Huston moved to accept the application as complete for Case #22-19 Conditional Use Application for Adult Use Marijuana Manufacturing Facility-River Driver and schedule a Public Hearing for January 12, 2023.

**Vote: 5-0 Carried.**

**Case #22-20 Conditional Use Application**

Lisbon Public Works

14 Capital Ave

Lisbon Falls, Me 04252

Map U10 Lot004

Mr. Stambach stated that Public Works is proposing to install a 6,000-gallon double wall gas tank underground and connect it to a Service Pump, replacing the existing tank. He stated there is permitting and inspections required through the State as well as the Town.

Mr. Lunt asked if the Water Department has been contacted since it's in the Aquifer Zone. Mr. Stambach stated they have been contacted and is waiting to hear back from them.

Councilor Larochelle stated the reason why they are replacing the existing tank is due to the rise in Diesel Fuel, the new buses are now using gas. The existing tank will not be big enough to fit the current needs of equipment. Mr. Lunt stated that this tank will have electronic monitors to tell if there is a leak. Mr. Stambach said there will be more information available on the new tank at the next Planning Board Meeting.

**VOTE: (2022-98)** Mr. Lunt, seconded by Mr. Carr moved to accept the application as complete for Case #22-20 Lisbon Public Works Gas Tank Installation and schedule a Public Hearing for January 12, 2023.

**Vote: 5-0 Carried.**

**Sign Application**

IAMAW Union Office

698 Lisbon Street

Mr. Stambach stated the applicant is proposing to replace the existing sign and add an additional smaller sign. The new one will be about the same size as the existing sign and both signs are well within the allowed requirements.

**VOTE: (2022-99)** Mr. Lunt, seconded by Mr. Carr moved to approve the sign application for IAMAW Union Office.

**5-0 Carried.**



**Sign Application**  
American Legion  
10 Webster Road  
Lisbon, Maine 04250

Mr. Stambach stated the American Legion is proposing to add an LED Sign to the current sign on their podium along Webster Road. Mr. Stambach, after visiting the site, came to the conclusion that the addition of this new sign would put them over the total number of signs that is allowed on the lot. He said there are two signs on the building. One is 24 square feet, the other is about 16 square feet which puts them over what would be allowed for a non-residential sign in a residential zone. The Planning Board denied the proposed additional sign.

**VOTE: (2022-100)** Mr. Kuhl, seconded by Mr. Lunt moved to direct the sign Application back to the American Legion, 10 Webster Road, Lisbon Maine for reconsideration.  
**5-0 Carried.**

**8. OTHER BUSINESS – NONE**

**9. CODE ENFORCEMENT OFFICER –Update to MS4 Ordinance**

Mr. Stambach stated the State has not sent back the proposed Ordinance that was sent to them due to the fact that the Friends of Casco Bay Organization has contacted DEP (Department of Environmental Protection). and is appealing the Ordinance, trying to make the standards stricter than what is being proposed. Mr. Stambach said DEP has now delayed their review and approval of the MS4 Ordinance and expects an update from them in the next month. Mr. Stambach said the Board has until July of 2024 to approve this Ordinance.

Mr. Stambach stated there also is an Erosion and Sediment Control Ordinance that needs to be reviewed and approved by the Planning Board in 2023.

Mr. Huston asked if the Carpet Cleaning Business on Village Street is required to adhere to the Rt. 196 Design Standards. Mr. Lunt said he thought because of the size of the property, the Code Enforcement Officer would monitor the appearance requirements of that business. Mr. Stambach stated he has contacted the owner and made them aware of certain barriers that cannot be used and has made recommendations to them. Mr. Stambach will check to see if they will fall under the Rt. 196 Design Standards as well.

**VOTE: (2022-101)** Mr. Carr, seconded by Mr. Kuhl moved to adjourn at 7:50 pm. **Vote: 5-0 Carried**

Respectfully Submitted: \_\_\_\_\_

Lisa B. Smith, Deputy Town Clerk  
Date Approved: January 12, 2023





## **TOWN OF LISBON**

300 Lisbon Street, Lisbon, ME 04250

*Lisa Ward, Town Clerk  
Lisa Smith, Deputy Clerk*

# ***PUBLIC HEARING***

### *Conditional Use Applications & Ordinance Amendments*

Notice is hereby given that the Lisbon Planning Board intends to hold a Public Hearing on January 12, 2023 at 7:00 PM in the Town Office Public Meeting Room to hear comments on the following:

Amendments to Division 5. Sign Ordinance,  
Sections 70-715 – Definitions and sign types  
70-716 – Signs not requiring a permit  
70-718 – General standards  
70-719 – Additional standards &  
70-720 – Temporary signs

**Case # 22-18** Conditional Use Application  
Gabrielle D. Profenno  
Girl Pro-Custom  
18 Ferry Road  
Lisbon Me 04250  
Map U15 Lot 002

**Case #22-19** Conditional Use Application  
Lisa Finlayson Brown  
Adult Use Manufacturing Facility-River Driver  
8 Main Street  
Lisbon Falls, Me 04252  
Map U05 Lot 221

**Case #22-20** Conditional Use Application  
Lisbon Public Works  
14 Capital Ave  
Lisbon Falls, Me 04252  
Map U10 Lot004

*The public is invited to attend.  
Lisa Ward, Town Clerk*

22-14452


Constable's  
Return of Posting  
State of Maine

Lisbon,

Androscoggin, ss.

Pursuant to the within notice, I have posted said notice at the Lisbon 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: 12/23/22

  
\_\_\_\_\_  
Constable, Town of Lisbon



# Town of Lisbon

## Planning Board

300 Lisbon Street  
Lisbon, ME 04250

### In the Matter of:

#### Case 22-17: Home Occupation Approval Conditional Use Permit

Approval of Massage business  
Alchemy Massage LLC  
April Andreasen  
6 Pinewoods Road  
Lisbon, ME 04250  
Map U20 Lot 003

### Findings of Fact

The applicant proposed the creation of a home based massage business. The Planning Board first considered the application on November 17, 2022. On November 17, 2022 the Board accepted the application as complete. On December 8, 2022 the Board conducted a public hearing. On December 8, 2022 the Board approved the project with no 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 Alchemy Massage as submitted:**

By: \_\_\_\_\_  
William Kuhl  
Lisbon Planning Board Chair

Date \_\_\_\_\_



PART I - CODE OF ORDINANCES(requires altering in writing, 2 Council Readings, 1 Public Hearing to adopt)  
Chapter 70 - ZONING ORDINANCE  
ARTICLE VI. - SUPPLEMENTARY DISTRICT REGULATIONS  
DIVISION 5. SIGNS

**DIVISION 5. SIGNS<sup>1</sup>**

**Sec. 70-711. Purpose.**

The purpose of this division is to allow for signage as necessary to serve the needs of individuals, businesses and other entities within the town; to maintain and enhance the aesthetic appearance of the town and the town's ability to attract economic development; to improve and maintain pedestrian, bicycle and vehicular safety; and to protect the public health, welfare and safety by minimizing the possible adverse effects of signs on public and private property.

(Code 1983, § 15-610(2); T.M. of 5-20-1996, art. 62, § 15-610; T.M. of 5-15-1999, art. 56; C.M. of 12-2-2014, V. 2014-257)

**Sec. 70-712. Applicability.**

- (1) This division shall apply to all exterior signs and signage placed on buildings and structures as seen from the exterior.
- (2) Except for nonconforming signs as described within Section 70-717 Nonconforming Signs or signs otherwise exempt under this division, 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 this division and any state or federal standards occur, the more restrictive standard shall apply.
- (4) Where conflicts arise between this division and other provisions of the Town of Lisbon Code of Ordinances, the more restrictive of the provisions shall apply.

(C.O. of 5-27-2008, § 2008-81; C.O. of 8-19-2008, § 2008-133; C.M. of 4-19-11, V. 2011-52; C.M. of 12-2-2014, V. 2014-257)

**Sec. 70-713. Permitting and fees.**

- (1) For all signs requiring a permit under this division, a sign permit issued by the code enforcement officer is required prior to the erection, replacement, relocation or construction of any sign, its structure or appurtenances to the structure. For signs located within the Resource Protection District, a conditional use permit issued by the planning board shall be required prior to the erection, replacement, relocation or construction of any sign, its structure or appurtenances to the structure.
- (2) All requests for a sign permit under the provisions of this division must be submitted to the code enforcement officer or, if applicable, the planning board on an application form supplied by the town.
- (3) Applications for a sign permit must be accompanied by the required fee, as specified in Appendix C—Fee Schedule of the Town of Lisbon Code of Ordinances. No application fee shall be required for a sign permit

**Commented [CAF1]:** Additional amendments required in: § 91-35 and -36(a)

Proposed revisions: "Sec. 91-35. Signs. No sign advertising any business or commercial enterprise or activity shall be allowed on property covered by this policy. Temporary signs as defined by Sec. 70-715 posted for a noncommercial purpose may be placed in certain designated locations without permit. Any other sign shall not be placed on property covered by this policy except with the written permission of the Town Manager.

§ 91-36(a) "Permit required. Prior to the erection, removal, demolition, relocation or construction of any structure or appurtenance to the structure a permit shall be issued by the town manager. A permit from the town manager shall also be required prior to the placement of any object, or the establishment, removal, replacement or relocation of any planting within any area governed by this policy. ~~No person shall erect, or cause to be erected, any sign upon property governed by this policy without a permit issued in advance by the town manager.~~

<sup>1</sup>Cross reference(s)—Streets, sidewalks and other public places, ch. 46.

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application related to a property that has, within the past twelve months, received site plan approval from the planning board.

- (5) All sign plans or signs not requiring a permit must comply with all other applicable standards and requirements of this division and any state or federal laws or regulations.

(C.O. of 5-27-2008, § 2008-82; C.O. of 8-19-2008, § 2008-133; C.M. of 4-19-2011, V. 2011-52; C.M. of 12-2-2014, V. 2014-257)

#### **Sec. 70-714. Enforcement, penalty, appeals.**

- (1) Except as otherwise indicated, this division shall be enforced by the code enforcement officer.
- (2) When any violation of any provision of this division is found to exist, the code enforcement officer may issue a written order of correction and, if the violation persists, institute any actions or proceedings that may be appropriate or necessary to enforce the provisions of this division.
- (3) A violation of this division is punishable by a civil penalty of up to \$100 per day for each day the violation exists.
- (4) Appeals shall be addressed to the Zoning Board of Appeals in accordance with Sec. 70-120.

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

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

*Animated sign* means any sign that uses movement or change of lighting to depict action or create a special effect or scene.

*Building-mounted signs* means any sign which is mounted directly onto or incorporated onto an architectural feature of or the exterior of a building, including wall-mounted, ~~h~~Hanging signs, ~~roof signs,~~ Canopy signs, or wall graphics.

*Changeable sign* means an on-premises sign created, designed, manufactured or modified in such a way that its message may be electronically, digitally or mechanically altered by the complete substitution or replacement of a display by another on one or more sides. Changeable signs may include ~~a~~Animated signs, ~~d~~Digital or electronic signs, and Readersboard signs.

*Banner* means a type of temporary sign of lightweight fabric or similar material that is mounted to a pole or a building at one or more edges. National, state or municipal flags, or the official flag of any governmental agency shall not be considered banners.

*Canopy sign* means a sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area. This shall include gas station canopies.

*Digital or electronic sign* means any sign that in whole or in part uses electronic or digital means to display words, symbols, figures or images, including signs that can be electronically or mechanically changed by remote or automatic means. See also Animated Sign, Readerboard, and Changeable Sign.

*Free standing sign* means a fixed sign supported by one or more uprights or braces, permanently affixed to the ground, and not attached or affixed in any way to a building.

*Hanging sign* means a sign affixed to a building or wall and projecting outward from the building in such a manner that its leading edge extends more than six inches beyond the surface of such building or wall, or a sign that is suspended from the underside of a horizontal plane surface and is supported by such surface.

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*Informational sign* means a private sign which provides a street number or address, instruction or direction (including way-finding) and is located entirely on the property to which it pertains, including restroom, handicap access, public telephone, pedestrian-oriented signs, parking signs, or vehicular circulation or entrance/exit signs. Information signs may not include the name of a business or a business logo.

*Internally illuminated sign* means a sign in which light shines through a transparent or semi-transparent sign face to illuminate the sign's message. Exposed neon is considered to be a form of internal illumination.

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*Maximum sign area* means the total square footage of all signs requiring a permit that are erected or placed on a property in accordance with this division. Maximum sign area includes that portion of the sign used to convey information or advertisement and does not include any portions of a sign that are solely structural, such as braces, mounts, or poles, used to affix the sign to a building or to the ground.

*Nonconforming sign* means any legally erected sign existing as of the adoption of this division on December 2, 2014 or a relevant regulation newly adopted thereafter, that does not comply with the provisions of this division, including location, structure, size, dimension, setback, type, or any other provision of this division

*Off-premises sign* means a sign that is not located in or on the same property as the thing, person, business, activity or place which it advertises or calls attention to. Off-premises signs include signs posted or displayed in the public right-of-way.

*Permanent sign* means a non-portable sign that is designed and intended to be permanently mounted or affixed to the ground, a building, or a structure, and is intended for continuous and/or long-term use. Under this division, all signs are considered permanent unless specified as temporary.

*Portable sign* means a sign that is not designed or intended to be permanently affixed in the ground or to a building or other structure, but is used on a regular basis (versus only a temporary or limited timeframe). This shall include sandwich boards, which consist of two one-sided surfaces hinged at the top.

*Public safety sign* means any permanent sign used to maintain public safety, health, and well-being erected or required to be erected by the Town of Lisbon, or any state or federal agency or authority.

*Public traffic and roadway sign* means any sign within the public right-of-way under the jurisdiction of the Maine Department of Transportation or the Town of Lisbon, including official road and traffic signs, official permitted business directional signs, and temporary road safety or construction signs. Public traffic and roadway signs are not regulated under this division.

*Readerboard sign* means a sign or portion thereof with characters, letters or illustrations that can be manually changed or rearranged without altering the face or the surface of the sign. A Readerboard sign that may be changed or rearranged electronically or mechanically by remote or automatic means may be considered a digital or electronic sign or changeable sign.

*Roof sign* means a sign erected and located wholly on and over the roof of a building, supported by the roof structure, or extending vertically above the roof of a building.

*Sign* means any object, display, structure, logo, device or representation or part thereof which is designed or used to advertise or call attention to any thing, person, business, activity or place. The following shall not be considered signs under this division: National, state or municipal flags or the official flag of any governmental agency; banners, balloons or other decorations not expressly intended to advertise a business or business-related event or activity; any street signs, home numbers or other signage required to be posted pursuant to Part 1, ch. Ch. 46, Streets, Sidewalks and Other Public Places of the Town of Lisbon Code of Ordinances not exceeding two (2) square feet in area; and plaques, memorials, tablets or other commemorative objects or structures erected by a charitable or non-profit organization or governmental authority not exceeding four (4) square feet in area.

*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.

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(Supp. No. 40)



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*Town signs* means signs used and maintained by the Town of Lisbon, including but not limited to welcome/gateway signs, town business park signage, public school signs, town office or other town department or committee signs, and temporary notice or advertising for Town events and activities.

*Window sign* means any sign, text, graphics, symbol, or combination thereof that is placed inside a window, or upon the window panes or glass, and is visible from the exterior of the window.

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

#### **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 maximum sign area allowed for a property. Notwithstanding the exemption from permitting requirements, such signs shall be subject to the provisions of Section 70-718 General Standards, except where expressly noted, and, if such sign constitutes a temporary sign, the provisions of Section 70-720 Temporary Signs.

- (1) Signs smaller than two (2) square feet.
- (2) Temporary signs smaller than twelve (12) square feet.
- (3) Signs within the public right-of-way as permitted under 231 M.R.S.A. § 1913-A, except temporary signs exceeding twelve (12) square feet.
- (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) Public safety signs.
- (6) Public traffic and roadway signs.
- (7) Informational signs less than two (2) square feet in size. Any property with more than four (4) such signs with additional permitted signs shall be required to submit a signage plan to the code enforcement officer for approval ~~to the code enforcement officer~~.
- (8) Official business directional signs permitted by the Maine Department of Transportation.

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

#### **Sec. 70-717. Nonconforming signs.**

The eventual elimination of ~~all~~ Nonconforming signs is an objective of the town. The elimination of ~~all~~ Nonconforming signs shall be brought about over a period of time and in such a manner as to avoid undue impact on the vested rights of the sign's owner.

- (1) Nonconforming signs may be maintained, given new lettering, colors or logos, or otherwise altered, so long as none of the events in subsection 4(a) of this section occurs.
- (2) No ~~all~~ Nonconforming sign may be altered in such a manner as to increase its nonconformity or in a way that would cause a new violation of this division.
- (3) No illumination may be added to any nonconforming sign except in compliance with the provisions of this division.
- (4) Nonconforming signs may be retained and maintained in their nonconforming state until:
  - (a) The business or home occupation that erected or placed the ~~all~~ Nonconforming sign closes or ceases operation and no new business or home occupation begins operating at the same location within twelve (12) months;

- (b) The structure or property on which the sign is located is the subject of a review by the planning board for a change of use;
- (c) Material changes are made to the braces, poles or any portion of the system used to affix the sign to the ground or wall or structure;
- (d) The condition of the ~~Nonconforming~~ sign deteriorates to the point where it is considered a safety hazard or the sign fails to meet the requirements for maintenance under Section 70-718(8) Maintenance of Signs.

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

#### Sec. 70-718. General standards.

- (1) Signs located adjacent a state numbered roadway shall comply with all applicable state sign regulations under the Maine Department of Transportation and Maine state law (23 M.R.S.A. Chapter 21) in addition to the requirements of this division. If there is any apparent conflict found between the state and local regulations, the more restrictive shall apply.
- (2) Except for ~~Temporary~~ and ~~Portable~~ signs, all ~~Signs~~ shall be constructed of permanent materials, such as wood, plastic, metal or stone, and shall be permanently attached to the ground, a building, or other structure by direct attachment to a rigid wall, frame or structure. Signs may not be permanently attached to trees or utility poles.
- (3) Any ~~Sign~~ not classified as a ~~Temporary~~ sign shall be treated as a permanent sign and shall be regulated according to this section.
- (4) Size, dimensions, number of ~~Signs~~.
  - (a) No ~~Sign~~ or any part of its structure shall exceed 20 feet in height, as measured from the normal grade, and not a landscape mound or berm, at its base.
  - (b) Except as otherwise indicated, no more than two ~~(242)~~ ~~Signs~~ requiring a sign permit shall be located on any property. This shall not include temporary or informational signs, or official business directional signs regulated by Title 23 M.R.S.A. ~~Ch. Ch.~~ 21.
  - (c) Properties fronting on two or more public streets, such as corner lots, are allowed the permitted number of ~~Signs~~ and maximum sign area for each street but may not place or locate more than the permitted number of signs or ~~Maximum~~ sign area along any one street. A ~~Sign~~ placed on a property fronting on two or more public streets may not be located within one hundred (100) feet, as measured along the street frontage, of a ~~Sign~~ on the same property on an adjacent street.
  - ~~(d) Entry Facade for buildings with a main entrance not fronting on a public street. Such Entry Facades are allowed the permitted number of Signs and maximum sign area for an additional facade, but may not place or locate more than the permitted number of signs or Maximum sign area along any one facade.~~
  - ~~(e)~~ Signs requiring a sign permit which are to be located within a single property are subject to the ~~Maximum~~ sign area of the zoning district in which the property is located. Except as otherwise indicated, ~~Signs~~ not requiring a sign permit are subject only to size and dimensional standards (a) and (b) above. Upon application, the code enforcement officer may permit the following increases to the maximum sign area: For properties abutting Route 196, an increase of up to ~~50%~~ of the ~~Maximum~~ sign area; for properties abutting the westerly side of Main Street in Lisbon Falls, between Union Street and Route 196, an additional ~~5024~~ square feet of ~~Maximum~~ sign area for signs located on the rear of a building and visible from Route 196. The ~~Maximum~~ sign area may not be increased as provided herein except upon a written determination by the code enforcement officer or planning board (where

Commented [KB2]: New addition: additional entry façade allowance, based on Rusty Lantern property.

Commented [GM3]: Allow for 75ft potentially

Commented [KB4]: Changed to 40 for consistency with table below.

planning board review is required) that doing so would not otherwise conflict with or frustrate the purposes of this division.

- (e) The ~~Maximum~~ sign area shall only apply to the physical dimensions of a freestanding sign, such that if the ~~Sign~~ is two-sided the dimensions will not be counted twice.
- (f) Where a property is included within two different zoning districts, the more restrictive standard shall apply.
- (g) The table below indicates the ~~Maximum~~ total sign area and number of signs per building within each zoning district. Signs not requiring a permit under this division shall be subject to the ~~Maximum~~ total sign area but not to the maximum number of signs.

Commented [KB5]: Clarified that this maximum is per building, not per parcel

Zoning District	Maximum Total Sign Area (sq. ft.)	Maximum Number of Signs
Resource Protection	24	2
Limited Residential	24	2
General Residential	24	2
Rural Open Space I	24	2
Rural Open Space II	24	2
Limited Rural Residential	24	2
Village	2440	2
Commercial	40	2
Industrial	40	2
Diversified Development	40	2

Commented [KB6]: Changed to 40 as per 11/14 meeting

(5) *Location and placement.*

- (a) No ~~Sign~~ may be erected in such a manner as to obstruct clear and free vision, or another sign, nor, by reason of its position, shape, color, or illumination interfere with, obstruct the view of, or be confused with any authorized ~~public~~ safety or traffic sign, signal or device or otherwise constitute a hazard to pedestrian or vehicular traffic.
- (b) No ~~Sign~~ or any portion of a ~~Sign~~ or its structure may be located within four (4) feet of a street right-of-way or other lot line, except for ~~Signs~~ that are expressly allowed within a right-of-way. A property owner may apply to the code enforcement officer for a waiver of this setback standard for properties within the Village District. The code enforcement officer may not grant a waiver except upon a written



determination that such waiver would not otherwise conflict with or frustrate the purposes of this division.

- (c) Signs must be placed on the property on which the use or activity referred to or served by the sign occurs, except that off-premises signs may be permitted with appropriate permission from the property owner as follows, unless said sign conflicts with any issued permit or with state or federal law:

- 1) Off-premises signs located within 5 miles of the use or activity being advertised;
- 2) Public safety signs;
- 3) Portable signs may be located on the sidewalk immediately in front of the property on Village Street and Main Street within the Village District, if the signs do not represent a pedestrian hazard or interfere with ADA accessibility standards; and
- 4) Signs placed by the town.

- (d) *Building-mounted signs.* Building mounted signs will be considered part of the building design and should be scaled and designed appropriate to the building on which they are placed. Building-mounted signs should not obscure architectural details on the building. The following additional standards shall be met:

- 1) All building-mounted signs will be counted towards the property's allowed maximum signage area (square feet) and the number of permitted signs allowed and must meet applicable dimensional standards. This shall include lettering and advertising graphics placed directly on the building facade.
- 1) The height of a building-mounted sign, as measured from the highest part of the sign, shall not exceed the height of the building.
- 2) Hanging signs on buildings shall not interfere with vehicle, pedestrian, or cyclist safety, and shall extend no lower than ten (10) feet above ground level. All hanging signs must comply with applicable lot and sign setback standards.
- 3) Canopy signs and the canopies on which they are displayed are considered part of the building design and should be scaled and designed appropriate to the building on which they are placed.
- 4) Wall graphics or signs stenciled, printed, painted or affixed directly onto the wall of a building, including any lettering and text, or any graphics associated with the use being made of the property, or with an off-site use by agreement with the property owner, will be counted towards the allowed maximum signage area, dimensional standards, and number of signs per property.

- (e) ~~Fuel~~ Gas station canopy signs. Gas-Fuel station canopies are limited to displaying the fuel company or product and shall not count towards the property's allowed sign area or number of signs. Other freestanding canopies that include the business or use name or any kind of related product or service, shall be counted towards the property's allowed sign area and number of signs.

Commented [KB7]: Changed "gas" to "fuel" as per 11/14 meeting

- (f) ~~Fuel station pricing signs. Uses selling fuel may display one (1) on-premises sign with numerals not to exceed one (1) foot in height, advertising the price of said fuel. A fuel station pricing sign shall not count towards the property's allowed sign area or number of signs.~~

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- (g) *Signage on vehicles.* Cars, trucks or other vehicles shall not be used as signage. Commercial vehicles with advertising information shall not be regularly or permanently parked or placed in a location where a sign would not be permitted, or used in a way that has the effect of circumventing these standards or Lisbon's Ordinances.

Commented [KB8]: New: added to allow for gas station pricing signs to not be included in total sign area/count. Dimensions based on Rusty's sign.

~~(1e) Portable signs. One (1) portable sign, such as a sandwich board sign, is allowed per property, provided the sign is only placed outside during the business or operation hours for that use (not overnight), and not placed in a manner that would otherwise be construed to be intended for permanent (non-portable) use. A portable sign is not considered a temporary sign, but is for prolonged and/or regular use. Chalkboard or white board signs are allowed, and changeable message or readerboard signs are allowed for portable signs. The maximum allowable size is six (6) square feet on each face. Portable signs shall not be internally or externally illuminated.~~

(6) *Graphics, color, lettering.*

- (a) Signs shall be simple, legible, and use simple geometric shapes. Complex graphics or colors, and signs with excessive wording are discouraged due to their negative visual impact and reduced legibility.
- (b) Animated signs are prohibited.
- (c) Lettering and graphics on signs visible from a public way should be sized appropriately to be legible to motorists traveling at the posted speed limit of the public way, unless expressly intended for pedestrian use.
- (d) Hand lettered signs are prohibited unless the lettering is stenciled and laid out in a well-designed, professional manner.

(7) *Lighting.*

- (a) Signs may not be illuminated except by stationary, shielded, non-flashing light sources, directed solely at the sign and not casting light off the property on which the sign is located.
- (b) External lighting illuminating a sign shall be fully shielded and may not produce a glare that is distracting or poses a safety hazard to motorists, pedestrians, or cyclists. External lighting fixtures shall be placed to direct light only onto the sign. Top-mounted shielded lighting or indirect lighting is preferred over ground-mounted lighting due to its lower impact on light pollution and glare.
- (c) Internally illuminated signs may not create glare that would distract or pose a safety hazard to motorists. Internally illuminated signs may not direct light toward or disturb any surrounding residential properties or contribute to light pollution.
  - 1) Neon signs. Neon tube lettering or graphics may be used only for window signs, and may not exceed 25% of the window area in which they are located.

(8) *Maintenance of signs.*

- (a) Every sign shall be maintained in a legible condition and in sound mechanical and structural condition, with timely replacement of defective parts and periodic cleaning and painting when necessary. The construction, alteration, maintenance and repair of all signs shall conform to all applicable building and electrical codes adopted by the town.
- (b) Signs erected by any business or use that has been closed or discontinued for more than twelve (12) months shall be removed or covered by the permit holder or property owner or by the Town at the permit holder or property owner's expense.
- (c) The code enforcement officer shall cause to be removed any sign that endangers public safety, including signs which are materially, electrically or structurally defective, or signs for which no permit has been issued.

**Sec. 70-719. Additional standards.**

- (1) *Signage for multi-tenant buildings or multi-building properties.*

- 
- (a) Multi-tenant buildings or multi-building properties may have up to one (1) ~~sign~~ identifying the property or building and tenants or buildings at the primary entrance from a public way. Multi-tenant buildings or multi-building properties fronting on two or more public ways, such as those on corner lots, are allowed an identification sign for each street if the signs are located at least 500 feet apart, as measured along the street frontage.
- 1) For a multi-tenant building or multi-building property permitted for a residential use, the ~~Maximum~~ sign area of any ~~sign~~ permitted under this section shall be thirty (30) square feet, with no more than four (4) square feet of such ~~sign~~ used to identifying any individual tenant or building.
- 2) For a multi-tenant building or multi-building property permitted for a non-residential or mixed-use, the ~~Maximum~~ sign area of any ~~sign~~ permitted under this section shall be forty (40) square feet; except within the Commercial, Industrial, or Diversified Development Districts, in which the ~~Maximum~~ sign area of any ~~sign~~ permitted under this section shall be sixty (60) square feet. No more than four (4) square feet may be used to identify any individual tenant or building.
- 3) A multi-tenant building or multi-building site where the total footprint of all structures exceeds five thousand (5,000) square feet may apply to the code enforcement officer for a waiver from the ~~Maximum~~ sign area provided under this section. The code enforcement officer may not grant a waiver except upon a written determination that a waiver is necessary to enable the applicant to appropriately advertise or call attention to all tenants or buildings and that issuance of a waiver would not otherwise conflict with or frustrate the purpose of this division. A waiver may not allow more than a 50% increase in the ~~Maximum~~ sign area permitted for a multi-tenant building or multi-building site under this division.
- (b) Individual businesses within a multi-tenant building or multi-building property shall be allowed only one (1) exterior or ~~building~~ mounted sign with a maximum sign area of twelve (12) square feet.
- (d) All multi-tenant buildings and multi-building properties seeking site plan review approval and permitting must submit a master signage plan that describes the size, location, lighting, color, and material for all proposed signs, including directional and informational signs.
- (2) *Readerboards.* Readerboards attached to a permanent sign may not occupy more than 50% of the total sign area.
- (3) *Electronic or digital signs.* The following standards apply to ~~Electronic~~ or digital signs, including changeable sign and ~~Readerboards~~:
- (a) Animated signs are prohibited.
- (b) Except as otherwise provided herein, changeable electronic or digital signs shall comply with 23 M.R.S.A. § 19144(11-A). Changeable electronic or digital signs must satisfy the following criteria to be permissible:
- 1) Changes to any display may not occur more than once every ten (10) seconds;
- 2) Changes to the display shall occur as quickly as possible and may not include any phasing, rolling, scrolling, flashing, or blending of messages or light intensity;
- 3) The display may not flash, phase, scroll, or display continuous streaming of information or video animation; and
- 4) The display or the brightness may not obscure or interfere with traffic control devices or traffic safety.
- (4) *Home occupations signs.* No more than one (1) exterior ~~sign~~ not to exceed eight (8) square feet may be allowed. No exterior storage of materials or any other exterior indicator of the home occupation that would



circumvent the requirements of this division is allowed unless otherwise permitted by the Town of Lisbon Code of Ordinances.

- (5) *Directional signs.* Directional signs must be located on the property to which they pertain, and may not create signage clutter on the property.
- (6) *Building mounted signs.* Building mounted signs should be considered part of the building design and should be scaled and designed appropriate to the building on which they are placed. Building mounted signs should not obscure architectural details on the building. All building mounted signs are counted towards the property's allowed maximum signage area (square feet) and the number of permitted signs allowed, and must meet applicable dimensional standards. This shall include lettering and advertising graphics placed directly on the building facade.
- 1) The height of a building mounted sign, as measured from the highest part of the sign, may not be taller than the highest point of the building.
  - 2) Building mounted signs may not interfere with vehicle, pedestrian, or cyclist safety, and may extend no lower than ten (10) feet above ground level. All hanging signs must comply with applicable lot and sign setback standards.
  - 3) Canopy signs and the canopies on which they are displayed are considered part of the building design, and should be scaled and designed appropriate to the building on which they are placed.
  - 4) Wall graphics or signs stenciled, printed, painted or affixed directly onto the wall of a building, including any lettering and text, symbols, or graphics that advertise a commercial use, product, service or activity, shall count towards the allowed maximum signage area, dimensional standards, and number of signs per property. This will not apply to wall graphics that are not intended or construed to be intended for commercial use, such as artistic, political, religious, or community non-profit graphics or messages.
- 5) Building mounted signs on large-scale historic buildings. The following properties identified as large-scale historic buildings may follow alternate dimensional standards in place of those in Section 70-718: Worumbo Mill Complex (U05-013-001 and U05-012), Farwell Mill Complex (U16-056-001 and U16-056-002), 1 Upland Road (U17-024), Old Lisbon High School (U04-026), Ancient York Lodge (U05-017). Large-scale historic buildings are allowed one (1) building mounted sign per facade, each with a maximum length of 75% of the facade width, and a maximum height of 3 feet. Such signs cannot be illuminated and shall not extend above the roofline or parapet wall. Signs on large-scale historic buildings shall be integrated into the architectural design and historic character of the building and shall not obscure any architectural details on the building.
- ~~(7) Gas station canopy signs. A sign erected or placed on a gas station canopy to display the fuel company name may not count toward the maximum sign area or number of signs for the property. All other signs shall be counted towards the maximum sign area and number of signs for the property.~~
- (37) *Window signs.* Window signs do not count towards the maximum sign area if they constitute directional signs and are not scaled to be legible from a public or private way. Window signs and graphics may not cover more than 30% of the total glass surfaces of any building facade facing any public road. Buildings with more than one side facing a public road are allowed 30% window coverage per side/frontage.
- (38) *Vehicular signs.* Cars, trucks or other vehicles may not be used as signs. Commercial vehicles with advertising information may not be regularly or permanently parked or placed in a location where a sign would not be permitted, or used in a way that has the effect of circumventing this division or the Town of Lisbon Code of Ordinances.

Commented [KB9]: New section to allow for bigger signs on large-scale historic reuse buildings

Commented [KB10]: This also appears in general standards, removed here.

~~(109)~~ *Portable signs.* One (1) ~~p~~portable sign, such as a sandwich board sign, is allowed per property, provided the sign is only placed outside during the business or operation hours for that use (not overnight), and not placed in a manner that would otherwise constitute placement of a permanent sign. A portable sign is not considered a temporary sign. The maximum sign area of a portable sign is six (6) square feet. Portable signs may not be internally or externally illuminated.

Commented [KMC11]: Signs on town-owned property are covered by 91-35 and 36

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## Sec. 70-720. Temporary signs.

### (1) *Size, dimensions, number of signs.*

- (a) No ~~temporary~~ sign or any part of its structure may exceed 20 feet in height, as measured from the normal grade at its base, and not a landscape mound or berm. A banner hung over a street in compliance with this division is exempt from the height limitation.
- (b) The total number of ~~temporary~~ signs on a single property may not exceed four (4) signs per residence or business at any one time. ~~Notwithstanding the restrictions of this paragraph, within the first six (6) months after a new business has commenced operations, it may display up to two (2) temporary on-premises signs, which shall not count toward the maximum number of temporary signs provided by this paragraph.~~
- (c) A ~~temporary~~ sign or banner placed in compliance with this division is allowed in addition to any non-temporary sign permitted under this division and does not count towards the number of signs allowed or the maximum sign area for an individual property.
- (d) No ~~temporary~~ sign larger than twelve (12) square feet may be placed without first obtaining a permit, paying any required permit fee, and complying with any additional standards applicable under section 70-718 General Standards. Temporary signs for community, charitable or non-profit events and activities shall be exempt from the permit fee.
- (e) No ~~temporary~~ sign may exceed the maximum sign size for the zoning district in which it is located.
- (f) No ~~temporary~~ sign may be illuminated either internally or externally.
- (g) Temporary signs may not be repeatedly replaced with signs of similar content or purpose in a manner intended to circumvent the permit requirements that would apply if the sign were permanent.

### (2) *Location and placement.*

- (a) Temporary signs may not be ~~attached to fences, trees, utility poles (except where expressly allowed), or the like, may not be~~ placed in a position that will obstruct or impair vision or traffic, either pedestrian or vehicular; may not infringe on handicap accessibility; and may not be located or placed in any manner that creates, in the judgment of the code enforcement officer, a hazard or disturbance to the health and welfare of the general public.

~~(b) No temporary sign may be placed within the public right-of-way, except in accordance with 21 M.R.S.A. § 1013-A as such may be amended.~~

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

- (a) A ~~temporary~~ sign may not be used in any location for more than ninety (90) ~~consecutive~~ days in any 12-month period, except as otherwise provided in this section.

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- (b) Temporary public safety signs erected or required to be erected by the town or other local, state or federal governmental body or agency pursuant to any ordinance, regulation, rule or law shall not be limited in duration of use or posting.
- (c) A ~~temporary~~ sign addressing an event occurring on a specific date or dates shall be removed within fifteen (15) days of the relevant date or dates.
- (d) Temporary signs directly related to a use or activity that has been inactive or discontinued for more than fourteen (14) days shall be removed.
- (e) ~~\_\_\_\_\_~~ A ~~temporary~~ sign used to indicate the change in location for a business or use is allowed to remain in place for up to six (6) months after the date of change in location.

~~(f) Temporary signs in the public right-of-way that do not require a permit, per Sec. 70-716 (3), may remain in place for a maximum duration in accordance with 23 M.R.S.A. § 1913 A.~~

(4) *Exceptions.*

- (a) With the exception of the maximum height restriction set forth in subsection 1(a) of this section, the code enforcement officer may grant a waiver from the restrictions and requirements set forth in subsections 1 and 3 of this section for ~~temporary~~ signs used to supplement or temporarily replace permanent signage that has been partially or fully obstructed due to construction or other activity not undertaken by the sign permit holder or to supplement or temporarily replace permanent signage that has been damaged or destroyed due to unforeseen natural or other causes outside the control of the ~~sign~~ permit holder.
- (b) Temporary signage located or placed pursuant to a waiver granted under this subsection shall be removed within fourteen (14) days after the date on which the relevant permanent signage is no longer obstructed or is repaired or replaced.

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Commented [KB12]: New: added as per suggestion from Don Fellows

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Secs. 70-721—70-730. Reserved.



Paid CC 11/21

OFFICE USE ONLY – Conditional Use Application (REFERENCE Chapter 70, Article III, Lisbon Code of Ordinances)	
Application Number: 22-13	Date Received: 11/21/22
Project Name:	Fee Paid (amount): 150.00
Applicant:	



## Town of Lisbon, Maine CONDITIONAL USE APPLICATION

Project Name/Title: GIRL PRO - CUSTOM

This application must be received at the Town Office by close of business on the 2<sup>nd</sup> Thursday of the month to be considered at the regular Planning Board meeting on the 4<sup>th</sup> 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

Gabrielle D. Profenna  
18 Ferry Rd. Lisbon ME 04250  
(207) 409-9770

1. Name of Property Owner (if different):

Address

Telephone

( )

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.

Signature of Applicant

Date

11/21/2022

Application Number:

Project Name:

**Property Information**

6. Location of Property (Street or Road) \_\_\_\_\_

Register of Deeds

Book 10988 Page 171

Lisbon Tax Maps

Map U15 Lot 0027. 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.  
\_\_\_\_\_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 ☒ No If yes, please specify: \_\_\_\_\_

10. Current zoning of property:

Limited Residential

Current use(s) of property:

Residential

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.Auto Customization (mechanical & Body)  
No alterations proposed – NO signage – No paint work  
– No drive-in customers – All work by appointment  
No Employees

OFFICE USE ONLY – Conditional Use Application (REFERENCE Chapter 70, Article III, Lisbon Code of Ordinances)	
Application Number:	Project Name:

**Waiver Request Form**  
**Conditional Use Application**

*If anticipated, the applicant should indicate any requests for waivers of review standards or application submission requirements, to submit with the Conditional Use Application form.*

*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 the 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 the chapter are met.*

*Further, where the planning board makes written findings of fact that there are special circumstances of a particular application, it may waive portions of the application information requirements, unless otherwise indicated in this chapter, provided that the applicant has demonstrated that the standards of this chapter have been or will be met, the public health, safety and welfare are protected, and provided the waivers do not have the effect of nullifying the intent and purpose of the comprehensive plan of this chapter.*

*Applicants should take note that the planning board CANNOT waive or give variances on the following: a land use not allowed under the Lisbon Zoning Ordinance (see Section 70-531, Table of Land Uses), and dimensional requirements such as lot size/density, setbacks, frontage, etc. (see Section 70-536, Dimensional Requirements). Variances for dimensional requirements may be requested only through the Lisbon Board of Appeals.*

- Standard/requirement to be waived: \_\_\_\_\_  
 Need/reason for waiver: \_\_\_\_\_  
 \_\_\_\_\_
- Standard/requirement to be waived: \_\_\_\_\_  
 Need/reason for waiver: \_\_\_\_\_  
 \_\_\_\_\_
- Standard/requirement to be waived: \_\_\_\_\_  
 Need/reason for waiver: \_\_\_\_\_  
 \_\_\_\_\_
- Standard/requirement to be waived: \_\_\_\_\_  
 Need/reason for waiver: \_\_\_\_\_  
 \_\_\_\_\_

*Attach additional page(s) if necessary.*



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:	

## Conditional Use Application

### ATTACHMENTS CHECKLIST

REFERENCE Chapter 70-193(b), Lisbon Code of Ordinances

✓ or N/A		OFFICE USE ONLY
	<b>Basic Required Attachments:</b>	
-	1. A complete set of plans in accordance with the submission requirements under section 66-52 (3) of the Town of Lisbon Subdivision Ordinance: <u>Preliminary Plan</u> . The preliminary plan and all application material shall be submitted in <b>ten (10) copies</b> of one or more maps or drawings which may be printed or reproduced on paper, with all dimensions shown in feet or decimals of a foot. The plan shall be drawn to a scale of not more than 100 feet to the inch.	
N/A	2. 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, <b>10 copies</b> .	
N/A	3. A statement addressing all of the applicable factors listed in section 70-194 of this Zoning Ordinance ( <b>10 copies</b> ):  <b>Factors applicable to conditional uses</b>	
	A. <i>Primary factors.</i> In considering a conditional use permit, the planning board shall evaluate the immediate and long-range effects of the proposed use upon: <ul style="list-style-type: none"> <li>i. <i>Health.</i> The maintenance of safe and healthful conditions.</li> <li>ii. <i>Pollution.</i> The prevention and control of water pollution and sedimentation.</li> <li>iii. <i>Building sites.</i> The control of building sites, placement of structures and land uses.</li> <li>iv. <i>Wildlife habitat.</i> The protection of spawning grounds, fish, aquatic life, bird and other wildlife habitat.</li> <li>v. <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.</li> </ul>	
	B. <i>Additional factors.</i> The planning board shall also consider the following factors: <ul style="list-style-type: none"> <li>i. <i>Compatibility with area.</i> The compatibility of the proposed use with adjacent land uses.</li> <li>ii. <i>Need.</i> The need of a particular location for the proposed use.</li> <li>iii. <i>Access.</i> Access to the site from existing or proposed roads.</li> <li>iv. <i>Flooding.</i> The location of the site with respect to floodplains and floodways of rivers or streams.</li> <li>v. <i>Waste disposal.</i> The amount and type of wastes to be generated by the proposed use and the adequacy of the proposed disposal systems.</li> </ul>	

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Application Number:

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	<p>vi. <i>Impact on land and water.</i> 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.</p> <p>vii. <i>Topography.</i> Existing topographic and drainage features and vegetative cover on the site.</p> <p>viii. <i>Erosion.</i> The erosion potential of the site based upon degree and direction of slope, soil type and vegetative cover.</p> <p>ix. <i>Transportation.</i> The impact of the proposed use on transportation facilities.</p> <p>x. <i>Community facilities.</i> The impact of the proposed use on local population and community facilities.</p> <p>xi. <i>Water supply.</i> The impact of the proposed use on local water supplies.</p>	
	<b>Possible Additional Attachments:</b>	
	<i>In order to secure information upon which to base its determination, the planning board may require the applicant to furnish, in addition to the information required for a conditional use permit, the following information:</i>	
	1. <i>Contours; groundwater; bedrock; slope; vegetation.</i> A plan of the area showing contours at intervals to be determined by the planning board and referred to mean sea level, normal high water elevation, groundwater conditions, bedrock, slope and vegetative cover.	
	2. <i>Soils.</i> A soils report identifying the soils boundaries and names in the proposed development with the soils information superimposed upon the plot plan in accord with the USDA Soil Conservation Service National Cooperative Soil Classification.	
	3. <i>Buildings; access; open space.</i> Location of existing and proposed buildings, parking areas, traffic access, driveways, walkways, piers, open spaces, and landscaping.	
	4. <i>Sewage; water.</i> Plans of buildings, sewage disposal facilities, and water supply systems.	
	5. <i>Technical assistance.</i> Other pertinent information necessary to determine if the proposed use meets the provisions of this chapter. In evaluating each application, the planning board may request the assistance of the regional planning commission, county soil and water conservation district, and any other state or federal agency which can provide technical assistance.	
	6. <i>Access management.</i> If the project includes new or existing driveway access onto Lisbon Street (Route 196), Main Street north of Huston Street (Route 125), Mill Street, Ridge Road (Route 9), or Upland Road, it shall be subject to the requirements of Chpt. 46-134 Access Management. The applicant is required to apply for review and permit for driveway access according to this ordinance.	



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:	

## Conditional Use Review Planning Board Procedure Checklist

Date Completed	
	1. Initial application received (10 copies), payment of fee(s)
	2. (a) Code Enforcement Officer determines submission complete, go to #6 (b) OR may be referred to Planning Board to review for completeness
	3. Schedule initial review meeting with Planning Board (to review application and determine completeness)
	4. Refer application submission to appropriate staff for review or additional information, as appropriate
	5. At review meeting, PB determine if additional submission materials needed, determine if complete, provide written notice
	6. Schedule public hearing at least 14 days after notice of completeness or receipt of complete submission; abutters must be provided with a notice of receipt of an application and date of public hearing (and site visit if applicable) by mail at least 7 days before the hearing
	7. Notice of filing of an application and notice of scheduled public hearing, published by newspaper at least 7 days before the hearing; include notice of scheduled site visit if applicable
	8. Planning Board site visit (optional)
	9. Public hearing held: (a) applicant presentation, (b) staff comments/ presentation, (c) public comment
	10. Planning Board review of application and decision (approve, approve with conditions, deny) – <b>does not have to be same meeting as hearing</b>
	11. Provide applicant and abutters with written notice of decision, including reasons for decision, <b>within 20 days of the public hearing.</b>



## Conditional Use Permit Review Applicant Procedure Checklist

Date completed	<i>Please refer any questions regarding the procedure to appropriate town staff.</i>
	<p><b>1. Submit Application to Town Office (Code Enforcement Officer), by the 2<sup>nd</sup> Thursday of the month:</b></p> <ul style="list-style-type: none"> <li>a. Complete application form and prepare all required submission materials (see checklist), provide 10 copies of all forms and materials;</li> <li>b. Applicant must pay any required fee(s) at time of submission;</li> <li>c. Schedule an initial submission review meeting with Planning Board (regular meetings are 4<sup>th</sup> Thursdays of the month).</li> </ul>
	<p><b>2. Attend first Planning Board meeting, initial application review:</b></p> <ul style="list-style-type: none"> <li>a. Planning board will review the submitted materials, including any requests for waivers, and make a determination if the submission is complete or if additional materials must be provided;</li> <li>b. If Board determines submission is complete, applicant will be provided with a written notice; if submission is not complete, Board will specify additional materials needed, applicant must provide additional materials to the Code Enforcement Officer and will then be issued a written notice of completeness;</li> <li>c. A public hearing with the Planning Board will be scheduled within 14 days of issuance of written notice of completeness; the Town will send notices to all abutters and publish a public notice of scheduled hearing;</li> <li>d. Board may request a site visit prior to the public hearing;</li> <li>e. Application will be referred to appropriate town departments/staff as appropriate, prior to public hearing.</li> </ul>
	<p><b>3. Optional site visit:</b></p> <p>If a site visit is scheduled, the Town shall publish notice of the site visit; the applicant shall be present at the Board site visit.</p>
	<p><b>4. Attend public hearing:</b></p> <ul style="list-style-type: none"> <li>a. Applicant (or representative) will be allowed a brief presentation;</li> <li>b. Town staff will present any comments;</li> <li>c. Public hearing will be opened, Board will make a note of all public and abutter comments;</li> <li>d. Upon close of public hearing, no further comment or discussion from the public or applicant shall be entertained; the Board will decide whether to conduct their review and decision immediately after the hearing, or may table the application review to a second meeting (held within two weeks of the public hearing);</li> </ul>

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

	<p><b>5. Planning Board Review (may be a separate meeting from the hearing):</b></p> <p>a. Planning Board shall conduct a review of the proposed conditional use based on the standards and requirements of town ordinance(s) (see Conditional Use Permit Standards Checklist);</p> <p>b. The Board shall make a decision to (a) approve, (b) approve with conditions, or (c) deny the proposed conditional use, and will indicate any specific conditions and requirements of approval in its written notice of decision.</p>
	<p><b>6. Written notice of decision:</b></p> <p>The Town shall provide the applicant and abutters with a written notice of the decision, including reasons for decision and any conditions (must be provided within 20 days of the public hearing).</p>
	<p><b>7. Issuance of permits and compliance with conditions:</b></p> <p>Upon issuance of a written decision to approve, the applicant may obtain appropriate permit(s) from the Code Enforcement Officer; the applicant will be required to comply with all conditions specified in the written decision.</p>

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

## 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

(a) **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"/>	Waived <input type="checkbox"/>	1. <i>Health.</i> The maintenance of safe and healthful conditions.  <b>Conditions:</b>
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	2. <i>Pollution.</i> The prevention and control of water pollution and sedimentation.  <b>Conditions:</b>
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	3. <i>Building sites.</i> The control of building sites, placement of structures and land uses.  <b>Conditions:</b>
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	4. <i>Wildlife habitat.</i> The protection of spawning grounds, fish, aquatic life, bird and other wildlife habitat.  <b>Conditions:</b>
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	5. <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.  <b>Conditions:</b>



Application Number:

Project Name:

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

Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	1. <i>Compatibility with area.</i> The compatibility of the proposed use with adjacent land uses.  <b>Conditions:</b>
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	2. <i>Need.</i> The need of a particular location for the proposed use.  <b>Conditions:</b>
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	3. <i>Access.</i> Access to the site from existing or proposed roads.  <b>Conditions:</b>
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	4. <i>Flooding.</i> The location of the site with respect to floodplains and floodways of rivers or streams.  <b>Conditions:</b>
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	5. <i>Waste disposal.</i> The amount and type of wastes to be generated by the proposed use and the adequacy of the proposed disposal systems.  <b>Conditions:</b>
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	6. <i>Impact on land and water.</i> 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.  <b>Conditions:</b>

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<b>Met</b> <input type="checkbox"/>	<b>Not</b> <input type="checkbox"/>	<b>Waived</b> <input type="checkbox"/>	<p>7. <i>Topography.</i> Existing topographic and drainage features and vegetative cover on the site.</p> <p><b>Conditions:</b></p>
<b>Met</b> <input type="checkbox"/>	<b>Not</b> <input type="checkbox"/>	<b>Waived</b> <input type="checkbox"/>	<p>8. <i>Erosion.</i> The erosion potential of the site based upon degree and direction of slope, soil type and vegetative cover.</p> <p><b>Conditions:</b></p>
<b>Met</b> <input type="checkbox"/>	<b>Not</b> <input type="checkbox"/>	<b>Waived</b> <input type="checkbox"/>	<p>9. <i>Transportation.</i> The impact of the proposed use on transportation facilities.</p> <p><b>Conditions:</b></p>
<b>Met</b> <input type="checkbox"/>	<b>Not</b> <input type="checkbox"/>	<b>Waived</b> <input type="checkbox"/>	<p>10. <i>Community facilities.</i> The impact of the proposed use on local population and community facilities.</p> <p><b>Conditions:</b></p>
<b>Met</b> <input type="checkbox"/>	<b>Not</b> <input type="checkbox"/>	<b>Waived</b> <input type="checkbox"/>	<p>11. <i>Water supply.</i> The impact of the proposed use on local water supplies.</p> <p><b>Conditions:</b></p>

**Additional conditions list, next page.**

OFFICE USE ONLY – Conditional Use Application (REFERENCE Chapter 70, Article III, Lisbon Code of Ordinances)	
Application Number:	Project Name:

## 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:

<b>Additional Factors</b>	<b>Conditions</b>
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:	



## 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.

N/A <input type="checkbox"/>	Met <input type="checkbox"/>	Not <input type="checkbox"/>	<b>Table of Land Uses, Table of Dimensional Requirements.</b> 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"/>	Not <input type="checkbox"/>	<b>Manufactured Housing, Mobile Homes and Trailers, [Parks].</b> 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"/>	Not <input type="checkbox"/>	<b>Entrances onto Public Ways.</b> Chapter 46, Article V <i>Any new entrance onto a public way requires a permit and must meet specified standards. <b>Access Management (Sec. 46-134):</b> 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"/>	Not <input type="checkbox"/>	<b>Building Code.</b> Chapter 54, Article II <i>In accordance with 25 M.R.S. §2373, the Town of Lisbon has adopted the mandatory standards and regulations of the Maine Uniform Building and Energy Code (MUBEC), ASHRAE 62.1-2013, ASHRAE 62.2-2013, ASHRAE 90.1-2013, ASTM E-1465-08.</i>
N/A <input type="checkbox"/>	Met <input type="checkbox"/>	Not <input type="checkbox"/>	<b>Floodplain Management.</b> 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"/>	Not <input type="checkbox"/>	<b>Shoreland Zoning.</b> <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</i>

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			dock, wharf or pier, or other structure extending or located below the normal high-water line of a water body or within a wetland.
N/A <input type="checkbox"/>	Met <input type="checkbox"/>	Not <input type="checkbox"/>	<b>Site Plan Review.</b> Chapter 62, Article 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.
N/A <input type="checkbox"/>	Met <input type="checkbox"/>	Not <input type="checkbox"/>	<b>Subdivisions.</b> Chapter 66, Article 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. <b>Subdivisions in ROS Districts:</b> All subdivisions in ROS zones greater than 10 acres must meet the Open Space Subdivision standards. <b>Open Space Subdivisions:</b> This chapter includes specific provisions to allow for open space preservation through increased flexibility in subdivision standards and requirements.
N/A <input type="checkbox"/>	Met <input type="checkbox"/>	Not <input type="checkbox"/>	<b>Groundwater &amp; Wellhead Protection.</b> Chapter 70, Article V, Division 2 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.
N/A <input type="checkbox"/>	Met <input type="checkbox"/>	Not <input type="checkbox"/>	<b>Supplementary Zoning Regulations.</b> Chapter 70, Article VI, Division I Includes additional regulations for the following: <ul style="list-style-type: none"> <li>• Accessory buildings</li> <li>• Agriculture</li> <li>• Campgrounds</li> <li>• Filling, grading, dredging, earth moving</li> <li>• High-intensity farming</li> <li>• Home occupations</li> <li>• Sanitation</li> <li>• Drainage</li> <li>• Conversion of existing building to multi-unit housing</li> <li>• Water quality</li> <li>• Archeological sites</li> <li>• Roads and driveways</li> <li>• Essential services</li> </ul>



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N/A <input type="checkbox"/>	Met <input type="checkbox"/>	Not <input type="checkbox"/>	<b>Rear Lots.</b> 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>
N/A <input type="checkbox"/>	Met <input type="checkbox"/>	Not <input type="checkbox"/>	<b>Off-Street Parking and Loading.</b> 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"/>	Not <input type="checkbox"/>	<b>Marine Structures.</b> 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"/>	Not <input type="checkbox"/>	<b>Signs.</b> 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"/>	Not <input type="checkbox"/>	<b>Timber Harvesting and Clearing Vegetation.</b> 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"/>	Not <input type="checkbox"/>	<b>Planned Unit or Cluster Development.</b> 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"/>	Not <input type="checkbox"/>	<b>Expansion of Sand and Gravel Mining within Aquifer Protection Overlay District.</b> Chapter 70, Article VI, Division 9 <i>Standards applying to overlay district zones 2 or 3, zone 1 expansions not permitted.</i>



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.  <b>Conditions:</b>
Met <input type="checkbox"/>	Not <input type="checkbox"/>	7. <i>Pollution.</i> The prevention and control of water pollution and sedimentation.  <b>Conditions:</b>
Met <input type="checkbox"/>	Not <input type="checkbox"/>	8. <i>Building sites.</i> The control of building sites, placement of structures and land uses.  <b>Conditions:</b>
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.  <b>Conditions:</b>
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.  <b>Conditions:</b>

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. <i>Compatibility with area.</i> The compatibility of the proposed use with adjacent land uses.  <b>Conditions:</b>
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	13. <i>Need.</i> The need of a particular location for the proposed use.  <b>Conditions:</b>
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	14. <i>Access.</i> Access to the site from existing or proposed roads.  <b>Conditions:</b>
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	15. <i>Flooding.</i> The location of the site with respect to floodplains and floodways of rivers or streams.  <b>Conditions:</b>
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	16. <i>Waste disposal.</i> The amount and type of wastes to be generated by the proposed use and the adequacy of the proposed disposal systems.  <b>Conditions:</b>
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	17. <i>Impact on land and water.</i> 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.  <b>Conditions:</b>
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	18. <i>Topography.</i> Existing topographic and drainage features and vegetative cover on the site.  <b>Conditions:</b>

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

**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:

<b><i>Additional Factors</i></b>	<b><i>Conditions</i></b>
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"/>	<b>Table of Land Uses, Table of Dimensional Requirements.</b> 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"/>	<b>Manufactured Housing, Mobile Homes and Trailers, [Parks].</b> 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"/>	<b>Entrances onto Public Ways.</b> Chapter 46, Article V <i>Any new entrance onto a public way requires a permit and must meet specified standards. <b>Access Management (Sec. 46-134):</b> 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"/>	<b>Building Code.</b> Chapter 54, Article II <i>In accordance with 25 M.R.S. §2373, the Town of Lisbon has adopted the mandatory standards and regulations of the Maine Uniform Building and Energy Code (MUBEC), ASHRAE 62.1-2013, ASHRAE 62.2-2013, ASHRAE 90.1-2013, ASTM E-1465-08.</i>
N/A <input type="checkbox"/>	Met <input type="checkbox"/>	<b>Floodplain Management.</b> 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"/>	<b>Shoreland Zoning.</b> <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"/>	<b>Site Plan Review.</b> 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"/>	<b>Subdivisions.</b> 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. <b>Subdivisions in ROS Districts:</b> All subdivisions in ROS zones greater than 10 acres must meet the Open Space Subdivision standards. <b>Open Space Subdivisions:</b> 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"/>	<b>Groundwater &amp; Wellhead Protection.</b> 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"/>	<b>Supplementary Zoning Regulations.</b> Chapter 70, Article VI, Division I <i>Includes additional regulations for the following:</i> <ul style="list-style-type: none"> <li>• Accessory buildings</li> <li>• Agriculture</li> <li>• Campgrounds</li> <li>• Filling, grading, dredging, earth moving</li> <li>• High-intensity farming</li> <li>• Home occupations</li> <li>• Sanitation</li> <li>• Drainage</li> <li>• Conversion of existing building to multi-unit housing</li> <li>• Water quality</li> <li>• Archeological sites</li> <li>• Roads and driveways</li> <li>• Essential services</li> </ul>
N/A <input type="checkbox"/>	Met <input type="checkbox"/>	<b>Rear Lots.</b> 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"/>	<b>Off-Street Parking and Loading.</b> 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"/>	<b>Marine Structures.</b> 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"/>	<b>Signs.</b> 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"/>	<b>Timber Harvesting and Clearing Vegetation.</b> 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"/>	<b>Planned Unit or Cluster Development.</b> 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"/>	<b>Expansion of Sand and Gravel Mining within Aquifer Protection Overlay District.</b> Chapter 70, Article VI, Division 9 <i>Standards applying to overlay district zones 2 or 3, zone 1 expansions not permitted.</i>

<i>OFFICE USE ONLY – Conditional Use Application (REFERENCE Chapter 70, Article III, Lisbon Code of Ordinances)</i>	
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*





11-21-22 (AS)

OFFICE USE ONLY – Conditional Use Application (REFERENCE Chapter 70, Article III, Lisbon Code of Ordinances)	
Application Number: 22-19	Date Received: 11/21/22
Project Name: RIVER DRIVER, MANUFACTURING	Fee Paid (amount): 150.00
Applicant: LISA BROWN	



## Town of Lisbon, Maine CONDITIONAL USE APPLICATION

Project Name/Title: Adult Use Manufacturing Facility - River Driver

This application must be received at the Town Office by close of business on the 2<sup>nd</sup> Thursday of the month to be considered at the regular Planning Board meeting on the 4<sup>th</sup> 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

Lisa Finlayson Brown  
132 Church Rd Brunswick ME  
(207) 615-5394

1. Name of Property Owner (if different):

Address

Telephone

\_\_\_\_\_  
\_\_\_\_\_  
( )

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

Raymond Payne  
132 Church Rd Brunswick ME  
(207) 939-7490

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 of Applicant

Date

11/17/22

Application Number:

Project Name:

**Property Information**6. Location of Property (Street or Road) 8 Main Street

Register of Deeds

Book 109 66 Page 258

Lisbon Tax Maps

Map U05 Lot 221

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.

18.5% \* see schedule A attached8. 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 ☒ No If yes, please specify: \_\_\_\_\_10. Current zoning of property: VillageCurrent use(s) of property: Commercial

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:

Yes - Approved for Adult Use cannabis Store**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.We are seeking a change of use to operate an Adult Use Cannabis Manufacturing Facility. The proposed site will not require any new construction.



Application Number:

Project Name:

## Waiver Request Form

### Conditional Use Application

***If anticipated, the applicant should indicate any requests for waivers of review standards or application submission requirements, to submit with the Conditional Use Application form.***

*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 the 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 the chapter are met.*

*Further, where the planning board makes written findings of fact that there are special circumstances of a particular application, it may waive portions of the application information requirements, unless otherwise indicated in this chapter, provided that the applicant has demonstrated that the standards of this chapter have been or will be met, the public health, safety and welfare are protected, and provided the waivers do not have the effect of nullifying the intent and purpose of the comprehensive plan of this chapter.*

*Applicants should take note that the planning board CANNOT waive or give variances on the following: a land use not allowed under the Lisbon Zoning Ordinance (see Section 70-531, Table of Land Uses), and dimensional requirements such as lot size/density, setbacks, frontage, etc. (see Section 70-536, Dimensional Requirements). Variances for dimensional requirements may be requested only through the Lisbon Board of Appeals.*

1. Standard/requirement to be waived: \_\_\_\_\_  
 Need/reason for waiver: \_\_\_\_\_  
 \_\_\_\_\_
2. Standard/requirement to be waived: \_\_\_\_\_  
 Need/reason for waiver: \_\_\_\_\_  
 \_\_\_\_\_
3. Standard/requirement to be waived: \_\_\_\_\_  
 Need/reason for waiver: \_\_\_\_\_  
 \_\_\_\_\_
4. Standard/requirement to be waived: \_\_\_\_\_  
 Need/reason for waiver: \_\_\_\_\_  
 \_\_\_\_\_

*Attach additional page(s) if necessary.*



# LISBON ADULT USE MARIJUANA ESTABLISHMENTS APPLICATION

☒ Initial Adult Use Application

☐ Renewal Adult Use Application

## Non-refundable Fees

<input type="checkbox"/> Adult Use Marijuana Retail Store:	\$ 5,000.00
<input type="checkbox"/> Adult Use Marijuana Cultivation Facility:	\$ 5,000.00
<input checked="" type="checkbox"/> Adult Use Products Manufacturing Facility:	\$ 5,000.00
<input type="checkbox"/> Adult Use Marijuana Testing Facility:	\$10,000.00

Name of Business: River Driver Cannabis Co Business Phone: \_\_\_\_\_

Location of Business: 8 main st Lisbon Falls

Business Email Address: riverdrivercc@gmail.com

Business Mailing Address: 132 Church Rd Brunswick

Owner's Name: Lisa Finlayson Brown

Home Phone: \_\_\_\_\_ Cell Phone: 207 615 5394

Owner's Home Address: 21 main st South Freeport ME 04032

List Owners/Members/Partners/Officers/Directors/Stockholders/Managers/Supervisory Personnel/or other participants:

Name: Lisa Finlayson Brown Phone Number: 207 615 5394  
Street Addr: 21 main st Birth Date: 02/15/83  
Town/State/Zip: South Freeport ME 04032

Name: Ian Finlayson Brown Phone Number: 802 291 2684  
Street Addr: 21 main st Birth Date: 07/29/81  
Town/State/Zip: South Freeport ME 04032

Name: Raymond Payne Phone Number: 207 939 7490  
Street Addr: 107 Mill Rd Birth Date: 05/24/77  
Town/State/Zip: Cumberland ME 04021

Name: Emile Clavet Phone Number: 207 240 5399  
Street Addr: 147 Birch Run Birth Date: 08/26/61  
Town/State/Zip: Harpeswell, ME 04079

Attach a list on a separate piece of paper of names or additional names that apply.

Joseph Riddlesberger  
123 Gylecker rd  
Portland ME 04103

415-666-3680

9/4/70

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

## Conditional Use Application

### ATTACHMENTS CHECKLIST

REFERENCE Chapter 70-193(b), Lisbon Code of Ordinances

✓ or N/A		OFFICE USE ONLY
	<b>Basic Required Attachments:</b>	
✓	1. A complete set of plans in accordance with the submission requirements under section 66-52 (3) of the Town of Lisbon Subdivision Ordinance: <u>Preliminary Plan</u> . The preliminary plan and all application material shall be submitted in <b>ten (10) copies</b> of one or more maps or drawings which may be printed or reproduced on paper, with all dimensions shown in feet or decimals of a foot. The plan shall be drawn to a scale of not more than 100 feet to the inch.	
N/A	2. 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, <b>10 copies</b> .	
✓	3. A statement addressing all of the applicable factors listed in section 70-194 of this Zoning Ordinance ( <b>10 copies</b> ):  <b>Factors applicable to conditional uses</b>	
	A. <i>Primary factors.</i> In considering a conditional use permit, the planning board shall evaluate the immediate and long-range effects of the proposed use upon: <ul style="list-style-type: none"> <li>i. <i>Health.</i> The maintenance of safe and healthful conditions.</li> <li>ii. <i>Pollution.</i> The prevention and control of water pollution and sedimentation.</li> <li>iii. <i>Building sites.</i> The control of building sites, placement of structures and land uses.</li> <li>iv. <i>Wildlife habitat.</i> The protection of spawning grounds, fish, aquatic life, bird and other wildlife habitat.</li> <li>v. <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.</li> </ul>	
	B. <i>Additional factors.</i> The planning board shall also consider the following factors: <ul style="list-style-type: none"> <li>i. <i>Compatibility with area.</i> The compatibility of the proposed use with adjacent land uses.</li> <li>ii. <i>Need.</i> The need of a particular location for the proposed use.</li> <li>iii. <i>Access.</i> Access to the site from existing or proposed roads.</li> <li>iv. <i>Flooding.</i> The location of the site with respect to floodplains and floodways of rivers or streams.</li> <li>v. <i>Waste disposal.</i> The amount and type of wastes to be generated by the proposed use and the adequacy of the proposed disposal systems.</li> </ul>	



OFFICE USE ONLY – Conditional Use Application	
Application Number:	Project Name:

	<p>vi. <i>Impact on land and water.</i> 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.</p> <p>vii. <i>Topography.</i> Existing topographic and drainage features and vegetative cover on the site.</p> <p>viii. <i>Erosion.</i> The erosion potential of the site based upon degree and direction of slope, soil type and vegetative cover.</p> <p>ix. <i>Transportation.</i> The impact of the proposed use on transportation facilities.</p> <p>x. <i>Community facilities.</i> The impact of the proposed use on local population and community facilities.</p> <p>xi. <i>Water supply.</i> The impact of the proposed use on local water supplies.</p>	
	<b>Possible Additional Attachments:</b>	
	<i>In order to secure information upon which to base its determination, the planning board may require the applicant to furnish, in addition to the information required for a conditional use permit, the following information:</i>	
	1. <i>Contours; groundwater; bedrock; slope; vegetation.</i> A plan of the area showing contours at intervals to be determined by the planning board and referred to mean sea level, normal high water elevation, groundwater conditions, bedrock, slope and vegetative cover.	
	2. <i>Soils.</i> A soils report identifying the soils boundaries and names in the proposed development with the soils information superimposed upon the plot plan in accord with the USDA Soil Conservation Service National Cooperative Soil Classification.	
	3. <i>Buildings; access; open space.</i> Location of existing and proposed buildings, parking areas, traffic access, driveways, walkways, piers, open spaces, and landscaping.	
	4. <i>Sewage; water.</i> Plans of buildings, sewage disposal facilities, and water supply systems.	
	5. <i>Technical assistance.</i> Other pertinent information necessary to determine if the proposed use meets the provisions of this chapter. In evaluating each application, the planning board may request the assistance of the regional planning commission, county soil and water conservation district, and any other state or federal agency which can provide technical assistance.	
	6. <i>Access management.</i> If the project includes new or existing driveway access onto Lisbon Street (Route 196), Main Street north of Huston Street (Route 125), Mill Street, Ridge Road (Route 9), or Upland Road, it shall be subject to the requirements of Chpt. 46-134 Access Management. The applicant is required to apply for review and permit for driveway access according to this ordinance.	

## Conditional Use Permit Review Applicant Procedure Checklist

<i>Date completed</i>	<i>Please refer any questions regarding the procedure to appropriate town staff.</i>
	<p><b>1. Submit Application to Town Office (Code Enforcement Officer), by the 2<sup>nd</sup> Thursday of the month:</b></p> <ul style="list-style-type: none"> <li>a. Complete application form and prepare all required submission materials (see checklist), provide 10 copies of all forms and materials;</li> <li>b. Applicant must pay any required fee(s) at time of submission;</li> <li>c. Schedule an initial submission review meeting with Planning Board (regular meetings are 4<sup>th</sup> Thursdays of the month).</li> </ul>
	<p><b>2. Attend first Planning Board meeting, initial application review:</b></p> <ul style="list-style-type: none"> <li>a. Planning board will review the submitted materials, including any requests for waivers, and make a determination if the submission is complete or if additional materials must be provided;</li> <li>b. If Board determines submission is complete, applicant will be provided with a written notice; if submission is not complete, Board will specify additional materials needed, applicant must provide additional materials to the Code Enforcement Officer and will then be issued a written notice of completeness;</li> <li>c. A public hearing with the Planning Board will be scheduled within 14 days of issuance of written notice of completeness; the Town will send notices to all abutters and publish a public notice of scheduled hearing;</li> <li>d. Board may request a site visit prior to the public hearing;</li> <li>e. Application will be referred to appropriate town departments/staff as appropriate, prior to public hearing.</li> </ul>
	<p><b>3. Optional site visit:</b></p> <p>If a site visit is scheduled, the Town shall publish notice of the site visit; the applicant shall be present at the Board site visit.</p>
	<p><b>4. Attend public hearing:</b></p> <ul style="list-style-type: none"> <li>a. Applicant (or representative) will be allowed a brief presentation;</li> <li>b. Town staff will present any comments;</li> <li>c. Public hearing will be opened, Board will make a note of all public and abutter comments;</li> <li>d. Upon close of public hearing, no further comment or discussion from the public or applicant shall be entertained; the Board will decide whether to conduct their review and decision immediately after the hearing, or may table the application review to a second meeting (held within two weeks of the public hearing);</li> </ul>



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

	<p><b>5. Planning Board Review (may be a separate meeting from the hearing):</b></p> <p>a. Planning Board shall conduct a review of the proposed conditional use based on the standards and requirements of town ordinance(s) (see Conditional Use Permit Standards Checklist);</p> <p>b. The Board shall make a decision to (a) approve, (b) approve with conditions, or (c) deny the proposed conditional use, and will indicate any specific conditions and requirements of approval in its written notice of decision.</p>
	<p><b>6. Written notice of decision:</b></p> <p>The Town shall provide the applicant and abutters with a written notice of the decision, including reasons for decision and any conditions (must be provided within 20 days of the public hearing).</p>
	<p><b>7. Issuance of permits and compliance with conditions:</b></p> <p>Upon issuance of a written decision to approve, the applicant may obtain appropriate permit(s) from the Code Enforcement Officer; the applicant will be required to comply with all conditions specified in the written decision.</p>



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.  <b>Conditions:</b>
Met <input type="checkbox"/>	Not <input type="checkbox"/>	7. <i>Pollution.</i> The prevention and control of water pollution and sedimentation.  <b>Conditions:</b>
Met <input type="checkbox"/>	Not <input type="checkbox"/>	8. <i>Building sites.</i> The control of building sites, placement of structures and land uses.  <b>Conditions:</b>
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.  <b>Conditions:</b>
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.  <b>Conditions:</b>

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. <i>Compatibility with area.</i> The compatibility of the proposed use with adjacent land uses.  <b>Conditions:</b>
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	13. <i>Need.</i> The need of a particular location for the proposed use.  <b>Conditions:</b>
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	14. <i>Access.</i> Access to the site from existing or proposed roads.  <b>Conditions:</b>
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	15. <i>Flooding.</i> The location of the site with respect to floodplains and floodways of rivers or streams.  <b>Conditions:</b>
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	16. <i>Waste disposal.</i> The amount and type of wastes to be generated by the proposed use and the adequacy of the proposed disposal systems.  <b>Conditions:</b>
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	17. <i>Impact on land and water.</i> 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.  <b>Conditions:</b>
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	18. <i>Topography.</i> Existing topographic and drainage features and vegetative cover on the site.  <b>Conditions:</b>

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

**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:

<b><i>Additional Factors</i></b>	<b><i>Conditions</i></b>
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"/>	<b><u>Table of Land Uses, Table of Dimensional Requirements.</u></b> 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"/>	<b><u>Manufactured Housing, Mobile Homes and Trailers, [Parks].</u></b> 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"/>	<b><u>Entrances onto Public Ways.</u></b> Chapter 46, Article V <i>Any new entrance onto a public way requires a permit and must meet specified standards. <b>Access Management (Sec. 46-134):</b> 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"/>	<b><u>Building Code.</u></b> 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"/>	<b><u>Floodplain Management.</u></b> 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"/>	<b><u>Shoreland Zoning.</u></b> <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.

<p>N/A</p> <input type="checkbox"/>	<p>Met</p> <input type="checkbox"/>	<p><b>Site Plan Review.</b> 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></p>
<p>N/A</p> <input type="checkbox"/>	<p>Met</p> <input type="checkbox"/>	<p><b>Subdivisions.</b> 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. <b>Subdivisions in ROS Districts:</b> All subdivisions in ROS zones greater than 10 acres must meet the Open Space Subdivision standards. <b>Open Space Subdivisions:</b> This chapter includes specific provisions to allow for open space preservation through increased flexibility in subdivision standards and requirements.</i></p>
<p>N/A</p> <input type="checkbox"/>	<p>Met</p> <input type="checkbox"/>	<p><b>Groundwater &amp; Wellhead Protection.</b> 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></p>
<p>N/A</p> <input type="checkbox"/>	<p>Met</p> <input type="checkbox"/>	<p><b>Supplementary Zoning Regulations.</b> Chapter 70, Article VI, Division I  <i>Includes additional regulations for the following:</i></p> <ul style="list-style-type: none"> <li>• Accessory buildings</li> <li>• Agriculture</li> <li>• Campgrounds</li> <li>• Filling, grading, dredging, earth moving</li> <li>• High-intensity farming</li> <li>• Home occupations</li> <li>• Sanitation</li> <li>• Drainage</li> <li>• Conversion of existing building to multi-unit housing</li> <li>• Water quality</li> <li>• Archeological sites</li> <li>• Roads and driveways</li> <li>• Essential services</li> </ul>
<p>N/A</p> <input type="checkbox"/>	<p>Met</p> <input type="checkbox"/>	<p><b>Rear Lots.</b> 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></p>



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

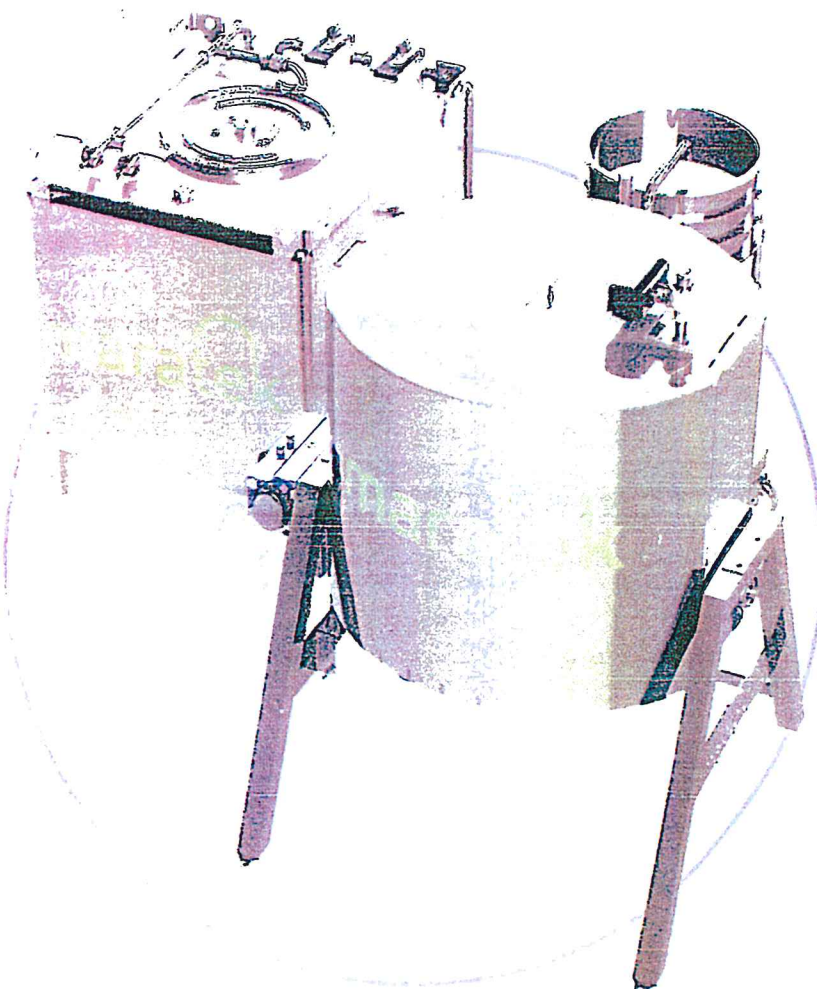
N/A <input type="checkbox"/>	Met <input type="checkbox"/>	<b><u>Off-Street Parking and Loading.</u></b> Chapter 70, Article VI, Division 3 <i>Includes standards for the provision of off-street parking and loading areas, excluding single-family and duplex units.</i>
N/A <input type="checkbox"/>	Met <input type="checkbox"/>	<b><u>Marine Structures.</u></b> 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"/>	<b><u>Signs.</u></b> 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"/>	<b><u>Timber Harvesting and Clearing Vegetation.</u></b> 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"/>	<b><u>Planned Unit or Cluster Development.</u></b> 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"/>	<b><u>Expansion of Sand and Gravel Mining within Aquifer Protection Overlay District.</u></b> Chapter 70, Article VI, Division 9 <i>Standards applying to overlay district zones 2 or 3, zone 1 expansions not permitted.</i>

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