



Christopher Huston~ Regular 2022  
Curtis Lunt- Regular 2022  
Patrick Maloy - Associate 2021  
William Kuhl - Regular 2023  
Lisa Ward - Regular 2021  
Shaun Carr - Regular 2021  
Dan Leeman - Associate 2022

## MINUTES PLANNING BOARD FEBRUARY 11, 2021

- 1. CALL TO ORDER:** The Chairman, Mr. Lunt called the meeting to order at 7:00 PM.
- 2. ROLL CALL:** Regular members present were, William Kuhl, Lisa Ward and Chris Huston. Shaun Carr was absent. Associate members present were Dan Leeman and Patrick Maloy. Also present was Code Enforcement Officer Dennis Douglass and Town Council Representative Don Fellows. There were three audience members. The Chairman extended voting privileges to Dan Leeman.

### CHAIRMAN'S REVIEW OF MEETING RULES:

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

- 3. WRITTEN COMMUNICATIONS:** Minutes of January 28, 2021.  
The meeting minutes of January 28, 2021 were distributed to all the members. The Chairman asked if there were corrections or additions.

**VOTE (2021-04)** Mr. Huston, seconded by Mrs. Ward, moved to approve the Minutes of January 28, 2021 as presented.  
**Vote 5-0 Carried.**

The Chairman stated that the public could email Mr. Douglass for correspondence at [Ddouglass@lisbonme.org](mailto:Ddouglass@lisbonme.org).

- 4. PUBLIC HEARING – Case #20-08 – Tier 2 Site Plan Review Application – Proposed 8 Unit Condominium**  
Gervais Homes, LLC  
9 Merrill Ave., Lisbon Me 04250  
Tax Map U16 Lot 041

The Chairman opened the Public Hearing. Mr. Douglass spoke about the project. He presented the Board with the completed application. He read the attached email from Marcea Crawford, 7 Fillion Street, Lisbon, ME 04250 regarding Case #20-08 as follows:

To whom it may concern,

The 8 unit condominium project at 9 Merrill Ave, Lisbon as proposed by Gervais Homes, LLC immediately abuts my property at 7 Fillion Street. I am not necessarily against condos on that lot however as proposed I am vehemently opposed. A road/driveway and large 17 car parking lot will run the entire length of my now private and quiet backyard. The scope of this project does not fit the existing neighborhood. The increase in traffic, noise, and light pollution are annoyances for all of us in the neighborhood and should be considered. However what I am most concerned with is how this project directly affects my every day living and the largest (only) asset I own; my home. Here is why...

- BH2M supplied a grossly inaccurate overlay of where the project will be located over a google map. Property lines run directly through homes and a pool is located on a roadway if we accept any of this as accurate. Is this any indication of the work that will be completed by the company. This would take 5 minutes to adjust and is important information for those impacted.
- As proposed the headlights of all residence of the 8 condos would drive by and shine into my living room - as the road and parking lot are located ON my property line. As proposed the turn in the drive/road to the parking lot is literally feet from my 2 propane tanks, what sort of safety measures would they install that are NOT at my expense?
- The expanse of tar that will have to be used and the grading of the lot will ruin my entire yard with storm water run off. I bought the home because of the large and private backyard. I would expect to see a storm run off plan to ensure my property is not ruined. What sort of recourse do I have if my property is damaged?

- The proposed units are TINY and lead me to believe they will be of inexpensive finishes and sold to low income families. Therefore bringing down the value of my home and the neighbors.
- Since they have proposed eight 3 bedroom units the noise in the neighborhood will at least double if not more. I would like to see a plan for noise control. These condos are 3 bedroom so I would assume meant for families with children. Will there be a playground on site or are these children playing in the street and parking lot? What measures will be taken so that residence do not enter my property since the proposed parking lot is against my property line?
- What sort of timelines are we looking at for construction. Will all building be built at the same time or are we looking at years of construction one after the other?
- What sort of environmental impact will filling the pond located on the property have?
- What measures are they willing to take to ensure the privacy and noise level remains similar far the existing neighbors? Fences; vegetation walls, etc.?
- The sewer and water systems are aging and need to be replaced as stated recently by the town council. What actions is Gervais Homes LLC taking to ensure the systems will hold up to DOUBLE the usage than what is on Merrill Ave at the moment?

I think a win/ win for all involved would be a scaled down version. Possibly 2 buildings with 2 condos. Separate driveways off Merrill; keeping the backyards all together like the neighborhood is now; and how most neighborhoods are built. Why put the parking lot where their buyers could enjoy green space as well? Less condos but larger and higher grade finishes can command a higher asking price so that the neighborhood home values rise and not fall while ensuring Gervais Homes LLC still profit from this venture. Thank you all very much for listening to my concerns and I hope the project can continue but in a way that we can all be happy. Best, Marcea Crawford

Mr. Douglass stated that the cover page of the application that was submitted has the initial plan which is a sketch plan and they are working on the full survey plan, which will be public record and that the plan follows the proper boundary lines and said the parking plan meets all the requirements of the off street parking and loading ordinance. He also stated that they will not get approved for permits if the proper building materials are not used. Mr. Douglass does not believe the Town has any requirements to enforce a playground on a residential or individual property. He said that Permits are good for a year and if they expire, then they must re-apply for permits and Planning Board approval. He also said that he's waiting for letters from the Water and Sewer Departments for their approvals. He reached out to the Tax Assessor to find out the impact this project would have on property values and she said that there would be absolutely no impact.

Mr. Leeman asked how many parking spaces there would be. Mr. Fagan, with BH2M, representing the applicant, stated there would be 17 spaces.

Mr. Fagan stated his responses to the Abutter's comments were as follows:

- The sketch plan for the project is very preliminary, done on an overlay of the Town Tax Map. A formal survey is being produced.
- This project is proposed to have eight Condo Units. It's proposed that 42 trips per day will be created from these units with a peak of four trips in any given hour.
- The project will include a Storm water analysis modeling the pre and post development conditions for the Watershed. There are catch basins in Fillion Street, so there is a closed drainage system for them to tie into, or do a system for the property itself.
- Each unit as proposed is a two story 28 x 21 building, which is approximately 1,176 square feet per unit.
- Adding a playground would possibly add to the noise factor, rather than mitigate it. They will be happy to work with everyone to be able to mitigate that.
- The applicant is planning on having the property built out in one year of approval. That is the intended date with at least a majority of the project being done within one year.
- They will look into the Pond issue to make sure they are not impacting any natural resources.
- The applicant is willing to work with the Abutter to provide screening with a fence or shrubbery to help with the headlights going in their living room.

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

- They have reached out to the Water and Sewer Departments and will be working with them directly to properly size all the utilities going from the units into the existing system.

Mr. Lunt asked when the Survey Plan would be submitted. Mr. Fagan said the survey should be done within the next couple of weeks and the formal design, including the Storm water runoff, utilities and the spacing between the buildings meeting fire code would be done in a month or so.

Mr. Kuhl asked if it was the intention of the developer to sell these units. Andy Gervais, the applicant and owner of Gervais Homes, LLC stated that his intent is to keep them and rent them out with the option down the road to sell them off.

The Chairman closed the Public Hearing at 7:21 PM.

## 5. UNFINISHED BUSINESS – None

## 6. NEW BUSINESS-Case #21-01-Tier 2 Site Plan Review Application– Ground Mounted Solar Energy Facility Frost Hill Solar 1, LLC c/o Borrego Solar Systems, Inc. 55 Technology Drive, Suite 102 Lowell, MA 01851

Ryan Bailey, project developer from Borrego Solar Systems, Inc., presenting the Tier 2 Site Plan Review Application, located at 101 Frost Hill Avenue spoke about the project. He stated that projects like this are better located closer to town instead of out of town in a big field due to the fact that they need to connect to the grid and they require the three phase power lines that are closer to town. They will be using 17 acres of the 73 acre lot, which has good characteristics for interconnecting to the grid. He said there are a lot of Wetlands on the site and they're doing their best to mitigate the impacts.

They will be using an existing route off of Frost Hill Avenue to gain access to the Parcel, having a point of interconnection which is three or four overhead poles and then go underground about 600 feet to the initial fencing. They'll install a 14 foot gravel access road. It'll be 350 feet to the nearest residential property and they will try to use the existing topography to screen as much as they can of the system from neighbors, leaving some of the existing vegetation.

Mr. Lunt asked if they would connect directly to the power line and if there would be security installed. Mr. Bailey said they would connect directly to the power line and the project is in two sections, ten acres and seven acres, which will have a seven foot chain link fence with space underneath so critters can get in and out and will provide access to emergency responders.

Mr. Lunt asked if there would be any lights or cameras installed. Mr. Bailey said that at the equipment pads, they install a top down bottom facing motion activated light.

Mr. Huston asked if they are removing trees from just the fenced in areas. Mr. Bailey said that they would only be removing trees in the fenced area and a little bit outside that line.

Mr. Douglass asked if they'd be removing the stumps. Mr. Bailey said that they will remove the stumps within the fence line. Mr. Douglass stated that the Town is an MS4 regulated community, which means when stumps are removed it triggers the post storm water construction management plan to handle storm water run-off.

Mr. Kuhl asked if they were leasing the land from the homeowner. Mr. Bailey said yes. It is a 20-year lease with 4 options to lease for five more years, so up to 40 years.

Mrs. Ward asked the visibility it has from the walking trail from Route 196 to Frost Hill Avenue and asked about the noise factors. If it would be a constant sound coming from the pads or is it intermittent. Mr. Bailey said it is low visibility. He said there will be an area that the field and array will be contiguous. The entire western half of the parcel will still be forested and 50% of the panels will be behind trees. Mr. Bailey said the sound would be like a constant running home air conditioner. He would have to check with the Civil Engineer on the project, but in his experience with a project like this, you would not hear any noise if you were 300 feet away. While it's operating, it's a constant hum and then it cuts out at night.

**VOTE (2021-05)** Mr. Huston, seconded by Mr. Kuhl, moved to approve the application as complete and schedule a Public Hearing for February 25, 2021 at 7:00 pm. **Vote: 5-0 Carried**

**7. OTHER BUSINESS** – Rural Open Space II zone description

Mr. Douglass is waiting for more paperwork and will carry this over to the next meeting.

**8. CODE ENFORCEMENT OFFICER** – Planning Board Year End Report

Mr. Douglass presented the Planning Board with the Report.

**9. ADJOURNMENT TO WORKSHOP**

**VOTE: (2021-06)** Mr. Kuhl, seconded by Mrs. Ward moved to adjourn to Workshop at 7:40 p.m. **Vote 5-0 Carried.**

Respectfully Submitted.

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Lisa B. Smith, Deputy Town Clerk  
Date Approved: February 25, 2021