



PLANNING BOARD MINUTES OCTOBER 27, 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 Member Nicholas Craig was present as well. Dan Leeman was excused Also present was Mark Stambach, Code Enforcement Officer; Councilor Fellows, Town Council Liaison; Ben Smith, Town Planner and 7 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 October 13, 2022

The meeting minutes of October 13, 2022 were distributed to all the members. The Chairman asked if there were corrections or additions.

VOTE: (2022-81) Mr. Carr, seconded by Mr. Lunt moved to approve the Minutes of October 13, 2022.

Vote: 5-0 Carried.

5. PUBLIC HEARING – Zoning Correction for parcel Map U20 Lot 020

The Chairman opened the Public Hearing.

Mr. Stambach stated the parcel of land was zoned incorrectly by the last amendment that was done to the map back in 2013, which was verified by the Tax Assessor. He stated that when it was zoned as Resource Protection, it was assumed that that section of property was a portion of Beaver Park. He said there is no resource in that area that would require resource protection zoning be established. He said because that part of the parcel was assumed to be part of Beaver Park, the zone was extended through there. Mr. Stambach stated, as it turns out, that parcel of land belongs to Ralph Sawyer and has for years.

Elaine Alexander, 39 Winter Street, stated her concerns that the error was not corrected earlier and when she bought her house the area was protected and now it is not. Mrs. Alexander asked what the correction means to that particular parcel. Mr. Kuhl said it means Mr. Sawyer's parcel will go back to being zoned as Limited Residential and is his current house lot. Mr. Stambach stated with Limited Residential, it allows any permitted use within that zone, which is just residential and not commercial zone. Mrs. Alexander said she was concerned about the environment and the habitat that has been established and to have it changed to something that can now be built upon. Mr. Stambach wanted her to understand that resource protection is more to do with a water source, not wildlife protection.

The Chairman closed the Public Hearing at 7:15pm.

6. UNFINISHED BUSINESS: Zoning Correction for parcel Map U20 Lot 020

VOTE: (2022-82) Mr. Carr, seconded by Mr. Huston moved to approve the Zoning correction for parcel Map U20 Lot 020.

Vote: 5-0 Carried.

7. NEW BUSINESS – Case #22-16 - Conditional Use Application

Nancy Downs
10 Beatley Street
Lisbon, Me 04250

Map U05 Lot 216

Determination of greatest practical extent for reconstruction of a nonconforming structure within 18 months of removal of more than 50% per ARTICLE I, Section 70-5 (d) 2 of the Zoning Ordinance.

Mr. Stambach stated the applicant has a 12ft x 20ft garage that needs to be torn down and would like to replace it in kind as close to the same location as possible. He said there is a little less than five feet between the garage and the house and only about two feet from the property line to the edge of the garage. Mr. Stambach is proposing that the applicant move the new garage to within three feet of the house to gain a little bit more room on the property line side. Mr. Stambach stated if they move it any closer than that to the house then the water will shed toward the house and cause deterioration. He said because this is an existing non-conforming, it meets the greatest practical extent.

VOTE: (2022-83) Mr. Lunt, seconded by Mr. Carr moved to approve the application.

Vote: 5-0 Carried.

- 8. OTHER BUSINESS** – Review of sign permit for Sippy Cup Consignment
84 Main Street
Lisbon Falls, ME 04252
Map U04 Lot 062

Mr. Stambach stated the applicant is requesting to put up a sign on her business. He said her initial application requested a 10 foot in diameter to be located on the Main Street side of the business and the current/prior ordinance, before the moratorium was set, says it can be no more than 24 square feet per street. Mr. Stambach stated this building doesn't really face the two streets because it sits at an angle. The Ordinance states the maximum the sign could be is 48 square feet, combining the two signs by the two street faces.

VOTE: (2022-84) Mr. Lunt, seconded by Mr. Huston moved to approve a five foot diameter circular sign for Sippy Cup Consignment, 84 Main Street, Lisbon Falls.

Vote: 5-0 Carried.

- 9. CODE ENFORCEMENT OFFICER** – Sign Ordinance Discussion with NorthStar Planning, LLC

Ben Smith from Northstar Planning LLC stated the Town of Lisbon reached out to him to help with general planning services, develop and review and ordinance development. Mr. Smith is currently helping with the Sign Ordinance updates.

Mr. Stambach stated the current plan for the Sign Ordinance is for the Planning Board to take the current Sign Ordinance with changes as is and move it forward to Town Council or bring it back to the working committee and see if other changes suggested could be added.

Mr. Smith stated the current draft covers the constitutional content issues very well. He feels the area they need to focus on now is the policy issues that need to be addressed at the local level. Mr. Kuhl suggested that he and Mr. Lunt meet with Mr. Smith, the Town Manager and other committee members to discuss the Sign Ordinance issues further before sending it to Town Council. The Planning Board agreed.

Mr. Stambach suggested the Planning Board change meeting dates for their November and December Meetings since there are two holidays in November and the Christmas Holiday. The Board agreed to have one meeting on November 17th and one meeting in December on the 8th.

VOTE: (2022-85) Mr. Lunt, seconded by Mr. Carr moved to have only one Meeting in November on the 17th and one meeting in December on the 8th.

Vote: 5-0 Carried.

Mr. Stambach stated Eagle Creek Renewable Resource, who runs the dam, contacted him to get permission to change their signs upstream of the dam. They would like to replace the existing signs, which are attached to the trees.

VOTE: (2022-86) Mr. Huston, seconded by Mr. Lunt moved to grant permission to Eagle Creek Renewable Resource to replace existing signs on the trees going upstream of the dam.

Vote: 5-0 Carried.**10. ADJOURNMENT**

VOTE: (2022-87) Mr. Carr, seconded by Mr. Huston moved to adjourn at 7:40 pm.

Vote: 5-0 Carried

Respectfully Submitted: _____
Lisa B. Smith, Deputy Town Clerk
Date Approved: November 17, 2022