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| PLANNING BOARD MINUTES  MARCH 23, 2023 |



**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 Ross Cunningham, Economic and Community Development Director. There were 4 Audience members.
3. **REVIEW OF MEETING RULES:**

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

1. **WRITTEN COMMUNICATIONS:** Minutes of March 09, 2023

The meeting minutes of March 09, 2023 were distributed to all the members. The Chairman asked if there were corrections or additions.

**VOTE: (2023-23)** Mr. Carr, seconded by Mr. Maloy, moved to approve the Minutes of March 09, 2023.

**Vote: 5-0 Carried.**

1. **PUBLIC HEARINGS – NONE**

**6. UNFINISHED BUSINESS – Findings of Facts**

**VOTE: (2023-24)** Mr. Lunt, seconded by Mr. Carr, moved to dispense with the reading of the Findings of Facts and insert it into the record.

**Vote: 5-0 Carried**.

**In the Matter of:**

**Case #23-03 Cooper’s Cub Care**

**Cassidy Williams**

**Conditional Use Application**

**Family Child Care**

**4 Hewey Street**

**Lisbon Falls, ME 04252**

**Map U03 Lot 041**

**Findings of Fact**

The applicant submitted a Conditional Use Application for a Family Child Care to be located at 4 Hewey St. in Lisbon Falls, Tax Map U03 Lot 041.

The Planning Board first considered the application on February 9, 2023 and accepted the application as complete. On March 9, 2023 the Board conducted a Public Hearing. On March 9, 2023, the Planning Board approved the Conditional Use Permit with no conditions.

**Conclusion of Law**

General Review Standards: Lisbon Code of Ordinances. 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 Conditional Use Permit Application for Case #23-03 Cooper’s Cub Care as submitted.**

**ROSI & II Update –** Kate Burch from North Star Planning said she had no updates at this time.

**7. NEW BUSINESS – Case #23-04** – Site Plan Review Application– Tier 2

Springworks Farm Expansion – Phase II & III

347 Lisbon Street

Lisbon, Me 04250

Map U13 Lot 24

Joe Marden, with Sitelines, spoke on behalf of the applicant. He said the Parcel is comprised of 168 acres with frontage on Lisbon Street. He said there are currently three greenhouses, as well as an office building and other buildings. The total impervious right now is 3.7 acres. He stated the next Phase of the project will comprise of two larger phases which will include two groupings of buildings and parking areas. There will be a total of 130 parking spaces and the total new impervious areas for the buildings and the parking and the roadway will be a little over 17 acres. In order to develop all this they will only be impacting a little under 13,000 sq. feet of wetland impacts. They are currently working with the State to get approvals for additional wells to serve the buildings as well as a two inch domestic service brought in from Lisbon Street primarily used for a back-up system and for any supplemental water needed. There is an existing gravity sewer along Lisbon Street. The new development will be lower than Lisbon Street so there will be a force main with multiple pump stations that will pump the sewer up to the road.

Mr. Kuhl asked if there would be a back-up generator for the pump stations. Mr. Marden said the greenhouses will have a combined heat and power turbine system that will primarily provide power for the property and they will also be extending overheard electrics down the road as well.

Mr. Marden said there is natural gas along Lisbon Street which will be extended down the access road to serve the buildings.

Mr. Kuhl said the ongoing issue has been the driveway egress access which has historically had washouts onto Lisbon Street. Mr. Marden said with the extension of the new access road, the whole access road will be paved. He said the other entrance into the gravel parking lot will be closed which was one of the requirements of the DOT review. Mr. Carr asked if there would be some landscaping done with the close of that exit. Mr. Marden said landscaping will get done and the sidewalk will be maintained.

Mr. Lunt asked if there was another emergency access point since there will now be only one entrance. Mr. Marden said there is no other entrance into the facility, but there are other access points for the other existing greenhouses but not the best place for emergency access. They are working with the Fire Department to work on those access points.

Mr. Kuhl asked what the long term plan is for the volume of traffic coming out of the facility onto Lisbon Street is and parking and asked that the Planning Board and Town Council be kept in the loop for future traffic studies.

Mr. Marden said right now there are about 30 employees and will eventually have about 130, and will keep the Town informed of those studies.

Mr. Lunt asked if a study could be done about the lighting coming off the greenhouses affecting neighbors. Mr. Marden said part of the DEP permitting process requires a visual impact study, which they did throughout Lisbon and could not see the lighting being an issue. He said when they designed this next phase of the project, they intentionally tried to locate it in the rear of the property and maintain as much of the wooded buffer as possible around the neighbors. He also said the new greenhouses will be eight to ten feet lower than the existing one.

**VOTE: (2023-25)** Mr. Lunt, seconded by Mr. Carr moved to accept the application as complete contingent on State and Federal approvals and technical issues with the Fire Department and others of the like are resolved, and to schedule a Public Hearing for April 13, 2023.

**Vote: 5-0 Carried**.

**Case #23-05** - Tier II Site Plan Review – Conditional Use Permit

Littlefield Farm Camp

Kathryn Daley

76 Littlefield Road

Lisbon, Me 04250

Map R09 Lot 035

Mr. Stambach stated he has not been able to reach the applicant and does not feel that the application is complete and suggested tabling this Review to the next meeting.

**VOTE: (2023-26)** Mr. Carr, seconded by Mr. Lunt, moved to table Case #23-05 Littlefield Farm Camp - Site Plan Review and Conditional Use Permit to the next meeting.

**Vote: 5-0 Carried**.

**Case #23-06** - Conditional Use Permit - Lot Line Revision

Mynahan/McDougal

93/91 Frost Hill Ave

Lisbon Falls, Me 04252

Map U11 Lot 14-A

Jay Raitt of Little River Land Surveying, Inc. spoke about the project, saying Mr. Mynahan would like to buy a piece of property from his neighbor (Mr. McDougal) to add to his own, which will result in the creation of a Rear Lot.

Mr. Mynahan, the applicant, stated they purchased the property back in 2020 and have always talked with the McDougals about the strip of land as being somewhat shared, since it looks like it’s part of Mr. Mynahan’s property.

Mr. Stambach said it would reduce the frontage to less than what would be required by that zone. Mr. Stambach said it is not a variance, but just creating a Rear Lot.

**VOTE: (2023-27)** Mr. Lunt, seconded by Mr. Carr moved to accept the application as complete for Case #23-06 Conditional Use Permit for Mynahan/McDougal and schedule a Public Hearing for April 13, 2023.

**Vote: 5-0 Carried.**

**Case #23-07** - Site Plan Review – Tier II

Former Lisbon Falls Getty

686 Lisbon Street

Lisbon Falls, Me 04252

Map U-05 Lot 216

Ross Cunningham, Economic & Community Development Director, stated this plan is part of the funding grant to create an entrepreneurship ecosystem in the Town of Lisbon. Lisbon Artist Collaborative, which is a group of local artisans working and creating art wares in their homes, would like to occupy this location to sell their work.

Mr. Kuhl asked if the building, which is currently in tough shape, would be fixed up. Mr. Cunningham said Tyler Trendy, Rental Partner, will have contractors coming in to give him an estimate to have the outside of the building repainted and re-purposed. The Artisans will make the improvements to the interior of the building.

Mr. Trendy said the startup maintenance will be done by the landlord, including electrical, plumbing and the HVAC system.

Mr. Kuhl stated his concerns about the availability of parking. Mr. Cunningham said they hope to be able to put up a barrier between the Lisbon House of Pizza lot and the Lisbon Getty front parking lot to prevent cars from passing between the two businesses, and plan to put up signage to direct people where to park.

**VOTE: (2023-28)** Mr. Lunt, seconded by Mr. Carr moved to accept the application as complete for Case #23-07 Site Plan Review-Former Lisbon Falls Getty and set a Public Hearing for April 13, 2023.

**Vote: 5-0 Carried.**

**Case #23-08 -** Conditional Use Permit – Rear Lot

Eric Schroeder

428 Ridge Road

Lisbon, Me 04250

Map R09 Lot 013

Eric Schroeder, the applicant, said he purchased the land in 2020 with the intent to build a house and was told then that it was okay as a backlot. He is now selling the lot and the buyers have found out they cannot build there.

Mr. Stambach said the original property had a single family home on it that was removed about six years ago. Had someone re-built at that time it would have been a non-conforming structure without coming to Planning Board. The timeframe has passed for that to be able to happen, so now it becomes a lot that doesn’t meet the minimum frontage and needs Planning Board approval to proceed.

**VOTE: (2023-29)** Mr. Lunt, seconded by Mr. Maloy, moved to accept the application as complete for Case #23-08 Conditional Use Permit-Rear Lot, Eric Schroeder, and schedule a Public Hearing for April 13, 2023.

**Vote: 5-0 Carried.**

**8. OTHER BUSINESS –** Erosion and Sediment Control Ordinance

Mr**.** Stambach stated the Town of Lisbon needs to have two new Ordinances in place by July 1, 2023. The first is Post-Construction Storm Water Management Ordinance, the second is Erosion and Sedimentation Control at Construction Sites Ordinance.

**VOTE: (2023-30)** Mr. Lunt, seconded by Mr. Carr, moved to Table the Ordinance approvals till April 13, 2023.

**Vote: 5-0 Carried**.

1. **CODE ENFORCEMENT OFFICER –Nothing to report.**
2. **ADJOURNMENT**

**VOTE: (2023-31)** Mr. Carr, seconded by Mr. Maloy, moved to adjourn at 8:15 pm**. Vote: 5-0 Carried**

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

Lisa B. Smith, Deputy Town Clerk

Date Approved: April 13, 2023