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| PLANNING BOARD MINUTESJANUARY 11, 2024 |



**Shaun Carr, Chair– Regular 2024**

 **Nicholas Craig, Vice Chair– Regular 2026**

**Dan Leeman- Regular 2025**

**Christopher Huston– Regular 2025**

**Patrick Maloy– Regular 2024**

**William Kuhl- Associate 2024**

**Natalie Thomsen – Associate 2025**

1. **CALL TO ORDER:** The Chairman, Mr. Carr called the meeting to order at 7:00 PM.
2. **ROLL CALL:** Regular members present were Shaun Carr, Chris Huston, Patrick Maloy and Nicholas Craig. Associate Member Natalie Thomsen was present as well. William Kuhl and Dan Leeman were excused. Also present was Mark Stambach, Code Enforcement Officer; Kate Burch, Town Planner; Councilor Larochelle; and 5 audience members. The Chairman extended voting privileges to Ms**.** Thomsen.
3. **REVIEW OF MEETING RULES:**

The Chairman explained the meeting rules are located in the folder on the wall.

1. **WRITTEN COMMUNICATIONS:** Minutes of December 28, 2023

The meeting minutes were distributed to all the members. The Chairman asked if there were corrections or additions.

**VOTE: (2024-01)** Mr. Maloy, seconded by Mr. Craig moved to approve the Minutes of December 28, 2023.

**Vote: 5-0 Carried.**

1. **PUBLIC HEARINGS – Case #21-15- King Road Subdivision Amendment**

Ms. Burch stated the plan that was submitted for the Amendment does not meet some of the basic dimensional requirements of the Ordinance, one issue being the frontage. Northstar Planning has been working with the applicant to remedy this situation. Ms. Burch stated at this time the first option the applicant has is to table the project until a solution is obtained. The second option being to ask the Planning Board to vote on the project as it is presented today. The third option is to bring this to the Zoning Board of Appeals and ask for a Variance.

The Chairman opened the Public Hearing.

Dennis Douglass, representing the applicant, stated they have a new plan which he handed out to the Board, from Maineland Development to address the frontage issue. The applicant now has the required 300 feet of frontage required for the Real Lot Ordinance. Mr. Douglass said the Rear Lot Ordinance requires 300 feet of road frontage with a minimum of a 20 foot right of way which comes to 320 feet of road frontage. He said the new plan now has 50 foot entry which is 60 feet long to make 300 feet of total road frontage to be able to access the two rear lots which meets the definition of the Rear Lot Ordinance.

The Chairman closed the Public Hearing.

 **Case #23-21 Site Plan Application- Self Storage Expansion**

The Chairman opened the Public Hearing and read an email from Robert Longacre, an abutter to this project stating he is in favor of them adding a fence, not only to protect their property, but also keep the business private. Mr. Longacre is not in favor of additional storage units being added across the street since it will not look good. He feels there are enough other storage units in Lisbon/Lisbon Falls.

The Chairman closed the Public Hearing.

**Case #23-22 Site Plan Review Application- Outdoor Storage Yard**

 The Chairman opened the Public Hearing.

 Mr. Craig asked if there is a specific definition for this to qualify as an Outdoor Storage Yard.

 Mr. Stambach said he could not find any definitions for an Outdoor Storage Yard in the Ordinance but there is a definition for a Junkyard which does include used appliances. He said the difference this project has from a standard junkyard is that this business solely repairs used appliances, which could be viewed as stock.

 The Chairman closed the Public Hearing.

**6. UNFINISHED BUSINESS - Case #21-15** King Road Subdivision Amendment

Ralph Sawyer

King Road

Lisbon Maine 04250

Map R9 Lot 16D

 Ms. Burch stated after looking at the new plan, the issue that is still at hand is in the Rear Lot Ordinance Section 70-641(b) which reads “The separate lot over which the right-of-way access passes shall have road frontage which exceeds the minimum lot frontage requirement for the district by the width of the access road.” Which means if the minimum lot frontage for the district is 300 feet and you have a 20 foot access road, you need to have 320 feet of road frontage. Ms. Burch is asking for clarification if one of the lots will have a driveway off of King Road. She also stated that Section 70-641 (b) (2) reads “Only two new lot(s) may gain frontage from such an access as described in subsection (b) above. Any creation of three or more lots, over any time period, shall require that the road standards in terms of width, design and construction as required for subdivisions, shall be met.” She advised the Board that this means if the access drive is intended to serve all three new lots, it needs to meet the minimum road standards for a subdivision.

 Mr. Douglass stated they changed the 30 foot right of way coming off of King Road to a 50 foot right of way and will be more than happy to have a condition that it is brought to the road standard for servicing two homes, or under five, which is not paved. The applicant is only asking for two lots off of the gravel drive.

 Ms. Burch said the issue is that they need an excess of 300 feet because they need the minimum road frontage for the district plus the width of the access road and that is not what is depicted on the plan.

 Mr. Douglass stated what they have is 154+63.4+82.6 which is exactly 300 feet. There is no right of way coming off of the 300 feet, so that is not interfering at all, so they will not need any more than 300 because the right of way is coming off of the back of that. He feels if it has to be 320 feet than they can make it 20 feet longer, but feels it does not have to be. He said the gravel drive comes off of the created road to meet the standard with a gravel driveway coming off of that.

 Ms. Burch stated the Town is not in agreement of that interpretation of the Ordinance.

 **VOTE: (2024-02)** Mr. Craig, seconded by Ms. Thomsen moved to table Case #21-15 till the next scheduled meeting on January 25, 2024.

 **Vote: 3-2 Carried.**

**Case #23-21** Site Plan Application - Self Storage Expansion

Millett Properties, LLC

5 & 10 Memorial Street

Lisbon, Maine 04250

Map U19 Lots 99 & 123

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**Case #23-22** Site Plan Review Application - Outdoor Storage Yard

Millett Properties, LLC

10 Memorial Street

Lisbon, Me 04250

Map U19 Lot 123

 The applicant submitted an updated plan to include the additional landscaping and the eight foot fence along the Appliance Repair store.

 Mr. Carr asked if the plan satisfied the requirements of the Rt. 196 design standards and since this is considered an outside storage area and is near the well heads, is there any threats to the well heads. Ms. Burch said the applicant has fulfilled the Rt. 196 design standards. Mr. Stambach stated he’s not aware of any threat since appliances do not typically have any oil to speak of and refrigerants would evaporate.

 **VOTE: (2024-03)** Mr. Maloy, seconded by Mr. Craig moved to approve Case #23-21 Site Plan Application-Self Storage Expansion & Case #23-22- Site Plan Review Application- Outdoor Storage Yard. **Vote: 5-0 Carried**.

1. **NEW BUSINESS – Case #24-01** Conditional Use Application - Cutlers Rear Lot

Charles Cutler

264 Main St

Lisbon Falls, ME 04252

Map R2, Lot 16

 Charles Cutler stated his is proposing to create a Back Lot to build a 1,100 square foot Mother-in-law home. He plans on removing two crumbling buildings in the back.

 Ms. Burch stated this project is in the ROSI Zone and the rear lot is in resource protection, but nothing in resource protection is proposed in the plan.

 **VOTE: (2024-04)** Mr. Maloy seconded by Mr. Craig moved to accept the application as complete for Case #24-01-Conditional Use application-Cutlers Rear Lot and schedule a Public Hearing for January 25, 2024.

 **Vote: 5-0 Carried**.

1. **OTHER BUSINESS –** Site Plan/Subdivision Review Pre-Application

Multi-Family Building

692 Lisbon Street

Lisbon, Maine

Map U05, Lot 218

 Joe Marden, Engineering Manager with Site Lines Land Surveying stated the applicant is proposing to add a new Multi-family building to this property. This will have two stories and four units with an added front walkway. There are existing parking spaces which will be newly striped. The current dumpster will be moved to be able to service both Aroma Joe’s and the new proposed building.

 Mr. Huston asked if there would be enough room for a truck to get in there to empty the dumpster without having to back out onto Rt. 196. Mr. Marden stated he would look into it.

 Mr. Craig asked if the parking spaces will be designated for the residents of the proposed building. Mr. Marden said there will be a clear designation of parking spaces for residents.

 Richard George, property owner and franchisee of the Aroma Joe’s building stated they are two separate entities. He said he is not planning on selling off the part of that property but just wants to utilize the property in a more efficient manner.

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

**VOTE: (2024-05)** Mr. Maloy, seconded by Mr. Craig moved to adjourn at 8:10 pm**. Vote: 5-0 Carried**

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

Lisa B. Smith, Planning Board Secretary

Date Approved: January 25, 2024