



MINUTES PLANNING BOARD JANUARY 12, 2017

Dan Nezol - Regular 2017
Karin Paradis - Regular 2018
James Lemieux - Associate 2018
Scott T. Hall - Regular 2018
Dan Leeman - Associate 2019
Curtis Lunt - Regular 2019
Don Fellows - Regular 2019

1. **CALL TO ORDER:** The Chair, Mr. Fellows, called the meeting to order at 7:00 PM.
2. **ROLL CALL:** Regular members present were: Karin Paradis, Dan Nezol, Curt Lunt, Donald Fellows, Scott Hall, and Associate Member Dan Leeman, Associate Member James Lemieux was excused. Also present was Dennis Douglass, Code Enforcement Officer; Amanda Bunker, Contracted Town-Planner, Councilor Ward, Fern Larochelle, CDBG Downtown Revitalization Advisory Committee Member; and approximately 6 citizens in the audience.

The Chair announced that no voting privileges would be granted for this meeting because there were 5 regular members in attendance.

3. CHAIR'S REVIEW OF MEETING RULES

The Chair informed the audience that the review of the meeting rules is on the back of each agenda available in the document holder by the door. He said the public hearing portion will be to hear comments only and please keep comments limited to two minutes.

4. WRITTEN COMMUNICATIONS:

Minutes of December 22, 2016

Minutes of December 22, 2016 were distributed to all members. The Chair asked if there were corrections or additions. There were none, and without objection, the Chair declared the minutes of December 22, 2016 approved.

5. PUBLIC HEARING: NONE

6. UNFINISHED BUSINESS:

The Chair requested that the board allow a change of order for New Business to reverse the order of Case 17-1 and Case 17-2 and add Marijuana Wrap under Other Business.

VOTE (2017-01) Mr. Lunt, seconded by Karen Paradis moved to reverse the order of Case 17-1 and Case 17-2 and to add Marijuana Wrap under Other Business. **Vote 5-0 Carried.**

Findings of Fact/Case 16-7 Conditional Use application for two Rear Lots

Mr. Douglas, Code Enforcement Officer, reviewed and distributed the following findings of fact:

The applicant submitted an application for the proposed two Rear Lots located on part of #31 King Road, Map R9, Lot 27 on November 30, 2016. The Planning Board first considered the application On December 8, 2016. On December 8, 2016 the Board, upon recommendation by the Code Enforcement Officer, accepted the application as complete. On December 8, 2016 the Board waived The need for a site visit. On December 8, 2016 the Board scheduled a Public Hearing for December 22, 2016. On December 22, 2016 the Board conducted a public hearing. On December 22, 2016 the Board approved the Conditional Use application for two Rear Lots as submitted.

Conclusion of Law

General Review Standards: Lisbon Code of Ordinances. Chapter 70 Article VI. Supplementary District Regulations Division 2. Lot Requirements-Section 70-641. Rear Lots.

Findings of Fact/Chapter 70, Article VI. Division 5, Signs

Mr. Douglas, Code Enforcement Officer, reviewed and distributed the following findings of fact:

The Town of Lisbon Planning Board held its first meeting on amending the existing Sign Ordinance on October 26, 2016. The Planning Board held a Workshop on amending the existing Sign Ordinance on November 10, 2016 and December 1, 2016. The Planning Board held another meeting on amending the existing Sign Ordinance on December 8, 2016. On December 22, 2016 the Planning Board held a Public Hearing on the proposed amendment of the existing Sign Ordinance. On December 22, 2016 the Planning Board unanimously voted in favor of the amendment to the existing Sign Ordinance as presented.

Conclusion of Law

General Review Standards: Lisbon Code of Ordinances. Chapter 70. Zoning Ordinance – Article 1. In General – Section 70-7-Amendment.

7. NEW BUSINESS:

Case #17-2 Applicant: John D. Crafts
Property Location: 117 Main Street, Lisbon Falls, ME 04252
Tax Map/Lot: U3, Lot 25
Intended Use: Subdivision Review Application

Mr. Douglas explained that John Crafts purchased the house at 117 Main Street and would like to make it into two additional lots. He said the lot with the house on it is .031 acres. Beth Bell said her father, John Crafts purchased the property, and that he would like to subdivide it.

Mr. Douglas said there is a 50' right of way providing access to the rear lot, a utility easement on the right, sufficient road frontage for lots, and everything more than meets all the requirements. He pointed out that the rear lot will still need approval at the time it is built upon, however the utility easement counts as road frontage here.

VOTE (2017-02) Mr. Lunt, seconded by Mr. Hall moved to accept this application as complete. **Vote: 5-0 carried.**

Mr. Fellows requested this be scheduled for a Public Hearing on January 26, 2017. There were no objections.

Case #16-7 Applicant: Kelly Park Residential Development
Property Location: 175 Lisbon Road, Lisbon, Maine
Tax Map/Lot: U21, Lots 5 & 6
Intended Use: Subdivision Amendment Tier 2

Curtis Neufield, from Premier Development explained Scott Kelly is requesting the Board approve an amendment to the previously approved subdivision converting the commercial lots to single-family lots

adding 33 sites, plus two access streets called Wine Time Circle and Champagne Lane. It will be a mixed-use subdivision with no Maine Department of Transportation permit required. He said it will, however, require an amendment from the Maine Department of Environmental Protection.

Mr. Douglas pointed out the previous amendment to the subdivision must be recorded first and that this has not been done yet. He explained that this could be submitted as final so we can't miss a step. He pointed out that the following five (5) conditions carry over and/or apply here:

- 1: Security fencing to be installed around gravel pit operations to protect From residential development.
- 2: All gravel pit operations to cease upon expiration of the DEP permit In calendar year 2020.
- 3: Capacity to Serve approval letter from the Lisbon Water Department.
- 4: Mitigation of "White Sand Hill" in regards to erosion/air pollutant control.
- 5: Quarterly progress reports to be sent to all abutters and a copy provided To the Code Enforcement Officer for record keeping.

Mrs. Paradis had questions about the traffic. Mr. Fellows suggested contacting AVCOG about the traffic. Mrs. Bunker recommended contacting ATRC for their traffic expertise. Mrs. Paradis asked if the school department had been notified. Mr. Neufield stated Mr. Green indicated he had no concerns over adding the additional children.

Mrs. Bunker asked about access to Moody Road. Mrs. Paradis asked whether the large lot abutting the top of Memorial Street would have access to Memorial Street. Mr. Lunt asked how many street lights there would be, placement, and whether they would consider solar lights. Mr. Fellows asked about the possibility of walking trails. Mr. Lunt asked about sidewalks.

Mr. Fellows requested Mr. Neufield update the C-2 Abutters List. Mr. Douglas pointed out that street names must be accepted by the Assessor, and submitted to the Town Council for approval. The adoption of roads is an entirely different process.

Mrs. Bunker stated the Maine Department of Environmental Protection needs a timeline. Mr. Fellows said the board needs to do a site inspection as soon as the weather permits.

Mr. Fellows pointed out that the Planning Board needs an updated Abutters List, a traffic opinion from ATRC, a street light decision with lights and poles added to the plan, proof the second amendment was recorded, and hold a Public Hearing, which can be scheduled for January 26, 2017.

VOTE (2017-03) Mrs. Paradis, seconded by Mr. Lunt moved to accept the application as complete. **Vote 5-0 carried.**

8. OTHER BUSINESS:

Rumble Strip on Route 196 – MDOT Highway Safety Project

Mr. Douglas announced he received an email from the Maine Department of Transportation announcing they will be installing a rumble strip along Route 196 from Highland Avenue to Bisbee Street.

Getty Station In Lisbon Falls

Mr. Douglas announced Lisbon has an interested party who would like to open up a drive through gas station at the old Getty space in Lisbon Falls. This party stated they will be working with an engineering firm. They will need a site plan that covers the safety concerns for this location, and off street parking.

There are zoning and access management issues to address. Mr. Fellows mentioned they could do a site plan review, but the biggest issue will be addressing access management. Mrs. Bunker suggested checking with ATRC too.

Mr. Douglass said the Planning Board can preliminarily review it without the complete application on January 26. Mr. Fellows suggested scheduling a preliminary meeting to review the Getty Station on January 26, 2017. There were no objections.

MMA Special Event – Lifting the Haze: Marijuana & Legal Considerations

Mr. Douglas said there is an all day conference entitled “Lifting the Haze: Marijuana & Legal Considerations” coming up on February 28, 2017 from 9:30 a.m. to 4:30 p.m. at the Hilton in Freeport. The cost will be \$60 per person and he asked if anyone would like to attend. Mr. Fellows indicated he would like to three (3) Planning Board members to attend this event. He said this is a very complicated issue and the discussion will include medical use, recreational use, and social clubs. Mr. Douglass recommended the Town Manager, Council Chair, Planning Board Chair, and Planning Board Vice-Chair attends. Mr. Fellows, Mrs. Paradis, and Mr. Hall indicated they were interested in attending. Mr. Lunt said Monmouth will be sending him. Mrs. Bunker said she would attend if space was available.

Mr. Fellows reported the Planning Board sent the Town Council their ordinance in less than perfect form. That draft was not amended and was defeated. He said the Planning Board will be discussing this during the workshop.

Comp Plan – Preliminary Draft & General Outline

Mrs. Bunker mentioned the preliminary draft and general timeline is now ready for review. She indicated that work will continue on the inventory with help from others.

9. TOWN PLANNER – OFFICIAL BUSINESS - NONE

10. CODE ENFORCEMENT OFFICER – OFFICIAL BUSINESS:

Mr. Douglass announced that the Maine Municipal Association will be holding a Planning Board Workshop for new members in Augusta on February 7 from 4:00 p.m. to 8:00 p.m. Dan Leeman and Karen Paradis indicated they were interested in attending.

11. ADJOURN TO WORKSHOP

VOTE (2017-04) Mrs. Paradis, seconded by Mr. Hall moved to adjourn to a workshop at 8:00 p.m.
Vote: 5-0 carried.

Sandra Pomerleau, Assistant Town Clerk
Date Approved: January 26, 2017