



MINUTES PLANNING BOARD JULY 27, 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 7:03PM.
2. **ROLL CALL:** Regular members present were Donald Fellows, Karin Paradis, and Curtis Lunt. Associate member present was Dan Leeman. Regular Member, Scott Hall and Associate member, James Lemieux were both excused. Also present was Code Enforcement Officer, Dennis Douglass, Lisbon Police Sergeant, Ryan McGee, Town Planner, Amanda Bunker, Associate Town Planner, Ben Smith, and four citizens in the audience.

3. **CHAIR'S REVIEW OF MEETING RULES:**

The Chair explained the meeting rules are located on the back of each agenda available in the document holder by the door. Mr. Fellows stated that **Case #17-7** would also be discussed under "New Business" along with its Public Hearing tonight to address some issues. He then granted voting privileges to Dan Leeman due to there only being four board members present.

4. **WRITTEN COMMUNICATIONS:**

Minutes of July 13, 2017

The meeting minutes of July 13th were distributed to all members. The Chair asked if there were corrections or additions. Seeing none, the Chair declared the minutes approved.

5. **PUBLIC HEARING:**

-Case #17-7 Brandon Corkum – Online Firearm Sales at 12 Forbes Road, Lisbon Falls, ME 04252

Mr. Fellows opened the floor for the public hearing at 7:07PM. The Chair then asked if there was any members of the public who would like to speak about this case or to ask any questions; no comments or questions were made.

Public Hearing was closed at 7:07PM.

6. **NEW BUSINESS:**

-Case #17-7 Brandon Corkum - Online Firearm Sales at 12 Forbes Road, Lisbon Falls, ME 04252

The Chair stated that Code Enforcement Officer, Dennis Douglass, received an email from Abutter, Laurel Dufton, regarding questions and concerns she has with firearms sales at this location. This email was printed out and presented to all members of the board. Mr. Fellows explained that he and the board would be addressing these questions/concerns to Mr. Corkum. Mr. Fellows then brought attention to the fact Lisbon Police Sergeant, Ryan McGee, was also present to answer any questions.

Mr. Corkum approached the stand and gave clarification that this business is for competition firearms [specifically single shot .22 caliber] only; no ammunition sales, no assault rifles or semi-automatic pistols. Mr. Fellows asked if all of his sales will be online, Mr. Corkum answered that is his main goal. Mr. Corkum said however, if a member from the community ordered from his website, he is hoping they would be able to pick up their purchase from his location. Mrs. Paradis stated that she assumes he will be having delivery trucks coming to his home quite often. Mr. Corkum then said the firearms would not be delivered to this location due to Maine State Laws; he will have to pick up the firearms from the manufacture himself. Mrs. Paradis asked Mr. Corkum how many firearms would be at this location at one time; he stated a maximum of five. Mr. Lunt asked Mr. Corkum if he needs a 'Federal Firearms License' to sell guns and if he had one, Mr. Corkum stated that he does have this license. Mr. Lunt brought up safety concerns as what type of security Mr. Corkum plans to have for this property. Mr. Corkum explained that he has a large gun safe [that will be locked at all times] as well as a home security system. Mrs. Paradis asked if Mr.

Corkum has a full-time job as well, he stated yes but that his wife is home full-time. Mr. Corkum explained that there will be no retail/showroom at this property.

The Chair asked Sergeant McGee to approach the stand to answer a few questions. Mr. Fellows proceeded to ask Sergeant McGee how he feels from a law enforcement stance. Sergeant McGee expressed that Mr. Corkum is targeting a very specific audience that does not tend to have a large demand in the State of Maine. He stated that he knows Mr. Corkum has been compliant with the Code Enforcement Officer as well as the Police Chief of Lisbon about this business. As a police officer, Sergeant McGee explained that safety and security are his biggest concerns with any business that sells firearms. He then said he does feel that with Mr. Corkum's gun safe, home security system (including surveillance cameras), and with someone home at all times, Mr. Corkum's residence will be okay.

Mr. Fellows asked Sergeant McGee that if he was this business's neighbor, would he be concerned; Sergeant McGee replied if that was his neighbor, he would at least like to know about the business and possibly ask a few questions. But knowing that all laws are being followed, appropriate steps are being taken to open the business, and security is well taken care of, he would not have a concern. Sergeant McGee continued with stating that he feels Mr. Corkum has completed all steps to legally open this business and that he is not concerned at this time for the community in regards to this business.

Mr. Leeman asked Mr. Corkum who would be conducting background checks for those whom are buying firearms. Mr. Corkum replied that the manufacture has to complete a background check on the buyer before they can legally give it to a private salesman, therefore the background checks will be done on the receipt side of this business.

Town Planner, Amanda Bunker, made a statement on how if this business grows beyond a home occupation, Mr. Corkum needs to inform the town immediately. Mrs. Paradis then explained that in our town's ordinance (*Sec. 70-606 - #6*), there is already a legal obligation for the home business owner to not allow an increase in commercial vehicle traffic.

A member of the audience, Heather Sult, then spoke up to ask, "What is considered normal traffic for a dead end road?" Code Enforcement Officer, Dennis Douglass explained that *Sec. 70-606, #6* states the traffic issue for any residential road, which does not exclude dead end roads.

The Chair stated that the questions asked by abutter Laurel Dufton (the printed out email) were answered by Mr. Corkum as well as Sergeant McGee. Mr. Fellows continued with saying that it was encouraging to hear from our Police Department that they feel there is not an issue with this home occupation. Mr. Fellows made it known that Mr. Corkum is required to renew this permit every four years, to make sure this home occupation does not grow beyond.

VOTE: Mr. Lunt motioned to approve this application with conditions that this stays a home occupation. Mrs. Paradis seconded this motion.

Vote: 4-0 Carried

-Case #17-8 Applicant: Fernando Stelser D/B/A 'Domino's Pizza'
 Property Location: 586 Lisbon Street, Lisbon Falls, ME 04252
 Tax Map/Lot: Map U9 Lot 16
 Intended Use: Tier 2 Site Plan Review Application for Restaurant use

Property Owner and representing 'Domino's Pizza', Fernando Stelser approached the stand. Mr. Stelser stated that his plan with this property is to open a restaurant. Code Enforcement Officer, Dennis Douglass then handed out Mr. Stelser's application, a bird's eye view of the property, and Mr. Stelser's current exterior design plan. Mr. Fellows asked Mr. Stelser if this would be his first building; Mr. Stelser stated no, this will be his third build but seventh store owning.

Dennis Douglass approached the stand to discuss the completeness of this application and to hopefully schedule a public hearing for the next Planning Board meeting. Mr. Douglass reminded the board that this property used to be an ice cream shop. He then explained all the documents the board had in front of them including: application, copy of deed, building's exterior with colored pictures, property layout with parking

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

area, and 'Google Earth' bird's-eye view of location. Mr. Lunt asked Mr. Douglass if they usually have a more engineered full-scale plan; Mr. Douglass answered that was for the Planning Board to discuss and determine if they want a full-scale detailed plan. Mr. Lunt continued with saying that he cannot imagine accepting this application without a full-scale plan considering there is a large amount of details missing. Mr. Fellows agreed with Mr. Lunt's statement and explained there isn't a landscape plan, lighting plan, signage, and traffic projection. Amanda Bunker stated that she does not see a concern for traffic as the prior business here was also busy.

Mr. Lunt stated he feels this application is not ready for a public hearing; Mr. Fellows agreed. Amanda Bunker suggested that Mr. Stelser also needs to include a drainage plan, with hopes to keep drainage off of public ways, as this current property is a flat site.

The Chair told Mr. Stelser that he would like to see a more "New England feel" for this building design. The board casually discussed their opinion of ideas for this exterior design with Mr. Stelser. Mr. Fellows asked Mr. Stelser if corporate would be flexible with the design, Mr. Stelser said yes.

The fact that there was no interior plan presented to the board was brought up by Mrs. Paradis. She then asked if this restaurant was going to have tables, Mr. Stelser answered yes. She continued by making sure Mr. Stelser is aware that the number of tables inside does affect the parking spaces/area.

Mr. Fellows explained the board's concern for the traffic increase on Route 196. Mr. Stelser expressed that he recently met with the owner of the gas station (located next to this property) and that owner had suggested the possibility in the future to have another access route straight through the gas station's parking lot to the Domino's Pizzeria. The board talked a little bit about how that suggestion may or may not work but they ended that conversation with asking Mr. Stelser if at some point, he would be willing to explore the options of keeping customers off of Route 196; he is open to that option.

Mr. Douglass asked the board a few questions in regards to the "*Domino's*" application (as known as **Case #17-8**). He asked the board if at the next meeting, they would treat **Case #17-8** as 'new business' and then hold a Public Hearing right after; The Chair replied no. Mr. Douglass and the board discussed the possibility of allowing a public hearing for the next meeting if Mr. Stelser has the full-scale plan and all the details the board requested.

Motion: **Case #17-8** pending completed instructions [for owner] to bring the site plan, landscaping plan, sign ordinance/plan, complete checklist, lighting plan, full-scale exterior and interior plans to next meeting. Therefore schedule public hearing for next meeting.

VOTE: Accept application for **Case #17-8** pending receipt of additional requirements/materials and to schedule a Public Hearing. **Vote: 4-0 Carried**

-Case #17-9 Applicant: Melody Seymour D/B/A Friendly Beginnings Daycare
Property Location: 8 Blethen Street, Lisbon Falls, ME 04252
Tax Map/Lot: Map U6 Lot 15
Intended Use: Conditional Use Application for Home Daycare.

Dennis Douglass explained this application and the checklist were both complete; he then asked to have this application be moved for a Public Hearing at the next meeting.

VOTE: Mr. Leeman made a motion to approve this application and schedule for a public hearing. Mrs. Paradis seconded this motion. **Vote: 4-0 Carried**

-Case #17-10 Applicant: Charlotte Farnum
Property Location: 407 Main Street, Lisbon Falls, ME 04252
Tax Map/Lot: Map U18 Lot 27B
Intended Use: Condition Use Application for Fear Lot use to build a single family home

Dennis Douglass explained this application and the checklist were both complete; he then asked to have this application be moved for a Public Hearing at the next meeting.

VOTE: Mr. Leeman made a motion to approve this application and schedule for a public hearing. Mrs. Paradis seconded this motion. **Vote: 4-0 Carried**

**7. OTHER BUSINESS: Findings of Facts:
Case #17-5 Kieran Transport & Case #17-6 Hogan Rear Lot**

Case #17-5: Follow up by Mr. Douglass; need signatures for this case to be approved. Signatures to finalize this case were completed by the Planning Board.

Case #17-6: Follow up by Mr. Douglass; need signatures for this case to be approved. Signatures to finalize this plan case were completed by the Planning Board.

8. TOWN PLANNER – OFFICIAL BUSINESS:

Comprehensive Plan Update: Associate Town Planner, Ben Smith, stated that he and Town Planner, Amanda Bunker, are still working on the Comprehensive Plan. Mr. Smith said that he and Ms. Bunker have further discussed community online surveys; to be talked about with board during workshop. Ms. Bunker expressed that her plan for workshop tonight would also discuss more about the schedule in this plan.

9. CODE ENFORCEMENT OFFICER – OFFICIAL BUSINESS:

686 Lisbon Street Update: Mr. Douglass made the board aware that the people who were planning to update this property, backed out of their original plan as they feel it would be too costly for them. Now their plan is to simply clean the building up and reopen this as another gas station.

Mr. Fellows suggested that the plan to do the “bare-minimum” for this location, to be considered non-conforming due to this property being vacant for a long period of time. Mr. Douglass also brought attention to the board that this property will not be acceptable under Access Management. Ms. Bunker stated having this building be used for the same type of business is what in the past, does not meet any standards including design standards, access management, and queuing. The board and Mr. Douglass mutually agreed that this property needs to have a site-plan review.

Marijuana Legalization Update: Mr. Douglass informed the board that Town Manager, Diane Barnes, has been receiving emails from other town offices in regards to marijuana ordinances. Mr. Douglass then talked about the ordinance that the town of Houlton has recently adopted. That ordinance is an “Odor Nuisance Control” which leaves a lot of grey area. Mr. Douglass and the board agreed that this is not an ordinance for our town of Lisbon.

10. ADJOURN TO WORKSHOP:

VOTE: Mrs. Paradis, seconded by Mr. Leeman moved to adjourn to a workshop to at 8:34PM to discuss the Comprehensive Plan. **Vote: 4-0 carried.**

Amber Gallo, Deputy Town Clerk
Date Approved August 10, 2017