



MINUTES PLANNING BOARD MARCH 9, 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, Curtis Lunt, Donald Fellows, and Scott Hall. Associate members present were James Lemieux. Dan Leeman was excused. Also present was Dennis Douglass, Code Enforcement Officer; and approximately three citizens in the audience.
3. **WORKSHOP** – Review Chapter 46. Streets, Sidewalks, and other Public Places

4. 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, but that there were no public hearings on this agenda. He said a workshop was held at 6:00 p.m. tonight prior to this meeting and the board discussed the sign ordinance amendments, attorney’s notes, and chapter 46 streets, sidewalks and other public places.

5. WRITTEN COMMUNICATIONS:

Minutes of February 8 rescheduled to February 16, 2017

The meeting minutes of February 8 rescheduled to February 16, 2017, were distributed to all members. The Chair asked if there were corrections or additions. Seeing no objections, the chair declared the minutes of February 16, 2017 approved.

6. PUBLIC HEARING: None

7. UNFINISHED BUSINESS:

Case #17-2 Findings of Fact

VOTE (2017-12) Mrs. Paradis, seconded by Mr. Lunt moved to put Case #17-2 findings of fact on the next meeting agenda. **Vote: 5-0 carried**

8. NEW BUSINESS – Review Chapter 46. Streets, Sidewalks, and other Public Places

Chairman Fellows indicated there were conflicting ordinances in the Code Book. The standard for acceptance in one ordinance (Chapter 46) is misaligned with the subdivision standards for roads in another ordinance (Chapter 66). Changing the street width to 24 feet in Chapter 46 is recommended to bring both ordinances in line with each other as suggested by the town’s attorney.

VOTE (2017-13) Mr. Lunt, seconded by Mr. Hall moved to approve the amendment to change the street width in Chapter 46 to mirror the subdivision ordinance in Chapter 66 as recommended by the town’s attorney and then to recommend Town Council approval. **Vote: 5-0 carried.**

9. OTHER BUSINESS

Darrell Wentworth and wife Jean thanked the Planning Board for letting them speak. Mr. Wentworth said he was concerned about the buffer between his property and Kelly Park since it has been changed to a residential project. He said they had been cutting trees for a few days in a row and it appears quite a bit of the buffer is gone. He understood no one was supposed to be cutting or digging holes in the buffer area.

The Residential Zone doesn't require a buffer zone and there are no buffer zones on the plan. Proper notices were given to abutters. A proper hearing was held and the zone changed from commercial to residential.

Curt Neufeld explained that cutting was probably to put in a power line. He said that if it's one line, it would be 12 feet wide. If it two lines, the difference would be 15 feet wide. Mr. Wentworth said if they gave us a buffer zone, then how is that possible to take that away from us. Mr. Fellows explained that the whole plan has totally changed since then. Mr. Neufeld said the area closest to Moody Road is an expanded common space and the first house is a fairly good wooded amount of land so they would have to clear some of it to build and unfortunately to put in the power line.

Mr. Wentworth said he was not happy with the whole thing. Mr. Fellows explained that at this late stage after holding hearings the board could not obstruct it more than they have already. He said the sole purpose of tonight's meeting is to consider the road width, but it would be nice if they could minimize the impact as much as possible with some kind of plantings to appease Mr. Wentworth and his neighborhood. Mr. Neufeld said they would have little control over where the three-phase power line comes into the park. Mr. Wentworth said he was concerned about the excess noise and extra light.

Jessy McMurry from Winter Park said he didn't get a notice, that he too was concerned about the extra noise now that the buffer could be cleared away. He noticed the cutting as well. He asked if there was anything he could do to stop the clear cutting. He objected to it all being cut. He asked that a good faith effort be made to keep as much of the vegetation there as possible to help keep out the noise. He asked that they leave as much on the backside as possible. Mr. Neufeld pointed out that the woods would be what appeals to buyers on those lots for sale.

VOTE (2017-14) Mr. Lunt, having voted on the prevailing side, seconded by Mrs. Paradis moved to RECONSIDER Vote 2017-09 "to approve the Kelly Park Subdivision Application for Kelly Park Residential Development subject to all streets being a minimum of 30-feet wide". **Vote 5-0 carried.**

After much discussion, Curt Neufeld suggested the main entrance/Premier Drive be allowed to be tapered back from 36 feet to 30 feet and that proposed Champagne Lane and proposed Wine Time Circle both be 24 feet wide.

Vote (2017-15) Mr. Lunt, seconded by Mr. Hall moved to approve the Kelly Park Subdivision Application for Kelly Park Residential Development subject to Premier Drive being 30 feet wide and Champagne Lane and Wine Time Circle being 24 feet wide as shown on the plan.

Vote (2017-15A) Amendment #1 was moved by Mr. Fellows, seconded by Mrs. Paradis to add an advisory recommendation that all caution be taken to keep as much vegetation as possible for a buffer. **Vote 5-0 carried.**

Vote (2017-15B) Amendment #2 Mr. Fellows, seconded by Mr. Lunt moved that Wine Time Circle and Champagne Lane be considered local roads and that Premier Drive is considered a collector road. **Vote 5-0 carried.**

Main Motion as Amended #1 and Amended #2 Vote 5-0 carried.

10. TOWN PLANNER – OFFICIAL BUSINESS

Mr. Fellows reported Mrs. Bunker would be arranging to have AVCOG speak to the board about access management issues before completing the Access Management Ordinance.

11. CODE ENFORCEMENT OFFICER – OFFICIAL BUSINESS:

Mr. Fellows reported that he had sample Comprehensive Plan models for the board to review after the meeting.

Mr. Fellows reported the draft moratorium marijuana ordinance from MMA has been used by other towns will give Lisbon the time it needs to address concerns and prepare an appropriate ordinance for Lisbon once the state adopts its regulations.

VOTE (2017-16) Mr. Lunt, seconded by Mrs. Paradis moved to recommend the Town Council approve the Moratorium Ordinance on Retail Marijuana Establishments and Retail Marijuana Stores and Retail Marijuana Social Clubs. **Vote 5-0 carried.**

12. ADJOURN TO WORKSHOP:

VOTE (2017-17) Mrs. Paradis, seconded by Mr. Lunt moved to adjourn to a workshop to discuss the Comp Plan at 8:00 p.m. **Vote 5-0 carried.**

Twila Lycette, Lisbon Town Clerk
Date Approved March 23, 2017