



MINUTES PLANNING BOARD APRIL 21, 2016

Dan Nezol - Regular 2017
Karin Paradis - Regular 2018
James Lemieux - Associate 2018
Scott T. Hall - Regular 2018
Curtis Lunt - Regular 2016
Don Fellows - Regular 2016
Vacant - Associate 2016

1. **CALL TO ORDER:** The Chairman, Mrs. Paradis called the meeting to order at 7:00 PM.
2. **ROLL CALL:** Regular members present were Karin Paradis, Dan Nezol, Donald Fellows, Curtis Lunt Scott Hall, and Associate member James Lemieux. Also present was Dennis Douglass, Code Enforcement Officer; Councilor Bickford and approximately 8 members in the audience.

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.

4. WRITTEN COMMUNICATIONS:

Minutes of April 7, 2016

VOTE (2016-26) Mr. Fellows, seconded by Mr. Lunt moved to approve the minutes of April 7, 2016. Order passed - Vote 5-0.

5. NEW BUSINESS:

Conditional Use Application

Case #16-3 Applicants: Tina Judd
Property Location: 10 Hasey St., Lisbon, ME 04250
Tax Map: U15 Lot 055
Intended Use: Home Daycare Business

Mrs. Paradis introduced the case and invited Tina Judd to the podium.

Tina Judd said she has run a daycare for 19 years on Edgecomb Road in Lisbon Falls to care for up to 8 children in her home and she would like to continue once they build their new home on Hasey Street.

Mr. Douglass, Code Enforcement Officer went through all the procedures checklist, conditional use permit standards checklist, and local ordinance checklist.

Mr. Fellows indicated he would like to go through the checklist in detail after the public hearing.

6. PUBLIC HEARING:

Conditional Use Application

Case #16-3 Applicants: Tina Judd
Intended Use: Home Daycare Business

The Chair, Mrs. Paradis opened the public hearing.

Bob Terstegen, abutter, said that the road is a single lane and is not set up for additional traffic. He stated that he bought property there because it is quiet and he doesn't want all the extra noise and traffic. His personal opinion is they don't want a daycare there. Mr. Turgesteon also mentioned that his deed

describes Hasey Street as a private way. He presented photos to the board to show them why he doesn't feel it is feasible.

Janet DiGregorio, abutter, is concerned that when her grandchildren come and pets go out that she will not be able to use her front stairs and that in general the increased traffic going by her window won't work for her.

Lacy Donle, 19 East Avenue, Lisbon Falls, said her children were in Tina's daycare on Edgecomb Road and she has not been able to find local childcare for her newborn daughter. She also said that the traffic is only a couple of times per day for about a 15 minute period.

Tina Judd said that the majority of the traffic would be generated from her own family and there would probably only be 2 vehicles that aren't her family and they would try to be very respectful.

Janet DiGregorio asked if there are any stipulations for fencing for safety, privacy, etcetera because that is her main concern. She would like to see a fence along the property line.

Mr. Douglass said installing a fence is not a requirement.

There were no further questions or comments from the public, the Chair closed the public hearing.

7. UNFINISHED BUSINESS:

Conditional Use Application

Case #16-3 Applicants: Tina Judd
Property Location: 10 Hasey St., Lisbon, ME 04250
Tax Map: U15 Lot 055
Intended Use: Home Daycare Business

Mr. Fellows said he was having a tough time visualizing and thinks the board should do a site visit to see if this is a town road, and who gets to maintain it, etcetera...

Mr. Douglass reported that the Town has not maintained the road but has plowed it for many years because the current Director was under the impression that it is a town road but stated he doesn't know what will happen with plowing if it is not a public way.

Mr. Fellows said he thinks it would be helpful if they had a cooperative agreement for maintenance of the road.

Mr. Lemieux said it would be a concern about maintenance with safety equipment if the road is all rutted up.

Mr. Fellows wondered what degree of review the State gives on a home daycare application.

Tina Judd said that the State Fire Marshall goes to the house and performs an extensive review prior to licensure from the State.

David Judd reported that he knows the road needs to be fixed. He has a contractor all lined up, the road will be 14' wide and sustain a 100,000 pound truck from where the ruts start.

Mr. Fellows said they need to know what the Town will do if anything for maintenance.

David Judd said he researched all the way back to the 1800's and found that it was an old County Rd and he is trying to get a copy of the deed showing it is a County Road and belongs to the Town because they never abandoned it.

VOTE (2016-27) Mr. Fellows, seconded by Mr. Lunt moved to schedule a site visit for the Conditional Use application for Tina Judd's Home Daycare Business at 10 Hasey Street. **Order passed - Vote 5-0.**

Findings of Fact

In the Matter of:

Case 16-2: Worumbo Mill Demolition

Miller Industries

3 Canal Street, Lisbon Falls, ME 04252

Map U5 Lot 14

Findings of Fact

The applicant submitted a Tier 2 Site Plan Review Application on March 31st, 2016. The Planning Board accepted the application as complete on April 7th, 2016. The Planning Board held a public hearing on April 7th, 2016. The Planning Board approved the Tier 2 Site Plan Review with Conditions on April 7th, 2016.

Conclusion of Law

General Review Standards: Lisbon Code of Ordinances. Chapter 62 - Site Plans Division 3. - Tier 2 Developments

Performance Standards.

1. Abutters notified
2. Public Hearing notification published in local newspaper
3. Planning Board Procedure Checklist completed
4. Local Ordinance Checklist completed
5. Tier 2 Review Standards Checklist completed
6. Final Planning Board decision

Therefore, the Town of Lisbon Planning Board approves the Worumbo Mill Demolition Case #16-2 Tier 2 Site Plan Review with the following conditions:

1. Pending all required Federal and State Permits (DEP permit)
2. Site will be secured and safe prior to the Moxie Festival
3. Completion of job no later than December 31st, 2106 including final landscape

Dated in Lisbon, Maine this 25th day of February 2016

8. OTHER BUSINESS:

Capital Improvement Plan Review

Mr. Fellows said he didn't think the Capital Improvement Plan presented is in conflict with the Comprehensive Plan.

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

Mr. Lunt said the Comprehensive Plan calls for green space and parks but that doesn't mean you can make them budget for it. He agreed that the plan presented is not in conflict with the Comprehensive Plan. The School's plan has a nice narrative but there are not any numbers and he thinks there should be.

Mr. Hall mentioned that on the public works sheet #2 the sub notes show a cost of \$90,000 and then it shows \$60,000 in parenthesis and he didn't know what that meant.

Councilor Bickford said that it is showing two different scenarios because the Sterlings are out of date and you can't get parts for them.

Mr. Lemieux asked if they have to be sent out for outfitting.

Councilor Bickford said we can do that in-house now.

VOTE (2016-28) Mr. Fellows, seconded by Mr. Lunt moved to approve that the Capital Improvement Plans submitted by the Town, School, and Water Departments are in line with the Comprehensive Plan. **Order passed - Vote 5-0.**

9. CODE ENFORCEMENT OFFICIAL BUSINESS:

Mr. Douglass presented the Findings of Fact for the Route 196 Zoning and had it signed by the board members.

He let the board know that the Maine Department of Transportation is holding a public hearing on the Mill Street Bridge replacement on Wednesday, May 11, 2016 at 6:00 PM here at the Lisbon Town Office.

10. TOWN PLANNER OFFICIAL BUSINESS: None.

11. ADJOURN:

VOTE (2016-29) Mr. Fellows, seconded by Mr. Lunt moved to adjourn to workshop at 8:03 PM. **Order passed - Vote 5-0.**

Jody Durisko, Administrative Assistant

Date Approved: _____