



MINUTES PLANNING BOARD MAY 12, 2016

Dan Nezol - Regular 2017
Karin Paradis - Regular 2018
James Lemieux - Associate 2018
Vacant - Regular 2018
Scott T. Hall - Associate 2016
Curtis Lunt - Regular 2016
Don Fellows - Regular 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 Tina Judd and David Judd 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 21 2016

Mrs. Paradis informed the audience that the minutes were not ready and that this item would be moved to these next agenda.

5. **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

VOTE (2016-30) Mr. Fellows, seconded by Mr. Lunt moved to approve the Site Plan Application/Conditional Use Application for Tina Judd for a Home Daycare Business at 10 Hasey Street.

Mrs. Paradis said the board completed a site visit. Mr. Fellows pointed out the public hearing was previously held at another meeting. He said the board reviewed the checklist of items and everything was okay, except for the compatibility with the area, land uses, and access to site by existing roads. Outside that, parking requirements were one spot per employee and one spot per six children. Mrs. Judd said she has no employees.

The board talked about the 215 feet from the corner of the home to the lot line, the 500 feet from the house to the main paved road, and home not meeting codes and occupancy permit. Mr. Fellows said there is a question about whether the access road is an accepted public road. He mentioned there were different requirements for unaccepted versus accepted. Mr. Douglass mentioned this lot was probably established prior to 1969 and that maybe there is some record of it at the town office.

Mrs. Bunker indicated there were two different expectations, one if it is a public way and another if it is not a public way. She recommended this be figured out prior to building if there is going to be a business operating from this lot. She asked who will maintain the road, is it satisfactory and/or will there be adequate access over time, especially if there is going to be a daycare business here with children. She suggested the motion approval be on the condition that the road is maintained in order to allow a business to operate from there. Mr. Fellows said if the house is built and the permit is obtained from the

state, then there should not be any problem. Mrs. Judd explained that she was doing Foster Care now and that the rules for that were stricter than Daycare. She is inspected annually by the Fire Marshall's office.

Mrs. Bunker asked if everyone was okay with the placement of the house on the lot, screening between abutters, parking area, and designated space for outdoor use for childcare. Mrs. Paradis said the rear area was designated for outdoor use for childcare and parking should be okay on the side. Mr. Fellows said he understood that they would be creating a turn around.

VOTE (2016-30) AMENDMENT: Mr. Fellows, seconded by Mr. Lunt moved an amendment to ensure the house is built to occupancy standards, the state issues a permit for the Daycare establishment in a Limited Residential Zone and that access road is maintained to acceptable standards. **Amendment Vote: 5-0 carried. Main Motion as amended vote: 5-0 carried.**

6. PUBLIC HEARING:

Draft Yard Sale Ordinance

The Chair, Mrs. Paradis opened the public hearing at 7:20 PM. There were no public comments. The Chair, Mrs. Paradis closed the public hearing.

Mr. Fellows explained the town's attorney made some changes. He pointed out that the intent of used merchandise sale may have been changed. The board agreed to send comments to Mrs. Bunker and Mr. Fellows and to present a clean copy of this ordinance for review at the meeting in June.

7. NEW BUSINESS:

Draft Firing Range Ordinance

Mr. Douglass presented the draft ordinance. He pointed out the Firing Range Committee met to address outdoor ranges. They sent the draft ordinance to the town's attorney for review. He mentioned the Firing Range Committee was not completely done with it and that they will be addressing the changes made by the town's attorney. He said, at this point, he wanted the Planning Board to see it and make comments.

Mr. Fellows asked that it be checked to ensure it doesn't conflict with Chapter 70's definitions. Mr. Douglass said after the Planning Board comments are incorporated he would present a clean copy for the Planning Board to review.

8. OTHER BUSINESS:

Mrs. Paradis mentioned two members terms were expiring on the board and encouraged them to reapply by notifying the Town Clerk.

Mrs. Paradis announced the Planning Board's workshop on May 26 at 7:00 PM at LCS to discuss the proposed Route 9 Zoning change. The board decided to have the microphone system set up to make it easier to hear the audience.

9. CODE ENFORCEMENT OFFICIAL BUSINESS:

Mr. Douglass discussed the applications he has pending for caregiver permits and is receiving 3-5 a week for grow operations. He explained we use the same attorney as Lewiston who recently adopted regulations. He suggested a workshop with the Town Council, Planning Board, and town attorney to

decide how Lisbon handles this because those who can't get into Lewiston are now coming here. The board discussed the confidentially piece and the difficulty that causes for a public permit process. The odor, neighborhood, and/or complaints would all need to be considered. Mr. Douglass said he was not comfortable with the do nothing scenario. He encouraged the workshop to vet the concerns and talk about options.

VOTE (2016-33) Mr. Fellows, seconded by Mr. Lunt moved that the Planning Board request a workshop with the Council and town attorney to discuss the medical marijuana/caregivers applications.
Vote: 5-0 carried.

10. TOWN PLANNER OFFICIAL BUSINESS:

Business Facade Grant Update

Mrs. Bunker explained the town received a CDBG Façade Grant for \$150,000 with the match coming from businesses that use those funds. She recommended an informational meeting with contractors to explain the requirements and cover what businesses can do to get these funds. She said these funds may not be a great fit for everyone. She said it may be the end of the summer before applications can go out.

Mrs. Paradis said this was great news and commended Mrs. Bunker and everyone who worked so hard on this. It will be nice to help businesses with new windows, awnings, and doors to improve their facades.

11. ADJOURN:

Route 9 Survey Update / Public Workshop Discussion

VOTE (2016-34) Mr. Fellows, seconded by Mr. Lunt moved to adjourn to a workshop at 8:05 PM to discuss the Route 9 Survey with Mrs. Bunker.

Vote: 5-0 carried.

Twila Lycette, Town Clerk
Date Approved: June 23, 2016