



## MINUTES PLANNING BOARD JUNE 23, 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, and Scott Hall. Associate member James Lemieux was an excused absence. Also present was Dennis Douglass, Code Enforcement Officer; Councilor Bickford and approximately eight citizens 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 June 9, 2016

**VOTE (2016-43)** Mr. Hall, seconded by Mr. Fellows moved to approve the minutes of June 9, 2016.  
**Vote: 5-0 carried.**

5. **PUBLIC HEARING:**

Conditional Use Application

**Case #16-4** Applicants: Enterprise Trenchless Technologies  
Property Location: 42 Capital Ave., Lisbon Falls, ME 04252  
Tax Map: U10 Lot 011  
Intended Use: Install 500 gallon petroleum tank

Kevin Thibeault, ETTI Project Manager, said they want to install a 500 gallon petroleum tank to fill their trucks with fuel.

Mr. Lunt asked if they have to get State permitting from the Department of Environmental Protection (DEP). Mr. Thibeault said due to the size of the tank they are not required to go through the DEP permitting process. He said the tank size would have to be 1,000 gallons to require permitting.

The Chair opened the public hearing for case #16-4. There were no questions or comments from the public, the Chair closed the public hearing.

Conditional Use Application

**Case #16-5** Applicants: Layne A. Curtis  
Property Location: Edgcomb Rd., Lisbon Falls, ME 04252  
Tax Map: U28 Lot 57B  
Intended Use: Create a rear lot

Layne Curtis said he wants to get a rear lot established so this will be a buildable lot.

The Chair opened the public hearing for case #16-5 and invited abutters to speak first and once they have addressed the board other citizens are welcome to as well.

Charles Colson, 33 Edgecomb Road, wants to know what the intentions for the rear lot are.

Josh Twitchell, 120 Summer Street, asked what the access would be and how it will affect surrounding properties.

Randal Jones, 31 Edgecomb Road, asked where the septic would be and if there are plans approved.

Dale Moore, Jr., 116 Summer Street, said he questions legal ownership, the property is wet, and the right of way is on Summer Street. He also would like to know what the road frontage requirements are.

Randal Jones said it is a 15 foot right of way and wanted to know if the utilities are cleared to go across it because that is pretty narrow.

Dennis Douglass, Codes Enforcement Officer provided the following information:

- The land does not meet the minimum requirement which is why it is before the board as a rear lot. A rear lot does not have required road frontage.
- He has an approved septic design from a soil evaluator, Mark Hampton
- The right of way issue is something the Planning Board will be looking at the map it is 15 feet and the deed has it as 17 feet.  
Mr. Fellows pointed out that the requirement is 20 feet except for lots of record, which this lot is therefore the right of way requirement is waived.
- The access is on Summer Street, there is not an official address because it does not have an E911 address yet.
- There are no wetlands delineated and drainage is part of the building process.

Randal Jones said he formally worked for a power company and he doesn't think the right of way meets the requirement.

Mr. Douglass said although it has frequently been referred to as a right of way the 17 foot strip is on his land and is not actually a right of way.

Julie Moore, 116 Summer Street, said she didn't think underground utilities would be a good option because the ground is so wet.

Josh Twitchell said there are leachfields right there in the 17 foot strip of land and doesn't think there would be enough space. Mr. Douglass received a call from Mr. Golino who reported he had to move theirs so as far as he knows it is clear.

Susan Colson, 33 Edgecomb Road, said they have a verbal agreement with Phyllis before she passed away and they thought Layne would uphold that agreement but he didn't.

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

#### Conditional Use Application

**Case #16-4**      Applicants: Enterprise Trenchless Technologies  
Property Location: 42 Capital Ave., Lisbon Falls, ME 04252  
Tax Map: U10 Lot 011  
Intended Use: Install 500 gallon petroleum tank

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

Mr. Douglass went through the checklists with the board.

Mr. Hall asked where the fuel pump was to be located and Mr. Thibeault said it will be located on top of the tank, within fuel storage vault.

Mr. Fellows asked about containment. Mr. Thibeault said they have taken measures to address containment.

Mr. Lunt asked if any of the trucks would be able to back into the tank. Mr. Thibeault said they would not be able to back into it.

**VOTE (2016-44)** Mr. Fellows, seconded by Mr. Lunt moved to approve the conditional use permit for case #16-4 to install a 500 gallon petroleum tank. **Vote: 5-0 carried.**

#### Conditional Use Application

**Case #16-5** Applicants: Layne A. Curtis  
Property Location: Edgcomb Rd., Lisbon Falls, ME 04252  
Tax Map: U28 Lot 57B  
Intended Use: Create a rear lot

Mr. Douglass went through the checklists with the board.

Mrs. Paradis said this is a buildable lot in a residential area.

Mr. Fellows agrees it is a buildable lot and said it should be on record that it is not up to them to decide if it is a swamp, it is not required to have a building plan at this time, there is access to the lot, and we have a warranty deed.

**VOTE (2016-45)** Mr. Lunt, seconded by Mr. Fellows moved to approve the conditional use permit for the property on tax map U28 lot 57B. **Vote: 5-0 carried.**

#### Yard Sale Draft Ordinance

Mr. Fellows said they incorporated the attorney's comments which are what we have now and thinks we are ready to do something with it.

The Chair said she would entertain a motion to forward the Yard Sale Draft Ordinance to Town Council.

**VOTE (2016-46)** Mr. Fellows, seconded by Mr. Hall moved to approve and forward the Yard Sale Draft Ordinance to the Town Council for a first and second reading. **Vote: 5-0 carried.**

## **6. NEW BUSINESS:**

### Shooting Range Draft Ordinance (Item postponed)

The Chair said Mr. Douglass asked that this item be removed from the agenda because it isn't ready yet.

Mr. Fellows asked where they were at. Mr. Douglass said they are looking at warning signs and incorporating the attorney's comments. It should be ready for the next agenda.

## **7. OTHER BUSINESS:**

### Recognition of Richard Long's service to the Planning Board

The Chair, Mrs. Paradis said the Board wanted to recognize Richard Long's service to the Planning Board, also the Appeals Board, and Board of Assessment Review. She said unfortunately he had passed away nearly a couple of weeks ago and said he will be missed; he was a very nice man who was very dedicated and loved his community. There will be a service on Sunday at the Slovak Club from 1:00 - 3:00 P.M. if anybody is interested in attending.

Mr. Fellows thinks it is time to readdress Medical Marijuana, we can very simply address it, we can have a workshop on it, and have it ready for the July 14<sup>th</sup> meeting.

Mr. Lunt said he didn't think it required a workshop and it could be schedule for July 14<sup>th</sup>.

A public hearing will be held to take comments on the Route 9 Zoning. Mr. Douglass will mail out a flyer to residents on Route 9, Mrs. Paradis will post them around town, and Mrs. Durisko will put it on the sign.

Mr. Fellows requested Unfinished Business is put back on the agenda because you cannot do unfinished business in a hearing.

## **8. CODE ENFORCEMENT OFFICIAL BUSINESS:**

### MS4 Training

Mr. Douglass is the MS4 Coordinator for Lisbon, Mr. Leighton is the MS4 Coordinator for Lisbon but he said he would take care of the Planning Board tonight. He passed out a survey for the board to fill out and return in order to meet the MS4 obligations. The Boy Scouts are cleaning up the bank by the unnamed stream and the Town is buying them ice cream to thank them for their work. He said that Lisbon is one of two Town's that had a good audit and didn't have any violations.

Mr. Fellows asked if there is a plan for a booth at Moxie Festival. Mr. Douglass said there will be a booth and he welcomes board members to join him as well as any Councilors to be present to answer questions at the booth. Councilor Bickford said he would mention it at the next meeting.

## **9. ADJOURN:**

**VOTE (2016-47)** Mr. Fellows, seconded by Mr. Lunt moved to adjourn at 7:53 P.M. **Vote: 5-0 carried.**

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Jody Durisko, Administrative Assistant  
Date Approved: