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| MINUTESPLANNING BOARDjuly 11, 2019  |



**Christopher Huston- Associate 2022**

**Curtis Lunt- Regular 2022**

**Don Fellows - Regular 2022**

**William Kuhl - Regular 2020**

**Karin Paradis - Regular 2021**

**Shaun Carr- Associate 2021**

**Scott T. Hall – Regular 2021**

1. **CALL TO ORDER:** The Planning Board Secretary called the meeting to order at 7:10 pm.
2. **A. ROLL CALL:** Regular members present were Karin Paradis, Don Fellows, Curtis Lunt, William Kuhl (Arriving at 7:13pm) and Scott Hall. Associate members Shaun Carr and Chris Huston were present as well. Also present was Town Planner, Ben Smith and Code Enforcement Officer, Dennis Douglass. There were no audience members.

**B. ELECTION OF OFFICERS:**

Election of Chairman and Vice Chairman

**VOTE (2019-40)** Mrs. Paradis, seconded by Mr. Carr nominated Don Fellows to serve as Chairman

of the Planning Board. There were no other nominations.

**Order Passed – Vote 5-0-1** Abstained (Fellows).

**VOTE (2019-41)** Mrs. Paradis, seconded by Mr. Hall, nominated Curtis Lunt to serve as Vice Chairman of the Planning Board. There were no other nominations.

**Order Passed – Vote 5-0-1** Abstained (Lunt).

1. **chair’s review of meeting rules:**

The Chairman explained the meeting rules are located on the back of each agenda, available in the document holder by the door.

1. **WRITTEN COMMUNICATIONS:** Minutes of June 27, 2019

The meeting minutes of June 27, 2019 were distributed to all members. The Chair asked if there were corrections or additions. Seeing none, Mr. Fellows declared the minutes approved.

1. **PUBLIC HEARING – None**

1. **UNFINISHED BUSINESS - Findings of Fact Case #19-4 –** Countryside Acres Too Subdivision

**In the Matter of:**

**Case 19-4: Subdivision Review application – Countryside Acres Too**

**Countryside Acres Too**

**Jeramiah J. Raitt**

**Mill Street, Lisbon Maine 04250**

**Tax Map R5 Lot 38B**

**Findings of Fact**

The applicant submitted a Subdivision Review application for a subdivision to be located on Mill Street in Lisbon Maine, Tax Map R5 Lot 38B.

The Planning Board received the application on 1/10/2019. The Planning Board held a preliminary meeting to discuss the application on 1/10/2019. The Planning Board reviewed the application under unfinished business on 4/11/2019. The application was accepted as complete on 4/11/2019. The Planning Board conducted a Site Visit on 4/30/2019. The Planning Board held a Public Hearing on 5/9/2019. The Planning Board approved the Subdivision Review application as submitted on 5/9/2019.

Conclusion of Law

General Review Standards: Lisbon Code of Ordinances. Chapter 62, Subdivisions.

Performance Standards.

1. Completed the Subdivision Review Checklists and Ordinance review

2. All abutters notified and public hearing notices posted as required

**Therefore, the Town of Lisbon Planning Board** **hereby approves Case #19-4 as submitted.**

 **Findings of Fact Case #19-5 – Home Daycare business**

**In the Matter of:**

**Case 19-5: Conditional Use - Home Daycare Business**

**Karen Pelletier**

**68 Mill Street**

**Lisbon, ME 04250**

**Map R5 Lot 41F**

**Findings of Fact**

The applicant requested a Conditional Use approval for a Home Daycare Business of 12 or fewer children on May 9, 2019. The Code Enforcement Officer accepted the application as complete on May 23, 2019 and scheduled it for a Public Hearing with the Town of Lisbon Planning Board on May 23, 2019. On June 27, 2019 the Planning Board held a Public Hearing. On June 27, 2019 the Planning Board approved the Conditional Use Application with conditions.

**Conclusion of Law**

General Review Standards: Lisbon Code of Ordinances. Chapter 70 Section 70-193.

Performance Standards.

1. Completed the Conditional Use Application Checklist

2. Completed the Planning Board Procedure Checklist

3. Completed the Conditional Use Permit Standards Checklist

4. Completed the Local Ordinances Checklist

**Therefore, the Town of Lisbon Planning Board hereby approves the Conditional Use Application, Case #19-5 with the following condition:**

1. The home daycare business shall meet State regulations for a home daycare business.
2. **NEW BUSINESS –**  **None**
3. **OTHER BUSINESS -** 385 Lisbon Street – Conditions of approval – Site plan/parking layout

Case 19-1 - BBB Pharmaceutical

Mr. Douglass gave the Planning Board a copy of the Notice of Violation and Order of Correction letter

 that he’ll be sending to the owner, who is in violation of three of the Conditions of Approval that were

 approved on back in February 28, 2019. The Violations must be abated no later than August 30, 2019.

 He asked the Planning Board for any input and how they’d like him to proceed with it.

 Mr. Fellows stated that it’s becoming a pattern for some people to not follow through with what the

 Planning Board has approved them to do. He also stated that if the Planning Board is to be effective

 in what they say to be approved, then they need to go through the proper enforcement process, which

 would be The Town Council and Town Manager, if someone is in violation.

 He stated it’s the sense of the Board that if there is a violation, they would like to see their approvals

 followed through.

 Mr. Smith wanted to remind people that the Enforcement of the Ordinances and Approvals is a Code

 Enforcement function and not the Planning Board, in which the Board agreed and had no intention of

 taking on that role, but do want to encourage it.

 **VOTE: (2019-42)** Mr. Fellows, seconded by Mrs. Paradis, moved to approve a motion that it is the sense

of the Planning Board that all cases with Conditions that they approve, including Case 19-1, be enforced without exception.

 **Order Passed** **– 5-0**

 **Moxie Festival – Town Booth**

Mr. Douglass shared with the Planning Board items he has gathered to hand out to the public during the

 Festival and encouraged them to stop in and volunteer some time.

1. **TOWN PLANNER –** Access Management

Mr. Smith stated that in a Workshop they’ll be reviewing a proposed approach to revise the standards. They look at Highway sections separately from the Rural or more open road sections from a site distance and corner clearance perspective.

1. **CODE ENFORCEMENT OFFICER - NONE**
2. **ADJOURN –** Mr. Fellows wanted to thank Mrs. Paradis for being the Chairman this past year, which

was followed by the Planning Board clapping in agreement. Mrs. Paradis thanked Mr. Fellows for his

help as well.

**VOTE (2019-43)** Mr. Kuhl, seconded by Mr Lunt, moved to adjourn at 7:30 PM.

**VOTE**: **5-0 passed.**

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 Date Approved: August 8, 2019