



## MINUTES PLANNING BOARD SEPTEMBER 26, 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 Chairman called the meeting to order at 7:00 pm.

The Chairman, Mr. Fellows, shared that one of the Planning Board Members, Karin Paradis had passed unexpectedly over the weekend. He shared in his own words that this news has jolted not only her family, but Mr. Fellows and his wife and I'm sure the members of this committee. Karin was always an active contributor to our proceedings and worked between those meetings helping to give this board direction. Her time here was long and she served well both as Chair and Vice-Chair. I'm pretty sure she liked being Chair, even though she didn't want to be one. We will remember much about Karin, but I will remember most, some of these smaller things: She was proud of her Real Estate background, and we knew she was proud of . She contributed whatever she could to our cases when that expertise was needed and she was always keen to find the Purchase and Sale Agreement on a case. Karin liked conversation too for those of you who knew her and she would not hesitate to speak with our applicants about any applicant of a particular situation, but she was always polite and diplomatic, listening carefully as they spoke about their cases. She did this especially well when situations became difficult. Karin never hesitated to correct or to keep this Chair in line with a gentle reminder or maybe a note shoved across the dais. She was devoted to Bob, her daughter Summer and a most enthusiastic supporter of her grandson Jake, and finally, she just absolutely had to find just a little something to present to us at Christmas or some other occasion that she deemed special, yet that generosity to virtually everyone may be what she's most remembered for. We will miss Karin. That's Karin with an I. Paradis, pronounced Paradise, not Paradee and she always said, "I've been correcting people for years you know!", so I'd like to end by saying I have a couple more comments here written by other people or if any of the Board members or anybody else would like to comment, I would entertain that too. Mr. Fellows read a comment by Amanda Bunker, who was the Planner for Lisbon prior to Ben Smith. Mrs. Bunker stated that it was so wonderful to have gotten to know her during her time in Lisbon and she always loved her positive attitude and thoughtfulness. She was indeed a lovely woman.

Mr. Hall spoke and said that he met Karin through the Planning Board and had developed a relationship with her. Her and Bobby are very good people. They made you feel very at home. She's a self-professed sun bum and a hippie from the sixties.

Mr. Kuhl spoke and said that being fairly new to the Planning Board, Karin was very kind in showing him the ropes, telling me what I needed to know and we bonded afterwards about complaints about our kids in soccer and her grandson in soccer and I will miss her dearly.

**2. ROLL CALL:** Regular members present were Don Fellows, William Kuhl and Scott Hall. Associate members Shaun Carr and Chris Huston were present as well. Curtis Lunt was excused. *There was a moment of silence held for Karin Paradis.* Also present was Code Enforcement Officer, Dennis Douglass, Town Planner, Ben Smith and Town Councilor Allen Ward. There were 13 audience members. The Chairman extended voting privileges to Shaun Carr and Chris Huston.

**3. CHAIRMAN'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.

**4. WRITTEN COMMUNICATIONS:** Minutes of September 12, 2019

The meeting minutes of September 12, 2019 were distributed to all members. The Chairman asked if there were corrections or additions. Seeing none, Mr. Fellows declared the minutes approved.

**5. PUBLIC HEARING –** Items taken out of order by request of the Chairman:

**Case #19-10 – Conditional Use Application – Home Daycare –  
Amber Roy**

The Chairman opened the Public Hearing at 7:08 pm, moving Case #19-10 to the forefront to save time for the applicants, since the other Case may take longer.

Mrs. Roy stated that she's interested in having a Daycare for 3-5 kids in her home. Ages toddler to Elementary school age.

Debbie D'Amboise, from 10 Wing Street spoke. Her property is kitty corner adjacent to Mrs. Roy. Mrs. D'Amboise said that recently, in the past year, her neighbor next to her applied for a Daycare for 6 children. She supports anyone that wants to work from home with their children. Mrs. D'Amboise stated that she works from home and said that the Daycare next door can get pretty rowdy and noisy and was concerned that when this new Daycare comes in and also has a large number of kids, that it would cause even more of a disruption to her work. She has no objection to a Daycare with under 6 children. Mrs. D'Amboise also has a safety concern. After the snow melts, and until around June, she has a pond of water that accumulates in her back yard. She would like the Daycare to be fenced in to avoid any kids being drawn to the water.

Mrs. Roy stated that she is willing to work with the Planning Board to meet any safety issues and is only planning to have a small number of children.

Scott D'Amboise commended Mrs. Roy and said she's doing a wonderful service to her own children by being able to stay home. He stated that he doesn't oppose the Daycare, but is concerned about the safety issue because of the water issue.

Mr. Fellows closed the Public Hearing at 7:14 pm.

Mr. Fellows requested that they finish up this Case before continuing to the next case.

**UNFINISHED BUSINESS – Case #19-10 – Conditional Use Application – Home Daycare -Amber Roy**

Mr. Douglass went over the Conditional Use Standards Checklist. He stated that all had been met.

Mr. Fellows asked the applicant if she would be ok if they limited the number of kids she could have to six children. She said Yes.

**VOTE: (2019-62)** Mr. Fellows, seconded by Mr. Carr, moved to accept the application as presented, with a limit of 6 children, which includes her own and no signage allowed.

**5-0 Carried**

**PUBLIC HEARING – Case #19-9 Subdivision Review Application – Grimmel's Mobile Home  
Park**

Expansion of existing mobile home park – 16 new lots

72 Pinewoods Road, Lisbon ME 04250

Tax Map R-8 Lot 30

Mr. Fellows opened the Public Hearing at 7:21 pm. He stated that the Planning Board did a Site Visit before tonight's meeting. Several abutters were there as well.

Mr. Gotto spoke about the project, including designing a storm water pond to treat all impervious areas that are going to be developed for road, buildings and gravel for this phase and for the maximum impervious areas for the future phases. Their plan is to drain all of the water from the new development into two detention ponds. One at the end of the T-turnaround and the other one towards Pinewoods Road from the maintenance building, which is more in the middle of the property.

Todd Ridley, an abutter on the Southern Side, spoke about his concerns of the additional water that would accumulate on his property, since the mobile home park is more elevated than his property. There's a natural drainage situation, so his property already has a wet spot. He also spoke about historical problems with the Trailer Park, including excess garbage, old appliances and trespassing. His concern is that if they add more lots and more people, it would cause more problems, and since the park was built back in the 1930's, then the Water/ Sewer lines are aging and are going to get maxed out and an 8inch system going into a 4inch system. He also thinks that a fence around their whole property would end a lot of trespassing.

Marty Stewart, who is an abutter on the back, spoke about a water issue as well that accumulates on his Property.

Jane Blue spoke about her concerns with Mosquitoes breeding more with the additional water build up that will happen with the new development. She asked if there had been any thought about mosquito abatement.

Peter Leen, 75 Pinewoods Road, asked if the pumping station for the sewerage would be big enough to handle the additional lots and would his water pressure, which is already low because he's at the end of the line, get worse.

Mr. Douglass stated that he has letters in his office from the Water and Sewer Departments, stating that they have sufficient capacity.

Mr. Fellows closed the Public Hearing at 7:38 pm.

Mr. Gotto spoke about the retention pond. He stated that it is required by the DEP, to capture all the water from the area that their developing. The Watershed Plan is to start the project on the upper side of the site, at the end of Stanley Street. One side drains towards Pinewoods Road, the other towards Mr. Ridley's property, which is the way it drains today. They are intercepting that water, collecting it, treating it, holding it for 24 hours, so the water draining does not increase. He stated that the material is sandy, so it will absorb the water. He also stated that they are not doing a septic system. They are running the sewer down the street, to the T-Turnaround where there is a pump station, which has a dual pump, so if one goes down, then the other one turns on.

Mr. Hall asked if the dual pump station would handle anything further development.

Mr. Gotto said yes. It's oversized for this current project and will treat any additional trailers.

Mr. Gotta stated that he will talk to the owners about putting fencing up to prevent people from throwing trash on the property and control ATV access.

Mr. Douglass stated that the town requires a post-construction Storm Water Management Plan, which gets submitted every year showing that their storm water setup is operational and being maintained.

Mr. Gotto stated that since 2007, there is a third party inspection during construction, and a five year relicensing requirement.

Mr. Fellows asked if they had been restricted to adding only 16 lots, could he have built just a filter-bed.

Mr. Gotto said he'd have to speak to the Engineer about that. He said there'd still be water coming out of the filter-bed, since they're meant for small areas. So they'd have to do multiple filter-beds. He said he built a pond in Old Orchard Beach similar to this one. It took one and a half to two years for the water to fill up, because sand doesn't run off, and until it fills, it will not drain.

Mr. Douglass went through the Local Ordinance Checklist, Planning Board Review Standards Checklist and the Additional Design Standards Checklist. He stated under the Storm Water Section that the Town of Lisbon has extra regulations on Storm Water Management, called MS4, regulated through the EPA, administered by the DEP to conform to Storm Water Standards. Any project, an acre or more, has to enter into a post construction storm-water plan.

They have to submit a yearly report stating that it's been inspected, and that's is functioning as designed.

This report is submitted for the lifetime of the project. Mr. Douglass reminded the Planning Board that the Post Construction Storm-Water plan for this project has been sent to the DEP, but he has not heard back from them yet.

A community member stated that the DEP approval on this project would be very helpful because of the additional water flow.

Mr. Smith asked the applicant what the existing water main consists of.

Mr. Gotto stated that all the waterlines will be two inch plastic. He also stated that the owner has been replacing older mains whenever he puts new units in the park.

Mr. Fellows asked Mr. Gotto that if he's granted permission for just 16 lots, could he either build a smaller retention pond or another device that would not impact the abutters.

Mr. Gotto said he would speak to the engineer to get that answer.

Mr. Kuhl, asked if there is an alternate plan or area where the pond could be put instead, so it wouldn't be abutting other properties.

Mr. Gotto said no, because that's the low area of the site, and they need to catch the water coming down to the low area. There needs to be an outlet to these ponds, which needs to be 6-8 feet below the pond because of the way the system works.

Mr. Kuhl asked what the recourse was if the Pond was inadequate.

Mr. Smith stated that typically, these ponds are designed by engineers and checked by DEP. They use conservative estimates to avoid situations like that.

**VOTE: (2019-62)** Mr. Kuhl, seconded by Mr. Carr, moved to continue reviewing Case #19-9, Grimmel's Mobile Home Park Expansion, immediately after receiving DEP approval.

## **5-0 Carried**

### **PUBLIC HEARING** – Access Management Ordinance – Chapter 46 – Streets, Sidewalks and Other Public Spaces

The Chairman opened the Public Hearing at 8:45 pm

Mr. Smith stated that they are differentiating between Highway Sections and Village Sections of Roadways to be able to allow development in the more built up areas of town to meet the standards of the Ordinance without having to request waivers for corner clearance. The definition of *Access* includes both driveways as well as entrances, and the Technical Standards apply to all *Access*'s, unless it specifically states one or the other. He is modifying the definition of site distance to remove the standards from the definition section and put it into Technical Standards. He stated that there are no changes to the actual wording or actual measurements of distances. He added driveway width to the wording. It previously only listed entrances of higher volume roads. Corner clearance and Highway sections will remain at the existing 150 feet, Village areas requiring a corner clearance of 50 feet. He's proposing to limit lots to a single two-way access on all regulated roads and to remove the option for two curb cuts if someone is going to have a one-way in and a one-way out. Off-site improvements within the right-of-way currently could be required by the Planning Board. The proposal is to remove the option to have the applicant be able to pay a fee to the Town to have that work done. That would put the responsibility onto the applicant to do those improvements. The last proposed change is to remove the distinction between standards that can be waived or cannot be waived so the Planning Board could consider a waiver for any of the standards in the Ordinance, and added wording to make it clear that it's the applicants responsibility to demonstrate that a waiver is reasonable.

The Chairman closed the Public Hearing at 8:47 pm

**6. UNFINISHED BUSINESS – Access Management Ordinance – Revisions**

**VOTE: (2019-63)** Mr. Hall, seconded by Mr. Kuhl moved to approve the Access Management revisions and forward it to the Town Council.

**5-0 Carried****Case #19-6 – Sassy Strides Farm – Findings of Fact**

Mr. Douglass reviewed and distributed the following findings of fact for 11 Deschene Ave., Lisbon Me 04250, Tax Map R9 Lot 09:

*The applicant requested a Tier 2 Site Plan approval for Sassy Strides Farm on August 12, 2019. The Planning Board accepted the application as complete on August 22, 2019 and scheduled it for a Site Visit and Public Hearing with the Town of Lisbon Planning Board on September 12, 2019. On September 12, 2019, the Planning Board held a Site Visit followed by a Public Hearing. On September 12, 2019, the Planning Board approved the Tier 2 Site Plan Application with conditions.*

**Case #19-7– Crystal Spring Healing Alternatives – Findings of Fact**

Mr. Douglass reviewed and distributed the following findings of fact for 1 Upland Road, Lisbon, ME 04250, Tax Map U17 Lot 024:

*The applicant requested a Tier 2 Site Plan approval for Crystal Spring Healing Alternatives On July 31, 2019. The Planning Board accepted the application as complete on August 8, 2019 and scheduled it for a Site Visit and Public Hearing with the Town of Lisbon Planning Board on August 22, 2019. The Planning Board held a Site Visit followed by a Public Hearing on August 22, 2019. The Planning Board approved the Tier 2 Site Plan Application with conditions on September 12, 2019.*

Mr. Douglass said both Findings of Facts were ready for Planning Board signatures.

**7. NEW BUSINESS - NONE****8. OTHER BUSINESS – AVCOG Planning Day – October 31<sup>st</sup>. Planning Board RV trip**

Mr. Douglass got a head count of all that wanted to attend the event and made a note of the upcoming Planning Board/Board of Appeals Workshop put on by the Maine Municipal Association on December 5, 2019 in Augusta.

**9. TOWN PLANNER – NONE**

**10. CODE ENFORCEMENT OFFICER –** Mr. Douglass suggested that the Planning Board do the State required Harrassment/Diversity training during the normal Planning Board meeting format and not in a Workshop to avoid any conflicts of interest and ask that the Planning Board secretary be released from duties before they begin.

**11. ADJOURN**

**VOTE (2019-64)** Mr. Carr, seconded by Mr Kuhl, moved to adjourn to Workshop for the training at 7:55 PM, with Mr. Hall leaving before the Workshop began.

**VOTE: 4-0 Carried.**

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Lisa B. Smith, Deputy Clerk  
Date Approved: October 24, 2019