



**TOWN COUNCIL
MEETING MINUTES
OCTOBER 15, 2019**

Christopher Brunelle, At Large 2019
Mark Lunt, District 1 2019
Vacant, District 2, 2019
Fern Larochelle, At Large 2020
Normand Albert, At Large 2021
Kasie Kolbe, District 1 2021
Allen Ward, District 2 2021

CALL TO ORDER. The Chairman, Normand Albert, called the meeting to order and led the pledge of allegiance to the flag at 7:00 PM.

ROLL CALL. Members present were Councilors Ward, Albert, Kolbe, Brunelle, Lunt, and Larochelle. Also present were Diane Barnes, Town Manager; and approximately seven citizens in the audience.

GOOD NEWS & RECOGNITION

Councilor Albert said he was impressed with the paving project in the Gross Development. He thanked the contractors and Mr. Cyr.

Item Taken Out Of Order

EXECUTIVE SESSION

VOTE (2019-200A) Councilor Ward, seconded by Councilor Larochelle moved to go into Executive Session at 7:02 PM per 1 MRSA Section 405 (a) Personnel Matters. **Order passed - Vote 6-0.**

The Council returned to regular session at 7:47 PM and resumed the meeting.

PUBLIC HEARINGS

A. AMENDMENTS TO CHAPTER 14 GENERAL ASSISTANCE MAXIMUMS & APPENDICES

The Chairman opened the public hearing. There were no comments. The Chairman closed the public hearing.

AUDIENCE PARTICIPATION & RESPONSE FOR AGENDA ITEMS - NONE

CONSENT AGENDA

VOTE (2019-200B) Councilor Larochelle, seconded by Councilor Albert moved to approve the following consent agenda items:

A. Municipal Accounts Payable & Payroll Warrants -

#102019	\$ 49,359.95	#1032019	\$ 120,993.87
#10102019	\$ 99,515.39	#191010	\$189,151.64
#1910W1	\$ 19,649.28	#11052019	\$197,540.88

B. School Accounts Payable & Payroll Warrants –

#1016	\$ 371,175.04	#10	\$ 2,819.81
#1017	\$ 12,594.86	#2006	\$93,500.83

C. Minutes of October 1, 2019

Order passed - Vote 6-0.

COUNCIL ORDERS, RESOLUTIONS, & ORDINANCES

FIRETRUCK CAPITAL RESERVE ACCOUNT

INTRODUCTION: The Fire Truck Capital Reserve account was originally setup in 1997-1998 during the annual Town meeting. Since the warrant article did not have specific language on how funds are transferred or used for this reserve account, it has been recommend by our auditor to have Council vote on how the reserve is funded and how funds are expended. The recommendation below describes current practice for this account.

VOTE (2019-201) Councilor Larochelle, seconded by Councilor Brunelle moved to authorize the Town manager to set up a reserve account known as Fire Truck Capital Reserve Fund for the acquisition and refurbishment of Fire Apparatus, including repairs that need to be done on an unexpected basis and to transfer the unexpended balance as of fiscal year end in line item Capital Projects in the Fire Department Budget.

Order passed - Vote 6-0.

TOWN BUILDINGS REPAIR – CHANGE ORDER

INTRODUCTION: Change Order No. 1 in the amount of \$1,530.30 is for additional roof sheathing for the Salt/Sand Shed. Change Order No. 2 in the amount of \$4,536.45 materials and \$10,697.50 in labor for siding and wall sheathing to replace rotting wood on the Town Office building. This also includes additional flashing on windows and doors. The additional funds will come from the Town Buildings reserve account.

COUNCILOR COMMENTS: Councilor Larochelle said going into this the Council knew there were going to be unforeseen issues. Mrs. Barnes said this overage amount would come out of the reserve account.

VOTE (2019-202) Councilor Brunelle, seconded by Councilor Ward moved to authorize the change orders in the amount of \$ 16,763.95 from the Town Buildings reserve account to Restorations Home Remodeling LLC.

Order passed - Vote 6-0.

AMENDMENTS TO CHAPTER 14 GENERAL ASSISTANCE MAXIMUMS & APPENDICES

Second Reading

VOTE (2019-203) Councilor Larochelle, seconded by Councilor Brunelle moved to adopt the following General Assistance Amendments to Chapter 14 Appendix A Overall Maximums, Appendix B Food Maximums, Appendix C for Housing, no changes to Appendix D through G, and amendments to Appendix H Funeral Maximums as follows:

Appendix A- Overall Maximums

Replace with New Maximums - Persons in Household	1	2	3	4	5
Androscoggin County	<u>2019-2020</u>	<u>725</u>	<u>783</u>	<u>1007</u>	<u>1265</u>
				<u>1606</u>	

Appendix B-Food Maximums

Replace with New Maximums – Persons in Household	1	2	3	4	5
Androscoggin County	<u>2019/2020</u>	<u>194</u>	<u>355</u>	<u>509</u>	<u>646</u>
				<u>768</u>	

Appendix C - Housing

Appendix C is a listing of the maximum levels of assistance for housing (both heated and unheated). These maximum levels were developed by MMA using 2009-2010 HUD Fair Market Rent values that include utility costs. Because the FMR numbers include utility and heating costs, the applicable average utility and heating allowances, as developed by the Maine State Housing Authority (MSHA), are subtracted from the FMR to obtain a pure “housing” cost.

2018/2019-

# Bedrooms	Unheated	Heated
1	540	664
2	711	847
3	907	1094
4	1122	1349

2019/2020

# Bedrooms	Unheated	Heated
1	<u>591</u>	<u>719</u>
2	<u>763</u>	<u>929</u>
3	<u>965</u>	<u>1174</u>
4	<u>1240</u>	<u>1497</u>

Appendix D – Utilities (There was NO CHANGE in the Utilities)

1) Electricity Maximums for Households Without Electric Hot Water: The maximum amounts allowed for utilities, for lights, cooking and other electric uses excluding electric hot water and heat:

Number in Household	Weekly	Monthly
1	\$14.00	\$60.00
2	\$15.70	\$67.50
3	\$17.45	\$75.00
4	\$19.70	\$86.00
5	\$23.10	\$99.00
6	\$25.00	\$107.00

NOTE: For each additional person add \$7.50 per month.

2) Electricity Maximums for Households With Electrically Heated Hot Water: The maximum amounts allowed for utilities, hot water, for lights, cooking and other electric uses excluding heat:

Number in Household	Weekly	Monthly
1	\$20.08	\$86.00
2	\$23.75	\$102.00
3	\$27.70	\$119.00
4	\$32.25	\$139.00
5	\$37.30	\$160.00
6	\$41.00	\$176.00

NOTE: For each additional person add \$10.00 per month.

Appendix E - Fuel (There was NO CHANGE in Fuel)

There was no change in fuel. We use what the applicate uses per month or the cap of what is allowed for that month at the current price for fuel.

Month	Gallons	Month	Gallons
September	50	January	225
October	100	February	225
November	200	March	125
December	200	April	125
		May	50

Appendix F - Personal and Household Supplies (There was NO CHANGE in Personal and Household Supplies)

Number in Household	Weekly Amount	Monthly Amount
1-2	\$10.50	\$45.00
3-4	\$11.60	\$50.00
5-6	\$12.80	\$55.00
7-8	\$14.00	\$60.00

NOTE: For each additional person add \$1.25 per week or \$5.00 per month.

Appendix G – Mileage Rate (There was NO CHANGE in Mileage Rate)

This municipality adopts the State of Maine travel expense reimbursement rate as set by the Office of the State Controller. The current rate for approved employment and necessary medical travel etc. is \$.44 cents (44 cents) per mile.

Appendix H – Funeral MaximumsBurial Maximums

The maximum amount of general assistance granted for the purpose of a burial increased to **\$1,475**. The previous amount was \$1,125. Additional costs may be allowed by the GA administrator, where there is an actual cost, for:

- The wholesale cost of a cement liner if the cemetery by-laws require one;
- The opening and closing of the grave site; and
- A lot in the least expensive section of the cemetery. If the municipality is able to provide a cemetery lot in a municipally owned cemetery or in a cemetery under municipal control, the cost of the cemetery lot in any other cemetery will not be paid by the municipality.

The municipality's obligation to provide funds for burial purposes is limited to a reasonable calculation of the funeral director's direct costs, not to exceed the maximum amounts of assistance described in this section. Allowable burial expenses are limited to:

- Removal of the body from a local residence or institution
- A secured death certificate or obituary
- Embalming
- A minimum casket
- A reasonable cost for necessary transportation
- Other reasonable and necessary specified direct costs, as itemized by the funeral director and approved by the municipal administrator.

Cremation Maximums

The maximum amount of assistance granted for a cremation increased to **\$1,025** from the prior maximum of \$785. Additional costs may be allowed by the GA administrator where there is an actual cost, for:

- A cremation lot in the least expensive section of the cemetery
- A reasonable cost for a burial urn not to exceed \$50
- Transportation costs borne by the funeral director at a reasonable rate per mile for transporting the remains to and from the cremation facility.

Roll Call Vote: Yeas – Albert, Lunt, Larochelle, Ward, Kolbe, and Brunelle. Nays - None. Ordinance passed - Vote 6-0.

CHAPTER 2, ARTICLE V, DIVISION 2 FINANCE COMMITTEE
SECTION 5-505 TO SECTION 5-509
First Reading

VOTE (2019-204) Councilor Larochelle, seconded by Councilor Albert moved to adopt Chapter 2, Article V, Division 2 Finance Committee, Sections 5-505 to Sections 5-509 as follows:

CHAPTER 2 – ADMINISTRATION ...

ARTICLE V. – BOARDS AND COMMISSIONS ...

Division 2. – Finance Committee

Section 2-505 *Purpose.* The purpose of this policy is to establish the composition and responsibilities of the Town's Finance Committee.

Section 2-506 *Members.* The Finance Committee shall be an adhoc committee of the Town Council. The Committee shall be comprised of five residents appointed by the Town Council. There shall be one School Committee Liaison, and one Town Council Liaison with no voting privileges. The Lisbon Finance Director and School Business Manager shall attend all meetings. The Town Manager and School Superintendent shall attend when necessary. Members shall be appointed annually in June prior to July 1st. Members shall serve three year

staggered terms, concurrent with the July 1st to June 30th fiscal year. At its first meeting, the Committee shall select its chair and vice chair. Members must attend ½ of the meetings per year to remain in good standing.

Section 2-507 Meetings. The Committee shall meet at least once per month. The meeting dates shall be established by a majority of the committee at the Committee's first meeting. The Committee chair shall call additional meetings as the chair deems necessary. The Committee shall give public notice of its meetings in accordance with Maine's Freedom of Access Act (FOAA) and rules established by the Town Council. A majority of the members appointed to the Committee shall constitute a quorum. A majority of concurring votes shall be necessary to constitute an action on any matter. The Finance Committee may adopt rules of procedure, consistent with this policy, to enable it to perform its functions.

The Committee shall have the following duties:

- A. Review and make recommendations to the Town Council on the municipal and school annual operating budgets presented;
- B. Review and make recommendations on annual capital expenditure as presented by the Town Manager and Finance Director;
- C. Review and make recommendations on supplemental appropriations and expenditures and other budgetary action whenever proposed by the Town Manager;
- D. Encourage and participate in long-range financial planning;
- E. Review as requested by the Town Manager and School Superintendent, requests for proposals for the purchase of municipal and school goods or services;
- F. In consultation with the Town's administration, review and make recommendations on policies and/or procedures relating to the financial affairs of the Town;
- G. Review annual audit findings as presented by Auditor;
- H. Review monthly budget to actual statements as prepared by the Finance Department;
- I. Participate and make recommendations on the Capital Improvement Plan;
- J. Make recommendations on Referendum Question for a ballot and
- K. Make such other recommendations on fiscal matters and/or projects as it may from time to time be deem advisable by Town Council or School Committee.

Section 2-508 Conflict of Interest. Members of the Finance Committee shall adhere to the conflict of interest policy established by the Town Council.

Section 2-509 Administration. The Finance Director shall be responsible to provide for the administration of the affairs of the Finance Committee, including preparing agendas and minutes, handling correspondence, and maintaining all official records. The Finance Director shall file adopted minutes in the Town Clerk's office.

Roll Call Vote: Yeas – Albert, Lunt, Larochelle, Ward, Kolbe, and Brunelle. Nays - None. Order passed - Vote 6-0.

CHAPTER 46, ARTICLE V,
SECTION 46-133 & 134 ACCESS MANAGEMENT
First Reading

VOTE (2019-205) Councilor Larochelle, seconded by Councilor Brunelle moved to adopt Chapter 46, Article V, Sections 46-133 & 46-134 Access Management as follows:

Chapter 46 – Streets, Sidewalks, and Other Public Spaces

Article V. Entrances Onto Public Ways**Sec. 46-133. - Approval criteria.**

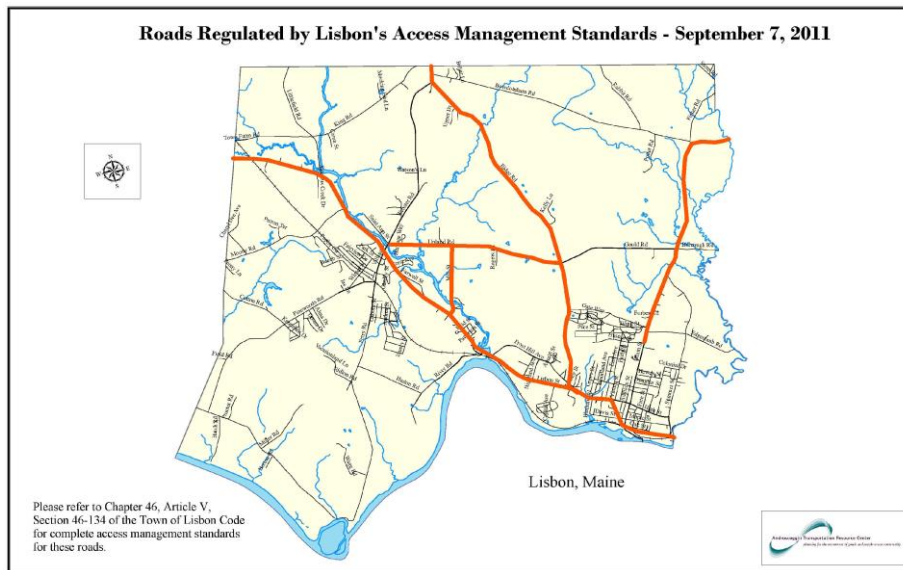
- (a) The director of public works shall issue a permit for the construction of an entrance onto a public way if all of the following criteria are met.
- (1) *Traffic safety.* The entrance shall be located such that adequate sight distance is maintained for entering and turning traffic, that adequate separation distance is maintained between the proposed entrance and existing entrances on either side, and that the entrance geometry is consistent with good engineering practice.
 - a. Any entrance onto Lisbon Street (State Route 196), Main Street north of Huston Street (State Route 125), Mill Street, Ridge Road (State Route 9), or Upland Road must also comply with Sec. 46-134, Access Management, as approved through the Code Enforcement Office.
 - (2) *Drainage.* The entrance shall be constructed such that the existing flow of stormwater from and along the public way is not impeded and such that the entrance does not contribute additional stormwater flow to the traveled portion of the public way. Culverts required beneath the entrance shall be sized to accommodate the expected flow from a 25-year storm, but in no case smaller than 15 inches in diameter, and shall be installed in accordance with good construction practices. Reused culverts may be permitted by the director of public works at his sole discretion.
 - (3) *Geometry.* The entrance shall be designed such that the grade within 50 feet of the public way shall not exceed ten percent nor be less than 0.5 percent. If the entrance is onto a paved surface and the entrance grade exceeds five percent, it shall be paved within the limits of the right-of-way. The entrance shall not intersect the traveled way at a horizontal angle less than 75 degrees.
 - (4) *Construction.* If the entrance is a part of a road or way intended to be accepted by the town, it shall comply in all respects with article III of this chapter and with sections 66-147—66-200 of chapter 66. All that portion of any entrance which lies within the limits of the right-of-way shall be constructed with a minimum base course of 18 inches of base gravel meeting DOT specification 703.06.
- (b) Sidewalks which must be traversed shall be restored to a condition equal to or better than the condition immediately adjacent to the entrance. If granite curbing is removed, removed stone shall remain property of the town. Tip-downs of a material identical to the adjacent curbing shall be installed on both sides of the entrance. Asphalt or concrete paving shall be saw cut, and new material shall be butted against a bonded vertical surface. Brick pavers shall be removed and reset in a continuous pattern and on a base to match the adjacent sidewalk.

(T.M. of 5-17-1997, art. 37, § 13-403)

Sec. 46-134. - Access management.**1. General provisions.**

1.1. *Applicability* . These standards apply to all new public and private accesses, -the alteration of existing access, and for changes in use on lots of record as of September 6, 2011, onto the following public roads:

- ~~Lisbon Street (State Route 196)~~
- ~~Main Street, north of Huston Street (State Route 125)~~
- ~~Mill Street~~
- ~~Ridge Road (State Route 9)~~
- ~~Upland Road~~



~~These standards also apply to the alteration of existing driveways onto said roadways, and to changes in use on the property serviced by such driveways.~~

A. Highway Sections. These roads and road sections will be classified as Highway Sections for purposes of these standards:

- Lisbon Street, from the Lewiston town line to Moody Road and from River Road to Blethen Street
- Main Street, north of Huston Street
- Mill Street
- Ridge Road
- Upland Road

B. Village Sections

- Lisbon Street, from Moody Road to River Road and from Blethen Street to the Topsham town line

1.2. *Purpose* . The purpose of the access management standards is to manage access onto regulated roads in a manner that protects the safety of access and road users, protects the road system from the negative impacts of drainage, preserves mobility and economic productivity related to roadway transportation, and avoids the long-term cost of constructing new roadway capacity.

1.3. *Administration* . The access management standards will be administered by the planning board, the Code Enforcement Officer and the public works director with assistance from the town engineer, as needed. Upon approval from the Code Enforcement Officer or Planning Board that the standards of this Section are met, the applicant shall qualify for a driveway entrance permit from the Town of Lisbon. The code enforcement officer is responsible for determining if a proposed development requires approval from the planning board and/or the public works director.

1.4. *Definitions* :

Access . A public or private point of entry or exit from land adjacent to a public road used by motor vehicles as defined in 29-A M.R.S.A., Chapter 1, § 101. For purposes of the standards in this section, Access shall generally refer to all Driveways, Entrances, roads, or other Access Points that provide public or private access, except where Driveway or Entrance is identified separately as having distinct standards.

Access point. The intersection of an existing or proposed access with the public right-of-way.

Alteration. A significant physical change to an access existing on or after ~~the effective date of this section~~ September 6, 2011, including significant changes to location, width, cross-section, grade, or drainage characteristics of the access. Paving a gravel access will not be considered an "alteration" unless accompanied by other such changes.

Applicant . The person applying for the permit. Normally, this will be the owner of the property but can be another party provided that person (or organization) can demonstrate that he/she has right, title or interest in the property.

Change in use. A change in land use or intensity of activity occurring on the property accessed by the ~~driveway~~Driveway ~~that will result in as a result of either~~ the conversion of a building or parcel of land from a single-family or two-family dwelling to a three or more-family use, the conversion from a residential use to nonresidential use, or a change from one type of nonresidential use to any other type of nonresidential use that increases the traffic levels in and out of the property. ~~By way of example, the change from retail to office or retail to a restaurant, from farming to a nonresidential use, or from residential to industrial use. A change in ownership alone is not a change in use.~~

Corner clearance. The minimum distance, measured parallel to a highway, between the nearest curb, pavement or shoulder line of an intersecting public way and the nearest edge of a ~~driveway~~Driveway ~~or Entrance~~ excluding its radii.

~~*Driveway*~~Driveway. Every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons. A type of vehicular access that serves one of the following land uses: residential (up to three dwelling units), home-based occupations, forest management activities, farming, low impact industrial (eg substation), generating less than 50 vehicles trips per day. Driveways may consist of surface material such as mineral soil, gravel, asphalt or other natural or man-made material constructed or created by repeated passage of on-road vehicles. See also the definition of Entrance.

~~*Driveway*~~Driveway width. The distance across the ~~driveway~~Driveway, excluding radii, measured parallel to the highway.

~~*Entrance*~~: A type of vehicular access that serves one of the following land uses: residential (serving four or more dwelling units), housing developments, commercial, industrial, retail, office, or service business including department store, strip mall convenience store, gas station, auto repair shop, restaurant, or similar use, generating more than 50 vehicle trips per day. See also the definition of Driveway.

Header . A header is a piece of curbing between two terminal ends.

Impervious surfaces. The footprint of buildings, pavement, gravel, or other low-permeability or compacted surfaces, not including natural or man-made water bodies.

Lot(s) of record. A lot or lots for which the deed was legally recorded on or before the effective date of the ordinance from which this section was derived or which was created by a plan legally recorded in the Androscoggin County Registry of Deeds on or before September 6, 2011.

Passenger car equivalent. The number of passenger cars displaced by a single heavy vehicle of a particular type under specified roadway, traffic, and control conditions.

Peak flow. The greatest rate of flow in a drainage way, measured as volume per unit of time, resulting from storms of up to a 50-year event.

Posted speed. The speed limit set and maintained by the Maine Department of Transportation, or limited by statute as defined in 29 M.R.S.A., Chapter 19, § 2024.

~~*Private road*~~. Every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

~~*Regulated road*~~. Every road that is regulated by these access management standards, including Lisbon Street (State Route 196), Main Street north of Huston Street (State Route 125), Mill Street, Ridge Road (State Route 9), and Upland Road.

~~*Private road*~~. Every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

Separator strip. A separator strip is a strip of land that separates the roadway from the throat or parking area of a ~~driveway~~Driveway.

Sight distance. ~~The sight distance required to allow a vehicle entering the roadway to reach 85% of the posted speed without being overtaken by a vehicle traveling at the posted speed and approaching the entering vehicle from behind. The length of roadway visible to a driver. Sight distance is measured from the perspective of a hypothetical person seated in a vehicle from three vantage points: (1) sitting in the access~~

~~viewing vehicles traveling on the roadway (both left and right), (2) traveling on the roadway viewing a vehicle sitting in an access, and (3) traveling on the roadway viewing a vehicle turning into the access (both ahead and behind). In case of discrepancy between these measurements, the lesser measurement will be used to determine whether the sight distance standard is met. Sight distance is measured to and from the point on the centerline of the proposed access that is located 10 feet from the edge of the travel way. The height of the hypothetical person's view is considered to be 3½ feet above the pavement and the height of the object being viewed is considered to be 4¼ feet above the pavement.~~

Terminal end. A terminal end is the end section of a run of curb that is sloped to aid the design vehicle in turning into the ~~driveway~~Driveway or to meet Americans with Disabilities Act of 1990, 42 U.S.C. § 1213 et seq., requirements.

Throat . The throat is a portion of a ~~driveway~~Access used to store vehicles waiting to exit from the ~~driveway~~Driveway.

2. *Technical standards.* ~~Driveways~~ Accesses must comply with the following standards:

2.1. *Sight distance.* The sight distance for ~~driveways~~Accesses must meet or exceed the distances listed in Table 2. ~~Sight distance is measured in accordance with its definition. Sight distance in each direction is measured to and from the point on the centerline of the proposed access that is located 10 feet from the edge of the travel way. The height of the hypothetical person's view is considered to be 3½ feet above the pavement and the height of the object being viewed is considered to be 4¼ feet above the pavement.~~

Table 2—Sight Distance	
Posted Speed (MPH)	Sight Distance (Feet)
25	250
30	305
35	380
40	580
45	710
50	840
55	990

2.2. *Spacing between* ~~driveway~~Accesses. New ~~driveway~~Accesses must be separated from other existing or proposed ~~driveway~~Accesses, including those located across the roadway and those serving the same lot, in accordance with the minimum spacing standards set forth in Table 3. ~~Driveway~~Access spacing is measured from edge of proposed ~~driveway~~Access to edge of ~~driveway~~Access, excluding radii. ~~Driveway~~Accesses located directly across the roadway from the proposed ~~driveway~~Access are not counted in applying the spacing standard.

Table 3—Minimum Driveway <u>Access</u> Spacing Standards	
Posted Speed (MPH)	Driveway <u>Access</u> Separation (Feet)
25	70
35	85
40	175
45	265

50	350
55	525

2.3. ~~Access~~Driveway width. Driveways and Entrances must be designed in accordance with the MaineDOT Standard Details.

A. Driveway width must be between 12 and 20 feet.

B. Entrance width.

1. If 30% or less of the traffic projected to use the proposed ~~e~~Entrance will be larger vehicles, the width of a two-way ~~Entrance driveway~~Driveway within the road right-of-way must be between 22 and 30 feet inclusive.

2. If more than 30% of the traffic projected to use the proposed Entrance will be larger vehicles, the width of a two-way Entrance within the road right-of-way must be between 30 and 42 feet inclusive. ~~Driveways must be designed in accordance with the MaineDOT Standard Details. The driveway width will be the minimum necessary to accommodate the design vehicle.~~

2.4. Corner clearance. The minimum corner clearance for Accesses onto the roadway must be as follows, except that the town may require increased corner clearance if the town reasonably determines that the proposed Driveway or Entrance will significantly impact public safety or cause a reduction in posted speed:

A. Highway Sections: 150 feet,~~except that the town may require increased corner clearance if the town reasonably determines that the proposed driveway will significantly impact public safety or cause a reduction in posted speed.~~

B. Village Sections: 50 ~~75~~ feet

2.5. Shared ~~driveways~~access. Whenever possible, property owners should seek opportunities for shared ~~Accesses~~driveways.

2.6. Number of ~~driveway~~Accesses. Lots will be limited to one two-way Access driveway ~~or two one-way driveways on regulated roads.~~

2.7. ~~One way driveway requirements.~~ ~~If a one way system is proposed and the predominant traffic volume is truck traffic, the driveway will be configured on the minimum angle that permits the truck to enter or leave the roadway safely and smoothly. Otherwise, all driveways must be configured perpendicular to the roadway for at least the length of the design vehicle.~~

~~A physical separation of curbing, ditching, grass or other landscaping must be used for one way driveways and must be designed and constructed to prevent adjacent one way driveways from becoming one entrance in practice. Both portions of a one way driveway on a single lot must be separated from another one way driveway by at least 12 feet. Both portions of a one way driveway abutting a sidewalk must have a minimum separation of at least 18 feet and allow for 7 foot terminal ends and at least a 4 foot header in between.~~

~~A one way entrance abutting a curbed, non sidewalk section must have a minimum separation of at least 12 feet and allow for two 4 foot terminal ends separated by at least a 4 foot header.~~

2.8. Intersection angle/radius of edge. To the maximum extent practical, the entrance must be constructed perpendicular to the highway at the ~~a~~Access ~~p~~Point. Except where curbing exists or is proposed, the minimum radius on the edges of a ~~n~~ Access~~driveway~~ must be sufficient to allow the design vehicle to enter the Access driveway without encroaching into the path of existing vehicles in accordance with the MaineDOT Standard Details included in Appendix B. ~~Driveway~~Accessess designed for right turns only must be designed to the greatest extent possible to prohibit illegal traffic movements.

2.9. Throat length. The throat must be of sufficient length to prevent incoming vehicles from queuing back into the roadway. Access from the throat to parking or other areas is prohibited.

2.10. ~~Driveway~~ ~~s~~Separator strips. ~~Access~~Driveway separator strips must be installed between the parking area and the roadway and along the throat. The separator strip must extend away from the roadway to the greater of (1) 5 feet from the right-of-way limits, or (2) in areas where the right-of-way limits are defined by wrought portion, 7 feet from the edge of a clearly evident shoulder. The property

owner must maintain any vegetation within the separator strip such that it does not interfere with the sight distance at the ~~Access~~driveway. In areas where sidewalks exist, curbing or wheel stops must be provided to prevent parking vehicles from interfering with pedestrian flow.

2.11. ~~Paving-of driveway~~. The ~~Access~~driveway, including all radii, must be paved from the edge of pavement of the roadway to the road right-of-way or to the length of the design vehicle, whichever is greater.

2.12. *On-street parking*. Parking must meet the requirements of Town of Lisbon Code Chapter 70, Article VI, Division 3, Off-Street Parking and Loading.

2.13. *Turnaround area/parking*. ~~Accesses~~Driveways_ will be designed such that all maneuvering and parking of any vehicles will take place outside of the road right-of-way and such that vehicles may exit the premises without backing onto the roadway or roadway shoulder. All ~~driveway~~Accesses must have a turnaround area with a width of at least 8 feet and a length of at least 15 feet or the length of the design vehicle, whichever is greater.

2.14. *Loading dock requirements*. Loading docks or other delivery areas must not be located within the road right-of-way and must be situated so that delivery vehicles do not encroach on the road right-of-way. All delivery vehicles must maneuver entirely on-site.

2.15. *Double frontage lots*. ~~Access~~Driveways_ for lots with double frontage on regulated roads and another public way will be restricted to the other public way, unless the planning board determines that queuing of traffic using an ~~an~~ ~~Access~~driveway off the other public way would interfere with traffic on the regulated road due to insufficient lot frontage along the other public way.

2.16. *Traffic signal restriction*. No proposed ~~Access~~driveway will be permitted on a regulated road if the proposed ~~Access~~driveway serves a development that warrants installation of a traffic signal.

2.17. *Mobility enhancement measures*. The ~~p~~Planning ~~B~~board may require applicants to provide for improvement of the existing safety or mobility levels through enhancement measures if the ~~p~~Planning ~~B~~board determines, based upon accepted traffic engineering principles, that the proposed ~~Access~~driveway will significantly impact public safety or cause a reduction in posted speed.

Mobility enhancement measures include:

- A. Elimination, combination or modification of existing ~~driveway~~Accesses;
- B. Development of frontage, backage or other service roads within the corridor to provide alternate ~~access~~ ~~Access Points~~ to existing ~~driveway~~lots.

~~2.18. *Mitigation-Off-site Improvements*. If the Planning Board reasonably determines that off-site improvements within the public right-of-way are required to safely accommodate a proposed Accessdriveway or that an altered Access will has been granted a waiver and the planning board reasonably determines, based upon accepted traffic engineering principles, that the proposed driveway will significantly have an impact public safety or cause a reduction in posted speed, the pPlanning bBoard may require mitigation of traffic impacts from a proposed drivewayAccess. In making such determinations, the pPlanning bBoard may consider existing developments planned or reasonably expected on the parcel of land owned or controlled by the applicant.~~

If mitigation is required, applicants will be required to employ and, in some instances maintain, one or more of the mitigation techniques listed below.

- ~~A. Payment of a fee pursuant to Town of Lisbon Code Chapter 62, Article IV, § 62-185, Site Plan Review Impacts on Public Facilities and Services, equal to an amount necessary for the town to purchase an easement on an adjacent lot for purposes of developing a shared entrance.~~
- ~~B. Payment of a fee pursuant to Town of Lisbon Code Chapter 62, Article IV, § 62-185, Site Plan Review Impacts on Public Facilities and Services, equal to an amount necessary for the town to purchase easements across one or more lots for purposes of developing a frontage road for driveways serving subdivisions or commercial or industrial uses or parks.~~
- CA. Acceleration and/or deceleration lanes.
- DB. Medians, jug handles or turnarounds.

When mitigation measures are required, the town may require the applicant, prior to construction, to submit a performance and payment bond or certified check payable to the Town of Lisbon, in an amount and form that complies with Town of Lisbon Code Chapter 62, Article IV, § 62-185, Site Plan Review Impacts on Public Facilities and Services. In addition, the town may require that notice of conditions applicable to the drivewayAccess be recorded in the Androscoggin County Registry of Deeds.

2.19. *Drainage standards.*

- A. *Culvert size.* The diameter of culverts within the road right-of-way will be determined by either the public works director or the MaineDOT, as appropriate.
- B. *Construction and maintenance standards.* AccessesDriveways, on-site ditches, swales, pipes and other structures that direct runoff toward ditches or drainage systems on regulated roads must be constructed, crowned, stabilized and maintained with stable materials and appropriate erosion control measures such as permanent vegetation or stone.
- C. *Mitigation.* If the proposed development poses a significant drainage risk, then the applicant must mitigate the impacts of increases in peak flow from storms into the roadway drainage system through measures specified by the public works director or MaineDOT. Mitigation measures may include on-site controls, off-site improvements, or payment of a fee pursuant to Town of Lisbon Code Chapter 62, Article IV, § 62-185, Site Plan Review Impacts on Public Facilities and Services. A "significant drainage risk" exists (a) when the applicant proposes a fixed connection to a closed drainage structure owned by the town or MaineDOT, or (b) when the public works director determines, using acceptable engineering and hydrologic principles, that: (i) the proposed drivewayDriveway or Entrance has a grade of 10% or greater for a length of 150 feet or more draining toward the roadway, (ii) the proposed development has more than 10,000 square feet of impervious surface draining toward the roadway, or (iii) the proposed development will substantially contribute to the failure of a downstream public facility. The applicant owner is responsible for all on-site and off-site mitigation expenses.
- D. *Retail fueling station requirements .* Applicants with Accessesdriveways for use by retail fueling stations must demonstrate that in the event of a spill, deposit of contaminants in the right-of-way will be contained.

3. *Waivers .* DrivewayAccess -standards may be relaxed or waived by the ~~p~~Planning ~~b~~Board only as provided in this section. The burden is on the applicant to show that requested waivers will meet the criteria below.

~~3.1. Standards that may not be waived . The sight distance standards, corner clearance standards, paving of driveway requirement, on street parking standards, loading dock requirements, and turnaround area/parking standards.~~

~~3.1 2. Standards that may be waived . All other standards may be waived in accordance with the provisions of this section.~~

- 3.31. *Criteria for granting waivers .* Waiver requests will only be granted if the applicant demonstrates, to the satisfaction of the town, that: (i) the waiver will not significantly detract from public safety, (ii) the proposed drivewayAccess meets the standards to the maximum extent practicable, and (iii) there is no feasible alternative.

- A. In determining that the waiver will not significantly detract from public safety, the town must consider such factors as crash rates, traffic volumes, road geometrics, types and frequency of traffic moving to and from existing uses within 1,000 feet of the proposed drivewayAccess.
- B. In determining practicability and feasibility, the town will consider the availability and cost of alternative drivewayAccess locations and designs in relation to the proposed use.
- C. In cases involving alterations or changes of use of existing accesses, the town may grant waiver requests if it determines the alteration will likely result in a net gain to public safety or will result in a reduction in the drivewayAccess's non-conformity with this section.
- D. In cases involving double frontage lots, the town will consider the length of frontage on the regulated road, the intensity of traffic generated by the proposed use, the geography along the frontage of the other public way, and the distance to the other public way.

3.2.4. *Spacing standards waiver* . The spacing standards in Table 3 of this section may be waived only to the extent that lots of record existing as of September 6, 2011, that do not have access to another public way and do not have sufficient lot frontage to meet these spacing standards, may be allowed access if the applicant meets the following criteria, in addition to the above-referenced waiver criteria:

- A. The applicant meets the criteria of granting waivers set forth in this section.
- B. The proposed ~~access~~ Access is located in an area designated for growth in the town's comprehensive plan.
- C. The proposed Access will not have an unreasonable adverse impact on the regulated road such that the speed limit must be reduced to accommodate new traffic expected to be generated.

(C.M. of 8-16-2011, V. 2011-154)

Sec. 70-536. - Dimensional requirements.

District	Minimum Road Frontage
Resource Protection	200'
Limited Residential ¹	Single family 100' Duplex 150' 100'
General Residential	Single family 100' Multi-family 50' per DU Other Uses 100'
Limited Rural Residential	200'
Rural Open Space I	Single family 300' Multi-family Up to 4 DU 300' Five + DU 300' + 75' per DU over four Other Uses 300'
Rural Open Space II	See Sec. 70-361(2)a
Rural Residential	Single family 200' Multi-family Up to 4 DU 200' Five + DU 200' + 50' per DU over four 200'
Village	50'
Commercial	200'
Industrial	200'
Diversified Development	Nonresidential 100' Residential 50' 50'
Aquifer Protection Overlay ¹¹	

NOTES:

- ¹ Minimum lot sizes of 10,000 square feet in subdivisions approved during the period June 29, 1971, through March 10, 1975, under the previous ordinance, shall remain valid.

- 2 Up to two dwelling units.
- 3 Setbacks for high intensive farm use shall conform with performance standards in article VI of this chapter.
- 4 Without public water and sanitary sewer, 20,000 square feet or large enough to provide adequate on-site sewage disposal, depending on soil type and amount of water.
- 5 Front setback, the lesser of ten feet or the established uniform setback. The established uniform setback is the average of the setbacks of the structures on the two parcels to the left and the two parcels to the right of the subject parcel. Undeveloped parcels among these four shall be included in the calculation using a ten-foot setback.
- 6 Side setback for fireproof buildings, common walls permitted.
- 7 The ratio of impervious surface to total lot area shall not exceed 30 percent; except that where a stormwater management plan indicates no net stormwater runoff increase, a ratio in excess of 30 percent but not more than 60 percent may be authorized by the permitting authority.
- 8 Side setback, ten feet except where buffers are required in accordance with subsection (3).
- 9 Rear setback, 20 feet except where buffers are required in accordance with subsection (3).
- 10 Maximum lot coverage ratio, 0.60 (requires stormwater management plan if lot coverage ratio is greater than 0.40).
- 11 See section 70-564 for dimensional requirements.

(C.M. of 11-15-2011, V. 2011-208; [C.M. of 2-3-2015, V. 2015-39](#).)

Roll Call Vote: Yeas – Albert, Lunt, Larochelle, Ward, Kolbe, and Brunelle. Nays - None. Order passed - Vote 6-0.

OTHER BUSINESS

A. COUNCIL COMMITTEE REPORTS

1. School: Councilor Albert said he had nothing to report since the meeting is tomorrow night.
2. Planning: Councilor Ward said the planning board finished up with Access Management.
3. LDC: Councilor Larochelle said their last meeting was very productive. Ben Smith will be reviewing the site, layout, and limitations to determine what options are available. He asked Mrs. Barnes for the remediation number. Mrs. Barnes said they were not ready yet.
4. Conservation Commission: Mark Stevens said the community embraced the composting program and that it is going very well. Public Works will manage it from here.
5. Recreation: Councilor Kolbe said the town had a 50-50 chance to win a federal grant for enhancing Beaver Park but we did not win it in the end. Councilor Albert said it was a great effort and now they know who we are.
6. County Budget: Councilor Ward said they finished with the last of the divisions. A public hearing is set for October 30. He encouraged residents to get out and voice their opinions.
7. Library: Councilor Lunt said the reciprocal borrowing program is going nicely. Six individuals have used it in the past six weeks.

B. TOWN MANAGER'S REPORT

Mrs. Barnes said CMP is still planning to do the light conversion. We are waiting for a delivery date. It will take them a long time to complete them all within the state. There are several hundred towns behind us on the list to be done.

Mrs. Barnes said she spent two and half hours in Augusta regarding the Main Street Project. There is a 25% increase in construction costs. She said she needs to find out next if the Council needs the town's permission to spend more on this project.

Mrs. Barnes said the tax billing module was loaded on September 6, that forms are being designed, and the second proof was completed. Another conversion and pass was done on September 27. We provided the 2020

commitment files and history. Conversion #4 and #5, training on November 15, forms to be loaded December 20, with a live date for January 23, 2020.

Mrs. Barnes introduced Kayla Tierney, the town's new Finance Director. The Council welcomed Mrs. Tierney.

C. DEPARTMENT HEADS WRITTEN REPORTS

Mrs. Tierney said Quarter 1 closed in line with where we need to be. Revenues look in order. There are no concerns to date. She said the percentages per department are at 20-25% as to be expected. Some items like abatements are higher but the town raised funds to go towards this item. The insurance line is higher since we pay that at the beginning of the year for full coverage.

Mrs. Tierney said the auditors were here three days and will be back on November 9. They are not going to complete the audit by the end of the calendar year; however, it is expected to be completed the first part of next year. She said an extension had been granted. The School will also be looped in. She will verify with the School Department that the state has been notified. Councilor Ward asked if there were any additional fees required with the extension. Mrs. Barnes said no.

D. MOXIE REPORT

Mrs. Tierney said she went through the Moxie Cash Account, which ended with \$43,529. This reconciled within \$4 with MUNIS. The Total Revenues for FY19 were \$77,164.43. Expenses were \$46,160.20, and the Net Income came to \$31,004.23. She said this is a very successful program.

Mrs. Tierney said with the \$25,240.89 in the unassigned fund balance in MUNIS and the \$31,004.23 in revenues, the Moxie Fund balance at end of year totals \$56,245.12. She said there were a lot of moving parts and that moving forward they will be doing monthly updates instead of all at once at the end of the festival.

Councilor Ward said he gave the parade an "A". He said it was clearly packed downtown. Mr. Stevens said he had the right people doing the right thing and soon it will start all over again. He said he wanted to increase the business community's participation, get more local non-profits involved, and make this an active 3-day festival, which all did happen this year. Councilor Albert said he was glad to see this festival where it should have been all along. It was a good fit and the fresh perspective gave way to lots of enthusiasm.

Councilor Ward said he would like to see the parade budget double next year. He said Julie-Ann's enthusiasm was awesome.

Councilor Larochelle asked if they could set a tentative budget already for next year. He said to keep in mind that the town did not pay for fireworks this year so that amount stayed in this account, but would typically be expended annually. He said this was the first report he had seen so far that he could easily understand.

APPOINTMENTS

PLANNING BOARD APPOINTMENT

MOVE SHAUN CARR FROM ASSOCIATE MEMBER TO REGULAR MEMBER

Term To 2021

VOTE (2019-206) Councilor Larochelle, seconded by Councilor Albert moved to accept Shaun Carr's resignation as Associate Member and to appoint Shaun Carr a Regular Member on the Planning Board to 2021.
Order passed - Vote 6-0.

PLANNING BOARD APPOINTMENT

FILL VACATED ASSOCIATE MEMBER POSITION

Term To 2021

VOTE (2019-207) Councilor Ward, seconded by Councilor Lunt moved to appoint Lisa Ward an Associate Member on the Planning Board to 2021. **Order passed - Vote 6-0.**

COUNCILOR COMMUNICATIONS - NONE
AUDIENCE PARTICIPATION FOR NEW ITEMS - NONE
EXECUTIVE SESSION

Item Taken Up At the Beginning of the Meeting

ADJOURNMENT

VOTE (2019-209) Councilor Ward, seconded by Councilor Lunt moved to adjourn at 8:55 PM.
Order passed - Vote 6-0.

Twila D. Lycette, Council Secretary
Town Clerk, Lifetime CCM/MMC
Date Approved: November 12, 2019