

Town of Lincolnville
Planning Board Meeting Minutes
March 31, 2021
7:00 pm

1. Call to order: The meeting of the Planning Board convened at 7:01pm. The meeting was held remotely with a video of the meeting available at the office.

Members present:	◇ Elizabeth Eudy, Chair	Others: CEO Frank Therio
	◇ Sandy Delano, Vice-Chair	Bruce & Jesse Richards, Richards Boys LLC
	◇ Dick Vermeulen	Charlie Frattini, PHI Builders & Architects
	◇ Jay Foster, Alternate	Tim Lewis, project manager
	◇ Willian Norfleet, Alternate	Bettina Doulton, Owner of the Cellar Door Winery

Absent: Scott Harrison
Janis Kay

Nancy Weser, Scribe

Chair Eudy opened the meeting by informing all interested parties how this Planning Board meeting can be viewed, whether by cable TV (channel 22), participate by the Zoom meeting and/or expressing public comment. The agendas for this meeting will involve two existing approved commercial site plans. Chair Eudy appointed the two Alternates to participate and vote during the meeting.

CEO Therio asked for time to update the Board on the upcoming meeting applications. Time approved at the end of this meeting. CEO Therio stated both applicants have paid the required fees for the applications.

1. Agenda: Richards Boys, LLC

Owners: Bruce Richards & Jesse Richards

Location: 175 Main Street

Map 4 Lot 52

Reference: Section 18 Subsections: #11 #12 & #13

Exhibits: a. Richards Boys, LLC / project letter

b. Plumbing application dated 9/3/2019

c. Plat Plan

d. Land use Application

e. Commercial Site Plan Application

f. Site Plan on a minor project

g. Submission Requirements

h. Additional Information for Major Projects

i. Application for Electrical Permit

j. Design from attachment #3 for proposed garage

Presenter Bruce Richards explained to the Board, the purpose of a new garage, which will be two stories, 32x32 with a breezeway. The office and storage area will be on the second level.

Presently the materials and product the LLC uses in the Pest control business is stored in the basement of the house. Having the two bay garage opens the opportunity to work on the equipment inside and out of the weather elements. Mr. Richards continued by saying the garage is not for the vehicles but solely for the equipment used in the business. The business vehicles reside at the respective staff homes. No plans to add parking spaces, traffic will be less due to not having to drive to Drake's store which is the present option. There is plans for a full bathroom. The list of chemicals used in the business was listed in the original approved plan. The LLC is regulated with the State. J. Foster suggested the Board go thru Section 18 subsections 11, 12, & 13 to determine which standards this application is in compliance and standards that are non-applicable to this application.

Review the Standards;

- 11.1 Utilization of the Site, it was determine that will be no change to the site.
- 11.2 Traffic Access & Parking, no new driveway, no change, no added parking spaces, no change.
- 11.3 Storm Water management, existing driveway, an existing site, no new impervious surface
- 11.4 Erosion Control, determined that there will be no change
- 11.5 Water Supply Provisions, existing well on site
- 11.6 Sewage/Wastewater Disposal, gravity fed to the sewer system
- 11.7 Utilities, Supply and distribution from original plan
- 11.8 Natural features, no change
- 11.9 Groundwater Protection (will discuss further after the Board works through the remaining Standards)
- 11.10 Hazardous, Special and Radioactive Materials (will discuss further)
- 11.11 Shoreland, non-applicable, there is no shoreland on site
- 11.12 Solid Waste Management, determined that the business has an contract to rid the site of solid waste.
- 11.13 Historic and Archaeological Resources, Non-applicable, none exist
- 11.14 Floodplain Management, site isn't in a floodplain
- 11.15 General fire Protection Provisions, determined the same materials used in the business and were in the basement, are stored in plastic gallon containers in regulated cabinets.
- 12.1 Exterior lighting, same as what is in the original plan.
- 12.2 Buffering, same as the original plan
- 12.3 Noise, Existing business, no bothersome noise generated
- 12.4 Storage of materials, inside only, approved containers and cans
- 13. Design Standards, determined that there was nothing in #13 which pertained to the proposed application.

Discussion ensued over 11.9 & 11.10 standard, Board determined from testimony of applicant, standards 11.9 and 11.10 were in compliance.

J. Foster made a motion the Board reviewed the subsections 11,12 &13 to determine what was applicable to the application, having done this the Board moved that the amendment has met the criteria of the standards, seconded by Vice-Chair Delano. Motion passed by a vote of 5, 0 opposed.

CEO Therio asked Chair Eudy & Vice-Chair Delano to come into the office and sign the plat plan.

Agenda 2: Cellar Door Winery

Owner: Bettina Doulton

Agent: Charlie Frattini, PHI Builders & Architects

Location: 367 Youngtown Road

Map 27 Lot 143

Reference: Section 18 Subsections #11, #12 & #13

Proposed project: Re-erect an 8,517 square foot open air pavilion

- Exhibits:
1. Site Plan Review Application
 2. Land use Application
 3. Applicant Authorization Letter
 4. Submission Letter
 5. Request for Waiver of Requirements
 6. List of names and addresses of adjacent property owners
 7. Copy of the Deed
 8. Town of Lincolnville Updated LUO pages 54-57
 9. Town of Lincolnville Tax Map 2/ Lot 143
 10. Town of Lincolnville Land Use Map
 11. Site Location Map
 12. Boundary and Topographic Survey
 13. Site Plan
 14. Dimensional Sketch of the pavilion
 15. Drawing S0.0 Structural Notes
 16. Drawing S1.0 Foundation Plan
 17. S2.0 Typical Concrete Details & Sections
 18. Original Construction sections showing components of the structure
 19. Photos

Chair Eudy asked Charlie to open the presentation of the proposed pavilion.

Charlie explained to the Board, elements of the 8,517 pavilion was originally erected at MBNA. Cellardoor winery owner, Bettina bought it and had it brought to the winery in hopes of providing a covering for patrons walking through the orchards and getting out of the weather if need be. The Pavilion is an 8 sided open structure, with no walls, no lights and no water provided. This is for foot traffic only. Exhibits submitted for the foundation and securing the structure which Casco Bay engineering has designed for the proposed project. A list of abutters have been notified.

J. Foster stated the Board should review subsections #11, #12 & #13

11.1 Utilization of the Site- No change was determined

11.2 Traffic- No change was determined

11.3 Stormwater held for discussion

11.4 Erosion control held for discussion

11.5 Water supply- No water required

11.6 Sewage/ Wastewater- None required for the proposed site

- 11.7 Utilities- None required
- 11.8 Natural Features- None on the site
- 11.9 Groundwater – None on site, no impact
- 11.10 Hazardous, Special and Radioactive Materials- Non-applicable
- 11.11 Shoreland- No shoreland near the proposed site
- 11.12 Solid Waste Management- existing approved plan of site, determined none needed
- 11.13 Historic & Archaeological Resources- None
- 11.14 Floodplain- Proposed site is not in a floodplain
- 11.15 General Fire Protection- No walls, no electricity and no open pits, non-applicable

- 12.1 Exterior Lighting- No lighting in the design plan
- 12.2 Buffering- None required, no change
- 12.3 Noise- It was determined the history of special events held at Cellardoor have not caused any undue excessive noise and Vice- Chair Delano, being a close abutter stated the Events have handle the noise very well.
- 12.4 Storage of Materials- None

- 13.1 Landscaping- None
- 13.2 Business signs- None
- 13.3 Roadside & Parking Lot Buffers- Non-applicable
- 13.4 Site conditions- Exhibit, Plat Plan submitted
- 13.5 Canopies and Drive-through Facilities- The 8,517 roof is in scale with the buildings existence.

13.6, 13.7, 13.8, 13.9 Standards are non-applicable

The Board returned to discuss 11.3 & 11.4. The Board is concerned about the excessive water generated from a heavy rain. Charlie stated that there will be a drip edge on the pavilion and about of 2 feet of crushed stone around the circumstance of the pavilion. The rubber mat flooring will have holes to assist in the filtering of the rainwater. The explanation satisfied the Board.

11.4 Erosion control, Charlie explained that the area was quite level and with the new footings and support designs (updated from the original MBNA design) Casco Bay engineering has submitted the designs in the application packet.

J. Foster made a motion the amendment to re-erect the pavilion has met the criteria of the Standards for Section 18 Subsections 11,12,& 13, seconded by B. Norfleet. Motion passed by a roll call vote of 5, 0 opposed.

CEO Therio outlined 4 items that need to be stated.

1. Meeting on April 14 will include agendas on two subdivisions & a camp on Norton's Pond
2. April 28 Gartley & Dorsky will be present to discuss, the Gun Shop. It has gone to the Board of Appeals. CEO asked if a public hearing was needed.
3. Colin Clark was notified on the issue of eminent domain, referencing McLaughlin Application. Mr. Clark said he needed to speak to the higher ups in the DEP.

4. There is a motel on Rt.1 across from the dear meadows and near the red barn that would like to erect a gazebo for the owners personal use. CEO asked permission from the Board to give the owner a building permit. Answer from the Board was yes.

Before adjournment, J. Foster brought to the attention that the article 2.2.1 needs to be clarified for future use. At present it's confusing the issue, for the applicants, Board and the Town Attorney.

Review of Meeting Minutes- Chair Eudy made a motion to approve the minutes of March 10, 2021 as presented, seconded Vice-Chair Delano. Motion passed by a roll call vote of 5, 0 opposed on March 31, 2021.

Chair Eudy made a motion to adjourn the meeting at 8:05pm. Motion so moved.

Respectfully submitted,

Nancy Weser, Scribe