

Town of Lincolnville  
Planning Board Meeting Minutes  
June 24, 2020  
7:00 PM

1. Call to order: The meeting of the Planning Board convened 7:01 PM. These minutes are a summary of the Board's discussions. This was a zoom meeting where all Board members present, CEO Therio, Applicants and PB Clerk appeared via computer screen. Chair Cummons instructed the Board that votes will have to be by roll call. Jay Foster as an alternate was given permission to vote.

Members present: ◇ Michael Cummons, Chair  
                          ◇ Sandy Delano  
                          ◇ Jay Foster, alternate

Others: CEO Therio  
Alice Amory, Lincolnville Motel  
Tim Forrester, Atlantic  
Environmental LLC, with Staff  
Lisa Vickers, Kevin Corbett.  
Joe Marden

Absent: Scott Harrison  
          Janis Kay  
          Barb Biscone, alternate

2. Agenda item: 1. Lincolnville Motel to add a take-out window for food & drink located at 4 Sea View Drive.  
Owner: Alice Amory  
Map 18 Lots 67 & 67A.  
Reference: Section 18 subsection: 11 & 12

Last meeting the Board tabled the application on the take out window. Chair Cummons suggested that the Board request an opinion from the Sally Daggett, Town Attorney. Attorney Daggett opinion stated in part "the current commercial use never received Planning Board site plan review and approval, presumably because the use predates the Town's site plan review ordinance requirements. She continued to state, "taking into consideration the existence of the current use of the property that will continue, the Planning Board can than determine if the proposed new activity meets the Site Plan Review provisions of the Land Use Ordinance (section 11 & 12)." CEO Therio suggested to treat the application as what is there, go thru Section 11& 12. J. Foster still contended it's a major application because it is over 5, 000 sq. ft. and the applicant applied for a Commercial Site Plan Review. Land Use Ordinance requires the Planning Board to proceed thru the process. J. Foster asked for clarification, does applicant want to provide service for her guests and /or the public? A. Armory admitted her intention was to serve the public, not only guests. J. Foster stated an option to get approval for the take-out window, guests only. J. Foster Suggested, at a later A. Armory reapply using the exhibits she had submitted and make an application for the Commercial Site Plan Review with an amendment to expand her business to including the public. CEO stated to reach approval for the take-out window as a change of use go thru section 11&12. Chair Cummons asked the Board how do you want to proceed?

After a lengthy discussion the Board settled on going thru the Section 11 &12. Seek approval of the take-out window and deck for guests only. Chair Cummons read thru the Standards. Each standard will have a roll call vote.

## Section 11: Standards & Criteria

### 11.1 Utilization of the Site:

- a. J. Foster made a motion that the existing Site as a motel meets the criteria of the standard, seconded by S. Delano. Roll call: S. Delano-yes, J. Foster-yes, M. Cummons -yes
- b. Chair Cummons made a motion nothing has changed thus meets the criteria of the standard. Roll call vote; S. Delano-yes, J. Foster-yes, M. Cummons-yes.

### 11.2 Traffic & Parking:

J. Foster made a motion that a. b. thru 9. and c.d.e.d. he was comfortable with the existing layout of the site asked if Board members agreed, no comment thus the standard meets the criteria, seconded S. Delano. Roll call vote; S. Delano-yes, J. Foster-yes, M. Cummons-yes

### 11.3 Storm Water Management:

Any increase in the storm water? There was an old deck measuring 12x12, the new one at the window will be 6x12. J. Foster made a motion that the proposed deck is smaller and there is no increase in storm water in the deck area, thus it meets the criteria of the Standard, seconded by S. Delano. Roll call vote: S. Delano-yes, J. Foster-yes, M. Cummons-yes.

### 11.4 Erosion Control:

There is soil erosion, the Standard is non-applicable.

### 11.5 Water Supply Provisions:

J. Foster made a motion the Lincolnville Fire Dept. has the adequate water supply, this Standard so moved and seconded by S. Delano. Roll call vote; S. Delano-yes, J. Foster-yes, M. Cummons-yes.

### 11.6 Sewage/Wastewater Disposal:

Chair Cummons made a motion from the information of 2016 on the design of the wastewater system the board is comfortable to agree the criteria meets the standard, seconded by J. Foster. Roll call vote; S. Delano-yes, J. Foster-yes, M. Cummons-yes.

### 11.7 Utilities:

Chair Cummons made a motion the site has been grandfathered thus the criteria meets the standard, seconded by S. Delano. Roll call vote; S. Delano-yes, J. Foster-yes, M. Cummons-yes.

### 11.8 Natural Features & 11.9 Groundwater Protection:

S. Delano included both standards so moved seconded by J. Foster. Roll call vote; S. Delano-yes, J. Foster-yes, M. Cummons-yes.

11.10 Hazard, Special and Radioactive Materials:

J. Foster made a motion there is no materials on this site thus it meets the criteria of the Standard, seconded by S. Delano. Roll call vote; S. Delano-yes, J. Foster-yes, M. Cummons-yes.

11.11 Shoreland Relationship:

There is no shoreland this standard is non-applicable.

11.12 Solid Waste Management:

Information from the applicant, S. Delano made a motion the removal of the solid waste has met the criteria of the standard, seconded by J. Foster. Roll call vote; J. Foster-yes, S. Delano-yes, M. Cummons-yes.

11.13 Historic and Archaeological Resources:

S. Delano made a motion that the site hasn't any historic or archaeological resources thus the criteria of the standard has been met, seconded by J. Foster. Roll call vote; J. Foster-yes, S. Delano-yes, M. Cummons-yes

11.14 Flood Plain:

This site isn't in a floodplain according to FEMA, the standard is non-applicable.

11.15 General Fire Protection Provisions:

J. Foster made a motion to move this standard, the site meets all the codes, thus the criteria has been met, seconded by S. Delano. Roll call vote: J. Foster-yes, M. Cummons-yes, S. Delano-yes.

Section 12: Good Neighbor Standards:

12.1 Exterior Lighting:

The window will only be open during the daytime for food and beverage. This is exiting site. The Board agreed that a, b, c, d met the criteria of the Standard, seconded by S. Delano Roll call vote; J. Foster-yes, M. Cummons-yes, S. Delano-yes

12.2 Buffering:

J. Foster made a motion there is no addition of buffering required, this is an existing mature site, thus it meets the criteria of the Standard, seconded by S. Delano. Roll call vote; M. Cummons-yes, S. Delano-yes, J. Foster-yes.

12.3 Noise:

J. Foster made a motion that there is no unnecessary noise from the motel, no construction to cause an issue with the neighbors, the site meets the criteria of the standard, seconded by S. Delano. Roll call vote; S. Delano-yes, J. Foster-yes, M. Cummons-yes.

13. Design Standards:

S. Delano suggested to blanket #13. J. Foster made a motion there will be no change affect within #13, seconded by S. Delano. Roll call vote J. Foster-yes, S. Delano-yes, and M.

Cummons- yes. CEO Therio told the Board Members to come to the office to sign the flat map.  
**J. Foster made a motion that the Board approves the take-out window for the guest only & the proposed deck ( 6x12ft.). Application meets the criteria of Section 11&12. seconded by S. Delano. Roll call vote, S. Delano-Yes, J. Foster-Yes, and M. Cummons-No**

3. Item 2.

Atlantic Environmental LLC.  
Presenter; Timothy Forrester  
Location: 105 Seasmont Road  
Map 36 Lot 86

Pre-application for Seasmont Road Lincolnville, LLC /solar & Atlantic Environmental LLC submitted an pre-application materials for a proposed construction of an approximate 4.0 Megawatt-AC solar energy generation project. The project consists of the placement of 13,512 solar panels on a portion of an approximate 88.23 acre of land. The project includes the construction of a gravel road, equipment pads, associated infrastructure.

Exhibits:

1. Development Description
  - a. Objective and details
  - b. Existing Facilities
  - c. Location
  - d. Construction Plan
2. Map of the approximate location
3. Preliminary Layout flat map

Tim Forrester presented the Board with his staff on this project and explained what the plan curtailed. The Board asked questions/concerns to the staff.

1. Classification of project.
2. Any stormwater/ wetlands involved
3. DEP report/permit
4. Storage of power supply (off the grid)
5. Clearing of property
6. Fencing issues
7. Rack system
8. Impact to environment
9. Access roads
10. What benefit if any to the community
11. Buffering
12. Setback
13. Proposed lease
14. Maintenance
- 15 Resources Protection setback

## 16. Attorney

The Applicant is requesting the Planning Board waive the requirement for a traffic impact analysis. J. Foster made a motion to waive in Section 10.5 items C.E.F.H. & I. to relieve the proposed project of these requirements, seconded by S. Delano. Roll call vote; J. Foster – yes, S. Delano-yes and M. Cummons-yes.

Timeframe for the process discussed. Site Walk scheduled, public hearing and meetings of completeness. Given time for correction and clarification of information.

## 3. 3 Shoreland Zone:

Owner: Ray & Sarah Lemieux  
Location: 22 Billings Point Rd  
Map 3 Lot 15  
Reference: LUO Section 12.c.1.

Exhibits:

- a. Application
- b. Interior sketch diagram
- c. North & South elevation diagram
- d. East & West elevation diagram
- e. Pictures of outside of camp 4 sides
- f. Pictures of existing 6 x 8 shed
- g. Site Plan

Project: To move previous approved shed to attach to the camp for a proposed mudroom.

The shed will be moved inside the 100 ft. mark.

No erosion control in changing the site.

J. Foster made a motion the proposed project be approved having met the criteria of Section 12 C.1 thru 12.C (1) (a), seconded by S. Delano. Roll call vote; J. Foster-yes, Delano-yes and M. Cummons-yes.

## 4. Review of minutes: Meeting Minutes of May 27, 2020

Chair Cummons moved that the minutes of May 27, 2020 are approved.

Chair Cummons and J. Foster discussed an issue to minutes of March 11, 2020, need to revisit these minutes.

## 5. Adjournment:

J. Foster made a motion to adjourn at 9:05, seconded by M. Cummons. Roll call vote, J. Foster-yes and M. Cummons-yes.

Respectfully submitted,  
Nancy Weser, PB Clerk

Review of meeting minutes of June 24 2020. Due to only two of the Board members who were present at the June 24,2020 meeting there is no quorum. S. Delano made a motion allowing Janis Kay to vote to approve the minutes and a to accept the minutes as read, seconded by J. Foster. Roll call vote. Sandy Delano, yes vote, Jay Foster, yes vote and Janis Kay, yes vote. Motion passed by a vote 3 at the July 29, 2020 planning board meeting.