

Town of Lincolnville  
Planning Board Meeting Minutes  
June 29, 2022  
7:00 pm

1. Call to order: The meeting of the Planning Board convened at 7:00 pm in the Selectmen's Room in the Town Office. These minutes are a summary of the Board's discussions. A video of the meeting is available at the Town office as well as the option to view the meeting on Channel 22.

Members present: ◇ Vice-Chair Sandy Delano	Others: CEO Frank Therio
◇ Dick Vermeulen	Stephen Salsbury
◇ Janis Kay	Skip Kliem
◇ Bill Norfleet, alternate	Nancy Weser, Scribe

Vice-Chair Delano will conduct the meeting. Upon introduction from the Board, Vice-Chair Delano appointed alternate Bill Norfleet to be a voting member during the meeting.

Agenda: Amendment to Approved Plans and Change of Use, page 72 Section 18  
"This Plan revises a site plan dated February 12, 2005 prepared by Gartley & Dorsky and approved by the Lincolnville Planning Board on January 26, 2005." Stated on the Plat Plan submitted for this evening's meeting.

Proposed Change: Change dimensions of the Building from 80x100 to 30 x 265 (8,000 square feet to 7,950 square feet).

Prepared Plat Plan: Herrick & Salsbury Land Surveyors and Land Use Consultants, for the owners: All Purpose Storage Lincolnville, LLC  
4007 Dean Martin Drive  
Las Vegas, NV 89103

Exhibits Submitted: 1. Land Use Application  
2. Commercial Site Plan Review Application  
a. Names & Addresses of Property Owners within 500 feet of any and all property boundaries.  
b. Submission Requirements for major project  
3. A letter from Randy Sinclair as acting in his capacity as the Owners' representative for All Purpose Storage Lincolnville, LLC, grant permission for Stephen Salsbury to sign for and act as agent.  
4. Warranty Deed/ Book 4736 Page 264  
5. Declaration of Restrictions/ Book 2794 Page 75  
6. Plat Plan

Location: All Purpose Storage Lincolnville, LLC  
550 Beach Road  
Map 28 Lot 54

CEO Frank Therio stated a stop work order letter was required. CEO suggested to amend the Site Plan of 2005, and make a new proposed commercial site application. CEO Therio instructed the Board to review the requirements of Section 11 Standards & Criteria as well as Section 12 & 13 to see if the proposed changes in the new commercial site plan application will impact the approval of the application.

**11.1 Utilization of the State:** The plan for the development must reflect the natural capabilities of the site to support development. Buildings, lots and support facilities must be clustered in the portions of the site that have the most suitable conditions for development.

Stephen stated the original plan of 2005 was for seven buildings and only six were built. This proposed building is to be 30 x 265. No other changes are planned. Board determined the criteria for 11.1 has been met.

**11.2 Traffic Access and Parking:** If a development is on any roadway covered by 23 M.R.S.A § 704 as may be amended, the provisions of the Statute apply.

In 2003 the DOT approved the traffic access for the site. CEO Therio stated if the DOT has approved the site, the approval stands today. Board determined the criteria for 11.2 has been met.

**11.3 Storm Water Management:** Adequate provisions must be made for the collection disposal of all storm water that runs off proposed streets, parking areas, roofs and all other surfaces, through a storm water drainage system and maintenance plan, which must not have an adverse impacts on abutting or downstream properties.

Stephen stated originally ditches were created to accommodate the storm water, 1 foot by six foot ditches on both sides of the site were designed to direct flow to the restricted buffer area. All the facilities in the site are maintained in the plan. Restricted Buffer Area is explained in Exhibit 5 of the proposed commercial site plan application. B. Norfleet made a motion the proposed application meets the criteria of Standard 11.3, seconded by D. Vermeulen. Motion passed by a vote of 3, 1 abstained.

**11.4 Erosion Control:** All building site, and roadway designs and layouts must harmonize with existing topography and conserve desirable natural surroundings to the fullest extent possible, such that filling, excavation and earth moving activity must be kept to a minimum.

The Board determined that the site doesn't require any earth movement. The building itself has to be constructed and once the black top is around the building in place no erosion or sedimentation of watercourses will be an issue. Board determined that the requirements of 11.4 have been met.

**11.5 Water Supply:** The proposed development shall be served by an adequate supply of water for domestic and fire protection purposes.

The Board determined there are no changes in 11.5 from the original 2005 site

**11.6 Sewage/ Wastewater Disposal:** The development shall provide a method of disposing of sewage/wastewater that is in compliance with the State Plumbing Code.

The Board determined there are no changes in 11.6 from the original 2005 site

**11.7 Utilities:** All service to the site and distribution between buildings shall be underground or have as little visual impact as possible. Utility structures shall be screened from view.

Commented [N1]:

Stephen stated no electrically outlets in the storage units. The Board determined the requirements for 11.7 have been met.

**11.8 Natural Features:** The landscape must be preserved in its natural state insofar as practical during construction. Stephen stated there was no changes. The Board determined that the requirements for 11.8 have been met.

**11.9 Groundwater Protection:** The proposed site development and use must not adversely impact either the quality or quantity of groundwater available to abutting properties or to public water systems. The Board determined that the water quality was not impacted thus the criteria for 11.9 have been met.

**11.10 Hazardous, Special, and Radioactive Materials:** The on-site transportation, handling, storage, and use of materials regulated or identified as hazardous by OSHA, EPA, Maine DEP or Office of the State Fire Marshall shall be done in accordance with all rules and regulations of those agencies.

Stephen told the Board that the contracts that are required to be signed to rent a unit have verbiage to help prevent storage of hazardous materials. The All Storage Lincolnville, LLC doesn't store any of the materials listed in the 11.10 Standard and there is an Insurance covering liability. The Board determined the criteria requirements for 11.10 have been met.

**11.11 Shoreland Relationship:** There is no shoreland zoning in or near the site. 11.11 is non-applicable.

**11.12 Solid Waste Management:** The proposed development must provide for adequate disposal of solid wastes. The Board determined there are no changes, the present office on site handles the removal of the solid waste.

**11.13 Historic and Archaeological Resources:** There are no historic or archaeological resources In and around the site. 11.13 is non-applicable.

**11.14 Floodplain Management:** The site isn't in a floodplain, 11.14 doesn't apply.

**11.15 General Fire Protection Provisions:** Definitions for the fire code terms are on file with the Code Enforcer Officer. The Board determined 11.15 has been met the criteria of the Standard.

**12 Good Neighbor Standards:** The burden of proof shall be on the applicant who must produce evidence sufficient to warrant a finding that all applicable criteria have been met.

**12.1 Exterior Lighting:** a. The proposed development must have adequate exterior lighting to provide for its safe during nighttime, hours, if such use is contemplated.  
c. All exterior lighting, except where security lighting is necessary, must be turned off between 11:00 PM and 6 AM unless located on the site of a commercial or industrial use, which is conducting business that period.

Stephen told the Board 5 down-shielded lights were being installed along each side of the building. Lights are located five or six feet from the ground. The Board determined from the testimony of the applicant, the criteria requirements for 12.1 has been met.

12.2 Buffering: a. The development shall provide for the buffering of adjacent uses where there is a tradition from one type of use and screening of mechanical equipment, loading and services areas and storage facilities.  
c. A development shall provide sufficient buffering when topographical or other barriers do not provide reasonable screening and there is a need. (1) Shield neighboring properties from any adverse external effects of the development.

The Board viewed the Plat Plan and the diagram illustrated the last building to be built on the site is behind four existing building which are on the roadside. The 30 x 265 building has an existing wooded area to the West which will remain and on the Eastside are two existing buildings. The Board determined the criteria requirements for 12.2 has been met.

12.3 Noise: b. No person shall engage in construction activities, on a commercial site abutting any residential use between the hours of 9 PM and 7AM and Sundays.

Testimony of the applicant stated the hours of operation will not be from the hours of 9PM to 7AM. The Board determined the criteria requirements for 12.3 has been met.

12.4 Storage of Materials: The proposed building is all rental units, no storage of materials will be stored outside on the site. The Board determined the criteria requirements for 12.4 has been met.

### 13 Design Standards:

13.1a. A landscaping plan must be provided as part of the site design.

The plat plan shows there is no changes from the original design, only a building 30 x 265 is being constructed on an existing site. The Board determined the criteria requirements for 13.1 have been met.

13.2 Business Signs: Stephen told Board, a new, same size design sign with the new information will be installed. The Board determined the criteria requirements for 13.2 has been met.

13.3 Roadside and Parking Lot Buffers: The Planning Board in 2005 approved the design of Site. No new changes. The Board determined the criteria requirements for 13.3 has been met.

13.4 Site Conditions: b. The visual impact of a building shall be measured by its relationship to other buildings and natural features on the lot, design of the front of the building, and the visual line of buildings and open spaces along the street.

The Board determined from the plat plan, the site conditions meets the criteria requirements of 13.4 has been met.

13.5 Canopies and Drive-Through Facilities: There are no canopies. Non-applicable. Approved existing paved area around the buildings to the units. The Board determined from the plat plan the criteria requirements for 13.5 has been met.

13.6 View Protection: a. When a proposed development is located within the view shed, from a public street, road, water body or facility, of a view that is identified in the Scenic View Map on file in the Lincolnville Town Office.

The Board determined that this site wasn't on the Scenic Map on file in the Town Office, the criteria requirements for 13.6 has been met.

Standards 13.7 Ridgeline protection, Hillside Protection 13.8 & Shoreland Development 13.9 are not applicable to this application.

CEO Therio stated to Stephen Salisbury an occupancy will be issued due to project is over 4, 000 square feet.

Vice-Chair Delano made a motion to approve the amendment to the existing commercial site plan application for All Purpose Storage Lincolnville, LLC on 550 Beach Rd map 28 lot 54, seconded by J. Kay. Motion passed by a vote of 4, 0 opposed.

Review of Meeting Minutes for April 27, 2022

B. Norfleet made a motion to approve the minutes of April 27, 2022 as read, seconded by D. Vermeulen. Motion passed by a vote of 4, 0 opposed on June 29, 2022.

Adjournment: B. Norfleet made a motion to adjourn at 7:50 pm, seconded by D. Vermeulen. Motion passed by a vote of 4, 0 opposed.

Respectfully submitted,

Nancy Weser, Scribe

Sandy Delano made a motion to approve the minutes of June 29, 2022 with corrections, seconded by Dick Vermeulen. Motion passed by a vote of 4, 0 opposed at the Planning Board meeting on September 14, 2022.