

Town of Lincolnville
Planning Board Minutes
September 25, 2019
7:00 pm

1. Call to order:

The meeting of the Planning Board convened at 7:00 pm. These minutes are a summary of the Board's discussions. A video of this meeting is available at the Town Office.

Members present: Chair, Michael Cummons

Sandy Delano

Janis Kay

Dorothy Havey

Jay Foster, alternate

Others: Christine Buckley

Kristine Landry, DDS

Jason Stutheit, D.P. Porter Contractors Inc.

CEO Therio

Nancy Weser, PB Clerk

Absent: Scott Harrison

Barb Biscione, alternate

2. Agenda:

a. Amendment to the existing Moody Mt Subdivision

Owner: Christine Buckley

Location: Map 38 Lot 20

Project: proposed Deed Description

Chair Cummons asked the CEO to explain why it was a minor and now a major subdivision. CEO Therio showed the Board the original subdivision map and what the applicant would like to achieve on the lots she owns. By splitting a lot it changes the number of lots in the subdivision from 4 to 5. The Ordinance recognizes 5 as being a major subdivision thus the Board will have to go through the standards (Review Criteria), to review the applicant's request. The Board will determine what effect this new lot will have on the on the subdivision. In Article 10, Chair Cummons will read each Standard and the Board will vote on each Standard.

10.1 Pollution: Proposed subdivision will not result in undue water or air pollution.

10.1 Elevation of the land above sea level and its relation to the flood plains

10.2 The nature of the soils and subsoils and their ability to adequately support waste disposal;

10.3 The slope of the land and its effect on effluents;

10.4 Availability of streams for disposal of effluents

10.5 Applicable State and local health resource and rules and regulations.

Board determined from the previous approval of the subdivision there has been no change. J. Foster made the motion the criteria of this Standard has been met with no current reports on pollution on this subdivision. seconded by S. Delano. Motion passed by a vote 4.

10.2 Sufficient water. Proposed subdivision has sufficient water available for reasonably foreseeable needs of the subdivision.

J. Foster made a motion that there is sufficient water as a result of the approval of the original Subdivision Application, thus the Standard meets the criteria, seconded S. Delano. Motion passed by a vote of 4.

10.3 Municipal Water Supply. J. Foster made a motion that this standard is non-applicable, there is no municipal water supply for the subdivision, seconded by S. Delano. Motion passed by vote of 4.

10.4 Erosion. Proposed subdivision will not cause unreasonable soil erosion or a reduction in the land's capacity to hold water so

that a dangerous or unhealthy conditions results. Applicant C. Buckley stated the lot is in its natural state. J. Foster made a motion that the standard meets the criteria, seconded by S. Delano. Motion passed by a vote of 4.

- 10.5 Traffic. Proposed subdivision will not cause unreasonable highway or public road congestion or unsafe conditions on existing or proposed roads. Board determined that the Subdivision entrance is on a Town Rd. S. Delano made a motion the Standard meets the criteria, seconded by D. Havey. Motion passed by a vote of 4.
- 10.6 Sewage disposal. Proposed subdivision will provide for adequate sewage waste disposal and will not cause an unreasonable burden on municipal services. Exhibit 3 Subsurface waste water disposal system application submitted by licensed site evaluator, Joe LaBranche SE# 401. S. Delano made a motion the Standard meets the criteria, seconded by D. Havey. Motion passed by a vote of 4.
- 10.7 Municipal solid waste disposal. S. Delano stated this is non-applicable, there is no Municipal disposal serving this subdivision, seconded by J. Foster. Motion passed by a vote of 4.
- 10.8 Aesthetic, cultural and natural values. Proposed subdivision will not have undue adverse effect on the scenic or natural beauty of the area. S. Delano made a motion that there has been no changes made, the Standard meets the criteria, seconded by J. Foster. Motion passed by a vote of 4.
- 10.9 Conformity with local ordinances and plans. Proposed subdivision conforms with a duly adopted subdivision regulation or ordinance comprehensive plan, development plan or land plan. The Board determined the road frontage area met the conformity in the development plan. J. Foster made a motion the standard meets the criteria from preapproval of the subdivision, seconded by S. Delano. Motion passed by a vote 4.
- 10.10 Financial and Technical capacity. Chair Cummons made a motion that this is non-applicable, the technical references development of proposed roads, seconded by J. Foster. Motion passed by a vote of 4.
- 10.11 Surface Waters. S. Delano made a motion that there is no water issue and no changes since the preapproval the subdivision, seconded by J. Foster. Motion was passed by vote of 4.
- 10.12 Ground Water. J. Foster made a motion that an existing single home that had been preapproved the Standard meets the criteria, seconded by S. Delano.
- 10.13 Flood Areas. S. Delano made a motion that 10.13 is non-applicable, the area isn't in a flood zone,
- 10.14 Freshwater wetlands. Identified in the original subdivision map. D. Havey made a motion the standard meets the criteria, seconded by S. Delano. Motion passed by a vote of 4.
- 10.15 River, stream or brook. S. Delano made a motion the standard meets the criteria, nothing has changed, seconded by D. Havey. Motion passed by a vote of 4.
- 10.16 Storm water. J. Foster made a motion this lot was preapproved, the standard meets the criteria, seconded by S. Delano. Motion passed by a vote of 4.
- 10.17 The Board determined that the next three standards are not applicable. J. Foster made a motion that 10.17, 10.18 & 10.19 are non-applicable, seconded by S. Delano. Motion passed by a vote of 4.
- 10.20 Lands subject to liquidation harvesting. Timber on the parcel being subdivided has not been harvested in violation of rules adopted pursuant to Title 12 Section 8869 (14). C. Buckley stated the three acres have

never been tree growth. J. Foster made a motion that it's been stated there has been no harvesting, seconded by S. Delano. Motion passed by a vote of 4.

Chair Cummons commented that the applicant has met the review criteria standards for her application. D. Havey added that the plan requirement referenced the original subdivision. CEO Therio has the original in house, the Board signed the three copies on the Flat map.

2. Agenda

Pre-application for a dental office

Owner; Kristine Landry DDS

Location: Map 12 Lot 46

Reference: Section 18.7.2 Commercial Site Review

Authorized spokesman: Jason Stutheit, contractor for D.P.Porter Contractors Inc.

Exhibits Submitted;

1. List of information as required by section 7.2.b.
2. Picture & info from MLS listing 2138 Atlantic Highway
3. Diagram Map of Fullington Rd & Geisler Shore Rd. abutting properties
4. Map highlighting Lot 46
5. Architectural drawers of proposed interior design
6. Quit Claim Deed
7. Photo of view from property looking South on RT. 1
8. Photo, Neighbor to the South of property heading north on RT. 1
9. Photo to the North of Property heading North on RT 1
10. Photo of property from half way from RT 1
11. Photo view of RT 1 at halfway point to steel structure on property.

Jason Stutheit explained that the property was under contract and that K. Landry wanted to keep her business in Lincolnville but needed to be able to expand. The proposed project would be to modify an existing steel building, with an addition to the front of the building to soften the road side Façade so it blends into the community using wood siding. There will be a need for a side lot parking and front parking. The property is heavily wooded and will need clearing to accommodate the parking area and septic. No extra height than the existing building, pitch is the same. Staff is 6 need to expand to 12. Need for 24 parking spaces.

Subject questions from the Board;

1. Design process
2. Bank approval
3. Working with the CEO
4. DEP approval of commercial entrance into the property.
5. Suitable soil for a leech field
6. Parking, how far back from RT 1
7. Vegetation might be required once the parking area has been finished.
8. Hazard materials
9. Waivers
10. Drainage
11. Public hearing

- 12. Lighting concerns
- 13. Notifying Abutters

Board determined that the applicant has the information required for the pre-application. Date will be set for the Commercial Site Plan review standards.

Review minutes: Meeting minutes of August 14, 2019 were reviewed on September 4, 2019. D. Havey made a motion to accept the minutes as written, seconded by J. Foster. Motion passed by a vote of 4.

Issue 2.1

J. Foster opened the discussion by asking if all the Board understood why this was adopted for the LUO. 2.1 was set up as an option for the Applicant by the Board to help defray the expense of hiring architects, surveyors and engineer firms by accept an approval from the board without going through the entire commercial site process with just a business Change of Use. J. Foster gave comparisons to what constitutes a change of use. History has recorded that 2.1 could have been used to save an applicant time and money if given this option. If an Applicant wants the full commercial paperwork, signed Mylars from the Board than the Commercial Site Review process must exist. Chair Cummons suggested redefining the wording of 2.1.

D. Havey made a motion to adjourn the meeting at 8.30pm, seconded by Chair Cummons. Motion passed by a vote of 4.

Respectfully submitted,

Nancy Weser, PB Clerk

D. Havey made motion to accept the meeting minutes of September 25, 2019 as written with two corrections, seconded by S. Delano. Motion passed by a vote of 5 on October 4, 2019.