

Town of Lincolnville
Planning Board Workshop Meeting
October 29, 2024
8:30 am

Agenda: Planning Board to review the highlighted copy submitted by Matthew Eddy on October 9, 2024.

Reference: Section 18

Members present: ◇ Dick Butler, Chair Others: CEO Therio
 ◇ Sandy Delano, Vice-Chair Nancy Weser, Scribe
 ◇ Dick Vermeulen
 ◇ Janis Kay
 ◇ Andrew Shapiro, alternate

Absent: Earle Brown

Chair Butler realizing at the last meeting the Planning Board didn't have the time to review Mr. Eddy's copy of the proposed changes to Section 18 of the LUO, thought it best to schedule a workshop meeting to clarify whether the propose changes could impact future applicants and approvals from the Planning Board. Chair Butler met with CEO Therio to go over his concerns and to get feedback from the CEO on the highlighted copy. CEO Therio printed off his own copies of the highlighted copy to make suggestions, add or delete his concerns with what was written and submitted thus far. Each member received a copy of CEO Therio's copy.

It was CEO Therio's understanding that the birth of the LUC and hiring of Midcoast council of governments was to address the necessary verbiage to discourage big box stores from applying in the Town of Lincolnville, not to rewrite Section 18 of the Land Use Ordinance. CEO Therio will explain from his reviewing of the proposal document for the Town's Commercial Site Plan Ordinance why he chose NI = No change to Ordinance for Big Box Projects

NC=No change to existing Ordinance

This was to assist the Planning Board as they reviewed the document together. He added three opinions, "1. The elimination of Section 18, subsection 2.1.1 is ok, but to just eliminate confusion is fine but nothing to do with Big Box.

2. Combining Section 18 subsection 13 with subsection 11& 12 is fine but nothing to do with Big Box. It was not a requirement to change. 3. None of the suggested changes have anything to do with the Big Box Applications. "The only solid legal way to control Big Box applications is to create a Commercial Zone in Lincolnville."

Section 2:

Activities Requiring Site Plan Review: 1.1 thru 1.6 were OK, remove page 6.

1.5 starting at number 3 thru 6. Is redundant, NI & NC, page 7.

7. Guidance and Determination, already covered in 7.2.2 (NI), page 7.

Section 7: Procedures:

1.2 Preapplication & Determination: the word hold is suggested to be replaced by **request** instead. The paragraph says the same thing it gets a NI & NC, page 6

a. Information required for a Preapplication conference or Determination, 1. & 2. No difference gets a NC & NI, page 6

L. It was suggested the last sentence in first paragraph be removed, page 10

1. a. thru h. the listing of Standards is very confusing to the applicant and cumbersome, NI & NC, page 10

2. a. thru l. is redundant needs to be removed, NI & NC, page 11

10.1 Waivers of Submission Requirements: NI & NC, page 13, very redundant, Section 10 also applies for major development, 10.2.d, 10.2.h, 10.2.i. Highlighted section should be removed too redundant.

A. & B. NI & NC, page 14.

Section 11 Standards and Criteria

First paragraph under Standards is ok for the LUO but not for Big Box. (NI.), page 19.

Section 11 f. Landscape of Parking Lots: very subjective, vague and no benefit moved from 13.1.b., PB looking for more clarity on the highlighted paragraph, NI, page 24.

Section 11.3 Storm water management:

1. First highlighted paragraph, too restrictive and vague, stormwater requirements refers to shoreland zoning, must take current data over the last 100 years. What can happen? who knows? What capabilities will be available, Can the applicant handle it? NI, page 25.

7. Highlighted section is not valid to current, not necessary, need less on the applicant and PB, NI & NC, page 26.

Section 11.9 Ground water Protection:

A. Water Quality Protection, ok to add, page 28 & 29.

Section 12 Building, Design and Impact Standards

“the Standards reflect that the community has limited zoning ordinance districts, Permitting a variety of mixed uses, these standards are met to insure that those can coexist with adjacent uses while enhancing the village nature of Lincolnville.”, Hodge/ Podge, needs to be deleted. NI, page 31.

12. 1 Building and Site Plan Standards Generally:

First and second paragraphs subjective, NI, page 31

Third paragraph leave as current and last paragraph, no such thing, page 32

12.2 Design Guidelines for building or structures: I., II, III, and IV. Very subjective, (13.4.C) NI & NC. Flat roofs are recognized as a viable option. Page 32.

12.4 Building Materials:

a.s.c.and d. be removed, extremely subjective, NI, page 35.

12.5 Exterior Lighting: d. bullet points need to be removed, downshielded lighting is permitted. NI & NC, page 35.

12.6 Vibrations: How to establish, how to measure at the property line, NI & NC, page 36.

12.7 Odors: Can't measure odors, process? Judged on the number of complaints. NI & NC, page 36.

12.8 Buffering & Landscaping: d. & e. redundant, existing current LUO is more specific. NI & NC, page 37.

12.9 Noise: a. there is no identifier noise level except from abutters on noise nuisance. NI & NC, page 37.

12.10 Storage of materials: “The screening design shall be incorporated into the overall site plan.” NI & NC, This is a given and redundant, needs to be removed. Page 38.

12.12 Canopies and Drive-through Facilities:

b. add the word may before create (may create), inform applicant, DOT must be informed about parking, ingress and egress site plan. NC, page 38.

Chair Butler closed the workshop at 9:50 am.

Respectfully submitted,
Nancy Weser, Scribe

Vice-Chair Delano made a motion to approve the minutes of October 9 as read, seconded by Dick Vermeulen. Motion passed by a vote of 3, 0 opposed at the Planning Board meeting of December 11, 2024.