

**Lebanon, Maine Planning Board
Regular, Meeting Minutes
Monday, September 19, 2022**

Members Present

A. LePage, Chairman
D. Wilson, Vice-Chairman
A. Bridges
L. Bragg
S. Nugent, Alternate

Others Present

Joe Stanley, Line-Pro Surveying - Wilder Acres
John Hutchins, Line Pro Surveying - Wilder Acres
Lisa Thompson, Wilder Acres
Ann Haller, Abutter - Wilder Acres
Andrew Strosahl, Attorney - Taatjes
Glenn Griswold, Norway Plains - Taatjes
Michael Taatjes, U21-15 Sewell Shores Road
Amy Taatjes, U21-15 Sewell Shores Road
Paul Morrisette, East Coast Cannabis
Tom Cusano, East Coast Cannabis
Rene Doiron, Lebanon Pines Golf Course

A. Bridges made the motion to open the meeting. The motion was seconded by L. Bragg. The vote was taken. The motion carried. 4-0

Lisa Thompson - Wilder Acres Subdivision:

Joe Stanley and John Hutchins with Line-Pro Surveying submitted slightly revised plans. The Planning Board had requested the following during the Public Hearing/Planning Board Meeting which was held Monday, August 29, 2022;

- Replace abutter Jancosko with current owners
- Added note #16 – Future Owner Notification of Lots Within a Subdivision

A sample deed was also submitted. Discussion of whether or not a sample deed should be submitted with the initial submittal also took place. The Board is looking for steps to ensure that exceptions, building enveloped, etc. will be adhered to in the future in the event that those involved are no longer with the Town.

Ann Haller, an abutter asked to speak to the Board. She had watched the past meetings and has concerns in regard to the other abutters remarks at previous meetings. During the August 29, 2022 a letter was read from the Road Commissioner, which was very vague. Her property is lower than the properties and is concerned if the proposed homes will create run off onto her property and or if 100-year flood events were considered in regard to septic system placement. Mr. Stanley assured Ms. Haller that test pits are dug in several areas and 100-year flooding events are taken into consideration during this process. Ms. Haller stated that she doesn't have any solid objections to the project, however, wants to be assured that setbacks are adhered, grading is monitored to ensure that drainage of water run-off is not intentionally diverted onto her property.

It was explained that the proposed home sites or building envelopes as well as erosion control measures while construction is taking place, which are on the plan must be adhered to. Mr. Stanley offered to mail Ms. Haller a copy of the approved, signed and recorded copy to her.

L. Bragg asked who would be responsible for the cost if some sort of drainage is needed in the future. Mr. Stanley stated that would need to be determined when the driveway permits were issued.

The Board went through the checklist. The applicant did pay the publishing fee of \$116.38 for the Public Hearing Notice. A. Bridges made the motion to approve the Wilder Acres Subdivision on Little River Road submitted by Lisa Thompson. Vice-Chairman Wilson seconded the motion, the vote was taken. The motion carried. 4-0

Andrew Strosahl - Glenn Griswold - Mike Taatjes - Best Possible Location/Shoreland Zone - Sewell Shores Road - Map U21 Lot 15:

Andrew Strosahl, who is legal counsel for Mr. and Mrs. Taatjes, went through the timeline of when the lots were purchased, that the lots were a part of an existing subdivision of property by the Sewell Family. Mr. Strosahl continued by stating that the issue at hand is the Shoreland Zoning Ordinance in regard to contiguous lots. These lots have not been "merged" and have been assessed/taxed as separate lots all of these years.

Mr. Griswold stated that with previous projects he has been a part of within Shoreland Zoning in the Town of Lebanon on Dolby Road, Rocky Cove Road as well as other properties on Sewell Shores Road the properties have not been merged. After some research at the Registry of Deeds, Mr. Griswold determined that there have been no other non-conforming lots merged per Town records and/or filed/recorded at the Registry of Deeds from the Town of Lebanon.

Chairman LePage stated that the Planning Board does not have the authority to make this decision and suggested that Attorney Strosahl have a letter drafted to be submitted to the Town's legal team to review. Mr. Griswold reiterated the changes that had been made to the proposed plan;

- Changed one corner of the structure so that the entire structures fall ~~within~~ ^{outside} the 75-foot highwater mark
- Measured the height from the existing ground
- Added the trees that are to be replanted

Paul Morrisette - Tom Cusano - 1716 Carl Broggi Highway - Site Plan Review - remove and replace existing structure on property - Map U01 Lot 68:

Mr. Morrisette submitted a rough sketch of the project that they are proposing along with some photos showing previous structures on the property which have since been removed. The proposal is to remove an existing structure and replace with a new structure on a different area on the property. The existing retail structure is proposed to still be utilized during the construction of the new structure.

Chairman LePage mentioned concerns in regard to the parking area and the different access points to Carl Broggi Highway. Mr. Cusano stated that the parking area will be where the current structure is located and that closing the entrance that is closest to New Hampshire. Mr. Cusano also mentioned perhaps a flashing light and or cross walk may be helpful to the traffic situation. Mr. Cusano also offered that they are proposing to open up the view to the river and that the property will be assessed at a higher rate once the new structure is in place, which will mean more taxes for the Town.

The property falls within several districts, Limited Residential, Resource Protection and General Development. Mr. Morrisette added that relocating the new construction on the property will open up the

parking area to overlook the river. Mr. Cusano stated that they could raise the building and use the existing footprint but it would not be as nice as if they relocated the new structure.

Chairman LePage explained that this project is beyond the scope of what the Planning Board usually reviews and stated that the Town will be requiring a third-party engineering firm for inspections and to report to the Planning Board at the expense of the applicant.

Mr. Morrisette informed the Board that the property actually extends into the water due to flooding rights which came about from a dam and right of way associated with mills which are no longer in operation.

Mr. Morrisette also mentioned that the property shows a stream, however, it is run off coming from a culvert which runs under Carl Broggi Highway. The Land use Clerk will forward Gorrill Palmer engineering services contact information to Mr. Morrisette in order to set up an agreement for inspection and report fees for the project.

Rene Doiron – Site Plan Review – Add pavilion to existing “Lebanon Pines” golf course - Center Rd

Chairman LePage wanted to disclose that his business does sponsor a hole at the golf course. Mr. Doiron is proposing to construct a pavilion on site to alleviate having to set up and break down a tent, move tables and chairs, etc.

The Board went through the criteria for applicability. The Board determined that the project does fall within the criteria. This is an existing commercial business which does not have a septic system or water source.

The motion that the Lebanon Pines Golf Course is required to go through Site Plan Review was made by L. Bragg. The motion was seconded by A. Bridges. The vote was taken. The motion carried. 4-0

The Land Use Clerk is to email Mr. Doiron the Site Plan Review Ordinance as well as an application.

The motion that the Lebanon Pines Golf Course be considered a minor Site Plan Review was made by A. Bridges. The motion was seconded by Vice-Chairman Wilson. The vote was taken. The motion carried. 4-0

Discussion of a \$1500.00 escrow submitted by Mark Mahoney of New Bridge Marina took place. The applicant has requested the release of these funds. The Road Commissioner and Code Enforcement Officer inspected and signed off that no damage was done to New Bridge Road. The motion to release the escrow for the New Bridge Marina was made by L. Bragg. The motion was seconded by A. Bridges. The vote was taken. The motion carried. 4-0 Chairman LePage and Vice-Chairman Wilson signed the release form. The Land Use Clerk will submit the release form to the Treasurer.

The motion to accept the minutes from the August 29, 2022 Planning Board minutes was made by A. Bridges. The motion was seconded by L. Bragg. The vote was taken. The motion carried. 4-0

The motion to accept the Findings of Fact for the “Pine Ridge Farm” subdivision lot line adjustment was made by A. Bridges. The motion was seconded by Vice-Chairman Wilson. The vote was taken. The motion carried. 4-0

The motion to adjourn was made by L. Bragg. The motion was seconded by A. Bridges. The vote was taken. The motion carried. 4-0 The meeting adjourned at 8:47 pm.