



**Lebanon, Maine Planning Board
Planning Board Meeting Minutes
Monday November 2, 2020**

Members Present

A. LePage - Chairman 
S. O'Brien - Vice Chair 
D. Harriman
B. Harris-Howard
J. Bradshaw

Others Present

Chris Byers – SPR (Solar Projects)
Alex Drew – SPR (Solar Projects)
Chris Estes
Wayne Estes
Dan & Brenda Heon
Jeremy Bradshaw for Dorothy Hersom
Matthew Hebert
Dana Libby – Estes, Drapeau, Ehler

D. Harriman made the motion to open the meeting. B. Harris-Howard seconded the motion. The vote was taken. The motion carried. Meeting opened at 6:00 pm.

Chris Byers/Alex Drew – Solar projects/West Lebanon Road:

The Rebecca Carson Project: A new survey was done and they have a complete stamped survey along which coincided with the deeds. Red line Survey Boundary line rearranged the panels away from the Sewell and Freitas properties moving the structures down a bit.

Chairman LePage asked the Board if anyone had questions on this project. The Board members did not.

The McCrillis Project: There have been no changes in the McCrillis project from the last time that Mr. Byers met with the Board. Chairman LePage asked if the project is still on line to start this coming Spring/2021. Mr. Byers stated that yes, they are still looking to start construction in the Spring.

A motion was made by J. Bradshaw for both the Carson & McCrillis projects be placed last on the Monday, December 7, 2020 agenda in the event that abutters attend with additional questions. The Board will review the checklist at the next meeting with possible approval, Monday, December 7, 2020. The motion was seconded by B. Harris-Howard. The vote was taken. The motion carried.

Dana Libby - Guy & Lyn Drapeau – BPL – 126 Rocky Cove Road: Dana Libby from Corner Post presented the final plan for the Drapeau project for the Board to sign. The Board signed the plan, it will be recorded. A Findings of Fact Conclusion of Law document will be presented at

the next meeting which is scheduled for Monday, December 7, 2020 for the Board to review and sign.

Dan Libby - Tillman Estes – BPL - 106 Sewell Shores Road: Dana Libby from Corner Post presented the final plan for the Estes project for the Board to sign. The Board signed the plan, it will be recorded. A Findings of Fact and Conclusion of Law document will be presented at the next meeting which is scheduled for Monday, December 7, 2020 to review and sign.

Dana Libby – William Ehler – Brook Hill Estates Subdivision: J. Bradshaw recused himself from this project for he is representing the seller. The Board discussed the concerns that arose from the site visit on October 19, 2020 with Davis Bartlett. Concerns that were mentioned were in regard to drainage and the site distance for the driveway on lot #3. Chairman LePage asked about the possibility of damming from potential water runoff. Dana stated that an engineer would have to review this concern. Vice-Chair O'Brien had concerns about additional water runoff on Poplar Hill Road into the intersection of School House Lane, Poplar Hill Road, Sam Wentworth Road and Dixon Road and is worried about the impact another subdivision would create for existing issues such as hazardous icy conditions. It was mentioned that a culvert was replaced last year crossing School House Lane.

Vice-Chair O'Brien asked if anyone had any questions on the plan that Dana presented. The Board did not at this time. Dana stated that this was only the sketch and that the next step will be for the engineers to perform a soil study. Chairman LePage and Vice-Chair O'Brien feel that the sketch plan is complete and is ready to move forward to the next step.

John Hutchins – Roger & Linda Dowling – BPL 100 Rocky Cove Road:

Due to a miscommunication, Mr. Hutchins was not in attendance. The Planning Board would like to set up a site visit for Friday, November 13, 2020 for they already have a site visit for November 13, 2020 at 124 Rocky Cove Road. The Land Use Clerk will contact Mr. Hutchins to see if the date is okay.

Dan & Brenda Heon – BPL – 25 Sunfish Lane: Mr. & Mrs. Heon came before the Board in regard to the possibility of the demolition of an existing structure on their property and the construction of a new structure. The proposed structure would be located approximately 140 ft back from the water. The proposed structure would be moved to the middle of the property in order to meet the 25' setback from each sideline.

The Board reviewed the information and instructed the Heon's that the new structure cannot be more than 25' in height, the total square footage may not be over 1,500 square feet as well as no portion of the structure can be located less than 140' from the water.

The Board requested a plan which will show the proposed and existing structures, septic system, well and an erosion control plan and revegetation plan.

Jeremy Bradshaw – Dorothy Hersom – Splitting Lot: Jeremy Bradshaw recused himself from the Board for he is representing Mrs. Hersom. Mr. Bradshaw stated that Mrs. Hersom would like to split Map R11 Lot 9 located off of Center Road. This parcel was shown on a subdivision plan in the past and the Title Company is requesting something in writing from the Planning Board stating that this piece of property is not a part of any subdivision. Map R11 Lot 9E was deeded as

a non-subdivision in 2004. Two years later, Lower Village Survey failed to draw this as an abutting lot. Mr. Bradshaw offered that this is similar to a matter brought to the Planning Board back in March of this year, (2020) by Karen Abbott in which the Board did draft and sign a letter stating that a piece of property was considered a remaining piece of land and not a part of the subdivision. The Board suggested that Mr. Bradshaw draft a letter for the Board to review and sign at the next meeting scheduled for Monday, December 7, 2020.

Matthew Hebert – BPL – 124 Rocky Cove Road: Mr. Hebert brought before the Board a proposal for a demo a 26'x 26' existing structure and the construction of a new 26'x 36' structure. The proposal includes moving the proposed structure back 10' from the water in order to accommodate the proposed expansion. The existing holding tank would be removed and replaced with a septic system located at the back side of the lot and an existing shed it to be removed. No trees will be moved for the demolition and new construction, however, there may be a pine tree in the area of the new septic that may have to be removed, if so, it would be replaced with arborvitaes on the east side of the property. The parking area would remain the same.

A plan with the following information needs to show the following:

- The 25ft water line
- Well & septic on the Drapeau property
- Well & septic on his property
- Proposed septic & well
- Revegetation plan
- Erosion Control plan

A site visit was scheduled for Friday, November 13 at 2:00 pm

Minutes: The minutes of 8/31/2020 & 9/21/2020 were reviewed, approved and signed.

Other Business:

Rachelle Conde – 1654 Carl Broggi Highway: It was brought to the attention of the Planning Board that Ms. Conde has four businesses which are currently being run from her property located at 1654 Carl Broggi Highway without coming to the Planning Board for a Site Plan Review. The Land Use Clerk was asked to draft a letter to send to Ms. Conde requesting that she come before the Planning Board during the next available meeting.

Avery Properties – The topic of Avery Properties took place as to when they would be coming back before the Board. The building is already in use as a grow facility without a Site Plan Review. The Code Enforcement Officer felt that there was no change of use, for the building still has rental units.

For any project not be held to a Site Plan Review, the burden of proof would be on the applicant to confirm that the business had been in operation prior to the Site Plan Review Ordinance which was enacted on November 6, 2018.

There were many questions in regard to this proposed project as well as possible projects in the future and what departments, boards and or agencies should be involved in the process. B. Harris-Howard feels that the Fire Chief should be involved, J. Bradshaw feels that projects should also go before the Code Enforcement Officer. Chairman LePage agreed. There is a line that needs to be determined as to who enforces what.

Discussion of violations when businesses open without coming before the Planning Board took place and if it was the Code Enforcement Officer's duty to uphold the Site Plan Review Ordinance and acknowledge potential violations or would the Planning Board be responsible for upholding the Site Plan Review Ordinance.

Vice-Chair O'Brien made the motion to adjourn. D. Harriman seconded the motion. The vote was taken. The motion carried. The meeting adjourned at 8:10 pm.