


**Lebanon, Maine Planning Board
Public Hearing/Regular Meeting Minutes
Monday January 7, 2019**

Members Present

 S. O'Brien - Chair
A. LePage – Vice-Chair
D. Harriman
B. Harris-Howard

Others Present

Paul Philbrick
Dana Libby
Tim Bonnor
Jen Bower
Steven Quirion
Shirley McClay
James Wolcott

D. Harriman made the motion to open the meeting at 6:05 pm. Vice-Chair LePage seconded the motion. The vote was taken. The vote carried.

Dana Libby - Wolcott– Hayes Farm – Mr. Libby presented a revised plan for the proposed Hayes Farm subdivision. Mr. Libby was sent a list of items that need to be added to the plan and submitted to the Board. (Please see attached) The applicant had requested a waiver for the High Intensity Soil Survey in which a representative from the Southern Maine Planning & Development Commission, Lee Jay Feldman after reviewing the application did not object to this waiver. D. Harriman made the motion to waive the High Intensity Soil Survey. B. Harris-Howard seconded the motion. The vote was taken. The motion carried.

Site Plan Review- Chair O'Brien met with the Selectboard last Thursday, January 3rd, 2019 in regard to Site Plan Review fees. The fees were determined as to whether the review would be a minor or major review. The amount of \$100.00 for a minor Site Plan Review and \$250.00 for a major Site Plan Review. The application will be updated to include these fees as well as remove the word Subdivision Requirements Checklist to Requirements Checklist.

David Walsh – 152 Sewell Shores Road – Mr. Walsh had requested additional time to complete the demolition and removal of two sheds that are currently on his property, which was approved in December/2018. The Board not taking into account that the ground would be frozen and then “mud Season” was originally given 60 days in which to complete this. The Board revised the Findings of Fact and Conclusions of Law to state that the applicant has until May 1, 2019 for completion. A permit for the demolition and removal of the two current sheds must be acquired from the Code Enforcement Officer as well as an after the fact building permit for the new shed on the property. Mr. Walsh also needs to submit an erosion control and revegetation plan. D. Harriman made the motion to accept the revised Findings of fact and Conclusions of Law. B. Harris-Howard seconded the motion. The vote was taken. The motion carried.

Leonard & Trudy Dixon – 29 Sunfish Lane – D. Harriman made the motion to accept the Findings of Fact and Conclusions of Law as written. B. Harris-Howard seconded the motion. The vote was taken. The motion carried.

The following minutes were reviewed and approved:

Special Meeting held September 19, 2018
Regular Meeting held October 1, 2018
Regular Meeting held November 27, 2018
Regular Meeting held December 3, 2018 w/correction
Special Meeting held December 14, 2018

A motion to open the Hayes Farm Public Hearing was made by Vice-Chair LePage at 6:30 pm. D. Harriman seconded the motion. The vote was taken. The motion carried.

Dana Libby presented the revised Hayes Farm Subdivision Plan to include the conditions that lots 8, 9 & 10 will not be issued building permits until site distances can be verified after obstacles have been removed and the plan notes that the site distance area is to be kept clear of shrubs and trees.

Chair O'Brien asked the board if they had any questions. The Board did not have any at this time. Chair O'Brien stated that Lee Jay Feldman from Southern Maine Planning and Development Commission recommended that the application be accepted as preliminary. B. Harris-Howard made the motion to close the Public Hearing at 6:35 PM. D. Harriman seconded the motion. The vote was taken. The motion carried.

D. Harriman made the motion to accept the Hayes Farm Subdivision application and plan as preliminary. B. Harris-Howard seconded the motion. The vote was taken. The motion carried.

Jennifer Bower/Tim Bonner – Paws and Play – Site Plan Review application – Jennifer and Tim presented the Board with an application for a proposed "Doggie Daycare". The applicant will be leasing a unit within the Home Town Mobil building. The Board went through the application and viewed the pictures that the applicants provided. A special dumpster for fecal matter will be on site and an enclosed gated area will be erected to contain the dogs for when they are outside. After reviewing the criteria list, the Board agreed that the proposed project was approved with the following conditions:

- A fence will be erected around the dumpster area so that no one can get into the area
- The applicant shall obtain a building permit for the fence prior to erecting it
- The applicant must submit a copy of the lease
- The applicant must submit a letter of authorization from the building owner giving permission to have the fencing installed.

A letter of approval will be drawn and provided to the applicant by the end of the week and the information will be relayed to the Code Enforcement Officer.

The application fee was submitted with check # 210 in the amount of \$100.00 for this was a minor site plan review.

Chair O'Brien asked the Board if anyone may have a potential conflict in hearing this application the Steven Quirion/Shirley McClay for the In Home Daycare.

Vice-Chair LePage offered that he has known Mr. Quirion for many years personally as well as professionally. Chair O'Brien asked Vice-Chair LePage if he has the potential of monetary gain. Vice-Chair LePage replied that he does not. Vice-Chairman LePage was asked if he would be able to listen to the application without the possibility of being swayed. Vice-Chair LePage replied that he feels that he can listen to the application fairly. B. Harris-Howard made the motion to allow Vice-Chair LePage to participate in this application. D. Harriman seconded the motion. The vote was taken, the motion carried.

B. Harris-Howard offered that she at times works for Karen Abbott. Mr. Quirion at times also at times works for Karen Abbott. B. Harris-Howard also offered that she thinks that her grandson has worked for Mr. Quirion before on a project. B. Harris-Howard was asked if she has the potential of monetary gain. B. Harris-Howard replied that she does not. B. Harris-Howard was asked if she would be able to listen to the application without the possibility of being swayed. B. Harris-Howard she replied that she feels that she can listen to the application fairly. The motion was made to allow B. Harris-Howard to participate in this application. The vote was taken, the motion carried.

Steven Quirion/Shirley McClay- In home daycare – The applicant would like to move her current in home daycare to another property within Town. Discussion took place to determine if this would require a Site Plan Review. Adding a fence to the property would be considered a modification and therefore this needs to be considered a Site Plan Review. D. Harriman made the motion that the application should go to a Site Plan Review due to the modification of the property. B. Harris-Howard seconded the motion. The vote was taken. The motion carried. The Board continued to review the application. It was decided that the application fell under the MINOR Site Plan Review criteria. With a vote of 4 out of 4 the Planning Board approved Ms. McClay's Site Plan Review Application for the continuation of the Daycare facility in a new residence with conditions.

Conditions of approval are: See the Code Enforcement Officer for the following permits:

- i. Installing a fence
- ii. After the fact permit for the installing basement windows
- iii. Septic Disposal System Permit

A letter of approval will be drawn and provided to the applicant by the end of the week and the information will be relayed to the Code Enforcement Officer.

The application fee was submitted with check # 279 in the amount of \$100.00 for this was a minor site plan review.

*4/1/19 Minutes were reviewed and approved as revised
Motion made by D. Harriman. B. Harris-Howard 2nd the motion.
The vote was taken. The motion carried.*

D. Harriman made the motion to adjourn at 8:05 pm. Vice-Chair LePage seconded the motion. The vote was taken. The motion carried.