





**Lebanon, Maine Planning Board  
Regular, Meeting Minutes  
Monday, February 6, 2023**

Members Present

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

Others Present

Michael & Jen Roux  
Carrie & Ty Powers  
David Lemieux  
Geoff Aleva, Civil Consultants  
James & Wendy Neal  
Glenn Griswold

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

**Pledge of Allegiance**

**Geoff Aleva, Civil Consultants/Powers - 82 Sewell Shores – Shoreland - Best Possible Location:**

00:48-8:52

Geoff reviewed the site visit and presented a revised plan to the Board. The revised plan has less impact on the site due to the reduction of the driveway area, as well as reducing the impervious surface and lot coverage although the square footage has not changed from the original proposal. The structures have been moved back approximately fifty feet (50') back from the road. Discussion on the height issues took place. Mr. Aleva was looking for clarity as to how the height was determined with the following statement; to determine height you are looking at the mid-point of the house to figure the elevation for the structural plans. Chairman LePage added the original plan was over the height of the existing. Mr. Aleva confirmed that they were over the original height. But if we look at how the height goes with the proposed building, how do you interpret that? Chairman LePage read the following from the Shoreland Zoning Ordinance, C. Non-Conforming structures (1) Expansions (c)(i) Less than seventy-five feet (75') from the water the maximum height of any structure may not be made greater than twenty feet (20') or the height of the existing structure, whichever is greater. Mr. Aleva is curious as to how the Board looks at that. The Board confirmed that the height could be either the existing height or no greater than twenty feet (20') in height, whichever is greater.

Mr. Aleva inquired that if he looked at what there is for a grade on the back side it is sloped, the mid-grade of the proposed building placed here gives a value of 427 in this area, take twenty feet (20') off of that which brings the elevation to 447 which cannot be exceeded.

Chairman LePage stated that the measurements from the site visit were twelve feet one inch (12'1") and twelve feet six inches (12'6") and asked where those measurements fall. Mr. Aleva stated that he would need to pull up the file to obtain those figures.

Chairman LePage mentioned another concern with the encroachment of the decks. Mr. Aleva asked if the Board would like to have the decks pushed back to at least the fifty-foot (50') mark. The consensus is to move all structures to the greatest extent as possible from the water. The Powers' contractor, David Lemieux asked the Board if there were any relief on the height restrictions. The applicants are looking to

tear down the existing camp and build a two-story dwelling with eight-foot (8') ceilings for their year-round home. Chairman LePage stated that the Shoreland Zoning Ordinance is State mandated and very clear on the setbacks and the height restrictions. The current structure is approximately thirteen-feet (13') in height. The relief is that the height of the proposed dwelling can be up to twenty-feet instead of the thirteen-feet (13').

There was discussion of the different setbacks that the structures will fall within and the different elevations and heights due to the slope of the property. Mr. Aleva mentioned that this has been accomplished before. Discussion continued on determining the elevations/height.

Chairman LePage inquired about the septic system and asked if it had been inspected. Mr. Aleva stated that he had not had it inspected. Tom Harmon had originally designed the system. There is going to be a new tank. The existing system was designed for a three-bedroom home. There are no additional bedrooms proposed.

There is one tree that will be removed and a utility pole to be relocated. A revegetation and erosion control plan will need to be submitted. Mr. Aleva will bring a revised set of plans to the next meeting with actual numbers in order for the Board to review.

**Wade Bryant – 172 Creamery Hill Road, Unit 3 – Site Plan Review – “Campah Life”:**

Mr. Bryant was not in attendance

**Roux Family – 258 Chick Road – Site Plan Review – Dairy Operation:**

Mr. and Mrs. Roux previously came before the Planning Board for a Site Plan review April 4, 2022 in regard to operating a Farm Stand on the property known as 258 Chick Road. The Board determined that a Site Plan Review was not needed for “Agricultural Activities” are an exception to the review.

In order to be consistent, Mr. and Mrs. Roux, were asked to come before the Board again in regard to a proposed Dairy Operation to be located on the same property. The Board again determined that a Site Plan Review was not needed for the proposal also fell under the exemption of “Agricultural Activities”. The motion was made by L. Bragg that the Roux Family Farm dairy operation at 258 Chick Road does not need to go through Site Plan Review. The motion was seconded by A. Bridges. The vote was taken. The motion carried. 4-0 A letter will be drafted stating as such and reviewed at the next Planning Board meeting scheduled for Monday, March 6, 2023.

**Glenn Griswold, Norway Plains/Neal – 64 Sewell Shores – Best Possible Location: 27:30-35:38**

Mr. Griswold presented his clients project to the Board. Mr. & Mrs. Neal are proposing to remove an existing 12'x12' bunk house and replace it with an addition to the existing dwelling. The existing dwelling is fairly close to the water; however, the expansion will be on the opposite side (road side) of the existing dwelling. The existing bunk house is currently ten feet (10') from the side line, the proposed addition will be fourteen feet (14') from the side line. The existing three-season porch will remain.

No trees will be removed so there is no revegetation plan, there will be no changes to the driveway and the only soil that will be disturbed is where the bunk house is located and where the addition will be constructed. There are no proposed changes to the existing dwelling with the exception of creating a door to enter the addition as well as the installation of utilities. There are no additional bedrooms proposed. The applicants will be taking advantage of utilizing the maximum height allowed which is twenty feet (20'), which is one foot two inches (1' 2") higher than the existing roof. The flood line is located through the middle of the existing home; however, the proposed addition is four feet (4') above that.

A Site Visit was scheduled for Saturday, March 4, 2023 at 8:00 am.

It was mentioned that the septic and well will not be impacted by the project. Chairman LePage requested that the leach field be inspected.

**Tim Bragdon – 1384 Carl Broggi High Way – Nature’s Gift – Site Plan Review Approval**

**Extension/De minimis change:** It was brought to the attention of the Board that there was a structure which was not shown on the approved and recorded Site Plan. The Code Enforcement Officer notified Mr. Bragdon, and an application for a De Minimis change was reviewed by the Board. The structure was noted as a temporary structure until the existing building addition was completed

While reviewing the application, it was noted that substantial construction had not taken place and the Site Plan approval expired the next day, Tuesday, February 7, 2023. Mr. Bragdon will be notified of this and asked to submit a request for an extension of approval.

The motion to table Mr. Bragdon’s - Nature’s Gift De minimis application until an extension of approval has submitted. The motion was seconded by L. Bragg. The vote was taken. The motion carried. 4-0

**A.J. Panessiti – 43 Emmons Lane – Site Plan Review – Swamp Dog Mfg:**

Received an email from Mr. Panessiti stating that due to circumstances, he would no longer be operating his business at 43 Emmons Lane, therefore, a Site Plan Review is not necessary.

**Jeffrey Travers /Mow to Snow – 133”B” Oak Hill Road – Site Plan Review:**

Not in attendance

L. Bragg made the motion to accept the Planning Board meeting minutes of Tuesday, November 15, 2022 as written. The motion was seconded by A. Bridges. The vote was taken. The motion carried. 4-0

L. Bragg made the motion to accept the Tuesday, January 3, 2023 meeting minutes as written. A. Bridges seconded the motion. The vote was taken. The motion carried. 4-0

L. Bragg made the motion to accept the site visit minutes of Saturday, January 21, 2023 for “Campah Life” located at 172, Creamery Hill Road, as written. A. Bridges seconded the motion. The vote was taken. The motion carried. 4-0

Discussion on the Site Plan Review Ordinance took place in regard to the information received from Maine Municipal Association in regard to requiring site plans and how they could be recorded at the registry of deeds. The Board can waiver requirements per the Site Plan Review Ordinance. The Findings of Fact, Conclusions of Law can be recorded at the Registry of Deeds along with an attachment of a “diagram”, sketch, etc., when the Planning Board deems it appropriate in conjunction with the guidelines set forth in the Site Plan Review Ordinance.

Scott Couture, representing DoZia Farms, located at 178 Creamery Hill Road, submitted the revised professional plan, previously approved by the Planning Board. The motion to accept the revised site plan was made by Vice-Chairman Wilson. The motion was seconded by L. Bragg. The vote was taken. The motion carried. 4-0. The Board signed the revised site plan. A “For Rent” sign has been placed in front of the property for office space. The Code/Land Use Admin will inquire about the sign when notifying the applicant that the plan has been signed and can be recorded at the Registry of Deeds.

Vice-Chairman Wilson made the motion to adjourn the Planning Board meeting at 7:45 pm. The motion was seconded by A. Bridges. The vote was taken. The motion carried. 4-0

