

**Lebanon, Maine Planning Board
Planning Board Public Hearing/ Regular Meeting -Minutes
Monday, March 07, 2022**

Members Present

A. LePage – Chairman 

L. Bragg 

A. Bridges 

Adam Rowley

Shawn Tobey

Glen Carter

Scott Strynar

Cindy & Mike Pedro

Brett Scott

John Corliss

Others Present

Grace Charland

Michael Roberge

Martin & Susan Beatrice

Paul Martin

Patrick Coughlin

Paul Hollis

Jodi Amaden

Vice-Chairman Wilson and Alternate Member M. Walsworth, were not in attendance.

Public Hearings:

Brett Scott – Cannabis Haven – 826 Carl Broggi Highway – Public Hearing - 6:00 pm

A. Bridges made the motion to open the Public Hearing for Brett Scott. The motion was seconded by L. Bragg. The vote was taken, the motion carried. The Public Hearing opened at 6:06 pm.

Mr. Scott presented the project. There are two existing buildings onsite. Chairman LePage reminded those in attendance that the Planning Board is reviewing the site only not the type of business. An enclosed dumpster as well as a stop sign at the lots exit onto Route 202, Carl Broggi Highway was added to the plan. There will be between six (6) and eight (8) employees. This is a wholesale business and there will not be customers on site.

The floor was open to abutters in attendance for comments.

Mr. Scott reviewed the project in more detail, there will be an air sealed filtration system and there will not be any changes to the outside. There will not be any windows, however there will be lighting.

An abutter, Mr. Beatrice had concerns in regard to security with the multiple access points to the building from both Route 202, Carl Broggi Highway as well as Long Swamp Road and through a wooded area off of Lower Guinea Road. Cartel's, large amounts of money onsite, assault rifles heard at night. There was the question of whether or not there will be anyone living in the trailer on the property or will it be removed.

Mr. Scott explained there will not be any cash on site. He currently uses an air filtration system in another facility in Auburn and there has not been an issue with odor. There will be an advanced security camera system which will activate a notification if any movement is detected. Mr. Beatrice wants the Town to enforce a gate/fencing requirement. Chairman LePage explained that Mr. Beatrice would bring that concern to the Public Hearing that the Selectboard will have for the licensing.

Mr. Scott was instructed by the Board that if there were to be any changes in the future, that he must come back before the Board.

L. Bragg made the motion to close the Public Hearing for Brett Scott. The motion was seconded by A. Bridges. The vote was taken. The motion carried. The Public Hearing was closed at 6:16 pm.

Shawn Tobey/Hoyle Tanner – Upper Cross Solar Project – Public Hearing – 6:10 pm

L. Bragg made the motion to open the Public Hearing. The motion was seconded by A. Bridges. The vote was taken, the motion carried. The Public Hearing opened at 6:16 pm.

The proposed project is located at Map R07 Lot 36 which consists of 42 acres, for a three (3) megawatt, ground mounted solar array. The total project will consist of approximately ten (10) acres with the removal of trees on six (6) acres. The remainder of the property will be untouched. A double row of 7'– 8' spruce trees will be planted as a screen from Upper Cross Road as well as a security fence.

No lighting will be on site. The power generated will go back into the grid. Minimum noise only during the daylight hours, minimum traffic, perhaps once or twice a month and maintenance will consist of weed whacking approximately twice a year.

The panels are warranted for approximately twenty-five (25) years. Will remove and restore property to original state once at such a time the equipment becomes outdated.

With this particular project, the current owner will be selling the property not leasing the property to the Solar company. This project should take Approximately four (4) to five (5) months to complete.

L. Bragg made the motion to close the Public Hearing. The motion was seconded by A. Bridges. The vote was taken. The motion carried. The Public Hearing was closed at 6:26 pm.

Regular Meeting:

L. Bragg made the motion to open the meeting. The motion was seconded by A. Bridges. The vote was taken, the motion carried. The meeting opened at 6:26 pm.

Brett Scott – Cannabis Haven – 826 Carl Broggi Highway –

The Board reviewed the criteria along with the revised plan and Chairman LePage noted that the stop sign as well as the enclosed dumpster placement have been added to the plan. The motion to accept the plan for Brett Scott, 826 Carl Broggi Highway with the condition that a copy of the septic design be in the file was made by L. Bragg. The motion was seconded by A. Bridges. The Board signed the Plans. A recorded copy will need to be returned to the Planning Board.

Shawn Tobey/Hoyle Tanner – Upper Cross Solar Project –

Mr. Tobey presented a revised plan to the Planning Board. The plan shows the fence moved back approximately thirty (30) feet back from the property line. The project is currently awaiting a State Department of Environmental Protection solar decommissioning permit to submit to both the Town and State. The following are required:

- As built drawings, SWWP inspections and construction reports are to be submitted to both the Code Enforcement Officer and the Planning Board every two weeks
- A pre-construction video of the Upper Cross Road entrance must be submitted to both the Road Commissioner and the Planning Board as well as a post-construction video showing the completed five (5) foot apron
- A decommissioning bond/letter of credit will be submitted to both the Code Enforcement Officer and the Planning Board

Grace Charland – Scott Strynar – Harvest Goddess/Pot of Gold - 1104 Carl Broggi Hwy –

Mr. Strynar presented a revised plan for the Planning Board. Both he and Grace presented updated information to the Board. Grace wants to have the parking area completed prior to the opening of the adult use store. The intent is to begin/finish the paving as soon as possible once the plants open. Grace has already spoken with the paving company. This will be approximately three (3) months out. The Board would like to have temporary lines in the parking area until the paving is completed.

The existing asphalt needs to be removed, the area leveled out and the pitch corrected. The previous plan had a total of seven (7) employee parking spots which has now been reduced to four (4) spaces for a reduction of approximately 900 square feet of asphalt. This will be replaced with mostly gravel, compost and seed/grass. The last sheet shows the dumpster placement with the fencing. Reflective markers on posts as well as a sign/chains will be installed at the Mills Road entrance. Silt fencing will need to be placed along the wetland edge. As built plans as well as inspection reports from Mr. Strynar shall be submitted to both the Code Enforcement Officer and the Planning Board. There will be one (1) entrance into the property and two (2) exits.

Fielding's Oil - SPR – Carl Broggi Highway

Patrick Coughlin, along with Jodi presented the Fielding Oil & Propane project. This project has come before the Board approximately two (2) years ago and due to various reasons, the project was placed on hold. Fielding's Oil has several locations, Auburn, Rochester, Scarborough, Lewiston, etc. This is not the first facility that they have constructed. At this time however, Scarborough is the closest storage facility to our area.

There have been some minor changes from the last time the project was brought before the Board. The previous layout of the site was not conducive to the oil trucks. The oil tanks increased from two (2) tanks to four (4). The site allows vehicular traffic to flow either clockwise or counter clockwise.

There will be two (2) thirty-thousand (30,000) gallon propane tanks on the road side of the site. There will be an equipment shed and a small control building on site. There will be a gate along with a Knox box for the Fire/EMS department and the fire pond is proposed to be lined and will hold approximately seventy-five (75,000) thousand gallons of water. The regulation is for approximately one (1) hours' worth of water or approximately fifty-thousand (50,000) gallons. The pond will be at least six (6) feet deep in the middle. Chairman LePage asked if the Fire Department would have access to the fire pond if needed, to which the answer was yes. Jodi Amadan offered that there are many safety measures in place which exceed the minimum requirements. The Chief asked what the possibility was for there to be two (2) Blitz pumps so one could be on the truck. Jodi stated that this would not be an issue.

The questions of how much noise will be created and or the amount of odor were addressed. The only noise will be when the trucks are loading. This will be during the daylight hours the majority of the time. The trucks are comparable to a school bus as far as noise. In regard to odor, there are sensors that detect if there is a leak. If there is an alarm it will contact an alarm company and they will notify the Fire Department. There are both automatic and manual emergency shutoffs in place.

The previous Department of Transportation permit needs to be renewed, the Department of Environmental Protection permit is automatically approved in two weeks, even if you do not receive the written confirmation at that time. Mr. Coughlin stated that there will be a cement dyke for the four (4) oil storage tanks.

Traffic will consist of probably one (1) or two (2) large trucks a week to fill the tanks. The number of smaller trucks filling up for their deliveries will vary.

Approval from the Fire Marshall is still needed. Chairman LePage explained that the Site Plan Approval is valid for one year from the date of approval, not the start of construction date. A construction schedule along with the rest of the improvements and fire access are needed. The Town has used John Turner Consulting as a third-party inspector; however, the applicant must set up a contract directly in regard to retaining their services.

There should be a pre-construction meeting with the Engineer, Owner(s), Asher Anderson, Fire Chief, Selectboard, Road Commissioner and the Code Enforcement Officer.

Jodi will reach out to the Fire Chief again for input/confirmation. The following will be sent to Patrick:

- The oil aspect of the project is conditional upon the submittal of all required permits and or licenses
- Letter from the Fire Chief
- 3rd party inspections
- Reports from John Turner Consulting must be submitted to both the Code Enforcement Officer and the Planning Board
- Stamped as built drawings
- There should be a pre-construction meeting with the Engineer, Owner(s), Asher Anderson, Fire Chief, Selectboard, Road Commissioner and the Code Enforcement Officer.
- Full Documentation from John Turner Consulting to confirm all materials
- If oil permits and/or licensing is not complete at the time of approval, this will need to come back before the Board.
- See the Code Enforcement Officer in regard to any additional permits that may be needed, placement of signs, etc.

A Public Hearing was scheduled for Monday, April 4, 2022 from 6:00 pm to 6:30 pm. The Land Use Clerk is to invite the Asher Anderson from John Turner Consulting, Fire Chief, Selectboard, Road Commissioner and the Code Enforcement Officer to the Public Hearing.

Paul Hollis/John Corliss – Minor SUB - Blue Rose Lane

Mr. Hollis presented a conceptual plan for a 7.79-acre lot. Currently there are two (2) duplexes on the property with a fifty (50) foot Private Road, with twenty (20) feet of paved area. This submission is to correct an illegal subdivision in order to build another home. The applicant is aware that the home is to have a sprinkler system for fire suppression. This is a minor subdivision.

A Site Visit was scheduled for Saturday, March 26, 2022 at 8:00 am

Cindy Pedro – SPR MLR – 87 Savannah Lane –

Mrs. Pedro approached the Board in regard to constructing a building on her property for a medical marijuana grow. There will be three (3) employees with no customer traffic. A draft of the property was presented to the Board. Both the well and leach field need to be noted on the plan.

The motion that this be considered a Minor Site Plan Review was made by L. Bragg. The motion was seconded by A. Bridges. The vote was taken. The motion carried.

A Site Visit was scheduled for Saturday, March 26, 2022 at 8:30 am.

Adam Rowley – SPR MLR – 163 Natural High Rd -

Mr. Rowley came before the Board and presented an application with supporting information in regard to a proposed Medical Marijuana Caregiver Grow Facility at his place of residence.

No construction or earth work is to take place. No customers or employees. Product will be delivered (wholesale). The motion that Mr. Rowley did not have to go through the Site Plan Review Process was made by L. Bragg. The motion was seconded by A. Bridges. The vote was taken. The motion carried.

L Bragg the motion to adjourn. The motion was seconded by A. Bridges. The vote was taken. The motion carried. The meeting adjourned at 9:03 pm.

Note:

The Planning Board follows the Site Plan Review Ordinance criteria which was enacted on Tuesday, November 6, 2018. Additional requirements, restrictions and/or criteria in regard to other Town Ordinance, State laws and or licensing are the responsibility of the applicant to research, apply for and obtain. The Planning Board does not review or approve any of the criteria/requirements or issue licenses, permits, etc. associated with marijuana businesses/establishments of any kind.