



**Lebanon, Maine Planning Board  
Regular Meeting Minutes  
Monday April 15, 2019**

Members Present

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

Others Present

Selectman Harlow  
Dana Coull

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D. Harriman made the motion to open the meeting at 6:00 pm. Vice-Chair LePage seconded the motion. The vote was taken. The vote carried.

**Hayes Farm** – The Planning Board reviewed the updated plan that Mr. Libby had dropped off at the Town Office. The Board feels that a construction schedule of Summer/Fall 2019 is not acceptable and are requesting more information. The Board is also requesting provisions for each phase of construction and an inspection schedule. Once these have been submitted, then the Board will sign the final plan.

The following paperwork/forms were reviewed to confirm if the Board would like these forms utilized and or updated to reflect current practices:

Checklist for Agenda Request – Chairman O'Brien made the motion to accept the Checklist for Agenda Request Form. B. Harris-Howard seconded the motion. The vote was taken. The vote carried.

Letter of Authorization Form – Add an area for a Notary

Road Entrance Application – Should this be included in a “packet” that the Planning Board would have for each new applicant? Chairman O'Brien made the motion to have a Road Entrance Permit Application to be included in a new applicant “packet”. Vice-Chair LePage seconded the motion. The vote was taken. The motion carried.

The question of who verifies the site distances, would Code Enforcement or the Road Commissioner.

Application/Final Fee Payment Information – B. Harris-Howard made the motion to continue to use the form and to accept the revisions. Vice-Chair LePage seconded the motion. The vote was taken. The vote carried three (3) in favor and one (1) against. The motion carried.

Escrow Account Information – Vice-Chair LePage made the motion to continue to use the form and to accept the revisions. B. Harris-Howard seconded the motion. The vote was taken. The vote was three (3) in favor and one (1) against. The motion carried.

Request of Escrow account Disbursement/Release Form – Chairman O'Brien made the motion to continue to use the form and accept the revisions. B. Harris-Howard seconded the motion. The vote was taken. The vote carried.

*(The question of if there should be a sign off line for the Road Commissioner as well to be revisited)*

The question of who would confirm site distances for a subdivision either on a Town road or a newly created road. The Road Commissioner or the Code Enforcement Officer. The Board would like the secretary to follow up on this. The Board also wants the site distance for each driveway approved prior to a building permit being issued.

Vice-Chair LePage brought up the suggestion of a pre-construction review. This would be beneficial so that all parties/Boards/Departments are aware of the process and schedule and what who is issuing permits, performing inspections, etc.

Chairman O'Brien mentioned that it would be beneficial for the Code Enforcement Officer to attend the final review in order to have his input on the project prior to approval. Selectman Harlow stated that perhaps the Codes Officer could work less hours on a Wednesday in order to attend a Monday meeting. B. Harris-Howard asked if this could be accomplished through a conference call. Chairman O'Brien stated that in the recent MMA Planning Board & Appeals Workshop that she and Vice-Chair LePage had attended, that conference calls are illegal. Chairman O'Brien also added that a Site Review is open to the Public and does not need the property owner's permission to do so for it is a Public Meeting. The question of who would be responsible if someone were to get injured on the property? Selectman Harlow stated that since it was a Public meeting, the Town is liable.

The topic of representatives of the applicants and Letter of Authorization Forms was revisited. Chairman O'Brien feels that the applicant needs to attend meetings so there is no confusion as to what is expected. The Board was asked if they felt applicants should be present or not at the meetings. Chairman O'Brien asked Selectman Harlow was for his input. Selectman Harlow feels that an investor does not need to attend meetings, but the contractor does for they will be performing the work.

Vice-Chair LePage offered again this is another example of why a pre-construction review would be beneficial. It could also be helpful in preparing the Findings of Fact and Conclusion of Law.

Chairman O'Brien feels strongly that the applicant is aware and understands special/out of the ordinary situations/requests which the applicant needs to comply with.

The question what would happen if subdivision was sold was asked. Vice-Chairman LePage replied that until the conditions were in compliance, that no occupancy permits would be issued until the entire project was completed with the exception of the final coat of pavement.

Vice-Chair LePage suggested that there should be no occupancy permits until everything is completed, inspected and the proper signed paperwork submitted.

The Board reviewed the Subdivision Fees and Guarantee Escrows Worksheet. Chairman – O'Brien suggested that the sections in the Subdivision Regulation Guide be added to the Escrow for Completion Guarantees portion of the worksheet. These sections would be 8.4.A, 6.1 and 6.2.B.

The Fee Schedule which is Appendix C in the Subdivision Regulations was edited, voted upon and should be submitted to the Selectboard for approval.

Various questions on Escrow accounts and how they should be determined was discussed again. Chairman O'Brien feels that Lee Jay Feldman from the Southern Maine Planning Development Commission should be consulted for guidance.

Questions on inspections and the use of engineers were brought up. Should the Town appoint/hire a certain agency? Would the Town contact several agencies each time they would need the service of an engineer? Should we contact several agencies for a fee schedule and references? The Town has used Civil Consultants in the past for various reasons. Should the Town just continue to use Civil Consultants as the appointed Town engineer?

Appendix G: Inspections Memo in the Subdivision Regulations does not reference what account would be drawn from.

Vice-Chairman LePage made the motion to accept the new Subdivision Fees & Guarantee Escrows Worksheet as the new Appendix C in the Subdivision Regulations. B. Harris-Howard second the motion. The vote was taken. The vote carried.

The Board continued to review Article 12- Design Guidelines located in the Subdivision Regulations.

The motion to adjourn was made by D. Harriman. The motion was seconded by Vice-Chair LePage. The vote was taken. The motion carried. 8:48 pm

*7-1-2019 minutes were reviewed*

*Chairman O'Brien made the motion to accept minutes with correction.*

*Vice-Chair LePage seconded the motion. The vote was taken. The motion carried.*