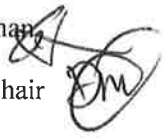



**Lebanon, Maine Planning Board
Planning Board Public Hearing
Regular Meeting Minutes
Monday, August 29, 2022**

Members Present

A. LePage – Chairman 

D. Wilson – Vice-Chair 

A. Bridges 

L. Bragg 

S. Nugent - Alternate

Others Present

John Hutchins

Lisa Thompson

James DuPrie

Jennifer Gosselin

Darrell DeTour

Brian Wolfinger

Brendan Markley

Terry McCabe

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 The meeting opened at 6:00 pm.

Pledge of Allegiance

L. Bragg made the motion to open Public Hearing for the four (4) lot subdivision “Wilder Acres.” The motion was seconded by A. Bridges. The vote was taken, the motion carried. 4-0 The meeting opened at 6:02 pm.

Public Hearing

John Hutchins – Lisa Thompson – Little River Road – Minor Subdivision - Map R01 Lot 20-A

John Hutchins from Line-Pro Surveying, made the “Wilder Acres Subdivision” proposed by Lisa Thompson. Wilder Acres is a four (4) lot subdivision to be located Tax Map R01 Lot 20-A. This subdivision has existing road frontage on Little River Road, which is a Town road. The lots range in size from 2 acres to 5.9 acres. The property is mostly field with some woods and some wetlands which are shown on the plan along with the twenty-five-foot setbacks. A Site Visit took place on August 7, 2022. His client is looking for final approval.

The floor was open to the Public for questions/comments. Terry McCabe an abutter addressed his concerns in regard to this proposed subdivision. Mr. McCabe abuts approximately 9/10 of the proposed subdivision. Currently there are water issues. When the two new houses were built on Little River Road, there had been flooding and culverts were installed under the driveways. They had solved their water issues by creating a hole in a stone wall with an excavator to divert the water, which now sheds directly onto Hanscom Farm Lane. Hanscom Farm Lane is a private road in which the water management was well planned with culverts etc. These new lots are on a Town maintained road, in which the Town would be responsible for watershed, since

the town is approving the subdivision? Will there be some sort of ditching system? There is also concern as to why the Town is allowing building in the wetlands.

Chairman LePage explained that the Board had not approved anything as of this time. The Board is reviewing this subdivision and were not involved in the matter of the other two homes. The Planning Board is not Code Enforcement and are reviewing this subdivision. From what you are explaining, the water issues are a result of the other two lots. Mr. McCabe replied that they were. Mr. Hutchins had explained that there are no major grading issues on these lots for what is being proposed.

Chairman LePage stated that perhaps the Road Commissioner should be involved. To the Boards knowledge, the existing ditching system seems to work. Mr. McCabe stated that there are no ditches.

The question of if the two newly built upon lots were a part of this property. The previous owner split those two lots off about three (3) years ago. They had owned the property for about twenty (20) years; therefore, they were able to split the property without subdivision for the home lot was exempt.

Mr. McCabe questioned if there were to be covenants or restrictions within the subdivision other than the fire suppression requirement, such as if mobile homes would be allowed, will they be required to keep the property in good repair, etc. Would there be some sort of an association?

Mr. Hutchins stated that the lots will be sold individually so what the new owner decided to do, is up to them. He suspects that there will be no mobile homes. Mr. Hutchins explained that most times when an association is created, it is due to a private road being created and there is certain drainage and maintenance that is required. These lots are on an existing road so there is no reason to create an association. The grading will not be changing the property in any way, at least not significantly, due to this, he really didn't see how water would be draining onto abutters properties.

Question of where homes can be placed on the properties was asked. Building envelopes were explained stating that any building must be within that "envelope". This can be enforced. Mr. McCabe asked if the fire suppression was the only requirement that the subdivision had to comply with. Chairman LePage explained that the Planning Board reviews the subdivision to ensure that it meets all of the requirements in the Subdivision Regulations, and yes, these lots will be required to have either a fire pond or sprinklers. The owner/contractor needs to submit a Road Entrance Application to the Road Commissioner to approve the driveway.

L. Bragg made the motion to close the Public Hearing for the "Wilder Acres" subdivision owned by Lisa Thompson. The motion was seconded by A. Bridges. The vote was taken. The motion carried. 4-0

Regular Meeting

L. Bragg made the motion to reopen the regular meeting. The motion was seconded by A. Bridges. The vote was taken. The motion carried. 4-0 The meeting opened at 6:18 pm

John Hutchins – Lisa Thompson – Little River Road – Minor Subdivision - Map R01 Lot 20-A

Chairman LePage stated that perhaps the Road Commissioner could visit the site to determine if he feels that ditches are necessary. Perhaps an easement could be given to the Town in the event that the situation changes and the need for ditching, etc. is needed.

The Board reviewed the revised plan. There was discussion of odd shaped building envelopes due to the wetlands. Mr. Hutchins offered that it is better not to ditch for it will sheet the flow of the water instead of the water naturally being absorbed. When you are creating a new road, that is when you need to consider ditching and crowns, etc.

Items mentioned/discussed in regard to the plan

- Mr. Jancosko, an abutter shown on the plan, needs to be changed to new owners
- Road Commissioner note assessment of the effect of driveway and storm water runoff
- Any construction is to be within building envelopes

- Give the Town a potential easement in the event circumstances change and ditching and or culverts are needed
- Ensure that a copy of the plan is attached to the deed somehow as an exhibit, or an actual copy is given to whoever purchases the property so they are aware that it is a part of a subdivision and the requirements of approval, etc.
- Pre/Post construction video of the road
- Placement of the wells
- Fire Protection

The Road Commissioner will be contacted in regard to setting up a meeting on site.

Darrell DeTour – Boundary line Adjustment – Pine Ridge Farm Subdivision – Mr. DeTour presented a revised plan of the lot line adjustment to the Pine Ridge Subdivision along with a notarized letter from the abutter(s). A. Bridges made the motion to accept the lot line adjustment between DeTour and Martin in the Pine Ridge Farm Subdivision. The motion was seconded by Vice-Chairman Wilson. The vote was taken. The motion carried. Chairman LePage, Vice-Chairman Wilson and A. Bridges voted in favor. L. Bragg abstained from the vote.

Allyn Gee – Site Plan Review – Marijuana License Requirement – Not in Attendance

Brian Wolfinger – Site Plan Review - Marijuana License Requirement – Grassy Roads Garden

Mr. Wolfinger has come to the Board previously and a site visit was held. Mr. Wolfinger was going to look for a survey of his property. Mr. Wolfinger came before the Board with a Portion of a previous approved subdivision where his property was an abutter, hoping to use it as base for the plan that would be submitted with the Site Plan application.

The Board went through the review criteria. Vice-Chairman Wilson made the motion to waive the following criteria. The motion was seconded by L. Bragg. The vote was taken. The motion carried. 4-0

- Full Boundary survey
- Existing Conditions survey
- Topography
- Stormwater Management Plan
- Erosion Control Plan

The following do need to be noted on the plan:

- Existing buildings
- Limits of pavement
- Leach Field
- Location of well
- Location of sign
- Location of dumpster

Mr. Wolfinger will submit an application once it is complete. Once the Board receives the application, whether or not it will be reviewed as a major or minor review will be determined.

A. Bridges made the motion to accept the minutes from **August 1, 2022 as written**. The motion was seconded by Vice-Chairman Wilson. The vote was taken. The motion carried. 3-0

A. Bridges made the motion to accept the site visit minutes from August 9, 2022. The motion was seconded by Vice-Chairman Wilson. The vote was taken. The motion carried. 3-0

Discussion on the State Statute criteria for recording plans took place. This information had been distributed and discussed during a prior meeting as well.

Discussion of the benefits of holding interdepartmental pre-construction meetings with the owner/contractor, for both Subdivisions and Site Plan Reviews took place as well as what should be placed on final plans.

L. Bragg made the motion to adjourn. The motion was seconded by A. Bridges. The vote was taken. The motion carried. The meeting adjourned at 7:56 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.