






Lebanon, Maine Planning Board
Meeting Minutes
Tuesday, September 5, 2023

Members Present

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

Others Present

Glenn Griswold
Nick Boston
Steve Serewicz
Jeff Gallant
Colleen Fleming
Jason DiDonato
Stacey Nast

A. Bridges made the motion to open the meeting. The motion was seconded by Vice-Chairman Wilson. The vote was taken. The motion carried. 4-0 The meeting opened at 6:09 pm.

Pledge of Allegiance

Paul Morrisette/East Coast Cannabis – Site Plan Review - 1716 Carl Broggi Highway, U01-68:
Not in attendance

Glenn Griswold/Colleen Fleming – Best Possible Location, Champion Street – Map U11 Lot 9:

Mr. Griswold present a revised plan and application to the Planning Board. The revised plan showed the connecting area between the house and the garage was removed which allowed the entire structure to be behind the 100' high-water mark and the garage was changed from a two (2) car garage to a one (1) car garage. Both the septic system and drainage plan are both still in the designing process. The Code Enforcement Officer mentioned that the garage had not changed in size. The explanation was that the connecting area which was removed, was going to be where the utilities were located, with that area removed, the utilities would now be located in the garage. There was discussion of lot size and lot coverage of the surrounding lots in relation to this property/project. Discussion also took place in regard to drainage issues and the water/drainage line that is mentioned in the deed, but no one knows where it is located on the lot. The only additional information on this water line is that there is a 10' right of way on the property for the Town of Milton to make repairs, this is in the deed as well as the abutters deeds. The Town of Milton New Hampshire had not allowed hook up to its water supply for years. An abutter stated that the line supposedly goes under the bridge to Milton and splits three ways. No one knows how this will affect the proposed project. After referring to the Shoreland Zoning Ordinance and much discussion, Vice-Chairman Wilson made the motion to table the application for Colleen Fleming as we send this to the Board of Appeals for further review of variance setbacks. The motion was seconded by M. Kennedy. The vote was taken. The motion carried. 4-0

Allyn Gee – Site Plan Review – Questions in regard to selling/buying precious metals:
Not in attendance

Grace Ventures, Jason DiDonato/Stacey Nast-DiDonato - Site Plan Review 77 Carl Broggi Hwy:

Both Jason and Stacey came before the Board to propose a change of use to the Family Fun Center, located at 77 Carl Broggi Highway. They are looking to change the use of the barn and utilize it as an event venue for weddings, etc. by removing the existing batting cages and cement pad by the barn and place a new, smaller concrete pad. A plan of the site will need to be submitted. Discussion took place whether or not the septic design would accommodate the property to be used as an event venue, as well as parking and ADA compliance. Vice-Chairman Wilson made the motion that the Grace Ventures project be considered a Major Site Plan Review. The motion was seconded by A. Bridges. The vote was taken. The motion carried. 4-0 Site Plan Review application fee of \$250.00 was paid with check# 219.

Nick Boston – The Can Man – Revisit, Site Plan Review – 403 Carl Broggi Hwy, Map R07 Lot 67-2:

Mr. Boston came before the Board after receiving an email to halt all site work on his property located at 403 Carl Broggi Highway. It was brought to the Board's attention that piles of stumps were being removed and fill was being added. There was also additional bricks and broken pieces of concrete placed into the ditching on the side of the highway. Mr. Boston had placed several dumpsters as well as a sign on the site, which was never approved by the Planning Board. The Code Enforcement Officer as well as the Maine Department of Transportation were notified of the site work taking place.

Mr. Boston had previously come before the Board March 6, 2023 after being referred by the Code Enforcement Officer at that time in regard to site work for a commercial business. The Planning Board held a Site Visit on April 8, 2023. At that time a large area of the lot had been cleared and stumped. There were piles of stumps and loam as well as puddling on site. A culvert was placed along with bricks and other debris within the ditching on Route 202/Carl Broggi Highway which is maintained by the State. There was concern that Mr. Boston was commencing site work within the MDOT ROW. A plan of the site showing wetlands, setbacks and the MDOT ROW was requested by the Board before the review could move forward due to erosion and drainage concerns.

Code Enforcement added that Mr. Boston will be receiving a notice of violation from the State for his existing road entrance permit is for a residence and with the business, this is considered a change of use to a shared entrance. He also added that Mr. Boston will need to submit a building permit application, since work had taken place before a permit was issued, the fee would be three times what the original fee would have been. Once the violation fees have been paid and the necessary permits/approvals received from both the State and Code Enforcement, Mr. Boston would then need to come back before the Board with a survey plan as previously requested in order to move forward with the Review.

Other Business:

Discussion of fees and procedures associated with the Decommissioning Plans/Bonds for Solar projects took place. How should the amount of the Decommissioning Bond be determined, should there be a time frame in which the removal of the project must be completed. Preconstruction meetings will need to be scheduled and Performance Guarantees submitted.

The Codes and Land Use Admin will reach out to both Wells and Sanford for their input for they already have large Solar projects in place as well as obtain the project cost for the O'Meara, Lebanon West Lebanon Solar 1, LLC project.

Vice-Chairman Wilson wanted to mention that there has been a lot of discussion throughout the Town in regard to different scenarios that may come before the Board in relation to the fire station. Whether or not to build a new Station, repair "Station 1", and/or place a manufactured home in back of "Station 1".

He stated that the whatever proposal the Town submitted an application for, the proposal would go through the same process as any other review that would come before the Board.

If the residents vote in favor of any one of the proposals, if the project does not meet the criteria and/or setbacks, the Planning Board would not be able to approve the project.

The Lebanon Maine Solar, LLC project on Upper Cross Road, has expired. Neither the applicant or representative(s) of the project, requested an extension of the Site Plan Review approval. Per the Ordinance, the approval is null and void and the project will need to be resubmitted.

The Site Plan approval for Nature's Bounty, 270 Carl Broggi Highway, has expired. Neither the applicant or representative(s) of the project, requested an extension of the Site Plan Review approval. Per the Ordinance, the approval is null and void and the project will need to be resubmitted.

It had been brought to the attention of the Planning Board that the Fielding's Oil site does not reflect what was approved on the plan. The shed placement has changed, the vegetation road side had been removed, there are empty propane tanks where five (5) parking spaces are and they are next to the emergency shut off. There was also the question that even though the previous Fire Chief stated that the fire pond was adequate, was the fire pond actually inspected. The Code and Land Use Admin will reach out to Fielding's Oil with these concerns and request a time for a representative of Fielding's Oil to meet with Code Enforcement, the Fire Chief and the Codes and Land Use Admin.

The motion to adjourn was made by A. Bridges. The motion was seconded by M. Kennedy. The vote was taken. The motion carried. 5-0 9:05 pm