





**Lebanon, Maine Planning Board
Planning Board Public Hearing/ Regular Meeting -Minutes
Monday, May 16, 2022**

Members Present

A. LePage – Chairman 
D. Wilson – Vice-Chair 
L. Bragg 
A. Bridges 
M. Walsworth - Alternate

Others Present

Mr. & Mrs. Pedro
Brian Huppe
Chase Gagnon
Jase Gregoire
Nathan Dowling
Allyn Gee
Ken King
Dana Libby
Eddie Bruedle

L. Bragg made the motion to open the meeting. The motion was seconded by Vice-Chair Wilson. The vote was taken, the motion carried. The meeting opened at 6:02 pm.

Pledge of Allegiance

L. Bragg made the motion to open the Public Hearing for Cindy Pedro. The motion was seconded by Vice-Chair Wilson. The vote was taken the motion carried.

Chairman LePage read the following into record:

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.

Cindy Pedro – SPR MLR – 87 Savannah Lane – R07-14

Mrs. Pedro presented the proposed project to the Board and to those in attendance. This will be a new build of a grow house. No members of the public will be on site. Products are delivery only. There will be only three employees, Mrs. Pedro, Mr. Pedro and their granddaughter.

A. Bridges made the motion to close the Public Hearing. The motion was seconded by L. Bragg. The vote was taken. The motion carried. The Public Hearing was closed at 6:11 pm.

L. Bragg made the motion to continue the regular meeting. The motion was seconded by Vice-Chair Wilson. The vote was taken. The motion carried. The meeting reconvened at 6:12 pm.

Cindy Pedro – SPR MLR – 87 Savannah Lane – R07-14

The Board discussed the project. This will be a new build of a 26'x46' structure on a four-foot frost wall. The structure sits 103' from the field and 136' from the boundary line. No septic system is needed for there are no bathrooms and there is an existing well on site. Vice-Chair Wilson questioned whether or not the survey would be suitable for it was not a boundary survey. Mrs. Pedro did place a dumpster on the plan in the event that they should need one in the future. Erosion control measures such as stump grindings or silt fencing, must be in place during construction.

The motion to accept the plan for Cindy Pedro on Savannah Lane of a 46'x26' commercial building was made by L. Bragg. The motion was seconded by Vice-Chair Wilson. The vote was taken. The motion carried 4-0. The Plans were signed. A recorded copy must be returned to the Planning Board.

Brian Huppe – SPR SLZ - KOA Campground – Flat Rock Bridge Road

Brian presented an application and revised plans to the Board. Vice-Chair Wilson updated Chairman LePage of the last meeting. Per the Code Enforcement Officer, it was okay for the safari tent platforms to be moved. It will be noted in the FFCL that Jeff Kalinich from the State and Code Enforcement Officer Salvatore approved the location. Page 17 in the Shoreland Zoning Ordinance states the distance in which campsites must be located from the highwater line. The Board would like to see any documentation that there may be such as emails or notes between Mr. Kalinich, the Code Enforcement Officer and/or Mr. Huppe, in regard to the approvals.

Mr. Huppe informed the Board that Jeff Kalinich and Code Enforcement Salvatore had approved and issued permits for the rustic cabins. The sonotubes will be in tomorrow, Tuesday, May 17, 2022. Both Chairman LePage and Vice-Chair Wilson would like to see written documentation of the Code Enforcements approval and permit(s) and if the setbacks are according to the campground requirements on page 17 in the Shoreland Zoning Ordinance. The existing campsites will need erosion control. Ossipee Aggregates will be delivering stone and loam to the site.

Mr. Huppe is hoping to have the completed Shoreland Zoning plan completed within two (2) to three (3) months' time.

Vice-chair Wilson made the motion to allow moving forward with the rustic cabins that have been pre-approved by the Code Enforcement Officer and the Department of Environmental Protection. The KOA campground additionally needs to add twenty-five (25) foot increments within the 100-year high water mark. Chairman LePage added a motion that Mr. Huppe must return to the Planning Board in thirty (30) days or the next Planning Board meeting with either a revised plan or he may update the Land Use Clerk with a time frame. The motion also included the approval to move forward with upgrading transient sites to sites with deluxe cabins. The motion was seconded by L. Bragg. The vote was taken. The motion carried. 4-0

Chairman LePage reiterated that the surveyor should add wetlands etc., in addition to the twenty-five (25) foot delineations on the plan.

Jace Gregoire/Chase Gagnon – G&G Subdivision

Jase Gregoire and Chase Gagnon have proposed a minor three lot subdivision to the Board. The property is located off of Jim Grant Road, Map R11 Lor 35 and consists of eighty-eight (88) acres, to which there are forty-five (45) in the front. The back portion of the property will remain untouched.

The lots would consist of two (2) five (5) acre house lots with the remaining land untouched. Test pits have been completed and the Road Entrance Permit obtained. The impact on the wetlands will be minimal and a Permit by Rule obtained from the State. The site distance is sufficient.

Also presented was an erosion control notes sheet with stabilization details, vehicular circulation showing adequate room for both emergency vehicles and school buses to maneuver.

The motion to approve the application as complete and accepted for G&G Subdivision was made by Vice-Chair Wilson. The motion was seconded by L. Bragg. The vote was taken. The motion carried. 4-0

Several waivers were granted:

- High Intensity Soil Survey (H.I.S.S) for the easement only, not the road. The two (2) homes share a fifty (50') foot easement between for power access
**The motion to accept this waiver was made by Vice-Chair Wilson. The motion was seconded by A. Bridges. The vote was taken. The motion carried. 4-0
- Required road width from twenty (20') feet to sixteen (16') feet and no shoulders, due to this being a shared driveway with two dwellings.
**Vice-Chair Wilson made the motion to allow a sixteen (16') foot wide shared driveway with no shoulders opposed to a twenty (20') foot wide driveway which is normally required, for G&G Subdivision to service the two (2) proposed house lots with no possibility of ever being upgraded to a Town specs road. The motion was seconded by L. Bragg. The vote was taken. The motion carried. 4-0
- The motion to waive the need of a public hearing was made by Vice-Chair Wilson. The motion was seconded by L. Bragg. The vote was taken. The motion carried. 4-0
- With a with a letter from Civil Works, that the roadway was constructed per the plan and that the culvert was sized properly, Chairman LePage made the motion to waive the infrastructure escrow for G&G Subdivision. L. Bragg seconded the motion. The vote was taken. The motion carried. 4-0

The Land Use Clerk is to send wording to Mr. Gregoire in regard to the waivers in order to place them on the final plan. Applicant will bring revised plans for the Board to sign.

Nathan Dowling – SPR - NYTE Walk

Mr. Dowling presented an application to the Board for review. Chairman LePage asked the Board their thoughts on whether or not this should go through the complete process. Page four (4) of the Site Plan Review Ordinance states:

Applicability

The owner of a parcel of land shall obtain site plan approval prior to commencing any of the following activities on the parcel, obtaining a building or plumbing permit for the activities, or undertaking any alteration or improvement of the site including grubbing or grading:

1. The establishment of a new nonresidential use even if no buildings or structures are proposed, including uses such as gravel pits, golf courses, and other nonstructural nonresidential uses.

Vice-Chair Wilson made the motion that NYTE Walk project needs to go through the minor site plan review process. The motion was seconded by L. Bragg. The vote was taken. The motion carried. 4-0

A site plan will be needed and in order to be recorded, it must be stamped. The plan should show the parking area, trails, driveway, etc. Mr. Dowling will see if he can locate a boundary survey.

The site visit was discussed. There is plenty of room for cars to park and maneuver. It is estimated between, ten (10) to twenty (20) cars per hour. Mr. Dowling was given an application. The Board feels a public hearing is not needed. A notarized letter from Mr. Dowling's parents will need to be submitted acknowledging and allowing Mr. Dowling to move forward with this project. There will not be any utilities installed on site, generators will be used for lights and music. There is no earth work proposed to take place so erosion control or a storm water plan is not needed. A building permit from the Code Enforcement Officer must be obtained for the sign. Applicant is to submit completed application and site plan at the next Planning Board meeting.

Allyn Gee – SPR MLR – 1674 Carl Broggi Highway

Mr. Gee came before the Board for an initial workshop discussion of the proposed project. This is an existing building with an existing business. There will not be any changes to the site. Vice-Chairman Wilson made the motion that Tier 1 goes through a minor site plan review. The motion was seconded by L. Bragg. The vote was taken. The motion carried. 4-0 A Site Visit was scheduled for Tuesday, May 24, 2022 at 6:00 pm.

Dana Libby/Kenneth King – SUB REV – Caroline’s Way

Dana presented an application for an amendment to the existing Salmon Falls Estates Subdivision. Mr. King currently owns 35 Caroline’s Way and is proposing to divide his lot. The current lot has Mr. King’s home as well as a garage with living space above. He would like to split the lot and sell the garage.

Access to the property is an easement which is paved or to Town standards. The Fire Chief will need to visit the site to determine if there is an adequate area for Fire/EMS vehicles to maneuver and issue his findings to the Planning Board. A site visit will be scheduled at the next meeting which is, Tuesday, June 7, 2022 once the application is completed.

Eddie Bruedle – SPR – Zeke’s Way

Mr. Bruedle came before the Planning Board to propose an addition to his existing commercial garage for “Eddie B’s Towing and Recovery”. The addition would be a 28’ x 40’ garage with two bays, customer service area and a room for customer to wait.

Mr. Bruedle is now repairing vehicles in the existing garage, which is an additional service from the initial review. The Ordinance specifies that the plan needs to be stamped and discussion took place.

A brief outline of the various projects took place. Chairman LePage assured Mr. Bruedle that the Board is not trying to stop him from what he is proposing, the Board needs to follow the Site Plan Review Ordinance document. It was explained there have been several plans that the registry would not record because they weren’t stamped. The next steps would be to submit a completed application and plan, schedule a site visit, make any changes if any to the plan and schedule a Public Hearing should the Board decide, there should be one.

The motion to accept the Findings of Fact Conclusions of Law for Grace Charland was made by L. Bragg. The motion was seconded by A. Bridges. The vote was taken. The motion carried. 4-0

The motion to accept the Findings of Fact Conclusions of Law for the Corliss Subdivision located on Blue Rose Lane was made by L. Bragg. The motion was seconded by A. Bridges. The vote was taken. The motion carried. 4-0

The motion to accept the Findings of Fact Conclusions of Law for Brett Scott and Richard Rigerio of Cannabis Haven, 826 Carl Broggi Highway was made by L. Bragg. The motion was seconded by A. Bridges. The vote was taken. The motion carried. 4-0

Vice-Chair Wilson made the motion to adjourn. The motion was seconded by A. Bridges. The vote was taken. The motion carried. The meeting adjourned at 9:21 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.