Planning Board
MEETING MINUTES
June 13, 2024
LISBON TOWN OFFICE
7:00 PM - PLANNING BOARD MEETING

Shaun Carr, Chair
Nicholas Craig, Vice Chair
Vacant
Christopher Huston
Patrick Maloy
William Kuhl
Dan Leeman

CALL TO ORDER

The Chairman, Shaun Carr called the meeting to order at 7:00 pm.

ROLL CALL

1. Regular members present were Shaun Carr, Chris Huston (arriving at 7:05pm), Nicholas Craig, Dan Leeman and Patrick Maloy. Associate Member William Kuhl was present as well. Also present was Mark Stambach, Code Enforcement Officer; Kate Burch, Lisbon Planner; Sarah Bennett, Assistant Town Manager; Ross Cunningham, Director of Economic and Community Development; Cameron Ferrante, Town of Lisbon Attorney; Councilor Larochelle, Town Council Liaison; and1 audience member.

CHAIRMAN'S REVIEW OF MEETING RULES

Planning Board Meeting Rules Available in Public Meeting Room

WRITTEN COMMUNICATIONS

Minutes of May 23, 2024
VOTE (2024-56) Mr. Craig, seconded by Mr. Maloy, moved to Accept the Minutes of May 23, 2024 as presented.
Order Passed – Vote 5-0.

PUBLIC HEARINGS

Ordinance Amendment - Chapter 70, Proposed Ordinance Changes LD337

Ms. Burch explained these are changes to Zoning Chapter 70 to comply with and prepare for LD 337 which goes into effect in either July of August of this year. The law requires that Municipalities permit manufactured housing to be placed on individual lots where single family dwellings are allowed, subject to the same requirements as single family dwellings. The Board is also allowed to establish design criteria.
Ms. Burch said the first change is to make Lisbon's Ordinance comply by fixing the definition of Manufactured Housing and removing *Moblie Home* from the use table. She said the second change is design standards, which includes putting the manufactured housing on a permanent foundation, having the horizontal dimension facing the street if it is the primary dwelling on the property, a minimum roof pitch, roof and exterior composition and skirting on the slab at the bottom of the unit. The Planning Board added standing seam metal roofing to the allowable roof materials.

The Chairman opened and closed the Public Hearing with no Public Comment.

Ordinance Amendment -Chpt. 70, Art. 11, Div. 5, Sect.70-120 Powers & Duties
(a) Administrative Appeals

Ms. Burch said the language in this part of the Ordinance contradicts itself saying you could and could not appeal the decision of the Code Enforcement Officer. The Amendment is to strike out one sentence in the Ordinance as follows:

Section 70-120.(a) – Administrative Appeals
To hear and decide appeals within 30 days, where it has been alleged that there is an error in any interpretation, determination, order, requirement or decision made by the codes enforcement officer or a failure to act by the codes enforcement officer or in any other administrative matter involving the codes enforcement officer in the administration of any applicable land use or building related ordinances of the Town of Lisbon. ~~Administrative appeals shall not include enforcement decisions by the codes enforcement officer or the failure to provide for enforcement.~~ In acting on administrative appeals, the zoning board of appeals may sustain the action or inaction of the codes enforcement officer or may modify or reverse his or her action if the zoning board of appeals decides that the codes enforcement officer was in error.

The Chairman opened and closed the Public Hearing with no Public Comment.

UNFINISHED BUSINESS

Ordinance Amendment - Chapter 70, Proposed Ordinance Changes LD337 - *Second Reading*
VOTE (2024-57) Mr. Maloy, seconded by Mr. Craig, moved to approve the Ordinance Amendment - Chapter 70, Proposed Ordinance Changes for LD337 and send to Council for approval..
Order Passed – Vote 5-0.

Sec. 70-1. - Definitions. Manufactured housing /mobile home means structures as defined in 30-A M.R.S.A. § 4358(1). or mobile home means a structural unit or units designed for residential occupancy and constructed in a manufacturing facility and transported, by the use of its own chassis or an independent chassis, to a building site. This term includes both newer mobile homes and modular homes as defined in 30-A M.R.S.A. § 4358. LD337 Sec. 70 Changes Second Reading June 13, 2024 Planning Board Meeting 2 Sec. 70-531. - Table of land uses. Residential Uses RP LR GR RO-I RO-II RR LRR V C I DD 8 Accessory Dwelling Unit C C C C C C C C NO NO C Single-family Dwelling C P P P P P P P NO NO P 10 Mobile Home NO NO NO P P P NO NO NO NO NO Sec 70-617. Manufactured housing on individual house lots. a) Manufactured housing is permitted to be placed or erected on individual house lots where single-family dwellings are allowed, subject to the same requirements as single-family dwellings and the following siting and design standards. The following standards do not apply to manufactured homes in mobile home parks. b) Siting Standards. 1) The unit shall be placed on a permanent foundation with a minimum 4' frost wall or a floating slab. 2) The unit may not be placed on grade beams, gravel pads, or wheels and axles. 3) Units placed within 100' of the right-of-way must be oriented with the horizontal dimension facing the street. Exceptions to this will be made for manufactured housing units used as accessory dwelling units, which may have other orientations. c) Design Standards. 1) The roof pitch shall be at least 3/12 or steeper. Rounded or flat roofs are not allowed. 2) Roof shingles shall be either asphalt composition shingles, wood shingles, shakes, or standing seam metal roofing. 3) Exterior wall surfaces shall be of residential site-built building materials, such as clapboards, simulated clapboards such as conventional vinyl or metal siding, or wood shingles. 4) Exterior walls shall not be clad in metal panels or metallic surfaces. 5) A unit on a floating slab must have skirting between the slab and the bottom of the unit made of durable material made for such use that is visually compatible with the exterior wall surfaces

Proposed Ordinance Changes

Sec. 70-1. - Definitions.
Manufactured housing /mobile home means structures as defined in 30-A M.R.S.A. § 4358(1). or mobile
home means a structural unit or units designed for residential occupancy and constructed in a
manufacturing facility and transported, by the use of its own chassis or an independent chassis, to a
building site. This term includes both newer mobile homes and modular homes as defined in 30-A
M.R.S.A. § 4358.

Sec. 70-531. - Table of land uses.

Residential Uses	RP	LR	GR	RO-I	RO-II	RR	LRR	V	C I	DD 8
Accessory Dwelling Unit	C	C	C	C	C	C	C	C	NO	NO C
Single-family Dwelling	C	P	P	P	P	P	P	P	NO	NO P 10
Mobile Home	NO	NO	NO	P	P	P	NO	NO	NO	NO NO

Sec 70-617. Manufactured housing on individual house lots.
a) Manufactured housing is permitted to be placed or erected on individual house lots where
single-family dwellings are allowed, subject to the same requirements as single-family dwellings
and the following siting and design standards. The following standards do not apply to manufactured homes in mobile home parks.
b) Siting Standards.
1) The unit shall be placed on a permanent foundation with a minimum 4’ frost wall or a floating slab.

2) The unit may not be placed on grade beams, gravel pads, or wheels and axles.
3) Units placed within 100' of the right-of-way must be oriented with the horizontal dimension
facing the street. Exceptions to this will be made for manufactured housing units used as accessory dwelling units, which may have other orientations.
c) Design Standards.
1) The roof pitch shall be at least 3/12 or steeper. Rounded or flat roofs are not allowed.
2) Roof shingles shall be either asphalt composition shingles, wood shingles, shakes, or standing seam metal roofing.
3) Exterior wall surfaces shall be of residential site-built building materials, such as clapboards,
simulated clapboards such as conventional vinyl or metal siding, or wood shingles.
4) Exterior walls shall not be clad in metal panels or metallic surfaces.
5) A unit on a floating slab must have skirting between the slab and the bottom of the unit made of durable material made for such use that is visually compatible with the exterior wall surfaces.

Ordinance Amendment - Chapter 70, Article 11,
Division 5 - Section 70-120 Powers & Duties- (a) Administrative Appeals - *Second Reading*
VOTE (2024-58) Mr. Craig, seconded by Mr. Maloy, moved to approve the updated Ordinance Amendment to Chapter 70, Article 11, Division 5 - Section 70-120 Powers & Duties- (a) Administrative Appeals and send to Council for approval..
Order Passed – Vote 5-0.

NEW BUSINESS

Case 24-07 - Site Plan Review Application
Better Living Center, LLC
Wayne Drake
686 Lisbon Street
Map U05 Lot 216

Ms. Burch stated this project is to redevelop the former Getty Station at 684 Lisbon Street into a small retail grocery store which will be a second location of a store that is located in Farmington. The interior of the building will be renovated and the exterior will be updated with siding, exterior lighting, signage, parking lot striping and some landscaping. Ms. Burch said this project is located within the Rte. 196 Village Main St. character district for design standards. The applicant has requested a waiver of three of those standards which is dumpster screening, building architecture and off street parking.

Wayne Drake, owner of Better Living Center, LLC stated the existing store in Farmington has been in that community for 51 years and has been a vibrant part of the iconic downtown. He said surveys have shown they have the highest foot traffic in the downtown. This will be a health food store with flour, oats, produce and vitamins. Mr. Drake said they put about $400,000 a year back into the local farmers and venders and gross about 1.2 million in revenue every year.

Mr. Maloy asked what Mr. Drake's plan was to control the parking situation. Mr. Drake said the spots will be marked and signage will be put up.

Mr. Craig asked what the plan was for the dumpster since he's asking for a waiver on that. Mr. Drake said he does not plan on having a dumpster and will haul the trash himself daily.

Mr. Kuhl stated his concerns about the last applicant backing out of their plan for that building and asked if the owner of the building is aware of the time frame of this project. Mr. Drake said he has been in contact with the owner and the owner has been very helpful. Mr. Drake is currently waiting for the lease from them. The landlord has offered to back off the rent for the first 9 months while Mr. Drake invests his own money for the renovations.

Mr. Carr asked after the 3 year lease is up what will happen with it. Mr. Cunningham said Getty owns the property and sublets it to Cross America Partners for a 20 year span. He said if Cross America does not renew the lease, then Getty would possibly find another company to sublet all their properties to.

A representative from Cross America stated that they plan on having the lease paperwork to the applicant within the next few days.

Mr. Cunningham asked if the applicant could start renovations when he receives the lease.
Mr. Stambach said that work can be done if there's right title or interest and a building permit could be issued but it would be at the applicants own risk.

VOTE (2024-59) Mr Craig, seconded by Mr. Maloy, moved to approve the Application as complete for **Case 24-07** - Site Plan Review Application, Better Living Center, LLC, Wayne Drake, 686 Lisbon Street, Map U05 Lot 216 and set a Public Hearing for June 27, 2024 with the condition that an executed lease agreement be issued prior to moving forward with the project before the next meeting.
Order – Vote 5-0.

OTHER BUSINESS

NONE

CODE ENFORCEMENT OFFICER ITEMS

NONE

ADJOURNMENT

VOTE (2024-60) Mr. Craig, seconded by Mr. Maloy, moved to adjourn to Workshop at 7:35 pm.
Order Passed – Vote 5-0.

WORKSHOP

Lisbon Village Building Height Regulations
Ms. Burch said Lisbon's Ordinance limits building heights to 35 feet throughout town and the Rte. 196 Design Standards only allow a 1-1/2 to 2 story height in the village which are fairly low limits especially in the Village Area where the town is trying to promote mixed use developments and residential apartments.

Mr. Huston said he would like to make these changes in both the Village area and Lisbon Falls Area and would like to expand the changes in Village area as well.

Ms. Burch said Option 1 covers a lot of the Village area.

The Board discussed two different options as follows:

1. Increase the height limit in the Village zone
2. Increase the height limit only in the Lisbon Village area suggested by the Economic Development Director

At the May 9 workshop, the Board discussed how increasing the height limit would open up o pportunities for residential development in these areas, and would be compatible with historic patterns of development in Lisbon Falls and Lisbon Village.

Ordinance changes for both options follow. In addition to the edits below, we recommend ad ding a column for maximum building height to the dimensional standards table (Sec. 70- 536), as the current location of the height limit nested under Supplementary District Requirements -> Lot Requirements (Sec. 70-638) is not easy to find.

When considering these options, the Board should identify if there is something unique abo ut the identified Lisbon Village area that warrantdifferent zoning treatment than in Lisbon F alls and the larger areas zoned Village.

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Option 1: Increase the height limit in the Village zone.

Sec. 70-638. - Building height.

No building shall exceed 55 feet in height in the Village zone and 35 feet in height in any o ther zone. Features of buildings and structures, such as chimneys, towers, ventilators and spires, may exceed ~~35 feet in~~
height limits but shall be set back from the nearest lot line a distance not less than the hei ght of such feature or structure unless a greater
setback is required by other provisions of this chapter.

Sec 70-833

1. *Site layout and general design.*
   a. General standards by district. In addition to the General Standards, (b) through (f) below, these character district standards shall apply.

   i. Village character district.
   1. *Lot layout.* In village areas, buildings shall have small setbacks from the roadway, with frontage areas between the building and roadway that are well landscaped and have appropriate pedestrian access. Village areas will typically have
      speed limits 35 mph or lower, with an emphasis on pedestrian-scale site layout and less auto-oriented development.
   2. Buildings shall be located close to the sidewalk or public right-of- way, consistent with surrounding buildings.
   3. Off-street parking shall be located to the side or rear of the building, not in front.
   4. *Scale and density.* Buildings shall be constructed to a minimum ~~1½ to~~ 2 story height ~~(maximum building height of 35 feet)~~,
      unless a lower building height is determined to be more compatible with the surrounding buildings. In cases of a building or buildings (connected) with a larger footprint (>5,000 square feet), the building massing mus

t be broken up architecturally to be consistent with the village scale and surrounding buildings. The village districts are intended to support higher building density, with greater percentage of lot coverage and more units/square footage and mixed uses.

5. *Architecture and character.* Historic buildings and building character are to be maintained to the greatest extent possible; new construction should be generally described as "Typical New England Character" (*See (2) Architecture Standards*).

ii. *Village/Main Street character district*

1. *Lot layout.* In the Village/Main Street districts, buildings shall be located right next to or very close to the sidewalk or right-of-way, with emphasis on streetscape and pedestrian access in front of the building. Off-street parking is not allowed in front of buildings in this character district, only to the side or rear. The Village/Main Streets will typically have speed limits of 25 mph, with an emphasis on pedestrian-scale site layout and less auto-oriented development.

2. Scale and density. Buildings shall be constructed to a minimum ~~1½ to~~ 2 story height ~~(maximum building height of 35 feet)~~, unless a lower building height is determined to be more compatible with the surrounding buildings. In cases of a building or buildings (connected) with a larger footprint (>5,000 square feet), the building massing must be broken up architecturally to be consistent with the village scale and surrounding buildings. The village districts are intended to support higher building density, with greater percentage of lot coverage and more units/square footage and mixed uses.

Option 2: Amend Route 196 Design Standards to expand Lisbon Village and apply height limit change to Lisbon Village only.

Sec. 70-638. - Building height.

No building shall exceed 35 feet in height, except in the Lisbon Village Village/Main Street Character District as defined in 70-832(1)(b)(2)(b). Features of buildings and structures, such as chimneys, towers, ventilators and spires, may exceed ~~35 feet in~~ height limits but shall be set back from the nearest lot line a distance not less than the height of such feature or structure unless a greater setback is required by other provisions of this chapter.

Sec. 70-832. - Character districts.

1. Because the Route 196 Corridor Plan identified that different sections of the corridor have differing character, there are, in some cases, standards and guidelines that apply only to specific character districts along the corridor. The area of design guidelines applicability and the designated character districts are illustrated on the Route 196 Design Standards Overlay Map, (e) below.
2. a. *Village character district.*

1. *Purpose*. The purpose of standards and guidelines for the village character districts along the Route 196 Corridor is to maintain the areas of existing village character and scale, and encourage village character and scale for development and redevelopment in other appropriate areas of the corridor.

2. District locations. Character districts shall include all abutting properties on Route 196 within the sections of road below, including any development within 500 feet of the right-of-way.

a. Lisbon Falls—between Topsham town line and Sugg Drive/Route 9.

b. Lisbon Center and Lisbon Village—between River Road and Littlefield Road, excluding the area included in the Village/Main Street character district as defined in 70-832(1)(b)(2)

(b).*Village/Main Street character district.*

1. *Purpose*. The purpose of standards and guidelines for the Village/Main Street character districts adjacent to the Route 196 Corridor is to maintain the areas of existing village character and scale that are distinct to the village "Main Streets." These areas have definable significance for Lisbon's character. This development form, unique architecture, and pedestrian scale, is part of Lisbon's unique character and must be protected.

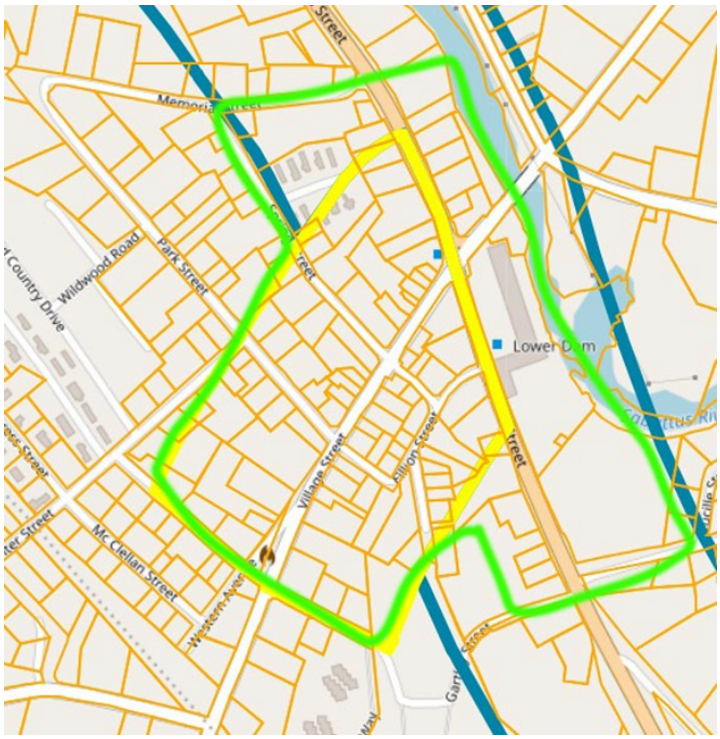
2. District locations. Character districts shall include all abutting properties on Route 196 within the sections of road below, including any development within 500 feet of the right-of-way.

a. Lisbon Falls: Main Street—between Lisbon Street and School Street.

b. Lisbon Village: Village Street—between ~~Lisbon Street~~ the Sabattus River and Franklin/Gartley Streets, and Lisbon Street between Memorial Street and Gartley Street.

(e) Route 196 Design Standards, Character District Overlay Map.

[existing Lisbon Village Village/Main Street Character District outlined in yellow; proposed boundary outlined in green.]



Sec 70-833

1. Site layout and general design.

b. General standards by district. In addition to the General Standards, (b) through (f) below, these character district standards shall apply.

1. *Village/Main Street character district.*
    1. *Lot layout.* In the Village/Main Street districts, buildings shall be located right next to or very close to the sidewalk or right-of-way, with emphasis on streetscape and pedestrian access in front of the building. Off-street parking is not allowed in front of buildings in this character district, only to the side or rear. The Village/Main Str eets will typically have speed limits of 25 mph, with an emphasis on pedestrian-scale site layout and less auto-oriented development.
    2. *Scale and density.* Buildings shall be constructed to a 1½ to 2 story height (maximum building height of 35 feet) in the Lisbon Falls

location of the Village/Main Street character district, unless a lower building height is determined to be more compatible with the surrounding buildings. Buildings shall be constructed to a maxi mum building height of 55 feet in the Lisbon Village location of the Village/Main Street Character District. In cases of a building or buildings (connected) with a larger

footprint (>5,000 square
feet), the building massing must be broken up architecturally to be consistent with the village scale and surrounding buildings. The village districts are intended to support higher building density, with greater percentage of lot coverage and more units/square footage and mixed uses.

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Lisa B. Smith, Planning Board Secretary

Date Approved: