AGENDA
PLANNING BOARD MEETING
June 13, 2024
LISBON TOWN OFFICE
7:00 PM MEETING

1. CALL TO ORDER
2. ROLL CALL
   Shaun Carr, Chair
   Nicholas Craig, Vice Chair
   Vacant
   Christopher Huston
   Patrick Maloy
   William Kuhl
   Dan Leeman
3. CHAIRMAN'S REVIEW OF MEETING RULES
   A. Planning Board Meeting Rules Available in Public Meeting Room
4. WRITTEN COMMUNICATIONS
   A. Minutes of May 23, 2024
5. PUBLIC HEARINGS
   A. Ordinance Amendment - Chapter 70, Proposed Ordinance Changes LD337
   B. Ordinance Amendment -Chpt. 70, Art. 11, Div. 5, Sect.70-120 Powers & Duties (a) Administrative Appeals
6. UNFINISHED BUSINESS
   A. Ordinance Amendment - Chapter 70, Proposed Ordinance Changes LD337 - *Second Reading*
   B. Ordinance Amendment - Chapter 70, Article 11, Division 5 - Section 70-120 Powers & Duties- (a) Administrative Appeals - *Second Reading*
7. NEW BUSINESS
   A. **Case 24-07** - Site Plan Review Application
      Better Living Center, LLC
      Wayne Drake
      686 Lisbon Street
      Map U05 Lot 216
8. OTHER BUSINESS
9. CODE ENFORCEMENT OFFICER ITEMS
10. ADJOURNMENT
11. WORKSHOP
    A. Lisbon Village Building Height Regulations

LISBON PLANNING BOARD – MEETING/HEARING RULES

The Board welcomes everyone to the meeting of the Lisbon Planning Board. If this is a meeting which will include a hearing, some special provisions will apply and are listed below. While we value the input of every interested person, we must limit the comment period in order to conduct business in a timely fashion.

Meeting Format – The format for each meeting (whether regular or special) shall be in strict accordance with Article 4, Section 4.1.6 of the Planning Board Bylaws. *Please note that the* ***Chair may change the order of business for the current meeting upon a majority vote of the Board.***

All meetings shall be conducted in such a manner as to be completed within two and one half (2.5) hours of commencement. The Board, by unanimous consent, may decide to extend a meeting but only at the point where the meeting can be concluded within another hour. Any action after that point requires a tabling or postponing order.

Public Participation – With regard to participation by the public, all comments to the Board and from the Board shall be made through the Chair. The attending public may participate as follows:

- **During Regular Meetings**- is **allowed at the discretion of the Chair**, but only after introduction of an agenda item and appropriate motions with time for explanation and Board member questions. The public may be allowed to comment, butduring that period, the **public may address that agenda item only** and each participant shall be limited **two (2) minutes**. Each participant may address the Board only one time unless requested by the Chair to comment further, and the Chair may limit time for comments to no more than **ten (10) minutes in total** on any one agenda item**. A member of the public who wishes to comment on an item not on the agenda may be allowed to speak during the "Other Business" portion of the agenda.**

- **During Workshops** – **The attending public may not participate** unless the Chair allows or requests such comment.

- **During Site Visits**– This is a **special meeting** in all respects except that **the public is not allowed to participate**. Although the public is allowed to be present, comments and explanations will only be accepted by Board members and an applicantor agents representing an applicant. Only participant comments may be considered in any notes taken for minutes of suchmeeting.

- **During Hearings** – The attending **public may speak only in accordance with the specific rules** set up for hearings.

  - The public must comment only when specifically allowed. **The Chair shall emphasize that no decisions are made during the hearing and the process may not conclude during the regular current meeting.** Finally, **the Chair will state that order must be maintained and is required of all participants.**
  - There will be a Call by the Chair to open a specific hearing with case number followed by a Call for a **Presentation by the Applicant or Representative or attorney and witnesses without interruption**. Then general **questions may be asked through the Chair to the applicant by Board members and people who will be directly affected by the project (e.g., abutters)**. Then requests for more detailed information on the evidence presented by the applicant will be allowed by the same parties.
  - **Next** there will be a call for presentations by **abutters or others** including their attorneys and witnesses, who will be **directly affected by the project.**
  - Then **questions** through the Chair**, by the applicant and Board members to the people directly affected** and the witnesses who made presentations will be allowed.
  - **Next there may be rebuttal statements by any of the people who testified previously.**
  - Following that, **comments or questions by other interested people** in the audience will be entertained. Comment by those other interested people in the audience will be limited in the same fashion as for regular meetings, i.e. **two (2) minutes per person and ten (10) minutes overall.** The hearing will be closed at the end of public comment.

- It is important **that respect for each person** be considered. There will be opposing views and opinions and all will be considered without impunity. All persons speaking within the guidelines delineated herein will be treated with respect and allowed to complete the statement or viewpoint**. Any individual who speaks out of turn or in such a manner as to be considered unruly by the Chair, may be warned and then removed** if the situation creates a significant disruption of the orderly conduct of the business of the Board.

Planning Board
MEETING MINUTES
May 23, 2024
LISBON TOWN OFFICE
7:00 PM - PLANNING BOARD MEETING

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

CALL TO ORDER

The Vice Chairman, Nicholas Craig, called the meeting to order at 7:00 PM.

ROLL CALL

Regular members present were Nicholas Craig, Chris Huston, Patrick Maloy and Dan Leeman. Shaun Carr, Dan Leeman and William Kuhl were excused. Natalie Thomsen was absent. Also present was Mark Stambach, Code Enforcement Officer; Kate Burch, Town Planner; Assistant Town Manager, Sarah Bennett, Town Attorney, and Councilor Larochelle,Town Council Liaison.

CHAIRMAN'S REVIEW OF MEETING RULES

Planning Board Meeting Rules Available in Public Meeting Room

WRITTEN COMMUNICATIONS

Minutes of May 9, 2024

VOTE (2024-52) Planning Board Member Mr. Leeman, seconded by Planning Board Member Mr.Maloy, moved to approve the minutes of May 9, 2024 as presented.
Order Passed– Vote 4-0.

PUBLIC HEARINGS

NONE

UNFINISHED BUSINESS

Findings of Facts - **Case #24-06** Conditional Use Application
- Accessory Dwelling Unit
Garrett Mason, 330 Ridge Rd, Lisbon Falls, ME, 04252

VOTE (2024-53) Mr. Maloy, seconded by Mr. Leeman moved to dispense with the reading of the Findings of Facts for **Case #24-06**Conditional Use Application-Accessory Dwelling unit and insert it into the record as follows:
Order Passed – Vote 4-0.

Case #24-06: Conditional Use Application – Accessory Dwelling Unit
Garret Mason
330 Ridge Road
Lisbon Falls, ME 04252
Map R04 Lot 008-B

Findings of Fact
The applicant submitted a Conditional Use Application to construct an Accessory Dwelling Unit on his parcel. The Planning Board first considered the application on April 25, 2024 and accepted the application as complete. On May 9, 2024 the Board conducted a Public Hearing.

On May 9, 2024, the Planning Board Voted:

To approve the Conditional Use Application for 330 Ridge Road, Map R04, Lot 008-B.

Conclusions of Law
Conditional Use Permit Standards: Lisbon Code of Ordinances. Chapter 70-194.

Performance Standards.
1. Completed the Conditional Use application checklist
2. Town of Lisbon Ordinance Checklist
3. All abutters notified and public hearing notices were posted as required

Therefore, the Planning Board hereby approves the amendment to the approved Conditional Use Application for Case #24-06, 330 Ridge Road, Map R04, Lot 008-B.

NEW BUSINESS

Ordinance Amendment - Chapter 70, Proposed Ordinance Changes LD 337 - *First Reading*
Ms. Burch explained these proposed changes are in response to the recently passed law LD337, which goes into effect on August 8, 2024, not July 2024, regarding Manufactured Housing. The changes are as follows:

1. To update Lisbon's definition of Manufactured Housing still referencing the State's definition.
2. Lisbon currently has *Mobile Home* as a land use and does not permit that in all residential zones. She proposes striking that from the table of land uses since by State law it is allowed on any individual lot where a single family home is allowed.
3. A new section to establish design standards for manufactured housing on individual lots.

The planning Board unanimously decided to add "or standing seam metal roof" to Section 70-617, (c)(2) design standards.

Overview

The Maine State Legislature recently passed LD337, which goes into effect in July 2024. This 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. Municipalities may establish design criteria such as a pitched roof, a permanent foundation, and exterior siding that is residential in appearance.

The proposed ordinance changes below bring Lisbon into compliance with LD337 by amending the definition of manufactured housing and removing “mobile home” from the use table. A new section under Zoning -> Supplemental District Regulations -> Generally creates additional design and siting standards for manufactured homes on individual lots. These standards will not apply to manufactured homes in mobile home parks.

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 or wood shingles or shakes.

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.

Example Images

Not allowed: round roof, metal siding

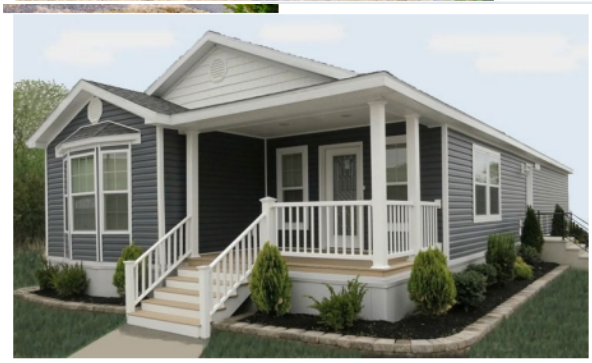


Not allowed: no foundation or slab, round roof, metal siding



Allowed: at least 3/12 roof pitch, vinyl siding, skirting
(examples from Topsham and Scarborough)







VOTE (2024-54) Planning Board Member Mr. Maloy, seconded by Planning Board Member Mr. Leeman, moved to approve the Ordinance Changes as presented and add "or standing seam metal roof" to Section 70-617, (c)(2) design standards and set a Public Hearing for June 13, 2024.
Order Passed– Vote 4-0.

>

OTHER BUSINESS

NONE

CODE ENFORCEMENT OFFICER ITEMS

NONE

ADJOURNMENT

VOTE (2024-55) Planning Board Member Maloy, seconded by Planning Board Member Leeman, moved to adjourn at 7:15 pm.
Order Passed 4-0.

_____
Lisa B. Smith, Planning Board Secretary

Date Approved:

MEMORANDUM

TO: Lisbon Planning Board

CC: Mark Stambach, Code Enforcement Officer

From: Kate Burch, Senior Planner, North Star Planning

RE: LD337 Compliance – Sec. 70 Ordinance Changes, Second Reading

Date: June 3, 2024

Overview

The Maine State Legislature recently passed LD337, which goes into effect in July 2024. This 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. Municipalities may establish design criteria such as a pitched roof, a permanent foundation, and exterior siding that is residential in appearance.

The proposed ordinance changes below bring Lisbon into compliance with LD337 by amending the definition of manufactured housing and removing "mobile home" from the use table. A new section under Zoning -> Supplemental District Regulations -> Generally creates additional design and siting standards for manufactured homes on individual lots. These standards will not apply to manufactured homes in mobile home parks.

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.

NORTHSTAR PLANNING

MEMORANDUM

TO: Lisbon Planning Board

CC: Mark Stambach, Code Enforcement Officer

From: Kate Burch, Planner, North Star Planning

RE: Ordinance Conflict: Appeals Process – Sec. 70 Ordinance Changes

Date: June 3, 2024

Overview

An inconsistency within the Zoning Ordinance related to the Town's Zoning Board of Appeals (ZBA) jurisdiction was identified earlier this year and communicated to North Star Planning (NSP) staff. This inconsistency is as follows:

Section 70-614.(h)(3) of the Zoning Ordinance notes that any alleged code enforcement violator may appeal the code enforcement officer's decision to the ZBA. The appeal shall be in accordance with Section 70-120.(a) in the Zoning Ordinance.

However, Section 70-120 in the Zoning Ordinance states, "administrative appeals shall not include enforcement decisions by the codes enforcement officer or the failure to provide for enforcement." This directly contradicts Section 70-614.(h)(3).

Recommended Changes

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.

NORTHSTAR PLANNING

MEMORANDUM

TO: Lisbon Planning Board
Through Mark Stambach, Code Enforcement Officer

CC: Better Living Center, LLC
Wayne Drake, Owner
Ross Cunningham, applicant's authorized agent

From: Kate Burch, Senior Planner, North Star Planning

RE: Site Plan Review Application, Better Living Center – Planning Board meeting June 13, 2024

Date: June 6, 2024

Overview

The applicant proposes to redevelop the former Getty station at 686 Lisbon Street to a small retail grocery store. This will be a second location for Better Living Center, which has a store in Farmington, Maine.

The applicant proposes to renovate the interior of the building to accommodate the retail use. On the exterior, the applicant will replace the siding, install new signage, replace exterior lighting, stripe the parking lot, and create a barrier between the parking lot of the site and the neighboring building. No other building or site work is proposed. The site will maintain existing water and sewer connections.

In an email dated May 22, 2024, the applicant's agent provided additional details:

- The business will be open 7 AM to 7 PM, Monday through Saturday
- 2-4 employees
- Expecting 75-125 visitors per day
- Dumpster will be located in the rear, serviced by Casella
- No outdoor storage of materials
- Exterior lighting will be passive solar lighting, and the sign will be lit
- Labor will be hired as needed and most work will be done by the Better Living Center
- Cement planters will be installed as a barrier between the parking area and the neighboring lot (Lisbon House of Pizza)
- Flower boxes and greenery will be installed beneath the sign and along the road.

The project is located within the Village Main Street Character District for the Route 196 Design Standards. The applicant requests a waiver of three of the Route 196 Design Standards:

- Sec. 70-833 1(f)5: Dumpsters and propane or other fuel tanks are screened with wood or vinyl fencing, landscaping, or located within an accessory structure
- Sec. 70-833 2(b)3: Building architecture reflects traditional New England building forms
- Sec. 70-833 1(a)2.a: Off-street parking is located to the side or rear of the building

The Board should discuss if a waiver of dumpster screening is appropriate. This is a corner lot and the rear of the building faces Union Street, so a dumpster at the rear would be visible.

Because the applicant is renovating an existing building and parking area, and is not proposing any new construction, the waivers for building architecture and off-street parking are reasonable.

Applicant: Better Living Center, LLC

Owner: Wayne Drake

Location: 686 Lisbon Street

Zoning: Village

Tax Map Number: Map U05 Lot 216

Existing Land Use: Vacant (former gas station)

Proposed Land Use: Commercial (retail grocery)

Acreage: .2

Waivers: The applicant has requested waivers of three of the Route 196 Design Standards.

Site Walk: A site walk has not been scheduled for this project.

Public Hearing: A public hearing for this project has not yet been scheduled.

Completeness Review: The applicant should provide evidence of right, title, and interest for the property before the application can be considered complete.

OFFICE USE ONLY – Site Plan Review (REFERENCE Chapter 62 Site Plans, Lisbon Code of Ordinances)	
Application Number:	Date Received:
Project Name:	Fee Paid (amount):
Applicant:	Tier 1 _____ Tier 2 _____

Town of Lisbon, Maine
SITE PLAN REVIEW APPLICATION

Site Plan Name/Title: BETTER LIVING CENTER

This application must be received at the Town Office by close of business on the **2nd Thursday of the month** to be considered at the regular Planning Board meeting on the 4th Thursday of the month.

Applicant Information

2. Name of Applicant: BETTER LIVING CENTER LLC
   Address: 686 LISBON ST, LISBON ME
   Telephone: (207) 578-0755

1. Name of Property Owner (if different): CROSS AMERICA PARTNERS - WILSON LLC
   Address: 645 HAMILTON ST STE 400, ALLENTOWN PA 18101
   Telephone: (617) 930 9545

3. Name of authorized agent (if different): _____
   Address: _____
   Telephone: ( )

4. If applicant is a corporation, check if licensed in Maine: _____ No _____ Yes
   (if yes, attach a copy of State registration)

5. Person and address to which all correspondence regarding this application should be sent (if different):
   Name: WAYNE DRAKE, OWNER
   Address: 181 FRONT ST, FARMINGTON ME 04938
   Telephone: (207) 778-6018

I have reviewed all submission requirements and completed the remaining pages of this application form.
✓ Attachments Checklist ✓ Waiver Request Form

To the best of my knowledge, all the information submitted in this application is complete and correct.

Signature of Applicant

5/9/24
Date

OFFICE USE ONLY – Site Plan Review (REFERENCE Chapter 62 Site Plans, Lisbon Code of Ordinances)	
Application Number:	Project Name:

Property Information

6. Location of Property (Street or Road) 686 LISBON ST

   Register of Deeds Book 1994 Page 265

   Lisbon Tax Maps Map 005 Lot 216

7. What legal interest does the applicant/owner have in the property to be developed (fee ownership, option, purchase and sale contract, etc.)? Attach evidence of interest.

   LESSEE

8. What interest does the applicant/owner have in any property abutting the parcel to be developed?

   NONE

9. Are there any easements or restrictive covenants on the property to be developed?

   _____ Yes __X__ No. If yes, please specify:

10. Current zoning of property: VILLAGE

    Current use(s) of property: VACANT

11. Is any part of the project or property(s) in question part of an overlay zone?

    NO Aquifer Protection Overlay NO Wellhead Protection Overlay

12. Indicate if this property has previously been reviewed and/or permitted as part of a town-approved subdivision, site plan review, conditional use, floodplain development, or planning board or appeals board review:

    NO

Project Information

13. Proposed use of property: RETAIL GROCERY

14. Nature of the Project. Provide a brief description of the proposed project, including proposed businesses and/or use(s), proposed buildings and structures, proposed site work and other improvements to the property, or other information to familiarize the Planning Board with your application.

    THIS IS AN ADDITIONAL LOCATION FOR BETTER LIVING CENTER IN FARMINGTON.

OFFICE USE ONLY – Site Plan Review (REFERENCE Chapter 62 Site Plans, Lisbon Code of Ordinances)	
Application Number:	Project Name:

15. Total acreage of parcel: ± 2 Acreage to be developed: N/A

16. Please indicate classification (per Chpt 62-31, Site Plan Ordinance): _____ Tier 1 _____ Tier 2

All new construction or expansion of buildings or use of land for commercial, industrial or institutional use where the activity is greater than 1,000 square feet shall be subject to site plan review. This includes multifamily developments that are not considered a subdivision, and site improvements which involve filling, cutting and/or earth moving of greater than 500 cubic yards of soil (for other than new single-family residential construction and municipal roads).

A project is classified as Tier 1 if: (1) Less than 5,000 square feet of floor or land area, (2) a residential structure with fewer than 5,000 square feet of floor area converted to nonresidential use; (3) a change in use of a nonresidential structure, (4) a residential structure altered to create fewer than eight dwelling units and not considered to be a subdivision. All other projects are Tier 2.

17. Are there any state or federal permits required for the proposed use? _____ Yes ✓ No

If yes, please attach a list of all required permits and the status of any permitting activities.

18. Please list all professional surveyors, engineers, architects, or others preparing this Site Plan (if applicable):

Firm or Licensed Individual: N/A

Firm or Licensed Individual: _____

If additional professionals, attach separate list.

19. Does this development propose the extension of public infrastructure? _____ Yes ✓ No

If yes, what kind:
_____ streets/roads
_____ sidewalks
_____ fire hydrants
_____ other: _____
_____ sewer lines
_____ storm drains
_____ water lines

20. Proposed water supply:
_____ individual well(s)
_____ central well with distribution lines
✓ connection to public water system (EXISTING)
_____ other: _____

21. Proposed sewage disposal:
_____ individual subsurface disposal system(s)
_____ central on-site disposal with collection lines
✓ connection to public sewer system (EXISTING)
_____ other: _____

22. Does the applicant intend to request waivers of any requirements? _____ Yes ✓ No

(See attached Waiver Request Form if applicable)

OFFICE USE ONLY – Site Plan Review (REFERENCE Chapter 62 Site Plans, Lisbon Code of Ordinances)	
Application Number:	Date Received:
Project Name:	Fee Paid (amount):
Applicant:	Tier 1 _____ Tier 2 _____

Waiver Request Form

Site Plan Review Application

If anticipated, the applicant should indicate any requests for waivers of review standards or application submission requirements, to submit with the Conditional Use Application form.

Where the code enforcement officer and/or planning board makes written findings of fact that extraordinary and unnecessary hardships may result from strict compliance with review standards, or where there are special circumstances of a particular project, the code enforcement officer and/or planning board may waive any review standard provided that such waivers will not have the effect of nullifying the purpose of the Chapter, Code or comprehensive plan. In granting waivers, the code enforcement officer and/or planning board shall require such conditions as will assure the purpose of the chapter are met.

Further, where the planning board makes written findings of fact that there are special circumstances of a particular application, it may waive portions of the application information requirements, unless otherwise indicated in this chapter, provided that the applicant has demonstrated that the standards of this chapter have been or will be met, the public health, safety and welfare are protected, and provided the waivers do not have the effect of nullifying the intent and purpose of the comprehensive plan of this chapter.

Applicants should take note that the planning board CANNOT waive or give variances on the following: a land use not allowed under the Lisbon Zoning Ordinance (see Section 70-531, Table of Land Uses), and dimensional requirements such as lot size/density, setbacks, frontage, etc. (see Section 70-536, Dimensional Requirements). Variances for dimensional requirements may be requested only through the Lisbon Board of Appeals.

1. Standard/requirement to be waived: _____

   Need/reason for waiver: _____

   _____

2. Standard/requirement to be waived: _____

   Need/reason for waiver: _____

   _____

3. Standard/requirement to be waived: _____

   Need/reason for waiver: _____

   _____

4. Standard/requirement to be waived: _____

   Need/reason for waiver: _____

   _____

Attach additional page(s) if necessary.

OFFICE USE ONLY – Site Plan Review (REFERENCE Chapter 62 Site Plans, Lisbon Code of Ordinances)	
Application Number:	*Date Received:*
Project Name:	*Fee Paid (amount):*
Applicant:	*Tier 1 _____ Tier 2 _____*

Site Plan Application
REQUIRED ATTACHMENTS CHECKLIST

Tier 1 Applications: all attachments must be included with the completed application form.
Tier 2 Applications: for the Pre-application meeting, applicant must submit a draft Site Plan drawing and list of abutters along with a completed application form. The remaining required attachments shall be submitted with the full application prior to scheduling the planning board hearing.

REFERENCE Chapter 62-111 through 62-131, Lisbon Code of Ordinances

✓ or N/A	REQUIRED ATTACHMENT	*OFFICE USE ONLY*
	For all Tier 1 & Tier 2 Applications:	
✓	A copy of the deed to the property, option to purchase the property, or other documentation to demonstrate right, title or interest in the property on the part of the applicant	
N/A	Copies of existing covenants or deed restrictions	
✓	Site plan (drawn to scale) and set of drawings as appropriate (see below), drawn at a scale sufficient to allow for review, but not more than 50 feet per 1 inch; Tier 1= 3 copies, Tier 2= 10 copies	
✓	List of names and addresses of all abutting property owners including those across any streets	
N/A	A list of all required state and federal permits.	
	The Tier 1 and Tier 2 Site Plan (drawing or set of drawings) shall include:	
✓	Property owner's name and address	
✓	Name, registration #, and seal of land surveyor, architect, engineer and/or other professional(s) preparing the plan	
✓	Tax map and lot number of the parcel(s)	
✓	Location map, showing the general location within the town	
✓	Boundaries of all contiguous properties under the control of the owner or applicant, regardless of whether all or part is being developed at this time	
N/A	Location and dimensions of any existing easements	
✓	All existing and proposed setback dimensions as required by Chapter 70 of the Code of Ordinances (*see Dimensional Standards table*)	
✓	Zoning classifications of the property, and the location of zoning district boundaries, including aquifer protection overlay zones, if the property is located in two or more zoning districts or abuts a different district	
✓	Location, name, and present widths of existing streets and rights-of-way within or adjacent to the proposed development	

✓	The location of any of the features below, with a description of how such features will be maintained or impacts upon them minimized: – open drainage courses – wetlands – significant wildlife habitat – known or potential archaeological resources – designated trails – historic buildings and site – significant scenic areas – mapped sand and gravel aquifers – rare and endangered species – other important natural features	
✓	Location of the 100-year floodplain and its elevation, if applicable	
✓	Location, type, size (dimensions) and layout of all existing and proposed curbs, sidewalks, driveways, fences, retaining walls, parking space areas	
✓	Location and dimensions of all proposed water supply and wastewater disposal infrastructure	
N/A	The direction of existing surface water drainage across the site	
N/A	The direction of proposed surface water drainage across the site	
N/A	Methods of controlling erosion and sedimentation during and after construction	
N/A	Location, dimensions and ground floor elevations of all existing and proposed buildings on the site, using a convenient fixed point for a benchmark	
N/A	Design and exterior materials of all proposed buildings and structures	
✓	A landscape plan indicating all landscaped areas, fencing and size, and type of plant material proposed to be retained or planted with emphasis on front setback areas	
✓	Location, front view and dimensions of existing and proposed signs	
✓	Location, type and direction of exterior lighting	
N/A	Type, size and location of incineration devices	
N/A	Type, size and location of all machinery or devices likely to generate appreciable noise at the lot lines	
N/A	Identification of the amount and type of any raw, finished or waste materials to be stored outside of roofed buildings, including their physical and chemical properties	
	Additional, specific requirements for Tier 2 Applications ONLY	
N/A	Existing and proposed topography of the site at 2-foot contour intervals	
N/A	Bearings and distances of all property lines of the property to be developed and the source of this information	

N/A	For projects that do not require permitting under the stormwater management law, a stormwater drainage plan showing: – existing and proposed method of handling stormwater runoff – direction of flow of the runoff through the use of arrows – location, elevation and size of all catch basins, dry wells, drainage ditches, swales retention basins, and storm sewers – engineering calculations used to determine drainage requirements based upon the 2, 10 and 25 year 24-hour storm frequency, if the project will significantly alter the existing drainage pattern due to such factors as the proposed new pervious surfaces (such as paving and building area)	
	Location and size of any existing sewer and water infrastructure, culverts, and drains on the property to be developed, and any that will serve the development from abutting streets or land	
	A high intensity soil survey by a certified soil scientist	
	A utility plan showing, in addition to provisions for water supply and wastewater disposal, the location and nature or electrical, telephone and any other utility services to be installed on the site	
	A planting schedule keyed to the site plan and indicating the general varieties and sizes of trees, shrubs and other plants to be planted on the site	
	Traffic data shall include: – estimated peak-hour traffic to be generated by the proposal – existing traffic counts and volumes – traffic accident data – the capacity of surrounding roads and any improvements which may be necessary on such roads to accommodate anticipated traffic generation – the need for traffic signals and signs or other directional markers to regulate anticipated traffic	
	Location, width, typical cross-section, grades and profiles of all proposed streets and sidewalks	
	Cost of the proposed development and evidence of financial capacity to complete it. This evidence should be in the form of a letter from a bank or other source of financing, indicating the name of the project, amount of financing proposed, and interest in financing the project.	
N/A	When required by the planning board, a municipal service impact analysis. This list shall include but not be limited to: – schools, including busing – street reconstruction – maintenance and snow removal – solid waste disposal – recreation facilities – police and fire protection. A municipal service impact analysis that includes a list of construction and maintenance items, with both capital and annual operating cost estimates, as would be incurred by the Town of Lisbon.	

	Other Site Plan application attachments that may be required: *These additional submission requirements may be required by the Planning Board if the Board deems the information necessary to review and make a decision. Applicants are encouraged to consult with the Code Enforcement Officer and discuss these additional submission requirements at a Planning Board pre-application meeting.*	
	An on-site soils investigation report by a Maine Department of Human Services licensed evaluator. The report shall identify the types of soil, location of test pits, and proposed location and design for any subsurface wastewater disposal system(s).	
	If required by 23 MRSA §§704 or 704A, a copy of the approved driveway, entrance or traffic movement permit issued by the Maine Department of Transportation.	
	If the project includes new or existing driveway access onto Lisbon Street (Route 196), Main Street north of Huston Street (Route 125), Mill Street, Ridge Road (Route 9), or Upland Road, it shall be subject to the requirements of Chpt. 46-134 Access Management. The applicant is required to apply for review and permit for driveway access according to this ordinance.	
	If sewage disposal is to be connected to the public sewer, a letter from the Lisbon Sewer Department stating the department has the capacity to collect and treat the waste water shall be provided.	
	If water is to be supplied by public water supply, a written statement from the Lisbon Water Department shall be submitted indicating that there is adequate supply and pressure for the development and that the department approves the plans for extensions where necessary.	

Ross Cunningham

From: Wayne Drake <blcfarmington@gmail.com>
Sent: Friday, May 10, 2024 11:59 AM
To: Ross Cunningham
Subject: Re: Lease of the Getty in Lisbon Falls

Ross,

I have paid the $250 site review fee and authorize you to further advocate and or sign materials related to this permitting process.

Thank you!
Wayne Drake

On May 10, 2024, at 10:26 AM, Ross Cunningham <RCunningham@lisbonme.org> wrote:

Wayne –
This is fantastic! I will be reaching out to the codes office to make sure I have a handle on tier next steps so be ready to walk that parallel path as well. You will need a building permit as the building has not been used in so many years. I will assist in making this as easy as possible.

Thanks!

Ross

Ross H. Cunningham
Director of Economic and Community Development
Town of Lisbon
300 Lisbon St
Lisbon, Me 04252

O: (207) 353-3000 x 122
C: (207) 751-2417

PLEASE NOTE: I will be out of the office on the following dates. I will be checking email while at conferences. If you need to meet with me directly, please plan accordingly.

May 2 – May 8 – National Main st Conference
May 23-May 28 – Vacation
May 29-30 Brownfields Conference.

From: Wayne Drake <blcfarmington@gmail.com>
Sent: Friday, May 10, 2024 10:16 AM
To: Ross Cunningham <RCunningham@lisbonme.org>
Subject: Fwd: Lease of the Getty in Lisbon Falls

Ross Cunningham

From: Wayne Drake <blcfarmington@gmail.com>
Sent: Friday, May 10, 2024 10:16 AM
To: Ross Cunningham
Subject: Fwd: Lease of the Getty in Lisbon Falls

Check out this deal! We are full speed ahead. I'm almost done with the financial package for the town. (its a lot) I'll finish it this weekend. It won't slow us down. I'll figure out a way to get the building up and running even if the financial package from the town comes in late. We need to be open in time for Moxie.

---------- Forwarded message ---------
From: **Wayne Drake** <blcfarmington@gmail.com>
Date: Fri, May 10, 2024 at 10:10 AM
Subject: Re: Lease of the Getty in Lisbon Falls
To: Wilson Liu <wliu@caplp.com>

Hi Wilson,

I appreciate you advocating for me. Keep me posted. This all sounds good. I'll start lining up contractors for June.

Thanks!

On Fri, May 10, 2024 at 10:01 AM Wilson Liu <wliu@caplp.com> wrote:

> Wayne. All the details in this email make good sense. That will be great if you can get all the work done for less than $18,000. At about $2,000 in rent, that would come out to nine months of free rent. I will ask for twelve months of free rent to give you some cushion. After the first year, we will charge about $2,000 for the remainder of the lease. This will be easier to account for than what you proposed. You will pay for taxes and utilities from day one. I hope this is satisfactory. Let me know please
>
> Thank you
>
> Wilson
>
> **From:** Wayne Drake <blcfarmington@gmail.com>
> **Sent:** Thursday, May 9, 2024 11:38 AM
> **To:** Wilson Liu <wliu@caplp.com>
> **Subject:** Lease of the Getty in Lisbon Falls

Hi Wilson,

I think we are ready to bring this deal to a close. I'd love to sign by the end of this month so we can begin renovations in June. This would allow for a target opening in July.

The town is requiring me to do the following:

1. Scrape and paint or replace the siding
2. Remove current Getty signage
3. Make current exterior lighting safe/replace
4. Place some sort of barricade or median between the Getty and neighboring business, Lisbon House of Pizza
5. Stripe the parking lot to make traffic flow safe

Previous estimates for this work came in around $25K. I believe it can be done for $18K.

I would propose a three year contract as follows.

Start June 1st. Lease waived first month to assist with renovations.

July 2024 to July 2025 rent to be $1000/month to recoup Code Enforcement expenses.

July 2025 to end of agreement $2000/month.

Let me know if this is in line with what you are looking for.

Best,

Better Living Center

Lisbon Falls Former Getty – 686 Lisbon St

List of abutters

Dimitiros Kombakis (Lisbon House of Pizza)

688 Lisbon St

Lisbon Falls

Rusty Lantern Stores

689 Lisbon St

Lisbon Falls

Madelyn Huston

685 Lisbon St

Lisbon Falls

Ellie Sue Diamond

2 Union St

Lisbon Falls

Daniel Nolan

4 Union St

Lisbon Falls

Garcia Hansel

6 Union St

Lisbon Falls

686 Lisbon St

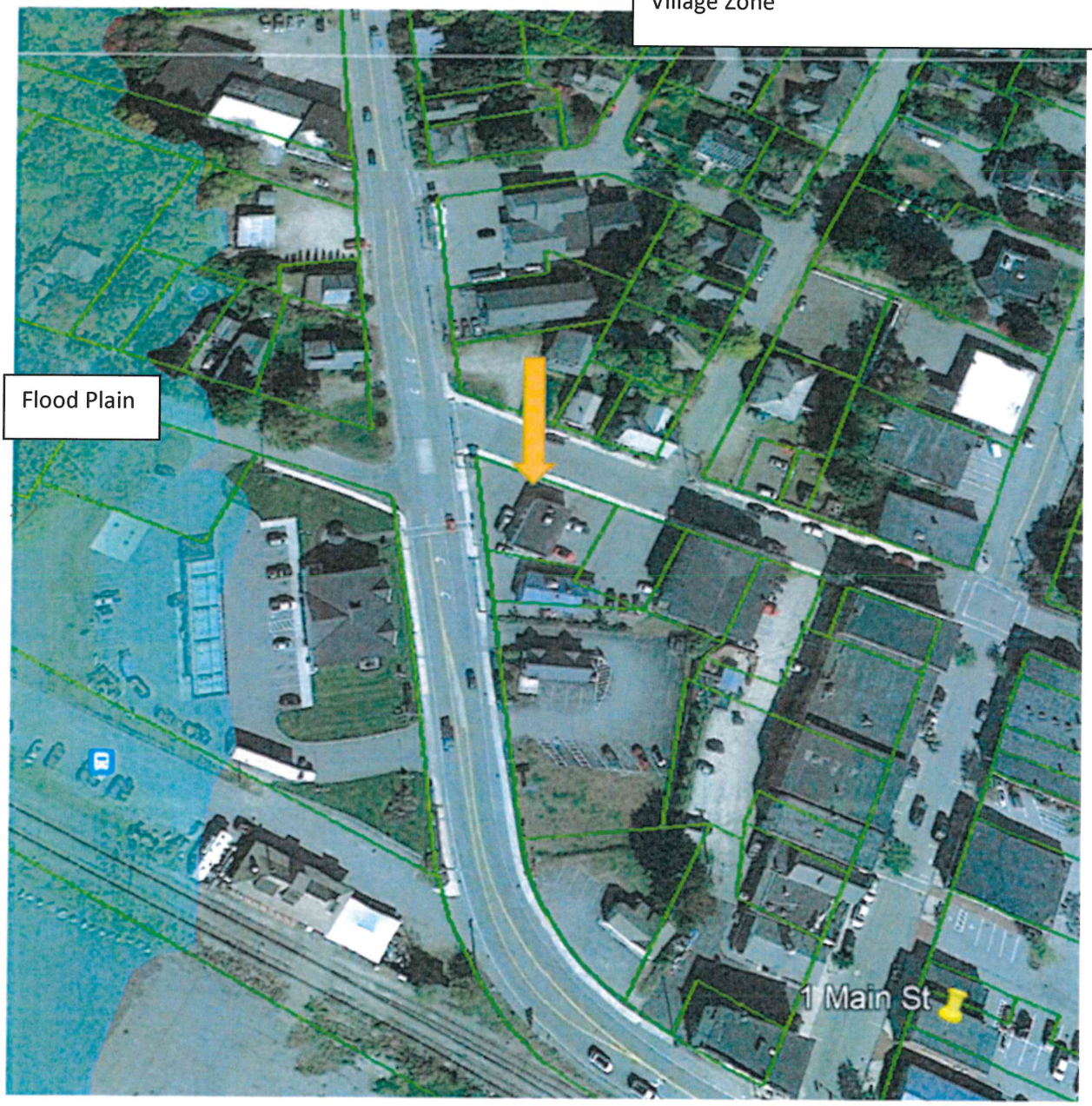
Owner – Cross America Partners

645 Hamilton St, Ste 400, Allentown, PA 18101

U05-216

Village Zone

Lisbon Falls Former Getty – Map View - Overhead



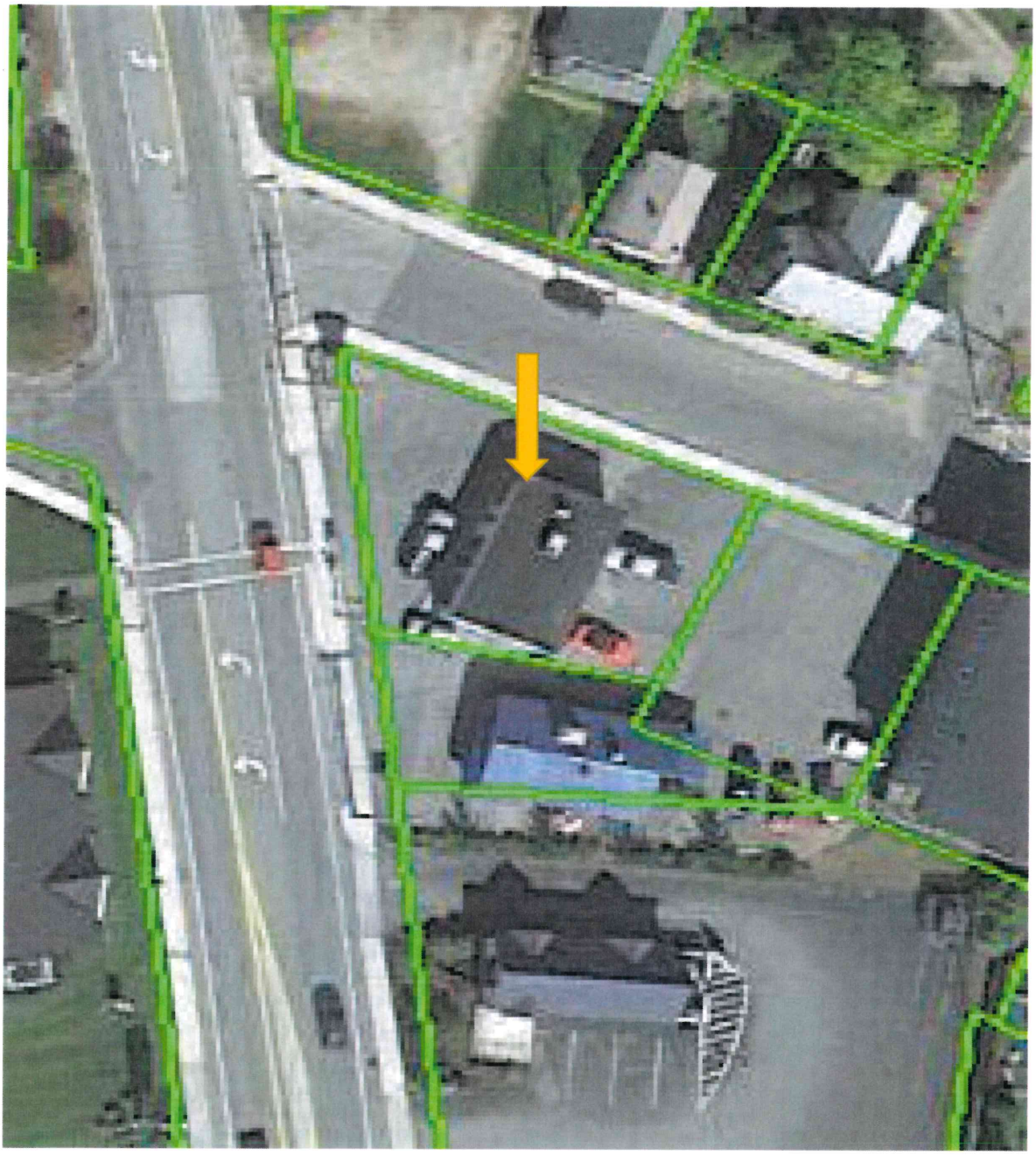
686 Lisbon St

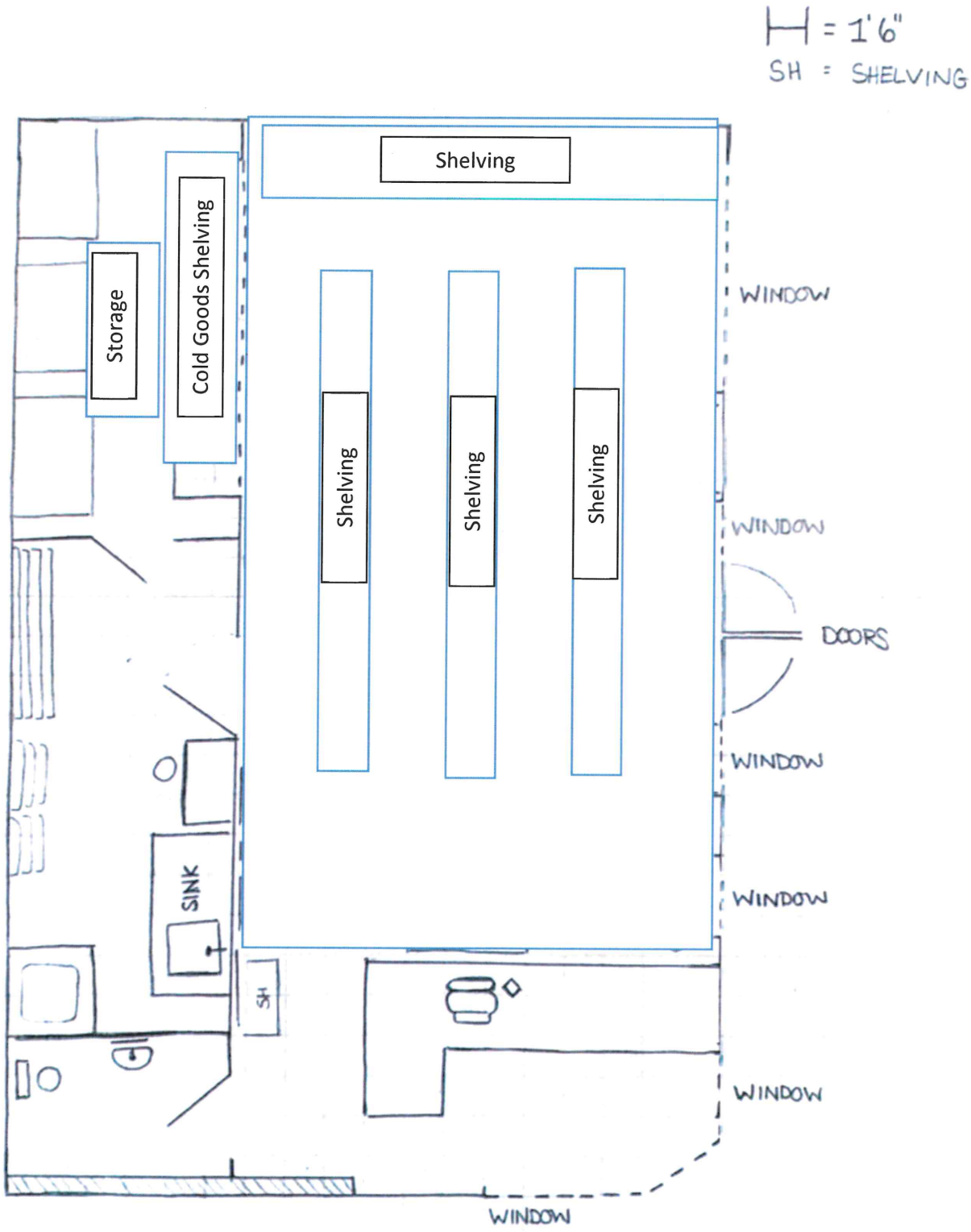
Owner – Cross America Partners

645 Hamilton St, Ste 400, Allentown, PA 18101

U05-216

Lisbon Falls Former Getty – Map View - Boundaries




H = 1'6"
SH = SHELVING
Shelving
Storage
Cold Goods Shelving
Shelving
Shelving
Shelving
WINDOW
WINDOW
DOORS
WINDOW
WINDOW
SINK
SH
WINDOW
WINDOW

686 Lisbon St

Owner – Cross America Partners

645 Hamilton St, Ste 400, Allentown, PA 18101

Map/Lot U05-216

Exterior design plan –



New design to resemble storefront of existing business in Farmington as seen below.



686 Lisbon St

Owner – Cross America Partners

645 Hamilton St, Ste 400, Allentown, PA 18101

Map/Lot U05-216

Signage Plan –



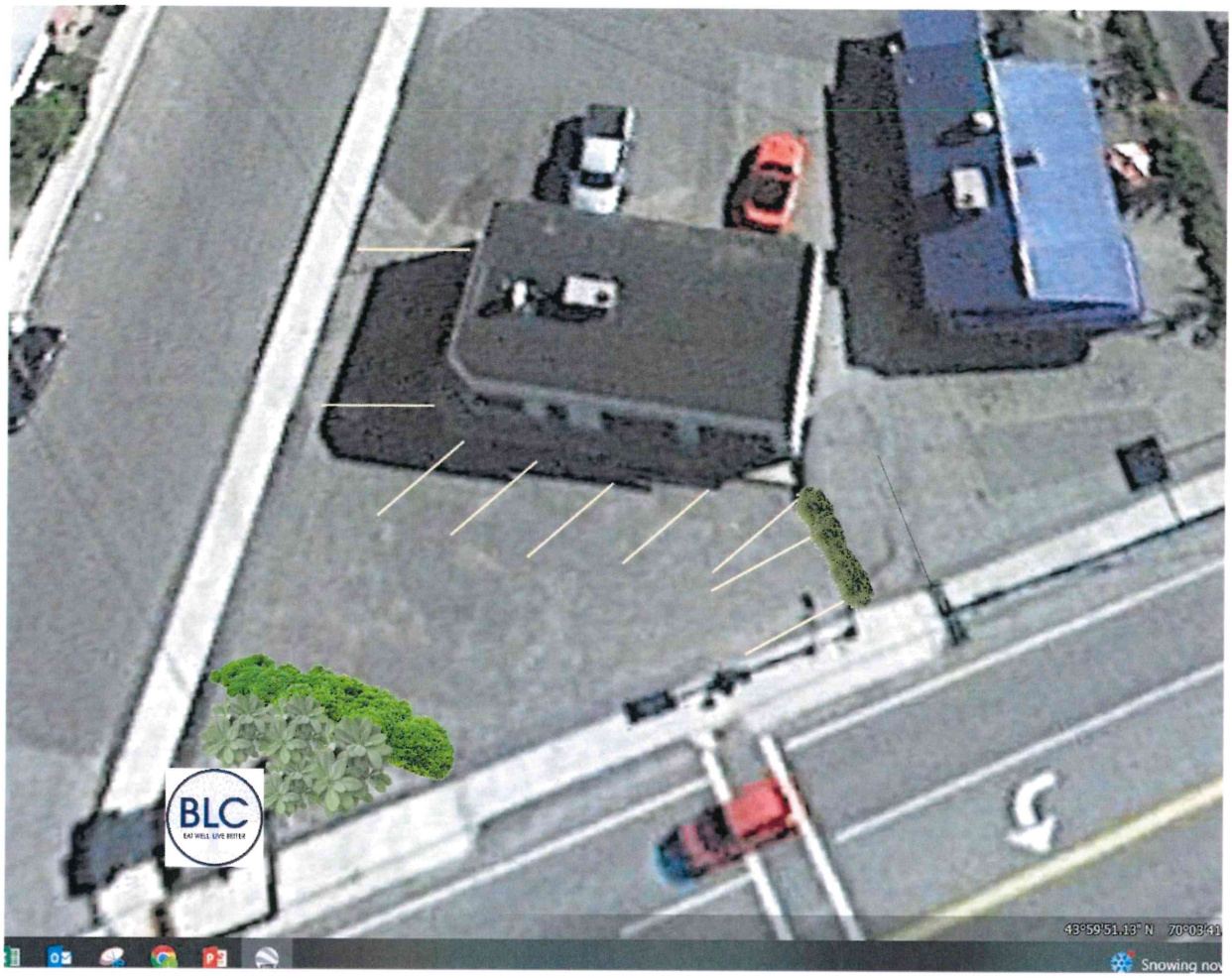
686 Lisbon St

Owner – Cross America Partners

645 Hamilton St, Ste 400, Allentown, PA 18101

Map/Lot U05-216

Overhead Design



NORTHSTAR PLANNING

MEMORANDUM

TO: Lisbon Planning Board

CC: Mark Stambach, Code Enforcement Officer
Ross Cunningham, Director of Economic and Community Development

From: Kate Burch, Senior Planner, North Star Planning

RE: Lisbon Village Building Height Regulations

Date: June 3, 2024

Overview

Lisbon's Land Use Ordinance currently limits building height to 35' throughout town. The Route 196 Design Standards allow a 1½ to 2 story height in the Village Character District (Lisbon Falls & Lisbon Village.) The Lisbon Development Corporation and Economic Development Director are interested in the possibility of a higher height limit to encourage multifamily residential development.

The Planning Board discussed height limits at a workshop at the May 9, 2024 Planning Board meeting and requested two ordinance update scenarios:

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 opportunities 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 adding 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 about the identified Lisbon Village area that warrantdifferent zoning treatment than in Lisbon Falls and the larger areas zoned Village.

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 other 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 height 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 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.
            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.

(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).

(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.

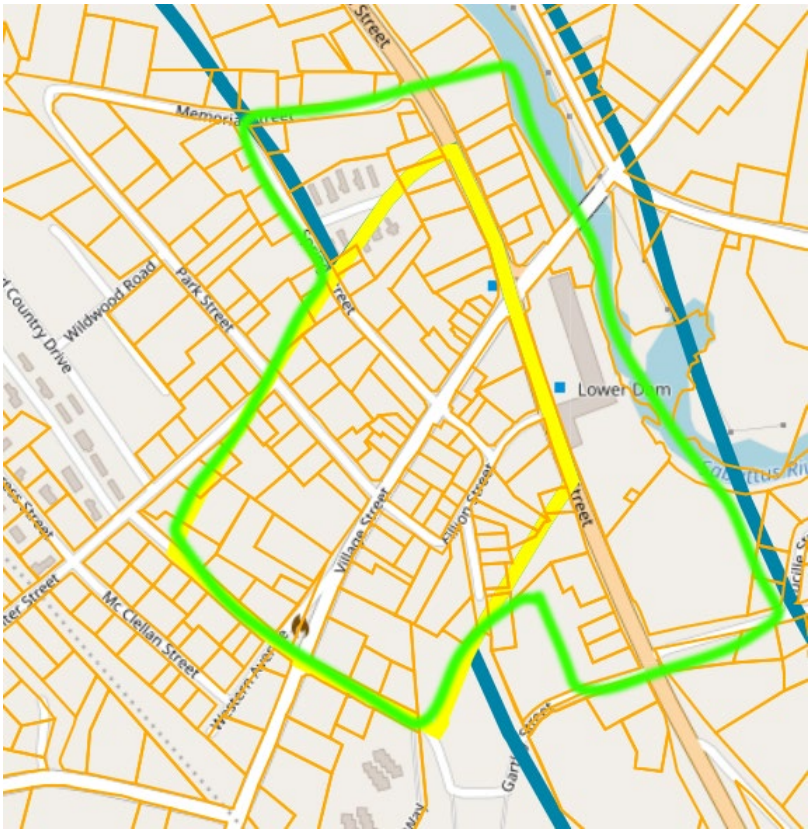
2) *District locations.* Character districts shall include all abutting properties on Route 196 within the sections of road below, including any development within 500 feet of the right-of-way.

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.

        i. *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 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 maximum 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.