MEMORANDUM

TO: Lisbon Town Council

CC: Glenn Michalowski, Town Manager

From: Kate Burch, AICP, Senior Planner, North Star Planning

RE: Ordinance Change - Sec. 62 – Potential Contamination Identification in Site Plan Review

Date: December 23, 2024

Overview

Lisbon has a significant number of potential sites of contamination due to the town's industrial past. In recent planning board applications that involve the re-use of former industrial, auto repair, or junkyard parcels, the Planning Board and Lisbon staff have expressed concerns that the applicant may not be aware of the potential contamination on site. The Board requested an ordinance change to add a submission requirement and review standard to Chapter 62, Site Plans, to require applicants to list any potential contamination sites based on the property's history or publicly available State data, and to give the Board discretion to require the applicant to undergo an environmental assessment and/or remediation as a Condition of Approval. The first reading of this ordinance occurred at the October 24, 2024 Planning Board meeting. The Planning Board approved the ordinance at the November 14, 2024 meeting.

Proposed Changes

Sec. 62-111. - Exhibits and information.
When the owner of the property or an authorized agent makes formal application for site plan review approval, the plan and accompanying documents shall contain at least the exhibits and information in this article. The following are required for both tier 1 and tier 2 developments unless otherwise noted.

(1) A fully executed and signed copy of the application for site plan review.
(2) Three copies of a site plan and accompanying documents for tier 1 developments and ten copies of a site plan and accompanying documents for tier 2 developments. The site plan shall be drawn at a scale sufficient to allow review of the items listed under the approval criteria, but at not more than 50 feet to the inch for that portion of the total tract of land being proposed for development, and showing the following:
[a-ah…..]
ai. Identification of any potential site contamination, based on previous known uses of the property and mapped sources in the Maine Environmental and Geographic Analysis Database.

Sec. 62-186. – Site Contamination and Brownfields
When there is evidence of potential site contamination based on previous property uses, or the site is identified in the Maine Environmental and Geographic Analysis Database, the Planning Board may require the applicant to work with the Town of Lisbon and/or Androscoggin Valley Council of Governments to undergo an Environmental Site Assessment of the property, contamination cleanup, and/or remediation as a condition of approval.