Planning Board
MEETING MINUTES
August 8, 2024
LISBON TOWN OFFICE
7:00 PM - PLANNING BOARD MEETING

Shaun Carr, Chair
Nicholas Craig, Vice Chair
Christopher Huston
William Kuhl
Dan Leeman
Liz Kimball
Vacant

CALL TO ORDER

Regular members present were Shaun Carr, Nicholas Craig, Chris Huston, Dan Leeman and William Kuhl. Associate Member Liz Kimball was present as well. Also present was Mark Stambach, Code Enforcement Officer, Kate Burch, Town Planner; Kristin Collins, Town Attorney, Councilor Larochelle, Town Council Liaison; and 12 audience members.

ROLL CALL

CHAIRMAN'S REVIEW OF MEETING RULES

Meeting Rules

WRITTEN COMMUNICATIONS

July 11, 2024 Minutes
VOTE (2024-66) Mr. Craig, seconded by Mr. Leeman moved to accept the Minutes of July 11, 2024 as presented.
Order – Vote 5-0.

PUBLIC HEARINGS

NONE

UNFINISHED BUSINESS

Findings of Facts - Case 24-08- Site Plan Review, Enterprise Electric, Inc.

(2024-67) Mr. Craig, seconded by Mr. Leeman moved to dispense with the reading of the Findings of Facts for Case #24-08- Site Plan Review, Enterprise Electric, inc. and insert it into the record as follows:
Vote: 5-0 Carried.

Case #24-08: Site Plan Review, Tier 2 – Enterprise Electric, Inc
Streamline Properties
46 Capital Avenue
Lisbon Falls, ME 04252
Map U10 Lot 012

Findings of Fact
The applicant submitted a Site Plan Review Application to amend the approved site plan for Enterprise Electric, Inc located at 46 Capital Avenue, Map U10 Lot 012, to add a paved parking area to an existing commercial site. The Planning Board first considered the application on June 27, 2024 and accepted the application as complete. On July 11, 2024 the Board conducted a Public Hearing.

On July 11, 2024, the Planning Board Voted:
To approve the Site Plan Application for 46 Capital Avenue, Map U10 Lot 012, with the condition of approval:

1. Prior to the start of construction, the applicant must verify with the Lisbon Code Enforcement Officer that the

variance for the parcel's impervious surface percentage has been recorded at the Registry of Deeds.

Conclusions of Law
General Review Standards: Lisbon Code of Ordinances. Chapter 62, Site Plans.

Performance Standards.
1. Completed the Tier 2 Site Plan Review Checklists
2. Town of Lisbon Ordinance Checklist
3. All abutters notified and public hearing notices were posted as required

Therefore, the Planning Board hereby approves Site Plan Review, Tier 2 for Case #24-08 Enterprise Electric.

Findings of Facts - Case #24-09 -Site Plan & Subdivision Review, RWG Properties, LLC

VOTE (2024-68) Mr Craig, seconded by Mr. Leeman, moved to dispense with the reading of the Findings of Facts for Case #24-09- Site Plan & Subdivision Review, RWG Properties, LLC and insert it into the record as follows:
Vote: 5-0 Carried.

Case #24-09: Subdivision Review and Site Plan Review, Tier 2 – RWG Properties, LLC
RWG Properties, LLC
692 Lisbon Street
Lisbon Falls, ME 04252
Map U05 Lot 218

Findings of Fact
The applicant submitted Site Plan Review and Subdivision Applications to construct a two-story, four-unit apartment building on a vacant portion of the parcel at 692 Lisbon Street currently occupied by a drive-through coffee shop; the coffee shop is to remain. The Planning Board first considered the application on June 27, 2024 and accepted the application as complete. On July 11, 2024 the Board conducted a Public Hearing.

On July 11, 2024, the Planning Board Voted:
To approve the Site Plan and Subdivision Applications for 692 Lisbon Street, Map U05, Lot 218.

Conclusions of Law
General Review Standards: Lisbon Code of Ordinances. Chapter 62, Site Plans and Chapter 66, Subdivisions

Performance Standards.
1. Completed the Tier 2 Site Plan Review Checklists
2. Town of Lisbon Ordinance Checklist
3. All abutters notified and public hearing notices were posted as required
4. Route 196 Design Standards Checklist

Therefore, the Planning Board hereby approves Subdivision Review and Site Plan Review, Tier 2 for Case #24-09, RWG Properties, LLC.

NEW BUSINESS

Case #24-10 Conditional Use Application -
Farewell My Friend - Goodbye Center for Pets
Amy Ruksznis
143 Lisbon St.
Lisbon, ME 04250
Map U22 Lot 003

Ms. Burch stated this is a re-use of an existing building, which was a hair salon. It is a Conditional Use because it is within the Aquafer Overlay Zone. One part being the Aquafer Overlay I, which is more restrictive, but the building itself is within the Aquafer II.

Amy Ruksznis, the applicant, said she is a veterinarian in Topsham and has owned Topsham Veterinary Wellness Center for 12 years and has been practicing for 17 years. Ms. Ruksznis has been using an Aquamation service for the last year. (Aquamation is a water-based process that uses alkaline hydrolysis to result in similar remains to cremation while consuming less energy than the traditional cremation process.)

Mr. Kuhl asked if she would be keeping the apartments connected to her building. Mr. Ruksznis said she would keep the current tenants and continue to rent, use the hair salon area for her business, and use the barn out back for the Aquamation.

Mr. Kuhl asked if there would be an odor or gas discharge related to the process and is there any State requirements for this business. Ms. Ruksznis stated there will be a discharge pipe, similar to a bathroom discharge pipe and will not have an odor. She also said there are no State regulations aside from the chemical use depending how much she has stored.

Ms. Kimball asked if there would be any affluent testing or required O & M. Ms. Ruksznis said there are no requirements, but she did submit affluent characteristics to the Water & Sewer Departments.

Overview

Amy Ruksznis, a veterinarian with a practice in Topsham, proposes to convert the existing hair salon and day spa at 143 Lisbon Street to a goodbye center for pets. This center will have a lobby, a retail space for the purchase of urns and other memorials, a place where pets can be euthanized, and an aquamation facility. Aquamation is a water-based process that uses alkaline hydrolysis to result in similar remains to cremation while consuming less energy than the traditional cremation process.

Services will be by appointment only. The center expects to have one lobby employee and 1-2 staff members who will perform the aquamation process. Hours of operation have not yet been determined but are not expected to include weekend hours. The center may also occasionally host pet grief meetings and information sessions about pet hospice care.

The parcel is 1.9 acres and located in the Village Zone and the Village Character District of the Route 196 Design Standards. All buildings and parking areas are located in the Aquifer Overlay Zone 2. A smaller area of the property including part of a driveway is located in the Aquifer Overlay Zone 1. No changes to the building, landscaping, parking areas, stormwater drainage, or any other site features are proposed.

The project will be served by existing utilities including public water, sewer, and electric. The applicant has received an Ability to Serve letter from the Lisbon Sewer District, with the condition that if the discharge from this use causes any future issues, the applicant will be required to meet with the Sewer District to discuss pretreatment options. The applicant received an Ability to Serve letter from the Lisbon Water District.

Conditional Use Review

The Lisbon Code Enforcement Officer determined this use to be consistent with a Funeral Home, which is an allowed use in the Village Zone. This falls under “Other Commercial and Services” in the Aquifer Overlay Zone, which is a conditional use in Zone 2.

Route 196 Design Standards

This project is located within the Village Character District of the Route 196 Design Standards. No exterior building alterations or improvements are proposed, so the Design Standards do not apply to this review.

Aquifer Protection Overlay

The majority of this property, including all buildings and parking, is located in Zone 2 of the Aquifer Protection Overlay. Other commercial services are a conditional use in this overlay.

In an email dated July 22, 2024, the applicant confirmed:
1. There will be no floor drains in the facility.
2. Low-salt mix will be used for winter parking lot maintenance.
3. Chemicals onsite will be stored in closed, labeled, water-tight containers.
4. Applicant will secure a contract for a dumpster company for waste with regular pick-ups.
5. There will be no chemical waste produced from the aquamation process. Any unused chemicals would be collected by the supplier, BioResponse Solutions.

The applicant is preparing a spill prevention, control, and countermeasure plan to be posted at the facility that includes information from the equipment supplier, BioResponse Solutions.

Application Stage

The Board should vote on completeness and, if complete, schedule a public hearing.

Applicant: Amy Ruksznis

Owner: Toby Rox Real Estate Holdings, LLC

Location: 143 Lisbon Street

Zoning: Village

Tax Map Number: Map U22 Lot 003

Existing Land Use: hair salon/day spa

Proposed Land Use: euthanasia and aquamation center for pets (funeral home)

Acreage: 1.9

Waivers: The applicant has not requested any waivers.

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

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

Completeness Review: The Planning Board has not voted on completeness.

> **Suggested Motion:** To find the Conditional Use application for 143 Lisbon Street **[complete/not complete]** in regard to the submission requirements of Chapter 70, Article III (Conditional Uses) and Article V Division 2 (Aquifer Protection) of the Lisbon Land Use Ordinance.

Conditional Use Review - Findings of Fact:

Primary Factors

1. Health

- The development will maintain safe and healthful conditions.

1. Pollution

- No water pollution will result from this development.
- The project will be served by public water and sewer.

1. Building sites

- No changes to existing buildings or the site are proposed.

1. Wildlife Habitat

- No impacts to wildlife habitat will result from this development.

1. Shore cover

- No shore cover is impacted by this development.

Additional Factors

1. Compatibility with area

- This appointment-only business will be compatible with other neighboring businesses.

1. Need

- The applicant is a veterinarian and indicates there is a need for additional euthanasia and aquamation services for pets.

1. Access

- No changes to access are proposed.

1. Flooding

- The site is not located in a floodplain.

1. Waste disposal

- The applicant has not confirmed how regular waste and chemical waste will be disposed.
- The project will be served by the Lisbon Sewer Department.
- The applicant has received an Ability to Serve letter from the Lisbon Sewer Department, with the condition that if the discharge from this use causes any future issues, the applicant will be required to meet with the Sewer District to discuss pretreatment options.

1. Impact on land and water

- No land or water bodies are impacted by this development.

1. Topography

- There will be no topographic, drainage, or vegetative cover changes.

1. Erosion

- No changes to the site are proposed.

1. Transportation

- The project will not impact transportation facilities.

1. Community facilities

- The project will not impact community facilities.

1. Water supply

- The project will be served by public water and sewer.
- The Lisbon Water District has provided an Ability to Serve letter.

Conditions Attached to Conditional Uses
Upon consideration of the factors in Section 70-194, the Planning Board may attach additional conditions.

Specified sewage disposal and water supply facilities:
If the discharge from this use causes any future issues, the applicant must meet with the Sewer District to discuss pretreatment options.

Aquifer Protection Overlay

- The majority of the parcel, including all buildings, are located in Zone 2 of the Aquifer Protection Overlay.
- No building additions, construction, landscaping, or site work is proposed.
- No changes to stormwater management are proposed.
- The applicant should confirm there will be no floor drains in the facility.
- The applicant should confirm property will use sand or a low-salt mix for winter parking lot maintenance.
- The applicant should confirm chemicals will be stored in closed, labeled, water-tight container.
- The application should provide information about how waste be disposed – including regular waste and chemical waste.
- The applicant should prepare a spill prevention, control, and countermeasure plan (to be posted at the facility) for the Planning Board's review.

Conclusions of Law

1. The use **(will/will not)** maintain safe and healthful conditions.
2. The use **(will/will not)** prevent and control water pollution and sedimentation.
3. The building sites, placement of structures, and land uses **(will/will not)** have a negative effect.
4. The use **(will/will not)** negatively effect the protection of spawning grounds, fish, aquatic life, bird, and other wildlife habitat.
5. The use **(will/will not)** negatively effect the conservation of shore cover, visual as well as actual points of access to inland and coastal waters and natural beauty.
6. The use **(is/is not)** compatible with adjacent land uses.
7. There **(is/is not)** a need of a particular location for the proposed use.
8. There **(is/is not)** access to the stie from existing or proposed roads.
9. The location of the site **(is/is not)** in a floodplain or floodway of rivers or streams.
10. The amount and type of wastes to be generated by the proposed use **(will/will not)** have a negative effect, and the proposed disposal systems **(are/are not)** adequate.
11. The impact of the proposed use on the land and adjacent water bodies **(will/will not)** support the capability of the land and water to sustain such use without degradation.
12. The use **(will/will not)** have a negative effect on existing topographic and drainage features and vegetative cover on the site.
13. The use **(will/will not)** cause erosion on the site based on degree and direction of slope, soil type, and vegetative cover.

14. The use **(will/will not)** have a negative impact on transportation facilities.
15. The use **(will/will not)** have a negative impact on local population and community facilities.
16. The use **(will/will not)** have a negative impact on local water supplies.

VOTE (2024-69) Mr. Leeman, seconded Mr. Craig, moved to accept the application as complete for Case #24-10 Conditional Use Application- Farewell my Friend and schedule a Public Hearing for August 22, 2024.
Roll Call: Yays: Huston, Leeman, Craig, Kuhl, Carr. Nays- None
Order Passed: Vote 5 Yays, 0 Nays.

Case #24-11 Subdivision Review Application -
Gervais Homes, LLC
223 Lisbon Street
Lisbon, ME 04250
Map U19 Lot 199A & 120

Overview

Gervais Homes, LLC proposes a 10-unit residential development at 223 Lisbon Street consisting of five duplexes. The property is located in the Village Zone and is located in the Village Character district of the Route 196 Corridor Design Standards, as well as Zone 2 of the Aquifer Overlay. The project combines two lots, Map U-19 Lot 119A and Lot 120, to create a 0.69 acre parcel with 0.338 acres to be developed. These lots are currently vacant and were previously cleared. The duplexes will be rental units managed and maintained by Gervais Homes. Construction is planned to begin in fall 2024 and continue to summer 2025, with landscaping complete by winter 2025.

The proposal meets the minimum density requirements of 3,000 SF per dwelling unit. The project will have 22 parking spaces, including one ADA space (20 parking spaces are required by Lisbon's Zoning Ordinance.) The traffic calculations provided show the project is expected to generate 80 trips per day. The applicant confirmed in an email dated July 11, 2024 that the westerly end of the parking area is rip-rapped with the intention of storing snow. This treatment will also somewhat trap excess sand and salt, and help prevent erosion that would impact the drainage channel.

The project will be served by public water and sewer, with underground electric connected to service on Lisbon Street via a new transformer box. The applicant provided ability to serve letters from the Lisbon Sewer and Lisbon Water Departments.

Most stormwater will be routed through private stormwater structures to an existing Town of Lisbon catch basin. The site has been graded to control the flow of runoff and route runoff through grassy swales and channels before reaching the town storm system. The swale that previously ran through the property will be improved. The stormwater management was designed to abate the standing water that currently accumulates at the property line from surrounding properties. This runoff will be controlled by a weir with a 4" drain pipe to mitigate the issue while managing the rate at which runoff enters the town storm system. No Maine DEP permits are required. Stormwater modeling and calculations are provided in the application package. Best Management Practices for erosion and sediment control will be followed.

Access Management

The development will be accessed by a new entrance of Lisbon Street. The property is located within the Urban Compact and the applicant must obtain a driveway permit from Lisbon Public Works.

The property's existing driveway entrance is undersized for two-way traffic, with a sight distance of 290 feet, located 35 feet from the driveway to the north and 154 feet from the driveway to the south. The access management standards in Sec. 46-134 require 380 feet of sight distance on a 35 mph road, with entrances aligned with those located on the opposite side of the street, and for the entrance to be located at least 85 feet from neighboring entrances.

The proposed new entrance meets the width and corner clearance standards in Sec. 46-134, and is consistent with Maine DOT's rules for Curbed Commercial Entrances onto Curbed Highways with Sidewalks.

The applicant has submitted a request for waivers for 3 of the access management standards in Sec. 46-134. Due to the layout of the road and existing driveways, the applicant states they are not able to meet all the access management standards. The new proposed driveway entrance will increase sight distance by 45' to 335', which remains less than the ordinance standard of 380'. The proposed layout relocates the entrance to be located 81' from the closest entrance, which is greater than the existing entrance but less than the ordinance standard of 85'. This layout, which comes closest to meeting the ordinance standards, does not align with the existing entrance on the opposite side of the street. The proposal and alternatives are detailed in the letter from the applicant on Access Management dated July 11, 2024.

The waivers requested are:

1. Sec. 46-134 2.1, *Sight Distance*
2. Sec. 46-134 2.2, *Spacing between accesses* – distance to neighboring entrances
3. Sec. 46-134 2.2, *Spacing between accesses* – alignment with opposite entrance

In considering these waivers, the Board must review the following criteria (Sec. 46-134 3):

- Impact on public safety
- Availability of alternatives
- If the proposed new entrance provides a net gain towards meeting the standards from the existing entrance

In considering the spacing waivers (Sec. 46-134 2.2), the Board must review the following criteria (Sec. 46-134 3.2):

- If the proposal meets the criteria above
- If the property is in an area designated for growth by the comprehensive plan
- The proposal will not have an unreasonable adverse impact on the road such that traffic speed would need to be lowered.

Based on the review criteria, these waiver requests appear to be reasonable. The applicant's proposal creates a net gain in sight distance and spacing. The sight distance meets Maine DOT and AASHTO standards for a 35mph road. The property is in a growth area as designated in the comprehensive plan. The Lisbon Public Works Director has agreed the proposed entrance and waiver requests are reasonable.

<u>Route 196 Design Standards</u>

This project is located within the Village Character District of the Route 196 Design Standards. The buildings are designed to reflect traditional New England character and materials. The dumpster will be screened by a fence. No signage is proposed. New landscaping beds will be installed between the sidewalk on Lisbon Street and the buildings, as well as along the border of the parking lot. Sidewalks will provide access to the units in Buildings A and B which face Lisbon Street. Parking is not located closer to the street than the front of the building. Exterior lighting will consist of down-lights at building entry doors and patio doors. The sides and rear of the building will be surrounded by a 6' and 8' privacy fence, respectively.

Aquifer Protection Overlay

The property is located in Zone 2 of the Aquifer Protection Overlay (referred to as "wellhead" in the application.) Residential homes are an allowed use in this overlay, and because the development will be served by public water and sewer, the underlying zoning density requirements apply. The proposed project will cover 48.9% of the lot, which is under the maximum 50% allowed in this overlay.

The applicant has provided soil maps, an erosion control plan, and a stormwater management plan that meet the requirements of Sec. 70-566, Additional application requirements – Aquifer protection overlay district. The applicant confirmed in an email dated July 11, 2024 that:

- No petroleum or chemical storage will occur on site beyond typical household items.
- Gervais Homes will maintain the stormwater management system as part of routine property maintenance.
- Winter maintenance will use sand or a salt/sand combination with reduced salt.
- The applicant will create a spill prevention and control plan for any fuels, paints, grease, lubricants, etc used during construction.

Application Stage

This application was presented to the Planning Board as a preapplication at the April 25, 2024 Planning Board Meeting. The Board should vote on completeness and, if complete, schedule a public hearing.

Applicant: Ryan Sylvia, PE, RPEx Consulting LLC

Owner: Gervais Homes, LLC

Location: 223 Lisbon Street

Zoning: Village

Tax Map Number: Map U19 Lots 119A & 120

Existing Land Use: vacant

Proposed Land Use: Residential

Acreage: .69

Waivers: The applicant has requested a waiver of 3 access management standards:

1. Sec. 46-134 2.1, *Sight Distance*
2. Sec. 46-134 2.2, *Spacing between accesses* – distance to neighboring entrances
3. Sec. 46-134 2.2, *Spacing between accesses* – alignment with opposite entrance

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

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

> **Suggested Motion:** To find the Site Plan and Subdivision applications complete in regard to the submission requirements of Section 62 (Site Plans) and Section 66 (Subdivisions) of the Lisbon Code of Ordinances.

Site Plan Review - Findings of Fact:

1. Generally

- The applicant has designed the project to meet the standards as outlined within the Ordinance.

1. Landscape Preservation

- The lot was previously cleared.
- No impacts upon scenic areas and views identified in the Lisbon Comprehensive Plan are proposed.
- No shoreland zoned streams or wetlands are located on or adjacent to the parcel.

1. Vehicular Access

- The existing entrance onto Lisbon Street (Route 196) will be moved.
- The proposed design provides for safe turning movements and is consistent with MDOT and AASHTO standards.
- The applicant has provided a letter explaining the current design and an alternatives analysis to meet the Chapter 46 Article V – Entrances onto Public Ways.
- The applicant requests waivers for standards in Sec. 46-134.
- The proposed design creates a driveway entrance that comes closer to complying with the standards of Sec. 46-134 than the existing driveway entrance.

1. Parking Requirements

- Section 70-661 requires 2 parking spaces per residential unit, for a total of 20 spaces.
- The project provides 22 parking spaces including 1 ADA space.

1. Pedestrian Circulation

- The project provides pedestrian connections from the new housing units to the existing sidewalk on Lisbon Street.

1. Stormwater Management

- A Stormwater Management Plan has been enclosed with this submission.
- This project does not require a permit from the Maine Department of Environmental Protection (DEP).
- The stormwater management system meets the criteria of a 25-year storm.
- The system includes riprap and swales to reduce erosion and control the flow of stormwater into the town

system.

1. Conservation, Erosion, Sediment Control

- The project has been designed to incorporate Best Management Practices (BMPs) as provided by MDEP.

1. Exterior Lighting

- The development will have down lights on exterior building and patio doors.

1. Emergency Vehicle Access

- The building, driveway, and parking lot design allows for safe emergency vehicle access.

1. Water Supply

- The development will be served by public water.
- The project has received an Ability to Serve letter from the Lisbon Water District.

1. Groundwater

- There are no on-site water supply or sewage disposal systems.

1. Air Emissions

- No excessive air emissions are anticipated as a result of the development.

1. Odor

- No excessive odors are anticipated as a result of the development.

1. Noise

- No excessive noise is anticipated as a result of the development.

1. Sewage Disposal

- The development will be served by the public sewer system along Lisbon Street (Route 196).
- The project has received an Ability to Serve letter from the Lisbon Sewer Department.

1. Waste Disposal

- The project includes a dumpster for waste disposal.

1. Compliance with Comprehensive Plan

- The proposed development is located within the Village zoning district, a designated growth area.
- The project complies with the 2019 Comprehensive Plan goals for increase housing development in Lisbon's villages.

1. Proof of Federal or State Required Permits
2. No federal or state permits are required.

1. Archaeological Resources

- No historic properties or archaeological resources are impacted by the proposed development.

1. Protection of Significant Wildlife Habitat

- No wildlife resources identified by the 2019 Comprehensive Plan or the Maine Department of Inland Fisheries & Wildlife (MDIF&W) are located in the project area.

1. Rare and Endangered Species

- No rare botanical features will be directly impacted by the project
- Building Design

- The proposed new buildings reflect traditional New England building forms and are harmoniously related to the neighborhood.
- The sides and rear of the development will be screened with a fence.

- The dumpster will be screened from public view.

1. Impact on Public Facilities and Services

- No negative impacts on community services or facilities will result from the proposed development.

1. Aquifer Protection Overlay
2. The development is located in Zone 2 of the Aquifer Protection Overlay.
3. The project will cover 48.9% of the lot.
4. The submission includes soil maps, an erosion control plan, and a stormwater management plan that meet the requirements of Sec. 70-566, Additional application requirements – Aquifer protection overlay district.
5. No petroleum or chemical storage will occur on site beyond typical household items.
6. Gervais Homes will maintain the stormwater management system as part of routine property maintenance.
7. Winter maintenance will use sand or a salt/sand combination with reduced salt.
8. The applicant will create a spill prevention and control plan for construction.

1. Lisbon Route 196 Corridor Design Standards

- This project is located within the Village Character District of the Route 196 Design Standards.
- The buildings are designed to reflect traditional New England character and materials.
- The dumpster will be screened by a fence.
- No signage is proposed.
- New landscaping beds will be installed between the sidewalk on Lisbon Street and the buildings, as well as along the border of the parking lot.
- Sidewalks will provide access to the units in Buildings A and B which face Lisbon Street.
- Parking is not located closer to the street than the front of the building.
- Exterior lighting will consist of down-lights at building entry doors and patio doors.
- The sides and rear of the building will be surrounded by a 6’ and 8’ privacy fence, respectively.

Subdivision Review - Findings of Fact:

1. Pollution

- The development will not result in undue water or air pollution.

1. Availability of water supply

- The development will be served by public water.

1. Burden on water supply

- The Lisbon Water District has provided an Ability to Serve letter.

1. Soil erosion

- The development will not result in unreasonable soil erosion.
- The development will follow Maine DEP Best Management Practices for erosion control.
- The submission includes a stormwater management plan.

1. Traffic

- The development is expected to create approximately 80 trips per day.
- The new driveway entrance is located within the urban compact area.

1. Waste disposal, private

- The development will provide for waste disposal with a dumpster on site.

1. Waste disposal, burden on municipal facilities

- The project will be served by public sewer.
- The Lisbon Sewer Department has provided an Ability to Serve letter.

1. Aesthetic, cultural, and natural values

- The project will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, wildlife habitat, natural areas, or visual access to the shoreline.

1. Conformance with zoning and comprehensive plan

- The development conforms to the goal to create housing in Lisbon's villages in the 2019 Comprehensive Plan.

1. Financial and technical capacity

- The subdivider has provided a letter from Norway Savings Bank demonstrating Gervais Homes, LLC has the financial capacity to complete the project, with an estimated cost of $2,100,000.

1. Surface waters

- The project is not situated within 250 feet of any wetland or river.

1. Groundwater

- The project will not adversely affect the quality or quantity of groundwater.

1. Flood areas

- The project is not located within a 100-year flood hazard area.

1. Freshwater wetlands

- No wetlands are located on the project site.

1. Farmland

- No farmland is located on the project site.

1. River, stream or brook

- No rivers, streams, or brooks abut the proposed subdivision.

1. Stormwater

- The development includes an adequate stormwater management system.

1. Spaghetti-lots prohibited

- The subdivision does not have shore frontage.

1. Impact on adjoining municipality

- The subdivision does not cross municipal boundaries.

1. Lands subject to liquidation harvesting

- No timber is being harvested on the parcel.

Conclusions of Law

1. The landscape **(will/will not)** be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, retaining existing vegetation where desirable, and keeping any grade changes in character with the general appearance of neighboring areas.
2. The proposed development **(will/will not)** provide safe vehicular access to and from public and private streets.
3. Development parking **(will/will not)** meet the town standards as set forth in section 70-661 et seq.
4. The development plan **(will/will not)** provide for a system of pedestrian circulation within the development and interconnection with existing facilities.
5. Adequate provision **(will/will not)** be made for disposal of all storm water generated within the development through a management system of ditches, swales, culverts, underdrains, and/or storm drains.
6. Stripping of vegetation or other development **(will/will not)** be done in such a way as to minimize erosion and sedimentation. The development **(does/does not)** include best management practices as provided by the Maine Department of Environmental Protection.
7. All exterior lighting **(will/will not)** be designed to encourage energy efficiency, to ensure safe movement of people and vehicles, and to minimize adverse impact on neighboring properties and public ways.
8. Provisions **(will/will not)** be made for providing and maintaining convenient and safe emergency vehicle access to all buildings and structures at all times.
9. The development **(will/will not)** be provided with a system of water supply that provides each use with an adequate supply of water meeting the standards of the state for drinking water.
10. The project demonstrates that the groundwater at the property line **(will/will not)** comply with the standards for safe drinking water as established by the state.
11. All air pollution control **(will/will not)** comply with minimum state requirements.
12. The proposed development **(will/will not)** produce offensive or harmful odors perceptible beyond their lot lines either at ground or habitable elevation.
13. Noise (**will/will not)** comply with the standards as set forth in Chapter 26, Article IV of this Code.
14. A sanitary sewer system **(will/will not)** be installed at the expense of the developer.
15. The proposed development **(will/will not)** provide for adequate disposal of solid wastes and hazardous wastes.
16. All new development and redevelopment **(is/is not)** in conformance with the town's comprehensive plan and shall be consistent with the goals and objectives stated in such plan.
17. The applicant **(will/will not)** provide proof of any required state or federal permits.
18. The proposed development **(does/does not)** involve structural development or soil disturbance on or adjacent to sites listed on, or eligible to be listed on the National Register of Historic Places.
19. The proposed development **(will/will not)** impact wildlife resources identified in the Town of Lisbon comprehensive plan or by the Maine Department of Inland Fisheries and Wildlife.
20. The proposed development **(will/will not)** impact rare or endangered species identified by the Maine Natural Areas Program.
21. The proposed structures **(will/will not)** be related harmoniously to the terrain and to existing buildings in the vicinity that have a visual relationship to the proposed structures so as to have a minimally adverse affect on the aesthetic qualities of the developed and neighboring areas.
22. The proposed development **(will/will not)** impact municipal services beyond current capacity.

VOTE: (2024-70) Mr. Leeman, seconded by Mr. Craig moved to find the Site Plan and Subdivision applications complete for Case #24-11 Gervais Homes, LLC in regard to the submission requirements of Section 62 (Site Plans) and Section 66 (Subdivisions) of the Lisbon Code of Ordinances and schedule a Public Hearing for August 22, 2024.
Roll Call Vote: Yays: Huston, Leeman, Craig, Kuhl, Carr. Nays: None.
Order Passed: 5 Yays, 0 Nays.

Pre Application - **Case #24-12** Site Plan Review Application-
Solar Array for Power Generation
Nexamp, Inc.
Bowdoinham Road
Lisbon, ME 04250
Map R03 Lot 019

Darrin Stairs, Engineer for Woodard and Curran, Inc. and Henry Barrett from Nexamp, Inc. described the project. Mr. Stairs stated the project is for a Solar array on 7-1/2 acres of the 21 acre property Zoned ROS I.
The array will be located about 350 feet from the road, 180 from the eastern property line, 80 feet from the western property line and 200 feet from the rear. The Solar panels will be post mounted to the ground with no foundation underneath with a gravel driveway for access to them with a turnaround. They will install an ox block for emergency access. They are working with the State for Stormwater permitting as needed as well as the general construction permit. Mr. Stairs said there will be a transformer and inverter located on the interior part of the site to reduce any noise to the public. He said the power from the Solar array will come some poles on his property on the driveway and go out to the distribution line on Bowdoinham Road.

Mr. Huston asked if there is 3-phase power on Bowdoinham Road. Mr. Barrett said no, but they will be upgrading from single to 3-phase power.

Pre Application - Case #24-14 - Site Plan Review Application-
Farwell Dam Fish Passage Project
Maine Dept. of Marine Resources Miller Industries, Inc
11 Upland Rd
Lisbon, Maine 04250
Map U17 Lot 22

Casey Clark from Maine Department of Marine Resources stated they want to remove a portion of the dam and put in a rock ramp started at the ledges just downstream of the Farwell Mill building dam and will wrap around following the natural course of the river. Their role is to try and address the fish passage issues, address removing old dams. They are also working with the Maine Department of Environmental Protection who has a remedial oil project that's on the bank near the Farwell Mill building parking lot. The State will do that right before they put a fishway on top of it. The State will remove several feet of contaminated soils, put in a barrier that is on top of the soils and fill back up to the riverbed before Marine Resources starts their work rebuilding on top of that. Mr. Clark said another project going on will be the last voluntary partner for the bonafide landfill which will go through and do

the landfill cleanup and closure on Lot U 17-22 which is the larger lot of 3-1/2 acres.

OTHER BUSINESS

Don Fellows requested the Planning Board consider a zoning change to allow a property located in the Commercial zone with a vacant multifamily building to use that building for housing, which is currently not permitted in that zone. Mr. Fellows suggested the Board expand the current conditional use provisions in the ordinance to allow it.

CODE ENFORCEMENT OFFICER ITEMS

NONE

ADJOURNMENT

VOTE (2024-71) Mr. Craig, seconded by Mr. Leeman, moved to adjourn at 8:32pm.
Order Passed 5-0.

_____
Lisa B. Smith, Planning Board Secretary

Date Approved: