

Public Hearing and Planning Board Minutes
Town of Lyman
August 1, 2018

Public Hearing

Members Present: Kelly Demers, Cecile Dupuis, Vice Chairman Don Herson, Joe Wagner, CEO Patti McKenna, and Penny Thomas, PB Clerk

Others in attendance: Fire Chief Hooper, Normand Bilodeau, Sandy Guillemette, Robert Lang, and Mathiew Deross

Topic for Discussion: Fire Chief Hooper's recommendation that the Subdivision Regulations be modified to include requirement that sprinkler systems be installed in all new homes in subdivisions.

The Public Hearing was called to order by Vice Chairman Herson at 6:45PM.

Mr. Herson read to the members and visitors the final version of Chief Hooper's suggested amendment as agreed upon at the Planning Board meeting held on July 18, 2018. All attendees agreed with the wording. Below is a copy of the edits involved.

LAND DEVELOPMENT AND SUBDIVISION REGULATIONS

(Deletions are ~~struck through~~ and additions are in *red italics*.)

ARTICLE 4 – DEFINITIONS

Section 4.1 Page 9

ADD:

Sprinkler System: An approved automatic fire protection sprinkler system shall be capable of immediately supplying water to a fire without human intervention. The system shall meet all of the requirements as outlined in the applicable National Fire Protection Association (NFPA) Standard. These standards shall include NFPA 13, NFPA 13R, or NFPA 13D. The system design is required by State Law to be permitted by the State Fire Marshal's Office prior to installation.

Public Hearing and/or Planning Board Minutes

August 01, 2018

Article 8 – STANDARDS

Page 21

8.1 Town of Lyman Subdivision Ordinance Requirements

ADD:

8.1.8 All new dwelling units shall be protected by an approved automatic sprinkler system installed under the following standards NFPA 13, NFPA 13R, NFPA 13D or as permitted by the Office of State Fire Marshal and approved by the Fire Department.

8.6.2 The subdivider/applicant shall demonstrate by actual test or by a signed affidavit from an authorized representative of the servicing water company that water meeting Public Health Service, Drinking Water Standards, 1962, can be supplied to the subdivision at the rate of at least 350 gallons per day per dwelling unit and at an adequate pressure for fire-fighting purposes *and required for operation of a sprinkler system.* ~~if applicable.~~

8.6.3 Water storage shall be provided as necessary to meet peak domestic demands, fire protection *to support a residential sprinkler system.* ~~as specified by the Fire Department. The developer shall provide for the construction of underground storage facility(s) for fire protection. Size and the number of facilities required shall be determined by the Planning Board based on Fire Department recommendations.~~

Discussion:

Chief Hooper spoke to explain his favorable recommendation of this change in the subdivision regulations. Stating that Even with the current requirements for ponds or tanks, the FD still has significant set-up time required. Sprinklers will already be at work.

He has spoken with the Gorham Fire Chief about Gorham's requiring all new residences to be sprinkled. An advantage to sprinkling could be that the building code could provide relief on other requirements because the home is sprinkled. For example, where a 2 or 3-hour fire separated wall might be required without sprinklers, it could be reduced for having sprinklers. Where a mechanical room is sprinkled it may not require a fire rated separation There are some trade offs built into the code for having sprinklers which might lower building costs.

Other advantages of having sprinkled houses is life safety. By the time the fire trucks can make it to a fire, the fire could be suppressed and/or people out of the homes safely. This could mean a cost savings not only to the homeowner but to the town as a whole. Where a fire that has been allowed to get going for the 10-20 minutes it might take for response time. Sprinklers can be the difference between needing 20 firefighters and 4 fire engines on scene for 6 hours, or 8 firefighters and 2 engines for 3 hours

Public Hearing and/or Planning Board Minutes

August 01, 2018

Chief Hooper added that he will follow up in the future to request changes to the zoning ordinance for all new homes be required to be sprinkled. He realizes that will take forwarding to the Board of Selectmen and a town meeting vote to happen, where this change to the subdivision regulations can be approved by the Planning Board.

Chief Hooper ended his comments by saying, "What kind of a community do we want to be? One that values families, homes and life safety? or one that doesn't care?"

Normand Bilodeau spoke in favor of this change. Stating that years ago the town made a change to the subdivision regulations to require underground water tanks which was a step in the right direction. Years later there were changes to require bigger underground tanks which was another change in the right direction. This is another step forward.

The PB members all felt it was a worthy endeavor and all other attendees, made up of current and past fire department members, supported it as well. Public information will be posted on the website and a vote will be taken at the next PB Meeting, scheduled for August 15, 2018.

As there was no further discussion, Vice Chair Herson made the motion to close the Public Hearing. Mr. Demers seconded the motion and all agreed.

At this time, all visitors departed.

Please note that there is no accompanying recording due to recorder malfunction.

Public Hearing and/or Planning Board Minutes

August 01, 2018

Planning Board Meeting

Members Present: Kelly Demers, Cecile Dupuis, Vice Chairman Don Hernon, Joe Wagner, CEO Patti McKenna, and Penny Thomas, Clerk

Others in attendance:

The Meeting was called to order at 7:00 PM by Vice Chairman Hernon. He requested at that time that the Board revive the old custom of having each member introduce themselves at the start of the meeting. All agreed and did so.

Minutes: The minutes from the July 18, 2018 meeting were reviewed by the Board. Mr. Demers made a motion to accept, Mrs. Dupuis seconded, and the vote was unanimous to accept the minutes as written.

Monthly Report: The Monthly Report for July was reviewed, and Mr. Wagner made the motion to accept as written. Mrs. Dupuis seconded and it was approved by all.

Discussion resulting from Public Hearing: While PB members felt that no further discussion was required, it was decided that the vote should be delayed until the next PB meeting in part because of the failure of the office tape recorder, leaving no audio record of the meeting. In the meantime, CEO McKenna suggested that the recording of the meeting where the Fire Marshall gave the Planning Board a presentation on residential sprinklers be reposted to the website for public review.

Other Business:

Selectmen's request for plan for upgrading private roads to public: CEO McKenna stated that she was still researching the regulations of other towns to use as models for this project. She has delivered by email to PB members, the North Berwick Road regulations for their review in addition to those of the town of Arundel. It was suggested that other towns have included all road related ordinances into one ordinance and we should do the same to provide a complete set of Road Regulations. More research and discussion are required, and the topic has been placed on the agenda for the next PB meeting scheduled for August 15, 2018.

Public Hearing and/or Planning Board Minutes

August 01, 2018

Status of Marijuana Regulations for the Town: Vice Chair Herson asked about the status on this topic. During discussion, it was clear that until the state sets its regulations for public sale and use, the town cannot move forward. Mr. Wagner agreed to contact District 32 Senator Susan Deschambault to see if she knows where the state and other towns in our district are going with this topic and will report back at the next PB meeting.

Domesticated Farm Animal Issues: CEO McKenna stated that the current ordinance allows for the keeping of domesticated farm animals on residential lots that are less than 3 acres in size as long as they have applied for and received CEO approval. At the present time there are several residents on lots less than one acre who already have such approval. CEO McKenna questioned the Board members to see if changes should be changes made to existing code. The Board discussed the issue and the conclusion was that the current ordinance was very clear and did not warrant any changes. Any citizen with issues on the topic should go through the proper channels to file a complaint.

CEO McKenna explained that there have been some complaints from a residential neighborhood where there are several homes on lots of under an acre in size. The residents of that neighborhood sent a letter stating that if everyone on the neighborhood were allowed to have chickens, there might be a real problem there. Ms. McKenna told the residents that she would bring this discussion to the Planning Board. While she can see their point, she also realizes that chickens are allowed in cities on smaller lots, so she sees both sides of this issue. After some discussion it was decided that the ordinance has protections in place for abutters in the Residential zone and if complaints are made and found valid, enforcement would happen to correct the issue. If the neighbors have complaints about actions or inactions of the code office, they can then file complaints with the Board of Selectmen.

It was also discussed that if a neighborhood would like a zoning change, they can go through the process to request a zoning change.

Mail: There was no significant mail.

Adjournment: Discussion ended at approximately 7:20PM and Mr. Demers made a motion to adjourn. It was seconded by Mrs. Dupuis and so voted.

Agenda for August 15, 2018 Meeting:

PB Meeting 7:00PM

Minutes

Continued discussion and vote on Fire Chief Hooper's Subdivision Regulation amendment

Continued work on Road Regulations

Public Hearing and/or Planning Board Minutes

August 01, 2018

Continued discussion around Marijuana Regulations

Workshop & Training (Time permitting)

**Please note that there is no accompanying recording due to recorder malfunction.
A new recorder has been ordered and should be ready for the next meeting**

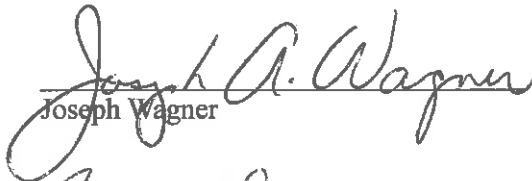
Respectfully submitted,

Penny Thomas, Clerk

Roderick Tetu, Chairman



Donald Herson, Vice Chair



Joseph Wagner



Kelly J. Demers



Cecile Dupuis, Secretary

Michael Rancourt