

TOWN OF LYMAN
PLANNING BOARD MEETING MINUTES
February 3, 2021

PUBLIC HEARING: Chairman Roderick Tetu called the meeting to order at 6:45 P.M. noting attendance of Donald Hernon, Joseph Wagner, Cecile Dupuis, Paul Boucher, and Kelly Demers. Also attending from the town is CEO Patti McKenna. There were no members of the public present.

The applicant Bradley Neal spoke on behalf of Hillview Mini Barns. He explained that they were applying to expand the outdoor sales display area by 20,000 square feet. They propose to remove the loam, level it, and gravel the area. There were no questions from the public.

REGULAR MEETING: Chairman Tetu call the regular meeting to order at 6:50 P.M.

Mr. Hernon made the motion to vote Mr. Demers in as a voting member. Mrs. Dupuis seconded. The motion passed with all in favor.

APPOINTMENTS:

Hillview mini-barns Map 7 Lot 86 at 1520 Alfred Road – application to expand display sales area.

The board had performed the site walk on Saturday January 16th. It was raining during the site walk and the Board was able to see that the property is sloped toward the rear of the property where there is some wetland. The stormwater was not ponding and drained toward the rear of the lot.

Mr. Demers asked if the additional deed information was provided. It was and there is no question about the legal access.

The Board discussed the request for waivers at this time. The applicant requested a waiver from section 8.3.8.1 A site plan drawn to scale not smaller than one inch equals forty feet. The applicant had requested to use the previous site plan that was approved in 2010 amended in 2013. The Board had previously agreed to allow this. The site plan scale is one inch equals 80 feet. Mr. Tetu made the motion to grant the waiver. Mr. Hernon seconded. The motion passed with a vote of 4-0-1.

The applicant requested a waiver from section 8.3.8.10 All existing contours and proposed finished grade elevations of the portions of the site which will be altered, and the system of drainage proposed to be constructed. Contour intervals shall be specified by the Planning Board. The Board stated that they didn't ask for a contours or drainage plan in the original application. The display area is proposed to be all gravel. Mr. Hernon noted that the Board witnessed how it drains during the rainstorm at the site walk. They saw how the water flowed toward the rear of the lot where there is a swampy area. Mr. Demers made the motion to grant this waiver. Mr. Hernon seconded. The motion passed with a vote of 4-0-1.

At this time, the 16 criteria in section 8.3.6 were reviewed. Mr. Boucher abstained from voting as he was not present at all of the meetings where this application was reviewed.

Standard 1: Will meet the definitions of the use, the Zoning District requirements and any other requirements set forth in the ordinance.

This property is in the commercial zoning district. This is an expansion of an existing use.

Mr. Tetu made the motion the applicant meets this standard. Mrs. Dupuis seconded. The motion passed with a vote of 4-0-1.

Standard 2: Will not have a significant detrimental effect on the use and peaceful enjoyment of abutting properties as a result of noise, vibrations, fumes, odor, dust, light, glare, traffic or other cause. The Board agreed this expansion would not create more traffic. There is no change in use. Mr. Demers made the motion the applicant meets this standard. Mrs. Dupuis seconded. The motion passed with a vote of 4-0-1.

Standard 3: Will not have a significant adverse effect on the adjacent or nearby property values. The use is not changing. They are just adding a larger sales area in the commercial zone. Mr. Tetu made the motion the applicant meets this standard. Mr. Demers seconded. The motion passed with a vote of 4-0-1.

Standard 4: Will not create a hazard to pedestrian or vehicular traffic or significant traffic congestion. There is no change to the traffic pattern. Mr. Hernon made the motion the applicant meets this standard. Mrs. Dupuis seconded. The motion passed with a vote of 4-0-1.

Standard 5: Will not result in fire danger. There is a letter from the Fire Chief, Matthew Duross stating that there are no abnormal fire danger concerns. Mr. Tetu made the motion that the applicant meets this standard. Mr. Hernon seconded. The motion passed with a vote of 4-0-1.

Standard 6: Will not result in flood hazards or flood damage, drainage problems, ground or surface water contamination or soil erosion. There is a mild slope which slopes towards the rear of the property and away from the road. There was a heavy rain during the site walk and there was no pooling of water. Mr. Hernon made the motion the applicant meets this standard. Mrs. Dupuis seconded. The motion passed with a vote of 4-0-1.

Standard 7: Will not create a safety hazard because of inadequate access to the site, or buildings for emergency vehicles: There is a letter from the Fire Chief, Matthew Duross stating that based on his review of the site plan there is no concern in regard to fire department access. Mr. Tetu made the motion the applicant meets this standard. Mr. Hernon seconded. The motion passed with a vote of 4-0-1.

Standard 8: Has proposed exterior lighting which will not create hazards to motorists traveling on adjacent public streets, is adequate for the safety of occupants and users of the site and will not damage the value or diminish the usability of adjacent properties. There is only one light on the office building, that is a standard residential outside light at the door. Mr. Hernon made the motion the applicant meets this standard. Mr. Tetu seconded. The motion passed with a vote of 4-0-1.

Standard 9: Makes provisions for buffers and on-site landscaping which provide adequate protection to neighboring properties from detrimental features of the development. The applicant shall provide a plan prepared by a Registered Landscape Architect, or other qualified professional approved by the Planning Board. The Board didn't ask for buffers. This is an expansion of an existing use. The product has to be visible to be displayed. Mr. Tetu made the motion the applicant meets this standard. Mrs. Dupuis seconded. The motion passed with a vote of 4-0-1.

Standard 10: Makes provisions for vehicular parking, loading, unloading, as well as vehicular and pedestrian circulation on the site, and onto adjacent public streets which would neither create a hazard to safety nor impose significant burdens on public facilities. They already have a curb cut. They aren't proposing to change it at this time. There is plenty of room for parking. Mrs. Dupuis made the motion the applicant meets this standard. Mr. Tetu seconded. The motion passed with a vote of 4-0-1.

Standard 11: Makes adequate provisions for the disposal of wastewater and solid waste for the prevention of ground or surface water contaminations. There is no septic system on this property. They have adequate drainage. Mr. Hernon made the motion the applicant meets this standard. Mr. Tetu seconded. The motion passed with a vote of 4-0-1.

Standard 12: Makes provisions to control erosion and sedimentation. There is an easy slope. They are maintaining a gravel area. Mr. Tetu made the motion the applicant meets this standard. Mr. Demers seconded. The motion passed with a vote of 4-0-1.

Standard 13: Makes adequate provisions to handle storm water run-off and other drainage on the site. The Board saw evidence of how the property drains at the site walk in a rainstorm. It drains towards the rear of the property towards a swampy area. Mr. Hernon made the motion the applicant meets this standard. Mrs. Dupuis seconded. The motion passed with a vote of 4-0-1.

Standard 14: Provides for a water supply which meets the demands of the proposed use and meets the needs for fire protection purposes. The Fire Chief, Matthew Duross provided a letter stating the water supply produces no abnormal concerns. Mr. Hernon made the motion the applicant meets this standard. Mr. Demers seconded. The motion passed with a vote of 4-0-1.

Standard 15: Makes adequate provisions for the transportation, storage and disposal of hazardous substances and materials as defined by State and Federal Law; The storage of chemicals, explosives, or hazardous items as defined by the National Fire Protection Association Code 704, Class 3 or 4 materials are not permitted. The applicant doesn't propose to store any explosives or combustibles. Mr. Hernon made the motion the applicant meets this standard. Mr. Tetu seconded. The motion passed with a vote of 4-0-1.

Standard 16: Will not have an adverse impact on significant scenic vistas or on significant wildlife habitat which could be avoided by reasonable modification of the plan. There are no scenic vistas or wildlife habitats. Mr. Hernon made the motion the applicant meets this standard. Mr. Tetu seconded. The motion passed with a vote of 4-0-1.

Mr. Hernon made the motion that the applicant has met all the requirements for approval of this application. Mrs. Dupuis seconded. The motion passed with a vote of 4-0-1.

Mr. Neal asked if he will have to come back to the Board to amend the plan if they decide to apply to DOT to move the entrance to this property. Mr. Tetu stated he felt if MDOT grants a new entrance that the applicant would not have to come back to the planning board. Mr. Hernon made the motion that if he receives approval to modify the entrance from MDOT, he will not be required to come back to the Planning Board for approval. Mr. Tetu seconded. The motion passed with a vote of 4-0-1.

MINUTES:

Mr. Boucher made the motion to approve the January 6, 2021 minutes as written. Mrs. Dupuis seconded. The motion passed with a vote of 4-0-1.

Mr. Tetu made the motion to approve the January 20, 2021 minutes as written. Mr. Demers seconded. The motion passed with a vote of 4-0-1.

NEW BUSINESS / MAIL:

The monthly report was reviewed. Mr. Tetu made the motion to accept as written. Mr. Boucher seconded. The motion passed with all in favor.

OLD BUSINESS:

The Board discussed the two proposed draft zoning changes. The commercial building design standards was previously finalized. The only thing left to do is schedule a public hearing. The proposed shoreland zoning amendment to clarify regulations for docks has not been finalized. These clarifications aren't a change to the ordinance. The wording just makes it clearer for people. The Board thought an illustration for what one dock means might help.

The Board asked Ms. McKenna to send a memo to the Board of Selectmen. Asking what the Selectmen would like the snow removal ordinance to address and deal with.

Mr. Tetu was made aware that the Board of Selectmen took a vote for the Planning Board to look into businesses that are accessed by private roads. The Planning Board would like a written directive as to what the Board of Selectmen would like the Planning Board to work on.

NEXT MEETING AGENDA:

Continue to work on zoning amendments.

ADJOURNMENT:

Mr. Tetu made the motion to adjourn the meeting at 7:40 p.m. Mr. Boucher seconded. The motion passed with all in favor.

APPROVED DATE: _____

Chairman, Roderick Tetu

Don Hernon, Vice Chairman

Cecile Dupuis

Joseph Wagner

Paul Boucher

Kelly Demers

Michael Rancourt