

**TOWN OF LYMAN
PLANNING BOARD MEETING MINUTES
November 2, 2022**

Note: These are summary minutes. A recording of the meeting is on file at the Lyman Town Hall and are posted on the Town's webpage. Minutes are not verbatim and may be paraphrased for clarity. Minutes are drafts until approved by the Planning Board.

CALL TO ORDER: Chairman Roderick Tetu called the meeting to order at 7:00 PM. Noting attendance of: Roderick Tetu, Donald Herson, Joseph Wagner, Kelly Demers. Paul Boucher, and William Single. Absent: Cecile Dupuis. Also attending, Code Enforcement Officer, Brenda Charland and Code Enforcement Officer Assistant, Julie Lemieux. Others in attendance: Hannah King – legal representative for Headlines/Peter Nikiforakis, Peter Nikiforakis, Jim Thomas, Danielle Marquardt

OLD BUSINESS:

Continue Preliminary Review of Harper Residential Subdivision – Eric Harper – Tax Map 3 Lot 87-3 and portion of Tax Map 3 Lot 87-2 – Old Kennebunk Rd, Lyman – Application for Nine residential lots. Project tabled until such a time as the confusion regarding the ownership of the road is cleared up. Applicant was to set up meeting with Alfred Planning Board. CEO, Brenda, to reach out to Alfred PB to see if applicant has contacted them. **No new information.**

Continue Preliminary Review of Brock Road Cluster Subdivision – Tax Map 01 Lot 12-1 – Ten residential lots

No formal application has been submitted; project is in the design stages. Applicant wanted to present project proposal and request potential waivers. Rod stated waivers couldn't be discussed at this time without an application and public hearing. Applicant will be requesting a Letter of Map Revision from FEMA due to flood zone mapping which Applicant states is unrealistic. Board suggested requesting the revision while working on the design once revision letter is received to then submit an application. **No new information**

Joshua Martino -Map 001 Lot 5 – 331 Brock Road – Applicant explained concept of building high-quality cottages containing kitchenette and bathroom with shower for short term and seasonal rental only. Trying to keep land intact as much as possible. Board suggested that professional surveying is preferred, show where the cabins would be located, would also need a soil test. Asked applicant to come back with a plan on paper for the first phase of the project. **No new information**

Continue review of Vertex Towers LLC – Application for Telecommunications Tower – Tax Map 4 Lot 062, 99 Old Kennebunk Rd - Applicant sent an email to CEO Brenda Charland stating that they would not be moving forward with this application.

PENDING SITE PLAN REVIEWS:

Determine, if necessary, documentation is available for Planning Board to continue review of Green Acres Marijuana Grow Facility in accordance with Superior Court Civil Action Docket No. AP-21-017 ruling and further instructions from the Lyman Town Attorney and Zoning Board of Appeals Board discussed how long it should wait for new information from applicant. An application had been submitted and voted on; Superior Court ruling stated a Public Hearing must be scheduled. Rod asked if there was a time limit on the application before they would have to submit a new application. Don had sent out an email to the applicant on 10/6/22 asking for confirmation that the project material the Board had was correct. The project had been approved by the PB and the Superior Court ruled that the PB must hold a Public Hearing on the application. Brenda stated that she would put together all the packet information, PB meeting minutes, Public Hearing minutes, etc for the Board to review, post on town website, and schedule a Public Hearing.

NEW BUSINESS:

Jim Thomas explained his proposal to convert old paper and zoning maps into digital form to be more readable and useable. He has produced the town’s tax maps for almost 20 years. Bill suggested the town take the money out of the Capital Fund as this is something the whole town would benefit from. Joe made a motion to request funding from the Select Board, Rod seconded, all voted in favor.

Danielle Marguardt, Tax Map 16 Lot 45 – 49 Shore Road – Best Practical Location review: Kelly asked to be recused from this application/voting. Rod made a motion to have Bill be brought in as a full voting member, Paul seconded, all in favor. Applicant is looking to demolish the existing structure and rebuild a new single-family residence, the rebuild will be further from the shoreline than the existing structure. Brenda asked for the Board to define the Building Envelope. The Board asked for an Application for Site Review to be completed so they can review the information before they can set up a Site Walk.

Peter Nikiforakis dba Headquarters – Proposed amendment to Lyman’s medical marijuana ordinance, Article 12, to allow for some limited adult use marijuana. Hannah King from the law firm Dentons, representing Peter Nikiforakis/Headquarters, spoke with the Board. The Board explained that the Town had already voted not to “opt in” for recreational marijuana use so the Town would have to vote to “opt in”. The board suggested that they present their proposal to the Select Board and also to get together a Citizens Initiative, gathering signatures to put the amendment on the ballot to vote on.

Planning Board Meeting Minutes of 10/19/22 were approved

SET NEXT AGENDA:

Danielle Marquardt, Best Practical Location – Map 16 Lot 45
Brock Road Cluster Subdivision Tax Map 01 Lot 12-1 – Ten residential lots
Joshua Martino -Map 001 Lot 5 – 331 Brock Road – Add a high-quality cottage containing bathroom and shower for short term and seasonal rental only
Green Acres Marijuana Grow Facility – is documentation available to continue review of project in accordance with Superior Court Civil Action Docket No. AP-21-017 ruling and further instructions from the Lyman Town Attorney and Zoning Board of Appeals

ADJOURNMENT:

Paul Boucher made the motion to adjourn at 8:12 PM. Kelly Demers seconded. The motion passed with all in favor.

APPROVED DATE: 11-16-2022


Roderick Tetu, Chairman


Don Hemon, Vice Chairman

absent
Cecile Dupuis/Secretary


Joseph Wagner


William Single

Kelly Demers


Paul Boucher