

**TOWN OF LYMAN
PLANNING BOARD MINUTES
Public Hearing and Regular Meeting
June 1, 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.

PUBLIC HEARING

CALL TO ORDER: Chairman Roderick Tetu called the public hearing to order at 6:45 pm, noting attendance of: Donald Herson, Cecile Dupuis, Paul Boucher, Kelly Demers and Cory Patterson. Also attending: Code Enforcement Officer, Patti McKenna and Code Enforcement Assistant, Jonessa Ramos. No one from the public attended the meeting.

Cory Patterson explained his request to have a contractor business where he repairs basements. His workers come to his property to get equipment and the work is performed at customer's properties off site. An abutter, Ashley Tucker submitted a written statement which was read into the record as follows:

"Hello, my name is Ashley Tucker, I live at 21 Tuttle Drive. As of now, it looks like I won't be able to attend the Public Hearing on June 1, 2022, for Cory Patterson's building contractor request. Below are my written requests in regard to Cory's application for a building contractor use at 2 Tuttle Drive.

- 1: We ask that Cory put up a clear and visible house address sign to help prevent Cory's traffic from coming to our house.
- 2: We ask that Cory help maintain the section of Tuttle Dr that we share. Fill in pot whole and ruts and plowing during the winter season, ext.
- 3: We ask that if the pallets or other large debris that Cory leaves on the corner of Tuttle & 111 are not removed within a week's time that he removes them so as to not clutter the entrance of Tuttle Dr or run the risk of nails."

Hearing no other comments, the public hearing was closed.

MEETING

The regular meeting began immediately following the public hearing.

Mr. Boucher made the motion to vote in Mr. Demers as a full voting member for tonight's meeting. Mr. Tetu seconded. The motion passed with all in favor.

APPOINTMENTS:

Cory Patterson – Map 3 Lot 54-D – Application for business contractor

The Board reviewed the 16 standards of the Zoning Ordinance, section 8.3.6, as follows:

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

The applicant proposes that Business contractor is a permitted use in the General-purpose zoning district where his property is located. Mr. Demers made the motion the applicant meets this standard. Mrs. Dupuis seconded the motion. The motion passed with all in favor.

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 applicant proposes that this business will not negatively affect the abutting properties. Based on the above information and the information in the record the Mr. Tetu made the motion that the applicant meets this standard. Mr. Boucher seconded. The motion passed with all in favor.

Standard 3: Will not have a significant adverse effect on the adjacent or nearby property values.

There was no evidence presented to show this business would have an adverse effect. Based on the above information and the information in the record Mr. Demers made the motion the applicant meets this standard. Mrs. Dupuis seconded. The motion passed with all in favor.

Standard 4: Will not create a hazard to pedestrian or vehicular traffic or significant traffic congestion.

The applicant proposed that he has 5 employees that come in the morning and park and then go to work and come back in late afternoon. Based on the above information and the information in the record Mr. Hernon made the motion the applicant meets this standard. Mr. Boucher seconded. The motion passed with all in favor.

Standard 5: Will not result in fire danger.

The applicant proposes that there will be nothing flammable used or stored at the property. The most he will have is some plastics, metals and caulking. He installs drainage around basements. He doesn't use sealer to seal them. He has occasionally done that, but it usually doesn't work. If he does, he buys what he needs for that job, and it is not stored on site. Based on the above information and the information in the record Mr. Tetu made the motion the applicant meets this standard. Mr. Demers seconded. The motion passed with all in favor.

Standard 6: Will not result in flood hazards or flood damage, drainage problems, ground or surface water contamination or soil erosion.

The applicant proposes that during the course of his business he will use inert fill to fill some lower portion of his land. He agrees not to put any hazardous materials in the fill and will adhere to the DEP guidelines for inert fill. There will be a condition placed that he will maintain 75 feet from the brook with any fill and will only use clean fill. Based on the above information and the information in the record Mr. Hernon made the motion the applicant meets this standard with the condition placed as mentioned above. Mr. Demers seconded. The motion passed with all in favor.

Standard 7: Will not create a safety hazard because of inadequate access to the site, or buildings for emergency vehicles:

The applicant proposes that there is adequate access to the site now and nothing is changing.

Based on the above information and the information in the record Mr. Hernon made the motion that the applicant meets this standard. Mr. Boucher seconded. The motion passed with all in favor.

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.

The applicant proposes that he will not be placing additional outdoor lighting than he currently has. His typical hours of operation are 7 a.m. to 3-5 p.m. Based on the above information and the information in the record Mr. Tetu made the motion that the applicant meets this standard. Mr. Demers seconded. The motion passed with all in favor.

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 applicant proposes this is not applicable. Based on the above information and the information in the record Mr. Tetu made the motion the applicant meets this standard. Mr. Demers seconded. The motion passed with all in favor.

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.

The applicant proposes that he has already put signage up indicating where his driveway is on Tuttle Lane for deliveries. Based on the above information and the information in the record Mr. Tetu made the motion the applicant meets this standard. Mrs. Dupuis seconded. The motion passed with all in favor.

Standard 11: Makes adequate provisions for the disposal of wastewater and solid waste for the prevention of ground or surface water contaminations.

The applicant proposes no change to existing conditions. Based on the above information and the information in the record Mr. Demers made the motion the applicant meets this standard. Mr. Hernon seconded. The motion passed with all in favor.

Standard 12: Makes provisions to control erosion and sedimentation.

The applicant proposes that other than the fill he is placing to create a larger parking area, which is inert fill of concrete and blocks, and not gravel, that there is no reason to have erosion control. Based on the above information and the information in the record Mr. Hernon made the motion the applicant meets this standard. Mr. Tetu seconded. The motion passed with all in favor.

Standard 13: Makes adequate provisions to handle storm water run-off and other drainage on the site.

The applicant proposes no change to the site that would affect storm water. The Board stated there didn't seem to be a problem with storm water when they did the site walk. Based on the above information and

the information in the record Mr. Boucher made the motion the applicant meets this standard. Mr. Demers seconded. The motion passed with all in favor.

Standard 14: Provides for a water supply which meets the demands of the proposed use and meets the needs for fire protection purposes.

The applicant proposes that he is not adding any buildings. His work is all done off-site. Based on the above information and the information in the record Mr. Tetu made the motion the applicant meets this standard. Mr. Boucher seconded. The motion passed with all in favor.

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 proposes that he will not be using hazardous substances. Based on the above information and the information in the record Mr. Boucher made the motion the applicant meets this standard. Mr. Demers seconded. The motion passed with all in favor.

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.

The applicant proposes that there is an occasional deer on his property but nothing he is doing will have any affect. The Board states that there is no evidence of significant wildlife habitat or scenic vistas. Based on the above information and the information in the record Mr. Tetu made the motion the applicant meets this standard. Mr. Hernon seconded. The motion passed with all in favor.

Mr. Boucher made the motion to wave the submission requirement of section 8.3.8.1 for the site plan scale of 1" equals 40". The scale of the site plan submitted is 1" equals 80". Mrs. Dupuis seconded. The motion passed with all in favor.

Decision:

Based on the above findings and conclusions, Mr. Tetu made the motion to approve the application for the Business Contractor use with the following conditions:

Conditions of Approval:

To further promote the purposes of the Lyman Zoning Ordinance, the Planning Board has voted to impose the following conditions on the approval of this application:

1. Approval is dependent upon, and limited to, the proposals and plans contained in this application; supporting documents, oral representations submitted and affirmed by the applicant, and any variation from the plans, proposals and supporting documents and representations are subject to review and approval by the Planning Board.
2. The applicant shall meet the requirements of DEP when using the waste from his business as fill.
3. The applicant shall maintain a 75-foot setback from the Sunken Branch Brook with his fill.
4. The applicant shall maintain signage indicating his driveway on Tuttle Lane.
5. The applicant shall work with the neighbor to share in the maintenance of the shared section of Tuttle Drive.
6. The applicant shall remove work debris from the roadway after a week of placing out for people to take.

MINUTES:

Mr. Tetu made the motion to approve May 4, 2022, Minutes, Mr. Boucher seconded, and all voted in favor.

NEW BUSINESS:

OLD BUSINESS

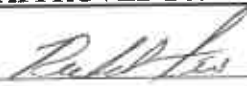
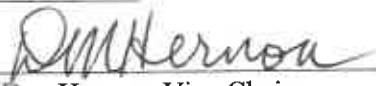
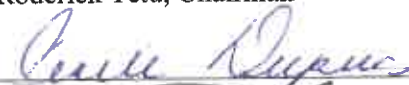
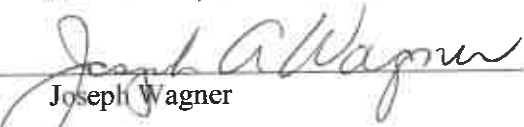


SET NEXT AGENDA:

The Board decided to hold a public hearing on the three proposed zoning amendments and the zoning map amendment requested by Charlene Roy and Rhonda Burrell last year. This is intended to get public input with the hopes of getting the zoning amendments on the ballot for November referendum vote. The date of the public hearing is July 6 at 6:45 p.m.

ADJOURNMENT:

Mr. Tetu made the motion to adjourn at 7:35 PM. Mr. Boucher seconded, and all voted in favor.

APPROVED DATE: 12/7/2022

 _____ Roderick Tetu, Chairman	 _____ Don Hernon, Vice Chairman
 _____ Cecile Dupuis	 _____ Joseph Wagner
 _____ Paul Boucher	 _____ Kelly Demers

