

TOWN OF LYMAN
PLANNING BOARD PUBLIC HEARING MINUTES
March 5, 2025

Note: These are summary minutes. A recording of the meeting is on file at the Lyman Town Hall and is 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: Chair Kelly J. Demers called the Public Hearing to order at 5:30 pm, to review the application of Harper Residential Subdivision.

Attendance at the Public Hearing included Planning Board members: William (Bill) Single, Cecile Dupuis, Kevin Veilleux, Tim Rivard, Code Enforcement Officer Rebekah Thompson and Code Enforcement Assistant Julie Lemieux. Members of the public in attendance were: Charles Bassett, Joe Marden, Tom Plummer and Max Harper.

The public hearing was recorded.

DISCUSSION:

The Planning Board opened this Public Hearing for Harper Residential Subdivision, Tax Map 3, Lot 87-3, and portion of Tax Map 3, Lot 87-2, Old Kennebunk Road, nine residential lots.

Joe Marden of Sitelines, representing applicants Eric & Max Harper, explained the subdivision will consist of 9 lots and two new subdivision roads off the discontinued portion of the Old Kennebunk Road.

Charles Bassett, abutting landowner of proposed subdivision had a concern that he and other abutting landowners continue to have access to their properties across the discontinued Old Kennebunk Road. His concern was with the deed description for the Right of Way conveyance to Harper. Joe Marden explained that there will be continued access through the abandoned Old Kennebunk Road. There will not be any gates and other limiting features, and the Old Kennebunk Road will be upgraded only to the intersection with the new subdivision road. Mr. Bassett stated that there was a deed included in the application stating the conveyance from the Thomas Plummer Irrevocable Trust to Harper for his portion of the abandoned road that did not have a correct description, it actually listed the entire 1.88 miles of the abandoned Old Kennebunk Road. York County Registry of Deeds, Book 19402, Page 172. Joe Marden stated that the deed releases only Mr. Plummer's portion of the abandoned road and nothing more.

Tom Plummer stated that he had an attorney prepare the deed for his side of the road. Mr. Demers stated that the deed says 1.88 miles, Mr. Plummer said it's only about 700 feet. Joe stated that even though the road was abandoned, a public right of way was retained along the entire abandoned portion of Old Kennebunk Road. Joe said that the attorney can look at the deed and verify that the description is adequate.

ADJOURNMENT:

Kelly J. Demers closed the public hearing at 5:54 PM.

APPROVED DATE:

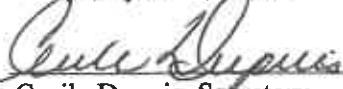
3/19/25



Kelly J. Demers, Chair



William Single, Vice-Chair



Cecile Dupuis, Secretary



Kevin Veilleux



Tim Rivard

TOWN OF LYMAN
PLANNING BOARD MEETING MINUTES

March 5, 2025

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REGULAR MEETING CALL TO ORDER: Chair Kelly J. Demers called the Meeting to order at 5:55 PM. Attendance at the meeting included Planning Board members: William (Bill) Single Cecile Dupuis, Kevin Veilleux, Tim Rivard, Code Enforcement Officer Rebekah Thompson and Code Enforcement Assistant Julie Lemieux. Members of the public in attendance were: Charles Bassett, Joe Marden, Tom Plummer and Max Harper. Jenna Salvos later joined via speakerphone. Pledge. Roll call. All 5 voting members present.

NEW BUSINESS:

Harper Residential Subdivision, Tax Map 3, Lot 87-3, and portion of Tax Map 3, Lot 87-2, Old Kennebunk Road, nine residential lots.

Mr. Demers stated that his only concern is with the deed in the conveyance from Plummer to Harper and that can be handled with a condition of approval. Joe Marden had two questions in an email, one being the preferred sequence of getting DEP approval first or getting Town approval first. The other question regarded the apparent inconsistency with the ordinance and checklist. The checklist had a max dead end roadway of 1600 linear feet. That requirement was removed from the zoning ordinance and street construction standard. Joe stated there was some other numbering issues that did not match up with the ordinance.

Charles Bassett asked if the homeowners association bylaws can state that the access through the abandoned portion of Old Kennebunk Road must be maintained for the abutting properties. Homeowners Association requirements in the ordinance were reviewed. The HOA bylaws must be reviewed by the Planning Board and Town Attorney. All property owners in the subdivision must be HOA members. The developer must be a HOA member until the development is done and all lots are sold. DEP permit approval will be a condition of Planning Board approval. The final subdivision plan will not be signed by the Planning Board until the DEP permit is received.

Bill Single made a motion to approve preliminary application with the condition that the Plummer deed issues be settled. Kelly J. Demers seconded. All voted in favor.

Jenna Salvos – 549 Clarks Woods Rd – Map 5 Lot 1 – At home daycare in existing converted garage – review notes from Site Walk on 2/22/25. Jenna Salvos joined by speakerphone.

Planning to open an in-home daycare in the converted basement garage. 12-child daycare. Bill Single stated his only concern is there should be parking for every child at the daycare (12 spaces) so worse case there is safe parking for everyone off-street. Cecile Dupuis stated there didn't look like there was enough room for two-way traffic up the driveway. Jenna Salvos said there is room for cars behind, along the side and in front of the house, the snowbanks were hiding some of the openings. Tim Rivard said a sketch would be good to show the traffic flow and parking. Ms. Dupuis agreed. Mr. Single was concerned with cars backing up with children possibly walking along driveway.

Planning Board By-Laws

Attachment 5, second paragraph – platform(s)

Discussion – leave as-is

Kelly J. Demers motioned to accept as presented, Bill Single seconded, all voted in favor

Planning Board Admin Policy

Accepted as revised

SET NEXT AGENDA:

Public Hearing

Bunganut Ramps

Regular Meeting

Bunganut Ramps

Harper Residential Subdivision – DEP / Final Plan Review

Patrick Gagnon – Vehicle Inspection Station

CEO UPDATES:

Docks – Permanent docks grandfathered before Town Shoreland Zoning dated 6/4/2005? Local Shoreland Zoning came from State regulating width and shape of docks, Chapter 1000 - 1990?

Documentation like photos is preferred for proof.

Mr. Demers would like to get legal support from Select Board, Town Attorney, in case of challenge

Mr. Single said his vote is for grandfathered permanent docks before 2005. Kelly J. Demers agreed.

Cecile Dupuis stated the Chapter 1000 was instituted in 1990. Everyone agrees 1990 is the grandfathered date.

MINUTES:

2/5/25 Meeting Minutes

Cecile Dupuis made motion to accept meeting minutes, Tim Rivard seconded. All voted in favor.

2/19/25 Meeting Minutes


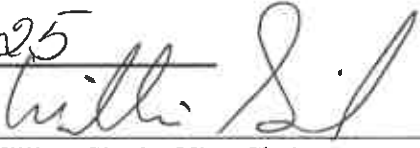

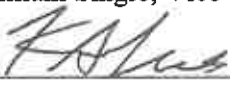

Kelly J. Demers made motion to accept meeting minutes, Tim Rivard seconded. All voted in favor.

Should we add public comment to meetings? Julie Lemieux said that MMA guidelines state that generally no, the public do not have the ability to speak during regular meetings without the Board specifically votes to allow it.

ADJOURNMENT:

Cecile Dupuis made the motion to adjourn at 7:09 PM. Kelly J. Demers seconded. All voted in favor.

APPROVED DATE: 3/19/25

 _____ Kelly J. Demers, Chair	 _____ William Single, Vice-Chair
 _____ Cecile Dupuis, Secretary	 _____ Kevin Veilleux
 _____ Tim Rivard	_____