

TOWN OF LYMAN
PLANNING BOARD PUBLIC HEARING MINUTES
April 2, 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 Jenna Salvos – Map 05 Lot 001, 549 Clarks Woods Rd – At home daycare in existing converted garage.

Attendance at the Public Hearing included Planning Board members: William (Bill) Single, Kevin Veilleux, Tim Rivard, Code Enforcement Officer Rebekah Thompson and Code Enforcement Assistant Julie Lemieux. Members of the public in attendance were: Isaiah Plante, Erik Saari, Patrick Gagnon, Ed Harris, Steph Harris, Joe Marden, Charles Bassett, Jenna Salvos, Troy Williams, and Jeremy Frantz. Planning Board member Cecile Dupuis was absent.

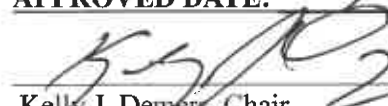

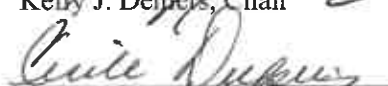
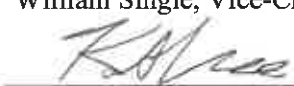
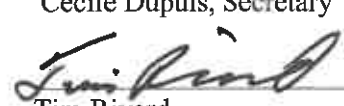
The public hearing was recorded.

DISCUSSION:

Jenna Salvos presented her application for an in-home daycare in their converted basement garage. Town approval is needed before she can get state approval. Neighbors stated they are for the project. No other public comment.

ADJOURNMENT:

Kelly J. Demers closed the public hearing at 5:32 PM.

APPROVED DATE: <u>5-7-2025</u>	
 Kelly J. Demers, Chair	 William Single, Vice-Chair
 Cecile Dupuis, Secretary	 Kevin Veilleux
 Tim Rivard	

TOWN OF LYMAN
PLANNING BOARD MEETING MINUTES
April 2, 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.

REGULAR MEETING CALL TO ORDER: Chair Kelly J. Demers called the Meeting to order at 5: PM. Attendance at the meeting included Planning Board members: William (Bill) Single, Kevin Veilleux, Tim Rivard, Code Enforcement Officer Rebekah Thompson and Code Enforcement Assistant Julie Lemieux. Members of the public in attendance were: Isaiah Plante, Erik Saari, Patrick Gagnon, Ed Harris, Steph Harris, Joe Marden, Charles Bassett, Jenna Salvos, Troy Williams, and Jeremy Frantz. Planning Board member Cecile Dupuis was absent. Tom Lachance joined by speakerphone later in the meeting.

Pledge. Roll call. 4 voting members present.

NEW BUSINESS:

Jenna Salvos – Map 05 Lot 001, 549 Clarks Woods Rd – At home daycare in existing converted garage.

Bill made a motion for review of 16 Standards. Kevin seconded. All voted in favor

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

Findings: The property is in the General Purpose zoning district, and the proposed business is an allowed use in that district.

Conclusion: Based on the above information and the information in the record the Board finds the applicant meets this standard by a vote of:

Yes 4 No 0 Abstain 0

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.

Findings: The neighbors did not state anything negative and hope the presence of children will slow down traffic on the road.

Conclusion: Based on the above information and the information in the record the Boards finds the applicant meets this standard by a vote of:

Yes 4 No 0 Abstain 0

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

Findings: There was no evidence provided to the Planning Board to show any negative effect on nearby property values.

Conclusion: Based on the above information and the information in the record the Board finds the applicant meets this standard by a vote of:

Yes 4 No 0 Abstain 0

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

Findings: The Board's concerns were addressed at the site walk and in the parking spots noted on the site plan.

Conclusion: Based on the above information and the information in the record the Board finds the applicant meets this standard by a vote of:

Yes 4 No 0 Abstain 0

Standard 5: Will not result in fire danger.

Findings: There are no concerns of fire danger.

Conclusion: Based on the above information and the information in the record the Board finds the applicant meets this standard by a vote of:

Yes 4 No 0 Abstain 0

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

Findings: There are no concerns of flood hazards or damage.

Conclusion: Based on the above information and the information in the record the Board finds the applicant meets this standard by a vote of:

Yes 4 No 0 Abstain 0

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

Findings: The driveway is being widened, no vehicles will be stopping on the hill, and there are good sight lines to see oncoming traffic both ways.

Conclusion: Based on the above information and the information in the record the Board finds the applicant meets this standard by a vote of:

Yes 4 No 0 Abstain 0

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.

Findings: The structure is set back from the road and adjacent properties.

Conclusion: Based on the above information and the information in the record the Board finds the applicant meets this standard by a vote of:

Yes 4 No 0 Abstain 0

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.

Findings: This standard is not applicable due to the nature of the proposal.

Conclusion: Based on the above information and the information in the record the Board finds the applicant meets this standard by a vote of:

Yes 4 No 0 Abstain 0

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.

Findings: The concerns of the Board regarding this standard have been properly addressed by the applicant.

Conclusion: Based on the above information and the information in the record the Board finds the applicant meets this standard by a vote of:

Yes 4 No 0 Abstain 0

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

Findings: The activities proposed by the applicant should not cause any problems with the septic system except to potentially have it pumped more often.

Conclusion: Based on the above information and the information in the record the Board finds the applicant meets this standard with the condition by a vote of:

Yes 4 No 0 Abstain 0

Standard 12: Makes provisions to control erosion and sedimentation.

Findings: The applicant meets the requirements.

Conclusion: Based on the above information and the information in the record the Board finds the applicant meets this standard by a vote of:

Yes 4 No 0 Abstain 0

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

Findings: The applicant meets the requirements.

Conclusion: Based on the above information and the information in the record the Board finds the applicant meets this standard by a vote of:

Yes 4 No 0 Abstain 0

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

Findings: The proposed use isn't industrial or commercial, the current water supply should be adequate for the use.

Conclusion: Based on the above information and the information in the record the Board finds the applicant meets this standard by a vote of:

Yes 4 No 0 Abstain 0

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.

Findings: There will be no storage or disposal of any of these materials.

Conclusion: Based on the above information and the information in the record the Board finds the applicant meets this standard by a vote of:

Yes 4 No 0 Abstain 0

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.

Findings: The applicant meets the requirements.

Conclusion: Based on the above information and the information in the record the Board finds the applicant meets this standard by a vote of:

Yes 4 No 0 Abstain 0

Tim made a motion to accept the application as complete and approved. Kevin seconded. All voted in favor.

Patrick Gagnon – 54 Wilderness Way – Map 3 Lot 33 – Wants to add a vehicle inspection site, currently is used for his landscaping company (this use will continue) – Review Site Walk notes.

Patrick presented an updated site plan showing parking spaces and the lighting on the building as requested as well as a plan showing all the current neighbor's names. The Board reviewed the site walk that was held on 3/29/25. Kelly motioned that the application and preliminary plan be considered complete. Tim seconded. All voted in favor.

Public Hearing scheduled for 5/7/25.

Danielle Marquardt – 135 Shore Rd – Map 17 Lot 057 – Tom Lachance to discuss request for Best Practical Location for a deck within the shoreland – Review Site Walk

The Board reviewed the site walk that was held on 3/29/25. Tom Lachance joined the meeting via speakerphone. Bill asked about the status of possibly removing the existing concrete stairway down to the water to increase conforming status. There is an existing stone wall that will not be disturbed and the new deck will not be going past it. Tim mentioned that there appeared to be a stream running along one side of the property. It appeared to be an intermittent variety based on rainfall and snow melt.

Preliminary Site Plan Review Checklist

8.3.4 Fee as established by the Board of Selectmen

Kelly motioned to conditionally approve, Tim seconded. All voted in favor.

8.3.5.C Provide two (2) sets of mailing labels for abutters within 500' of the property. (Include mailing address and map and lot #)

Kelly motioned to conditionally approve, Kevin seconded. All voted in favor.

8.3.8

1. A site plan drawn to scale not smaller than one-inch equals forty feet. (1" = 40')

Kelly motioned to approve, Kevin seconded. All voted in favor.

2. Name and address of the applicant plus the name of the proposed development.

Kelly motioned to approve, Bill seconded. All voted in favor.

3. Total floor area, ground coverage and location of each proposed building, structure, or addition

Kelly motioned to approve, Tim seconded. All voted in favor.

4. Perimeter survey of the parcel, made and certified by a registered land surveyor licensed in Maine, relating to reference points. Plan must show true or magnetic North, a graphic scale, corners of the parcel, date of survey and total acreage.

Bill motioned to approve, Kevin seconded. All voted in favor.

5. All existing and proposed setback dimensions.

Kelly motioned to approve, Bill seconded. All voted in favor.

6. The size, location, direction, and intensity of illumination of all major outdoor lighting apparatus and signs. Waiver requested.
Kelly motioned to approve, Bill seconded. All voted in favor.
7. The type, size, and location of all incineration devices. Waiver requested.
Kelly motioned to approve, Kevin seconded. All voted in favor.
8. The type, size, and location of all machinery likely to generate appreciable noise at the lot lines, as well as estimated decibel level at property lines. Waiver requested.
Bill motioned to approve, Tim seconded. All voted in favor.
9. The location, type, and size of all existing and proposed catch basins, storm drainage facilities, wetlands, streams, and watercourses as well as all utilities, both above and below ground.
Bill motioned to approve, Kelly seconded. All voted in favor.
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.
Bill motioned to approve (N/A), Kelly seconded. All voted in favor.
11. The location, type and size of all curbs, sidewalks, driveways, fences, retaining walls, parking space area, etc. and layout thereof, together with dimensions.
Bill motioned to approve (N/A), Kelly seconded. All voted in favor.
12. All proposed landscaped areas, size and type of plant material upon the premises.
Kelly motioned to approve, Bill seconded. All voted in favor.
13. All existing or proposed rights-of-way, easements and other legal restrictions which may affect the premises in question. Waiver requested.
Kelly motioned to approve, Kevin seconded. All voted in favor.
14. The property lines of all properties abutting the proposed development, including properties across a street, or across a waterbody, together with the tax map and lot numbers, and property owners' names and mailing addresses on file at the Town Office within 10 days of the filing of the application.
Kelly motioned to approve, Bill seconded. All voted in favor.
15. An appropriate box on each page of the plans for the signature(s) of the Planning Board.
Conditional to have at final approval.
16. Documentation of right, title, or interest in the proposed site.
Bill motioned to approve, Kevin seconded. All voted in favor.
17. An on-site soils investigation report by a Maine State Licensed Site Evaluator. The report shall identify the type of soil, location of test pits and the proposed location and design for the subsurface disposal system. Waiver requested.
Bill motioned to approve, Kevin seconded. All voted in favor.

18. The type of any raw, finished or waste materials to be stored inside or outside of roofed buildings, including their physical and chemical properties, if appropriate. Waiver requested. Bill motioned to approve, Kevin seconded. All voted in favor.

19. Traffic date: the Planning Board may require that the application include a traffic engineering study, should the project be considered one of substantial magnitude along any of the town's state highways where fast-moving traffic occurs (i.e. Route 111, 35 or 5). Waiver requested. Kelly motioned to approve, Bill seconded. All voted in favor.

20. Any other information or data the Planning Board determines is necessary to demonstrate compliance with Town, State, and Federal regulations.

- Compliance with Shoreland Zoning Ordinance
- Condition that deteriorating stairs be removed
- Replacement of damaged wooden stairs
- Revegetate where stairs are removed

Public Hearing scheduled for 5/7/25.

Justin & Paige Tharpe – 592 Walker Rd – Map 3 Lot 78-4 – Part of subdivision, wants to amend to change lot lines – Inquiry

Mr. Tharpe would like to do a land swap with his neighbor Jason Mooers to facilitate the creating of a conforming building lot. One of the lots is part of a previous four lot subdivision and would need to be amended.

The idea for the land swap would allow for a new house to be built closer to Walker Road rather than building an extremely long driveway.

Rebekah explained that after consulting MMA, that the Planning Board is required to review any alterations to an existing Subdivision Plan.

A more detailed plan will be required to show all proposed property lines, setback lines and updated abutter information.

A full application needs to be submitted to the Planning Board to be placed on the agenda for review.

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

Joe Marden explained that the proposed roadway Haven Road did not meet 911 requirements (existing road Haven Way) so it has been renamed to Solace Way. The stormwater permit is still pending final approval by the DEP.

Section 7 Final Subdivision Checklist

7.1 Waiting for DEP permit. Tim motioned to approve, Kevin seconded. All voted in favor.

7.1.2 Kelly motioned to approve, Tim seconded. All voted in favor.

7.1.3 Tim motioned to approve, Kevin seconded. All voted in favor.

7.2 Kelly motioned to conditionally approve, Tim seconded. All voted in favor.

7.3 Bill motioned to approve, Kevin seconded. All voted in favor.

7.4 Kelly motioned to approve, Tim seconded. All voted in favor.

7.4.1 Kelly motioned to approve, Tim seconded. All voted in favor.

7.4.2 Kelly motioned to approve, Tim seconded. All voted in favor.

7.4.3 Kelly motioned to approve, Tim seconded. All voted in favor.

7.4.4 Kelly motioned to approve, Tim seconded. All voted in favor.

7.4.5 Kelly motioned to approve, Kevin seconded. All voted in favor.

7.4.6 Bill motioned to approve, Kelly seconded. All voted in favor.

7.5.1 Kelly motioned to approve (N/A), Kevin seconded. All voted in favor.

7.5.2 Kevin motioned to approve, Tim seconded. All voted in favor.

8.1.1 Kelly motioned to approve, Kevin seconded. All voted in favor.

8.1.2 Tim motioned to approve, Kevin seconded. All voted in favor.

8.1.3 Bill motioned to approve (N/A), Kelly seconded. All voted in favor.

8.1.4 Kevin motioned to approve (N/A), Kelly seconded. All voted in favor.

8.1.5 Kevin motioned to approve, Tim seconded. All voted in favor.

8.1.6 Tim motioned to approve, Kevin seconded. All voted in favor.

8.1.7 Bill motioned to approve (N/A), Kelly seconded. All voted in favor.

8.1.8 Kelly motioned to approve (N/A), Tim seconded. All voted in favor.

8.2.1 to 3 Bill motioned to approve, Tim seconded. All voted in favor.

8.3.1 Kelly motioned to approve, Tim seconded. All voted in favor.

8.3.2 Kelly motioned to approve, Tim seconded. All voted in favor.

8.4.2 to 3 Bill motioned to approve, Tim seconded. All voted in favor.

8.5.1 and 2 Bill motioned to approve (N/A), Tim seconded. All voted in favor.

8.6.1 to 8.6.6 and 8.6.8 to 8.6.9 - N/A

8.6.7 Bill motioned to approve, Tim seconded. All voted in favor.

8.7.1 & 8.7.2 Bill motioned to approve, Kelly seconded. All voted in favor.

8.7.3 & 8.7.4 – N/A

8.8 Kelly motioned to approve, Tim seconded. All voted in favor.

8.9 Kelly motioned to approve, Tim seconded. All voted in favor.

8.10 Tim motioned to approve, Kelly seconded. All voted in favor.

8.11 HOA will have statement recognizing neighbors will have full access to their properties across the discontinued portion of Old Kennebunk Road. Kelly motioned to approve, Bill seconded. All voted in favor.

9.1 to 9.3 Kelly motioned to approve, Tim seconded. All voted in favor.

9.4 Kelly motioned to approve, Bill seconded. All voted in favor.

9.5 to 9.7 – N/A

9.8 Kelly motioned to approve, Tim seconded. All voted in favor.

9.9 Tim motioned to approve, Kevin seconded. All voted in favor.

9.10 Bill motioned to approve (N/A), Kelly seconded. All voted in favor.

Section 10 – Not a Cluster Development

Bill motioned to approve (N/A), Tim seconded. All voted in favor.

Final Plan Complete – Harper Subdivision

Bill motioned to approve, Kelly seconded. All voted in favor.

Amended Brock Subdivision – needed for new R.O.W. across Harper property

Final Plan Approval – Harper Subdivision & Amended Brock Subdivision
Kevin motioned to approve, Kelly seconded. All voted in favor.

Harper will submit HOA bylaws for Town Attorney to review.

Carlisle Brook Estates – Map 4 Lot 22 – Preliminary subdivision application

Erik Saari of Altus Engineering presented the preliminary subdivision application for Carlisle Brook Estates. There are six lots ranging from 5 to 11 acres to be served from a combination of Walker Road, Carlisle Brook Road and a new private way to be constructed. The applicant would like to propose a waiver to allow overhead power and utilities. The Planning Board has no recollection of allowing overhead power on any subdivision over 3 lots.

Preliminary Subdivision Application Checklist

6.1 Kelly motioned to approve, Kevin seconded. All voted in favor.

6.2 Kelly motioned to approve, Tim seconded. All voted in favor.

6.2.1 Tim motioned to approve, Kelly seconded. All voted in favor.

6.2.2 Tim motioned to approve, Kevin seconded. All voted in favor.

6.2.3 Kelly motioned to approve (N/A), Tim seconded. All voted in favor.

6.2.4 Kelly motioned to approve, Tim seconded. All voted in favor.

6.3 Tim motioned to approve, Kelly seconded. All voted in favor.

6.4 Kelly motioned to approve, Tim seconded. All voted in favor.

6.5 Kevin motioned to approve, Tim seconded. All voted in favor.

6.6 Kelly motioned to approve, Tim seconded. All voted in favor.

6.7 Kelly motioned to approve, Tim seconded. All voted in favor.

6.7.1 Bill motioned to approve, Kelly seconded. All voted in favor.

6.7.2 Kevin motioned to approve, Kelly seconded. All voted in favor.

6.8 Bill motioned to approve, Kevin seconded. All voted in favor.

6.9 Kelly motioned to approve, Tim seconded. All voted in favor.

6.10 Kelly motioned to approve, Bill seconded. All voted in favor.

6.11 Tim motioned to approve, Kevin seconded. All voted in favor.

6.12 Kelly motioned to approve, Tim seconded. All voted in favor.

6.13 Kelly motioned to approve, Tim seconded. All voted in favor.

6.14 Kelly motioned to approve (N/A), Tim seconded. All voted in favor.

6.15 Kelly motioned to approve, Tim seconded. All voted in favor.

6.16 Kelly motioned to approve, Kevin seconded. All voted in favor.

6.17 Kevin motioned to approve, Tim seconded. All voted in favor.

6.18 Kelly motioned to approve (subject to endorsement), Tim seconded. All voted in favor.

Preliminary Plan Application Approval

Tim motioned to approve, Kevin seconded. All voted in favor.

Site Walk scheduled for 4

Public Hearing set for 5/21/25

SET NEXT AGENDA:

Bunganut Ramps NOD

Jenna Salvos NOD

Danielle Marquardt – missing information

Harper Residential Subdivision – DEP / Final Plan Review

Patrick Gagnon – Vehicle Inspection Station

ADJOURNMENT:

Tim Rivard made the motion to adjourn at 8:49 PM. Kevin Veilleux seconded. All voted in favor.

APPROVED DATE:

5-7-2025

Kelly J. Demers, Chair

William Single, Vice-Chair

Cecile Dupuis, Secretary

Kevin Veilleux

Tim Rivard