

Parsonsfield Planning Board
634 North Rd Parsonsfield, ME
Tuesday, November 20th, 2019
Minutes

In Attendance: Rick Sullivan (Chair), Nate Stacey (Vice Chair), Andy Yale, Brendan Adelman, Clifford Krolick (Alternate)

Absent: Gerard Clifford (Alternate)

Also, In Attendance: CEO Jesse Winters, Lindsay Gagne, Roger Moreau, Jennie Moreau, Harold Gilbert, Harvey Macomber, Michael Nelligan, Cindy Wilson, Corey Lane, Jeff Wright, George Thibodeau, Wayne LaValley, , ,

Mr. Sullivan Calls the meeting to order at 7:01pm and completes a roll call of planning board members in attendance. There is a quorum of four regular board members.

Review November 2nd Site Walk Minute for 26 Reed Lane

The board takes a few minutes to review the meeting minutes.

Mr. Sullivan Makes a motion to accept the minutes as they are

Mr. Yale Seconds the motion

The motion passes by unanimous vote, 4-0

Mr. Sullivan Address some concerns from abutters requesting recusals and states he will not recuse himself. He had made an attempt to mediate and will not make that attempt again based on the reaction from abutters.

Mr. Yale States he did arrive early on the site during the site walk and asks Mr. Nelligan if he has transcript of the conversation he heard.

Mr. Nelligan States he has a partial audio recording of the conversations between Mr. Yale and Mr. Moreau at the site walk

Mr. Yale States he will not recuse himself as they were discussing topics unrelated to the application.

Roger Moreau 26 Reed Lane, Site Plan Review

Mr. Yale States Maplewood road may be a state aide road which may present concerns with the driveway and state requirements.

Mr. Sullivan Cites rear lot provision under article one in the land use ordinance: "If a rear lot is accessible by a right-of-way that does not meet the width requirement it may be used as a single dwelling or other single permitted use provided the right of way existed at the effective date of this ordinance".

Mr. Adelman Asks Mr. Gilbert how long his home has been there.

Mr. Gilbert States it's had 3 other owners and he believes it has been there for over 15- years.

Mr. Adelman Asks how Mr. Gilbert's property obtained access by the right-of-way

Mr. Winters Explains right-of-ways can be used by anyone

Ms. Wilson States she believes Mr. Gilbert's home had appeared roughly ten years ago and may not be permitted. She explains the right-of-way was deeded to the original 11 acres of property

Mr. Adelman States if the right-of-way services one dwelling, then it would need to be 12-feet in width, however, if servicing two dwellings then would need to be 15-feet in width.

Mr. Sullivan Cites the remaining of the rear lots provision in Article 1: "That a wider right-of-way cannot be negotiated with abutting landowners, and that all other relevant provisions of this ordinance can be met".

Mr. Stacey Suggests having a home occupation along with an auto garage business may be considered as two uses.

Mr. Adelman States there seems to be no definition of the actual recorded width of the right-of-way and recommends possibly determining the width by how wide it would need to be based on the time it was given to one dwelling.

Mr. Yale States in the ordinance for driveways there has to be a minimum of 15-feet along with certain grading and graveling standards, which this driveway may not comply with.

Mr. Winters States the property may have been established prior to these ordinances going into effect

Mr. Yale States where this is a change of use it may also trigger certain ordinance provisions

Mr. Stacey Cites the definition of use: "The manner of which land or a structure is arranged designed, intended or is occupied". He believes "intended" may be two uses where you have home and auto garage and suggests having MMA offer clarification.

Mr. Adelman Recommends addressing any other concerns

Mr. Stacey States while at the site walk it was noted an area of standing water was located behind the garage. It is uncertain if this is designated wetlands and suggests the applicant may need to have a professional survey for wetlands on his property.

Mr. Adelman Offers to look into this online for any recorded maps of designated wetlands.

Mr. Nelligan States Maplewood road is a state aide road and asks if the change of use would require a permit from Maine DOT or the town

Mr. Sullivan States the board will have MMA look into access concerns pertaining to what qualifies as a use, and also Maine DOT regarding state requirements for state aide roads.

Mr. Adelman Asks Mr. Moreau what kind of work will he intend on doing in his garage

Mr. Moreau Explains general auto repair work would be completed with no intentions of junking vehicles.

Mr. Yale Asks Mr. Winters if he used the decibel meter to measure noise in that area.

Mr. Winter States from the public way the decibel meter did not read

Mr. Adelman Asks Mr. Moreau how many projects he could handle at once

Mr. Moreau Answer roughly four to five projects.

Mr. Sullivan Suggest this will need to be tabled until the next meeting in December.

Ms. Wilson Wants it noted that when sending DOT a question that it's not assumed she would be granting permission for the change of use for the right-of-way.

Mr. Yale Asked the abutters if, hypothetically, the right-of-way was not an issue with this application, would they still be opposed to the change of use?

Ms. Wilson Answers yes because of the noise levels, the impact the increased traffic would have on her dogs and her intentions of buying the property when she did was to be in a historical district.

Mr. Nelligan Answer yes because the noise levels of multiple tools and increased traffic.

Mr. Gilbert States he lives closer to Mr. Moreau and he has not had any issues with noise levels or traffic.

Mr. Sullivan Makes a motion to table this application until the next meeting on December 17th.

Mr. Stacey Seconds the motion

The motion passes with a unanimous vote, 4-0

Mr. Winters Suggests he may meet with Mr. Moreau to set up some of his tools and get a reading of the noise levels.

Other Business

The board schedules two site walks, one for the Box shop application and one for Mr. LaValley

**A site walk is scheduled for
478 Maplewood Road at 7:30 a.m.
On Saturday November 30th**

**A site walk is scheduled for
106 Sokokis Road at 9:00 a.m.
On Saturday November 30th**

In addition, the board agrees to finish signing the approved final plans for Watson Woods

Mr. Sullivan Makes a motion to adjourn the meeting

Mr. Stacey Seconds the motion

The motion passes by unanimous vote, 4-0.

The meeting is adjourned at 8:09 p.m.

Draft completed by: Lindsay Gagne

Approved by board, Date: _____

Planning Board Chair or acting Chair
Name & Signature