

Parsonsfield Planning Board Meeting
634 North Rd Parsonsfield, ME
Tuesday December 18th, 2018
Minutes

In Attendance: Andy Yale (Acting Chair), Clifford Krolick, Marion Wright, Rick Sullivan, Brendan Adelman

CEO David Bower in attendance

Absent: Justin Espinosa, Nate Stacey

The meeting is called to order at 7:00 pm.

Mr. Yale States he is stepping in as chairman for this meeting as the chairman and vice chairman are absent. He reviews the agenda items for this meeting stating the most time sensitive items will take priority. The agenda is as follows: Mrs. Walker Site Plan Review, Province Lake Golf Course Application and William Ryan & Trevor Sanborn application. He asks the board if there are any questions before beginning.

Mr. Adelman Clarifies that himself and Mr. Krolick, being both alternates, will be voting tonight with the two other members being absent.

There are no other questions or comment from the board.

Mrs. Walker SPR application

Mr. Yale Asks Mrs. Walker to present her application and discuss her plans.

Mrs. Walker Explains she is there on behalf of her mother in-law who is currently on hospice and they would like to arrange to have a burial plot on their property. She reads a letter that specifies statute 13 MRS 1142. By this statute, she believes she would need to delineate the boundaries of the burial area, make sure it is less than ¼ acre and record it with the registry of deeds. The boundary of the burial plot would be located adjacent to the stone wall property boundary and would stop about 100 feet from the road. The size of the burial grounds would be 100 by 83 feet and would be marked with granite stone.

Mr. Bower States this would not meet the 25 foot setback requirement from the property line.

Mrs. Walker Agrees they could adjust their plans to meet these requirements.

Mr. Yale Asks Mr. Bower if they would need to notify the abutters.

Mr. Bower Answers yes, the planning board would need to notify the abutters.

Mr. Sullivan Suggests the board approves this SPR application and send notices out to the abutters. He doesn't see much issue here with the area being very rural and having few abutters.

Mr. Krolick This being a time sensitive issues, he suggests putting a time frame in the letter for abutters to respond with any objections or concerns.

Mr. Yale Suggests the board can send out notices to the abutters with the condition of approving this application. If any concerns come up, the board will have to revisit this application.

Mr. Sullivan Motions to approve the application under the condition the abutters are notified and all state guidelines are followed

Mr. Adelman Seconds this motion

The board votes unanimously to carry the motion.

Province Lake Golf Course

The board takes a few minutes to review the application.

Mr. Sullivan Asks if this application is the one the appeals board gave a waiver on for the setbacks?

Mr. Bower Yes, there was a waiver granted.

Mr. Sullivan Proposes the board can waive the site walk.

Mr. Yale Recommends putting to a vote for waiving the site walk.

Mr. Adelman Motions to waive the site walk.

Mr. Sullivan Seconds the motion.

The board votes all in favor of waiving the site walk.

Mr. Porter States this issue is time sensitive due to some licensing requirement deadlines for the golf course.

Mr. Adelman States the planning board will need to notify the abutters and can put a timeline on the letter for responses.

Mr. Yale Motions to approve this application is complete.

Mr. Sullivan Seconds the motion.

The board votes in favor the application is complete.

Mr. Sullivan Makes a motions to approve the application subject to the expiration of the timeline given to the abutters to respond.

Mr. Adelman Seconds the motion.

The board votes unanimously the application is approved as the motion carries.

William Ryan & Trevor Sanborn, application for the Walker Building

Mr. Yale Reads a letter presented to him from an attorney regarding conflict of interest pertaining to Mr. Ryan having been previously on the planning board. The letter states Mr. Ryan had not voted on this application as a board member and has since recused himself from the board, therefore, there is no issue of a conflict of interest.

Mr. Ryan States he has not participated in any medical marijuana ordinances as a board member and advocates the board vote on this application tonight as it has been 60 days since the board's approval the application was complete.

Mr. Bower Asks what prompted this letter from an attorney

Mr. Ryan States the issue of conflict of interest had come up in the past and prompted him to contact a lawyer.

Mr. Yale Suggests moving on from this topic and address other issues. This may be something that the board may need to take on under advisement.

Mr. Ryan States the board has not presented him with any receipt that the application was approved complete, as well as, recorded minutes have not been properly posted.

Mr. Yale Asks the board for any comment

Mr. Sullivan States he is willing to move past the conflict of interest issue

Mr. Yale Proposes to address the application in regards to the state legislature on opting in for medical marijuana ordinances.

The board reads some correspondence from Maine Municipal Association Legal Services.

Mr. Adelman Proposes the board can vote either way while reiterating as part of the approval it would not give the applicant authority to start their business practice until the state of Maine clarifies medical marijuana legislature.

Mr. Ryan States the issue with this is the town currently has no ordinances. He proposes the board put in a warrant article for medical marijuana and presents one he has drafted himself. At this point there is a lot of discussion regarding putting in a warrant article for medical marijuana ordinances.

Mr. Sullivan Clarifies this meeting is to determine the approval of this application. With the current regulations and ordinances not having been adopted by the town, the planning board may approve this application but on the condition they could not operate their business until an ordinance is adopted. He makes a motion to vote on the approval of the application with the condition the operation of the business is pending on the municipal consent and proper zoning.

Mr. Yale Asks if there are any other concerns from prior meetings regarding conditions.

Mr. Adelman Recalls the applicant would have to follow state laws.

Mr. Yale Recalls some landscaping may need to be addressed

Mr. Ryan States the landscaping had been taken care of.

Mr. Bower The driveway would need to be addressed by DOT standards. The applicant would have to contact DOT.

Mr. Sullivan Motions again to vote as same as stated before

Mrs. Wright Seconds the vote

The board votes unanimously in favor the approval of this application with the condition the operation of the business is pending on the municipality opting in to a medical marijuana facility ordinance.

The meeting is adjourned

Draft completed by: Lindsay Gagne

Approved by board, Date: _____

Planning Board Chair or acting Chair name
& Signature