

**MINUTES**  
**TOWN OF PARSONSFIELD**  
**PLANNING BOARD MINUTES**  
**7:30 PM**  
**Tuesday, March 16, 2021**  
**TOWN OFFICE BUILDING**

**I. Call to Order**

Rick Sullivan called the meeting to order at 7:30 p.m.

Present: Gerard Clifford, Allen Jackson, Thelma LaVoie, Rick Sullivan, Andy Yale, Sabin Beckwith (Alternate), Clifford Krolick (Alternate), Recorder Desirae Lyle

Guests Present: Selectmen Harvey Macomber, Code Enforcement Officer Jesse Winters, Jeff Wright, Roger Moreau, Jill Cramer – Attorney for Mr. Moreau, Joseph and Claire Moreau, Michael LaLonde, Scott Mounce, Michael Nelligan, David Silk – Attorney for Mr. Nelligan, +1.

**II. Correspondence**

There is a letter the Board just received from Mr. Silk, Mr. Nelligan's attorney, regarding Agenda Item V. E. The Board agreed to wait to discuss the letter with that agenda item.

**III. Open to Public Questions**

Jeff Wright noted that the Selectmen have been approached by CMP (Central Maine Power Company) to consider changing to LED streetlights. He is against this but suggested that the Planning Board may be interested in doing a study on the impact and health concerns of LED lighting.

Mr. Wright also mentioned that he was on the agenda with the Selectmen to discuss the lack of sidewalks in Kezar Falls. He suggested that the Board listen to the Selectmen's meeting.

Andy Yale asked if the Selectmen's workshop had been advertised in the Shopping Guide. Mr. Wright noted that the workshop had been advertised for 4:00 p.m. but when he arrived at the meeting, he was told it had started at 3:00 p.m. He also noted that nothing was posted on the Town's website calendar or under the Select board's page.

Mr. Silk asked for clarification of what exactly is on the agenda, specifically Agenda Item V. E. Mr. Silk noted that he found out that there was a third application for site plan for Mr. Moreau. There were no abutter notices sent out giving notice of a pending site plan application, he is unsure if this is a workshop. Rick Sullivan interjected that traditionally notice to abutters is sent after the application is reviewed for completeness. Mr. Silk would like to know what is going to happen tonight regarding this application. Rick believes that the Board will be reviewing the submissions and Mr. Moreau's application for

completeness. Mr. Silk confirmed that the Board will be reviewing Mr. Moreau's application for completeness. His concern is that a member of the public wouldn't know from looking at the agenda that a third site plan review application is being reviewed to determine whether it's complete. Mr. Silk expressed that it is important for the public to be notified of what the Board is reviewing in regard to a site plan review application. Rick asked that it be noted for the record that there is an objection from Mr. Silk that the application from Mr. Moreau is being reviewed.

Gerard Clifford also noted that the wording of Agenda Item V. E. is confusing.

#### **IV. Review of Minutes (February 16, 2021)**

Gerard Clifford made a motion to amend the minutes to include a statement by Selectman Macomber and himself regarding the flow of information to the Planning Board. There was no second. Motion failed.

Andy Yale made a motion to approve the minutes as written. The motion was seconded by Thelma LaVoie. Motion carried with four in favor, one against.

#### **V. Business**

##### **A. Elect Chairman**

Thelma LaVoie made a motion to nominate Rick Sullivan as Planning Board chair. The motion was seconded by Allen Jackson. Motion carried with four in favor, one against.

##### **B. Elect Vice Chairman**

Rick Sullivan made a motion to nominate Allen Jackson as Planning Board vice chair. There was no second. Motion failed.

Rick Sullivan made a motion to nominate Andy Yale as Planning Board vice chair. There was no second. Motion failed.

Rick Sullivan made a motion to nominate Thelma LaVoie as Planning Board vice chair. There was no second. Motion failed.

Rick Sullivan made a motion to nominate Gerard Clifford as Planning Board vice chair. There was no second. Motion failed.

Thelma Lavoie asked that the person Rick nominates raise their hand, so she knows who it is.

Rick Sullivan made a motion to nominate Allen Jackson as Planning Board vice chair. The motion was seconded by Thelma LaVoie. Motion carried with three in favor two against.

## **C. Secretary Discussion**

### **1. Meeting Date and Time Change**

Desirae Lyle stated that she would like to help the Planning Board as their secretary moving forward. She explained that she works until 7:00 p.m. in Sebago so Tuesdays are difficult. She proposed a day and time change to the third Wednesday of the month at 6:00 p.m. for the meetings to be more accommodating with her work schedule. Rick Sullivan asked if the Board has any issues or any further discussion on this matter. If the Board agrees the Planning Board business meetings will be on the third Wednesday of the month at 6:00 p.m. and any workshops needed will be on the first Wednesday at 6:00 p.m.

Allen Jackson made a motion to change the day and time of the Planning Board meetings to the third and first Wednesdays at 6:00 p.m. The motion was seconded by Rick Sullivan. Motion carried with all in favor.

The Town website, calendar and Your Weekly Shopping Guide notice will need to be updated to reflect these changes. The next Planning Board meeting will be on Wednesday, April 21, 2021 at 6:00 p.m.

## **D. Appeal Board Decision (January 12, 2021)**

Rick Sullivan is unsure why this item is on the agenda. Desirae Lyle explained that the Board members present at the January 19, 2021 meeting asked to have this on the agenda. Andy Yale noted that the Board will be reviewing the decision in a de facto way when they consider a third submission by Mr. Moreau. Sabin Beckwith noted that he was at the January meeting and there were questions raised that Rick and Andy weren't there to answer, that is why this item is on the agenda. Rick asked if there were any further questions or concerns from any of the Board members regarding this agenda item. There were none.

## **E. Roger Moreau – R19/044 – Additional Submissions**

Gerard Clifford will be recusing himself from any and all discussions and voting regarding this project in fairness to Mr. Moreau. Mr. Silk has submitted a letter to the Board (Note: This will be included with Mr. Moreau's file). The Board discussed if this is a new application or an update to the last application. Rick Sullivan clarified that Mr. Silk is requesting that the Board not review this application at this time, because adequate notification of the public has not happened.

Mr. Silk asked to read Article III, Section 4. C. *Notice to Abutters: The Planning Board shall send by first class mail to all property owners within five-hundred (500) feet of the lot notice of a pending application for Site Plan Review. The notice must indicate the time, date, place and reason for the application.* Mr. Silk expressed that no notification has been given. Rick believes that the process usually followed is to receive an application, accept it as complete, schedule a public hearing and mail abutter's notices. Mr. Silk pointed out, 'If this matter comes before the Zoning Board of Appeals again

and it's found that the proper notification was not given at the get go, we will be back here a fourth time.'

Mr. Moreau noted that the last time he came before the Board abutters were notified when he submitted the application. Mr. Moreau agreed to withdraw his application from this meeting, and submit the application for the April meeting to allow abutter's notices to be sent out and the agenda to reflect the proper wording.

Desirae Lyle mentioned that she was unaware that the Parsonsfield ordinance required abutters to be notified before an application was deemed complete and a public hearing was scheduled. She will mail abutter's notices prior to the April 21, 2021 Planning Board meeting.

Andy Yale asked Mr. Silk to clarify his opinion of Mr. Moreau's submission. Mr. Silk noted that the Board needs to determine if the application submitted has substantial changes from the previous application. It was suggested that the Board confer with MMA (Maine Municipal Association) or the Town attorney.

#### **F. Recreational Marijuana Ordinance Discussion**

There will be a Public Hearing on Tuesday, March 23, 2021 and a Town Vote on Saturday, April 3, 2021 regarding this and other items.

#### **G. Local Food and Community Self-Governance Ordinance Discussion**

There will be a Public Hearing on Tuesday, March 23, 2021 and a Town Vote on Saturday, April 3, 2021 regarding this and other items.

#### **H. CEO Attendance Discussion**

Generally, the CEO is asked to attend by the Planning Board chair. He is here tonight, and is welcome to attend any meetings held by the Board.

### **VI. Executive Session, Pursuant to Title 1 § 405 (6) (A) Personnel Matter-Planning Board Member Duties**


Allen Jackson made a motion to enter into Executive Session, Pursuant to Title 1 § 405 (6) (A) Personnel Matter-Planning Board Member Duties at 8:10 p.m. The motion was seconded by Andy Yale. Motion carried with all in favor. (At this time the members of the public left the room.)

Rick Sullivan made a motion to close the Executive Session and reconvene the regular meeting at 8:33 p.m. The motion was seconded by Allen Jackson. Motion carried with all in favor.

### **VII. Adjournment**

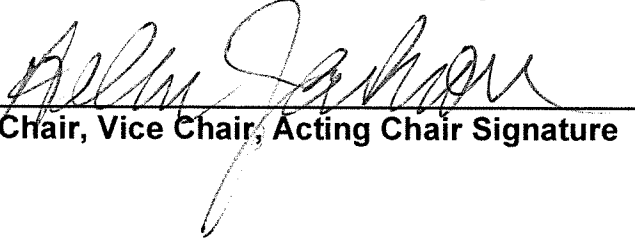
Andy Yale made a motion to adjourn at 8:35p.m. It was seconded by Allen Jackson. Motion carried with all in favor.

**Respectfully Submitted,**



**Desirae Lyle  
PPB Secretary**

**Approved by the Board at the April 21, 2021 Meeting.**



**Chair, Vice Chair, Acting Chair Signature**

