

GREENVILLE PLANNING BOARD
Town Hall Meeting Room & Zoom Virtual Meeting Platform
Municipal Building
Minden Street, Greenville, Maine 04441
Minutes
June 28, 2021

NOTE TO PUBLIC: There is a video recording of this Planning Board meeting available on the Town website: <https://greenvilleme.com/boards/planning-board-meeting-video/>. The video recording is the official record of the Planning Board meeting. These Minutes reflect specific actions taken by the Planning Board (the “Board”) at the meeting and generally identify the discussions at the meeting.

MEMBERS PRESENT: John Contreni, Chair, Lurline Arco, Secretary, Jonathan Boynton, Noel Wohlforth, Jenny Ward (alt.) (In Joanie’s absence, Jenny will have voting privileges.)

ABSENT: Joanie Withee

ALSO PRESENT: Bill Ethier (Code Enforcement Officer); Mike Roy (Town Manager)

GUESTS: Kimberly Bates

GUESTS VIA ZOOM: Janet Chasse, Sheila Grant (Eastern Gazette), Amy Daniele

Meeting called to order: 5:00 p.m.

Minutes: Pending receipt of December 7 and 12, 2020; February 8 and 22, 2021; March 8, 2021; April 12 and 26, 2021; Minutes of June 14, 2021 presented.

Motion made by: Noel to accept.

Seconded: Jon seconded. Minutes have been moved and seconded. John asked if there were any corrections, additions or omissions. John noted on page 2 second paragraph, word should be “chassis” and on page 3, wording should be changed to read “...and depends on Jon’s technical expertise...”. Jenny noted on page 4 the word should be “striping”. John asked Jon about the pending Minutes. Jon said they will be forthcoming. Noel moved to accept the Minutes with corrections. Jon seconded. Bill asked if the Site Visit Minutes should be included with the June 28th Minutes. John asked if everyone reviewed the Site Visit Minutes and if there were any corrections, additions or omissions. There being none, Noel moved to accept and Jon seconded. Site Visit Minutes approved 4-0. Jenny abstained because she was not there.

Adjustments: None

Conflict of Interest with any agenda item by Board members: None

Report from CEO: Covering week of 6/14/21 - 6/25/21. Jon inquired about the number of permits issued. Bill said this is what has been issued to date. Jenny said it is not unusual to get permits in the spring to do projects in the summer and fall. John noted that out of the 100 permits issued, 15 are for single family dwellings and hopefully there will be school aged children. Bill said probably one-half of those permits issued are for second home or retirement homes. Noel inquired about the junk vehicle complaint. Noel said he saw nine vehicles and a Confederate flag flying. Noel said I know you cannot do anything about the flag, but it still would irritate a Veteran. Bill said if they are registered and licensed, we have no ordinance about how many vehicles are on your property. It was noted that the number of vehicles varies from 7 to 11. John asked if it was a business and is he doing repair work. Bill said he is doing repair work on his own vehicles and is not running a business. If it gets out of hand and goes on the street, Bill will have the police look into it. John inquired about the complaint of an illegal business and if it was about the junk vehicles. Bill said someone complained about a sign advertising the sale of marijuana clones. Nothing has been done with the Town of Greenville that would allow this. Bill has been by four or five times and has not seen the sign. If this continues, will refer to the police. Jenny asked about the food truck. Bill said it is next to Auntie M's. It is a small truck supplied by Flatlanders and they have gotten a Vendor's Permit. Bill needed to make sure that it would not be impeding pedestrian traffic on the sidewalk. Jenny wanted to know what the Town's ordinance is for food trucks. Bill said if on their own private property can pretty much do what they want, but if using someone else's property, must have permission to put that on the property. If on Town property, only two places allowed, is the Junction Wharf and the Airport. Janet Chasse asked if there will be a trash can provided while they are in operation. Janet is concerned about the local wildlife making a mess. Jon believed that it is a stipulation in the Vendor Permit to provide a trash can and Bill will follow-up to make sure one is provided. Jenny inquired about the rooftop solar panel. Bill said they wanted to know if a permit is required and any other requirements. Bill said he would need something from an engineer stating that the roof would hold the extra load.

Kim Bates Subdivision Application. Review for approval. John said we have a final plan dated June 21, 2021. John asked Kim what has transpired since our last meeting. Kim said that the surveyor company did boundary lines and divided into two 3-acre lots. There are no streams or rivers going through the property. All questions are answered in the Deed. Also, the culverts are standard. Rum Ridge Association owns the road not her. Kim spoke with Bob Ludwig regarding the road. Kim said she is not part of Rum Ridge Association and does not have to contribute to the upkeep of the road, but that she wanted to. Bob said that when C.A. Dean owned the property, they considered it as being five lots and paid \$75 per lot towards road maintenance. Kim said she wanted to pay more which made the Association very happy. Jon asked if she will be joining the Association. Kim does not want to join. The Association has a lot of by-laws and restrictions. Kim said she will not have to obey these conditions and not be part of the Association and have any of their rights, just wants to give the Association money for road maintenance since they will be using approximately 100 yards of the road. Bob Ludwig also gave verbal permission to Kim and her brother to use the boat launch. Jon understands what Kim is doing but is looking down

the road. What if the new owner does not want to pay towards road maintenance. Kim said it will be required in the Deed that they will need to contribute to road maintenance. Noel asked about how the three or four lots at the top of the June 21st Final Plan were accessed since they look landlocked. Kim said they are accessed from Rainbow Way, a road prior to Rum Ridge Road. John noted that Kim has satisfied all of the permitting and requirements and procedures. Bill said that each lot has had a soil test done. John proceeded to read the Conditional Use/Subdivision Permit Criteria. Jon wants to acknowledge that we have addressed the issue of a public hearing and that all abutters have been notified. Bill said he has received no responses to the letters. Jon believes it is a State law which requires a public hearing. Bill said a public hearing is not required in our ordinance. We have a pre-permit hearing to decide whether one is or isn't required. Bill will check to see what the State requirements are. John noted that Bill has requested one additional requirement for approval. "Final signed Plat Plan must be recorded at the Piscataquis Registry of Deeds within 90 days. Must deliver at least one copy from Registry of Deed to Code Enforcement Officer within 90 days." John asked if there were any additional conditions. Jon asked if Kim had approved Plot Plans for signing tonight, which Kim did. Jon motioned to accept the Kim Bates subdivision with the additional condition. Noel seconded. So moved and seconded. Approved 5-0.

Pre-permit meeting with Joe and Amy Daniele. Looking to create 2-lot subdivision off the Scammon Road and Leisure Life Road. While waiting for the Danieles to join the meeting via zoom, Jenny asked what the squiggly line indicated on the sketch plan. Jon said it was Mill Brook. John wanted to know the road that appears in the lower left. Mike said it is Lily Bay Road and the road to the right is Scammon Road. Jenny asked if the road that cuts across the property from Leisure Life Road to Scammon Road is a right-of-way, remarking how things were done years ago. Jon said you need to be careful about rights-of way because they can go into perpetuity. John said that Lot #3 is bounded by Mill Brook. Jon said it is identified by the State as a ravine, and if on their database, it is a substantial amount. Jenny was wondering why they didn't square it off. Mike said the tax map shows it (Mill Brook) as a boundary. Jon asked Amy to summarize the major points in her letter. Amy said that as you can see from the letter and drawing, we had a couple of pieces of property mapped out with our surveyor. We initially were going to build on Lot 3. After we purchased the snowmobile trail was rerouted. We then purchased a lake front piece of property. We had every intention of living on Lot 3 and selling a couple of lots on Scammon Road. Friends of our want to purchase pieces of the property, and would like to do so before five years. We did not want to create a subdivision. We received a call from Rodney Folsom stating he had people interested in purchasing land on Scammon Road. We had our surveyor survey the Scammon Road property and since he was there, had him survey the whole perimeter. John asked if Amy was looking to sell Lots 2 and 3. Amy, yes, 2 and 3. Jenny asked Amy to explain her thought process about the boundary line around Lot 3. I see it follows the stream. Amy said that they felt it was a natural guide point to break off land. When they originally purchased the land, it was only 30 acres, not include Lot 3. Since we loved the brook so much, we negotiated Lot 3 into the purchase. We still have the intention of keeping the interior. I wanted to make sure I kept the stream on my piece as a natural boundary. Jenny said her concern is that a brook is not a static function of land. That it is not permanent. Amy said that the gentlemen purchasing Lot 3 would like a right of first refusal if we sell any more of the interior. And, to be

honest, he will probably in the next ten years, own all of it. Jon said you identified a sewer easement. Whenever I see this, I want to make sure any new building can hook into the sewer. Do you have any other access to this sewer? Amy, no, I think there is a right-of-way over the corner of Veilleux's property and that came with Lot 3. I believe the angle goes over the corner of Veilleux's property. Mike said the Town sewer and water stops a Mill Road. Bill asked Amy if they had access to that sewer from Leisure Life Road. Amy, yes Lot 3 has access. Bill then asked if Scammon Road would be a private septic. Amy yes Lot 2 would have to be a private septic and that Lot 3 perked beautifully and her expectation is that Lot 2 will also. I have a call out to Soil Solutions. Jenny asked Amy that when she originally wanted to purchase the property, the owner did not want to give up that parcel. Are you certain that this piece is not already sectioned out? Amy said yes but it was a hand drawing. Amy said they would have requested a formal drawing but we were asking for it and he included it, so we never went down that path. Jon stated the following questions are more like a timeline for him. How long have you owned the property? Amy, since 2017. Jon - you have already sold what is identified at Lot 1? Amy – correct in April. Jon – when the previous owner sold those two lots, was that within the five years? Amy, no. She believes the gentlemen next to Lot 1 has been there 10 years. She can check with Rodney Folsom, but believes they were carved out years ago.

There being no further comments, John began to read the Application Requirements for Subdivision Permits. John noted that Bill had marked off a number of requirements but would like to read off what was not marked beginning with #17. John read off the requirements and marked off what was applicable. Jenny wanted to know if the Town would have an issue with a boundary that is a body of water. Would it be difficult to assess since curvy and not straight? Bill said there is nothing in the ordinance that says lots can't be odd shaped. Mike said once surveyed, those are the coordinates surveyor would have. Jenny thinks this will be a challenging issue for the Town down the road. Jon asked about building in the flood plain. Bill said he will make sure it is outside of the 75 feet. John asked if we need a Public Hearing. Jon's opinion is always yes. Jenny doesn't feel this will have a large impact on the community. Jon said we need to inform the people by a Public Hearing. Jenny said we do that by sending out letters. Bill said the public is invited when we do the review. Jon said but the only way they can speak is at a Public Hearing. Legally the only way to offer comments is through a Public Hearing. Jenny said that if by notifying abutters by letter, isn't that inviting them to offer their opinion. Jon – it is an invitation but the only way for the Board to accept their opinion is through a Public Hearing. Lurline asked if you can send out letters to abutters and if no one replies, then no Public Hearing is needed, but if someone does reply and has an issue, then we decide if a Public Hearing is needed. Jon said absolutely and the Board can allow only written comments. The Board has the option if they want to accept that comment. John said that option needs to be included in the abutter letters. Bill wanted to know if an abutter showed up in person or via Zoom, could they provide oral comments. Jon – no. Bill will include in the letters that the only way the Board will take comments is in writing. John added the following under "Other": "Notify abutters to submit written comments if they wish in lieu of a Public Hearing", and "Will need to include any lots previously subdivided within 5 years". John told Amy that Bill will get in touch with her regarding application requirements.

Old Business: None

New Business: None

Items for Next Meeting (7/12/21): None yet.

What's on your mind: Jenny asked about Big Box Stores and if we had anything in our Ordinance regarding this. Bill said the closest we have is under #18 of the Review Criteria in eliminating big box stores but the franchise design is very vague in nature. Jon said we cannot say no but can enforce a lot of restrictions. Jenny asked about the largest size for retail. Bill said 5,000 to 20,000 square feet. Jenny asked for an example of 20,000 square feet. Jon said Indian Hill is larger than 20,000. Bill said the grocery section is about 16,000 square feet. Jenny said so Indian Hill cannot expand. Bill said he didn't know how to respond to that. Jenny said with all the attention this region is getting that at some point something of that size and nature might want to come in. Jenny doesn't want to see Greenville looking like Sebago, Raymond or Windham. Jon said Belfast did not want to oppose big box stores, but wanted to do it right. He said the way the market is for retail, he doesn't know if it would happen for a couple of reasons. You need a year-round population to support it. You need 2,000-3,000, so for that reason, probably Dover-Foxcroft. Bill said he will find out about the 5,000-20,000 square feet. Jon said he would want to see more performance standards associated with building new buildings. Would like to see more plantings, dictate parking. Think about stormwater on a higher level than we do because that will make a better development project for the environment. Let's keep Greenville, Greenville. John said that Bill will get back to us. Lurline asked if there was anything new on the solar project. Bill said they are still waiting on the State. John said there was an excellent article in the BDN.

Adjournment: Jenny motioned to adjourn. Jon seconded. All in favor 5-0. Meeting adjourned at 6:17.