

GREENVILLE PLANNING BOARD
Town Hall Meeting Room & Zoom Virtual Meeting Platform
Municipal Building
Minden Street, Greenville, Maine 04441
Minutes
April 26, 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, Jonathan Boynton, Secretary, Noel Wohlforth; Joanie Withee, Lurline Arco; Jenny Ward (alt.)

ABSENT: None

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

GUESTS: Kim Bates, Keith Ewing (Plymouth Engineering, Inc.)

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, 2021.

Jonathan had no Minutes to present to the Board, so there was no motion to approve.

Adjustments: John asked Jonathan about what his plans are to bring the Minutes up-to-date especially since it was brought up at the last Select Board Meeting that the last six have not been posted. Jonathan said by State law, all that is needed is who was in attendance, what motions were taken and what time the meeting ended. Beyond that, no other requirements needed since the meetings are recorded and on video. John agreed with Jonathan that is what the State requires, but asked the other Board members their opinion. Joanie agreed that a short version should be done to get us caught up. Jenny suggested maybe some Board members watch the videos and do a more comprehensive version of the Minutes. Jonathan brought our attention that in June 2020 he stated that his time was limited and asked if there was someone who would step up. John said he understood and there might be someone willing to take over in June 2021. Jonathan thanked everyone for their understanding and would provide the Board with a short version of the past Minutes.

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

Report from CEO: Report covering week of 4/12/21 - 4/23/21. There were 35+ inquiries via phone/e-mail/office visits. 8 site visits. 8 permit applications. 7 permits issued. Under Old Business, Bill noted that the revised fee permit schedule included language that applicant will pay for advertising and deliberation fees. Permits issued through 3/19/21 totaled 37. The year-to-date comparison of permits issued are 37 compared to 2 for the same time last year.

Action: Need to Address: The first action item is a pre-permit hearing with Kim Bates who is proposing a 3-lot subdivision on Rum Ridge Road. Kim said she wants to keep 6 acres and sell off parcels 3 and 4. Soil test have been done and there is no problem. This land is not part of Rum Ridge Association (Association). Land purchased from C.A. Dean. John noted that the road runs right through her property and wanted to know if there was any obligation to the Association. Jonathan wanted to know if Kim subdivides does she need to become part of the Association and maintain that portion of the road. There is nothing that states she needs to be part of the Association. As a matter of fact, the Association begins just on the other side of the piece of property her brother purchased. Jonathan said he understands, but someone needs to maintain the road and he believes it would be the Association. Could that come back to be your responsibility especially if there are four new houses and the road needs to be plowed, graded, gravel etc., when needed, how will that affect the Association? C.A. Dean gave the Association \$400/year. Kim spoke to her brother regarding this and they will each give the Association \$200/year. Jonathan looked at an aerial photograph of the property and noticed there is a stream running through the property. If that washes out, who is responsible. Kim - The stream you are referring to runs between my brother's and my property. I believe it is an old logging road there is a culvert there. There are other culverts along the road. Mike asked if she owned the road. Kim – the Deed doesn't say. John – as Jonathan suggested, when you come before the Board for the permit processing, could you address these concerns, i.e., who maintains the road with plowing, gravel. Jonathan - make sure you have access to the road. Joanie – sometimes referred to as a right-of-way. Jonathan – Scott Paper years ago might have just let the Association cross the road but since you are looking to subdivide, we need to address these issues. We just need to make sure who has access rights to the road. It is possible that someone might dig deep into the Registry, and look at these coordinated lots and none have access to the Rum Ridge Road. That is what I am trying to prevent.

No other questions, Bill stated that there are 34 items on the Application Requirements for a Subdivision Permit. John proceeded to read the requirements to see if required or not. Jenny gave some history regarding the Rum Ridge property. Skylark was part of SD Warren which became Sappi, which became Plum Creek, which became Weyerhaeuser which probably deeded access to the Rum Ridge subdivision. At one point probably one owner. The Board just wants to make sure that future development and owners don't run into a problem that their access is not guaranteed. Even though it has changed hands, it has been consistent, access has been provided. Now there is a new owner and we want to make sure there is access to the rest of the people who live on Rum Ridge. Jonathan – I want you to show legal standing for access with all parties including yourself,

the new lots you are creating and the Association so that nobody is questioning their responsibility with this road. Bill and Joanie both agreed that Kim should check with the Association. Joanie – Check with the abutters, especially the ones using the road. Is there something in their Deed or possibly the Association deeded them a right-of-way -easement. John - It would be advantageous when you go to sell these two parcels that they don't need to worry about it that it has been taken care of. John – are you putting in roads? Kim, no selling as is. Jonathan – is there power to the site? Kim – yes but not down to Parcel 3. John asked if there were any other criteria needed to be met. There was none. Kim stated she is putting out a lot of money and was wondering if this will not go through. Jonathan – It is the Planning Board's job that you meet the standards identified. We may have other questions, which would make the process longer, but doesn't see why you can't do the subdivision. John –If the road ran along the boundary lines, there wouldn't be an issue, but since it runs through your property, we need to know who will maintain the road and access.

Next is Keith Ewing of Plymouth Engineering, Inc. who is working on an exciting project on the corner of Pritham Avenue and Lakeview Street. Keith said there are two lots but only doing work on one. John – so you are not knocking down the building. Keith, no. Keith presented a letter written to Bill on April 26, 2021. On page two, under Site Plan Review, Keith went over the 11 items under that heading. (k) signs if applicable. No signs until they have renters. John mention that that location once had a gas station on the property and wanted to know if there were any gasoline tanks. Jonathan said that Ransom Consulting did a Phase I and Phase II and that they did find something but not sure what it was but should be able to pull something from the EPA website. John said they did find something on the north side of the park where there use to be a house. Jenny wanted to know what they are expecting to salvage from the building. Keith said DEP does not want them digging on the site that is why they are going up. Jenny wanted to know if the 8-foot walkway if private or public. Keith said the walkway will tie into the sidewalk as well as the docks. Right now, the walkway does not continue to the second lot because we are not sure what we are doing with that lot. John said the idea is to have a walkway around the East Cove to the Marine Museum and eventually connect with the park. Jenny – you said you weren't looking at any signage right now but would like that the proposed new building has signs that are consistent in size and lighting also. Keith- we will need to come back to you when we moved forward with tenants. Bill said he issues sign permits but this is a Conditional Use Permit which goes to the Planning Board. Keith said they will come back to the Board when they move forward. Jonathan said the elevation drawings you provided with the additions you are proposing, you are over the 50% threshold to be a new structure. I don't see where you proposed accessibility. Just because our code doesn't directly state anything, it doesn't mean we can't exempt ADA requirements. If you have a bar or restaurant on the second floor, if someone is in a wheelchair you would be required to provide a ramp or elevator. Keith said they did not want to put in an elevator, but will discuss with the client. Since this is not three stories, it is not mandated. Jonathan – I understand but when you put something unique on the second floor, I want to see how you will address this. Bill asked about the location of the stairs. Keith – just happens to be one of the few spots from the second floor that is not in front of any openings. Bill – just to make sure with code.

No further questions, John read the Requirements for Conditional Use Permit. Discussions ensued regarding whether or not a traffic study will be needed. It was decided that it was not needed but under Item 17, “Any additional information the Planning Board considers necessary to properly review the application according to standards and criteria contained herein”, the Board requested the following:

- Further explanation of parking needs of the proposed new uses
- Public Hearing

Next item is Ordinance change proposal by Jenny Ward concerning Dark Sky Initiative. Jenny said she can go through her comments and reasoning if helpful. Some things need to be removed and others strengthened especially outdoor lighting. Bill said this needs to be presented to the Select Board and we will need a Town Meeting and a Public Hearing and there isn’t enough time to accomplish this by June 7th. Would rather have done correctly then quickly to make sure we get the wording we want. Jonathan said State Statute requires that the Select Board have two hearings and that there isn’t enough time between now and June 7th and if that was too long a wait. Jenny – a lot is happening in Greenville and it is up to the Town if they want this document in place. I agree with Bill that it needs to be done right. John – we make a recommendation to the Select Board, we do not vote on it. It is up to the Select Board to propose these changes to the Town at the Town Meeting. Jonathan – is this something the Select Board would consider? Bill – John should give a presentation to the Select Board and Jenny it would be helpful to have you as well. Jenny – I have given a presentation to the Select Board and they are aware but this would solidify it.

Items to address if time allows: Review Fee Permit Schedule language that will now require applicants to pay for any public hearing or deliberation fees, as determined by the Planning Board. Bill presented a draft of the Land Use Permit Fees and where there are asterisks after Conditional Use Permit - \$100.00**, the following language has been included:

“**Applicant will be required to pay any advertising fee(s) if the Planning Board requires a Public Hearing. Applicant will also be required to pay and deliberation fees the Planning Board may need to review the application. This includes but is not limited to Engineering, Consultant, Legal, Environmental, or Traffic Analysis. Permit will not be issued until all fees are paid in full.”

John – Bill will bring this before the Select Board for approval.

Old Business: None

New Business: None

Items for Next Meeting May 10, 2021: Public Hearing for the Pritham Avenue Project. Since the application is not completed, and a three-week review is required, the Public Hearing has been postponed to May 24, 2021.

What's On Your Mind: Everyone passed

Adjournment: Noel motioned to adjourn. Lurline seconded. Adjourned at 6:50 p.m.