

**Town of Poland
Planning Board Meeting
January 10, 2017 – 7:00 PM
Town Office Conference Room**

MINUTES

CALL TO ORDER

Chair James Porter called the meeting to order at 7:00 PM with members William Foster, Dawn Dyer, and Alex Duff present. Member George Greenwood was absent with notice.

MINUTES

October 25, 2016

- Member William Foster motions to approve the minutes of October 25, 2016. Dawn Dyer seconds with no discussion.

VOTE: YES – 3 NO – 0 ABSTAIN – Duff

November 8, 2016

- Member William Foster motions to approve the minutes of November 8, 2016. Jim Porter seconds with no discussion.

VOTE: YES – 2 NO – 0 ABSTAIN – Dyer, Duff

December 13, 2016

- Member William Foster motions to approve the minutes of December 13, 2016. Alex Duff seconds with no discussion.

VOTE: YES – 3 NO – 0 ABSTAIN – Dyer

COMMUNICATIONS

Updated Engineering Firm List

- This is the same approved firms, just updated to reflect changes in addresses

MMA Trainings

- Two available trainings for Planning Board to attend

OLD BUSINESS

Findings of Facts

- Formal Site Plan Approval – For the Love of Hair – Edward Morris – Map 12 Lot 44
 - Member William Foster motioned to accept the Findings of Facts for the Major Site Plan Review for Stephen Pulsifer Map 12 Lot 44 as complete. Dawn Dyer seconds with no discussion.

VOTE: YES – 4 NO – 0

NEW BUSINESS

Formal Site Plan Review – Michael Moody – Map 39 Lot 1

- Keith Morse of JKL Land Surveying and Michael Moody were present to speak about the application. Mr. Morse summarizes the application as a change of use application to approve the building as a commercial space downstairs, and an apartment upstairs.
- Chair Porter questions that the application states two apartments upstairs. Michael Moody responds that in order to avoid having to install a sprinkler system, that it will be one apartment upstairs.

- CEO Nick Adams walked the board through the third party review:
 - States that the application is lacking in a few different areas. He was under the impression that it would two apartments on the second floor from the proposed septic system application.
 - The applicant has asked for several waivers.
 - The Fire Department hasn't given their approval yet because they don't know what the use will be.
 - A DOT entrance permit will be necessary for the change of use.
 - A storm water review will be necessary.
 - The application is incomplete at this time. He hopes this meeting will allow the Board to clarify what they need to move forward towards a complete application.
- Chair Porter requests to addressing the waivers. Keith Morse mentions that he has prepared a third waiver request. James Porter states that what is in front of the board at the time of the meeting is what is considered for the application. It is important that things are presented and prepared in a timely manner. Mr. Morse states that he did not receive the third party review until Friday afternoon, which did not give him enough time to respond. He thought this was a simple application that wouldn't require many of these standards to be met, and didn't know it was going before third party review.
- Mr. Morse has estimated twenty trips per day for the traffic study. He doesn't see why a full traffic study would be necessary. In regards to a landscaping plan, Keith doesn't think that there's very much that can be done to that property in regards to landscaping, so no landscaping plan would be needed. In regards to storm water, he states that the water flows to the vegetated back of the lot and will create its own buffer.
- Chair Porter states that full out studies don't necessarily need to be paid for with a project of this size, but it still needs to be addressed. He also states that until the commercial use is specified, then he wonders how anyone can be sure the information is correct.
- Public Hearing:
 - Neighbor Charlotte Rose complains about her relationship with Michael Moody as a neighbor and that they have been disputing property lines.
 - Mr. Moody claims that this is not true, and that the restraining orders that have been placed are unnecessary. He says it is being settled between lawyers.
 - CEO Adams ensures that the entrance in question is not being proposed as an entrance to the commercial space.
 - Vice Chair Dyer asks if this issue needs to be resolved before the Board can approve the plan. CEO Adams says that he will check on that, and whether that access needs to be there in regards to fire protection.
 - Debbie Lamb, Clerk of the Poland Community Church asks if there is a required amount of feet on Route 26 that Mr. Moody needs to have in order to be a commercial space.
 - CEO Adams says there is no requirement because it is a non-conforming lot of record.
 - Porter clarifies that if it was a newly created lot, it would have to have 100 feet of frontage, but because it is not new, there is no requirement.
 - Robert Cummings, member of the Poland Community Church, speaks of a land dispute on the side of the church as well. He doesn't believe the surveyor has done their job.
 - Chair Porter says that Mr. Morse is licensed by the state of Maine, and he doesn't think anyone should be here to question his integrity as a professional.
 - Chair Porter emphasizes that property line disputes need to be settled in a civil court, and is not up to the town to make any decisions regarding this.
- Chair Porter clarifies the requested waivers in order to ensure that Mr. Morse and Mr. Moody know what is expected of them.
- Vice Chair Dawn Dyer asks about an old easement mentioned, but that she didn't see it on the plan. Mr. Morse confirms that this is the old driveway, and that it used to be a path to a barn beside the old historic Bridgham Store.

- Vice Chair Dawn Dyer motions to table the Formal Site Plan Review for Michael Moody for Map 39 Lot 1. Seconded by William Foster with no discussion.
VOTE: YES – 4 NO – 0

OTHER BUSINESS

William Foster announces his resignation.


There will be a public hearing next meeting for CLUC Amendments, January 24, 2017.

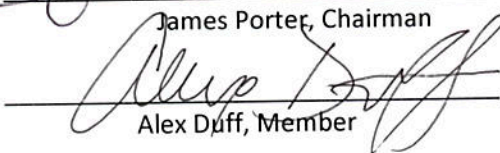
ADJOURNMENT

Member William Foster motioned to adjourn, seconded by Dawn Dyer with no discussion.

Vote: YES – 4 NO – 0


Recorded by Jessica E Leighton



James Porter, Chairman


Alex Duff, Member

Date Approved: 02/28/2017
Poland Planning Board



Dawn Dyer, Vice Chair

George Greenwood, Member