

**Town Of Orrington
Planning Board Meeting Minutes
Oct 15, 2020**

Call meeting to Order:

The meeting was called to order at 7:06 pm by Chairman J. Louis Morin. Board members also present were: Richard Judd, Steve Taylor, Lance Lord and Secretary Marc Abplanalp Sr. Alternate board members John Mackie and Larry Geaghan were unable to attend due to last minute commitments and are excused. Also present were, Orrington CEO Don Baker, Orrington town manager Chris Backman, Shelly Lizotte from Artifex Architects & Engineers and Select Board member Allen Elkin. There were no members of the public present.

Approve minutes of the September 17, 2020 meeting:

The motion was made by Mr. Judd and seconded by Mr. Lord to approve the minutes as presented. The vote to approve the motion was unanimous by all voting members.

Public Comments:

Mr. Baker was asked to seek planning board direction regarding a town residents request to change his Brewer Lake Rd. Medical marijuana growing operation designation from Medical to Recreational. There was some confusion about the new law and what will be required to make that change. The board will have to look into the new law and decide what will be needed for the owner to comply with the Land Use Ordinance (LUO). There was also some confusion as to how many marijuana growing operations there are in Orrington. The board will look into when these medical marijuana growing locations began operating to determine if they are grandfathered or are in violation of the Orrington town ordinance. A quick review of the Orrington medical marijuana growing ordinance indicated that there will be a maximum of one marijuana growing operation within the town. During the discussion it became clear that there are, surprisingly, more than one and that some if not all are not operating within the confines of the ordinance. Mr. Baker states that he will get more information from the citizen and see if he can get him to attend the next meeting.

Mr. Baker also indicated to the planning board that a resident on Center Drive road was also requesting direction from the board. The property owner plans on building a home on his property and would like to know what he will need to additionally build and operate a welding shop on his property. The proposed welding shop building would be a 60' X 100' building wherein metal components for buildings will be fabricated and later shipped to his customers via freight truck. At first blush, it does not appear that this change of use request will comply with the LUO. Some of the issues identified;

The property in question is located within a Rural / Farm district. Although the Orrington LUO does allow for Home Occupation within Rural / Farm districts, these districts do have more restrictive standards than are required in a commercial / industrial districts.

Orrington LUO Article 4 Section 5 Subsection C states that the Home Occupation business must limit the business portion of the building to 25% of the total buildings ground floor square footage. To comply with the ordinance, a single story home would have to be in excess of 24,000 square feet.

Another issue is the Orrington LUO Article 4 Section 5 Subsection F, specifically states that items sold from the Home Occupation business must be mailed via UPS, FedEx, USPS. Freight trucking does not fit the surrounding neighborhoods rural character.

Another issue would be Orrington LUO Article 4 Section 5 Subsection E, There shall be no external evidence of such operation. A 6000 sq. ft. welding shop may not be easily mistaken for a single family home.

Mr. Baker will request the property owner come before the planning board to answer questions and provide us with a better idea of his plans.

Old Business:

1. Bouchard car wash completion of buffer by planting two additional trees and several smaller trees. This action appears to have satisfied the adjacent property owners.

2. Jeremy Knapp's request to open a Granite Shop at the old fire station site plan review.

Mr. Knapp was not present. Mr. Backman stated that the sale of the building has not been finalized as of yet. Mr. Backman is working with the surveyor to complete the site plan for review by the board. Mr. Backman also asked if there was a way to fast track a change of use request in the future. Chairman Morin indicated that there was no way to speed up the process in this case because there is currently and has never been a site plan for the property. Usually there is a site plan on record for the property being sold. If there is a site plan on record it is less labor/time intensive to submit a change of use from the old site plan than it is to start from scratch. Mr. Backman states that the sale is still in the works and will provide the site plan to the board when it is completed. It was again pointed out by Chairman Morin that there will not be a Planning Board meeting in December. There is a possibility that the next site plan review may also be considered the final site plan review with conditions if any.

New Business:

1. W. L. Properties subdivision amendment on Center Drive and Dow Roads Map 5 Lot 123

Shelly Lizotte from Artifex Architects & Engineers was present to describe the changes to W.L Properties' site plan for Map 5 lot 123. Ms Lizotte explained to the board how the site plan has been amended and approved by the Department of Environmental Protection (DEP). Mr. Pelletier was notified that his subdivision exceeded 20 acres and would require additional DEP review. Mr. Pelletier, after discussions with Ms Lizotte, decided to remove two Lots from the subdivision and place those lots into retained land for 5 years. This reduced the total subdivision to under 20 acres and allows Mr. Pelletier move forward without additional DEP review. Mr. Pelletier must wait 5 years before he can sell the two lots that were removed from this site plan. He must first come before the board and add the two lots back into the plan via site plan modification then he may put the lots up for sale.

The motion to approve the amended site plan with the two lots removed was made by Mr. Abplanalp and seconded by Mr. Taylor. The vote to approve the motion was unanimous by all voting members.

Board members signed the Mylar and paper copies of the amended site plan and notified Ms. Lizotte that she will be required by the Registry of Deeds to submit the site plan in Portable Document Format (PDF). Ms. Lizotte will return the Mylar site plan after making a PDF copy.

2. Town Of Orrington Board of Selectmen request the Planning Board discuss establishing a building safety, maintenance and up-keep of property ordinance.

Mr. Backman informed the board of a property in town that was being used for nefarious purposes and indicated that there was no recourse for the town until they resorted to a state statute, which when issued to the owner, motivated them to bring the property up to an acceptable condition.

After some discussion it was decided that the board members will research local examples of similar town ordinances and cases within Orrington that would indicate the benefits of having a local ordinance. Mr. Baker will email the board members a copy of the state statute. The board can then determine if Orrington needs such an

ordinance and how it should be worded. As stated above, there is a state statute that currently covers hazardous and nuisance properties which the town has recently engaged with good effect.

3. Although it is not on the agenda, several people in attendance asked about the possibility of changing the start time of the planning board meetings.

The Motion to change the starting time of the Planning Board meeting from 7:00 pm to 6:30 pm was made by Mr. Abplanalp and seconded by Mr. Taylor. The vote to approve the motion was unanimous by all voting members.

Board Comments:

Chairman Morin asked the board members if any member was interested in becoming Chair of the planning board. As there was, not surprisingly, a distinct lack of volunteers, Mr. Abplanalp asked Mr. Morin if he would like to continue as Chairman. Mr. Morin agreed to remain the Chairman of the board.

Mr. Abplanalp suggested that we continue holding the Planning Board meetings in the town hall meeting room unless there is a spike in Covid-19 and that we continue to maintain social distancing. There was no disagreement from the board members.

Adjourn:

The meeting was closed at 8:10 PM by Chairman Morin.

Respectfully Submitted,
Marc A. Abplanalp Sr.
Secretary Orrington Planning Board

Louis Morin _____
Chairman Date Jan. 21, 2021