

Town Hall Meeting Room & Zoom Virtual Meeting Platform
Municipal Building
Minden Street, Greenville, Maine 04441
Minutes
July 12, 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, Noel Wohlforth, Joanie Withee, Jenny Ward (alt.) (In Jon’s absence, Jenny will have voting privileges.)

ABSENT: Jonathan Boynton

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

GUESTS: Michael Boudreau, Eric Stanhagen, Laurie Davis, Ed Jewett

GUESTS VIA ZOOM: None

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 28, 2021 presented.

Motion made by: Jenny to accept Minutes of June 28, 2021.

Seconded: Noel second. Minutes have been moved and seconded. John asked if there were any corrections, additions or omissions. Noel accepted the Minutes as written with corrections. Approved 5-0.

Adjustments: John previously asked Bill to find out if we need to have a Public Hearing and to also follow up on big box stores.

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

Report from CEO: Covering week of 6/28/2021 - 7/9/2021. Lurline asked Bill to explain what rip rap is. Bill explained that rip rap are rocks that are placed in gullies or ditches. Jenny inquired about the road opening permit. Bill said that when a road is cut into a Town road, they are required to fill out a permit and to make sure that within 21 days, the road is paved and up to Town specs. Usually, it is for Town water or sewer. Jenny asked where the house demo and new build is located. Bill said the house is located on the corner of Cross and High Streets. People wanted to know how to proceed and what is required.

Planning Board review on a non-conforming camp expansion for Mike Boudreau on Harmony Lane. Bill gave an overview of the Permit Application. Bill met with Dawn Hurd from the Maine DEP on June 28, 2021 and agreed that the structure is 25' from the high-water mark. Current structure is on posts and the expansion will also be on posts. The owner wants to square off the camp and put on a Gambrel style roof which is acceptable as long as it does not exceed 20'. The new addition cannot exceed 20% coverage, which it does not. Owner complies with maximum coverage. Jenny asked how the height of the roof is measured. Bill said from the ground. The peak cannot go higher than 20', but a chimney can go higher. Bill also stated that if Mr. Boudreau removes any dirt/soil within 75' of Moosehead Lake, he is required by rule to get a permit. Mr. Boudreau stated he will be using whatever is in place. Jenny asked if the soil will be disturbed if sonatubes installed. Mr. Boudreau said they are already in place. Jenny noted that there was mention of a bathroom on the plans. Mr. Boudreau said it is already there. John said then there will not be any extra stress on the septic system. Mr. Boudreau, no. John asked if there was a motion to approve with the following noted conditions:

- New structure expansion must be 25' from high water mark of Moosehead Lake.
- New structure expansion cannot be taller than 20' or existing structure height, whichever is greater.
- During construction, Owner must utilize Best Management Practices for Erosion and Sedimentation control, found in Land Use Ordinance for Town of Greenville, Article 6, Section 5.
- Owner shall apply for and receive (if required) a Permit by Rule from Maine Department of Environmental Protection, Natural Resource Protection Act. Owner must provide Permit to the Code Enforcement Officer before any construction will begin.

Noel moved to accept request as written with conditions. Joanie seconded. John asked for any further questions. Ed Jewett said he is the President of the Harmony Road Association and they are very supportive of the new construction and this will increase the value of the property. Mr. Jewett said since Mr. Boudreau is putting in four outside corners, he is requesting that the CEO pay particular attention to this aspect of the construction. John asked if the support pieces are already in the ground. Mr. Boudreau said they are four feet under the ground and have been there since 2004. Bill said if he was using concrete pads, you would need to get a permit. Bill also stated that since the Town of Greenville has less than 2,000 people, he is not required to enforce building codes. We ask that they follow MUBEC (Maine Uniform Building Energy Code). The MUBEC language will be put into the permit. There being no further questions, John asked for a motion to approve the permit for a non-conforming expansion. Approved 5-0.

Old Business: There are two issues that need to be addressed, the necessity for a Public Hearing and the definition of a "big box store". Bill gave the Members an e-mail from MMA. The Planning Board may decide to hold a Public Hearing on a subdivision as our Ordinance states. If we do hold a Public Hearing, there are certain standards that need to be met, but we do not have to have a Public Hearing, it is entirely up to the Planning Board. Jenny asked about notifying abutters of a subdivision. Bill said we are only required to notify abutter of the subdivision, but if a Public Hearing, then must notify all property owners within 300'. Jenny asked if the abutters respond back in a letter, will we need to hold a Public Hearing. Bill will look into this for further clarification. Lurline asked about the language in the second paragraph of the e-mail from MMA

- “although public participation is not required as it would be at a hearing”, but is it allowed? Bill will get back to MMA for clarification.

Next item is the question of what is a big box store. Bill said he checked with Roxanne Lizotte regarding this ordinance since she is very knowledgeable and was on the Planning Board when this ordinance which was enacted in 2019. She said they did not want any retail businesses over 20,000 square feet. Jenny asked if a current store could not expand beyond 20,000 square feet. Bill said he would need more information regarding the interpretation. Bill said they may be grandfathered in. Jenny asked what exactly is a big box store. Bill said anything over 20,000 square feet. Jenny said is it one building or multiple buildings on the same site? Bill said he will follow-up on the interpretation. Mike said he would think 20,000 square feet under one roof. Jenny said as an example, would be LL Bean. Three or four buildings on one site – home goods in one, kids' department in another – a campus clearly over 20,000 square feet. Mike said what about the local lumber company with many businesses. Jenny stated that this needs to be looked into.

New Business: Bill gave the Members a document from the 130th Maine Legislature, An Act Regarding Remote Participation in Public Proceedings. The State is requiring us to adapt and Ordinance on how we are going to conduct our remote meetings. This is especially for people on Zoom in attendance and how we are basically running our meeting. Mike gave this to the Select Board who turned it over to the Planning Board to do. They want the Planning Board to create the Ordinance and send to the Select Board for approval. John stated that this is not a Planning Board activity. The Planning Board has to do with property and land not with meeting protocols. Mike asked any ordinance? John-pertaining to land. Not an ordinance in general. Mike- what about input on parking. John-police. Our ordinances are for land use. Jenny-this is a meeting ordinance. Joanie said this about policy. That is for the Town and Select Board. They would have to be in charge of policy change not us. It should go back to the Select Board. John-we are all appointed by the Select Board and under their authority. Would be glad to do it, I'm not saying we won't. Mike-I think they want the Planning Board to do it and send it to them for review and acceptance. Jenny- I am on a couple of different boards and the same question came up whether a vote on-line is like a vote in person. Bill-something we need to look at. John-ask MMA what is appropriate policy.

Bill-Select Board said maybe it is time to do a noise ordinance. The Select Board has asked me, and the Planning Board, to work on this. John-I think it would be the Planning Board, like the lighting ordinance. Jenny-maybe when we issue a construction permit, state when work may begin. John-if noise is a disturbance, maybe the Police Department. Bill-does the Planning Board want to work on a noise ordinance or should I contact MMA? John-contact MMA for their opinion. Bill-what other towns have noise ordinances? Bill said he will do some research and maybe the Planning Board could do some research on their own. Noel said we need to see what is out there. Look at Rangely, Sebago Lake.

Items for next Meeting 7/26/2021. What we can do about a noise ordinance. Mildred Kennedy will be joining us for a pre-permit meeting regarding a proposed laundromat in an existing building on Lakeview Street. Bill said that she came into the office today and asked to be removed from the agenda.

What's on your mind. Noel reiterated his complaint about the condition of Pritham Avenue in front of his house. He also is concerned about the construction downtown. Construction workers and tourists are parking along the fence so people are walking into the road. Suggestions were made on how to possibly alleviate the problem. Bill and Mike will visit the site to see what can be done. Jenny was wondering if law enforcement could be made available to direct traffic. Lurline, no comments. Joanie said maybe it's time to put in a real light in the center of Town. A resounding no was heard. Mike met with DOT. Mike suggested a left turn lane coming from Indian Hill onto Pritham Avenue and a through lane. If this is done, no problem in keeping the blinking light. John had no comments.

Adjournment: Noel motioned to adjourn at 5:42. Jenny second. Approved 5-0.