

**TOWN OF SKOWHEGAN
PLANNING BOARD
MEETING MINUTES**

January 5, 2021

7:00 P.M.

Council Room, Municipal Building

PRESENT:

Steve Conley, Chairman
Steve St. Pierre, Vice Chairman
Stephen Gould, Secretary
Harvey Austin
Brady Chapman
Kris Laney
Joel Greenwood, Planner
Cynthia Kirk, Recording Secretary

ABSENT:

PUBLIC PRESENT:

Bryan Belliveau, Code Enforcement Officer
Chris Byers, Boyle Associates - on the phone

1) QUORUM:

Planning Board Meeting called to order at 7:00 P.M. Quorum was present.

2) MINUTES OF THE December 1, 2020 PLANNING BOARD MEETING TO BE APPROVED:

Motion by Stephen Gould to approve the December 1, 2020 Planning Board meeting minutes, with the correction of adding Joel Greenwood to the present list. Seconded by Steve St. Pierre. Motion passed 5-0.

3) SITE PLAN / SUBDIVISION

4) ITEMS BY THE PUBLIC:

5) COMMUNICATIONS:

A) Letter from Matt Smith regarding joining the Planning Board.

Steve Conley read the letter submitted by Matt Smith.

Harvey said he thinks Matt would be a good addition to the Planning Board. Steve St. Pierre agreed.

Motion by Harvey Austin to send Matt Smith's request unto the Board of Selectmen for approval. Seconded by Stephen Gould. Motion passed 5-0.

6) NEW BUSINESS:

A) Discussion and decision on the Flood Hazard Permit application submitted by Madison CSG, LLC for the property located at 414 Madison Avenue (Map 4, Lot 12-1).

Bryan said that the contractor Chris Byers from Boyle Associates will be calling in to join the meeting shortly.

Joel explained that this solar project is located in Madison however, parts of the access road going into the development is located in Skowhegan and within both the Flood Hazard Zone and Shoreland Zone. He said he was part of the project review in Madison and all of the permits necessary were received there. He said the work they will be doing on the road is quite minor. They will just be adding a layer of gravel to it and not widening it at all. Steve Conley asked what exactly is being done. Bryan explained that they will be doing some minor grading and adding some fill material to make the existing road more stable for the construction vehicles as well as emergency vehicles. Steve Conley asked if there was anything specific, they should be looking at within the ordinance regarding the Flood Hazard area. Joel said since these are just minor improvements to an existing road there really isn't anything in the ordinance that would prevent them from issuing this permit.

Chris Byers joined the meeting on the phone. (7:12 pm)

Bryan explained that Chris is the engineer for this project. Steve Conley asked if anybody had any questions for him.

Steve Conley asked if the road will be built to the standards of the Skowhegan Road Ordinance. Joel said the road is technically in Skowhegan. Bryan said that there is about 600' of road within the Shoreland zone and about 100' within the Floodplain. Joel said it is not going to be an official road rather more like a driveway into the project.

Chris Byers said they have obtained a DOT permit to be able to move the existing entrance into Madison however part of the road does cross into Skowhegan as you go up it and that is why they are requesting these permits. He said they will only be adding gravel to the existing road to improve it for the vehicles. They will not be altering the size of the existing road at all.

Motion by Steve St. Pierre to approve the Flood Hazard Permit application submitted by Madison CSG, LLC for the property located at 414 Madison Avenue. Seconded by Brady Chapman. Motion passed 3-0. (Stephen Gould and Harvey Austin abstained from voting)

7) UNFINISHED BUSINESS:

None

8) COMPREHENSIVE PLAN UPDATE:

Joel said that they have finally hired a new director down at KVCOG. He has been working with him during the transition so he hasn't had a lot of time to put together the next section to review of the Comprehensive Plan. He said now that the new director is in place, he will have more time to get things ready for the next meeting on January 19th. He thanked everyone for being patient and they should be able to get back on track with the update now.

9) ITEMS BY:

a) SELECTMEN:

b) DEPARTMENT HEADS:

Bryan said that the Staff Review Committee approved the trampoline park at 338 Madison Avenue last week. He said right now Steve Govoni is representing Dana Cassidy at this point and will be submitting building permit applications by next week. They are hoping to get started on this quickly and have it up and running by June of this year.

Bryan also mentioned that they will need to look into updating the Floodplain Management Ordinance. It hasn't been updated since 2001. We are now into the 2015-2019 regulations. Janet Parker from the Maine Floodplain Management Program reached out to him a couple weeks ago and she has actually put together an updated ordinance for the Town of

Skowhegan. Bryan said he is looking at it now and comparing it to our current ordinance and will be ready to discuss it at the next Planning board meeting.

c) MEMBERS:

Harvey asked if roadways to access farmland is exempt from the Shoreland zoning regulations and permitting. Joel said as far as he knows it is not exempt from the regulations and permit requirements if it is in the Floodplain or Shoreland zones. Bryan said he agrees that there aren't any exemptions for agricultural purposes if they are doing any earthwork or improvements to the roads in Floodplain and Shoreland zones. Harvey said that Tim Hewett had stopped and spoken with him regarding the Shoreland zoning permit that they had approved for him. Harvey said that Mr. Hewett had no intention of breaking the law by improving the road into his farmland however they had voted to set a precedent by charging him a double fee since it was an after the fact permit. Harvey feels that the only precedent they set is by going against the CEO and what he felt was a sufficient fee. He said he is sure that Bryan would bring it to their attention is someone was purposely trying to break the law. He doesn't feel that it was right to set a precedent with this case. Steve Conley said he also had a couple people talk to him about this situation with Mr. Hewett. Steve St. Pierre said the way he had looked at it was that there are a lot of people who can come in and play dump about the necessary permits they may need after they have already started their work. Stephen Gould said he thought that it says in the ordinance that they are supposed the charge more for after the fact permits. Bryan said it can be done with their discretion and isn't necessarily required. He said his fear is that if they start charging everyone double for these after the fact permits then a lot of people aren't going to come in and apply for a permit at all and just do the work and hope they don't get caught which is easy to do in these out of way places in town. Stephen Gould said there really needs to be a better criteria for them to follow. He said they also need to be careful about picking and choosing who to charge double because someone could potentially come back and sue the town.

Kris Laney said that Mr. Hewett had hired a contractor and it should have been the contractor's responsibility to know when a permit it needed and get the permit before he started any work. Kris said he thinks they really do need some specific guidelines that they can follow. Joel said they also still need to be able to look at things on a case by case basis in some situations. Kris said they should be able to rely on Bryan's opinion on these situations as well.

d) CHAIRMAN:

Steve Conley said to pray for our country. He said they might want to look into doing an ordinance regarding the election process to make sure their votes are counting the way they are supposed to.

e) STAFF:

Joel said they will be reviewing the Site Inventory and Analysis at the next meeting for the new medical office building for RFGH. Bryan said it will be located on 3 lots on Jones Street. Joel also said that in the future they will be reviewing a new possible 8 story building at the old KVI building site.

9) ADJOURNMENT:

Motion by Stephen Gould to adjourn at 7:46 p.m., Seconded by Harvey Austin.
Motion passed 5-0.

Minutes approved on January 19, 2021.

Chairman
