

**Town of Livermore Falls Planning Board**

**Agenda**

**Thursday, March 4, 2010**

6:00 P.M Planning Board Room,

Livermore Falls Town Office

2 Main Street Livermore Falls, ME 04254

\*\*\*\*\*

1. Call to Order
2. Consideration of minutes from meeting held January 7, 2010
3. New Business
  - A. Sewer Ordinance Comments
  - B. Parking Ordinance Comments
4. Old Business
5. CEO Report
6. Other Business
  - A. Public Participation – Opportunity for those who have not requested Planning Board Review to speak. Planning Board members reserve the right not to act on requests until the next Planning Board meeting.
7. Adjournment



# Town of Livermore Falls Planning Board Meeting Minutes March 4, 2010

**Members Present:** Guy Palmieri, Mellette Pepin, Scott Roberts, Elecia Pillsbury

Meeting called to order by Guy Palmieri at 6:20 p.m.

**Consideration of minutes from January 7, 2010.** Scott mm to accept as written, Elecia s. 4-0

## **New Business**

**Waste Water Ordinance** – Guy asked why the homeowner should be responsible for the cost of repairs within the town right-of-way. Scott asked how much these costs could be and what would be included in the repairs, would the homeowner be responsible for repaving the road? A member of the audience, Ken Pelletier, stated that if a homeowner with a private sewerage system is responsible for the cost to replace their system if it failed, then why shouldn't those on the public system pay for the whole repair. Scott stated that damages could occur within the right-of-way due to frost or heavy vehicle traffic that would not be the fault of the homeowner, while a homeowner with a private system has full control over the care of their system. Guy said he does not think repairs in the public right-of-way should be the responsibility of the homeowner. Scott mm. to table the Waste Water Ordinance discussion until the Board can receive more information or have someone present at a meeting to provide answers. Elecia s. (4-0)

**Parking Ordinance** – Guy stated that he feels the Parking Ordinance should have been done months ago and asked why it has not been done until now. Guy also stated that the times in VII Specific Regulations Section 2 seemed arbitrary. He asked why two hours are allowed in one area and one hour in the other areas. Mellette stated that in the past, in the Depot Street area in front of Village Pizza, there has been a problem with people parking for long periods of time. This interfered with the parking needs of the businesses located there. Guy agreed that parking spaces for the businesses in that area must be made available to them, otherwise the businesses could suffer. Scott said that he felt the amounts of the fines indicated in the ordinance seemed to be too high. He stated that we should look into what the average parking fines are in Maine, and we would probably see that these fines are above those averages. Mellette suggested that the Town should issue warnings to violators before fining them. A member of the audience, Ken Pelletier, stated that the Town should make sure that all of the new rules are clearly posted. Scott mm. to table the Parking Ordinance discussion until the Board can receive more information or have someone present at a meeting to provide answers. Mellette s. (4-0)

**Old Business – B's New and Used.** Rob informed the Board that he asked the State Fire Marshall's Office if kerosene space heaters were allowed to be used in commercial spaces, such as the one being used in B's New and Used. The Fire Marshall's Office stated that they were not allowed for any indoor use. Rob said he informed the owners of B's New and Used, and they immediately stopped using the heater.

**CEO Report** – Rob informed the Board that the Town currently does not have a standing Board of Appeals. Rob also stated that he had recently denied a building permit to the owner of a property on Wheeler St. and the property owner told Rob that he was going to seek an appeal of the decision. Rob asked the Board to let people know we need three BOA members.



# Town of Livermore Falls Planning Board Meeting Minutes March 4, 2010

Page 2

**CEO Report (continued)** – Rob asked the Board if they had any questions regarding the copies of correspondence and other materials from the file of Tax Map 15 Lot 85, 1 Birch Street Provided to them. He also asked if they had any questions about the upcoming Dangerous Building Hearing regarding that property. The Board did not have any questions.

**Other Business** – Scott would like to have an agenda item for a discussion on businesses opening without going through the Site Plan Review Application process. Mellette agreed that this is necessary in order to make sure all potential business owners are held to the same standards. Rob said he would make a list of any businesses in the Town that had opened without approval from the Planning Board. Rob also said he did not believe there were very many of these businesses. Guy agreed with Rob.

The Board agreed that the next meeting would take place on April 1, 2010, and asked Rob to check with the Board members at least a week prior to the meetings to confirm that the meeting was going to take place.

Guy mm. to adjourn at 6:59 p.m. Elecia s. (4-0)



*Town of Livermore Falls*  
*Office of the Town Manager*  
*James D Chaousis II*

To: Planning Board  
From: James D Chaousis II  
Date: 03/2/2010  
Sub: ~~Waste-Water Ordinance-Amendment~~

---

**Town Manager notes**

This is a house keeping suggestion that is current operating procedure for the sewer department. The method that was used to ratify the change has some liabilities. Therefore, I would request a recommendation on the proposed changes to the ordinance. I would then recommend that the Board of Selectmen add this to the annual referendum.

Proposed change to the "Waste Water Ordinance for the Town of Livermore Falls" voted and approved on June 11<sup>th</sup>, 2003.

**Currently Reads: (Article V, Section 2)**

**COSTS BORNE BY OWNER**

All costs and expense incident to the installation , connection and maintenance of the building sewer shall be borne by the owner to the property line easement or right-of-way. The owner shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

**Proposed Changes:(Article V, Section 2)**

All costs and expense incident to the installation , connection and maintenance of the building sewer shall be borne by the owner to the sewer main at the street. The owner shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.