



Town of Livermore Falls

CODE ENFORCEMENT OFFICE

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3321

Town of Livermore Falls
Planning Board (SPECIAL) Meeting
March 24, 2004
Livermore Falls Town Office

MEMBERS PRESENT: Guy Palmieri, Rod Wright, Stephen Deschesne, and Nancy McManemon..

OTHERS PRESENT: Please see the sign-in sheet for other participants.

At 6:05 p.m. Guy called the meeting to order. The first business item was to accept the minutes of February 18, 2004. The Planning Board members chose to wait for the next meeting to accept the minutes of February 18, 2004, because a majority of the Planning Board members that attended were not present at this meeting. This meeting was a special meeting because we did not have a quorum at the regular meeting of the month, March 17, 2004.

The code enforcement officer gave the Planning Board members information on the first application submitted by Corena Douin. Rick Greene was at the meeting as the manager of the business. Corena has bought the old Webber Building located at 85 Park Street, and she is proposing to operate an auto repair and sales business with wrecker service. This business would be reviewed under Section III, Subsection B-2 of the "site plan review application. There were concerns about a spill that had occurred years ago. Rick had given the code enforcement officer papers from the Department of Environmental Protection, (D.E.P.), stating that the spill had been contained and 91 tons of contaminated soil had been removed from the site. The letters stated that there are no pending violations on the lot at this time. Rick stated that the oil changed from vehicles is utilized in a furnace to heat his garage. His antifreeze is removed by a licensed business and brought to a facility to be disposed of.

Rick stated that he would like to utilize the cement abutments that are located on site as a retaining wall, and he would like to fill in behind them to level out an area. He is proposing to tear down a dilapidated building and will be utilizing this area for displaying vehicles. He is proposing 80 vehicles at this site. His hours of operation will be the same as Corena's current business permitted as Green's Auto Sales. Motion to find the application complete and grant the permit with the condition that no more than 80 vehicles shall be on the lot unless further approval is granted and all state/federal applicable permits are acquired Rod/Nancy (4-0-0).

The second review was Donna Dube and Waldo Souther. She is proposing to operate a convenient store with home cooked meals, pizza, subs, items of convenience, and off premise sales of beer and wine. The hours of operation will be 5 a.m. to 9 p.m. Sunday-Saturday. Alan Gove, the Town Manager, asked them if they were planning to recycle materials. Waldo explained that "Archies" was bringing a dumpster to the site within a couple of days, and he had said they could dump everything into that because he had a license to haul directly to the Town of Norridgewock. Alan explained that there is a Recycling Ordinance and encouraged them to recycle, however, because a licensed solid waste disposal company is hauling the trash directly to Norridgewock. they are not obligated to. The code enforcement officer brought it to the Planning Board's attention that a couple of the abutters had called in regards to the proposed store and had concerns about alcohol consumption on site. The code enforcement officer stated that the proposal was for off site consumption only, but would mention it at the meeting. The other concern was regarding trash blowing around. This issue had been addressed and one of the abutters concerned about the trash was at the meeting stated that he was fine with it as long as some type of trash receptacle was outside for people to dispose of their trash. A Planning Board member asked if there should be a public hearing. The code enforcement officer stated that if it was a change of use for the building then it would be a good idea, however, this building has been utilized for commercial purposes for a long time now. The code enforcement officer felt that because of this reason the Planning Board was not obligated to hold one. A motion was made by Rod/Nancy to find the application complete and grant the permit pending proof of all applicable state/local permits (vote 4-0-0).

Other business discussed dealt with a few applications the code enforcement was not sure if they needed site plan review. The first one was James Howes. He had a business located at 10 Dilman Lane that burnt in January. He would like to rebuild on the existing slab. The building he would like to purchase is 8' X 14' and he would like to add on in the future to make it the same size as his original building. He wanted to know if he needed to have site plan review. The Planning Board felt that if the business was permitted already, then he would not have to complete the site plan review process. If the business had never been approved, then they felt he should come in for approval.

The second applicant was John Johnson who is proposing to open a taxi service out of his home. Rod had a question on weather this would be considered a home occupation, because the cars are actually the biggest part of the business. The code enforcement officer will ask M.M.A. for a legal opinion. The last question was regarding the American Legion Department of Maine. They have been producing flags for many years. They would like to increase their funds by producing flags and charging for them. The reason for this is BINGO is not bringing in enough income to keep them open so they are proposing ideas to produce income so they can stay operational. The Planning Board felt that this would not need site plan review because it is something they have been doing all along, and if they can make a profit to help the organization then they should be able to continue to.

Guy asked for input from the Planning Board regarding changing the monthly meeting to the first Wednesday of every month instead of the third. The majority of the Planning Board felt this was a good idea. The code enforcement officer will check the schedule to make sure it does not interfere with any other meetings. Motion to have the next Planning Board meeting on April 7, 2004 Guy/Rod (vote 4-0-0).

The last topics discussed at the meeting were the pawnshop and intent to build ordinance. The code enforcement officer stated that time was running out for any proposals for the next Town Meeting. Some changes were made to the intent to build ordinance. The code enforcement officer will retype the ordinance and give a copy to the Planning Board for final review before sending it to the Board of Selectmen. The pawn shop ordinance is from the state and the Planning Board felt it was fine the way it was written. Rod/Guy motion to move this ordinance forward to the Board of Selectmen (vote 4-0-0).

Motion made by Nancy to close the meeting and a second made by Stephen (vote 4-0-0). Meeting closed at 7:50 p.m.