

LIMERICK PLANNING BOARD MINUTES-Approved 8/3/22

July 20, 2022

Aaron opened the meeting with the flag salute at 7:00 pm. Aaron, Jason, Greg, Wendy and Demetria were all present.

PUBLIC HEARING:

Aaron opened the public hearing for Lou Capozzi and Lisa Huntress-Capozzi for a Home Deco and Furnishings business 67 Main Street Limerick Map 30 Lot 23.

Lisa gave a good presentation of the plans for their new business and there was no one not in favor of the project from either the board or the audience.

Aaron closed the public hearing at 7:12 pm.

MINUTES:

There was a motion by Demetria and seconded by Aaron to approve the minutes for June 15, 2022.

Vote 4-0 In Favor Wendy abstained

WALK-INS:

None

NEW BUSINESS:

There was no one present from DMR Properties to give an overview of the minor subdivision Quarry Valley on the Quarry Road this will be on the agenda for discussion at the August 3rd meeting.

OLD BUSINESS:

Shawn Girard was present with a packet of information concerning the 4 items that the Appeals board ordered and distributed it to the board members; there was a brief discussion and Demetria motioned and Aaron seconded the motion to table this until the next meeting. Aaron explained that the board needed time to review the information Shawn had just given them concerning the four items in the Zoning Board of Appeals order.

Vote 4-0 In Favor Wendy abstained

REVIEW: Capozzi Conditional Use

Article VII – Conditional Uses

NOTE: For all the 16 questions one of the board members read the answers provided to the board by the Applicants, a copy of these answers is to become part of these minutes for reference.

A. A conditional use permit is designed for those uses, which may be permitted as a service to the community or for the benefit of the town's general welfare. The standards of this provision are designed to ensure adequate control of the location, design and operation of conditional uses.

B. The Planning Board may approve an application for a Conditional Use Permit if the applicant demonstrates that the proposed use:

1. Will meet the definition and specific requirements set forth in this ordinance for the specific use; Wendy motioned and Demetria seconded the motion based on the information provided by the Applicant, the site walk and public hearing this condition has been met.

Vote 5-0 In Favor

2. Will not have a significant detrimental effect on the use and peaceful enjoyment of adjacent or nearby property as a result of noise, vibrations, fumes, odor, dust, light, glare or other cause; Aaron motioned and Wendy seconded the motion based on the information provided by the Applicant, the site walk and public hearing this condition has been met.

Vote 5-0 In Favor

3. Will not have a significant adverse effect on adjacent or nearby property values; Jason motioned and Demetria seconded the motion based on the information provided by the Applicant, the site walk and public hearing this condition has been met.

Vote 5-0 In Favor

4. Will not result in significant hazards to pedestrian or vehicular traffic or significant traffic congestion; Greg motioned, and Jason seconded the motion that there be no backing out onto Route 5 by vehicles.

Vote 4-0 In Favor Aaron abstained

5. Will not result in significant fire danger; Aaron motioned, and Demetria seconded the motion based on the information provided by the Applicant and the fire chiefs report, this condition has been met.

Vote 5-0 In Favor

6. Will not result in significant flood hazards or flood damage, drainage problems, ground or surface water contamination, or soil erosion; Aaron motioned and Dottie seconded the motion based on the information provided by the Applicant, the site walk and public hearing this condition has been met, the paved area and seeded areas will not create runoff or drainage issues.

Vote 5-0 In Favor

7. Will not create a safety hazard because of inadequate access to the site, or to the buildings on the site, for emergency vehicles; Aaron motioned, and Wendy seconded the motion based on the information provided by the Applicant, the site walk, this condition has been met.

Vote 5-0 In Favor

8. Will not create hazards to motorists traveling on adjacent public streets, is adequate to the safety of occupants or users of the site and will not damage the value and diminish the usability of adjacent properties; Wendy motioned, and Greg seconded the motion based on the information provided by the Applicant, and the site walk this condition has been met.

Vote 5-0 In Favor

9. Makes provisions for buffers and on-site landscaping, which provides adequate protection to neighboring properties from detrimental features of the development; Aaron motioned, and Jason seconded the motion based on the information provided by the Applicant, the site walk and there being gardens and shrubbery this condition has been met.

Vote 5-0 In Favor

- 10.** Makes provisions for vehicular loading and unloading and parking for vehicular and pedestrian circulation on the site and onto adjacent public streets which neither create hazards to safety nor impose significant burdens on public facilities; Aaron motioned, and Wendy seconded the motion based on the information provided by the Applicant, the site walk and public hearing this condition has been met.

Vote 5-0 In Favor

- 11.** Makes adequate provision for disposal of wastewater or solid waste and for the prevention of ground or surface water contamination; Aaron motioned, and Greg seconded the motion based on the information provided by the Applicant and the site walk, this condition has been met.

Vote 5-0 In Favor

- 12.** Makes adequate provision to control erosion or sedimentation.; Aaron motioned, and Wendy seconded the motion based on the information provided by the Applicant and the site walk this condition has been met.

Vote 5-0 In Favor

- 13.** Makes adequate provision to handle storm water run-off and other drainage problems on the site; Jason motioned, and Wendy seconded the motion based on the information provided by the Applicant about existing drainage on the property this condition has been met.

Vote 5-0 In Favor

- 14.** Provides for a water supply that will meet the demands of the proposed use; Aaron motioned, and Wendy seconded the motion based on the information provided by the Applicant this condition is N/A.

Vote 5-0 In Favor

- 15.** Makes adequate provisions for the transportation, storage and disposal of hazardous substances and materials as defined by State law; Aaron motioned, and Wendy seconded the motion based on the information provided by the Applicant this condition has been met.

Vote 5-0 In Favor

- 16.** Will not have an adverse impact on significant scenic vistas or on significant wildlife habitat, which could be avoided by reasonable modification of the plan; Aaron motioned, and Demetria seconded the motion this condition is N/A.

Vote 5-0 In Favor

ANSWERS TO CONDITIONAL USE REQUIREMENTS by APPLICANTS

FOR A RETAIL ESTABLISHMENT SELLING HOME DECOR/FURNITURE/VINTAGE WARES/GIFTS

Project Plan Description-We are requesting an amendment for a change in use to the existing conditional use permit to establish a retail store in Limerick on Map 3, Lot 23, located at 67 Main Street, Limerick, Maine on a 2 acres site.

CU #1 The purposes and definition of a conditional use contained in the Limerick Ordinance are satisfied by this project as follows. The use is conditional as specified in the land use chart as a retail establishment. This type of business requires a conditional use permit in the RFF district. The retail establishment is planning on hiring 2-4 part time employees to assist with the daily operations of the business. An informal survey of Limerick residents indicated that this type of business would be a welcomed business to the area and would support other types of businesses and the business revitalization efforts on Main Street. The retail establishment should attract residents locally, adjacent towns and seasonal tourist. No public funds or public utilities will be required by the project.

CU #2 The property site is listed as RFF district at 67 Main Street, Limerick, Maine on the right side of the road heading south towards Waterboro (Route 5). It is directly across the street from the Calvin Baptist Church and has three residences that abut the property. Our business would be active seasonally from April 1st through December 31st. Operating hours are expected to be from 9AM-5PM Wednesday-Sunday (there may be times that the business may have special sales or events and hours of operation will be extended to 8pm-only on occasion). The business may receive shipments/deliveries of goods and product on non-operational days

(Monday-Tuesday). Outside lighting will be used for signage, and the change of seasons or the occasional extended business hours. The business area will be confined to the existing barn, front decking of the barn, parking lot, side entrance of the barn which will be used for (handicap parking/loading/receiving of goods), courtyard area in front of the barn. There should be minimal noise dealing with the business and no concerns to the neighbors.

CU #3 There will be no adverse effect on adjacent property values. Property is kept maintained and clean. There is two neighbors in proximity or view point of the proposed site area and there is an inactive historical church directly across from the property. Views of the business will be primarily seen by frontal footage of traffic on route 5. Neighbors are far enough away to minimize disturbances to them by sites or sounds emanating from the business.

CU #4 Route 5 is a busy road at certain times of the day and seasons. The location of the business is visible from the road and meets the required distance from both directions allowing plenty of time for vehicles to enter and leave the property without creating hazards to vehicular traffic traveling route 5. Prior to the construction of the barn, we had the town Road Commissioner, Robert Richardson come to the property to assist with where roadways should be created and parking suggestion that would meet the town requirements and Maine DOT. Projected use is expected to be light to moderate during business hours. All customer parking will be onsite of business property with five parking spaces (one will be designated for handicap parking) in front of barn, handicap parking next to side entrance of barn will also be allowed if needed, additional parking behind barn will be offered. The parking lot for vehicles far exceeds the requirements set by the town.

CU #5 A fire extinguisher will be located inside the business and personnel will be trained in its use once a year and upon hiring. There is also wiring in place for light up exit signs inside the barn at all points of exit.

CU #7 There is a 15 ft paved driveway that allows access for emergency vehicles to enter the property. The fire chief previously visited the site location and approved access with no concerns.

CU #8 Lighting-the business will have two granite light post at the front of the barn, lights on both the road and building signage, both sides of barns walkway and driveway, additional parking will have lighting and inside business lighting. All lighting will be LED and soft white lights. Various interior lights will be used inside the barn during hours of operation.

CU #9 The property has many shrubs and flowers planted in garden areas.

CU #10 Traffic will enter designated parking areas and roadways in front and next to the barn and will exit the same way. The roadway next to the barn was built for two-way traffic and meets all required footage for traffic flow. There will be proper signage with directions on

parking and designated handicap parking areas. There are plans to create a business sign for the business placed on the barn and a two-sided sign with business hours on a metal or wood supporting structure. The retail business will follow all guidelines set by the town when having a business sign created and placed on business structure.

CU #11 Solid waste will be minimal. The business will recycle all boxes and packing material produced by product packaging and goods.

CU #12 & 13 Every effort has been made to minimize erosion and protect the environment from operational use. The areas of the business mainly consist of pavement, greases, trees, shrubs, and flowers. The intent is to keep the area as natural as possible.

CU #14 There will be no water demand for the business.

CU #15 No hazardous materials **will** be used on property.

CU #16 N/A

SPECIFIC CONDITIONS OF APPROVAL:

Aaron read the following statement;

This approval is dependent upon and limited to the proposals and plans contained in the application and supporting documents, including the supplemental and revised plans, the oral representations submitted and affirmed by the applicant, and conditions of approval imposed by the Board. Any variation from the plans, proposals and supporting documents and representations, except a change determined by the Code Enforcement to be a minor change that does not affect approval standards or conditions of approval, is subject to the review and approval of the Planning Board prior to implementation.

APPROVAL:

Greg motioned, and Demetria seconded the motion to grant the conditional use.

Vote 5-0 In Favor

ADJOURNMENT:

Wendy motioned and Greg seconded the motion to adjourn the meeting.

Vote 5-0 In Favor

ANNOUNCEMENTS:

The next meeting will be August 3,2022.

Respectfully submitted:

Joanne L. Andrews

Planning Board Secretary