

TOWN OF CASCO

PLANNING BOARD MEETING MINUTES

SEPTEMBER 11, 2023

Community Center Meeting Room

Planning Board Members Present: Ryan McAllister (Chair) Pete Watkins (Vice Chair), Mark Rouque, Kendra Osbourne, Tuan Nguyen

Planning Board Members Absent: Michelle Williams (Alternate)

Staff Present: John Wiesemann, (CEO) Mary Tremblay (Deputy CEO)

Public: See Sign in Sheet

First Order of Business:

Ryan (Chair) called the meeting to order at 6:33 pm, there was a roll call of members to determine a quorum.

A quorum was determined.

- Public Participation of Non-Agenda Items

Gene Connolly requested a moment of silence for 911.

Old Business:

- Approval of July 10, 2023 meeting minutes tabled from the August 14, meeting

Tabled till next meeting not prepared

- Town of Casco Solar Ordinance, Review Amended Draft per Legal, Vote to Accept to Hold a Public Hearing

Tuan did not see a lot in the ordinance, which references the intent of the solar ordinance in the residential district and feels it is important to add some sort of control for volume approved and protections of the land like soil testing, the Maine Farmland Trust recommends that. However, he will support public hearing and let the public comment.

Further comment from the Board

Pete notes the board has covered a lot and would like to see it go to public hearing

Comments from the public

Chris Meyers noted it looked good and would like to see it go on to public hearing and advance to the selectboard for public meeting.

No further public comments

Marc moved to advance the Solar Ordinance as written to Public Hearing
Pete seconded the motion
The Board voted 5-0 in favor

New Business:

- Spiller Farm II Subdivision Amendment; Addition of Lot 5, Revision to lots 2 and 3. Applicant Linda Horton of 202 Tamarack Trail, will be represented by Terradyn Consultants

Jim Courbron noted in 2021 the subdivision was last amended. Ms. Horton wishes to gift a 3.75-acre portion "lot 3" parcel to her daughter. Ms. Horton also wishes to revise the lot lines between Lot 2 and 3 of the subdivision to increase the size of Lot 2, which will be from 3.99 acres to 31.91 acres. This will result in the creation of a fifth lot within the current subdivision. All lots will remain conforming.

Board Comments:

Marc asked how does adding a 5 Lot to a minor subdivision changes the requirements

Pete noted it changes it to a major subdivision and the road would have to meet private road standards, Fire Chief may want some type of fire suppressions so it he would have to review.

Ryan noted concerns about grade of road and access to water. He does not believe Chief Cole has seen this application as of this time

Jim Courbron noted he was hoping to waive the roads requirements since it is just all family, once reviewed by the Chief.

Pete noted possible hammerhead on the road plan

Jim Courbron noted that would be possible there is room for a hammerhead turn-a-round

Ryan stated at the very least at this point is to have Chief Cole weigh in on this application. Have the road design updated and put before us.

Pete suggested tabling the application until the chief weighs in on it. The Board will not be able to go any further until that is completed.

No more comments or questions

Ryan asks for a motion from the Board

Tuan moved to table discussion pending review by Chief Cole

Marc seconded the motion

The Board voted 5-0 in favor

- Pine Tree Maine 2, LLC, Represented by Lindsay Holden for a Site Plan Review for an Adult Use Marijuana retail Store as per the Marijuana Establishment License application and the town of Casco Marijuana Ordinance. The Proposed Facility Location is 325 Roosevelt trail, Map 2, Lot 14-4

Ryan noted the first would be is to determine a complete application from the previous meeting.

Pete noted it was a business at one time for the trucks; there was an office inside the house, and the business out of the garage. The town found it conforming at that time for drainage.

Ryan noted did it exist prior to the current performance standards, and increased to where it could potentially affect abutter's street or right-of-way.

Tuan noted was that a home based occupation or was it changed from residential to a commercial use

John stated he does know it was changed but not aware if it was a home occupation. Possibly in "07"

Ryan noted as of this time we do not have the official records of it changing uses or not.

The driveway was discussed along with a storm water plan which to proof what the applicant is proposing is not negatively impact the ROW, up Red Mill, 302 or abutters, as set forth by the Site Plan Review criteria.

The applicant would like to leave the parking lot as is she does not need all that is there for 20 parking spaces 5 would be fine. If left as is and not changes does she have to do a plan?

It is noted it was a business and was accepted then, if she was changing it than yes, it would need a plan.

Ryan stated he is trying to conclude if there is a completed plan and trying to sort out whether or not the board is going to accept the storm water drainage plan # 3 and #4 on the checklist as not required.

The applicant noted she is happy not to do anything with the parking lot; there will be nine total lots. The garage and the metal barn is not being rented by the applicant

Pete asked besides the storm water plan was there anything else that held up the application from being complete.

Ryan noted the applicant has made a solid attempt to get the board the information they had requested, with the exception of the storm water management plan criteria.

Ryan stated following the process of the site plan, the board should decide if the plan is complete and if it is vote as such and set a site walk, schedule a public hearing, and deliberate on the merits of the application.

Marc moved the accept the application as complete

Tuan seconded the motion

The Board voted 5-0 in favor motion passes

A Site Walk for Pine Tree Maine 2, LLC Adult use Marijuana Retail Store 325 Roosevelt Trail Map 2 Lot 14-4 was set for October 2, 2023 at 5:30 pm with a regular meeting to follow.

Tuan moved to set the Solar Public Hearing for October 2, 2023

Kendra seconded

The Board voted 5-0 in favor motion passes

- Site Plan Review Presented by Derek Januszewski and Dennis Mirabito of 50 Rabbit Run Lane, Casco Maine, Map 3 –Lot 9 Representing Pachamama Church,
Requesting to Host Sanctuary Church Services at their Property

Stephean Chute ask if his letter was part of the record

Ryan stated yes, it is.

Applicants were a late arrival

Dennis Mirabito presented the Site Plan to the Board

Change residential use to Church but keep residential for owners to live on site. Went through the checklist of the application and many were not applicable since no changes were being made to the property, space or the building. They were told by

code enforcement that the septic and safety requirements need to be updated. A contractor was requested to go through the building and go over what would be needed for safety. Double out swinging doors with panic handrail, handicap access railings ramps exit signs above doors. They hired a site evaluator for septic design, which are being done. 867 gals. per day in addition to current so a total of 1067 gals. per day.

Tuan asked what is your purposed use of the property.

The applicant stated used as a church as well as the retreat center. 20 to 30 up to 40 with owners and volunteers and be a residence for the owner

Tuan noted so the structure would be re-designated as a church

The applicant noted correct

Tuan asked what is the retreat center

Applicant noted they are all one in the same

Tuan noted so what the application is asking is changing the use of the structure to a church

Applicant noted yes

Tuan asked the Board for a discussion on the definition of a church in the ordinance
Tuan noted he said it is remaining a residential dwelling

Applicant noted there would be an owner living there yes.

Tuan noted the vast majority of the time it will be a residential dwelling

Applicant stated correct

Tuan as a secondary use it will be use for the conducting of organized religious services and accessory use.

Applicant replied yes.

Tuan noted that does not meet the definition of a church and does not know how the Board can prove that given that the primary intended use of the structure is a residence and not a church. He noted he has many questions regarding this and if the structure does not meet the definition he does not know how or feel they need to go any further than that.

The applicant could pull the entire application and present a new one since it would not be a minor change; it would need to be presented as a new application meeting the definition of a church.

Tuan moved to deny the application because the proposed use does not meet the definition of a church.

Pete seconded the motion

The Board voted 5-0 in favor of the motion

The motion passes.

Ryan noted the next regularly scheduled meeting is not going to be October 16, 2023. It will be October 2, 2023 here at the community center at 6:30 after the site walk at 5:30.

Adjourn Meeting:

Tuan moved to adjourn the meeting

Pete seconded the motion

The Board voted 5-0 in favor

Ryan McAllister, Chair,
Planning Board
Town of Casco

Respectfully Submitted,
Mary Tremblay
Deputy CEO, Administrative Assistant
Town of Casco

Reminders to the Attending Public: Planning Board Meetings are open to the public, but the public may not speak unless recognized by the Board Chair or Vice Chair in their absence. Except during a public hearing, comment time is limited to 2 minutes per speaker during public participation. Matters related to personnel will not be heard.