



**Town of South Thomaston, Maine  
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**Planning Board:**  
Ervin Curtis (Board Chair)  
Ryan Minikis (Board Vice-Chair)  
Gabriel Tomasulo  
Catherine Bendheim  
Kearney Neagle

### **Planning Board Business Meeting Minutes**

Date: August 19<sup>th</sup>, 2021, at 6PM

Place: Town Office Community Room

#### **Meeting Minutes:**

Revision: 0

1. Roll call – Planning Board Members in attendance were Erv Curtis, Ryan Minikis, Kearney Neagle, Gabe Tomasulo, and Catherine Bendheim. Also present were CEO Corey Fortin, Anna Geneseo, Jim and Daniel Hendricks, Matt Bonner, Elizabeth Hilchey, Lee Karker, and Karen and Ron Russell. Chair Erv Curtis was remoting into the meeting, so there will be a roll call vote per remote policy.
2. Call the meeting to order – The meeting was called to order by Vice-Chair Ryan Minikis at 6:00PM.
3. Review minutes of the June meeting – The minutes from the June 17<sup>th</sup> meeting were distributed to the planning board members. No comments. Curtis makes a motion to approve the minutes, Bendheim seconds. Minutes approved 4-0-1. (Neagle abstained.)
4. CEO's report – The CEO handed out year-to-date permit information. No major updates to give currently. Tomasulo asked if permits are public record, to which CEO Fortin replied yes.
5. New Business
  - a. James Hendricks – Catering Business -

The board did not have the signed, completed application from Hendricks so they will not be doing the Performance Standard Review. This meeting will be a discussion and guidance for the Hendricks to return next month. James Hendricks begins speaking; he purchased his father's home at 305 St. George Rd. Abutters are James' sister and his own property. The upstairs is rented out, the downstairs is not livable/rentable. The goal is to obtain a liquor license



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eventually and serve mainly alcohol for events. The area has its own separate entrance from the above tenant. May serve small appetizers but will mostly be providing bartending services. There will be no day-to-day operation, and no big traffic increase. The site will be used for picking up and dropping off between events. There will be 4 employees. No regular hours of operation, just on days of events for 1 or 2 hours at a time. Will install some covered LEDs inside to prevent shattering. No additional septic needed per applicant, but CEO will need to verify that. Area is a 4-acre plot, nearest neighbor is applicant. Is also 100-200ft from the property line of the vacant lot abutting. Hendricks' sister also abuts the property but will be co-owning the business. There is a property across the street, it's currently for sale. Bendheim asks about the boiler room being enclosed in the basement, will the upstairs tenants have access? Hendricks says the tenants did not ever have access. Initially the Hendricks would incorporate this catering business to provide their wedding barn venue but hope to expand. There is one tenant upstairs. Per Fortin, the septic for the building is only good for a 2-bedroom house or 180 gallons/day. Septic built in 2004 with the house. Fortin suggests a site evaluation, and Minikis suggests having a septic design before the next meeting. Chair Curtis asks if the wiring coming in is 100 amp or 200 amp. Hendricks isn't sure but believes 200 amp. Wiring also constructed in 2004. Chair Curtis would like to see a plot plan of the building and how it pertains to abutters and the road at the next meeting. Bendheim asks about food storage capability. Hendricks replies that the goal is not food-serving, so there should be mostly small amounts of dry storage. The business will focus more on alcohol and serving alcohol. Any caterer can provide alcohol once they have obtained their license from the state. Curtis asks the CEO to research issues or conflicts with the town ordinances before September's meeting. There will be no sales or service of alcohol at the site. All sales and service will be done off-site. Curtis asks about notifying abutters. *(At this time, Minikis makes a motion to modify the agenda and talk to the board about initiating a notice workstream and potentially needing to amend the by-laws to reflect the change. Bendheim seconds this motion. Vote approved 5-0. This amendment to the agenda has been added after public comment. \*\*\*)* Minikis asks if there are any fire safety requirements. Hendricks says no as there will be no public involved. CEO will research to see if the business will need any approval from the Fire Marshall before September's Planning Board Meeting.



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**b. George's River Land Trust parking lot application, Hopkins Dr trailhead -**

Matt Bonner begins as the trails and access manager for George's River Land trust. Last year, the trust acquired a parcel that they would now like to turn into a land preserve. He presents 3 permits to the board, one for a parking lot, one for a bridge over a bog, and one for chairs on the waterfront. There are kiosks going up around the site, but there may not be a need for a permit. CEO and Bonner will investigate this further. There are no other parks or trails in town. The first permit is for a 10-car 25ft by 60ft parking lot abutting an existing fire road. The second permit is for a low-impact bog bridge that crosses wetlands to minimize impact to the land and keep feet clean. The total bridge will be 3 ft by 60ft; 10ft will be over a stream, remaining 50 ft will be over wetlands. The third permit is for 2 6 ft picnic tables and a couple Adirondack chairs near the shore. Bonner was unsure if chairs were considered a structure and whether they would need a permit at all. About 80% of the trails are pre-existing, old logging roads. They will need to cut a small 3 ft meandering path. Path slightly crosses abutting property. The land trust owns the road, but shares right-of-way with the abutting property owner. The deed for this property states the mutual agreement. This property is owned by Perkins & Monahan. Bonner says they are in contact with abutting owners. Minikis asks for copies of letters and a list of people notified. Bendheim asks if there will be a bike rack, to which Bonner says no, but will consider it. Tomasulo asks if this application warrants a change-of-use for the property. The property is on a private road, and property owners share cost of maintaining the road. Bonner believes they will most likely take more of that upkeep cost in the future once the preserve is open to the public. The road is 20ft wide. Has heard from some neighbors casually and they seem enthusiastic. The land trust will be putting up a sign but will keep in contact with the CEO to ensure proper protocols are followed. Curtis asks if the permit is necessary for the chairs and tables as they aren't permanent structures. Curtis also asks if the bog bridge needs any DEP permitting. Bonner is 60% sure the water body will classify as stream, waited on submitting permit to DEP until met with the planning board. Curtis makes a motion to strike the 3<sup>rd</sup> permit for the chairs and tables, seconded by Tomasulo. CEO recommends Bonner come to him with change-of-use application, from the property used for timbering to recreational-non-commercial. Minikis asks that Bonner come back next month with a change-of-use application



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and proof of notification to abutters. Bonner asks if it would be possible to approve the parking lot for the land trust to get started on. Minikis says that would not be possible as there's no need for the parking lot until there's a successful change of use. Curtis makes a motion to table until September's meeting, seconded by Minikis. Vote approved 5-0. The board will review the performance standard review for the property at September's meeting.

6. Public Comment – Elizabeth Hilchey stands up with questions regarding the Hendricks' application. She asks if the project is an addition or renovation, to which Minikis said this is a renovation. She also expresses concerns with the amount of dust on the newly made road. Hendricks says they will be paving the first 18 feet from the street once construction is completed. There will be no increased traffic to stir up any more dust from the catering business. She also asks about fire rescue access to the barn and the catering business. Minikis says he has been in touch with Chief Bryan Calderwood regarding the barn. Hendricks has also talked with Chief Calderwood, and the road is easily drivable per the Chief. In the future, Hendricks said he may work with the Chief to establish a fire pond on the property for fire rescue access. Hilchey is still concerned about dust, but Hendricks says he has tried to create dust on the road to no avail. If the dust is a problem once the project is completed, the Hendricks may treat with Sodium Chloride to reduce dust.

Lee Karker asks for a few clarifying questions for the Hendricks' project. He asked about the sound levels for the wedding barn. Per the town ordinance, the noise level will not increase 65 decibels at the property line. Karker also expresses his appreciation for the board to be re-evaluating their notification policy. Curtis says there was no ordinance for notification requirements when the wedding barn was approved. Since, the board has revised their by-laws, and Curtis has worked towards sending out abutter notices. The planning board and select board will continue to meet and discuss notifications for abutters and neighbors this fall.

7. \*\*\*Discussion of a notice workstream – Minikis begins by suggesting a workshop to work on the notification process. There are certain elements that need notice; where is the line drawn on what gets a public hearing? The current criteria for a public hearing is for a planning board member to make a motion for one during a routine meeting. Revising the by-laws is the start to updating and getting on the same page for public hearings and notices. Tomasulo says there should be a limit to notifications, and the board cannot



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change the application process for CEO-based approvals. The planning board by-laws only cover the applications that come to the planning board. Tomasulo, who is also a member of the Ordinance Review Committee, reminded the board that to make a change regarding the CEO's approval policy they would need to submit a recommendation to the Ordinance Review Committee. Curtis said he received an email from Select Board Chair John Spear regarding recommendations for the planning board and jurisdiction of each board. The board agrees to schedule a workshop in September to review By-Laws. Bendheim brings up the issue of timing, citing getting application materials and agendas by email a few days prior to the meeting. Minikis states the planning board policy has typically been to review the application and give feedback to the applicant at one meeting, and then vote at the meeting the next month. Bendheim suggests designing a standard notification form for applicants to fill out and complete. The board continued to discuss possible notification ideas and public hearing requirements to be discussed at the workshop.

8. Establish action items for the next meeting – The next monthly Planning Board meeting is scheduled for Thursday September 16<sup>th</sup> at 6:00PM in the Community Room in the Town Office. Minikis moves to schedule a public workshop for the notification process on Thursday, September 23<sup>rd</sup> at 6:00PM in the Community Room in the Town Office. Tomasulo seconds the motion. Vote approved 5-0. Bendheim brings up email communication between members. The board reiterated there should be no planning board-related discussion or deliberation outside of public meetings between members. Members can email Chair Curtis with questions or suggestions for upcoming meetings. The board also plans on reviewing the Performance Standards for each application tonight at the September meeting.
9. Adjournment – The meeting was adjourned at 7:36PM by Ryan Minikis.