

**DRESDEN PLANNING BOARD
P.O. BOX 30
DRESDEN, MAINE 04342
MEETING MINUTES FOR JANUARY 05, 2016**

Present – Jeff Pierce, Linda Biden, George Dorr, Hope Douglas, Peter Lincoln and Dan Hanley. Ken Stewart, jr. is absent.

Others – Jeff Biden (applicant), Maia Zewert (Lincoln County News) and Shari Lilly (recording secretary).

Meeting opened at 6:30 p.m. by Chairman, Jeff Pierce. Pledge of Allegiance was recited.

ITEM #1 – REVIEW MINUTES OF DECEMBER 15, 2015 – Peter mentioned the omission of the name of the surveyor for Mr. Condon. The only one listed was David Starr (surveyor for Don & Deb Swift). Jeff said Mr. Condon's surveyor is mentioned in the latter part of the minutes. Linda made a motion to approve the minutes with the note of missing names on the list, but are mentioned further in the minutes. Hope seconded. Motion carried by unanimous vote.

ITEM #2 – PRELIMINARY HEARING - JEFF BIDEN – PROPOSED FAST FOOD DRIVE-IN RESTAURANT 779 GARDINER ROAD – MAP R-2, LOT 43 – RURAL LIVING DISTRICT - Before going into the proposal, Linda advised Jeff that as she is married to Jeff Biden and will be a partner in the project, she wants the members to decide if they feel she can be a part of the Board action or if she should recuse herself. Jeff thanked her for that and after discussion with members, it was felt that Linda would be able to continue on the Board at this time. Jeff then asked Mr. Biden to give his proposed plan. The plan is to build a small building to use approximately five (5) months a year as a drive-in fast food service selling take-out of hamburgers, hot dogs, lobster rolls, and perhaps shakes and sodas. They have their own cattle which are oftentimes grazing in the fields near the area they plan to build on Gardiner Road. This will be the meat they use in the burgers. Other products they hope to buy locally. It would be located just north of Here's The Scoop (the ice cream business) and would be a take-out business only.

George – if take out only, would you have any area for people to eat outside? Mr. Biden said they plan to have some picnic tables outside, but there would be no seating inside. He may also have a porch area. He said he is meeting with an Evaluator this coming Friday. The building would be approximately 16' x 40' which would include restrooms and possibly an overhang which could make up to a 40' x 40'. He will bring in a design for the Board members to go over. The building will probably be on a slab which will have appropriate frost walls.

Peter asked if he has to limit what he can do on his land which is 32 acres. Jeff said he can use up to 2/3 of the area. Depending on what he has for food eating areas (picnic tables, etc.) he will have to plan for parking spaces. He can figure that out from the Town Ordinances and when he talks to the evaluator. If he does decide to cut down the 32 acres, he'll need to let the Board know.

Hope thinks this is a good idea, so she has not questions at this time.

Linda said the hours of operation are planned for 11 a.m. - 7 p.m., but they may decide to have later hours for certain nights and time of year.

Peter asked if he may want to go longer than five (5) months. Mr. Biden said he doesn't plan to at this point, but it could be a possibility in the future; especially when snowmobilers are riding. Peter said he may want to set up some type of indoor area when it gets later in the season.

When asked if the property abuts Here's The Scoop, Mr. Biden said there is property owned by Joe Lemar that is between his property and HTS.

Dan asked if the building would be located on the side that is closest to Here's The Scoop. Mr. Biden said he plans to have it in the NW corner which is nearer to his well.

George said that at this point, it's a good idea, so he has no further questions.

Jeff said he will need to have a plan for sizes, signs, parking, lights, and any other pertinent items. They can check the Town Ordinances for the regulations, especially if they plan to have a lighted sign. Also, will need info on entrance way, get a copy of the permit from DOT to bring to the Board. If it is surveyed, and he decides he wants to break the acreage off, he would be able to do it afterwards. Mr. Biden asked if he needed to have it surveyed. Jeff said he can do it himself, but it would need to be recorded at the Lincoln County Registry of Deeds in Wiscasset and will need to show all the deliniation on his plan, as well as show the setback from neighbors. Jeff suggested that he show the ordinances to his site evaluator. He wants to make sure to have a completed application so he doesn't have to do this all over again, especially since they want to get going on this as soon as possible. The plan is to have the completed application and all pertinent paperwork at the January 19 meeting. Then we can plan the site walk and public hearing dates & times. Jeff listed the following things that Mr. Biden will need to present.

Site Plan – DOT driveway entrance permit – Hours of operation – Parking spaces – Septic

(Which may need to be in association with number of possible patrons) Signs – Lights

Peter suggested he put a general area of where he may want to break off any of the property so if he does it in the future, everyone will have a better idea on it. Even if it's just dotted lines. We will be able to discuss more at the next meeting.

ITEM #3 - OLD BUSINESS – a.) Boat Ramp – Linda asked if the boat ramp has opened as she saw a lot of cones there. Jeff said it is and the cones are there for the people that plow that road.

b.) Condon Gravel Pit – Jeff wanted the Board to know that there has been a committee formed to try to appeal the Planning Board decision for permit of the gravel pit. He explained that they will need to have 'standing' in order for it to be heard. This means they would have to show that the PB misinterpreted the ordinances, didn't follow the ordinances, or neglected them altogether. They have sixty (60) days to appeal. It appears the abutting landowners feel Mr. Condon shouldn't have been given the permit. They fear he may try to buy more of the property to add onto his pit. Jeff said that would mean Mr. Condon would have to buy from the abutting landowners (Swift, Matzke, Berry) or go north to Mr. Krechkin. Jeff then read the list of applied conditions given to Mr. Condon's permit so all members would be aware and be able to comment. He noted that this is the largest amount of conditions that have been

applied in more than 15 years that he has been on the Board. Linda asked if the fact they are going to the Appeals Board would cause PB members to have to appear. Jeff said they may be asked how they arrived at their decision. He said that we just need to tell them that we must abide by the ordinances, whether we like the project or not, we have ordinances that we have to make sure we are following for everyone concerned. Peter noted that the one issue he wanted to be clear about is the 150' set back from property lines. He feels Mr. Condon's lawyer didn't agree with it, but he thinks it's the best way to make it right for everyone involved. One other issue that may be on the peoples mind was that Peter Walsh had mentioned he wasn't sure that the town should or could allow Mr. Condon to do the work on the Ludwig Rd. Jeff said it would be up to the Selectmen to make that decision. The Board can't be involved in that. The Selectmen can make the choice if they want him to do it or not and how they want it done. It only makes sense to fix the road so it will help to stop further damage to it and onto Route 128, not only for general traffic but also for his trucks. Dan questioned if maybe the abutters think Mr. Condon is doing it as a way to sway the PB and/or the Selectmen. Jeff said he doesn't think so, but it may appear to. If this wasn't done, it could have become a safety issue and the Board could have refused to grant the permit.

ITEM #4 - NEW BUSINESS – None.

ITEM #5 – OTHER BUSINESS – Jeff reminded everyone that due to the lengthy meeting last time, we didn't do anything on the agenda under Items 5 & 6. Do we want to go back to them? As there wasn't anything relevant to business that may go to Appeals or any other important issues, it was decided not to bother.

ITEM #6 – ADJOURNMENT – Linda made the motion, Linda seconded. So voted at 7:40 p.m.

Respectfully submitted,