

Shapleigh Planning Board

Minutes

January 26, 2021

This evenings meeting was conducted via Zoom due to Covid-19.

Members in attendance: Roger Allaire (Chairman), Steve Foglio (Vice Chairman), Madge Baker, Maggie Moody, Roland Legere, and Alternate Ann Harris. Code Enforcement Officer Mike Demers was also in attendance.

Note: Steve Foglio chaired part of the meeting due to Zoom connection/internet issues at the Town Hall.

The minutes from Tuesday, January 12, 2021 were accepted as read.

The Planning Board meeting started at 6:30 p.m.

Minutes are not verbatim, unless in quotes "" – If the name of a citizen making a comment was not requested by the Planning Board Chairman, the reference to their name will be known as ‘Citizen’ or ‘Abutter’ depending on whom is speaking.

Conditional Use Permit – Earth Moving in the Shoreland District to Replace Retaining Wall – Map 28, Lot 9 (126 17th Street) – Kenneth Sawaya, Property Owner; Matt Colton, Jr., Applicant

Mr. Colton was present for the review of the application via Zoom, along with Kenneth & Grace Sawaya.

Provided along with the application, was a copy of an email from Mr. Ken Sawaya that gave Matt Colton permission to replace his retaining wall, to do any measurements, removals and any construction on the property. Also provided was a picture of the existing retaining wall from the water side, with a notation that the wall was 4 feet in height and 56 feet in length; and a sketch plan which showed the location of Mr. Sawaya’s home which was noted as being 23’ 8” from the retaining wall to be replaced, the length and width of the existing retaining wall that being 56’ long x 4’ in height, along with the adjacent property of Mr. Richard Brady.

The detailed description of the property is as follows: *Replace existing retaining wall on lake side of property.*

Roger A. and Roland L. did a site inspection just prior to this evenings meeting. Other members went on an individual basis.

Roger A. opened the meeting by asking Matt Colton to brief the board on what he was intending to do. Mr. Colton stated that they were replacing the existing structure that is failing keeping it in the same location, same height, same everything as the site plan shows. Roger wasn’t sure if everyone had been on site, but noted the wall was leaning quite a bit toward the water. Madge B. stated that she had gone to the site. Roger stated that after being on site he believed it would be an improvement to replace the existing wall. Madge stated that the adjacent wall was totally falling apart. Mr. Colton stated that was the next wall they were doing. He noted they were doing both the Sawaya’s and Brady’s wall and he said how nice it was when you can get neighbor’s on board to do it all at once to improve the area. The board agreed.

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Ann H. asked if they were leaving the concrete platform that is by the firepit? Mr. Colton asked if she was speaking of the Brady or Sawaya property? Ann was not sure, she said it had a fireplace. Maggie M. stated it was Brady’s. Ann said the wall was falling under the platform, she asked if the platform was being replaced as well. Mr. Colton stated they were going to replace stairs, if the board looks at the site plan everything that is currently existing is being replaced. He said they would not be adding anything new. Ann stated she was asking because she noticed it was falling apart. Mr. Colton agreed.

Madge B. asked about trees, are any trees going to have to be taken away? She noted that the one closest to the project was dead. Mr. Colton stated that on Sawaya's property they would take the dead one that is approximately 20 feet tall with a birdhouse on the top of it. He said that would interfere with the integrity of the new wall, so they will take that along with the stump.

Roger A. stated that at the last meeting it was mentioned that the wall was going to be the Pepin precast which weighs about 2000 pounds apiece. Mr. Colton stated, "Correct". Roger stated that BMP would be used throughout the project, best management practices per the DEP. Mr. Colton stated, "Yes, correct". He added that the DEP had signed off on the project, and he said that he spoke with Lucien (Langlois) after the last meeting and he said he was all set.

Roger A. stated that the board needed a date of completion. Mr. Colton stated, that as he said at the last meeting, as soon as he gets the permit the project would take a couple of weeks. Roger asked if June 30th to have revegetation completed would work? Mr. Colton did not believe there was any replanting other than loam and grass seed. He believed June 30th would be fine. Roger agreed that grass was what was there when he went to the site visit. Mr. Colton stated that Sawaya's is all mossy and sand and Brady's is green grass. He said both locations would remain the same.

Madge B. asked if they would move much material, bringing any in or out? Mr. Colton stated they would remove the existing walls, where Sawaya's is railroad ties six to eight inches deep, and Brady's is poured concrete also six to eight inches deep. He said the Pepin blocks are 28 inches deep, so they will be removing material, and on the top, there is a backfill block, so there will only be a few inches showing of the face of the block. He thought he submitted a pamphlet of the Loc-block from Pepin. (There is no pamphlet in the file.)

Roger A. asked where the railroad ties would go, he noted they cannot go to the Shapleigh Transfer Station. Mr. Colton stated that he would be hauling them to Simpson's (J.A. Simpson's in Sanford Maine). He noted that as a commercial business he could not use the transfer station.

Madge B. asked if he had to bring in gravel or something to place behind the wall? Roger A. stated that yes, he would bring in stone for backfill behind the wall. Mr. Colton agreed, and he said it was part of the engineering plan for these blocks. He said if you install them per the instructions, they are guaranteed.

Madge B. asked if the blocks would be carried down to the shore between the two houses? Mr. Colton stated they would use Mr. Brady's property where it is nice and flat. He said they would then go left and right. He said they would start on Mr. Sawaya's side where it is a taller wall, remove everything there, and they will finish off on Mr. Brady's side all the way to the right.

Madge B. asked if the equipment would disturb the soil, and therefore would it need mulch or something placed down? Roger A. stated that this time of the year, with everything frozen, it should work out well. He said it

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would help prevent any cave-in with the digging because the ground is somewhat frozen, so it is in his favor to do it at this time. He added that even with moving the heavy blocks he didn't think it would leave a lot of impression in the ground. Madge said, "Ok".

Roland L. asked if Mr. Colton thought hauling the material over 17th Street would cause any damage to the road? Mr. Colton didn't believe so, and noted it was a public way. Roland thought it was a private way. Mr. Colton thought because Mr. Brady and Mr. Sawaya had rights over the road, then they should be able to do the improvements to their property. Roland said that he was not questioning that, and he believed that Roger addressed the point that the ground is frozen but if it wasn't frozen his concern was that the weight of the blocks, where a truck coming in with a dozen of the blocks, or two dozen, might cause road damage. He didn't believe in this case it would but he wanted to ask him, because he had been asked if something like that happens, who is responsible. Mr. Colton stated that being a dirt road, if there was damage to it, he would take care of it. He also noted that was why they posted the roads in the springtime, because they worry about the weight and the frost. He said because the road is not posted, he felt it was ok that they did this project. Roland agreed. Roger A. stated that he agreed with Mr. Colton as well, and bringing the weight across the road this time of year is going to cause less damage than it would be in March or April.

Madge B. asked if they would restore the grass and landscaping after the ground is thawed? Roger A. believed so, stating they would have to do it at the end of April or in May. He said that is why he asked Mr. Colton about a completion date of June 30 or if that was too early. Mr. Colton believed that would be sufficient for a completion date as long as frost is out of the ground. He noted they would like to have it done long before that and that come springtime, they would only have some touchup to do with loam and grass, after the frost is out.

Maggie M. asked if the tree being removed would have to be replaced? Mr. Colton stated that it had been cut a long time ago, 20 feet up, and he did not plan on replacing it. Maggie stated that she did not know if in the ordinance it was required to replace it. Roger A. stated that because it is a dead tree, he didn't think it had to be replaced, unless CEO Demers thought otherwise. CEO Demers stated that if it is dead, he did not believe he had to replace it.

Roger A. stated that he would entertain a motion for Mr. Sawaya's wall replacement with the following conditions:

- 1) A completion date for the replacement of the wall and revegetation of June 30, 2021.**
- 2) Best Management Practices shall be used until the project is completed and grass is established. (The DEP has been notified.) A person certified by the DEP in erosion control practices shall be on site whenever work is being performed.**
- 3) The railroad ties removed shall go to J. A. Simpson's in Sanford.**

Roland L. made a motion to approve the replacement of the existing retaining wall on Map 28, Lot 9, per the plans provided. Maggie M. 2nd the motion. All members were in favor. By a vote of 5 – 0, the motion passed unanimously.

Nothing further was discussed.

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The Findings of Facts

1. The owner(s) of Shapleigh Tax Map 28, Lot 9 (126 17th Street) are Kenneth & Grace Sawaya of 16 Brown Street, Andover, MA 01810. Matt Colton, JR, Applicant.
2. The property known as Map 28, Lot 9 is located in the Shoreland District and according to the Assessor the property contains .11 acres.
3. The application description reads as follows: *Replace existing retaining wall on lake side of property.*
4. Provided was a picture of the existing retaining wall from the water side, with a notation that the wall was 4 feet in height and 56 feet in length.
5. Provided was a sketch plan which showed the location of Mr. Sawaya's home which was noted as being 23' 8" from the retaining wall to be replaced, the length and width of the existing retaining wall that being 56' long x 4' in height, along with the adjacent property of Mr. Richard Brady.
6. Mr. Colton stated he had DEP approval per Lucian Langlois of the Maine Dept. of Environmental Protection.
7. The application as presented met the performance standards under §105-73 'Conditional Use Permits', with conditions.
8. A notice was mailed to all abutters within 500 feet of the property on January 13, 2021. Meetings were held on Tuesday, January 12, 2021, and Tuesday, January 26, 2021 via Zoom due to Covid-19. A site inspection was done by members on an individual basis.
9. The Planning Board unanimously agreed to approve the Conditional Use Permit to replace the existing retaining wall(s), same length and height as existing, on property known as Tax Map 28, Lot 9, with three conditions.
10. **The conditions of approval are:**
 - 1. The project, the removal and replacement of the existing railroad timber wall(s) with Loc-Blocks from R. Pepin & Sons, and revegetation on Map 28, Lot 9, shall be completed by June 30, 2021.**
 - 2. Best Management Practices shall be kept in place until the project is completed which includes revegetation and complete stabilization of the area. There must be a person certified by the MDEP in erosion control practices on site during the project, and the person's MDEP certification number shall be given to the CEO during the permitting process.**

All material from the existing wall(s) to be removed from Map 28, Lot 9 shall be taken out of Shapleigh and disposed of at J.A. Simpson in Sanford, Maine. No material will be taken to the Shapleigh Transfer Station.

11. **Additional requirement:**

- **A building permit must be obtained from the Code Enforcement Officer, prior to the construction of the new wall.**

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Decision:

The Conditional Use Permit to replace the existing retaining wall(s), the same length and height as the existing, per the information provided and as discussed during the project reviews, on property known as Tax Map 28, Lot 9 with three conditions, was approved.

Nothing further was discussed.

Conditional Use Permit – Earth Moving in the Shoreland District to Replace Retaining Wall – Map 28, Lot 10 (120 17th Street) – Richard Brady, Property Owner; Matt Colton, Jr., Applicant

Mr. Colton was present via Zoom for the review of the application, along with Richard & Barbara Brady.

Provided along with the application, was a copy of a letter from Richard & Barbara Brady which stated that as property owners of 127 17th Street, they gave Mr. Colton permission to demolish their retaining wall and replace it with a new one, and Mr. Colton could conduct all other activities necessary to complete this project. Also provided was a picture of the property from the water side which showed the existing retaining wall with a notation that it was 2 feet in height and 40 feet in length across the front and the wall section alongside the stairs was 20' x 2' with an adjoining section adjacent to the stairs as being 8' x 2' in height. An attached sketch plan depicted the location of the Brady house, the several distance markers from the house to the waterfront and stairs, and the length of the walls along the water, those again being 40' x 2' and 20' x 2', along with the section of stairs.

The project description was as follows: *Replace existing retaining wall on lake side of camp.*

Roger A. stated that the application and review is the same, other than some additional work will be done with the fire pit. Roger noted that the wall to be replaced was lower and longer. ***See review above for Map 28, Lot 9.***

Roger A. stated the conditions for the Brady wall would be the same as for the Sawaya wall those being:

- 1) A completion date for the replacement of the wall and revegetation of June 30, 2021.**
- 2) Best Management Practices shall be used until the wall is completed and grass is established. (The DEP has been notified.) A person certified by the DEP in erosion control practices shall be on site whenever work is being performed.**
- 3) Any debris removed, which includes crushed rock/cement shall go to Simpson's in Sanford.**

Roger A. stated there would only need to be minor touchup of the area in the spring. Mr. Colton stated, "Correct". Roger asked if anyone had any questions for Mr. Colton regarding the Brady property? There were no questions. Roger A. asked for a motion on the Brady property.

Roland L. made a motion to approve the replacement of the existing retaining wall, stairs and small patio area on Map 28, Lot 10, per the plans provided. Maggie M. 2nd the motion. All members were in favor. By a vote of 5 – 0, the motion passed unanimously.

CEO Demers let Mr. Colton know that he would be available on Wednesday for permitting.

Nothing further was discussed.

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The Findings of Facts

1. The owner(s) of Shapleigh Tax Map 28, Lot 10 (120 17th Street) are Richard F. Brady, Barbara A. Brady, Trustees of Richard F. Brady Revocable Trust of 511 Ocean Blvd, Unit 12, Hampton NH 03842. Richard Brady, Applicant.
2. The property known as Map 28, Lot 10 is located in the Shoreland District and according to the Assessor the property contains .3 acres.
3. The application description reads as follows: *Replace existing retaining wall on lake side of camp.*
4. Provided was a picture of the property from the water side which showed the existing retaining wall with a notation that it was 2 feet in height and 40 feet in length across the front and the wall section alongside the stairs was 20' x 2' with an adjoining section adjacent to the stairs as being 8' x 2' in height.
5. Provided was an attached sketch plan depicting the location of the Brady house, several distance markers from the house to the waterfront and stairs, and the length of the walls along the water, those again being 40' x 2' and 20' x 2', along with the section of stairs. (The 8' x 2' section was not noted.)
6. Mr. Colton stated he had DEP approval per Lucian Langlois of the Maine Dept. of Environmental Protection.
7. The application as presented met the performance standards under §105-73 'Conditional Use Permits', with conditions.
8. A notice was mailed to all abutters within 500 feet of the property on January 13, 2021. Meetings were held on Tuesday, January 12, 2021, and Tuesday, January 26, 2021 via Zoom due to Covid-19. A site inspection was done by members on an individual basis.
9. The Planning Board unanimously agreed to approve the Conditional Use Permit to replace the existing retaining wall(s), same length and height as existing, along with stairs and cement patio per the plans presented, on property known as Tax Map 28, Lot 10, with three conditions.
10. **The conditions of approval are:**
 1. **The project, the removal and replacement of the existing cement wall(s) and stairs with Loc-Blocks from R. Pepin & sons, replacement of the cement patio and revegetation on Map 28, Lot 10, shall be completed by June 30, 2021.**
 2. **Best Management Practices shall be kept in place until the project is completed which includes revegetation and complete stabilization of the area. There must be a person certified by the MDEP in erosion control practices on site during the project, and the person's MDEP certification number shall be given to the CEO during the permitting process.**
 - 3) **All material from the existing wall(s) to be removed from Map 28, Lot 10 shall be taken out of Shapleigh and disposed of at J.A. Simpson in Sanford, Maine. No material will be taken to the Shapleigh Transfer Station.**
11. **Additional requirement:**
 - **A building permit must be obtained from the Code Enforcement Officer, prior to the construction of the new wall.**

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Decision:

The Conditional Use Permit to replace the existing retaining wall(s), the same length and height as the existing, stairs and small patio per the information provided and as discussed during the project reviews, on property known as Tax Map 28, Lot 10 with three conditions, was approved.

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**Based on the application and supplemental material provided, along with Planning Board review, the following is the findings for §105-73.G regarding the above applications:**

### **§105-73.G 'Standards applicable to conditional uses'**

*Standards applicable to conditional uses. It shall be the responsibility of the applicant to demonstrate that the proposed use meets all of the following criteria. The Board shall approve the application unless it makes written findings that one or more of these criteria have not been met.*

- 1) The use will not have an adverse impact on spawning grounds, fish, aquatic life, birds or other wildlife habitat. ***Replacing the retaining wall(s), removing the failing railroad ties and cement wall(s) will help to mitigate stormwater issues, and protect aquatic life by keeping debris from the existing wall(s) out of Mousam Lake.***
- 2) The use will conserve shore cover and visual, as well as actual, access to water bodies. ***Replacing the deteriorating timber walls and cement walls will help conserve the shoreline, and revegetating the area when the walls are replaced will also protect the shoreline.***
- 3) The use is consistent with the Comprehensive Plan. ***It is, the Comp Plan wants to protect the lakes.***
- 4) Traffic access to the site is safe. ***Access is safe for the intended project.***
- 5) The site design is in conformance with all municipal flood hazard protection regulations. ***This project is not in a flood hazard zone.***
- 6) Adequate provision for the disposal of all wastewater and solid waste has been made. ***There is no wastewater associated with this project. Solid waste, that being the wooden timbers on Map 28, Lot 9 and cement on Map 28, Lot 10, shall be taken out of Shapleigh and brought to J. A. Simpsons in Sanford, Maine.***
- 7) Adequate provision for the transportation, storage and disposal of any hazardous materials has been made. ***This is not applicable, none generated by this activity.***
- 8) A stormwater drainage system capable of handling fifty-year storm without adverse impact on adjacent properties has been designed. ***The walls shall be built per the plans provided by R. Pepin & Sons for Loc-Block concrete retaining walls, so as to adequately process stormwater, and keep it from going onto adjacent properties or into Mousam Lake as best possible.***
- 9) Adequate provisions to control soil erosion and sedimentation have been made. ***Best Management Practices shall be kept in place until both projects are completed, including revegetation.***
- 10) There is adequate water supply to meet the demands of the proposed use and for fire protection purposes. ***This is not applicable for this project.***
- 11) The provisions for buffer strips and on-site landscaping provide adequate protection to neighboring properties from detrimental features of the development, such as noise, glare, fumes, dust, odors and the like. ***There are no trees being removed other than one dead tree on Map 28, Lot 9 and any vegetation disturbed shall be replaced. There is no glare, fumes, dust, odors and the like associated with the project which will have a limited duration once commenced.***
- 12) All performance standards in this chapter applicable to the proposed use will be met. ***They shall with conditions.***

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**The conditions of approval are as follows:**

1. The project, the removal and replacement of the existing railroad timber wall(s) with Loc-Blocks from R. Pepin & sons, and revegetation on Map 28, Lot 9, and the replacement of the cement walls with Loc-Blocks, patio and stairs on Lot 10 shall be completed by June 30, 2021.
2. Best Management Practices shall be kept in place until the project is completed which includes revegetation and complete stabilization of the area. There must be a person certified by the MDEP in erosion control practices on site during the project, and the person's MDEP certification number shall be given to the CEO during the permitting process.

All material from the existing wall(s) to be removed from Map 28, Lot 9 & Lot 10 shall be taken out of Shapleigh and disposed of at J.A. Simpson in Sanford, Maine. No material will be taken to the Shapleigh Transfer Station.

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**Conditional Use Permit – Hold Small Events & Venues, and Weddings – Map 1, Lot 22A (24 Deering Ridge Road) – Meagen & Brent Lavoilette, Owners & Applicants**

Mrs. Lavoilette was present via Zoom to provide a progress update.

Previously provided was the detailed project description is as follows:

We are proposing to have the following venues and events in our barn on 24 Deering Ridge Road:

- Weddings ( $\leq 200$ )
- Small events & venues: small bands/music events, anniversary parties, bridal showers, baby showers, exercise classes, open barn vendor expos, community events, fundraisers, silent auctions, food & beverage events

We are proposing the following as part of our plan:

- Parking Plan
- People working: The only people working on the premises will be volunteers of Babbling Brook Farm and the Lavoilette family. All other working people will be hired by vendors of the customer.
- Hours of Operation: 10 am thru 10 pm – all patrons will be off the premises by 10 pm
- Noise control: Events involving music, live music, and audio systems will be contained in the barn. In the event there is a live band or music outside of the barn, it will not surpass 8 pm.
- Septic: There are no plans for use of the septic system on the property. Septic needs will be rentals specific to the event.
- Trash removal: Trash will be disposed of by the owners of the property at the local transfer station or by the customer. If trash is being taken off the property by the customer, we will ensure disposal location is indicated within their rental contract.

Roger A. invited Mrs. Lavoilette to speak.

Mrs. Lavoilette began by stating she was making slow progress. She stated she had a few questions for the board. She said, "I found a structural engineer who can also help with the life safety codes for the State. It is extremely difficult for me to try to interpret any of those. And the Shapleigh Fire Chief is also going to come visit, probably in a few weeks. So, a few specific questions, one was what exactly on the structural report do you guys want to see? Is it weight bearing?" Ann H. thought it was to make sure the structure was safe enough for however many people that the Fire Chief says can be in there at one time.

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Steve F. thought she was talking about the structural report. Mrs. Lavoilette stated, "There is the weight bearing floor analysis or structure." Roger A. stated the floor analysis.

Mrs. Lavoilette asked, "So as far as the State and the life safety code goes, is the expectation for me to apply through the State or for me to follow all of the State life safety codes, which is like fire, means of egress, etc.?" She said she was asking because it is a little restrictive, but not as far as safety. She said they were going for quality not quantity, and she added that she wanted to make sure that everything is safe. She said with respect to

the State, they don't care what the Town approves, and she is asking for 200 people or under. She said the State looks at it differently, they don't take that count into consideration. She said that it is set for square footage per person. She stated they were waiting for the engineer to come and look at the barn, but when she and her husband measured the barn for what the State wants, even with keeping it under 300 people so they don't need a sprinkler system, they have to put in fixed structures. She said if they are calculating it right, it takes off a 1/4 of the open concept of the barn, so it takes away from the open floor plan. She said the State doesn't want you to be able to put more people in there, they want the fixed structure so they are guaranteed you won't take anything down after they do their inspection. She said she was looking for guidance, thinking they may have to get creative in what they have to do. She said if the expectation is that she follows the State life safety codes then she will do that or is it that she is applying through the State for the approval.

Mrs. Lavoilette stated she was visiting a barn in Dayton on Saturday. She also has another barn she will go see in Maine as well. She stated that these businesses went through the town approval with their town Fire Marshall following the State code. She said again she wanted to come back before the board to see what the expectation was, so she is doing what is expected by the board.

Ann H. asked if the most strict code is the one that gets followed between the State and Town ordinance, whichever is more strict, more safe? Roger A. stated one of the reasons the board asked she go to the State first is because the State may have conditions attached to their permit that the board would not be aware of. He said for example if the board granted a license saying you only had to comply with four lights in the building, and the State says you have to comply with six lights in the building, then the board was giving a

license to operate with the least restrictive environment, and we can't do that. He said the board has to go along with the same recommendation that the State requires. Roger said the board has to go with what the State says is required for that size building with respect to egress and safety. Mrs. Lavoilette asked if Roger was saying she had to apply through the State and get their approval. Roger stated, "Right". Steve F. stated, "If it's required". Roger stated that it would be required, and the minute you get over 200 people, it puts you in a different ballgame. Mrs. Lavoilette stated, "But we won't be over 200 people". Roger agreed, but if she should decide she wants to go above 200, that changes what is required. Roger said as long as she stays below 200 people, it is easier to permit.

Mrs. Lavoilette asked if Roger was stating if she stayed below 200 people it was easier to get a permit through the Town? Roger said, "Yes, the Town and Fire Marshall". Ann H. added that the State looks at it differently under 200 people, she believed. Roger agreed. Ann asked if she was going to the Harris Farm? Mrs. Lavoilette stated that she was. Ann said they had over 200 people, their place was huge.

Mrs. Lavoilette stated that perhaps they were measuring wrong, so she would see what the engineer had to say. She said he would help with the life safety and the structural analysis. She said again, perhaps they were measuring it wrong but there wasn't any way she could fit 300 people in the structure, she wasn't sure they could fit 150. Ann H. asked if the State was trying to get them to put up a structure, to limit the amount of

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people? Mrs. Lavoilette stated they base their number on square footage. Ann asked if the State came to see it or did she just give them the measurements? Mrs. Lavoilette stated, "Yeah, there was a guy from the State and one of the engineers that gave me a little bit of guidance, that I tried to work with. But these codes are just too hard for me...you read one line and there's like, reference this code and this code and this code." She said didn't know how the board did it.

Ann H. asked CEO Demers if he was the life safety person in Shapleigh, or did Shapleigh have one? She thought each town was assigned a life safety person. CEO Demers stated he was not the life safety person but there was a health officer, he wasn't sure who that was. Ann asked if this person would take care of the fire life safety? CEO Demers said, "No, what we are trying to approve here is the structural, the integrity of the structure. How many people can that structure hold? And other fire considerations, egress. Short of that, I think it's, if I am reading the board right, ...If she has State approval and she has the structural engineer signing off on 200 people let's say, there is no reason why the board wouldn't approve this conditional use." Roger A. agreed. Mrs. Lavoilette just wanted to find out if she had to get the State approval through the Fire Marshall, so she will move in that direction. Roger was not certain that the Fire Chief would be able to grant her a permit, he believed it would be the Fire Marshall. Mrs. Lavoilette said she was just looking for some guidance from the Fire Chief. She said currently she is waiting to speak with the engineer which will probably be another week because they were extremely busy.

Mrs. Lavoilette stated the other thing was electrical and much of that will be done in the next month. She said she was excited. She said that was all she wanted to clarify with the board. She added that she hoped in a month or so she would have some type of report to start working with.

Roger A. stated that he would like the board to once again vote to table the application in order to give Mrs. Lavoilette an extension on the time she has to complete the application.

**Steve F. made the motion to table the application for up to 90 days, per §105-73.F(3) to allow the applicant time to gather the required additional information. Madge B. 2<sup>nd</sup> the motion. All members were in favor. By a vote of 5 – 0, the motion to table the application passed unanimously.**

Steve F. told Mrs. Lavoilette that this gave her another extension of time, so she didn't have to reapply and start over. Mrs. Lavoilette thanked the board. Roger A. stated that it was easier to keep returning to the board with information, so the board knows she is continuously working on gathering the information. Mrs. Lavoilette stated that she agreed and noted that she has gotten all the material for the traffic control sign.

Roland L. stated that he wanted to mention to Mrs. Lavoilette that she should keep an ear to the ground about the bridge replacement work that is being discussed. He said there was a public hearing last evening, and it wasn't imminent, but at some point, there will be some major work done just down the street. Madge B. added that the bridge would be closed. Barbara F. thought it would be only one side. Roland said a question was asked last evening, whether they could keep one lane open and that is still up for debate depending on



the design that they go with. He said when she is scheduling events, she will want to keep in mind what the town has planned because it could impact access and egress from her facility. Mrs. Lavoilette asked what side they planned to close? Barbara thought it would be a year or two away. Roland agreed and the discussion was on replacing the whole bridge. He said no one knew at this point how the project will proceed, one side at a time or the whole bridge. Madge believed it was at least 2 years away before anything happens, but she agreed it was worth keeping apprised. Mrs. Lavoilette thanked Roland for letting her know.

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Nothing further was discussed.

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**Set Zoom meeting date with Durward Parkinson – Tuesday 2/2, Monday 2/8, or Thursday, 2/11 at 5:00 pm**

Board members agreed to meet with Attorney Durward Parkinson regarding questions on subdivision and lot splits on Tuesday, February 2<sup>nd</sup> at 5:00 pm via Zoom. The workshop will be posted.

Nothing further was discussed.

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**Other:**

Roland L. wanted the board to know that he did have a chance to go to 50 Loon Lane and noticed the silt fence has been put into place, and an enlarged area is being covered. Madge B. said she also went to see the sight and she found the same thing Roland did that the silt fence was well established. CEO Demers stated he went out today as well, and noticed the silt fence up and operational. He added that at the previous meeting he should have stated the patio size was not 18 feet, which would have concluded the discussion earlier, but noted the board did come to the right conclusion on the size of the patio.

Roland L. stated he wanted to thank Barbara F. for the minutes, because they are extremely helpful to read them after the meeting, so if anything is missed or heard incorrectly, the minutes bring clarity.

Nothing further was discussed.

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**Growth Permits**

– There are Growth Permits available.

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**The Planning Board meeting ended at 7:10 p.m.**

**NOTE: The winter hours are in effect as of November 1<sup>st</sup>; the meetings now begin at 6:30 p.m. and any scheduled public hearing begins at 6:00 p.m.**

**The next Planning Board meeting scheduled will be via Zoom on Tuesday February 9, 2021 at 6:30 p.m. See the Town website, [www.shapleigh.net](http://www.shapleigh.net) to obtain the link details, or use the information below.**

To attend the meeting, you may connect via the following:

**• Join Zoom Meeting**

<https://us02web.zoom.us/j/88005967573?pwd=OWxLdWM5eTZ5V28yL05VdWdVSmFjQT09>

**• If calling in:** Find your local number: <https://us02web.zoom.us/j/88005967573?pwd=OWxLdWM5eTZ5V28yL05VdWdVSmFjQT09>

**Zoom Meeting ID: 880 0596 7573 Passcode: 860338 (For all links)**

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- You may send an email by noon on the day of the meeting to [planningBoard@shapleigh.net](mailto:planningBoard@shapleigh.net) and the link to the meeting will be emailed to you, or you can find that link on [www.shapleigh.net](http://www.shapleigh.net) under Planning Board

The Planning Board meets the 2<sup>nd</sup> and 4<sup>th</sup> Tuesday of each month unless it falls on a holiday or Election Day. Should there be a cancellation due to a storm event, holiday or Election, the meeting will typically be held the following Wednesday, also at 7:30 p.m. Please contact the Land Use Secretary if there is a question in scheduling, 207-636-2839, x4.

Respectfully submitted,

Barbara Felong, Land Use Secretary

Town of Shapleigh

[planningBoard@shapleigh.net](mailto:planningBoard@shapleigh.net)