

MEETING AGENDA

Mechanic Falls Planning Board
June 29, 2020
6:30pm



I. Call Work Session to Order Time: _____

II. Pledge of Allegiance

III. Roll Call Members Absent: _____

IV. General Reports

4.1	Meeting Minutes 06.08.2020	Motion to Approve
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V. General Discussion Notes:

5.1		
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VI. New Business Notes:

6.1		
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VII. Old Business Notes:

7.1		
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VIII. Ordinance Notes:

8.1	Discuss wording for ordinance revisions.	
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IX. Adjourn Time: _____ Next Meeting: (August 20th, 6:30pm – Second Floor Conference)

Possible changes to ordinance's for review

Household Trash

- All bagged or unbagged household trash and materials to be recycled must be secured in a container which shields it from public view, and protects it from pests and other animals.

Dog Kennel

- Dog kennel's (other Animal?) is not allow in any zones? Change to Land use districts Table of Uses.

Define Kennel Boarding? Doggie Day care?

§3931-A. Breeding kennels

1. License necessary. A person maintaining a breeding kennel, as defined in section 3907, must obtain a license from the department and is subject to rules adopted by the department. The license expires 12 months after the date of issuance. An applicant for a breeding kennel license shall state in the application the number of female dogs or cats capable of breeding that are maintained at the breeding kennel. The department shall issue a license or a conditional license under subsection 6 in one of the 3 categories described in paragraphs A, B and C and collect a fee in accordance with subsection 2.

A. A breeding kennel that maintains at least 5 but no more than 10 female dogs or cats capable of breeding is a Category 1 breeding kennel. [PL 2009, c. 403, §3 (NEW).]

B. A breeding kennel that maintains at least 11 but no more than 20 female dogs or cats capable of breeding is a Category 2 breeding kennel. [PL 2009, c. 403, §3 (NEW).]

C. A breeding kennel that maintains 21 or more female dogs or cats capable of breeding is a Category 3 breeding kennel. [PL 2009, c. 403, §3 (NEW).]

[PL 2009, c. 403, §3 (AMD).]

2. License fees. The license fee is \$75 for a Category 1 breeding kennel, \$100 for a Category 2 breeding kennel and \$150 for a Category 3 breeding kennel.

[PL 2009, c. 403, §4 (RPR).]

3. Dog licenses.

[PL 1993, c. 468, §13 (RP).]

4. Surcharge on sale of dogs and cats that have not been neutered.

[PL 2005, c. 510, §7 (RP).]

5. License number requirements. A breeding kennel shall prominently display in any advertising the state-issued kennel license number.

The breeding kennel shall provide its license number to a person purchasing or receiving an animal from the breeding kennel.

[PL 2009, c. 403, §5 (AMD).]

6. Conditional breeding kennel license. Upon receiving an application for a breeding kennel that does not at the time of application hold a valid license under this section, the department shall issue a conditional breeding kennel license. The conditional license remains in effect until the breeding kennel passes an inspection under section 3936. If a breeding kennel cannot meet minimum standards within 6 months after the initial inspection, the conditional breeding kennel license may be revoked or suspended by the department pending an administrative proceeding held in accordance with Title 5, chapter 375, subchapter 5.

[PL 2009, c. 403, §6 (NEW).]

SECTION HISTORY

PL 1991, c. 779, §29 (NEW). PL 1993, c. 468, §13 (AMD). PL 1993, c. 657, §30 (AMD). PL 1995, c. 490, §10 (AMD). PL 2003, c. 405, §16 (AMD). PL 2005, c. 281, §6 (AMD). PL 2005, c. 510, §7 (AMD). PL 2007, c. 702, §8 (AMD). PL 2009, c. 403, §§3-6 (AMD).

Barking dog/ nuisance animal

- Nuisance Animals revision.

Covered by Dog/nuisance ordinance. General terms seem affective.

Add Nuisance definition to existing ordinance?

nuisance

1. an unlawful interference with the use and enjoyment of land.

public nuisance

1. an act, condition, or thing that is illegal because it interferes with the rights of the public generally.

Marijuana Ordinance

- Reduce existing ordinance from 4 faculties to 2 facilities.

- **Facilities defined: A facility is one single stand-alone building.**

Knox Box *(emergency access by Police & Fire)*

- **Knox Box is required for all new construction commercial buildings.** Work this into site review requirement document.
- **Within town, any property that is within the sewer and water area, should be allowed development with a minimum of 10,000 sq ft.** **Min lot size for properties with public sewer and water service shall be changed to 10,000 sq ft or greater.**

Noise ordinance

Existing MFalls Ordinance

- **Noise Abatement 1. Excessive noise at unreasonable hours must be required to be muffled, so as not to create a nuisance due to intermittence, beat frequency, shrillness or volume.**

Changed to:

- **Noise Abatement 1. Excessive noise between 9:00pm and 6:00am must be muffled, so as not to be objectionable due to intermittence, beat frequency, shrillness or volume.**

Discharge of Firearms

- **It is unlawful to discharge a firearm in the following zones: General Residential, Downtown Business, Mobile Homes Park.**

For reference:

[§11208](#)

Title 12: CONSERVATION

Part 13: INLAND FISHERIES AND WILDLIFE

Subpart 4: FISH AND WILDLIFE

Chapter 915: HUNTING: SEASONS, REQUIREMENTS AND RESTRICTIONS

Subchapter 4: GENERAL UNLAWFUL ACTS PERTAINING TO HUNTING

§11209-A

§11209. Discharge of firearm near dwelling or building

1. **Prohibition.** A person may not:

A. Unless a relevant municipal ordinance provides otherwise and except as provided in subsections 3 and 4 and sections 12401 and 12402, discharge a firearm, including a muzzle-loading firearm, or crossbow or cause a projectile to pass as a result of that discharge within 100 yards of a building or residential dwelling without the permission of the owner or, in the owner's absence, of an adult occupant of that building or dwelling authorized to act on behalf of the owner; or [PL 2019, c. 14, §1 (AMD).]

Road frontage requirement for mixed use development:

Existing

- Doesn't matter how many acres you have there must be 250 ft of rd frontage per parcel. Must have separate 250" of rd frontage for each use on that property.
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- **Change to: For mixed use development, it is allowable for multiple uses to use the same amount of road frontage to meet the minimum road frontage requirement.**

Renewals or new permits

- Any licenses that come due renewal or new permits, the planning board should be notified

This is policy, not ordinance.

My thoughts: If someone has gone through site plan review, and received approval, they have ongoing authorization to continue that use unless restricted to a time period.

If there is an issue with a business, or use, that complaint would likely come to the Code Officer, and any warranted issue would be brought to the Planning Board and consequences could be discussed at that time.

Mechanic Falls Planning Meeting

Public Via Zoom Meeting

June 15, 2020

MEMBERS PRESENT:

Walter Goss-Vice Chair
Paula Stotts
Forrest Martin
Lou Annance

Lou Goulet-Chair
Paula Bolduc- Zoom

STAFF PRESENT:

Alan Plummer-CEO
Zakk Maher-Town Manager
Julie Ward- Town Clerk

OTHERS PRESENT:

Tyler Thayer

I. Call Meeting to Order

II. Pledge of Allegiance

III. Roll Call

Meeting was called to order at 6:32pm and we saluted the flag.

Lou Goulet stated that the Planning Board is supposed to be a 5-member board with 2 alternates and there has never been a discussion of who is considered a member/alternate. Paula Bolduc offered to become alternate.

Forrest Martin motioned to have Paula Bolduc become an alternate, seconded by Walter Goss, all in favor so voted.

Forrest Martin offered to stay on the Planning Board as a member until we could find a placement. So current spots open would be 1 active member and 1 alternate.

IV. General Reports

4.1 Meeting Minutes

Forrest Martin motioned to approve minutes for 5/18/20 with the correction of Paula Stotts name, seconded Paula Stotts, All in Favor 3-2 Lou Goulet and Lou Annance were not here.

Lou Annance motioned to approve the minutes from 6/08/2020, seconded by Forrest Martin, all in favor unanimous.

V. Old Business

Lou Annance wanted to know if there was an update on the Code Office Complaints. Walter Goss agreed that it would be nice to know where it all stands. Lou Goulet asked for a write up for the council asking about complaints.

CEO Alan Plummer let everyone know that the PUC extended the Next Grid, he will keep the Planning Board posted with results.

CEO Alan Plummer asked the Board about a change that Jeff Coolidge of the Shuga Shak had previously came to the board that was approved and he is looking to reduce the size of one of the buildings. The reduction would be 764sq. CEO Alan Plummer wanted to know if the Board wanted to have him come back or is it something he could approve. Board agreed that it would be ok for the Code Officer to take care of.

CEO Alan Plummer was also interested in what the Planning Board would like him to work on weather it be files and organization or violations. The board would like him to do both.

CEO Alan Plummer also stated he made contact with Economy Auto Sales in regards to having too many vehicles out behind the garage and owner has agreed to clean it up by August. Gloria Pelletier owner of the land that Salley's Garage would like to rebuild and CEO Alan Plummer told her to wait until DEP is done investigating where the garage sits and she agreed to wait. He also took care of a nuisance issue with a rooster in Town and was happy to report the owner took care of it promptly.

Paula Stotts commented and said she would like to make sure when residents come in to complain that they feel like they are being listened too.

VI. New Business

None

7.0 Ordinance

Lou Goulet mentioned Knox Boxes being required on commercial Buildings as of July 1st. CEO Alan Plummer stated he was no aware and would check on it.

Lou Goulet also would like to see when a business is getting a special permit that it should come through the Planning Board even if the state is the one issuing it. He used a salvage permit from a garage as an example of what kind of permits he was refereeing too.

The Marijuana Ordinance needs to be reviewed because of some language issues. What was written up and what the Planning Board wanted were not the same.

Paula Stotts motioned to put a moratorium in place for up to 180 days on the Marijuana Ordinance in order for us to rectify language that is missing from the current ordinance that was meant to be there, seconded by Lou Annance, all in favor so voted.

Lou Goulet asked for a write up to be presented to the council.

Other items that were talked about were Household trash being left outside. Due to safety and health reason there should be something written up about having trash in a waste receptacle if within sight of the road. Lou Goulet asked if we could see what other towns have written up, CEO Alan Plummer will look into it. Lou Goulet also wanted to talk about Dog Kennels with a limit of how many are allowed in town as well as adding nuisance ordinance.

Board agreed to meet again on June 29th at 6:30

8.0 Executive Session

None

9.0 Adjourn

Lou Annance motioned to adjourn, seconded by Paula Stotts, all in favor, so voted Meeting adjourned at 7:55pm