



Town of China

571 Lakeview Drive; China, Maine 04358
(207) 445-2014 info@chinamaine.org

Approved by Planning Board by a vote of 4-0 on December 14, 2021

Planning Board Meeting

Meeting held at Town Office and via ZOOM

November 9, 2021

Begin 6:30 PM

Board members in attendance: Toni Wall, James Wilkens, Natale Tripodi, Scott Rollins, Michael Brown

Board members not in attendance: Walter Bennet

Attendees: Brent Chesley, Cathy Chesley, Jayson Mortimer, Liz Mortimer, Michael Marois, Mary Grow

Code Enforcement Officer Jaime Hanson present

Board meeting opened by Board Member Wall

Pledge of Allegiance to the American Flag

Board Member Wall brought Board Member Tripodi into voting capacity.

Review/Approve Minutes October 26, 2021 Meeting

- Board Member Wall motioned to approve minutes as written.
- Board Member Wilkens seconded motion.
All in favor. No further discussion.

Planning Board comments and priorities

- Board Member Wall thanked Randall Downer for being the chairman. She continued that they will need to elect a new chairperson. Board Member Wall nominated Board Member Scott Rollins to be the Chairman and nominated Board Member James Wilkens to be the new Co-Chairman. Board Member Tripodi seconded the nominations. Board Member Wilkens stated that Board Member Rollins did a great job in the Chairman position when he previously served on the Planning Board. Board Member Rollins accepted the nomination of Chairman. Board Member Walls restated her nomination of Board Member Rollins as the new Chairman and Board Wilkens the new Co-Chairman. Board Member Wall thanked them both and advised they would be great in their new positions. Board Member Wilkens thanked Board Member Wall for all her hard work as being the previous Co-Chair. Mary Grow reminded the Board that they need to call votes for the individuals who are participating remotely. **Board Member Rollins elected Chairman and Board Member Wilkens elected Co-Chairman.** All in favor. No further discussion.

Remote Participation Policy has been prepared for signing

- Chairmen Rollins inquired if all Planning Board Members has signed Remote Participation Policy. CEO Hanson advised a new copy will need to be signed. Board Member Wall questioned if they will need to sign at Town Office? Chairman Rollins



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gave a brief explanation of the policy to new Board Member Brown and advised can email him a copy. It was confirmed it has already been adopted by the Select Board. CEO Hanson explained it is the same policy with the Planning Board information. He confirmed they will need to sign at the Town Office during the week.

Public Hearing: Jayson Mortimer Conditional Use application for Automobile Services Business at 86 Vassalboro Road

- Chairman Rollins advised there as discussion of the application at the previous meeting. Chairman Rollins opened the floor for public comments. Mr. Mortimer states he is hoping to get underway very soon. CEO Hanson advised he has found septic design and is sized appropriately for use. He continued that the abutters have been notified. CEO further explained the Fire Chief sent him an email confirming he sees no problem for access to the property for an emergency. CEO Hanson advised he has made updates to the application with the sizes and the complete application is on record. Chairman Rollins closed the public hearing due to no comments from the public.
- Board Wall stated they were previously waiting on the septic design which has now been received. **Board Member Wall motioned the application is complete. Board Member Wilkens seconded motion.** All in favor. Chairman Rollins inquired to Mr. Mortimer when he will be ready to start business. Mr. Mortimer advised is ready to get started once approved. Board Member Wilkens confirmed with CEO Hanson that item number in Criteria 1 has been corrected to #15.
- **Criteria**
 1. Criteria 1 and its responses read aloud. Board Member Wall motioned for approval of Criteria 1. Board Member Wilkens seconded motion. No further discussion. Unanimously approved.
 2. Criteria 2 and its responses read aloud. Board Member Wall motioned for approval of Criteria 2. Chairman Rollins seconded motion. No further discussion. Unanimously approved.
 3. Criteria 3 and its responses read aloud. Board Member Wilkens motioned for approval of Criteria 3. Chairman Rollins seconded motion. No further discussion. Unanimously approved.
 4. Criteria 4 and its responses read aloud. Board Member Wilkens motioned for approval of Criteria 4. Board Member Wall seconded motion. Board Member Wall questioned buffering and if there would be any landscaping? Mr. Mortimer advised service will be in the garage, will not be doing anything outside. No further discussion. Unanimously approved.



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5. Criteria 5 and its responses read aloud. Board Member Wall motioned for approval of Criteria 5. Board Member Brown seconded motion. No further discussion. Unanimously approved.
6. Criteria 6 and its responses read aloud. Board Member Wilkens motioned for approval of Criteria 6. Board Member Wall seconded motion. No further discussion. Unanimously approved.
7. Criteria 7 and its responses read aloud. Board Member Wall motioned for approval of Criteria 7. Chairman Rollins seconded motion. Board Member Wall questioned about the sign? CEO Hanson explained that in discussion with Mr. Mortimer, he may want to have an externally illuminated sign as some point. CEO Hanson continued this would be allowable since it would only be illuminated on his property. Mr. Mortimer advised he will not be having any neon signage. No further discussion. Unanimously approved.
8. Criteria 8 and its responses read aloud. Board Member Wilkens motioned for approval of Criteria 8. Board Member Tripodi seconded motion. No further discussion. Unanimously approved.
9. Criteria 9 and its responses read aloud. Board Member Wilkens motioned for approval of Criteria 9. Board Member Wall seconded motion. Board Member Wall inquired if DEP contact information is able to be accessed quickly if needed? Mrs. Mortimer advised it is on the wall in the garage where it can be easily seen. Board Member Wilkens questioned if Mr. Mortimer has a contract with SafetyKleen? Mr. Mortimer advised he is in the process of obtaining a contract with SafetyKleen. No further discussion. Unanimously approved.
10. Criteria 10 and its responses read aloud. Board Member Wall motioned for approval of Criteria 10. Board Member Wilkens seconded motion. No further discussion. Unanimously approved.
11. Criteria 11 and its responses read aloud. Board Member Wall motioned for approval of Criteria 11. Chairman Rollins seconded motion. No further discussion. Unanimously approved.
12. Criteria 12 and its responses read aloud. Board Member Wall motioned for approval of Criteria 12. Board Member Brown seconded motion. Chairman Rollins inquired regarding fire extinguisher requirements? Mr. Mortimer states he has fire extinguishers and will check with State to make sure he is in compliance. CEO Hanson advised this application does not trigger a fire



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marshals' inspection and does not have any special requirements. Board Member Wilkens suggested Mr. Mortimer check with his insurance company for his homeowner's insurance to make sure there is nothing they will require. No further discussion. Unanimously approved.

13. Criteria 13 and its responses read aloud. Board Member Tripodi motioned for approval of Criteria 13. Board Member Brown seconded motion. No further discussion. Unanimously approved.

14. Criteria 14 and its responses read aloud. Board Member Wall motioned for approval of Criteria 14. Board Member Tripodi seconded motion. Chairman Rollins inquired to CEO Hanson if there was any issue with wetlands? CEO Hanson advised there is a wetland but it is far back on the property and is not an issue. No further discussion. Unanimously approved.

15. Criteria 15 and its responses read aloud. Board Member Wall motioned for approval of Criteria 15. Chairman Rollins seconded motion. No further discussion. Unanimously approved.

- **Board Member Wilkens motioned for approval that all 15 criteria have been met. Board Member Wall seconded motion.** All in favor. Unanimously approved.
- Chairman Rollins advised conditional permit approved and explained there is a 30-day appeal process. Mr. Mortimer states he wants to keep things neat and clean in the area.
- Chairman Rollins officially welcomed Board Member Michael Brown to the Planning Board.

New Application: Michael Marois Conditional Use application for Fill greater than 100 cubic yards to expand seating and parking at fast food restaurant located at Map 27 Lots 038 and 039

- Chairman Rollins advised of application and explained last application was approved in May 2012 when business was approved. There was question if the slope of the new parking area would be changing? Mr. Marois explained he wants to keep the slope as is and is just widen out the area. CEO Hanson provided map of location on the screen and explained the project and the property. CEO Hanson also explained they will be using the existing sign and there will be no new signage or lighting.
- Board Member Wall inquired if he still needed to monitor? Mr. Marois advise he no longer need to monitor. Board Member Wall further explained that there was an oil spill at the location years ago. CEO Hanson confirmed the field is designed for double the compacity needed.
- Board Member Wilken asked if he was planning on carrying the pitch? Mr. Marois explained he wants to go another 20 ft. Board Member Wilkens questioned if the run off ditch will still be there and if the ditch is dry most of the year? Mr. Marois answered yes, the ditch will still be present and that the ditch remains dry most of the year.



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- Chairman Rollins inquired into the distance to the property line? Mr. Marois confirmed he will be 20 feet away. CEO Hanson explained a parking/seating area has no set back and the fill extension cannot go over.
- Board Member Wilkens questioned if new parking area will be paved? Mr. Marois explained the existing area will get paved but new area will not be paved. Board Member Wilkens questioned phosphorus levels? CEO Hanson explained lot coverage is not near 20% but the calculations would still need to be done.
- CEO Hanson further explained that Mr. Marois maybe putting overhead coverage over the new eating area in the future and wanted to have it included in the application discussion. Chairman Rollins questioned CEO Hanson if it is something he could permit? CEO Hanson advised it would be the type of structure he could permit.
- There was discussion of different parking scenarios for the location. Mr. Marois further advised there is a dining room that is handicap accessible. CEO Hanson further explained that the requirement is 1 ADA accessible spot per every 8 spots and that he would do the inspection for the new parking.
- **Board Member Wilkens motioned to approve application as complete. Board Member Wall seconded motion. Board Member Wilkens motioned that a public hearing not needed. Board Member Wall seconded motion.** All in favor. No further discussion
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 3. Criteria 3 and its responses read aloud. Board Member Wilkens motioned for approval of Criteria 3. Board Member Brown seconded motion. No further discussion. Unanimously approved.
 4. Criteria 4 and its responses read aloud. Board Member Wilkens motioned for approval of Criteria 4. Board Member Wall seconded motion. Chairman Rollins inquired if there were plans for buffers. Mr. Marois advised there are plans for buffers. No further discussion. Unanimously approved.
 5. Criteria 5 and its responses read aloud. Board Member Wall motioned for approval of Criteria 5. Chairman Rollins seconded motion. No further discussion. Unanimously approved.



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8. Criteria 8 and its responses read aloud. Board Member Wall motioned for approval of Criteria 8. Chairman Rollins seconded motion. No further discussion. Unanimously approved.
9. Criteria 9 and its responses read aloud. Board Member Wall motioned for approval of Criteria 9. Board Member Wilkens seconded motion. Chairman Rollins inquired if the code states anything about outdoor? CEO Hanson advised there are spacing requirements. He continued that there are only so many seats allowed per square foot. Chairman Rollins questioned if there are public restrooms? Mr. Marois states he has not been allowing anyone inside. He further advised that he has portable outhouses at the location. CEO Hanson further advised that he expected use is 200. No further discussion. Unanimously approved.
10. Criteria 10 and its responses read aloud. Board Member Wall motioned for approval of Criteria 10. Chairman Rollins seconded motion. No further discussion. Unanimously approved.
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- **Board Member Wilkens motioned for approval that all 15 criteria have been met. Board Member Wall seconded motion.** No further discussion. Unanimously approved.
- Chairman Rollins advised conditional use permit approved and also advised of the 30-day appeals period. CEO Hanson further advised he will issue permit.

CEO Report

- CEO Hanson advised there have been few new projects, with only 4 new building permits and 2 new plumbing permits. He continued he has been working on the backlog and has 10 to 11 permits left to review.
- CEO Hanson continued that there is no new information on violations and he is working on dangerous building violations.

Future Schedule and Adjourn

Next Planning Board Meeting: November 23, 2021

Motion to adjourn meeting made by Board Member Wilkens

Motion seconded by Board Member Wall

There was no further discussion and the motion to adjourn was unanimously approved.

Respectfully Submitted,
Dawn Kilgore
Planning Board Secretary