



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 July 11, 2023

Planning Board Meeting

Meeting held in Meeting Room at China Town Office and via ZOOM

June 27, 2023

Begin 6:30 PM

Board members in attendance: Toni Wall, James Wilkens, Natale Tripodi, Michael Brown, Walter Bennett

Board members not in attendance:

Attendees: Mary Grow, Joann Austin, Chris Harris, Wayne Chadwick, Lucas Adams, Jordan Giroux, Alan Mather and Barbara Tobey

Assistant Code Enforcement Officer Nick French - Present

Board meeting opened by Chair Wilkens

Pledge of Allegiance to the American Flag

Chair Wilkens brought Board Member Tripodi into voting capacity.

Review/Approve Minutes June 15, 2023 Meeting

- Chair Wall motioned to approve minutes as written.
- Board Member Tripodi seconded motion.
No further discussion. Unanimously approved.

Public Hearing – Chris Harris - Route 3 Storage Facility – Conditional Use Permit

- Chair Wilkens opened the public hearing at 6:33pm. Ms. Joann Austin advised she did not have any comment and came to listen to what is happening on the property. Chair Wilkens questioned the audience if there were any other comments? No other comments were presented. Chair Wilkens closed the public hearing at 6:34pm. Chair Wilkens explained since they have already voted the application as complete at the June 15, 2023 meeting, they can begin review of the conditional use permit and the 15 criteria.

Criteria

1. Criteria 1 and its responses were read aloud. Board Member Tripodi motioned for approval of Criteria 1 as complete. Board Member Bennett seconded motion. Chair Wall inquired if a DOT permit was not needed because the driveway already exists? Mr. Harris confirmed he did not need a DOT permit since the driveway already exists. No further discussion. Unanimously approved.
2. Criteria 2 and its responses were read aloud. Chair Wall motioned for approval of Criteria 2 as complete. Board Member Bennett seconded motion. Chair Wall questioned if they need letter from Fire Chief. Chair Wilkens explained they usually put condition for letter from Fire Chief on a different criterion. Board Member Bennett questioned if from the driveway to the building is



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clear? Mr. Harris answered yes, from the driveway to the future building is clear. No further discussion. Unanimously approved.

3. Criteria 3 and its responses were read aloud. Chair Wall motioned for approval of Criteria 3 as complete. Board Member Tripodi seconded motion. Board Member Bennett inquired if statement regarding “with adjacent property owners in mind”, if that means the lighting will not shine past property line? Mr. Harris explained that the lights will not point towards others and will only shine on his property. Chair Wall inquired if there will be motion detecting lighting for night? Mr. Harris explained he plans on mounting the lights on the eaves of the building. He continued that lighting will be like a flood light pointing down. No further discussion. Unanimously approved.
4. Criteria 4 and its responses were read aloud. Chair Wall motioned for approval of Criteria 4 as complete. Board Member Tripodi seconded motion. Board Member Bennett questioned if they will be removing any landscaping between the property and the neighbors? Mr. Harris advised properties remain hidden from each other. He continued to explained there is a wooded buffer between and a field in the back that will remain in place. No further discussion. Unanimously approved
5. Criteria 5 and its responses were read aloud. Chair Wall motioned for approval of Criteria 5 as complete. Board Member Bennett seconded motion. No further discussion. Unanimously approved.
6. Criteria 6 and its responses were read aloud. Chair Wall motioned for approval of Criteria 6 as complete. Chair Wilkens seconded motion. No further discussion. Unanimously approved.
7. Criteria 7 and its responses were read aloud. Board Member Tripodi motioned for approval of Criteria 7 as complete. Chair Wilkens seconded motion. No further discussion. Unanimously approved.
8. Criteria 8 and its responses were read aloud. Chair Wall motioned for approval of Criteria 8 as complete. Chair Wilkens seconded motion. Board Member Bennett questioned how close to the street is the property? Assistant CEO French advised there is a large ditch between Route 3 and the property. No further discussion. Unanimously approved.
9. Criteria 9 and its responses were read aloud. Chair Wall motioned for approval of Criteria 9 as complete. Board Member Tripodi seconded motion. Board Member Bennett expressed his concern of a dumpster being on site. Mr. Harris explained there will be no dumpster on site and individuals will be required to take care of their own trash. No further discussion. Unanimously approved.
10. Criteria 10 and its responses were read aloud. Chair Wall motioned for approval of Criteria 10 as complete. Chair Wilkens seconded motion. Chair Wall questioned if an erosion plan is required? Assistant CEO French explained erosion controls are in place during construction. No further discussion. Unanimously approved.



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11. Criteria 11 and its responses were read aloud. Chair Wall motioned for approval of Criteria 11 as complete. Chair Wilkens seconded motion. Board Member Bennett advised is very close to Route 3 and need to make sure runoff will not go into Route 3 if there was a heavy rain storm. No further discussion. Unanimously approved.
12. Criteria 12 and its responses were read aloud. Chair Wall motioned for approval of Criteria 12 as complete. Board Member Tripodi seconded motion. Chair Wall asked the Planning Board members if they need a letter from local Fire Department that they have access from Route 3? Chair Wilkens explained they usually ask for the letter from all business. He continued they need to have the Fire Chief come out to the property to check there is adequate access and then the letter is put in the file at the Town Office. Chair Wall advised the letter is a condition for the permit. It was confirmed the letter will need to come from Fire Chief at South China Fire Department. Chair Wall made condition that Mr. Harris obtain a letter from South China Fire Department to make sure there is adequate access to the building in case of a fire. **Condition: Letter from South China Fire Department.** No further discussion. Unanimously approved.
13. Criteria 13 and its responses were read aloud. Chair Wall motioned for approval of Criteria 13 as complete. Board Member Bennett seconded motion. No further discussion. Unanimously approved.
14. Criteria 14 and its responses were read aloud. Chair Wall motioned for approval of Criteria 14 as complete. Board Member Bennett seconded motion. No further discussion. Unanimously approved.
15. Criteria 15 and its responses were read aloud. Chair Wall motioned for approval of Criteria 15 as complete. Board Member Tripodi seconded motion. No further discussion. Unanimously approved.

Ms. Austin advised she is concern regarding the drainage to her abutting lot. She continued her lot is the lower lot and drainage would run onto her lot. Mr. Harris advised he would make sure the stormwater would not run onto her property and will make a ditch to make sure there are not drainage issues. **Chair Wall motioned all 15 criteria have been met with the condition of a letter from the Fire Department on Criteria 12. Board Member Bennett seconded motion.** Mr. Harris questioned if he needs to get the letter after construction or can it be before? Chair Wilkens explained it can be before or after construction. He further explained the Fire Chief just needs to know where the building is and the access needed. No further discussion. Unanimously approved. Chair Wilkens advised of 30-day appeal period.

Chair Wilkens advised need to wait until 7:00pm for second public hearing to allow people time to arrive to attend the hearing. Chair Wilkens motioned to move ahead to CEO Report on the agenda while they wait.

CEO Report

- Assistant CEO French explained he receive a new conditional use application for the next meeting. The application is for an auto detailing on the China Road and will be located in an existing building.



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- Assistant CEO French states he is working on clear things up for next CEO. He advised his last day will be July 28th.

Public Hearing – Lucas Adams - Route 3 Storage Facility – Conditional Use Permit

- Chair Wilkens opened hearing at 6:57pm. Alan Mather advised that he lives kitty corner, across the street from the property. He explained that he is not in favor of having a public hearing and stated he is good with Mr. Adams building on his own property. Jordan Giroux states he is an abutter on the Horseback Road and has some concerns. Chair Wilken asked Mr. Giroux to name some of his concerns. Mr. Giroux stated that when he and his wife purchased their property, it should have been brought up. He continued it would have been nice to know how the property was going to be used. He further advised that with all the clearcutting, it has made his home visible. Mr. Giroux explained when they bought their home, they were looking for the privacy that is now gone. Chair Wilkens explained that is part of the criteria and will ask when they get to the criteria. Chair Wall asked people to make sure they sign in. Chair Wilkens closed at 7:00 pm. Chair Wilkens advised application was vote complete at June 15, 2023 meeting and they will go over the conditional use permit and the 15 criteria.

Criteria

1. Criteria 1 and its responses were read aloud. Chair Wall motioned for approval of Criteria 1 as complete. Board Member Tripodi seconded motion. Chair Wall confirmed that the DOT permit has been received. Mr. Adams explained there was a snowmobile trail going through and the old Route 3 is on the backside. No further discussion. Unanimously approved.
2. Criteria 2 and its responses were read aloud. Chair Wall motioned for approval of Criteria 2 as complete. Board Member Bennett seconded motion. Board Member Bennett asked access for emergency vehicles? Chair Wilkens explained emergency vehicles would need to be able to access 24/7. Chair Wall questioned where is the entrance? Mr. Adams showed where entrance will be on map and advised will be on the opposite side from Southern Oaks. Board Member Bennett asked if the building is 30 feet wide and how big is the property? Mr. Adams confirmed the building is 30 feet wide and is roughly 150 ft at this point. Chair Wilkens offered for audience members to view the map of the property. No further discussion. Unanimously approved.
3. Criteria 3 and its responses were read aloud. Chair Wall motioned for approval of Criteria 3 as complete. Board Member Tripodi seconded motion. Chair Wall asked if lighting will be pointed down at all times and will the lights ever be off or will they be motion detected? Mr. Adams explained the lights will be motion detected will only come on with motion. No further discussion. Unanimously approved.
4. Criteria 4 and its responses were read aloud. Chair Wall motioned for approval of Criteria 4 as complete. Board Member Bennett seconded motion. Chair Wall questioned if there is any buffer between the property and Mr. Giroux's property or is there any intention to put a buffer in between the properties or will allow to regrow naturally? Mr. Adams explained that section of Route 3 is wooded and there is a ridge there. He continued that he is keeping some of the buffer between Route 3 and the house but cannot keep entire buffer because lot is long and narrow. Chair Wall asked Mr. Adams to point out ridge and wooded buffer on map. Mr. Giroux showed where his home is located on the map in relation to the Adams property and his property lines in



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relation to the storage unit. Chair Wilkens inquired if there will be any blasting? Mr. Adams advised he will not be blasting anytime in the near future. Chair Wilkens advised Mr. Adams he would need a permit to blast or cut anymore wood on the property. Mr. Adams explained the middle ridge will be blasted but will be years from now. Mr. Giroux states original plan he received regarding cutting and not cutting is different from plan now. There was some discussion between Mr. Adams and Mr. Giroux regarding plan for property. No further discussion. Unanimously approved.

5. Criteria 5 and its responses were read aloud. Chair Wall motioned for approval of Criteria 5 as complete. Chair Wilkens seconded motion. No further discussion. Unanimously approved.
6. Criteria 6 and its responses were read aloud. Chair Wall motioned for approval of Criteria 6 as complete. Board Member Bennett seconded motion. Board Member Bennett asked if driveway is strategically located to allow to turn from either direction? Mr. Adams states DOT gives both sides for good visibility. Board Member Bennett states he wants to make sure will not be a hazard. Chair Wilkens explained DOT permit gives so much visibility. Mr. Giroux explained it is very clear to see from either direction. No further discussion. Unanimously approved.
7. Criteria 7 and its responses were read aloud. Chair Wall motioned for approval of Criteria 7 as complete. Board Member Tripodi seconded motion. Board Member Bennett inquired if there is still a good wooded buffer? Mr. Adams advised he has cleared out quite a bit but has left both ends wooded. No further discussion. Unanimously approved.
8. Criteria 8 and its responses were read aloud. Chair Wall motioned for approval of Criteria 8 as complete. Board Member Bennett seconded motion. Board Member Bennett stated his concern with runoff. Mr. Adams explained direction of runoff on property and advised runoff will remain on property. No further discussion. Unanimously approved.
9. Criteria 9 and its responses were read aloud. Chair Wall motioned for approval of Criteria 9 as complete. Chair Wilkens seconded motion. No further discussion. Unanimously approved.
10. Criteria 10 and its responses were read aloud. Chair Wall motioned for approval of Criteria 10 as complete. Board Member Bennett seconded motion. Chair Wall inquired if erosion control plan will be provided to CEO? Assistant CEO French advised is part of the process. No further discussion. Unanimously approved.
11. Criteria 11 and its responses were read aloud. Chair Wall motioned for approval of Criteria 11 as complete. Chair Wilkens seconded motion. No further discussion. Unanimously approved.
12. Criteria 12 and its responses were read aloud. Chair Wall motioned for approval of Criteria 12 as complete. Board Member Bennett seconded motion. Chair Wall made the condition of a letter from South China Fire Department regarding adequate access to the property. Mr. Adams advised they could sit on Route 3 if needed. **Condition: Letter from South China Fire Department.** No further discussion. Unanimously approved.



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13. Criteria 13 and its responses were read aloud. Chair Wall motioned for approval of Criteria 13 as complete. Chair Wilkens seconded motion. Chair Wilkens questioned if no storage of hazardous materials will be in contract? Mr. Adams explained will be in lease contract. No further discussion. Unanimously approved.
14. Criteria 14 and its responses were read aloud. Chair Wall motioned for approval of Criteria 14 as complete. Board Member Bennett seconded motion. No further discussion. Unanimously approved.
15. Criteria 15 and its responses were read aloud. Chair Wall motioned for approval of Criteria 15 as complete. Chair Wilkens seconded motion. No further discussion. Unanimously approved.

Chair Wall motioned that all 15 criteria have been met with condition for letter from South China Fire Department for adequate access. Chair Wilkens seconded motion. No further discussion. Unanimously approved. Chair Wilkens advised of 30-day appeal period.

Solar Ordinance

- Board Member Bennett asked to table discussion on solar ordinance to the next meeting to allow for members to read new information provided. Chair Wilkens motioned to table discussion on solar ordinance until members have had a chance to read new material. All in favor.

Chair Wall advised she received an email from MMA regarding local boards trainings and should be in Planning Board member emails. She continued to advise they mentioned a manual for local planning boards. Chair Wall advised the Town can print it for Planning Board members and needs to know how many will be needed. Chair Wall explained will ask if can be download. She further explained there is a lot of information in the manual. Chair Wilkens advised of trainings through MMA.

Chair Wall explained she attended the Select Board meeting to bring up the discussion on the districts for the Planning Board ordinance. She advised it was a good discussion. She further advised that they are not going to take the districts out but talked about the vacancies. Chair Wall explained the way it is worded now, the Select Board can only choose from the vacancy district to fill in the interim, for example would only be able to choose from District 4. She continued they discussed having the Select Board select a replacement from the general population of China or make an alt at large and would become District 4. Chair Wilkens advised that is why the alt at large position is there. Board Member Bennett advised he has always thought it would make more sense to convert to an at large seat for the duration. Chair Wall explained they cannot do until in ordinance. Chair Wall advised she will have Planning Board ordinance for next meeting. Chair Wilkens advised they need to wait on Select Board for their result.

Ms. Austin questioned the authorizing of grandmother and mother apartments for housing at the State level and what does it do to the ordinances? Assistant CEO French advised it shifts the 2nd, 3rd and 4th housing options. He continued to explained instead of having minimum lot size of 40,000 sq. feet for a residential, now each individual one after the 1st would be an additional 20,000 sq. feet for a dwelling. Assistant CEO French advised now can have principle dwelling and one mother in law apartment. Assistant CEO French explained the new standards. He continued that it allows more housing within the same lot but the lot cannot be broken. Ms. Austin questioned what if in the Shoreland? Chair Wilkens



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explained it cannot be separated into a nonconforming lot. Assistant CEO French advised would still need to meet the set back from the water. Ms. Austin gave some examples of some properties. There was further discussion on the new standards in relation to existing lots and grandfathered lots.

Chair Wall opened discussion on meetings for July and August. She advised that in the past they have only had one meeting in July and one meeting in August. She continued by ordinance; they are required to have one meeting. Chair Wall asked if the Planning Board members would be interested in the one meeting? Chair Wilkens explained they could have another meeting depending on applications. Chair Wall explained they normally have a meeting the 2nd Tuesday. Board Member Bennett inquired if that would make more work? Chair Wilkens responded that most people go on vacation during that time. Chair Wall motioned to have one meeting on July 11th and one meeting on August 8th with the option for additional meeting if needed. Chair Wilkens seconded motion.

Future Schedule and Adjourn

Next Planning Board Meeting: July 11, 2023

Motion to adjourn meeting made by Board Member Bennett

Motion seconded by Chair Wilkens

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

Respectfully Submitted,
Dawn Kilgore
Planning Board Secretary