

**TOWN OF SKOWHEGAN  
PLANNING BOARD  
MEETING MINUTES**  
May 3, 2022  
7:00 P.M.  
Municipal Building, Council Room

**PRESENT:**

Steve Conley, Chairman  
Stephen Gould, Secretary  
Harvey Austin  
Jeff McCabe  
Matt Smith  
Derek Chretien  
Dan Luce, Alternate  
Joel Greenwood, Planner  
Cynthia Kirk, Recording Secretary

**ABSENT:** Steve St. Pierre, Vice Chairman

**PUBLIC PRESENT:**

Bryan Belliveau, CEO	Lisa & Bing Marshall
Todd Smith, Selectman	Ricky & Wendy Turner
Randy Gray	Jessica Cobb, KVCOG
Trisha Austin	John Youney

**1) QUORUM:**

Planning Board Meeting called to order at 7:00 P.M. Quorum was present.

**2) MINUTES OF THE April 5, 2022 PLANNING BOARD MEETING TO BE APPROVED:**

Motion by Jeff McCabe to approve the April 5, 2022 Planning Board meeting minutes, as written. Seconded by Stephen Gould. Motion passed 5-0. (Harvey abstained)

**3) SITE PLAN / SUBDIVISION:**

None

**4) ITEMS BY THE PUBLIC:**

None

**5) COMMUNICATIONS:**

None

**6) NEW BUSINESS:**

- A) Discussion and decision on the Shoreland Zoning Permit application submitted by Rick & Wendy Turner and Frederick & Lisa Marshall for the property located at 275 Canaan Road (Assessor's Map 5, Lot 96-5).**

Before discussion started Stephen Gould and Harvey Austin recused themselves.

Rick Turner explained that they are looking for a permit to extend the leach field to accommodate the additional lots as well as remove some of the gravel that has been placed and replace it with more grass area.

Steve Conley asked Bryan Belliveau if he had been to this site and reviewed what is being asked for in this application. Bryan said that he has. He said that this is a permit after the fact to expand the leach field to accommodate the additional lots that were put in without any permits. Also, the existing site as it sits right now is over the 20% allowable impervious surface within the Shoreland Zoning rules. The additional grass area that they are proposing would put them within the 20% allowable space.

John Youney stated that he is representing Harvey and Trisha Austin in this matter. He asked that the Planning Board consider both proposals tonight. This area was originally permitted in 2009 for 3 wet lots and 1 dry lot. He said right now there are 6 lots that they want to make all wet lots as well as another building that is wet with a bunkhouse, washer & dryer and toilet in it. Mr. Youney stated that the additional lots and bunkhouse were constructed without any permits therefore they are seeking an after the fact permit. He said to reward them with a permit for a further expansion of a lot that is currently in violation has never been done in his knowledge. Mr. Youney also spoke to the fact that they are looking to place topsoil on top of the existing gravel to create the needed vegetated space. He said with the slope of the lot, if there are any hard rains, that new topsoil is going to wash right into the river. He said with all of these facts he doesn't see how the Planning Board can go forward and approve these permits. Mr. Youney said that the CEO has issued a permit to Mr. Austin to return this site back to what was originally approved in 2009 and that should be the only permit issued at this time. Jeff McCabe asked when the permit to Harvey was issued. Bryan said that it was about 2-3 weeks ago. He said he reviewed Harvey's permit with the town attorney before issuing it. He was told by Mr. Lexier that we have to issue the permit because that permit would have brought the site back into compliance with the original approved plan.

Steve Conley asked Joel if there is anything in the ordinance that prevent any of the owners from applying for a second permit to bring it into compliance while they are still waiting on the results of the first permit that was filed. Bryan said that was his specific question to Mr. Lexier and his response was that they had to issue the permit submitted by Mr. Austin. Bryan also said he has spoken with Cameron Dufour at DEP regarding the proposed vegetation that Mr. Youney had mentioned and he was told that the vegetation was suitable for the site.

Jeff McCabe said that they understand that this is a tense issue for the people that own this property, and he feels that they should here from the people in the room tonight as much as possible even if they aren't able to make a final decision tonight.

Fred Marshall asked if it is common practice to come to a meeting like this and be blindsided by learning that another permit has been issued on this property that they all own. Steve Conley stated he isn't aware of having a situation like this one in all of his time on this Planning Board. Mr. Marshall also responded to Mr. Youney's claim that everything is going to wash into the river. He said that the property is in fact very flat down there where the campsites are located. He suggested that the Planning Board members go look at the property themselves.

Rick Turner said the storage building no longer has a bunkhouse or Washer & dryer in it. Randy Gray made them take that out a while ago. He also said that the vegetation that they are looking to put down there is not loam and seed. They are proposing to hydroseed there which is guaranteed to grow within a week so they don't have to worry about it sheeting off into the river. Mr. Turner said that last year Bryan and the DEP were down at the site and he was told by them that everything was fine at this site.

Harvey Austin stated that everything was not fine at the site. He said he had told Mr. Turner several times over the years that the additional 2 lots that have been put down there are not legal sites. He said that Randy Gray had told them that they could have family come down and dry camp only at this site. He stated that Mr. Turner had taken it upon himself to plumb the sites as well as run water and electricity. Mr. Austin said that now that he has been considering selling his portion of this property, he can not give a buyer a warranty deed for something that is in violation of the original plan. He said he could be sued for that.

Lisa Marshall stated that it is not just anybody that comes down there and camps. She said it is their children that come down only.

Fred Marshall said that they just want to know what they have to do to bring this campground back into compliance. He said whatever they are told to do they will make sure it gets done.

Wendy Turner stated that they just want to be in compliance even if it means that they have to rip out the additional sites. All they care about is being able to enjoy the campground with their families.

Harvey stated that he would be happy if the site was put back the way it was originally approved for in 2009.

Lisa Marshall said that if those additional slabs need to be torn out then they will tear them out. She said she only cares about being able to have their families come down and be there with them. She said they don't need those slabs to be able to do that. She said that the plan they had submitted with their application shows that they can meet the 20% requirement and still keep the slabs but if they can't keep them then that's fine.

Steve Conley said that the Planning Board should do a site visit of this property themselves. From what he has heard it seems like all of the owners just want this property to be in compliance with the laws.

Joel asked as of today, if the property currently in violation of either the Shoreland or Floodplain ordinances. Bryan said yes, it is. Joel said then they shouldn't be looking at any new applications until this property is brought into compliance with those ordinances.

Steve Conley asked Bryan what is needed to bring it into compliance. Bryan stated the two additional concrete pads need to be removed and bring it back to having 3 wet sites and one dry sites. That is what was originally permitted in 2009.

Rick Turner said in his opinion there isn't any reason to go spend extra money to expand the septic system for one site. He said maybe they should just return it all back to the original 3 wet sites and one dry site. He said they can rip out the extra concrete pads that were placed and grass it over. He said there isn't any reason why they can't still park on the grass. Steve Conley asked if they want to withdraw their applications at this time. Lisa Marshall said yes, at this time, they will withdraw their Shoreland and Floodplain applications. Harvey Austin said he is good with that.

**B) Discussion and decision on the Flood Hazard Permit application submitted by Rick & Wendy Turner and Frederick & Lisa Marshall for the property located at 275 Canaan Road (Assessor's Map 5, Lot 96-5).**

Per the previous discussion, this application was withdrawn.

**7) UNFINISHED BUSINESS:**

None

**8) COMPREHENSIVE PLAN UPDATE:**

Joel doesn't have anything new to review at this time. He said that KVCOG has hired some new employees including Jessica Cobb who is here tonight. He said now they are in a good

position to move forward with the next sections of the Comprehensive Plan.

**9) ITEMS BY:**

- **SELECTMEN:**

- **DEPARTMENT HEADS:**

Bryan gave an update on the KVCAP project. He said they are well on the way now. He said the only item he is still waiting on from them is the escrow agreement for the sidewalk money that they agreed to.

- **MEMBERS:**

Harvey mentioned that he has seen a couple dangerous buildings in town. He mentioned the house on Cedar Ridge Drive that burned. He said that is a very dangerous situation because people can go in and out of that structure. Bryan said he is working on that one. Harvey also mentioned one owned by Webber Oil on Waterville Rd. Bryan said he will look into that one as well. Todd Smith asked Bryan if the proposed new Property Maintenance Ordinance would help with these dangerous building situations if it passes at town meeting. Bryan said it definitely would.

Stephen Gould said that while they are working on the Comprehensive Plan, they need to keep an eye on new legislature coming down the road regarding low-income housing. They need to make sure that the State isn't able to come in and take over where housing is concerned.

- **CHAIRMAN:**

Steve Conley asked what is happening with the Trampoline Park. Bryan said they still have some things that need to be done before he can issue an occupancy permit. They are currently working with the State Fire Marshall's office right now.

- **STAFF:** Joel mentioned the Build Maine Conference coming to Skowhegan on June 8<sup>th</sup> & 9<sup>th</sup> in the new Bigelow Brewery building on the island.

**ADJOURNMENT:**

Motion by Harvey Austin to adjourn at 8:20 p.m., Seconded by Derek Chretien.

Motion passed 6-0.

**Minutes approved on May 17, 2022**

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**Chairman**

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