

**Town of Turner, Maine
Planning Board Minutes
May 9, 2018**

1. CALL TO ORDER

Called to order at 7:00 pm by Vice-Chairman Mr. R. Edward Morris. Those members present were Mr. R. Edward Morris, Mr. Richard Lee, Mr. Bill Bullard, and Mr. Kelvin Youland. Planner Ms. Shelley Norton, CEO Mr. Bob Boutin, and Town Manager Mr. Kurt Schaub were also present. Absent: Chairman Thomas Perkins and Mrs. Shirley Twitchell.

2. VERIFICATION OF QUORUM

Mr. Morris stated that there were four Board Members in attendance which constitutes a Quorum.

3. PUBLIC HEARING

Scott's Recreation

Mr. Scott Roberge presented the project and gave a brief description of the intent on behalf of the General Manager, Reid Lanpher. Scott's Recreation has bought two parcels, one adjacent to their existing business and one on north side of Route 4 across the street. The one across the street had been used as a farm stand; they will be removing all of the existing buildings and putting in approximately 8.25 acres of impervious area, primarily gravel, with no new buildings proposed at this time. Three soil filter ponds are being installed due to DEP requirements; the water will soak through a media and be discharged through underdrains. They have applied to DOT for a second driveway (one exists) and are waiting to hear back on the driveway separation waiver. Security is important; they plan to have a 6-foot high chain link fence with gates at both driveways and to have the area locked. The second entrance will allow for delivery drop-off after hours. The second entrance also aligns enough with their existing facility that they will be able to drive across Route 4 instead of having to enter Route 4 traffic and turn causing traffic slow-down on Route 4. Six pole-mounted lights are proposed.

The project needs town approval, MDOT approval for the second access, and DEP approval under Site Location. They were required to tie the existing development into their application to DEP so they are also constructing two soil filter ponds at the existing business location.

The public hearing was opened at 7:13. John Claremont owns property behind the current Scott's Recreation location. He stated that he found a big pile of material dumped onto his property; he is also concerned about the water coming from the new ponds into his property. Reid Lanpher responded to Mr. Claremont, stating that he isn't sure exactly where the property line is located, it was his understanding based on a description from an employee that they own into the wood line. Last year they did a project and did push soil into that area. He suggested they walk the area together; Mr. Claremont agreed and stated that his parcel starts 350 feet from the road. Reid stated when his father purchased the property from Paul they assumed it was okay, but Paul had never gone through DEP, they are now required to build the treatment ponds. They are doing this now, because their project is over three acres of impervious surfaces. They will have a lot of stump grindings which are good for erosion control, Mr. Roberge stated that

there will be a berm along the back of the property which will be directing the water into the two ponds. The water coming out of the ponds should be clear due to the treatment. Ms. Norton asked if the outlets have spreaders, Mr. Roberge stated they both have 10 foot level spreaders located on the Scott's recreation property to disperse the water as it leaves the pond.

The public hearing was closed at 7:18.

4. PLANNING BOARD MINUTES FROM April 11, 2018.

Mr. Bullard moved and Mr. Lee seconded a motion to approve the April 11, 2018 minutes as written. After a vote of 4-0, the motion carried.

5. OLD BUSINESS

Hood Tractor Sales

Vice-Chairman Morris signed the Findings of Fact and Conditions of Approval approved last month.

Scott's Recreation

Ms. Norton reviewed the checklist with the Board, noting items which were marked N/A. Changes had been made since the applicant submitted a lighting plan and provided a revised layout plan with bearings as well as the radius of the proposed driveway. Mr. Morris raised the request for a waiver from the submittal of traffic data by the applicant. Ms. Norton confirmed the request had been received in writing. Mr. Lee stated the applicant intends to have the largest recreational equipment sales facility in the area, how is traffic not changing? Mr. Lanpher stated that he doesn't know how he would estimate what if any increased traffic this additional storage area/ inventory would cause.

Mr. Morris stated that as he understands it, it is the intent for the public to come to the main facility, not to the new area across the street. Mr. Lee questioned the safety of pedestrians walking across the street between the two properties. Mr. Lanpher stated they will not have sales staff at the new lot, that people would come to the existing facility and if they needed to go to the display area staff would accompany them but many of the sales decisions are made by people looking at the product on the computer with them, not by browsing in the lot. Mr. Lee pointed out that on Route 26 in Poland two people were killed crossing between related facilities; Mr. Lanpher stated he would not let people walk across. Mr. Lee moved and Mr. Bullard seconded a motion to waive the requirements for traffic data to be submitted, items 35-39 on the checklist. After a vote of 4-0, the motion carried.

Item #40 of the checklist is the requirement that there be an approved driveway permit from Maine DOT. This has been noted as a condition of approval as the applicant is still waiting on his permit.

Mr. Lee moved and Mr. Bullard seconded a motion to find the checklist complete. After a vote of 4-0, the motion carried.

Ms. Norton reviewed the Findings of Fact and Conditions of Approval with the Board. Mr. Bullard moved and Mr. Lee seconded a motion to approve the application and Findings of Fact and Conditions of Approval as prepared by staff. After a vote of 4-0, the motion carried.

The Findings of Fact and Conditions of Approval were signed by Vice-Chairman Morris.

6. NEW BUSINESS – none.

7. PUBLIC COMMENTS

The public was invited to speak prior to the continuance of the rest of the agenda by Mr. Morris. Roland Gaumont, 9 Water Way addressed the board. He has also written letter which was provided to the board members. He and his neighbors live next to three sand pits, which have been used in recent years by the public for shooting. The owner of one of the pits has stopped the practice, but there is one pit which is being used to shoot AR's (automatic rifles), explode fireworks and Tannerite, sometimes until 10 at night. Saturday morning it is like a warzone, two Saturdays ago there were five cars parked at the sand pit and it was so loud you couldn't stand outside. The state regulates the sale of Tannerite allowing 5 pounds per purchase but you can leave the store and come right back in and buy more; 135 pounds would level town hall. The noises last for hours. He had asked people there if they had permission from the owner and they said no. He asked why they were shooting there instead of at a gun club and they stated that they cannot use their guns there, they are too powerful to be allowed. All his neighbors are in an uproar; they are right on the water but can't sit outside to enjoy watching the boats because of the noise. They did not buy their houses in order to be kept up all hours by a shooting range in their backyards.

Mr. Gaumont asks that the Planning Board develop an ordinance which allows fireworks at July 4th and January 31st and does not allow explosions.

Mr. Dennis Belanger, who lives across the street from Mr. Gaumont, addressed the Planning Board. Richardson's sand pit is two-tenths of a mile from them. He and his wife both shoot, Mr. Gaumont shoots every day. They are not against guns. He lived in New Gloucester and when he moved to Turner we walked down to the pit to see if he could shoot there but decided against it because he didn't consider it safe. He joined the Norway Gun Club to shoot and shoots pistols at targets, nothing high powered.

Mr. Hood, Selectman, asked about the ownership/sale of the pit. The one on Route 4 is no longer being shot in because the owner shut that down because it is was too loud. People are now using the pit on Fern Street and Richardson's pit. Mr. Gaumont summarized that shooting there is excessively noisy for the nearby residents, dangerous, and that people can't enjoy their property outside. Nowadays there are places to do this; he has joined two gun clubs himself. The explosives are the worst part; the town can't prevent their purchase but could keep them from using Tannerite. They are also throwing M50 firecrackers into the pond, it sounds like a war zone, and is being done at night when people are trying to sleep.

Mr. Hood asked if anyone has spoken with the owner. Mr. Gaumont has not been able to. Mr. Bob Boutin Code Enforcement Officer has tried to reach them several times and has not been able to. Kurt Schaub, Town Manager, stated that it was sold last year by a couple in Lisbon, they have had trouble finding phone numbers, because people no longer have landline phones, but they do have a mailing address.

Mr. Morris said he grew up in a time when people talked with their neighbors to sort out problems. Mr. Gaumont stated the people he spoke with are coming from Greene to shoot because it isn't allowed in Greene, Lewiston or Auburn. Mr. Boutin had visited the pit and spoke with Jesse Walker, he said all you have to do is to bring in blocks to put in front of the gates. When he was there he saw half a dozen people leaving their cars. He asked what they planned to do and they stated they were going to go shoot. He explained they needed to have written permission from the owner, they did not have that and left.

Ms. Norton suggested the town write a letter to the owner; it was agreed that would be the next step. Mr. Boutin asked the neighborhood to write a letter and have people sign it, that he can include with the town's letter and Mr. Gaumont and Mr. Belanger agreed.

Mr. Gaumont suggested the Planning Board look into controlling explosives in town, that we develop an ordinance against explosives. It has been getting worse in the last six months in their neighborhood; the gun shop by Twitchell's has been sending people to the sand pit to shoot because they had been kicked out of somewhere else.

Mr. Schaub stated that the state law on fireworks is that it is allowed between 9:00 am – 10:00 pm except on July 4 and December 31 when it is extended to 11:30pm. If they are using explosives/fireworks after 10pm they can call the state police who can take action. Mr. Gaumont stated that more of a solution needs to be found, folks go to bed earlier than that and even the pets are being agitated.

8. OTHER

A. ORDINANCE AMENDMENTS

Mr. Schaub stated that changes must be agreed to tonight so staff can finalize them and the Selectmen can sign them tomorrow.

Page 38, use table changes: Add the other docking facilities in the chart that Mr. Gotto had shown as a reference (no change is proposed to them). Show "Private Common Docking Facility" in the Resource Protection zone as PB^{2/22}.

Mr. Lee moved and Mr. Youland seconded a motion to recommend the warrant articles as drafted with the changes discussed on page 38. After a vote of 4-0, the motion carried.

Members discussed the Town Meeting and who would be attending.

9. REPORTS

A. Planner Escrow

Mr. Boutin read the Planner Escrow. No action needed.

B. CEO Report

Mr. Boutin read the CEO Report. There was a medical marijuana caregiver who had a fire at night, an electrician was called in. The town did not have record of any caregiver at that location. The town is finding problems with caregiver grow locations not following electrical code, they are not required at this time based on state law and local law to let the town know where they are located and the state does not disclose locations to the towns.

Beaucage residence which is divided into two rented units had oil spilled due to retrofit connections to an oil tank, DEP was called in and did cleanup inside and outside of the house.

Big Bear Lane, escrow has been paid and they are working on completing the project, expecting to meet the completion deadline of mid-June.

10 ANNOUNCEMENTS AND CORRESPONDENCE

None.

None.

11 ADJOURNMENT

Mr. Lee moved and Mr. Bullard seconded a motion for adjournment, unanimously accepted. The meeting adjourned at 9:12 pm.

Respectfully submitted by,

Shelley Norton
Planner