



TOWN OF MADAWASKA

328 St. Thomas Street, Suite 101, Madawaska, Maine 04756-1299
Tel — (207) 728-6351 • Fax — (207) 728-3611

**Madawaska Planning Board Minutes
Public Meeting
Tuesday, October 10 2017 at 5:45 PM
Town Council Meeting Room**

MEMBERS PRESENT: Vincent Sirois; Chairman, Thomas Schneck, Gary Dufour, Mike Morin

OTHERS PRESENT: Denise Thibeault, Robert Lausier, Ivy Pedersen, Lori-Anne Thibeault, Cheree Pond, Gary Picard

CODE ENFORCEMENT OFFICER: Andrew Dubé

RECORDING SECRETARY: Lee Ann Ouellette

Article 1: Call the Meeting to Order.

Chairman, Vincent Sirois called the Planning Board Meeting to order at 5:48 p.m.

Article 2: Establish a Quorum of Members.

A quorum was established with the following Planning Board members: Vincent Sirois, Mike Morin, Thomas Schneck, Kevin Dube and Gary Dufour.

Article 3: Determine any Conflict of Interest or Bias

None of the Planning Board members have a conflict of interest or bias to the following articles.

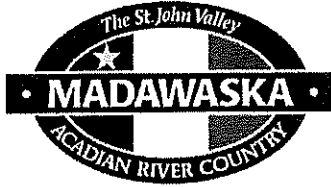
Article 4: Review and approve previous Planning Board Minutes

Gary made the following changes to the minutes, under article 4 omit Gary and add Jim.

Thomas Schneck motions to approve the previous planning board minutes with correction. Gary Dufour seconds the motion. All are in favor. Motion carries.

Article 5: To approve a subdivision application from David Morin in the K-Mart Plaza to create a new lot to transfer to the Town of Madawaska for the Establishment of a Farmers Market.

CEO started off by saying this is a 41x80 plot. Dave needs to sub divide the lot. Town is unwilling to buy all of the property, but will buy a subdivided piece of the lot. Gary's concerns revolved around a concern that this new commercial use will create a substantial amount of traffic in the area and will require parking. The town will we get permission from the people that own the parking lot to accommodate the parking necessary for the farmers market. The CEO stated that that's what the town is planning on doing. The Town Manager stated that they received this grant to build a pavilion; they've



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looked at other locations, but haven't come up with anyplace else. We need to start breaking grounds or we could lose these grant funds. Town Manager informed the Planning Board Members that Dave Morin did put in an application to subdivide the lot as well as gain variances, and the BoS and administration are okay with this.

Mike makes a motion to approve the subdivision, Gary seconds the motion. All are in favor. Motion carries.

Article 6: To discuss the potential rules for adopting a “Chicken and Rooster Regulatory Ordinance” or “Livestock Ordinance” in the High Density Residential (HDR), Medium Density Residential (MDR), Commercial and Industrial Zones.

Gary read an example ordinance which he took off the internet about Roosters in town limits. Thomas stated he spoke with a friend at Penn State University, he stated that hens crow as well. Vince printed the ordinance from Windham, but it has nothing about the noise. Denise Thibeault said she did a lot of research on this subject, and every town in the region has a rooster ordinance. Cherie Pond states that she has been a long time chicken farmer and has roosters on her property and they crow from sun up to sundown and can become very aggressive as it is in their nature. Hens are not as loud as the roosters when they crow or sing their “egg laying song”. Denise knows this will be a long process, but thinks this ordinance process needs to be started. Denise asked if she can have a retroactive application of any adopted ordinance. Andrew answered that the intent of this ordinance is to be applied retroactively. The Town Manager suggests only addressing the rooster problem at this time, and if something else comes up (such as a massive chicken farm in the residential zones, commercial, and industrial zones) the town officials will address that problem at that time. Vince said the process is being approved at Planning Board, then goes to public hearing, back to planning board, and progresses to the Board of Selectmen to be placed on warrant at town meeting. So Gary suggests the warrant read like this.

Applicability- This ordinance applies to residents inside the High Density, Medium Density and Commercial zoning.

Roosters and Peacocks and other Male Fowls known for its loud call are prohibited—the keeping of roosters, peacocks, and any other male fowl known for its loud call are prohibited.

Penalties.— The CEO thinks we should enforce penalties the same way as Madawaska does within the land use ordinance.



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"SECTION IV ADMINISTRATION

A. ENFORCEMENT OFFICER

It shall be the duty of the Code Enforcement Officer to enforce the provisions of this Code. If the Code Enforcement Officer shall find that any of the provisions of this Code are being violated, he shall notify by certified mail the person (s) responsible for such violations. Indicating the nature of the violation and ordering the action necessary to correct it. He shall order discontinuance of illegal use of land, buildings, or structures, removal of illegal buildings or structures or of additions, alterations, or structural changes thereto; discontinuance of any illegal activity; or shall take any other action authorized by this Code to insure compliance with or to prevent violation of its provisions.

B. LEGAL ACTION AND VIOLATIONS

When a violation of any provisions of this Code is found to exist, the attorney for the Town upon notice from the Town Manager or Code Enforcement Officer as directed by the Board of Selectmen, is hereby authorized and directed to institute any and all actions and proceedings either legal or equitable that may be appropriate or necessary for the enforcement of the provisions of this Code, the same to be brought in the name of the Town.

C. FINES

Any person, firm or corporations being the owner of or having control or use of any building or premise, who violates provisions hereof, shall be guilty of a misdemeanor and on conviction thereof shall be fined not less than \$20.00 nor more than \$200.00 for each day such violation is permitted to exist after notification thereof. All fines collected hereunder shall inure to the Town."

Gary makes a motion to have an ordinance written up as follows

Applicability--This ordinance applies to residents inside the High Density Residential, Medium Density Residential, Commercial, and Industrial zones. This ordinance is to be applied retroactively. Upon adoption of this ordinance those in nonconformance will have 30 days to gain compliance with the ordinance rules.

Prohibited— The keeping of roosters, peacocks, and any other male fowl known for its loud call



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are prohibited. Any enforcement associated with this ordinance will be enforced by the CEO and/or the Animal Control Officer.

Mike Morin seconds the motion. All are in favor.

Article 7: Other Business
None

Article 8: Adjournment

Mike Morin motions to adjourn at 6:48pm; Gary Dufour seconds the motion. All Planning Board members are in favor and the motion carries.

Next Upcoming Wednesday Meetings:

November 15, 2017

December 20, 2017