

Planning Board Meeting

March 21, 2017

7PM

In attendance: David Studer, Mitch Garnett, Bob Temple, Steve Ocean, Jim Bowers, Jesse Casas, David Williams. Not in attendance: Hank Aho. Public: Brian Rhea, Rick Rhea, Wesley Daniel

Mitch Garnett called the meeting to order at 7:00PM. Jesse Casas and Steve Ocean will sit in for the duration of the subdivision application.

Bob Temple gave an updated permit report for the year. David Williams asked about the outhouse near the cabin across the street. David Studer stated he designed the outhouse and septic design. He needs a state permit for an outhouse. Bob said he would look at it this week. **David Williams moved to accept the report as presented, David Studer seconded, all in favor.**

Old Business

The Linscott Appeal and Decision, Bob Temple stated that their attorney will submit their request in writing. He wanted to be on this agenda but there was not enough time. After some discussion, it was decided to wait for the paperwork that is remanded to the Planning Board. Bob will into the time frame.

David Williams asked if the letter submitted to the Board from Peter Drum was in reference to the Northrup pit and the ordinance. Mitch Garnett stated that there will be an ordinance review. Bob Temple stated that there should be a reclamation plan on file for each pit. The pits that had been grandfathered in, before the ordinance, ran on a certificate of legal operation. After discussion Mitch Garnett stated the ordinance review would go back to the Selectmen for enforcement. Jesse Casas asked what this means for Northrup, LLC's request, about permits being transferred? More discussion ensued. It was decided to invite the attorney to a meeting for clarification. David Studer suggested that Bob Temple and the Selectmen come up with an agreement for Northrup, LLC realizing there is no permit to be transferred but if further work is wanted they need to request a permit through the Planning Board. Bob will get information to the Planning Board regarding the letter for Northrup, LLC.

New Business

Mitch Garnett moved the meeting to the small subdivision application. Bob Temple has the application and Findings in Fact. The fee has not been paid. The ordinance states that a public hearing may be held. Bob did not schedule a public hearing because it didn't think it was necessary. A letter went out to the abutters within the required distance notifying them about the meeting which had been rescheduled, to tonight, due to a snow storm last week. David Studer moved that a public hearing is not required and Jesse Casas will be a voting member, Mitch Garnett seconded, all in favor. Jesse Casas clarified that we don't need a public hearing. Mitch Garnett stated that if an abutter were in attendance with questions they would then hold a public hearing.

W.R. Rhea Associates, Inc. had two lots, sold one, and the second lot would be divided into two lots. The Planning Board has the plans to review. The Planning Board will go through the Findings of Fact.

David Williams stated the application should read under Current zoning of property "Farm & Forest and Shoreland Limited Residential".

Jesse Casas was nominated, by Mitch Garnett, to read the Findings of Fact started page 3 of 28. The applicant need to sign and date application. Corrections – space between themand to read them and; page 5 of 28 # 7

Applicant's Statement: show Exhibit 3 in writing; # 10 Applicant's statement should read wooded instead of woded.; # 11 Applicant's Statement – add Exhibit 10.

Page 6 of 28 #14 Correction – Applicants' Statement to read not going instead of nit goin; #16 second Applicant's Statement to read attached instead of attached.

Jesse Casas moved to accept that all the information was submitted required by Article VI 6.3, Jim Bowers seconded, all in favor.

Article XI 11.1 - Motion by David Williams second by Jim Bowers that the provisions of this section have been met, based on the findings made. Motion carried.

11.2 Planning Board Finding of Fact changed to - The board finds that the existing Shoreland Zoning and State Forestry rules would cover and timber harvesting in the area and therefore there is no need to show areas where clearing of trees are limited – **motion made by Jim Bowers second by David Williams, all in favor.**

Article XI 11.2 A & B. Motion by Jim Bowers second by David Williams that the provisions of this section have been met, based on the findings made. Motion carried.

11.2 E Planning Board Finding of Fact to read: Based on the fact that no open space is being proposed the provisions of this section are not applicable.

11.2 F Planning Board Finding of Fact should read: The board finds that no landscape plan is necessary.

11.2 G Planning Board Finding of Fact should read: The Planning Board requires a letter from Maine Critical Areas Program stating there are no archaeological or historical sites on this property.

Article XI 11.2 C – H. Motion by David Williams second by Mitch Garnett that the provisions of this section have been met with the condition of receiving a letter from Maine Critical Areas Program and Bob Temple will also write a letter after reviewing the Comprehensive Plan, all in favor.

Page 9 of 29 11.4 A correction – should read Shoreland Ordinance instead of Land Use Ordinance also Planning Board Finding of Fact; should read Shoreland Limited Residential District instead of Limited Residential district.

Page 11 of 28 11.5 A and B change herby to here by.

Page 13 or 28 11.6 C Add Exhibit 5 to the Planning Board Finding of Fact. The Planning Board is requesting another test pit to be shown on the plan as stated in 11.6 C 1 Private System.

11.7 A Applicant's Statement: add soil in between top and is proposed and Planning Board Finding of Fact; add by the applicant after removed.

11.7 C Planning Board Finding of Fact add h to the word t at.

11.8 Planning Board Finding of Fact add services.

Article XI 11.3 – 11.8 9 Motion by Jim Bower second by David Williams That the provisions of this section have been met based on the findings made with the exception of having two more test pits added to the plan. Motion carried.

Article XI 11.9 – 11.11 B 7c Motion by David Williams second by Jim Bowers That the provisions of this section have been met, based on the findings made. Motion carried.

Article XII Motion by Jim Bowers second by David Studer That the provisions of this section are not applicable based on the fact that no street and storm drainage design and construction standards are proposed or required. Motion carried.

Article XIII Motion by Jim Bowers second by David Williams that no performance guarantees are required based on fact that no improvements are proposed or required with grammatical corrections. Motion carried.

After discussion, David Williams moved to remove Condition #4, Jim Bowers seconded, all in favor.

After discussion, Jesse Casas moved to remove the last three conditions, David Williams seconded, five in favor, one opposed.

At the April 11, 2017 meeting the final copy will be checked and voted on. Bob Temple will correct the typo on the application and send it to the applicant for signature and fee.

Bob Temple asked the Board if they would like to incorporate the state mandate Shoreland Zoning changes into the Land Use Ordinance or keep it separate. Mitch Garnett stated separate. Mitch Garnett and David Williams stated the Board had decided at the last meeting they do not want to make any changes until they see the letter from the state to mandate these changes.

Through discussion during this application process Jim Bowers is making a list of possible changes that could be made to the Land Use Ordinance in the future.

David Williams moved to adjourn the meeting at 9:02pm.

Respectfully submitted,

Mary Anderson