

Town of Lincolnville
Planning Board Meeting Minutes
April 11, 2018

1. Call to order: The meeting of the Planning Board convened at 7:00 pm. These Minutes are summary of the Board's discussions. A video recording of this meeting is available at the Town Office.

Members Present: ◇ Chair, Dorothy Havey
 ◇ Sandy Delano
 ◇ Janis Kay
 ◇ Michael Cummons

Others: Chris & Chris Pierce
 CEO Frank Therio
 Nancy Weser, PB clerk

Absent: ◇ Scott Harrison
 ◇ Barb Biscone, alternate
 ◇ Jay Foster, alternate

2. Agenda: Shoreland Zone
 James & Christine Pierce
 Map 20 Lot 6A; Marriner Drive
 Re: Seeking approval to build outside the 100' setback

Exhibits:

- a. Ingraham Land Consulting Inc. flat map Site Plan & setback exhibit. Lay out proposed site for 1500 sq. ft. house. Revised 03/27/18.
- b. Diagram of side elevation sample proposed house
- c. Rear elevation
- d. Three photos of the proposed house as it will appear on wooded property

Chair welcomed the applicant and was told by the CEO that this application would be a complex issue. CEO Therio passed out to each of the board members, Section 14- Table of Land Uses of the new Shoreland Ordinances 2015 and text from "Special Exceptions from the Shoreland 2015", in Resource Protection. The Planning Board has yet to see this 2015 Shoreland Ordinance. CEO Therio continued by asking the Board to look on table 14; number 15. "principal structures and uses, (A.) One & two family residential, including driveways." Next the CEO asked the Board to look on the next page to number #9 which states, "Single family residential structures may be allowed by special exception only according to the provision of Section 16 (E), Special Exceptions." E. **Special Exceptions.** " In addition to the criteria specified in Section 16(D) above,

excepting structure setback requirements, the Planning Board may approve a permit for a single family residential structure in a Resource Protection District provided that the applicant demonstrates that all the following conditions are met:” The Board then went thru the conditions.

1. There is no location on the property, other than a location within the Resource Protection District, where the structure can be built.
2. The lot on which the structure is proposed is undeveloped and was established and recorded in the registry of deeds of the county in which the lot is located before the adoption of the Resource Protection of 1988. 1952 it was registered.
3. a. Located on natural ground slopes of less than 20%
b. the total footprint, included cantilevered or similar overhanging extensions, of all principal and accessory structures is limited to a maximum of 1500 square feet. This limitation shall not be altered by variance.
4. All structures are set back from the normal high-water line of a water body, tributary or upland edge of a wetland to the greatest practical extent, but not less than 75 feet, horizontal distance.

A discussion ensued among the PB Members that this Shoreland 2015 Ordinance has yet to be adopted by the Town, how than as a Board, can the Board draw conclusions on present applications. M. Cummons asked the CEO, “Will the State support this approval tonight?” Yes, the State is dictating to us was the answer. CEO reminded the Board of the decision last year on approval of two non-conforming lots on the Marriners Property in Shoreland Zone District.

This will be a seasonal house, built for year round. The Board asked the CEO if there will be assurances that the house will be built, only in the designated area on the map. J. Kay made a motion for approving building outside the 100’ setback in Resource Protection District. M. Cummons accepted the approval. Vote for the approval was 4 for, 0 against.

* Chair Havey wanted to go on record that the Planning Board has not seen this Shoreland 2015 Ordinance. The Board hasn’t had any opportunity to inspect and comment on this important Ordinance. The Chair is very concerned that she must guide the Planning Board thru current applications without knowing when or how the Town will vote on the Document. She questioned the timeline when this 2015 document will be completed. There is a very uneasiness with the Board at this time.

3. Review of minutes for January 31, 2018 & February 28, 2018

S. Delano made a motion that the Board accepts the minutes of Jan. 31 & Feb. 28, 2018. Chair Havey asked, is there any discussions on the minutes, comments or changes? M. Cummons stated, a motion to approve the minutes, seconded by J. Kay. Vote 4 for approval 0 against.

4. Adjournment: M. Cummons moved to adjourn the meeting at 7:50, seconded by J. Kay.

Respectfully submitted,

Planning Board Clerk, Nancy Weser

Board approved minutes for April 11, 2018. Motion was made and seconded to accept the minutes as written on April 25, 2018.