

**Town of Lincolnville
Planning Board Meeting Minutes
January 31, 2018**

1. Call to Order: The meeting of the Planning Board convened at 7:00 PM. These minutes are a 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
◇ Michael Cummons
◇ Barb Biscone, alternate
◇ Janis Kay
◇ Jay Foster, alternate

Others: Richard McLaughlin,
Lobster Shack
CEO Frank Therio
Nancy Weser, Planning Board
Clerk

Absent: Scott Harrison

Chair Havey opened the meeting by stating that additional items would be discussed during the meeting, a letter from the Town Attorney, Sally Daggett to be reviewed and Election of Officers would be acted on. Alternate, Jay Foster was approved to vote and Alternate, Barb Biscone would participant but not vote. Richard McLaughlin addressed the Board about the new proposed plan for his Lobster Shack Oyster Bar.

2. Agenda: Commercial Site Plan
 1. Amendment to the McLaughlin's Lobster Shack
Owner, Richard McLaughlin
Corner of Rt. 1 and McKay Road
Map 1 Lot 87

Submitted Documentation:

1. Original Plan, Overview for the Oyster Bar
2. New Plan, Overview for the Oyster Bar
3. a. Elevation diagrams for proposed canopy, front, rear and side elevation.
b. Top View diagram of the wall, wheel house, roof cover, location of light fixtures
4. Black/ White pictures of the Oyster Bar, side, rear, front
5. Submission for the amendment to approved plan 4/12/17
 - a. Plan for the pipe frame canopy. Section 13.5a restricts any lot to one canopy. Owner R. McLaughlin returning with an alternative plan referencing the canopy stated in this Submission.

The Board turned to the LUO Section 13.5 to follow the text in determining the request from R. McLaughlin. R. McLaughlin was informed from the meeting in April that his business had an existing canopy at the Lobster Shack, and according to the wording in the LUO section 13.5," there shall only be one canopy per premises." The Board was given the alternative Plan that R. McLaughlin has submitted to revisit this issue and with the evidence presented will help assist in the Board's decision to approve this new proposed plan. Points that were

discussed were the elevation of the canopy which is smaller in structure, and is 1 foot lower than the Wheel House. It is a seasonal canvas canopy. In Section 13.4c, the Site Condition is a factor that R. McLaughlin expressed in his explanation. Abutters around his business have been notified of his proposed intention and there has been no negative feedback. A feature of the alternative plan is in keeping with a lower profile which will be in scale to the existing Structure. The proposed ramp has been eliminated from the original plan. The canopy is purposely for shelter from rain at the bar area on the Oyster Bar. Lighting for the canopy will be down shielded and the noise level will be minimal due to the size and area to accommodate the public at the Oyster Bar. The Oyster Bar is seasonal and hours of operation are limited during the day from 9:00am to 8:00pm, and only open during the summer months. The area around the Oyster Bar will be roped off and the improvements don't exceed the 600 square feet. Chair Havey asked, if there is no more questions or concerns, may there be a Motion. S. Delano made a motion that the Board approves of the Amendment to the Lobster Shack, seconded by J. Kay. Motion passed by a vote of 4.

3. Letter from the Town Attorney, Sally Daggett

Re: Site Plan Review Ordinance Inquiry

This letter is in response to an inquiry from the CEO to receive comment on the issue of the LUO 2.1.1. When is this 2.1.1 to be used, why is it used, and is it imperative to be kept in the LUO? Attorney Daggett's letter is an attachment to the minutes.

4. Review of Minutes: December 13, 2018

There was an addition that was added to the minutes referring to the 50% Reconstruction and Replacement, Section 12 C 3. During the meeting, questions were asked about the non-conforming structure on the agenda. This was corrected. S. Delano made a motion to accept the minutes with the correction, seconded by M. Cummons. Motion was passed by a vote of 5.

5. Election of Officers:

J. Kay made a motion to nominate Dorothy Havey as Chair for February 2018- February 2019, seconded by S. Delano. Motion passed by a vote of 4.

J. Kay made a motion to nominate Michael Cummons as Vice- Chair, seconded by S. Delano. Motion passed by a vote of 4.

Secretary in the absence of Clerk

B. Biscone made a motion to nominate Janis Kay as Secretary, seconded by S. Delano. Motion passed by a vote of 4.

Lincolnvile Planning Board for 2018 to February 2019 are:

Chair, Dorothy Havey

Vice- Chair, Michael Cummons

Secretary, Janis Kay

Members: Sandy Delano

Alternates: Jay Foster

Barb Biscone

The remainder of the meeting was devoted to the new 2015 Shoreland Ordinance. CEO Therio

used the time to instruct the Board on the importance of this State Ordinance. There will be a special instruction meeting planned to educate the Board on this Ordinance.

S. Delano made a motion to adjourn the meeting at 8:40PM, seconded by M. Cummons.

Respectfully submitted,
Nancy Weser, Planning Board Clerk

Minutes were approved April 11, 2018. M. Cummons made a motion to approve minutes of Jan. 31, 2018, seconded by J. Kay. Vote 4 for 0 against.