

Town of Lincolnville
Planning Board Meeting Minutes
April 27, 2022
7:00 pm

1. Call to order: The meeting of the Planning Board convened at 7:00 pm in the Selectmen's Room in the Town Office. These minutes are a summary of the Board's discussions. A video of the meeting is available at the Town Office as well as the option to view the meeting on Channel 22.

Members present: ◇ Elizabeth Eudy, Chair	Others: CEO Frank Therio
◇ Sandy Delano, Vice-Chair	Joseph Russillo
◇ Janis Kay	Nancy Weser, Scribe
◇ Dick Vermeulen	
◇ Bill Norfleet, alternate	

Absent: Jay Foster, alternate

Chair Eudy opened the meeting by having the Board introduce themselves and welcomed Joseph Russillo who will be presenting the application for the owner, Robert Gatof. Lincolnville By-laws allow the Chair to appoint an alternate to be a voting member for the meeting. Bill Norfleet was asked to be that voting member.

Agenda: Shoreland Zone

This is a shoreland zoning request to demolish the existing camp and then rebuild at 36 Marriner Brook Drive at Map 19 Lot 11.

Presenter: Joseph Russillo

Reference: Non-conformance

Sections: 12.C.1, 12.C.2, 12.C.3 & 12C.E 3

Exhibits:

1. Land Use Application
2. Lot Coverage & Building Expansion figures
3. Signed authorization for J. Russillo to act a representative
4. Architectural drawings by Ferguson – Ettinger Architects Inc. (1120 Coast Village Circle
Santa Barbara, CA 93108)

A1.1 Site Plan

A1.2 Existing site plan

A.2.1 Proposed Floor Plan/ Elevations

Chair Eudy found the deed to Anton to Kimberly Gatof Irrevocable Trust listing Robert Gatof as one of the two trustees. Having read over the ordinances 12.1 thru 12C.E.3 & 16.B the Chair questioned the legality of the application. Chair sort out the advice of Colin Clark with the DEP and the Town's attorney Sally Daggett. What limited response was given from both State entities, was to table the matter until it can be researched more thoroughly would be advisable and defensible. The Board wanted to pursue the application by reviewing Section 12 standards C1, C2, & C3. Vice-Chair Delano made a motion to review Section 12 Standards, seconded by J. Kay. Motion past by a vote 4, 1 abstained.

C.1 Expansion; Exhibit 2 Coverage & Expansions. CEO Therio reviewed and found the requirements within the criteria of the Standard.

Finding: In compliance with Standard 12.1., the proposed expansion doesn't exceed the 30 percent rule and the height is to be 20 ft.

C.2 Foundation; "a new foundation must be placed such that the setback requirement is met to the greatest practical extent as determined by the Planning Board, basing its decision on the criteria specified in Section 12C.3, relocation."

C.3 Relocation: "A non-conforming structure may be relocated within the boundaries of the parcel on which the structure is located provided that the site of relocation conforms to all setback requirements to the greatest practical extent as determined by the Planning Board."

Size of lot; 13,612 allowable lot coverage 2,722 (20 percent)

Triangle shape lot is 266 deep x 238 deep and 71 feet at water line.

Fact: structure cannot be placed outside the 100 foot setback, can it moved back from the water, answer was NO.

Slope of land: CEO Therio will oversee the excavation and the soil erosion process with the contractors.

Location of other structures, a small existing garage will be moved from the proposed site.

Finding; proposed location for reconstruction is appropriate to the greatest practical extent by the Planning Board, satisfies the standard of Section 12 (C) 3.

Vegetation to be removed: Joseph Russillo stated three trees need to be removed. CEO Therio will work with the applicants, determining the appropriate trees and vegetation replacement to comply with Section 12 (C) 3 a. and b.

Septic design: Joseph Russillo stated the septic system is shared amongst the three entities.

CEO Therio has approved the existing septic as adequate for the proposed new structure.

C. 4 Reconstruction and replacement: The Board found this standard as non-applicable at this point.

Vice-chair Delano made a motion the criteria and requirements of 12 C.1, 12.C.2 and 12C.3 have been met, seconded by J. Kay. Motion passed by a vote of 4, 1 abstained.

Chair Eudy would like to have more clarification on the merger clause and why ordinance 12 E was written. Referencing, "purpose of planning board to be to create less non-conforming properties."

The Board suggested to Joseph Russillo to contact the owner and seek a name change on the lot 11.

A demolish permit can be issued to demolish the existing cottage.

DEP and Town attorney will have 14 days to respond to this application.

Other business:

- Public Hearing May 18 at 6:00, this in reference to the moratorium

Review of meeting minutes of March 30, 2022

Bill Norfleet made a motion to approve minutes of March 30, 2022 with corrections, seconded by Vice-Chair Delano. Motion passed by vote of 4, 0 opposed.

Adjournment: D. Vermeulen made a motion to adjourn the meeting at 8:00 pm seconded by Vice-Chair Delano. Motion passed by a vote of 5, 0 opposed.

Respectfully submitted,

Nancy Weser, Scribe

Bill Norfleet made a motion to approve the minutes of April 27, 2022 as read, seconded by Dick Vermeulen. Motion passed by a vote of 4, 0 opposed on June 29, 2022.