

Town of Lincolnville
Planning Board Meeting Minutes
May 27, 2020
7:00 pm

1. Call to order: The meeting of the Planning Board convened at 7:00pm. This was a Zoom Meeting where all Board members, CEO Therio, Applicants and PB Clerk appeared via computer screen. Town Manager Kinney was the host and recorded a video of the meeting for Town records. Chair Cummons instructed the Board that votes will have to be by roll call. Jay Foster as an alternate was given permission to vote.

Members present: ◇ Michael Cummons, Chair	Others: Alice Amory
◇ Sandy Delano	Steven Case
◇ Scott Harrison	CEO Frank Therio
◇ Janis Kay	Nancy Weser, PB Clerk
◇ Jay Foster, alternate	

Absent: ◇ Dorothy Havey
 ◇ Barb Biscione, alternate

2. Agenda item: Commercial site recognition, to add a window at the motel to serve food/beverage. Change of use from lodging to lodging and food service.
Location: 4 Sea View Drive
 Map 13 Lot 67& 67A
Owner: Alice Amory

Ref. Section 18 Subsection 10

Exhibits: a. Lincolnville Commercial Site Plan Review Application
 b. Gartley & Dorsky Existing Conditions & Topographic Survey (6/3/15)
 c. Abutters List within 500 ft. of 4 Sea View Dr
 d. Mortgage Deed
 e. Subsurface Wastewater Disposal system Application (1/18/16)
 f. Geotextile Sand Filter Cross Section/ Application
 g. Certificate of analysis for drinking water (7/9/18)
 h. Town map location of motel
 i. Site Plan submission sheet (Section 10.2) General information
 j. Section 10.3 Existing conditions sheet
 k. Proposed Development Activity sheet (Section 10.4)

Chair Cummons asked CEO Therio to give an overview on the application before the Planning Board. CEO Therio stated there is no Commercial Site Plan on the Town record, this motel is considered grandfathered. Owner, Alice Amory would like part 1 of her application to receive

legal town recognition and part 2 of her request is to be able to sell food & beverage from a window at her motel. This would be a change of use. She signed a Commercial Site Plan Application. Chair Cummons ask what State licenses she had and what licenses she needs. Alice Amory than explained why she has come before the Board. She has own the business for many years. She went to the historical society to get background on this existing motel to no avail. In March, she spend approximately \$4,000 to collect the exhibits that would be required for a site plan review. Her application was on the agenda for March 25, 2020. Due to the co-vid 19 that meeting was cancelled. She has paid the fee for a major project. A. Amory asked the State, what she should do to be able to expand the business by adding a food service window at the motel. The State informed her to go to the Town first, get their approval and then file for a food/beverage license. She has a current lodging license.

Jay Foster reminded the Board that A. Amory has applied for a Commercial Site Plan Review Application. Before a change of use can be approved there has to be a documented approval for the Site Plan, which means the process has to proceed as the LUO dictates. To proceed A. Amory will have to send certified letters to all the abutters, notices of a public hearing in the newspapers and the timeframe on getting on the agenda for the finding of facts and the process of the amendment for a change of use. CEO Therio stated all the abutters know her and her business. The completed process could take the application into late summer. The Board decided to table the application, wait for the response from the Town Attorney. Chair Cummons will contact the Attorney.

2. Agenda: An amendment to existing subdivision Rocky Terrace to move a lot line and discussion on determining when the binder coat on the blacktopped road must be completed the Rocky Terrace subdivision.

Location: 90 Rocky Top Terrace
Map 16 Lot 8
Zone: General District
Owners: Steve & Margret Case

Exhibits:

1. Letter from Steve Case
2. Escrow agreement for paving the road
3. Final Plan Subdivision Amendment

Reference: Article 9 and Article 12.5

There was an approval made on February 12, 2020 for the proposed Harbor Ridge Subdivision. A revision will need to be completed having all the Board members who approved the application sign the new one. The applicant is requesting that there be a minor lot line change between Lots E & D and Lots F & G. J. Kay made a motion that the Board approve the amendment (Lot Line change) under Article 9.2. **Submissions: the revised plan shall indicate that it is a revision of a previously approved and recorded plan and show the title of the subdivision and the book & page on which the original plan is recorded at the Waldo county Registry of Deeds. Upon approval by the Board the revised plan shall be recorded in the Waldo County Registry of Deeds at the expense of the applicant,** seconded by S. Harrison. A roll call was taken;

Chair Michael Cummons- approved/yes

Janis Kay- approved/yes
Sandy Delano- approved/yes
Scott Harrison- approved/yes
Jay Foster- approved/yes

Chair Cummons stated motion moved and approved.

The discussion is to see if the Board will approve the 2 inch binder coat on the roads to the proposed subdivision will be sufficient for the applicant to than be able to sell the lots. The applicant has been given a time frame of 4 years for the final coat to be applied. J. Foster brought up the 15.2.5 which states; **No lot in a subdivision may be sold, leased or otherwise conveyed before the street upon which the lot fronts is completed in accordance with this ordinance, up to and including the entire frontage of the lot.** J. Foster wonders how to navigate around this ordinance. CEO Therio suggested the Chair Cummons talk with the Attorney and look into a Conditional Agreement. Article 13.6; **The Board at its discretion may provide for the applicant to enter into a binding agreement with the Town of Lincolnville in lieu of the other financial performance guarantees. Such an agreement shall be endorsed by the Board on the approval final plan and shall provide that no lot or parcel of land may be conveyed and that no permit may be issued by the CEO, for any building or other permanent structure within the subdivision until the completion of the road construction paving, storm drainage, utilities and other similar improvements as specified in the approved final plan.** S. Delano made a motion to grant a conditional approval with contingencies waiting for a reply from the Town Attorney, seconded by J. Kay. Roll Call:

Chair Cummons- yes
Jay Foster- yes
Sandy Delano- yes
Scott Harrison– yes
Janis Kay-yes

Steve Case needs to speak and give the Selectmen and Town Manager Kinney the information for a conditional agreement.

3. Review of Minutes: No minutes present

4. Adjournment: S. Harrison made a motion to adjourn the meeting at 8:45, seconded by S. Delano. Motion so moved

Respectfully Submitted,

Nancy Weser, Planning Board Clerk

M. Cummons made a motion so moved the minutes of May 27, 202 as approved. Approval of minutes were made at the June 24, 2020 Board meeting.