

Town of Lincolnville
Planning Board Meeting Minutes
December 30, 2020
7:00 pm

1. Call to order: The meeting of the Planning Board convened at 7:00 pm. The meeting was held remotely with a video of the meeting available at the office.

Members present: ◇ Elizabeth Eudy, Chair Others: CEO Frank Therio
 ◇ Sandy Delano, Vice-Chair Alex Cohen, Steven Case
 ◇ Scott Harrison Jeremy, contractor
 ◇ Dick Vermeulen Nancy Weser, Scribe
 ◇ Bill Norfleet, alternate
 ◇ Jay Foster, alternate

Absent: Janis Kay

Chair opened the meeting with introductions. Chair asked Bill Norfleet, as an alternate to vote, he accepted.

A site visit of the PB was held on the 29th of December. Chair created minutes of the site walk at 173 Mariners Drive. Vice-chair Delano made a motion that the Board accepts the minutes of December 29, 2020, seconded by D. Vermeulen. Motion passed by a vote of 5, 0 opposed.

Agenda: Revised escrow agreement

Reference: Article 12.8.2. 12.9.4 and 13.5 of the Subdivision Ordinance.

Owner: Steven Case, presenting

On May 27, 2020 Steven Case was on the agenda for escrow agreement for paving the road. The agreement was approved with contingencies. Due to the covid -19 and bad weather the road wasn't able to be completed. Steven Case would like to be allowed to have \$70,000 deposited in escrow, and in the Spring, add the binder and the finished coat to the subdivision road. The process needed is to get PB approval first than to take the approval to the Selectmen, than to the Town Attorney. Chair Eudy said having the full amount in escrow assures the Town that the monies to complete the project will be there, and protects the Town if something unforeseen happens. S. Harrison couldn't find an issue to Steven Case's request. Vice-Chair Delano made a motion that the Board approves the request, seconded by S. Harrison. Motion passed by a vote of 5, 0 opposed. CEO Therio will pass it on to the Town Administrator David Kinney.

Agenda 2. Shoreland Zone application

Owner: Alex Cohen, presenting

Location: 173 Mariners Drive

Reference: 12.4

On April 25, 2018 the PB approved a non-conforming structure with 2 dormers and a deck under 30% rule. Since 2018 the Town of Lincolnville updated the shore land ordinances having them approved by State of Maine DEP. Alex Cohen came back to get an extension on the approved plan on May 15, 2020. He hired Jeremy as the contractor. A. Cohen stated the silt fence was installed and while tearing off the roof, they discovered that an upstairs on this existing 50's camp could not be achieved due to the rot and handling the weight of a seconded story. Without consulting the CEO, the camp was demolished and footings were in the works until the CEO Therio created a stop work order. A. Cohen is asking the PB to honor the approved plan of April 25, 2020. Vice-chair Delano said there is no plan, the camp has been demolished. The PB must now follow the rules and regulations in the new shore land ordinances. Discussion ensued with the PB and A. Cohen. Chair Eudy asked the Board to consider 12.4 reconstruction or replacement in the discussion. Demolishing the camp puts the PB in a difficult position. Alternate J. Foster asked the Jeremy the contractor and A. Cohen did either of you discuss options when discovering the shape this cottage was in? During the Site walk there was the presence of hay in the construction area and J. Foster asked what is underneath the hay? While on the site walk the Board looked to see if there was an alternative site. J. Foster suggested to contact the DEP and have a designated representative from the DEP, come and recommend a solution to this dilemma. S. Harrison made a motion to move forward having a DEP involved and comply with what the designate has to recommend, seconded by D. Vermeulen. Motion passed by a vote of 4, 1 abstained. CEO Therio will call Colin Clark of the DEP.

Review of Meeting Minutes of December 9, 2020: B. Norfleet made a motion to approve the minutes as written, seconded by S. Harrison. Motion passed by a vote of 5, on December 30, 2020.

Vice-chair made a motion to adjourn the meeting at 8:05 pm, seconded by B. Norfleet. Motion passed by a vote of 5.

Respectfully submitted,

Nancy Weser, Scribe

Vice-chair Delano moved to approve the minutes with one correction at the March 10, 2021 meeting. Motion passed by a vote of 6, 0 opposed.