

Town of Lincolnville  
Planning Board Meeting Minutes  
May 31, 2023  
7:00 PM

1. Call to order: The meeting of the Planning Board convened at 7:00 pm in the Selectmen’s Room of 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: ◇ Dick Butler, Chair                      Others: David Kinney, Town Manager  
                         ◇ Sandy Delano                                      James Dorsky, DBA Gartley & Dorsky  
                         ◇ Earl Brown    CEO Frank Therio  
                         ◇ Dick Vermeulen    Nancy Weser, Scribe  
                         ◇ Bill Norfleet, alternate

Agenda 1: Public Hearing: The Town of Lincolnville will conduct a public hearing on proposed amendments to the Town of Lincolnville Land Use Ordinance to update the provisions of the ordinance to be consistent with Public Law 2021, Chapter 672, entitled, *An Act to implement the Recommendations of the Commission to Increase Housing Opportunities in Maine by studying Zoning and Land Use Restrictions.*

Chair Butler welcomed the residents who came to the public hearing, and the Planning Board was asked to introduce themselves to the residents. David Kinney was asked to come to the Podium and give an explanation on why this item is on the agenda. D. Kinney stated there will be a vote by secret ballot on Tuesday 13 to approve the proposed ordinance amendments to the Town’s Land Use Ordinance, there are copies of Article 4 available at the Town office. The Town has to be in compliance with the Public Law 2021 Chapter 672, entitled, *An Act to implement the Recommendations of the commission to increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions.* D. Kinney stated the Town Attorney has viewed the proposed amendment changes to the Land Use Ordinance and checked the legalese as written. July 2023 this will be the law of the land. Having the proposed amendments adopted will give the Planning Board going forth the approval availability to reach agreement on applications concerning land restrictions, housing and zoning. Chris Nickerson who owns the Whales Tooth Pub, spoke of the hardship of getting laborers after Covid and finding suitable housing for his staff. Out of desperation, C. Nickerson bought the old Breeze Inn in Belfast to accommodate his staff. C. Nickerson recommendation is to develop the Beach area. Jay Foster a former member of the comprehensive Board gave some history of the comprehensive plan and items that were addressed in 2000. Chair Butler thanked all who participated in the public hearing.

2. Subdivision: Approval is requested of the Planning Board for an official vacation of the Lincolnville Shores Master Plan.

Owners: Randall Ward & Kristyn Morrissey-Ward & 38 Shag Rock Point LLC

Location: Tax Map 15 Lot 69, 1 lot

Tax Map 15 Lot 67, 2 & 3 lots

Deed: Book 12 Page 185 Registry of Deeds

Covenants: Book 812 page 94 Registry of Deeds

Exhibits: 1. Agent Authorization

2. Tax map

3. Lincolnville Shores Master Plan (subdivision plan)

4. Protective covenants

5. First Current Ward Deed (1/2 interest)

6. Second Current Ward Deed (1/2 interest)

7. Current Shag Rock Point LLC

8. Deed to Merge Property into 38 Shag Rock Point LLC

9. Termination of Protective Covenants Document

10. Notice of Vacation of Subdivision Approval Document

11. Examples of other recorded Vacation of Subdivision Approval Documents

12. Check for Town Fee

Agent James Dorsky of Gartley & Dorsky will be presenting for Randall Ward

Reference: Lincolnville Subdivision Ordinance Article 9.1.1

J. Dorsky explained to the Board the owner, R. Ward would like to combine the three lots into one, eliminating the property lines and right-of-way lines. Presently one lot is in Mr. & Mrs. R. Ward's personal name the other 2 lots are in the LLC. If the Board will approve the Vacation of the Lincolnville Shores original approval the Wards will:

1. Convey lot 1 to 38 Shag Rock Point LLC, all land will be in one name

a. The deed has been created and signed but has not been recorded yet.

2. Record in the Waldo County Registry of Deeds a "Termination of Protective Covenants" for the Lincolnville Shores Master Plan Subdivision.

a. The document has been created and included in the package but not signed yet, waiting for Planning Board approval.

3. Record in the Waldo County Registry of Deeds a "Notice of the Vacation of the Approval of Lincolnville Shores Master Plan Subdivision".

a. The document has been created and included in this package but has not been signed yet, waiting for Planning Board approval.

Chair Butler reviewed Article 11 and its development standards 11.1 thru 11.12. Having no changes in any of the Standards, the Board gave approval for the Vacation of the Lincolnville Shores Master Plan subdivision. The Chair will be signing and dating the documents that are waiting for Board approval.

E. Brown made a motion to have Bill Norfleet as voting member for the meeting, seconded by D. Vermeulen. Motion passed by a vote of 5, 0 opposed.

Review of Minutes: January 25, 2023 and February 8, 2023

S. Delano made a motion to approve the minutes of January 25, 2023 as written, seconded by D. Vermeulen. Motion passed by a vote of 4, 0 opposed at the May 31, 2023 Planning Board Meeting.

S. Delano made a motion to approve the minutes of February 8, 2023 as written, seconded by D. Vermeulen. Motion passed by a vote of 5, 0 opposed on May 31, 2023 Planning Board Meeting.

Adjournment: S. Delano made a motion to adjourn the meeting at 7:49 pm, seconded by D. Vermeulen. Motion passed by a vote of 5, 0 opposed.

Respectfully submitted,  
Nancy Weser, Scribe

S. Delano made a motion to approve the meeting minutes of May 31, 2023, seconded by D. Vermeulen. Motion passed by a vote of 4, 0 opposed at the September 13, 2023 Planning Board meeting.