

LINCOLNVILLE PLANNING BOARD  
MEETING MINUTES  
May 14, 2014

The Town of Lincolnville Planning Board convened on Wednesday, May 14, 2014, at 7:00 PM in the Town Office Meeting Room.

PRESENT: Chairman: Lois Lyman; Vice Chair Scott Crockett; Alternate Member Jay Foster; and CEO Frank Therio

ABSENT: Members Paul Crowley, Ben Hoops and Shane Laprade

Alternate members Mr. Crockett and Mr. Foster will be sitting as voting members for the evening's business.

**SHORELAND ZONE PERMIT**

**1. Expansion of a Commercial Site Plan**

**Lincolnville Historical Society: Map 5 Lots 1 and 3: 208 Main Street**

Jim Dunham, who will be acting as the contractor, represented the Applicant who was before the Board seeking permission to construct a new storage shed at the Society's Open Air Museum. They share the site with the Lincolnville Library.

One of the original display buildings has an 8' x 8' storage shed at one end. The boats on display in this building are not properly situated and they need the space that the storage shed occupies to correct this situation. In addition, the Library needs space outside of their building to store items that are used for functions and space for tools used by the landscape gardeners. The solution is to create a new 8' x 16' garden/storage shed behind the existing display sheds where it will be less visible. The land slopes gradually before it drops off at the back of the lot. They may have to bring in a small amount of fill, but once the area is leveled the building will be sited so there will be plenty of level ground on all sides. The building will not be accessible to the general public and is not accessible by vehicle.

The Board had no questions and proceeded to review.

**Section 18: Commercial Site Plan Review**

This is an approved site where a minor change is being requested. The Ordinance at 16.2 is intended to direct the Board to use the review process outlined in Section 2.1.e. to determine whether or not this change that will affect the Approval Criteria. If they determine there will be no impact, approval can be granted without further review. If not, the Board will proceed to Sections 11, 12 and 13 to review the request against the applicable Approval Standards and Criteria.

**Section 2: Activities Requiring Site Plan Review:**

e. The conversion of an existing nonresidential use, in whole or in part, to another nonresidential use on a site that has not been reviewed under Sections 11, 12 and 13 of the Commercial Site Plan Review Ordinance.

The Landowner will be asked to appear before the Planning Board to request a determination of whether or not the proposed use requires full Site Plan Review. In reaching this determination the Board shall consider:

i. the size of the proposed use compared with surrounding uses;

*The Board finds that the new building is of an appropriate size in that it will be smaller than other buildings already existing on the site.*

ii. the intensity of the proposed use, including amount and type of traffic to be generated, hours of operation, expanse of pavement, and similar measures of intensity of use, compared with surrounding uses;

*The Board finds there will be no change to the intensity of the current use of the property created by a storage building.*

iii. the potential for generation of noise, dust, odor, vibration, glare, smoke, litter, and other nuisances;

*The Board finds that the storage shed will not generate any nuisances.*

iv. unusual physical characteristics of the site, including size of the lot, shape of the lot, topography, and soils, which may tend to aggravate adverse impacts upon surrounding properties;

*The Applicant's Contractor stated that they will place hay bales along the drop off. The entire area is being prepared for seeding with hay over to prevent erosion until the site is stabilized.*

v. potential for increased impact on the environment;

*The Board agrees with the Contractor that stabilizing the site will remedy any environmental impacts of the construction.*

vi. the ability of traffic to safely move into and out of the site at the proposed location;

*The Contractor has stated that the building will not be accessible to vehicles.*

vii. the presence of facilities to assure the safety of pedestrians;

*The Contractor has stated that the site will not be accessible to pedestrians and added that the Society may fence off the area.*

viii. the capacity of neighborhood streets and roads to accommodate the proposed level of use;

*The Board finds that there will be no increased use of Main Street as a result of this construction.*

ix. adequacy of the storm drainage system to accommodate the proposed use.

*The Board finds that the new building will not change stormwater flow over the site.*

**MOTION by Ms. Lyman seconded by Mr. Crockett** that the Board finds they do not have to conduct a full Site Plan Review because this is an accessory building with no resulting impact to the site.

**VOTE: 3-0-0**

**DISCUSSION:** Mr. Foster asked the Board to discuss how the Ordinance leads the Board from Section 16.2 to Section 2.2 to conduct a review under item e. – the review they had just completed.

The Board has been in this situation recently and members agree that there is no clear guidance regarding how to determine how to review a small change to an approved Site Plan. Section 2.2.e. speaks only to a change in use occurring on a site that has not been reviewed, and not to changes to approved sites. Members all agree that the intention of the Land Use Committee in drafting the amendment that created the criteria for review of 2.2.e. was that changes to approved sites could also be reviewed here. The goal was to save everyone the time of going through a full review of the Site Plan standards and approval criteria to determine impact when a change was so minor that most of these standards did not apply.

The Chair asked the Recording Secretary to draft language to amend the Ordinance so it is clear that the option to review certain changes to approved plans under 2.2.e. is available to the Board. That Section as well as Section 16.2 would have to be changed.

### *MINUTES*

November 13, 2013:

There is not a quorum of those present on 11/13 – review was deferred.

March 26, 2014:

The Minutes of March 26 will be reviewed at the next meeting of the Board.

### *OTHER BUSINESS*

#### 2. Other Meeting Agenda Items 2013-2014 Election of Officers

Ms. Lyman recommended that the members present ratify that the officers elected to serve 2012/2013 terms have remained in office for the 2013/2014. There were few meetings during this time frame and none when the entire Board was present. The next election is scheduled for the first meeting after the June 2014 Town Meeting.

Mr. Crockett was reassigned to an Alternate's seat on the Board in 2013 and continued to serve as Vice Chair. The Board confirmed that the Board's By-Laws do not prohibit Alternate Members from serving as officers.

Both Alternates will seek reappointment to their seats. Mr. Crowley's appointment expires in June 2014, and Ms. Lyman announced to television viewers that there are two vacancies for regular members that need to be filled.

#### 3. Other Training Opportunities

FEMA is holding hearings in Belfast on the proposed changes to the regional Flood Insurance Rating Maps. There will be copies in the Town Office available for review.

There being no further business before the Board they adjourned at 7:45 pm.

Respectfully Submitted,  
Jeanne Hollingsworth, Recording Secretary