

**Poland Planning Board Meeting
October 13, 2015 – 7:00 PM
Town Office Conference Room**

MINUTES

CALL TO ORDER

Chairman William Foster called the meeting to order at 7:00 PM with members Dawn Dyer, James Porter, George Greenwood, and Jeremy Lothrop present.

Public Attendance: Code Enforcement Officer Nick Adams, Recording Secretary Alex Sirois, Raymond Potter, Andy Hyland, Barry Kurland and Troy Locke.

MINUTES

July 28, 2015

- Vice Chair Dawn Dyer makes a motion to approve the minutes as presented, seconded by Member Jeremy Lothrop. No discussion.

Vote: YES – 3 NO – 0 ABSTAINED – 2 (G. Greenwood & J. Porter)

September 8, 2015

- The minutes for September 8, 2015 are not available at this time.

September 22, 2015

- The minutes for September 22, 2015 are not available at this time.

COMMUNICATIONS

Copy of Board Letter to Troy Locke

Copy of Board Letter to Elizabeth Harmon

OLD BUSINESS

C.N. Brown, Finding of Facts – Map 6, Lot 43

- Member James Porter makes a motion to accept the findings as presented for C.N. Brown's site plan application – Map 6, Lot 43, seconded by Member George Greenwood. No discussion.

Vote: YES – 5 NO – 0

John McInnis, Finding of Facts – Map 30, Lot 8D

- Member James Porter asks CEO Nick Adams if these two lots will be combined, and as far as he is aware the applicant has set up a meeting with the town's assessor to have them combined.
- Member George Greenwood makes a motion to accept the findings as presented for John McInnis' shoreland zoning application – Map 30, Lot 8D, seconded by Member James Porter. No discussion.

Vote: YES – 5 NO – 0

Troy Locke, Road Construction Application – Map 11, Lot 47D

- The applicant did submit a letter of approval from the owner of the road. The town's attorney did approve of the letter.

- Two notes were added to the plan stating the cul de sac will comply with the ordinance and that the road will remain private.
 - CEO Nick Adams would personally like to see the cul de sac on the plan drawn to the standards. The one drawn does not currently meet them
 - Mr. Locke reminds the board that they had told him not to have the plan redrawn, since the surveyor had been given incorrect information which he based the drawing off of. To redraw the plan could cost as much as \$2,000.
 - It is the board's opinion that as long as the plan and findings are clear that the road will be built to the current standards, not what it shown on the plan, they are fine with it.
 - Member George Greenwood asks if the road will be inspected during the construction process.
 - Third party inspection will be completed and paid for from the escrow.
- Member George Greenwood makes a motion that the application checklist for Troy Locke's road application is complete, seconded by Member James Porter. No discussion.
Vote: YES – 5 NO – 0
- Member George Greenwood makes a motion to approve the road construction application for Troy Locke – Map 11, Lot 47D, with the corrections made to the plan for the cul de sac. A site walk will not be needed. Seconded by Member James Porter. No discussion.
Vote: YES – 5 NO – 0

NEW BUSINESS

Barry Kurland, Formal Shoreland Zoning Application – Map 24, Lot 2

- Andy Hyland from Port City Architecture is before the board representing Barry Kurland.
- Member George Greenwood informs the board and audience that the complaint referenced in the application was a call made by him to CEO Nick Adams. He was unsure why he saw construction taking place near his house, without the Planning Board having heard the application.
- The Kurland's purchased the house sometime ago and discovered many issues that needed to be corrected. Port City was hired to handle a remodel, which did include a new phosphorus mitigation plan. During that time Barry Kurland also had his contractor Jason Jandreau look into the small lakeside pavilion on the property. It was discovered that the sixty-three (63) year old structure was in need of repair. Mr. Jandreau met with CEO Nick Adams on the site multiple times and he was told repair and maintenance of the structure would be allowed without the need for a permit. Mr. Jandreau left the conversation under the assumption that they would be allowed to replace the existing roof and supports and it would be considered repair and maintenance. Once the complaint came in the Kurland's applied for an after the fact building permit for the project which was later denied by Mr. Adams.
- The Kurland's then went to the Board of Appeals stating that the work done was in fact less than fifty percent (50%) of the structures fair market value. The Board of Appeals decided that the work done was more than fifty percent (50%) and could not be considered repair or maintenance. The Kurland's are now before the Planning Board requesting approval to keep the structure in its location. If they decide that the structure is already at its greatest practical extent from the water, the rebuild can be permitted.
- Andy Hyland briefly explains how moving the structure is not feasible considering the characteristics of the lot.
 - Member James Porter questions why the entire lot isn't shown on the drawing.
 - According to Mr. Kurland the rear section of the lot towards the road is heavily wooded and slopes upward. They did not include it as an option for that reason.
- Member George Greenwood asks if the structure is on a slab.
 - Mr. Hyland believes it is on concrete piers that are set in the ground.

- Barry Kurland speaks on his relationship with Mr. Adams thus far and how positive it has been. This situation simply developed from a misunderstanding.
- Raymond Potter, 33 Rockwood Lane, Selectmen Stan Tetenman asked him to read a statement for him since he was unable to attend. Both Mr. Potter and Mr. Tetenman support the structure remaining in its current location.
- The roof was previously a shed roof, and when it was reconstructed it was changed to a gable roof.
 - Member James Porter does not believe this could be done without increasing the volume of the structure. He would like to see the calculations proving that it has not increased.
- The Board agrees that a site walk is necessary for this application. It will be scheduled for Tuesday, October 20, 2015 at 5 pm.
- Member James Porter makes a motion to table the formal shoreland zoning application for Barry Kurland – Map 24, Lot 2, until the next meeting following a site walk on October 20th at 5 PM, seconded by Member George Greenwood. No discussion.

Vote: YES – 5 NO – 0

OTHER BUSINESS

CEO Nick Adams provides the Board with a first look at the amended shoreland zoning ordinance.

ADJOURNMENT

Member James Porter makes a motion to adjourn at 8:13 PM, seconded by Member George Greenwood. No discussion.

Vote: YES – 5 NO – 0

Recorded by Alex Sirois

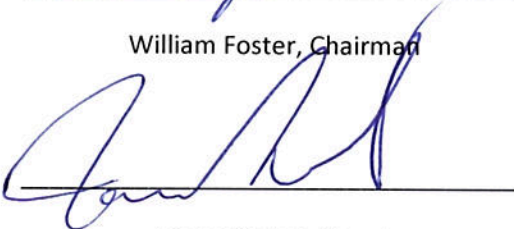
Date Approved:
Poland Planning Board



William Foster, Chairman



Dawn Dyer, Vice Chair



James Porter, Member



George Greenwood, Member



Jeremy Lothrop, Member