

**Poland Planning Board Meeting
October 27, 2015 – 7:00 pm
Town Office Conference Room**

MINUTES

CALL TO ORDER

Chairman William Foster calls the meeting to order at 7 pm with members Dawn Dyer, James Porter, George Greenwood, and Jeremy Lothrop present.

Public Attendance: Code Enforcement Officer Nick Adams, Recording Secretary Alex Sirois, Mark Chaloupekey, Stan Tetenman, Jason Jandreau, Barry Kurland, Karyn Kurland, and Ray Potter.

MINUTES

September 8, 2015

- Member James Porter makes a motion to accept the minutes for September 8, 2015, seconded by Vice Chair Dawn Dyer. No discussion.

Vote: YES – 4 NO – 0 ABSTAINED – 1 (J. Lothrop, absent)

September 22, 2015

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

October 13, 2015

- The minutes for October 13, 2015 are not available at this time.

COMMUNICATIONS

Copy of Board Letter to Troy Locke

Copy of Board Letter to Barry Kurland

OLD BUSINESS

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

- The board has not received the final mylars, and they will wait to sign the findings at the same time.
- Member George Greenwood makes a motion to table the Road Construction application for Troy Locke – Map 11, Lot 47D until the next meeting, seconded by Member James Porter. No discussion.

Vote: YES – 5 NO – 0

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

- Mark Chaloupekey from Port City Architecture in Portland Maine is before the board representing Mr. Kurland.
- A site walk was held last week, allowing the Board to get a better understanding of the unique site conditions. The applicant has two basic concerns: finding a location to move the structure to on site, and what the process of moving the structure might do to the site.
- The applicant maintains that the current location is the best for the structure.
- Vice Chair Dawn Dyer looks at the application as though the work has not yet been done. If that were the case the floor system could easily be moved without too much destruction after the walls and ceiling are removed.
- Member George Greenwood asks Code Enforcement Officer Nick Adams to remind them what the Boards jurisdiction is over the application.

- Mr. Adams directs them to 504.3.C.1.a: Any nonconforming structure which is located less than the required setback from a water body, tributary stream, or wetland and which is damaged or destroyed, regardless of cause, by more than fifty percent (50%) of the market value of the structure before such damage or destruction, may be reconstructed or replaced provided a permit is obtained within one (1) year of the date of damage or destruction, and provided such reconstruction or replacement is in compliance with the water body, tributary stream or wetland setback requirement to the greatest practical extent as determined by the Planning Board or its designee in accordance with the purpose of this Code.
- Also, he reminds them that Vice Chair Dawn Dyer is correct that the application should be reviewed as though it has not already been completed.
- The market value is not up for discussion.
 - The Board needs to determine if the structure was expanded, and what the greatest practical extent from the normal high water line will be.
 - Member James Porter believes that the structure could be moved further back on the property.
 - Chairman William Foster does not believe that would be practical.
 - Vice Chair Dawn Dyer believes that the structure should be moved back, since there are many suitable locations on the site.
- Member James Porter asks the contractor Jason Jandreau to explain why he thought it was ok to completely remove and rebuild a different structure.
 - Mr. Jandreau explains how he had met with Nick to discuss what he was planning to do, and he maintains that he was never told he would need a permit to do the work. This discussion also included changing the roof pitch. The roof pitch was changed in a way that did not increase the overall volume of the structure. The height of the structure has remained the same.
 - Barry Kurland reminds the Board that a significant amount of money has been spent on the site to make it more environmentally friendly. Moving the structure will likely cause a disturbance to the shoreland.
 - Member James Porter believes the situation would be much easier to look at if the structure was replaced exactly how it had previously existed.
 - Mr. Kurland reminds him that the geometry of the new roof proves that the volume of the structure has not increased. It is the same as what existed before, just a different shape.
 - CEO Nick Adams reminds the Board that the screen portion of the structure is not counted in volume, only the roof system.
 - Mark Chaloupekey argues that if lake quality is the Board's primary concern leaving it in its current location would be the best solution.
 - Chairman William Foster agrees.
- The Board decides that the volume of the structure was not increased during reconstruction.
- Member James Porter makes a motion to accept the submission checklist for Barry Kurland, Formal Shoreland Zoning Application – Map 24, Lot 2, as complete, seconded by Member George Greenwood. No discussion.
Vote: YES – 5 NO – 0
- Member James Porter makes a motion to accept the Formal Shoreland Zoning Application for Barry Kurland – Map 24, Lot 2, seconded by Member George Greenwood. The Board finds that the volume of the structure was not increased, and that it currently sits at the greatest practical extent from the normal high water line.
Vote: YES – 4 NO – 1 (D.Dyer)
- The findings of fact and conclusion will be reviewed and voted on at the next meeting.

OTHER BUSINESS

None

ADJOURNMENT

Member James Porter makes a motion to adjourn at 8:35 pm, seconded by Member George Greenwood. No discussion.

Vote: YES – 5 NO – 0

Recorded by Alex Sirois

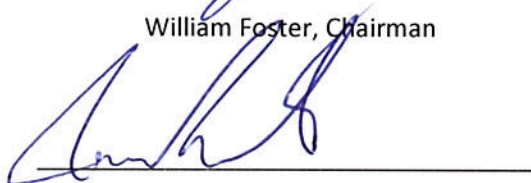
Date Approved:
Poland Planning Board



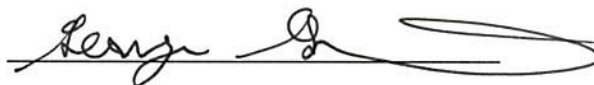
William Foster, Chairman



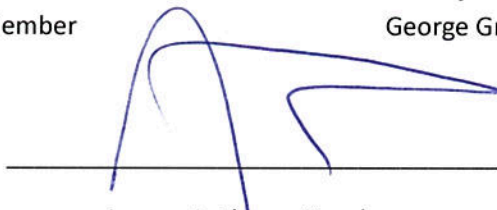
Dawn Dyer, Vice Chair



James Porter, Member



George Greenwood, Member



Jeremy Lothrop, Member