

**PLANNING BOARD
REGULAR MEETING
TREMONT COMMUNITY BUILDING
TUESDAY, JULY 12, 2005
6:00 PM**

1. CALL TO ORDER

Chairman George Urbanneck called the Tuesday, July 12, 2005 meeting of the Planning Board to order at 6:00 pm.

2. ROLL CALL

Present were Chairman George Urbanneck, Planning Board Members Wayne Patton, Jim Keene, Alden Gray, Mike Ryan, Linda Graham, CEO Millard Billings, and Recording Secretary Debbi Nickerson. Members of the public present were Greg Johnston, Charlene Weir, Bill Weir, Linda Higgins, Heath Higgins, Louise Kinney, Robert Krieg, and Michial Jewett.

3. ADJUSTMENTS/ADOPTION OF AGENDA

Motion made by Planning Board Member Linda Graham, with second by Planning Board Member Wayne Patton, to move the approval of the minutes to the end of the meeting. Motion passed by a show of hands 6-0.

4. AGENDA ITEM 5. SUBDIVISIONS

A. Completeness of Application submitted by Linda Higgins, agent for Richard and Jean Quandt, Map 3 Lot 4, Limited Residential Shoreland & Residential Zones. Application is for a 5 lot Subdivision, the owners will retain a 6.9 acre parcel on the shore and will offer for sale the four lots to be created by subdivision.

1. Chairman Urbanneck said, "It's not *Shoreland Zone*, it's actually called *Limited Residential Shoreland Zone*."
2. He also asked to have "Lot 3 Remainder of Quandt" changed to "Remainder of Quandt"; he felt it was too confusing with two Lot 3's on the plan.
3. CEO Millard Billings pointed out the lot acreage listed on the Subdivision Plan included the roads. Chairman Urbanneck requested the actual buildable acreage be listed under the taxable acreage with the statement "excluding roadways".
4. Chairman Urbanneck asked to have the Flood Zone line labeled more clearly.
5. Chairman Urbanneck asked to have the Contour lines overlaid on the Subdivision Plan at 10' intervals.
6. Chairman Urbanneck requested the adjacent wells and septic be noted on the plan. Linda Higgins replied, "There were none within the 100' area." Chairman Urbanneck then asked to have that noted on the plan.

B. Pre-application Workshop submitted by Samuel Coplon for David and Elaine Elliott, Map 4 Lot 6-1, Harbor Shoreland & Residential-Business Zones.

Application is for an amendment to a 3 lot Subdivision Plan approved in 2003 by creating one additional lot of 4.8 acres to be offered for sale.

Chairman Urbanneck asked, "Will there be on the final plan an easement for access to this property?" Robert Krieg replied, "I believe there would be." Planning Board Member Linda Graham suggested putting a name on the access road. Planning Board Member Jim Keene requested Section II, Questions F. and G. be answered. Planning Board Member Jim Keene also said, "On the next page, E. you could put a check mark other and put *Tremont Volunteer Fire Department*." Chairman Urbanneck suggested moving the access road over to allow for the 6 foot road set-back when the road services 2 or more lots.

5. AGENDA ITEM 6. NEW BUSINESS

- A. Greg Johnston of CES, Inc. an application for a Flood Hazard Development permit for Robert Egbert Map 8 Lot 9, Limited Residential Shoreland Zone. To construct a 137-foot long pier with a 60-foot ramp and two 40 foot by 20 foot floats connected by a seasonal bridge of 45 feet. Total combined length of 305 feet.

Chairman George Urbanneck asked what Flood Hazard Zone the lot was in. Greg Johnston answered E-15.

Motion made by Planning Board Member Mike Ryan, with second by Planning Board Member Jim Keene, to approve the Flood Hazard Development Permit for Rob Egbert, originally presented as part of the Residential Pier Application submitted February 1, 2005, tax map 8 lot 9. Motion passed by a show of hands 4-0-2, Planning Board Members Wayne Patton and Alden Gray abstained, they were not present for the entire permit process.

- B. Application for a Home Occupation Permit for William and Charlene Weir Map 15 Lot 7, Harbor Shoreland Zone. To sell art and antiques from garage using garage as a gallery/ shop.

Chairman George Urbanneck asked, "Will you have the garage door open and a sign out?" Yes was the response from Charlene Weir. Chairman Urbanneck then asked, "You won't have things out in the driveway?" Mrs. Weir said, "It's not going to be like a yard sale, but I might have a piece of art or two on the lawn." Planning Board Member Jim Keene asked, "Is the sign going to be lit?" Charlene Weir responded, "No." William Weir asked, "Are we allowed to have any sign on the garage?" CEO Millard Billings replied, "The sign can't be over 24 square feet." Chairman Urbanneck added, "It can be free standing or nailed to the garage." CEO Billings said, "Normally a sign is done by the Code Enforcement Officer and the Home Occupation is done by the Planning Board." Chairman Urbanneck said, "Right, so that would be a separate application." The Board requested the Weir's add the parking on the sketch of the gallery/house. Planning Board Member Linda Graham said, "The only other question I had was traffic concern, being on that corner." Planning Board Member Jim Keene said, "There's good visibility." After looking at the sketch of the gallery/house Planning Board Member Alden Gray pointed out there was only enough room for one parking spot beside the garage. Mr. Weir suggested, "We'll put our two cars

one in front of the other. Any one else's cars can be in front of the garage.” Planning Board Member Linda Graham asked, “How big a parcel of land is it?” Mr. Weir replied, “Just under an acre.”

Motion made by Planning Board Member Wayne Patton, with second by Planning Board Member Jim Keene, to accept the Town of Tremont Application submitted by William and Charlene Weir for a Home Occupation Gallery and Shop dated 6/15/05. Motion passed by a show of hands 6-0.

- C. Roger St. Amand of CES, Inc., an application for a road for Dawn Ventures Inc.: Timbavati Map 11 Lot 25, Rural Residential Zone. To construct a private road 12 feet wide by 1200 feet long to access an approved 6-lot subdivision.

Mr. Amand was unable to make the meeting, Greg Johnston was representing Dawn Ventures Inc.: Timbavati.

Planning Board Member Alden Gray asked, “Is this the road already being built?”

Greg Johnston denied all knowledge of that. Planning Board Member Alden Gray suggested the CEO look into the allegation that work had indeed started.

CEO Millard Billings volunteered to drive by on his way home that night.

Planning Board Member Alden Gray asked, “How wide is the actual right-of-way for this road?” Greg Johnston replied, “30 feet.” Chairman Urbanneck asked,

“To your knowledge, the road has been designed to these [Town of Tremont] Standards?” Mr. Johnston said, “It has.” Chairman Urbanneck asked, “There's one culvert at the entrance?” Greg Johnston answered, “The DOT requires one at the entrance and there will be another one at the stream crossing.” Chairman Urbanneck said, “One [culvert] at the entrance and two wetland crossings.” Greg Johnston said, “One at the entrance, where the Town ditch would be, wetland crossing, wetland crossing, and the brook crossing would be four.” Planning Board Member Linda Graham asked if they had named the road yet. Mr. Johnston replied, “Shapiro Drive.”

Motion made by Planning Board Member Wayne Patton, with second by Planning Board Member Linda Graham, to approve the Town of Tremont Application for Ralph Shapiro, doing business as Dawn Ventures, Inc., for a road to be constructed 12 x 1200 ft. for access to the Subdivision. Motion passed by a show of hands 6-0.

- D. Michial Jewett an application for McEachern & Hutchins, Inc. Map 14 Lot 6, Harbor Shoreland Zone. To demolish the existing building which is 10 feet more or less from the normal high water line and rebuild a new structure on the same footprint (35 feet by 60 feet). The new building will be used for Material and Lumber storage. Michial Jewett explained McEachern & Hutchins would like to replace an old lumber storage building with a new one. He went on to say, “They will maintain the same services. He has electricity out there no water.” Town Manager Millard Billing asked, “How high are the side walls?” Mr. Jewett replied, “18 feet.” Town Manager Billings said, “That will put the roof well over 20 feet.” Chairman Urbanneck asked, “What is it now for the existing structure?” Michial Jewett was not sure, but he assured the Planning Board the new building would not exceed 20 feet tall. Chairman Urbanneck asked, “So the footprint is

going to be identical?” Mr. Jewett replied, “Correct. The height will not exceed what’s there.” Chairman Urbanneck asked, “What’s the total floor area?” The answer was 2,100 square feet. Michial Jewett volunteered to move the structure a couple of feet away from the shoreline.

Motion by Planning Board Member Jim Keene, with second by Planning Board Member Linda Graham, for conditional approval, conditioned upon determination of the existing height of the structure, repositioning the proposed structure as far away from the high water line as is practical, dated July 1, 2005. Motion passed by a show of hands 6-0.

- E. Michial Jewett an application for a Flood Hazard Development permit for McEachern & Hutchins, Inc. Map 14 Lot 6, Harbor Shoreland Zone. To demolish the existing building which is 10 feet more or less from the normal high water line and rebuild a new structure on the same footprint (35 feet by 60 feet). The new building will be used for Material and Lumber storage.

Chairman Urbanneck asked Michial Jewett if he knew which zone this structure would be in. Michial Jewett said AE11. He went on to say, “He is going to have a surveyor come down and set the NGDD.” Chairman Urbanneck said, “Non-residential slab, and must elevate the top of the lowest floor one foot above BFE.” He went on to say, “We need an official certification of the elevation.”

Motion made by Planning Board Member Linda Graham, with second by Planning Board Member Wayne Patton, to approve pending determination of the elevation and producing the certificate of elevation to Millard. Motion passed by a show of hands 6-0.

6. AGENDA ITEM 7. OLD BUSINESS

- A. Findings of Fact for Louise Kinney, Commercial Fisheries Zone, Map 13 Lot 15. Denial of application to add a second story for larger bedroom and office space as well as an entry from new driveway with split stairs to access both levels, cement retaining wall 40 inches high to keep driveway from house (see attached).

Motion made by Planning Board Member Mike Ryan with second by Planning Board Member Linda Graham, to approve the Findings of Fact for Louise Kinney. Motion passed by a show of hands 4-0-2. Planning Board Members Alden Gray and Wayne Patton abstained, it was before Alden joined the Planning Board and Wayne had missed the meeting.

Planning Board Member Jim Keene noticed he had made a mistake and included the shed, which is more than 75 feet from the high water line, in his calculations, so he suggested deleting “the maximum combined floor area for all structures is 1,000 square feet, and” and “the total square feet of the existing structures plus the proposed modification is 1034 which is 34 square feet over the maximum allowed. Further,”. The Finding of Fact now reads, starting on page one, *(c) For structures located less than 75 feet from the normal high water line of a water body . . . the maximum height of any structure is 20 feet or the height of the existing structure, whichever is greater. . . Still on page 2, the total height with the modification is 24 feet which is 4 feet above the maximum allowed. Therefore, the proposed modifications do not meet the Ordinance.* (See Attached)

Motion made by Planning Board Member Jim Keene, with second by Planning Board Member Linda Graham, to approve the Findings of Fact as read with the modifications. Motion passed by a show of hands 5-0-1. Planning Board Member Wayne Patton abstained, he had missed the meeting.

7. AGENDA ITEM 4. APPROVAL OF MINUTES

Planning Board Member Jim Keene asked if they could be tabled until the next meeting, Chairman Urbanneck agreed.

8. CEO ISSUES

None

9. NOTICES

None

10. OTHER

Planning Board Member Linda Graham said, "You guys missed a good seminar." Chairman George Urbanneck agreed.

11. SET DATE FOR NEXT MEETING

July 26th

12. ADJOURN

Motion made by Planning Board Member Mike Ryan, with second by Planning Board Member Linda Graham, to adjourn. Motion passed by a show of hands 6-0. The meeting was adjourned at 8:45 pm.

Respectfully submitted,

Debbi Nickerson,
Recording Secretary

George Urbanneck