

## Lamoine Planning Board Minutes - March 5, 2018

Present: John Holt, Chris Tadema-Wielandt, Don Bamman, Perry Fowler, Richard McMullen; alternate members David Legere, Steve Gabel-Richards; CEO Rebecca Albright

Steven Salsbury, Michael Jordan, Jack Dodson

1. Chair Holt called the meeting to order at 7:01 pm.
2. Minutes of the February 5, 2018 meeting were approved with minor corrections.
3. Code Enforcement Officer's report
  - a. Monthly building and plumbing permit report presented
  - b. Rebecca Albright's written report of activities
    - i. Lupine Lane condominium issue - Chair Holt noticed in published real estate transfers the filing of four deeds for said property which would divide it into four parcels which would not be permissible under town ordinances. This was discussed with the parties involved and they agreed to rewrite the deeds forming a condominium. This settles matters as far as the planning board is concerned.
    - ii. Brief informational update for "tricky" building application. Landlocked property had access cut off when the Town gave a small parcel along the road to an abutting property owner. CEO is following up on details with the town.
4. Review of the Permit Conditions Tracking Report
  - a. First three items are being followed with nothing new to report.
  - b. A fourth item was added to the report as a reminder for the Board that in July, 2018 a portion of the Alexander Pit (map 1 / Lot 67-1), owned by Doug Gott and Sons, is due to have restoration of the E - F section of the buffer completed.
5. Old Business: none
6. New Business
  - a. Gravel Permit Application Completeness Review - PCJ/LLC, King Pit, Map 7 /Lot 3
    - i. Application found complete (5 - 0) with a note to check a small area to the west of the restored area for slope during the site visit.
    - ii. Public hearing set for 6:30 p.m. before the regular April 2 Board meeting.
    - iii. Site walk set for 5:30 p.m. on Monday, March 12, 2018.
  - b. Michael Jordan asked the Board to create an extra packet each month and leave it at the town hall for the public to have access to.
7. Ordinance Development
  - a. Building and Land Use Ordinance, 4 (I) (2), "Lot Standards and Structure Setback Table."
    - i. All changes declared completed and ready to present to the town at a town meeting. It will be included in a public hearing first.
  - b. Shoreland Zoning Ordinance
    - i. Chair Holt brought the public up to date by going through the process the Board has followed. The current ordinance was gone through several times making changes to have it meet state requirements. When this was completed, the ordinance was sent to the state for review and returned with some further suggestions. These were then incorporated, and the next step was to make sure that the Shoreland map complies with the written text. Review of the map showed few areas with specific designations, and

chair Holtasked the Board to consider whether or not we needed to make changes to any areas, or add any areas for protection to the map. Steven Salsbury printed for the Board a copy of the latest USGS topographical map combined to cover the whole town. Holt proposed looking at several areas. First is stream protection in light of discussions by the Comprehensive Plan Commission regarding increased severity of precipitation events predicted for the future. This will increase the significance of stream drainage areas. It is at the discretion of the town to include streams not covered by the ordinance if they feel it is needed. [Michael Jordan informed the Board that the CPC has not taken any official stand or had a vote on this matter yet.] The discussion that followed on Spring Brook serves as an example of the types of issues present. According to the ordinance definitions, Spring Brook is not a stream that requires stream protection. Gordan Donaldson, who was chair when the current map was completed, was asked about its inclusion under stream protection and he replied it came from a state document which thought it unique as it is an isothermic or spring fed stream. This serves to illustrate the discretion the Board has in assigning values to the map. Another discussion followed about the accuracy of the map and the need to verify with ground checking before changes in classification are made. Questions were then raised by the chair about Archer Brook and Martins Brook and whether or not they should receive protection. After much discussion, these questions were left open to be returned to in future meetings.

Holt then brought up a meeting with Bamman and CEO Albright to coordinate understanding of the Flood Plain District and the Resource Protection Zone. They wrote to Dawn Abbott who is working on this for the DEP. Another lengthy discussion about what needed to be shown on the Shoreland Map, should the entire 100 year floodplain be listed as

Resource Protection, or is there some other interpretation. Many questions for further study.

c. Building and Land Use Ordinance, section 13 C, Cluster Development

- i. Previous discussion was about removing from the ordinance the section that states that water and sewage needs to be connected to the municipal system, because we don't have any. The Board looked at examples of cluster development wording from three other towns. They had many similarities. The Tremont model was singled out due to its specific wording on responsibilities in maintaining open space. Since the ordinance has to be opened for the changes to water and sewage hook up, it was decided that it would be a good time to tackle any other changes needed. Michael Jordan advised the Board that the CPC will have a section on cluster development and we might want to wait and see what they come up with before making changes. Motion to ask selectmen to put on the warrant the removal of language requiring municipal water and sewage hook ups for cluster development, passed (5 - 0)

d. Gravel Ordinance, section 8 D

- i. It was decided that change was needed to the restoration section to strengthen it. Chair Holt presented the Board with wording for changes to 8 D 1 e. Major change was the addition of penalties for failure to comply. Final action was put off for another meeting.

Final mention of two items, Town harassment policy and the document to be signed and then the a brief discussion of Planning Board members attending the Appeals Board meetings on the Kittredge Pit expansion.

Site Visit – PCJ/LLC, King Pit, Map 7/Lot 3 – Monday, March 12, 5:30 pm, at the site

Public Hearing – Gravel Permit Application, PCJ/LLC, King Pit, Map 7/Lot3 – Monday, April 2, 6:30 pm.

Meeting adjourned at 8:55 p.m.