

EDGECOMB PLANNING BOARD
MINUTES, MAY 15, 2008

1. Call to Order

Chairman Katharine Braid called the meeting to order at 6:40 p.m.

2. Roll Call

Members present were David Boucher, Katharine Braid, Bruce Cameron, and alternate April Lawrence. Barry Hathorne, Anne Peaslee and alternate Jarryl Larson were absent. April Lawrence was appointed to act in the absence of a member.

3. a. Review and approval of Minutes of May 5, 2008

The spelling of John Shumadine's name was corrected. David Boucher moved, Bruce Cameron seconded, to accept the minutes as written. Vote 3-0-1 (Lawrence abstained).

3. b. Clarifications

Katharine Braid asked for a clarification on page 2, deleting the last clause of the last sentence in the second paragraph and adding, "He said that the applicant has applied for HUD financing but hasn't yet received it. The process for application for HUD financing is extensive. Financing will not necessarily be HUD financing." On page 3 she asked that the last two sentences in the first paragraph be replaced with, "Katharine Braid added that the Board cannot deny an application because the Board disagrees with the land use policies reflected in the ordinance and that she personally was not prepared to substitute her personal opinion for the professional opinions of the attorneys and hydrogeologists who were employed for their expertise."

Bruce Cameron asked that it be made clear that two one-year alternate positions will be appointed for the coming year and that being an alternate is a good opportunity with only a one-year commitment to find out if one is interested in running for the Board.

4. Thomas Moore, Manchester, MA - Shoreland building permit for dock, ramp and float, Map R-4, Lot 12.3

The applicant was not present.

5. Ina and Lewis Heafitz, Needham, MA (Bill McIntyre) - proposed addition to existing residence in shoreland, Map U-8, Lot 23

Mr. McIntyre presented an application for a 16' x 20' screened porch with second story deck at 142 Eddy Road. The property is in the Marine I district and entirely within the Limited Residential Shoreland District. The setback from the water is over 100 feet; however, the setbacks from the road are non-conforming. The lot coverage of the existing house is 6%, the proposed development is 1.2% for a total of 7.2% of lot coverage. The applicant made responses to the following requirements:

1. Will maintain safe and healthful conditions - no plumbing or excavation involved;

2. Will not result in water pollution, erosion or sedimentation to surface waters - not disturbing land;
3. Will adequately provide for the disposal of all wastewater - no plumbing involved;
4. Will not have an adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitat - NA;
5. Will conserve shore cover and visual, as well as actual, points of access to inland and coastal waters - does not prevent access, cannot see from water;
6. Will protect archaeological and historic resources as designated in the comprehensive plan - none;
7. Will avoid problems associated with flood plain development and use - not in flood plain; and
8. Is in conformance with the provisions of Section 1.9, Land Use Standards - yes.

Bruce Cameron moved, David Boucher seconded, to find the conditions of Article III, Section 1.10.3.1 through 1.10.3.8 have been met. Vote 4-0.

David Boucher moved, Bruce Cameron seconded, to approve the application of Lewis and Ina Haefitz for a screened porch and deck in Shoreland. Vote 4-0. The application fee was paid.

6. Neil R. and Donna L. Ames - Rolling Hills Subdivision preliminary application, 128 River Road, Map R-5, Lot 22

Mr. Ames presented an application for a three-lot subdivision. Lot 1 (3.53 acres) with house has been sold. The applicant plans to divide the remaining property into two lots, Lot 2 (2.71 acres), with a house and owned by the applicant, and Lot 3, (32.1 acres) on which a barn is located. The applicant plans to build a house on Lot 3, but most of that lot cannot be developed because of wetlands and a steep grade. Mr. Ames said the road is 20 feet wide to Lot 3 at which point it becomes a 12-foot driveway to the barn; however, there is a problem with the grade, which exceeds the requirements. He said that in order to meet the standard in the ordinance, he would have to cut down several large pine trees, which he would like to retain.

Katharine Braid reviewed the requirements for subdivision application and found that the application did not include evidence of title, a statement about contiguous holdings, current zoning, sizes of buildings and setbacks, location and size of existing sewers, water mains, drainage courses and culverts and other required information. She advised the applicant that all information under Article IV, Section 1.3.4.1 of the Land Use Ordinance must be supplied, or the applicant must request in writing that the requirement be waived and provide a reason for the waiver.

David Boucher pointed out that Lot 3 lacked the required 100 feet of frontage on a public or private road that does not intersect the property on which the structure is located.

The chairman noted that the following had been received: application form, boundary survey (lacking some information), MDOT permit for driveway, MDOT permit dated 3/6/08 superseding previous permit, grading for driveway, entrance and driveway details, compliance check for stream crossing, letter from North by East regarding the proposed septic, and letter from Terry Adams of 5/19/2006 re suitability of site for septic system and attached log. She also said that the applicant must submit location, names,

and widths of existing and proposed streets, highways, easements, building lines, parks and other open spaces and evidence of a road association. The application will be considered again when all the required information is submitted.

7. Announcements and correspondence

Katharine Braid read the letter she had written dated May 10, 2008, to JKB Properties, LLC, regarding the site plan approval by the Board on May 5, 2008 conditional upon receiving a letter of credit with more specific information which was listed in her letter.

A notice had been received from Superior Court that it had reversed the decision made by the District Court regarding the deed restrictions on the Weld property. The District Court's ruling had been appealed by Midcoast Cohousing. The Superior Court's decision indicated that the deed restriction would not prevent a proposed condominium development on the property.

8. Other Business

The chairman thanked April Lawrence for her service as an alternate to the board and expressed appreciation for her help with banking information at the previous meeting.

9. Adjournment

Bruce Cameron moved, David Boucher seconded, to adjourn the meeting at 8:15 p.m. Vote 4-0.