



Town of Harpswell
Planning Board Minutes
November 16, 2016
Adopted December 21, 2016

Members Present

David I. Chipman, Chair
Paul Standridge
Aaron Fuchs
Burr Taylor
John Papacosma
Allan LeGrow, Associate Member

Members Absent

Staff Present

Mark Eyerman, Planner
Diane Plourde, Recording Secretary

The Town of Harpswell Planning Board meeting was called to order at 6:30 p.m. by David Chipman, Chair. The Pledge of Allegiance was recited.

New Business – 16-11-01 – Jeffrey Smith (Applicant) Angela Mahon (Owner) Map 52 Lot 120, 47 Laurel Point Circle – Jurisdictional – Tear Down/Rebuild of nonconforming structure

Jeff Smith, representing Angela Mahon told the Board that the applicant wishes to tear down a nonconforming structure to relocate and rebuild and will satisfy the land use requirements under the 30% expansion. Moving the structure would take it out of the flood zone. Mr. Smith handed the Board a revised site plan to show the silt fences for erosion control.

Paul Standridge moved seconded by John Papacosma to remand the application for Angela Mahon to the Code Enforcement Office. Motion carries 4-0.

16-11-02 – Warren & Cynthia Burroughs (Applicants/Owners) Map 23 Lot 121, 6 Abner Point Road, Bailey Island – Jurisdictional – Tear Down/Rebuild of nonconforming structure

Bill Parr, representing Warren & Cynthia Burroughs told the Board that the applicant wishes to tear down one structure on the property, relocate and rebuild. The Chair said the plot plan submitted only shows the building envelope but does not show where the new structure will sit within that envelope. Mr. Parr said that the property, as is now, has obstructions and that the applicant will have a survey plot plan done to show where the structure will sit on the property. The septic will be increased for 2-2 bedroom structures with BK2000 tanks installed. Mr. Parr said this property is allowed 1900 square foot dwelling but only constructing a 1200 square foot dwelling, and 32 foot height but only going 25 feet in height. The Board said it is difficult to see where the dwelling will sit within a designed plot plan in hand.

LeeAnn Leahy, abutter at 2170 Harpswell Islands Road, told the Board that if a structure is built on this property, it will not meet the setbacks and moving the structure will diminish the views of at least three neighbors. The Planner told the Board that the Ordinance states: "*Section 10.3.2.2 any nonconforming structure that is less than the required setback from . . . property line or road, and that is removed, damaged, or destroyed . . . by more than fifty percent (50%) of the assess value of the structure, . . . may be constructed or replaced provided that a permit is obtained within one (1) year of the date of said removal, provided that such reconstruction or replacement is in compliance*

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with the setback requirements to the greatest practical extent as determined by the CEO in accordance with the purposes of this Ordinance.”

The Planner continued with “*Section 10.3.2.4, in determining whether the building relocation, reconstruction or replacement meets the setback to the greatest practical extent, the CEO or Planning Board, as applicable, shall consider the size of the lot, the slope of the land, the potential for soil erosion, the location of other structures on the property and on adjacent properties, the location of the septic systems and other on-site soils suitable for septic systems, and the type and amount of vegetation to be removed to accomplish the relocation.*”

Therefore the CEO or Planning Board makes the determination as to the setbacks and the greatest practical extent based on the criteria in the Ordinance.

The Chair said he would like to see a plot plan where the building will fit into the building envelope. Bill Parr said the Burroughs took into consideration the neighbors and the views of Mackerel Cove with the size and height of the new dwelling.

David Chipman moved seconded by Paul Standridge that this application is incomplete and needs to have a new site plan. Motion carries 5-0.

The Planner gave the Board paperwork for Ordinance Amendments to be reviewed at the next Public Hearing on December 7, 2016.

Consideration of Minutes: October 19, 2016

Aaron Fuchs moved seconded by Burr Taylor to approve the minutes of October 19, 2016 as presented. Motion carries 5-0.

Planner’s Update: The Town has received an expression of interest of leasing the Mitchell Field property as a land based aquaculture facility to raise salmon.

A Public Hearing is scheduled for December 7, 2016.

The next regular Planning Board meeting is December 21, 2016.

Adjournment: Meeting adjourned at 8:00PM

Respectfully submitted by:

Diane E. Plourde
Recording Secretary