

Town of Belgrade Planning Board Meeting Minutes for August 6, 2020

Meeting was called to order at 5:30 p.m.

Review Minutes: July 16th, minutes were approved as presented.

Present Board Members: Peter Rushton (Chair), Craig Alexander, George Seel, Richard Baker, Gary Fuller (CEO).

Present Others: Anthony Wilson (Town Manager), John Cunningham, Chris Neagle, Geoffrey Stiff, Charles Bruce Bagwell, Jack Sutton.

Zoom Link:

<https://us02web.zoom.us/j/83033101494>

OLD BUSINESS

1. Shoreland Application

Applicant: Charles Bruce Bagwell

Owner: Same

Location: 102 Pinkham Cove Road

Map: 37 Lot: 2 and 38

Purpose: Remove existing cottage and rebuild.

Mr. Bagwell provided a cover letter that described each of the issues that needed to be addressed before he would get an approval for his application. He provided the board with a signed septic plan for the new structure. Mr. Bagwell corrected the square footage error on the application. He also gave the board a profile shot of the structure that he would like to build. The last item that needs to be addressed is the certified contractor's number. Since Mr. Bagwell is looking to sell the property once he gets approval, the board would put a condition on the permit.

Mr. Bagwell also provided a few different options for approval. He wanted to put a bigger deck on the property. The larger deck would keep the structure below the 1500sqft limit. Another option he was curious about was moving the structure closer to the water so that a larger driveway can be put in. The board said they can not approve moving the structure closer to the water but see no issues with putting the larger deck on.

George made a motion to approve the application with the three following conditions:

1. Permit is approved for option 1 on the drawing
2. A DEP certified contractors' number must be provided prior to construction.
3. Must follow DEP stormwater best management practices.

Rich seconded the motion and it was approved unanimously. 4-0

2. Discussion on draft moratorium on solar fields.

The Board reviewed the draft. Anthony stated that if the board is happy with the draft, he can then bring it to the Selectboard for approval. The Board saw no issues with the draft. George made a motion to approve the draft. Craig seconded the motion and it was approved unanimously. 4-0

3. Nick from KVCOGG Sub-Division Discussion (1 Hour)

The board went over a list of remaining items that Nick Aschauer thought needed to be changed or updated. They also reviewed section 10 of the subdivision ordinance. Attached to these minutes are the items they went over.

4. Shoreland Application

Applicant: Stephen C. Jones and Jody C. Jones

Owner: Same

Location: 326 Sandy Cove Road

Map: 20 Lot: 10

Purpose: 2 story structure with garage

Attorney John Cunningham (for Jones) addressed the planning board with the results of Forester Steve Pelletier's findings. In a letter submitted, Mr. Pelletier visited the property and determined that 4-inch trees cut did not exceed the maximum of 40%. This supported by an intact forest canopy, by surveys and photos. Also, that Google Earth taken in 2018 supports these findings.

Attorney Chris Neagle (Stiff) makes note that this information was not shared with his clients, and that they still contend that 3 more trees had indeed been cut down.

Attorney Chris Neagle addressed the 8th standard condition, he stated that he does not believe that the structure is an accessory building. The lawsuit between the two abutters went to Superior Court where it was argued that it is part of the main structure. According to the ordinance the building must be attached to the main building. In this case it does not exist.

Conditions of Approval:

1. Installation of kitchen appliances and the preparation of meals is prohibited in the proposed structure.
2. Storm water runoff from the expanded driveway and proposed structure's roof is to be managed in accordance with the Maine Department of Environmental Protection (DEP) stormwater management practices as outlined in DEP publication Conservation Practices for Homeowners. Such measures shall be in place no later than June 1, 2021.
3. Use of the proposed structure for human occupancy, including use of the bathroom and laundry, is prohibited until such time as the approved new subsurface sewage disposal system is operating and the building is connected to and using this system.
4. The applicant shall submit to the Planning Board for review and approval a written soil erosion and sedimentation control plan by September 15, 2020, meeting the applicable requirements of Section 15(S) of the Belgrade Shoreland Zoning Ordinance and addressing any existing or potential soil erosion related to the construction of the proposed structure and the expanded driveway.

Craig Alexander motioned to accept the conditions (See attached). You may not have all 3. Baker seconded. Accepted: Seel, Baker, Alexander, and Rushton. 4 in favor, none opposed.

Permit Application: George Seel motioned to approve; Craig Alexander seconded. Resident Jack Sutton spoke about the 30 foot right away to his property and wants to make sure that the town knows where it is. Attorney Neagle stated that the Jones' have no intention of challenging the right of way. All in favor, none opposed.

July 16, 2020 meeting minutes were accepted and approved. Seel motioned to approve and Alexander seconded, all in favor, non-opposed.

9:15 p.m. meeting adjourned.

NEW BUSINESS