

Town of Belgrade Planning Board

Feb. 17, 2022 / 6 p.m.

Belgrade Town Office
990 Augusta Road
Belgrade, ME 04917

This meeting will be conducted in person.
The public may also view the meeting and participate online at
<https://us02web.zoom.us/j/83033101494>

A G E N D A

Call to order

1. OLD BUSINESS

A. Discussion and consideration of **Commercial Development Review Ordinance amendments** addressing commercial solar and wind facilities, and telecommunications towers.

B. **COMMERCIAL REVIEW OPINION** – Applicant: Michael Bragg. Location: 75 Main St., Map 25 Lot 67. Purpose: Proposal to sell coffee in the Belgrade Lakes Co., 75 Main St., on summer weekends. No construction proposed.

2. NEW BUSINESS

A. **SHORELAND ZONING APPLICATION** – Applicant: George Patten. Location: 294 Timberpoint Rd., Map 8 Lot 15. Purpose: Change the shape of the existing garage roof from sloping to peaked with a dormer. To be used as storage. Existing lot is non-conforming and the garage is within 100 feet of the shoreline.

3. OLD BUSINESS

A. Consideration of Feb. 3, 2022, Planning Board **minutes**.

4. ADJOURN

From: [Michael Bragg](#)
To: [Anthony Wilson](#)
Subject: Re: Proposal to have coffee cart at 75 Main St, Belgrade Main Street
Date: Tuesday, February 8, 2022 8:49:32 AM
Attachments: [image001.png](#)
[image002.png](#)

EXTERNAL MESSAGE:

Hey Anthony,

Thank you so much for setting up my meeting at the planning board last Thursday. I have been thinking of ways to still make my coffee cart work in the village that would satisfy all ordinances. I have a couple of different avenues that I think could work and would like to present them to the planning board. The first idea is me operating my business in the Belgrades Lakes Co space as a hired vendor providing coffee to the patrons of that business. This will be done with the intent that when Dawn is finished with her business, I will have the option to take over her space more completely. The second idea I have (in case the first doesn't work) is to structure my business in such a way that I am part of the Belgrades Lakes Co. I would have the same intent of taking over the space when Dawn's business leaves.

I look forward to presenting these ideas to the board and hearing what they have to say. I'm sure that we will be able to find a way forward.

Thanks Anthony. Don't hesitate to ask any questions if you have them

Best

Michael Bragg

On Fri, Jan 21, 2022 at 4:27 PM Anthony Wilson <townmanager@townofbelgrade.com> wrote:

First Thursday. And, yes, you should plan to attend, either in person or via Zoom.

Anthony Wilson

Town Manager

Town of Belgrade

Office: 207-495-2258

Cell: 207-592-6031

Town Office

990 Augusta Road
Belgrade, ME 04917

townofbelgrade.com

Shoreland
 Certified Contractor
 Number # _____
 Non Shoreland

Town of Belgrade, Maine
APPLICATION FOR PERMIT

990 Augusta Road Belgrade Me 04917
 207-495-2258
 Application # 22-02
 Map# 8 Lot# 15
 Permit# 02

Date Logged 1-18-22 Date Rec'd by PB/CEO _____ \$ _____ Fee Paid Receipt# _____

1. Applicant: Name <u>GEORGE PATTEN</u> Mailing Addr <u>161 NORTON RD</u> State/Zip <u>KITTERY, ME 03904</u> Phone# <u>439-1928</u>	2. Owner (if other than applicant): Name _____ Mailing Addr _____ State/Zip _____ Phone# _____
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3. Specific location of property 294 TIMBERPOINT RD Map# _____ Lot# _____
 Name of Lake/Pond/Stream (if applicable) LONG POND

4. Current use of property (check all that apply)
 Residential/Recreational; _____ Individual Private Campsite; _____ Commercial; _____ Industrial; _____ Other

5. Proposed construction or change in use: CHANGE SHAPE OF GARAGE ROOF FROM SLOPING SHED ROOF TO PEAKED WITH DORMER

6. Existing sewage disposal system type and capacity: 1000 GAL SEPTIC WITH NEW LEACH FIELD INSTALLED 12/19
 Present number of bedrooms 2; Bedrooms to be added under this application 0
 When did you purchase the property within Shoreland Zone? 11/19 (month/year) If after 11/6/18, attach copy of septic system inspection report documenting it is not malfunctioning.

7. Total lot area 1.5 acres; Lot area within the Shoreland Zone 1.41 acres

8. Square footage of unvegetated surface within shoreland zone including all structures, driveways, parking, walkways and patios. 7235 sq ft

9. What is the total area of cleared openings of woody vegetation (Sqft) 17,600 sq ft

10. Total number of structures on the lots 2. A site plan to-scale MUST accompany this application and be prepared in accordance with the requirements on the attached Instruction Sheet (Item #10 on the Instruction Sheet). All required attachments must accompany this application.

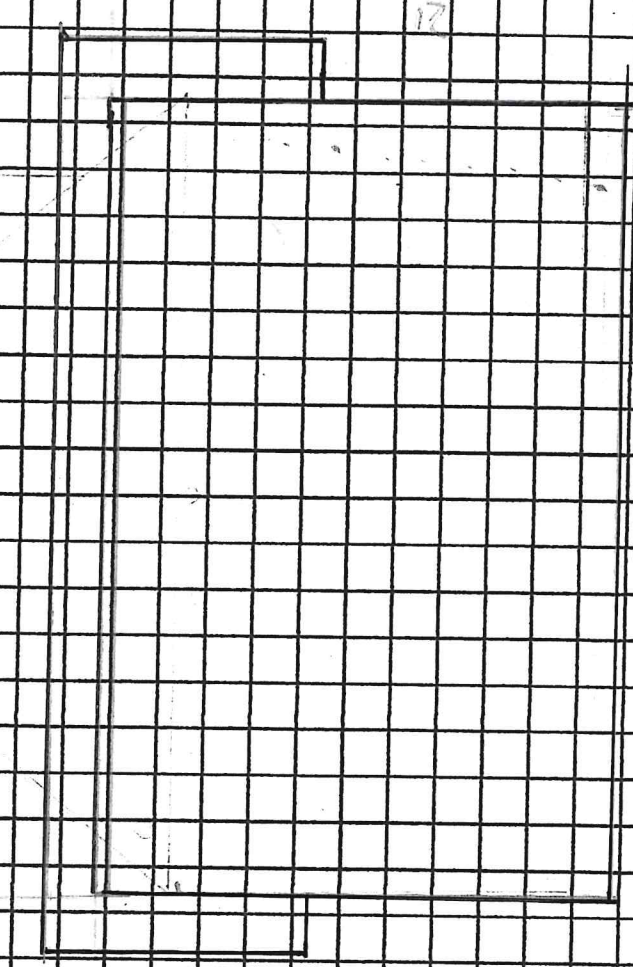
Present Structure Square Footage 360 sq ft
 Proposed Structure Square Footage 720 sq ft

*Required only for structures within Shoreland Zone
 I/We have obtained and understand the requirements of all Town of Belgrade Ordinance which apply to the proposed construction or change of use. The undersigned applies for a permit to build, alter or improve existing structure(s) or grounds as stated above on this application and portrayed on the attachments. The information provided is true and correct.
 Signature: George Patten Signature: _____

There may be additional Federal, State or local permits required depending on the nature of the project.

TOWN USE ONLY
 DECISION: _____ APPROVE _____ DISAPPROVED
 Conditions _____

Date: _____ PB _____ CEO _____
 Signatures: _____



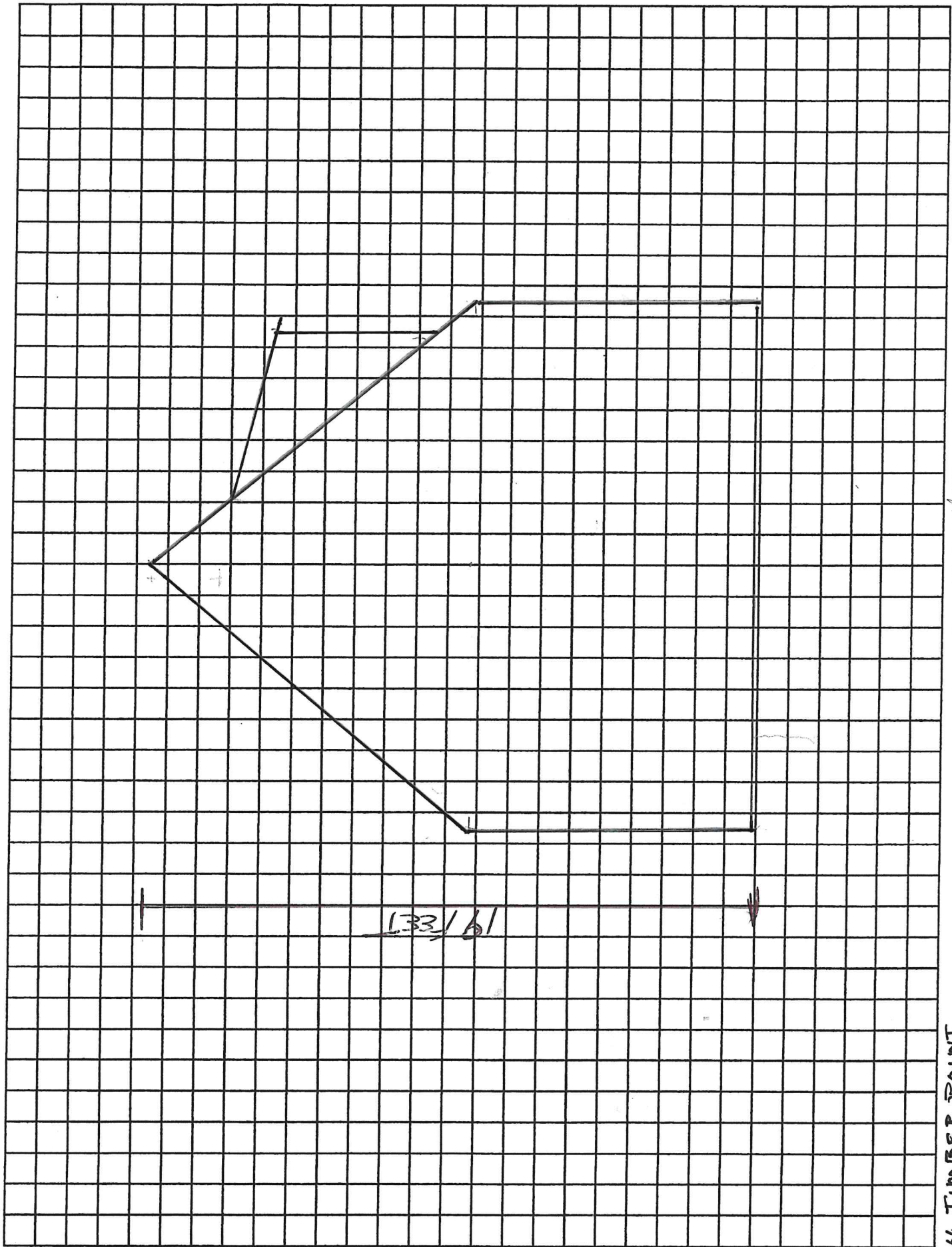
1/4" = 1'

SOUTH VIEW

NOW

294 TIMBER POINT

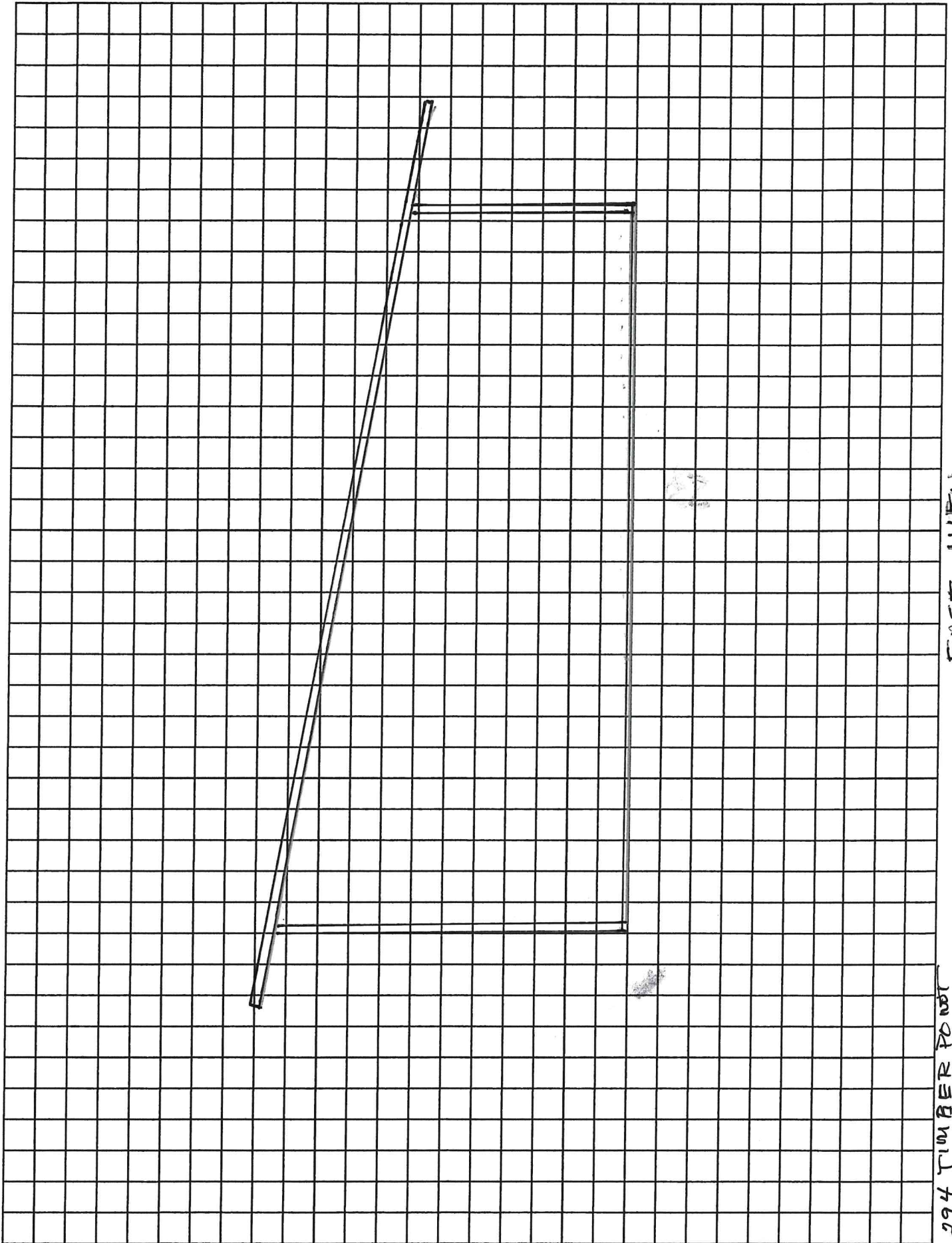
PATENT



1/4" = 1'

SOUTH VIEW
PROPOSED

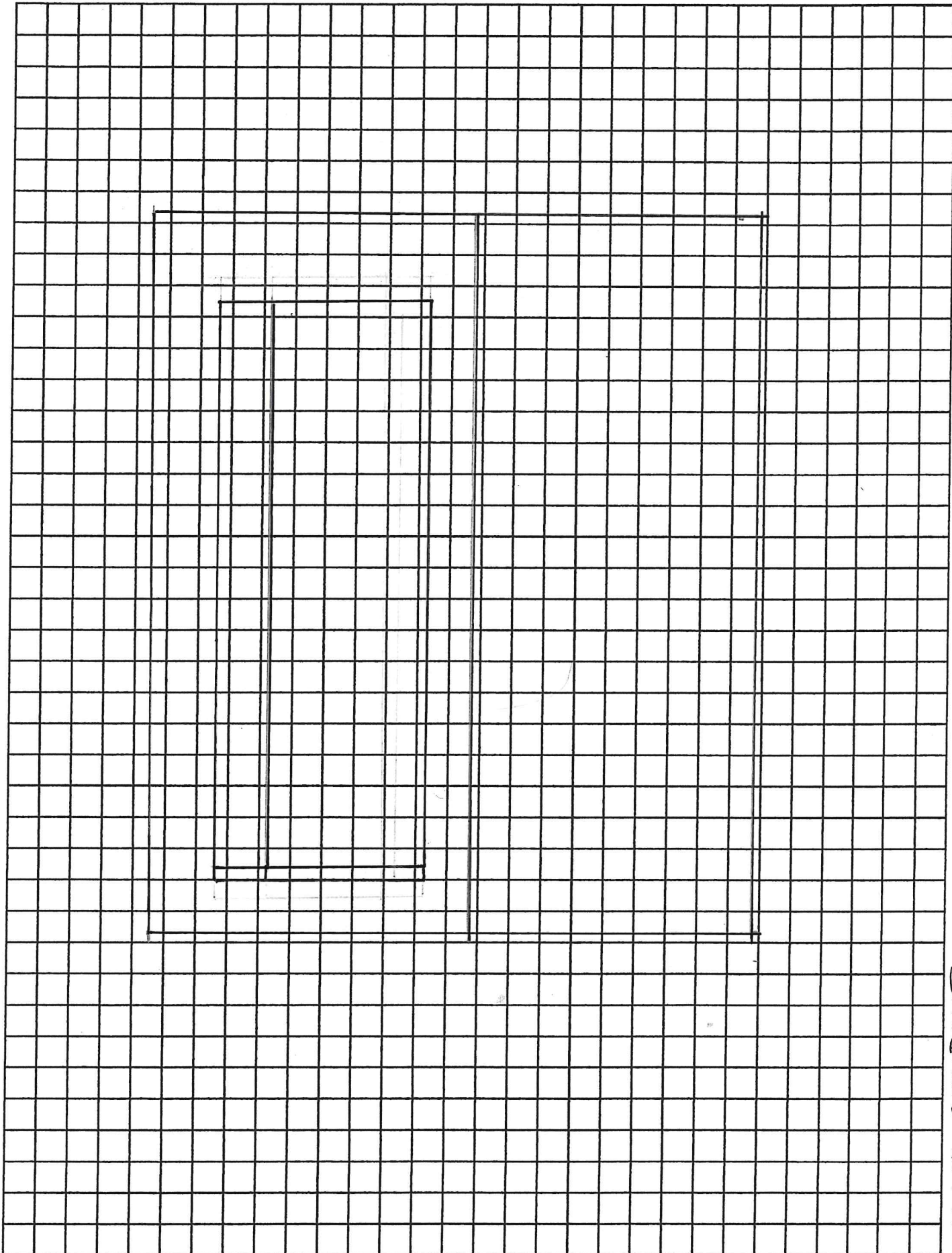
294 TIMBER POINT
PATTEN



1/4" = 1'

EAST VIEW
NOW

294 TIMBER POINT
FALLS



1/4" = 1'

EAST VIEW
PROPOSED

294 TIMBER POINT
PATENT

WEST FACE



EAST FACE



NORTH FACE



**SOUTH
FACE**



Belgrade Planning Board
Findings of Fact and Conclusions of Law

Application for Shoreland Permit

APPLICANT: _____
ADDRESS: _____
TAX MAP # ___ LOT # ___

I. Findings of Fact

The Applicants on DATE applied for a shoreland permit for _____

(PROJECT DETAILS).

The application was presented to the Planning Board on _____

(DATE, WITH DATES OF ANY SUBSEQUENT MEETINGS AT WHICH THE APPLICATION WAS CONSIDERED). These Findings of Fact and Conclusions of Law were developed in conjunction with consideration of the permit application.

II. Conclusions of Law

Based upon the application materials, testimony, statements, evidence, documents and other materials submitted to it and the above Findings of Fact, the Belgrade Planning Board finds that the Project is/is not a permitted _____ (USE) under Section 14, Table 1 in the Ordinance, and further makes the following conclusions based on the applicable provisions in Section 16(D) of the Ordinance:

1. Will maintain safe and healthful conditions.
 - By a vote of X-X, the Board found this standard was/was not met based on _____
_____.
2. Will not result in water pollution, erosion, or sedimentation to surface waters.
 - By a vote of X-X, the Board found this standard was/was not met based on _____
_____.
3. Will adequately provide for the disposal of all wastewater.
 - By a vote of X-X, the Board found this standard was/was not met based on _____
_____.
4. Will not have an adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitat.
 - By a vote of X-X, the Board found this standard was/was not met based on _____
_____.
5. Will conserve shore cover and visual, as well as actual, points of access to inland waters.
 - By a vote of X-X, the Board found this standard was/was not met based on _____
_____.
6. Will protect archaeological and historic resources as designated in the comprehensive plan.
 - By a vote of X-X, the Board found this standard was/was not met based on _____
_____.

7. Will avoid problems associated with flood plain development and use.

- By a vote of X-X, the Board found this standard was/was not met based on _____

8. Is in conformance with the provisions of Section 15, Land Use Standards,

- By a vote of X-X the Board found that this standard was met based on evidence in the record and further as follows:

A. Minimum Lot Standards _____

B. Principal and Accessory Structures _____

C. Campgrounds _____

D. Individual Private Campsites _____

E. Commercial and Industrial Uses _____

F. Parking Areas _____

G. Roads and Driveways _____

H. Signs _____

I. Storm Water Runoff _____

J. Septic Waste Disposal Systems _____

K. Essential Services _____

L. Mineral Exploration and Extraction _____

M. Agriculture _____

N. Timber Harvesting and Land Management Roads _____

O. Clearing or Removal of Vegetation for Activities other than Timber Harvesting _____

P. Hazard Trees, Storm Damaged Trees and Dead Tree Removal _____

Q. Exemptions to Clearing and Vegetation Removal Requirements _____

R. Revegetation Requirements _____

S. Erosion and Sedimentation Control _____

- T. Shoreline Stabilization _____
- U. Soils _____
- V. Water Quality _____
- W. Historical and Archaeological Sites _____
- X. Resource Protection _____

Conditions of Approval Needed to Meet Required Belgrade SLZ Ordinance Findings in Section 16(D):

1. Manage stormwater run-off from new or expanded structure(s) in accordance with Section 15(I) of the Belgrade Shoreland Zoning Ordinance and the Maine Department of Environmental Protection's (DEP) **Best Management Practices** as outlined in the Conservation Practices for Homeowner's publication. Such measures are to be put in place prior to building use. *NOTE: This is a standing condition that applies to all permits unless deemed unnecessary by the Planning Board, based on the following rationale.*

Rationale: _____

2. _____
- _____

Rationale: _____

3. _____
- _____

Rationale: _____

III. Decision.

Based on the above findings of fact and conclusions of law, on _____(DATE), the Town of Belgrade Planning Board approved by a vote of _____ the Shoreland Permit application of _____ (APPLICANT'S NAME) With the above conditions, and at a meeting on _____(DATE), developed these written Findings of Fact and Conclusions of Law and adopted these findings on _____(DATE).

Dated _____

BELGRADE PLANNING BOARD

BY: _____
Peter Rushton, Chair

NOTE: The Maine Department of Environmental Protection's stormwater best management practices are posted at townofbelgrade.com/bmps.

**Town of Belgrade
Planning Board
Feb. 17, 2022 / 6p.m.**

**Belgrade Town Office
990 Augusta Road
Belgrade, ME 04917**

This meeting conducted in person and can be viewed at:

MINUTES

Present: Planning Board Members Chairman Peter Rushton, Craig Alexander, Sara Languet, Pete Sargent, George Seel, Code Enforcement Officer Richard Geenwald, Planning Board Secretary Julie Morrison, Jeff Allen, Paul Dennis, Mark Gliniewicz.

Meeting called to order by Chairman Peter Rushton at 6:02 p.m.

1. OLD BUSINESS

A. Discussion and consideration of Commercial Development Review Ordinance amendments addressing

1. OLD BUSINESS

A. Discussion and consideration of Commercial Development Review Ordinance amendments addressing commercial solar and wind facilities, and telecommunications towers. ***After lengthy discussion the board could not agree on regulating the solar panels and will have more discussion.***

B. COMMERCIAL APPLICATION – Applicant: Kyle Hockmeyer. Owner: Cole McElwain. Location: 92 Dunn Rd. Map 6 Lot 17-8. Purpose: Utilize the existing 36' X 48' structure as a wholesale medicinal marijuana grow ***This was not discussed.***

C. SHORELAND APPLICATION – Applicant: Paul and Carrie Dennis c/o Mark Gliniewicz. Agent: Jeff Allen. Location: 194 Sahagian Road (Great Pond), Map 29 Lot 12. Purpose: Demolition of two existing camps and construction of one replacement camp. (non-conforming structure on a non-conforming lot) ***Jeff Allen edited the application and signed changing the 3123 sq ft to 3735 sq ft. Finding of facts was completed. Motion to approve with the following conditions: Manage storm water runoff, follow Maine DEP best management practices prior***

to occupancy and Supple DEP contractor name, phone number and Contractor number to the CEO prior to start of construction. 5-0 approved

D. Consideration of Feb. 3, 2022, Planning Board minutes

George mentioned that the board did not agree to anything so the wording needed to be changed to: After considerable discussion the board could not agree whether this was an addition to another commercial use to this lot and if lot size mattered. Members of the public and business owners spoke in favor and opposed. Parking issues were discussed. Also, after the numbers listed for what was missing the following wording be added: in addition to lack of site plan.

Craig Alexander motioned to accept the minutes of Feb. 3, 2022, as amended, 2nd by Sara languet. 5-0 approved

Meeting adjourned at 8:13 p.m.

DRAFT