



TOWN OF MADAWASKA

328 St. Thomas Street, Suite 101, Madawaska, Maine 04756-1299
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MADAWASKA PLANNING BOARD MINUTES
THURSDAY, FEBRUARY 5, 2015
PUBLIC MEETING
AT 4:30 P.M.

TOWN COUNCIL MEETING ROOM

MEMBERS PRESENT: Vincent Sirois; Chairperson, Vince Vanier, Thomas Schneck, Gary Dufour, Adam Kavanagh

OTHERS PRESENT: Vince Frallicciardi, Dave Morin, Mike and Betty Morin, Richard and Ann Cayer, Danny Daigle, Romeo Cote and Erlin Pelletier

CODE ENFORCEMENT OFFICER: Robert (Bob) Ouellet

RECORDING SECRETARY: Sarah Pelletier

Article 1: Call the Meeting to Order.

The Planning Board Meeting was called to order at 4:29p.m..

Article 2: Establish a Quorum of Members.

A quorum was established with Vincent Sirois; Chairperson, Vince Vanier, Tom Schneck, Gary Dufour, and Adam Kavanagh.

Article 3: Determine any Conflict of Interest or Bias

None of the Planning Board members had Conflict of Interest or Bias to the following Articles.

Article 4: To review and decide a Land Use application for the relocation of an existing seasonal camp with front porch to the Greatest Practical extent from the normal high water line to Michael and Betty Morin of 651 Lake Shore Road Lot 548, Map 33 Lot 21, Zoned Shoreland, Limited Residential.

Mike and Betty Morin have an existing non-conforming, but grandfathered camp that was built in 1962 and is located 35ft. from the waterline. The building is measured by



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the roof at 25'X27' and by the walls at 24'X22". It is currently 779 square feet. They wish to relocate this structure to the existing garage located 114ft. from the waterline. In doing so, the proposal would bring the existing camp to 71ft. from the waterline and make it a year round dwelling. To be within conforming 100ft. setbacks, the Morins would have 14ft. from the garage to work with. The Planning Board is to establish the Greatest Practical Extent and be within compliance.

Discussion took place on the meaning of the terms Greatest Extent versus Greatest Practical Extent. The Planning Board members weren't in agreement at the plans presented. The majority felt like Mr. Morin has enough space to design a more conforming structure. The audience took part in the discussion. The Planning Board members urge Mike and Betty Morin to utilize the conforming space that they have in order to bring the setbacks into compliance.

Gary Dufour motions to deny the proposed plans; Tom Schneck seconds the motion. Vincent Sirois and Vince Vanier are in favor of the motion; Adam Kavanagh votes to accept the Article as written.

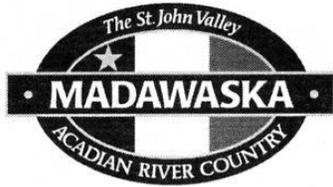
Article 5: Discuss with the planning board, the workshop/meeting held with State Fire Marshal on Jan. 14 regarding MUBEC Code .

Chairman, Vincent Sirois informed the Board that he, Vince Vanier and Vince Frallicciardi, Chairman of the Board of Selectpeople, attended this meeting to become informed. He commented that MUBEC is less intrusive than our Land Use Code.

Vincent Sirois informs the Board members that it would make our lives much easier if we simply refer to the MUBEC Code when it comes to building. He also tells the Board that the Planning Board has nothing to do with the Building Code. The Planning Board addresses the moving of buildings as it has to do with Zoning. Mr. Sirois also suggests that the Town acquire the MUBEC Code books.

Vince Frallicciardi states that according to the Fire Marshall, if a person is making repairs to an existing structure, a homeowner may replace material with existing similar materials or better. "If logs were used for trusses and it has rotted, according to MUBEC, a homeowner can replace the logs with logs or a better material." David Morin, Board Selectperson, informs the Planning Board members that he also attended that meeting with the Fire Marshall. He states that the Fire Marshall, Mr. Richard McCarthy, was impressed with the Planning Board proposal but advised that it would be wise to add a line that states that homeowners must meet all MUBEC rules and regulations. Further discussion took place in regards to the availability of the MUBEC books and the difficulty in attaining MUBEC information online.

At 6:04, point of order was requested by Chairman, Vince Sirois, to step down and leave the meeting because of a prior engagement. The seat was passed to the Planning Board Vice Chairman, Vince Vanier, to carry on the rest of the meeting.



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Article 6: Review prior suggested changes to Section IV Part D on building permits and make a new proposal to the BOS.

Vince Vanier suggested making corrections to the building permit proposal with the new information gathered from the Fire Marshall, Richard McKarthy. According to Mr. McKarthy, there doesn't have to be a dollar amount to the repairs and upkeep of a property. Discussion was had regarding eliminating the \$15,000 amount and it was decided, for the sake of the assessment of a property, that it would be beneficial to all involved that the amount stay at \$15,000. The Planning Board also came to an agreement on the modification of Section 1A which gives responsibility to the homeowners to be in compliance with MUBEC rules. The modified proposal will read like this:

D. Building Permit:

No building or other structure shall be erected, moved, added to, or externally enlarged without a permit therefor, issued by the Code Enforcement Officer. No building permit shall be issued except in conformity with the provision of this Code, except after written order from the Board of Appeals. The Code Enforcement Officer shall maintain a public record of all building permits. A permit for which work has not commenced within one year shall expire. If the building or part is not substantially completed within two years of the issuing of the permit, the permit shall lapse. It may be renewed upon application.

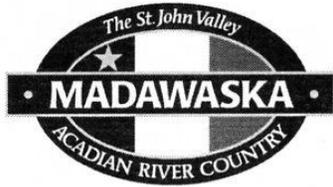
E. Application:

- 1.** No building permit or application is needed for renovations, upkeep, maintenance, and repairs of existing structures not to exceed a fair market value of \$15,000; this will include materials and labor. Any increase in external square footage, an application and building permit will be required. All egress and regress entries (doors, windows) will have to be in accordance with the Maine Uniform Building and Energy Code (MUBEC). If information is needed on the Maine Uniform Building and Energy Code (MUBEC), contact the Code Enforcement Officer. **It is the homeowner's responsibility to be in compliance with all MUBEC rules and regulations.**

Proposed changes of definitions:

Renovations: Repairs and upkeep that do not change the existing footprint.

Project Cost: Project cost will be materials and labor necessary to complete the project. Local cost for materials and labor shall be used regardless of the source of material and labor.



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Gary Dufour repeats what Richard Cayer has previously pointed out that the Shoreland Ordinance have language reflecting the Land Use Ordinance concerning this proposal.

Adam Kavanagh motions to accept the changes as read. Gary Dufour seconds the motion. All are in favor.

Article 7: Discuss starting the process of updating the Land Use & Development Code manual for the Town of Madawaska.

Gary Dufour motions to table this Article until next meeting along with continued discussion on the Commercial Zone. Adam Kavanagh seconds the motion. All are in Favor.

Article 8: Other Business

Vince Frallicciardi informs the Planning Board that five or six years ago the prior Planning Board had started working on the project of updating the Land Use Ordinance. Vince suggests that the Board look into it.

Article 9: Adjournment

Gary Dufour motions to adjourn the meeting at 6:30p.m. . Tom Schneck seconds the motion and all are in favor.