

TOWN OF MADAWASKA

328 St. Thomas Street, Suite 101, Madawaska, Maine 04756-1299
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**MADAWASKA PLANNING BOARD MINUTES
PUBLIC MEETING
MONDAY, March 30, 2015
AT 6:00 P.M.**

TOWN COUNCIL MEETING ROOM

ARTICLE 1: Call the Meeting to Order.

The Planning Board was called to order at 6:01p.m..

ARTICLE 2: Establish a Quorum of Members.

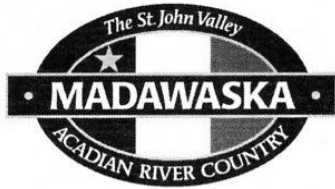
A quorum of members was established. Planning Board members that are present are: Vincent Sirois; Chairman, Vincent Vanier, Tom Schneck, Gary Dufour, Adam Kavanagh and David Lee (Alternate).

ARTICLE 3: Determine any Conflict of Interest or Bias

None of the Planning Board members have a conflict of interest or bias to the following Articles.

ARTICLE 4: Discuss information/advisory opinion received from Stephanie MacLagan from Department of Environmental Protection (DEP), On the Greatest Practical Extent in Shoreland Zones.

The Code Enforcement Officer, Bob Ouellet, contacted Stephanie MacLagan of the Department of Environmental Protection (DEP) by request from the Planning Board at the February 23, 2015 meeting. The Board members requested to be further informed on the Greatest Practical Extent and the Planning Board's authority to make decisions. In response to Bob Ouellet's inquiry, specifically of Mike and Betty Morin's case, Stephanie wrote and was highlighted by Bob Ouellet: "Based on these standards, the site plan does not demonstrate relocation to the greatest practical extent." He also highlighted, "Based on the site plan, it does not appear these limitations prevent relocation/reconstruction beyond the 100-foot setback; therefore, it is not necessary to evaluate conformance to the expansion limitations of Section 12.C.1." Bob Ouellet informed the Planning Board members that the plans he submitted to DEP were the original plans. Vince Sirois suggested that Bob have a check-off list of considerations when determining relocation of a structure. Vincent suggested that it be placed on the applications. Some considerations were mentioned in the letter such as lot dimensions, slope of the land, potential for soil erosion, location of other structures on



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the property and adjacent properties, location of the septic system, type and amount of vegetation to be removed. The problem is that plans are being made before people know what is expected of them. The Planning Board determines the Greatest Practical Extent with consideration of the check list. Further discussion took place on the setbacks in regards to the distance from the lake versus the rivers, brooks and streams. Lakes have a setback of 100ft. and rivers, brooks and streams have a 75ft. setback.

Gary Dufour pointed out the diagram that shows, when moving a structure away from the shoreline, what would be considered an acceptable and unacceptable option for relocation. The Planning Board uses this as a guide in making a decision.

Gary remarks that, according to the diagram, the building should be moved from the shore **to** the 100-foot mark, not **beyond** the 100-foot mark with the building being on the 100 foot mark. Stephanie MacLagan with DEP had advised the Planning Board to look at the diagram and Gary persisted that the building can be moved within the 100-foot setback, not beyond. Adam Kavanagh agrees that this is the Greatest Practical Extent.

Vince Vanier mentions that for future cases, the Planning Board needs to first consider if the request is for a new structure or an existing structure. At that point, the Board can follow the check list mentioned earlier in the meeting.

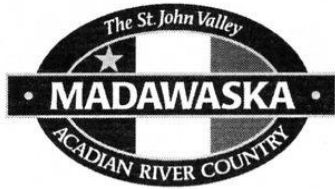
ARTICLE 5: Review revised Plans for the relocation and expansion of Mr. and Mrs. Mike Morin.

Mike Morin presented a new plan (Sketch 3) on an extension to his garage. He wishes to build a 14'x38' addition to the current garage that would reach the 100 foot mark. The Code Enforcement Officer, Bob Ouellet, has no further concerns on these plans; it meets all setbacks.

Gary Dufour motions that the Morins can build an extension to the existing garage up to the 100-foot mark as determined by the Code Enforcement Officer, Bob Ouellet. Vince Vanier seconds the motion. All are in favor.

Mike Morin presents a plan to his existing camp to add an addition to it and to also to make a foundation to it. The Code Enforcement Officer, Bob Ouellet's concern is the definition of the "construction of a foundation" in the shoreland book. Bob states that the Planning Board still has to consider the Greatest Practical Extent. The current building can be expanded up to 1500 square feet and Mr. Morin is looking at the option of expanding from where the camp sets rather than move it. Mr. Morin is able to expand to the side and away from the shoreline. Mr. Morin feels that he's limited on what he can do and is trying to work within the confines of the rules.

Gary Dufour motions to allow Mr. Morin to expand the camp to the 28 feet from the high water mark. Vince Vanier counters the motion and Gary Dufour rescinds.



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Vince Sirois addresses the Morins asking them why they would bother with building a foundation and addition to the structure at its current location. He urges them to consider the initial plans now that he's been approved for the garage addition to the 100 foot mark. Code Enforcement Officer Bob Ouellet suggests that for the sake of resale value and practicality, the Morins are best to move the existing structure backwards against the garage addition and build a foundation with the addition. Multiple discussions occurred on the various options concerning relocation and an addition to the existing camp. Vince Vanier recommends that the Board agree that Mr. Morin take the existing camp to the 100 foot mark, make the addition lengthwise (like a rectangle) and the Board would permit a 6-foot deck to run the length of the camp facing the lake. Mr. and Mrs. Morin wish to explore that option and will come back with the plans at the next meeting.

Vince Vanier motions to table this to the next meeting; Gary Dufour seconds the motion. All are in favor.

ARTICLE 6: Review and confirm revised wording on building repair permits.

Code Enforcement Officer, Bob Ouellet informs the Planning Board that the revised version needs to be brought before the Town's Select People for approval then placed as a warrant in time for the Town Meeting. Gary Dufour mentions that the Shoreland Ordinance and Land Use Ordinance need to be consistent and be submitted to the Board Select People together. Vince Frallicciardi, Chairman of the Select People, advises the Planning Board that they should attend the Public hearing because the subject matter pertain to Land Use.

Vince Vanier motions to move to Board of Selectman to bring to the Public Hearing and that Land Use Ordinance and Section 12 B2 of Shoreland Ordinance Add Definition. Gary Dufour seconds the motion. All are in Favor.

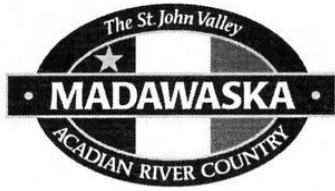
ARTICLE 7: Commercial Setbacks

ARTICLE 8: Review and revise the proposed 2005/06 Edition of the Land-Use Code, Sections 1, 3, and 4.

ARTICLE 9: Review and approve previous Planning Board Minutes

ARTICLE 10: Other Business

ARTICLE 11: Adjournment



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