

TOWN OF MADAWASKA

328 St. Thomas Street, Suite 101, Madawaska, Maine 04756-1299
Tel — (207) 728-6351 • Fax — (207) 728-3611

MADAWASKA PLANNING BOARD MEETING MINUTES

DATE: May 28, 2015

AT 5:30 PM

TOWN COUNCIL MEETING ROOM

MEMBERS PRESENT: Vincent Sirois; Chairperson, Gary Dufour, Adam Kavanagh, Dave Lee

OTHERS PRESENT: Vince Frallicciardi, John Albert, Jeff Albert, Dave Morin, Alan Morin, Richard and Ann Cayer

CODE ENFORCEMENT OFFICER: Robert Ouellet

RECORDING SECRETARY: Sarah Pelletier

ARTICLE 1: Call the Meeting to Order.

The Meeting was called to order at 5:36p.m..

ARTICLE 2: Establish a Quorum of Members.

Chairperson, Vincent Sirois, Gary Dufour, Adam Kavanagh and Dave Lee are present to establish a Quorum.

ARTICLE 3: Determine any Conflict of Interest or Bias

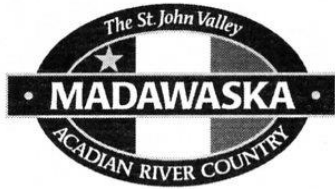
Gary Dufour will abstain from Article 4; Dave Lee will abstain from Article 7.

ARTICLE 4: To review and discuss a Mineral Extraction renewal permit to Alan Morin d/b/a/ Long Lake Construction located on Beaulieu Road, Map 20 Lot 49, Zoned Rural Farm

Alan Morin mentions that DEP inspected this operation last year and everything is in compliance. Code Enforcement Officer, Bob Ouellet, informs the Board that DEP is OK with the operation and that everything is in compliance.

Dave Lee motions to accept Article 4 as written; Adam Kavanagh seconds the motion. Gary Dufour abstains. All others are in favor.

ARTICLE 5: To review and discuss a Mineral Extraction permit to Jeff Albert/Riverbank Capital located on Gagnon Road, Map 29 Lot 28+29, Zoned Rural Farm



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Jeff informs the Board that nothing has really changed for the past twenty years. Jeff Albert mentions that it has been the Town's policy not to permit ledge pits or gravel pits if they didn't sell anything. Jeff has decided that he wishes to sell a little from his gravel pit, hence the permit application. He plans on doing his best on keeping it under two acres. Originally, this gravel pit was privately owned and privately used. There isn't any running water nearby nor are there houses nearby. It's ledge with no erosion issues. Gary Dufour informs him that in the future, if dust becomes an issue, Jeff may have to control it by placing a 30ft or 50ft. asphalt pad. Jeff plans on cutting into the ledge and slope down the property and then re-seed as he completes each section.

Adam Kavanagh motions to accept Article 5 as written; Gary Dufour seconds the motion. All are in favor.

ARTICLE 6: To discuss a 2015 Micro-Enterprise Assistance Grant for financial assistance to Au Jardins and Alete Salon and Spa. These projects are consistent with the community's Comprehensive Plan.

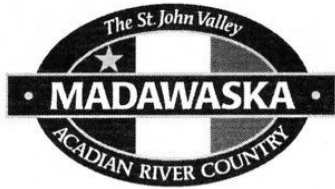
Business owners of Au Jardins, Robbie Hebert and Denise, are here to present their business plan. Robbie is in need of equipment to improve and expand on their business. They plan on getting a refrigeration unit and they need funding for weed control.

Business owner of Alete Salon and Spa, Jennifer Dionne, presents her business plan. Jen needs equipment to expand her business. She plans on purchasing a \$14,000.00 spray ton booth and start offering red light therapy which rebuilds cell from the inside out and may help prevent seasonal depression. She also plans on starting to do microderm facials.

Gary motions to sign off on both Grants; Adam Kavanagh seconds the motion. All are in favor.

ARTICLE 7: Discuss the two Articles on the proposed building permit changes to the Madawaska Land Use and Development Code and the Shoreland Zoning Ordinance.

Amend Section IV, Administration, subsection, D. Building Permit. (page 12 and 13)



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By deleting the following:

~~No building or other structure shall be erected, moved, added to, or externally altered without a permit therefore, issued by the Code Enforcement Officer. No building permit shall be issued except in conformity with the provisions 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 no substantial work has been commenced within six months shall expire. If the building permit shall not be required if market value of the work is \$500.00 or less.~~

and insert the following:

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.

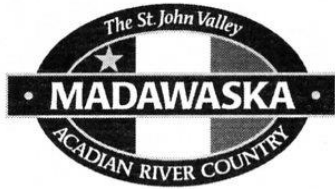
Amend Section IV, Administration, subsection, E. Application #1,

by deleting the following:

- ~~1. All applications for building permits shall be accompanied by plans showing the actual dimensions and shape of the lot to be built upon; the exact sizes, locations and dimensions of the proposed structure(s) or alteration of any existing structures and the location and type of the proposed sewage disposal system as certified by a professional engineer registered in accordance with Maine laws, or a plumbing inspector appointed by the Town. The application shall include such other information as lawfully may be required by the Code Enforcement Officer to determine conformance with and provide for the enforcement of this Code.~~
- ~~2.—~~

and insert the following:

1. Any increase in external square footage, an application and building permit will be required. 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. All egress and regress(**change to ingress**) entries (doors, windows) will have to be in accordance with the Maine Uniform Building and Energy Code (MUBEC) and the National



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Fire Protection Association (NFPA 101). If information is needed on the Maine Uniform Building and Energy Code (MUBEC) and NFPA Code 101, contact the Code Enforcement Officer. It is the homeowner's responsibility to be in compliance with all MUBEC and NFPA rules and regulations.

Amend Section III, Definitions. Shall the Town vote to amend the Town of Madawaska Land Use by adding the following definitions:

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.

Renovations: Repairs and upkeep that do not change the existing external square footage.

Amend Section 12 Non-Conformance, B. General , #2 Repair and Maintenance. (page 4) Shall the Town vote to amend the Town of Madawaska Shoreland Zoning Ordinance by making the following changes:

~~Repair and Maintenance. This Ordinance allows, with a completed land use application and permit fee for all normal upkeep, maintenance, construction, expansion, alternation, renovations, improvements and relocations and such other changes in a non conforming use or structure as federal, state, or local building and safety codes may require. A permit fee is not required for land use application with a construction material cost of less than \$500.00~~

and add the following:

- (2) Repair and Maintenance. This Ordinance allows, with a completed land use application and permit fee for all normal upkeep, maintenance, construction, expansion, alteration, renovations, improvements and relocations and such other changes in a n on-conforming use or structure as federal, state, or local building and safety codes may require. A permit fee and application is not required for a project cost of less than \$15,000.
- (3) Application.

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.



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Amend Section 17, Definitions. Shall the Town vote to amend the Town of Madawaska Shoreland Zoning Ordinance by adding the following word definitions:
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.

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

Gary Dufour motions to pass the proposal as written with the amended word “Regress” to “Ingress”. Dave Lee seconds the motion and all are in favor.

ARTICLE 8: Discuss the Article on the proposed changes to Commercial Zone setbacks.

Amend Section XI , Commercial-C, Subsection, D. STANDARDS. (page 27a)

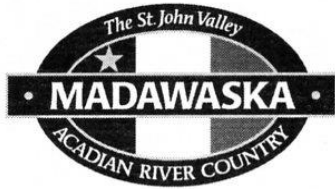
D. STANDARD

1. The general standards of performance of Chapter II shall be observed.
2. The following space standards shall apply:

Minimum lot size	40,000 sq. ft.
Minimum street frontage	75 ft.
Minimum front yard	30 ft. 10 ft.
Minimum side and rear	30 ft. 10 ft., except as may otherwise be required by the buffer provision of this code and except where the side and/or rear yards abut a residential district in which case a minimum of 40 ft. 20 ft. shall be required.
Maximum building height	40 ft.
Minimum setback from streams, water bodies and wetlands	75 ft.
Maximum building or outdoor stored material coverage	None, except that side rear, and front yards shall be maintained.

and insert the following:

3. For new construction, the standards for the rear, side and front set back will be 10 ft.. For existing structures, the standards for the



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rear, side and front set back will be 10 ft. or no less than the closest point of the building to the property line.

Gary Dufour motions to accept proposed Article 8 as written; Adam Kavanagh seconds the motion. Dave Lee abstains; all others are in favor.

ARTICLE 9: Review and approve previous Planning Board Minutes

Gary Dufour motions to accept the February 5, 2015 Minutes; Adam Kavanagh seconds the motion. All are in favor.

ARTICLE 10: Other Business

Gary Dufour voices his concern that the Planning Board was not notified of the changes made with Family Dollar. Code Enforcement Officer, Bob Ouellet, reminded the Planning Board that the initial building plans, which involved square footage and general location, were approved. Bob notified the Planning Board that they needed a Variance for the parking lot and went before the Board of Appeals. Gary Dufour recommended to Bob Ouellet that, in the future, regardless of the changes to a Commercial venture, it should come back to the Planning Board for approval.

ARTICLE 11: Adjournment

Gary Dufour motions to adjourn the meeting at 6:09; Dave Lee seconds the motion. All are in favor.