

## TOWN OF MADAWASKA

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

**MADAWASKA PLANNING BOARD MINUTES  
PUBLIC HEARING  
DATE: May 28, 2015  
AT 5:00 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 Planning Board Meeting was called to order at 5:00p.m..

**ARTICLE 2: Establish a Quorum of Members.**

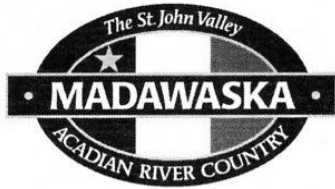
A Quorum was established with Vincent Sirois, Gary Dufour, Adam Kavanagh and Dave Lee present.

**ARTICLE 3: Determine any Conflict of Interest or Bias**

The Planning Board members have no bias or conflict of interests to the following Articles.

**ARTICLE 4: Discuss the two Articles on the proposed building permit changes to the Madawaska Land Use and Development Code and the Shoreland Zoning Ordinance.**

The Planning Board members have already discussed and approved of the proposed changes to the Land Use and Shoreland Zoning Ordinance. Audience member, Richard Cayer is concerned with the changes to the Shoreland Zoning Ordinance. Mr. Cayer believes that the Land Use Ordinance should be amended to match the Shoreland Ordinance. He feels like the Shoreland Ordinance was written by professionals from DEP and is concerned with the deletion of a whole paragraph. He would prefer that the Planning Board consider changing certain words rather than whole paragraphs.



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Chairperson Vince Sirois informed Mr. Cayer that he would contact DEP and get their approval on these changes to the Ordinance.

Code Enforcement Officer, Bob Ouellet, reminds Chairperson Vincent

Sirois that He needs to get a response from DEP before Special Town Meeting.

Mr. Cayer also informs the Planning Board and the Recording Secretary that the format statute for changes of codes is different and is located in Appendix 30A, Section 4352.

A discussion took place between the Code Enforcement Officer, Bob Ouellet, and the Planning Board in regards to the process of posting a hearing. They distinguished

between a Hearing posted for a change in the Ordinance versus a Hearing

posted to present anything else. It was agreed on that this Hearing was not posted

correctly. Mr. Cayer informed the Board that he would not appeal this Hearing because he wishes the proposal to become enacted. It was discussed that this proposal would not

make the next Town meeting but would be presented at the special Town Meeting. Bob Ouellet addresses the last line of the proposal where the word “Regress” is used and

needs to be corrected with the term “Ingress”.

## **ARTICLE 5: Discuss the Article on the proposed changes to Commercial Zone setbacks.**

The Planning Board members have already discussed and approved the proposed dimensions with the help of the Public Works Director, Yves Lizotte, and with the help of the Fire Chief, Jim Soucy. The Planning Board is ready for audience participation.

Chairperson, Vincent Sirois, presents the following proposed changes:

### **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.

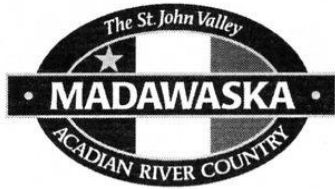
Minimum front yard ~~30-ft.~~ 10 ft.

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 75 ft.

streams, water bodies and wetlands



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

Code Enforcement Officer, Bob Ouellet, questions the Board whether these dimensions will pertain to all structures. If a two-story building has a protruding landing and a set of stairs to get to the second floor, does it mean those same dimensions can be added on the ground level? Vincent Sirois's understanding from the previous meeting was that the setback would be to the staircase, not to the building. Audience member, Vince Frallicciardi's understanding is that the structure that is the closest to the property line is the setback; the property owner cannot build any closer. The Planning Board is in agreement. Audience member, Richard Cayer, would like to see this same proposal pertain to for the Shoreland Ordinance also. Vince Sirois addresses Mr. Cayer by stating that the Planning Board is just addressing the Commercial Zone at this time. Audience member John Albert is concerned because he has a residential dwelling in a Commercial Zone. The setback is currently 30ft. His neighbor has a Commercial building and wishes to expand closer to the property line. Mr. Albert is concerned with the 10ft. setback affecting the value of his home. Gary Dufour informs Mr. Albert that with these setbacks, the advantage is for him also. He may, with an additional 20ft setback, have room to build a garage or shed. Planning Board member, Gary Dufour, mentions that as far as the value to this property, he's still in a Commercial Zone and he really believes it won't make a difference in the value. If anything, he continues, it may add to the value of a Commercial property because of the 10ft. setback. Gary comments that this is the nature of a Commercial Zone.

### **ARTICLE 6: Other Business**

### **ARTICLE 7: Adjournment**

**Adam Kavanagh motions to close the public meeting at 5:35p.m.; Dave Lee seconds the motion. All are in favor.**