

Planning Board Meeting Minutes 02-03-2014

Standish Planning Board
Meeting Minutes
February 03, 2014

The meeting was called to order by at 7:01pm by Chairman Brian Libby. Present were Steve Nesbitt, Lester Ordway, Alta Harding, Alberta Byrnes, Bud Benson, Town Planner and Jackie Dyer, Secretary to the Planning Board. Absent was Carol Billington.

The first item was the approval of the meeting minutes from the January 13, 2104 meeting. Mr. Nesbitt made a motion seconded by Mr. Ordway to approve the minutes. All in favor.

Approval of Finding of Fact:

Michael Lyons & Mary Anne Hildreth, 85 Sand Beach Road, Map 56, Lot 1 Shoreland Zoning Application

Mr. Nesbitt made a motion to waive the reading of the Finding of Fact, seconded by Mrs. Harding. All in favor. Mr. Nesbitt made a motion seconded by Mr. Ordway to approve the Finding of Fact. All in favor.

William A. Ward, 178 Stuart Shores Road, Map 59, Lot 16 Shoreland Zoning Application

Mr. Ward was present to represent himself. Mr. Libby said that a site walk had been done. Mr. Ward said that he and his wife had decided to go with the original plan that was submitted. He said that he has a deck on the existing cottage now and wants to know that when they build the new cottage, can they put a roof over the deck to be built. Mr. Benson said he was not sure if he could put a roof over it or not. Mr. Ward wants to know that when he moves back to the new foundation, can he screen the new porch in, or will this be part of the structure? Mr. Benson told him that the Planning Board deals with the foundation and moving back to the maximum practical extent and he needs to go back to the CEO for that. Mr. Ward said the CEO told him to ask the Planning Board.

Mr. Nesbitt asked that if the porch is enclosed would that increase the volume. Mr. Benson said he felt that if the porch were to be enclosed, that it would count as square footage. He told Mr. Ward that he needs to check back with the CEO. Mr. Benson said maybe under the new code for shoreland zoning, maybe enclosing it might be possible, but he wasn't sure. Mr. Benson also said that closing in the porch was not part of the submitted plan. Mr. Ordway said that it is his feeling that in doing so, it would be part of the square footage. Mr. Libby said if it comes under the square footage, then maybe it would be a possibility. Mr. Ward said the camp would be the 75 foot set back required, but he wondered about the deck. Mr. Libby said he believes that the deck being enclosed is the call of the CEO.

Mr. Ward said there is no roof over the porch now, can he have it covered like he has been told. He said he is not sure about the 75 feet and how it keeps coming into play. Mr. Benson said that if the deck has a post underneath, it becomes part of the foundation. If he does put a new deck on the new structure, would he have to move back further? Mr. Nesbitt said they had already taken the deck into consideration. As long as the structure is moved back to the maximum practical extent, he will be okay. Mr. Benson said there are height restrictions on the roof, so he is not sure about the enclosure of the deck. Mr. Ward said the roof would not be any higher than the 25' already on the plan and he feels it would probably be less. Mr. Benson said it is up to the CEO and not the Board.

Mr. Libby said the way the application is now and the plans that were submitted are what they would do approval on, not something that isn't there. Mr. Benson said he can show Mr. Ward how the measurements from the water are figured and he offered to show him. Mr. Benson and Mr. Libby said they are okay with what's been submitted.

Mr. Libby asked for any further comments. Mr. Nesbitt said he felt the building has been moved back to the maximum practical extent.

The following are the conditions of approval :

1. Per standards found in 237-12 C (1) b the Planning Board approval of this site plan is limited to structure setbacks to the maximum practical extent. Existing structure, with scaled setback from apparent normal high water line of 38'ft, to be demolished and a replacement structure with proposed structure setback of 55' ft. built on a new foundation.
2. The following plans and calculations must be submitted by the applicant and approved by the Code Enforcement Officer before permits are issued:
 - a. Structure expansion is permitted per § 237-12 C. (1) (a), reconstruction
 - b. Maximum percent impervious lot coverage not to exceed existing per standards found in § 237-15 B.(4),
 - c. Stormwater design to reduce runoff and encourage infiltration per standards found in § 237-15 J.(1), The applicant will remove the impervious concrete walk and replace with a porous walk.
 - d. Erosion & sediment control plan per standards found in § 237-15 Q.
 - e. Clearing and a re-vegetation plan (include plantings on the lake side of the property) per § 237-15 P. (2) (a)
3. Per standards found in § 237-15 B (3) , the applicant's proposed new structure may be within the FEMA delineated 100-year flood plain and will, at minimum, need an (Elevation Certificate) to prove to the Code Enforcement Officer that the lowest floor is at least 1 ft above the 100-year flood elevation. The site plan shows a proposed building footprint. The lowest floor elevation or openings of this building, including basement floor must be more than one foot above the FEMA 100 year flood elevation.
4. This approval and any permits issued under this approval shall lapse and become void unless the start of construction or operation as defined in § 237-16. Administration. F "Expiration of Permit." A permit of the Zoning Ordinance begins within one year from the date of this approval. The Planning Board may extend this permit upon a showing of hardship, provided that the written request for extension is made before the expiration of the one year period.
5. The approval is dependent on and limited to the plan and proposals submitted by the applicant either orally or in writing. Any variation from the plans or proposals is subject to review and approval from the Planning Board, in writing, except for minor changes which the Code Enforcement Officer may approve.

The application was found to be complete. Mr. Nesbitt made a motion seconded by Mr. Ordway to approve the application with the above standards. All in favor.

**Hunt Real Estate Ser., Inc., 120 Ossipee Trail, Map 10, Lots 70,70B
Site Plan Application for Family Dollar Store**

Doug from Hunt Real estate was present to represent the Family Dollar applicant. He said they have come in with some new plans that have some modifications. Their new plan shows a pitched roof as well as new signage on the front and also some false shutters, a decorative vent and other items. They would like to drop the pitch of the roof .They would like to show their entry moved to the side and on the front of the building, they would be creating a false door. This is all in keeping with the design of Family Dollar stores.

Mr. Libby asked for questions from the Board. Mr. Benson said in looking at these new plans, they need to have a discussion and move to a workshop. He also said if they come up with something that could be approved, would the Board like to do a continued meeting in a week or two. It was decided that a meeting would be held on Thursday, February 13, 2014 at 7:00pm.Mr. Nesbitt said the Council meets in one week and there are some changes needed, to move forward, to the Standish Corner District. He said he would not be comfortable moving forward until after the Council meets.

Meeting adjourned at 7:30pm.