

Readfield Planning Board

Meeting Minutes of May 24, 2022

Planning Board Members Present: Paula Clark (Chair), Jack Comart, Jan Gould, Don Witherill, Henry Clauson

Excused: Noel Madore, Bill Buck

Others Attending: Ron “Chip” Stephens (CEO), Anjelica Pittman (Board Secretary), Kristin Collins (Attorney), Tom Moloki, Eric Falconer, Eric Johnson, Carol Doorenbos, Scott and Dawn Morash, Justin Morgan, Bob Bittar, Leah Hayes

Meeting called to order at 6:31 P.M. by Paula

Public Hearing: Scott and Dawn Morash on 111 Mayo Road continued from public hearings on 4/27/21, 5/11/21, 5/25/21, 1/11/22, 4/12/22, & 5/24/22. Submission to construct a new 4600 sq. ft., 3 bedrooms, 2.5 bathroom year round dwelling on Maranacook lake and demolish the existing structure on the property. The property is located in the Shoreland Residential District on the tax map 134 lot 125.

Scott Morash presented the challenges with the lot: the size of the lot is .61 acres, impervious surface allowances are 20%, and the 17% slope at the back of the property presents accessibility challenges in the winter months. Jack suggested putting the garage at the top of the property before the slope begins. Scott Morash responded that they chose to do it at the bottom of the incline due to the current vegetation. Pushing the house further up the hill would present its own challenges. Scott Morash also mentioned the original plan had been turned down by the board due to road frontage setback requirements. Scott Morash also mentioned some of the positive aspects of the new structure plan, such as the height of the building being under the maximum allowable limits, a reduction in soil erosion and less disruption of the soil, and the new septic system would be moved back from the water, replacing a 52 year old system. Also, the current structure has no storm water runoff system and the new replacement structure will, there will be minimal vegetative removal, and Scott Morash believes the new structure will strike a healthier balance for that particular location.

Tom Moloki came to support the Morashes; he moved to Readfield in 1976, has been on the Board of Appeals, School Board, Cemetery Committee, Maranacook Dam committee, and the Lake Association. Tom Moloki has considered the Morash’s proposal and believes it is an improvement of the current condition. He also believes the Morashes are a kind couple and good community residents, and would like them to be welcomed to Readfield’s community.

Eric Falconer attended, he is Tom Moloki’s neighbor, he has lived on the lake since 2004, he is also a member of the Maranacook Lake Association, and Board of Directors. Eric Falconer also mentioned that Scott Morash has been on the Maranacook Lake Association, and Chairman of the Dam Committee. Eric Falconer stated that he has also seen Scott Morash help other residents, in fact the Friday prior to this meeting, Scott Morash helped out EMS in an emergency situation. Eric Falconer believes Scott Morash is a good steward of the lake, the home improvements presented would be a win for the town and neighbors, and he encourages the Board to do what they can to approve the Morash application.

Readfield Planning Board

Bob Bittar spoke in support of the Morash proposal; he likes what the Morashes are proposing to do with the lot, and their efforts to improve it. Bob Bittar believes they have met conditions as best as possible with what they have to work with and that their application is sufficient.

Carol Doorenbos spoke in favor of the Morashes application, she does not think putting the garage at the top of the incline/property is a good idea, and she also mentioned a spiral staircase in the home being unfit for Scott Morash, as he is 6'7". She mentioned the price of the project has increased considerably given inflation over the last two years, said the Morashes are working hard to get their application approved, and she hopes they and the Planning Board can find common ground.

Jack **motioned** to close the hearing, Don **seconded**, **vote in favor 5-0**.

Paula responded to the Morash application and supporters, that while she appreciates the idea to build a retirement home and recognizes some of the major improvements that would come from the proposal, she has had some concerns from the outset, primarily the maximization of square footage of the structure within the 75 to 100 foot zone and the proposed distance of the structure from the required setback. While the proposed setback is an improvement over current conditions, it still does not meet the LUO's minimum allowable setback requirement of 100ft.

Jack responded that he agrees with Paula regarding the overall square footage and the setback issues, he believes the issues with the setback could be mitigated with a smaller new structure or by setting the structure further back from the lake to meet the requirements. Jack said he disagreed that the slope of the land imposed a significant barrier and to the extent it does, the building of a more moderately sized home would address any such concerns. Jack suggests the application be denied.

Jan is conflicted as she sees many positives in the Morash application; however she would like to see a better balance within the language of the ordinance.

Henry agrees with Jan's sentiments. The greatest practical extent requirement is not met; however the proposal is better in all ways compared to the current structure.

Don also agrees that the application is an improvement, and the vegetation plan could make a net gain for the environment and lake quality. However he agrees with other board members that the size and placement of the proposed structure conflicts with the LUO.

Paula summarized that ordinances and the law generally do not favor nonconformity, and that it is necessary and important to meet established standards Paula appreciates the vision the Morashes have for their property and encouraged them to return with a modified proposal to better achieve the setback standards.

Jack **motioned** to deny the application, Henry **seconded**, **5-0 vote**.

Public Meeting:

Bob Bittar-Safe Space Meeting House (SSMH): This new application proposes to create a community center/club in the existing structures. The property is located at 26 Mill Stream Road in the Rural Residential District identified on the Assessors map 120, lot 013.

This application was initially presented on April 26th, 2022. At that meeting, it was determined that field measurements should be taken to confirm results from several years ago. The Code Enforcement Officer (Chip) visited the site along with Clif Buuck (a former CEO) and took

Readfield Planning Board

measurements from the corners of the structure, the historic house, and the wetland, stream and road setbacks to determine compliance with standards of the LUO. The road setback was measured from the SE corner of the historic house to the center of the traveled existing Mill Stream Road at 30ft., the wetland measurement was taken from the back NE corner of the same historic house at 59ft. The setback distance requirements are 75ft for both measurements which leaves the SSMH property in nonconformity by 16ft. and 45ft., respectively. The wetland location and size were not precisely determined but estimated at 50ft. A survey would be needed to determine if the wetland is 10 acres or greater.

These measurements came very close to measurements done in 2014/2015, confirming the nonconformity in all three areas of measurement. Further, there was no information presented that would cause the Board to alter its previous determinative conclusion that the building is non-conforming and that a change of use from single-family residential to community center/club would have a greater adverse impact.

Bob Bittar stated his measurements came from a soil scientist; that since the historic home is in the wetland and stream protection area, bulldozing the historic structure would alleviate some of those nonconformities. He believes his remaining structures would be out of the protection areas. Paula advised against that course of action as it would not guarantee approval of his application.

Bob Bittar felt the interpretation of the LUO by the board was different than his interpretation, and the board felt that most of this application was not substantively different than the previous one. Because of that, board members all agreed to deny the application.

Jack **motioned** to deny the application, based on the nonconforming activities greater adverse impact and not enough new information since the last application in November. Jan **seconded, 5-0 vote.**

Old Business:

Review Meeting Minutes

4/26/2022 – Henry asked for his name to be moved to the Excused listing for those minutes as he was not present for that meeting.

Don **motioned** to approve as revised, Jan **seconded, vote 4-0** in favor.

1/11/2022 – Henry **motioned** to accept minutes, Jan **seconded, vote 5-0** in favor

2/8/2022 - Henry **motioned** to accept minutes, Jan **seconded, vote 5-0** in favor

Meeting Adjourned at 8:23 P.M. by Paula