

# Readfield Planning Board

## Meeting Minutes of October 25, 2022

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

**Excused:** Noel Madore

**Others Attending:** Chip Stephens (CEO), Anjelica Pittman (Board Secretary), Tom Molokie, Carol Doorenbos, Scott & Dawn Morash, Diane Davis, Tom Gottschalk, Keith Meyer, Shawn Tyler

### Meeting called to order by Paula at 6:30PM

#### Old Business:

Discussion about the remand from the Appeals Board concerning the PB decision regarding application of **Scott and Dawn Morash** for reconstruction of a non-conforming house located at **111 Mayo Road:**

Jack and Paula have worked closely with the town attorney, Kristin Collins, to bring further clarify the PB decision made in May 2022 in order to address concerns raised by the Board of Appeals.

Collin Clark of the DEP has received a copy of the PB decision agreed with the PB's analysis and decision. DEP agreed that if the footprint of the non-conforming structure can be reconstructed beyond the 100 foot set-back from the Normal Highwater Line, then no portion of the reconstruction can be located below the 100 foot set-back.

The board discussed the draft revised Planning Board Decision. All members agreed that the draft language was clearer and well described the Land Use Ordinances pertaining to the application. The Planning Board members hope to see a revised application brought forth by the Morashes that meets LUO requirements and the applicants' needs for the property.

- Jack **motioned** to approve the revised decision draft and forward to the Board of Appeals, Bill **seconded**, **6-0 vote** in favor.

#### **Public Comment:**

Tom Gottschalk – Read the revised draft and disagrees at that the Morash proposal was made for the convenience of the Morashes. Tom said the footprint of the proposed reconstruction would increase safety because the lot is so sloped. Tom feels the Morashes never had a chance to discuss the application of the DEP's Minimum Shoreland Guidance with a lawyer. Tom feels the Morashes were denied due process.

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Paula responded that the question of convenience was raised by the Appeals Board. She further explained that the DEP's Shoreland zoning rules are the underpinning of the LUO's shoreland rules. Municipalities are required to forward the LUO to the DEP for approval. The LUO must be read to be consistent with state shoreland zoning rules, although the LUO can be more restrictive.

Carol Doorenbos – Mentioned the new Ordinance revisions of last year combined with reconstructing the home 75ft from the Shoreland zone rather than the 14ft currently would help the Morash application to get approved.

Paula responded that it does add flexibility but that does not guarantee approval.

Keith Meyer – Made two points, first to make sure the record reflect comments from Scott Morash and Tom Gottschalk. Second Keith added that a memo was sent to the Select Board and is hopeful the Planning Board thought about it. Keith has lived at Maranacook Lake since 2005; he said the Morashes lot with a 14% grade is a difficult property to get to. The Morashes are trying to facilitate living at the property full time into old age.

Tom Molokie – The tone of this meeting and people's responses to each other are very different and less adversarial than they have been in the past. Tom is hopeful that the plan for the Morashes to build and retire at 111 Mayo Road can come to fruition. Tom hopes that the provisions can be adhered to and the Morashes can get their dream home. Tom again mentioned that he was pleased with the tone of the meeting.

## **New Business:**

**382, 386, 0 Quiet Harbor Road** – An application by Diane Davis and David Dolley to rectify a previous unauthorized resubdivision. The parties want to have lot 029 legally divided and the two resulting pieces would be incorporated into Lots 028 and 030 This would eliminate one subdivision lot and result in two larger abutting subdivision lots, Each resulting larger lot would render them less non-conforming.. The properties are found on the town tax maps as map 102, lots 028, 029, and 030 in the Shoreland Residential Zone.

David and Diane purchased the lot together and divided the lot between the two of them, essentially creating 2 lots out of 1 existing lot. Because this is a re-subdivision, the PB needs to address the issue. It has been proposed to divide the original Lot 029 and merge the two half lots into each residents' existing lots, i.e. 028 and 030.

The new LUO allows the Planning Board to look at reallocation of lot lines between three or fewer lots and not have to go through a new subdivision application process. However, the PB wants a new survey of the new lot lines for lots 028 and 030 to be done as part of the elimination of Lot 029. A revised subdivision plat will also be needed to reflect the elimination of the lot and the increase in size of the two abutting lots. The new merged lots would also need to be

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recorded with the Registry of Deeds. Once the required process is completed, return to Planning Board for members to sign off. This does not need to be done as a meeting. PB members can sign off on the revised plan at the town office.

- Jack motioned to approve resubdivision that allows Lot 029 to be divided and which portion merge, in part, into Lots 028 and 030, subject to new survey, revised subdivision plan, and recoding in the registry of deeds, Henry seconds, vote 6-0 in favor

**Remote Meeting Discussion** – Paula briefed the board about the Annual Chairs Meeting held before the Board of Selectmen last week. At the Chairs Meeting, Paula was asked about the Planning Board’s remote versus in person meeting and whether the PB had met in person as a group recently. Paula answered from her own perspective that some members may be generally uncomfortable meeting in person and choose remote for risk minimization. The Remote Meeting Policy allows for members of all boards and committees to meet either way they are most comfortable. The Select Board Chair, Dennis Price, did reach out to Paula in support of the Planning Board and offered Paula the opportunity to address the concern at the next Select Board meeting. Members of the Planning Board were concerned that outside agencies may feel there is a quality concern due to hybrid meetings, but members were confident that there is not. Also, members of the Planning Board are volunteers with busy schedules, child care and health issues, and making attending either in-person or via zoom more convenient for members. Without this flexibility, a number of PB members stated that they might not be able to continue on the PB.

**Accessory Dwelling Unit Legislature** – New legislature regarding accessory structures will require much more time by the Planning Board to prepare a package for ordinance changes in March, so the Board is making plans to begin revisions early.

**Syncarpha Solar** – Planning Board members had some questions about the Syncarpha project in town. First, if Syncarpha had begun the project before the end of their extension, and second, if there is an opportunity for residents to buy into the project first before other towns. Chip replied that he will find out both answers and email the Board when he finds out.

The next Planning Board meeting was agreed upon to take place November 15<sup>th</sup> 2022.

**Meeting adjourned by Paula at 8:20pm**