

Minutes for Tuesday, June 18, 2019 Planning Board Meeting

1. Call to Order: The meeting was called to order at 7:03 PM.

2. Introduction of Attendees: Present were:

Planning Board (PB) Members: David Johnson, Laura Chadbourne, Melanie Eldracher, Morris Gibely, Ron Kiesman (Alternate). Member Kevin Taylor was absent, so Alternate Member Ron Kiesman served as a PB Member.

Code Enforcement Officer (CEO) Arthur Dunlap

Town resident Linda Hanratty, accompanied by John Cole, architect for the Hanrattys.

3. Minutes from the May 29, 2019 Meeting: The minutes were reviewed by the group. Laura Chadbourne moved and Ron Kiesman seconded the acceptance of the minutes as written. The motion passed unanimously.

4. CEO's Report for May 2019: CEO reviewed the report with the PB. Laura Chadbourne expressed concern about the timber harvesting happening on Rte. 93 down the road from the town office, and thought it might be in violation of the 5 acre clear cut limit in town. Arthur noted that the state forestry representative would be coming to look at the timber harvesting, and that the clear cut might be getting towards 5 acres but he wasn't sure. Melanie Eldracher moved and Ron Kiesman seconded acceptance of the May 2019 CEO report. The motion passed unanimously.

5. Communication & Bills

A. Correspondence Received and Sent (by date)

1. Ltr from Daniel Mullins to PB dated 5-28-2019. Mr. Mullins is a landowner of lots 10 and 11 in the Popple Hill Estates (PHE) subdivision. Mr. Mullins expressed support for subdivision amendment pending before the PB.
2. Ltr from PB (email) to Dan Noblet, cc Ronald Leavitt dated 5-30-2019, requesting copies of letters of support from Popple Hill Estates Subdivision owners for the removal of the residential fire sprinkler requirement.
3. Ltr to PB (email) from Dan Noblet dated 5-31-2019, confirming that he would be going to the Registry of Deeds to record the approved revised PHE subdivision plan. Ltr also thanks PB for considering the facts of the amendment, guiding him and the applicant through it, and approving it.
4. Ltr to PB (email) from Dan Noblet dated 6-5-2019, confirming that he had dropped off at the Town Office letters from PHE subdivision owners supporting the subdivision amendment. Ltr also states that he dropped off the Registry of Deeds receipt (letters and registry receipt attached to the email for the PB files).

Minutes for Tuesday, June 18, 2019 Planning Board Meeting

5. Ltr to PB (email) from John Cole dated 6-11-2019 regarding property at Map U-5 Lot 7, owned by Linda Hanratty, for which John Cole is the architect for a building permit. Letter asks for a discussion with Secretary to clarify questions about why the PB needs to review the building permit.
6. Ltr to PB (copied) from Sweden BOS to Pietree Orchard LLC dated 6-12-2019, approving the removal of a stone wall at Pietree Orchard, Map R2, Lot 35.

6. Old Business:

- A. Re: PHE Subdivision: Secretary has two items pending: 1) draft and send letter to applicant to recoup expenses related to processing the application and 2) draft and send memo to BOS and Tax Assessor conveying Final Plan for amended PHE subdivision. Secretary plans to complete these within the next week.

7. New Business:

- A. **Pietree stone wall response to BOS** – there was some confusion among PB members in regards to sending the PB's official response to the BOS re: Pietree Orchard removal of a stone wall on their property at Map R2, Lot 35. Melanie had thought Laura had sent it; she had thought Melanie had sent it. Resolution: although the BOS have closed the issue, Melanie will go back and send the PB's official opinion to AA Jenna Domer so the BOS has a copy for their files.
- B. **Discussion / review of building permit for Linda Hanratty, Map U-5, Lot 7**. Linda Hanratty verbally confirmed that John Cole is an agent for her as owner. Mike Akers from Maine Eco Homes is also an agent. She will confirm to the Board via email. Linda's email for the record is Llhanratty@gmail.com.

John Cole presented on behalf of the owner, including drawings and photos. The original plan for the home was to demolish the structure and re-use the existing foundation. Engineers, however, recommended replacing the existing foundation. The new home will use the exact same location and footprint of the foundation with one addition of a 4' x 8' foundation add-on to support stairs. The 4' x 8' foundation expansion is on the road side, not the shoreland side, so does not increase non-conformance of the structure.

John noted that he had worked with Arthur to keep within the 30% shoreland zoning increase limit. There is also a new septic being put in to accommodate the increased number of bedrooms in the renovated home.

Board reviewed Sweden Zoning Ordinance IX.C.3.b (page 14): "Whenever a new, enlarged, or replacement foundation is constructed under a non-conforming structure, the structure and new foundation must be placed such that the setback is met to the greatest practical extent as determined by the Planning Board..." PB members looked over the drawings and asked several questions of the owner and architect to determine if the

Minutes for Tuesday, June 18, 2019 Planning Board Meeting

structure could be made less non-conforming as an opportunity given the new foundation. However, given the setbacks needed from the center roadway and side lot lines, there was not any way to make the structure less non-conforming.

Dave Johnson made a motion that the PB approve the plans for the foundation replacement and expansion for the Hanratty property at Map U-5, Lot 7, using same outline of existing foundation and in the same location, with the only change being the thickness of the foundation at 10" and 4' x 8' foundation expansion on the road side of the house to support the stairway. Melanie Eldracher seconded. The motion passed unanimously. PB retained a copy of the plot plan drawing for its files. Photos and a side view drawing of the house were returned to Mr. Cole.

- C. **Morris shared LEA Shoreland Zoning seminar experience.** There was a PowerPoint presentation in the AM (Morris obtained copies and will share at the next meeting). Afternoon was spent at the lakeside doing field work. Colin Holmes is willing to come talk with the PB about the updated state shoreland zoning regulations. Morris re-iterated the importance of Sweden updating its Zoning Ordinance to reflect the most recent state shoreland zoning laws. Group discussed again how to continue the update of the Zoning Ordinance; however, it appears the Planning Board Assistant may not be able to continue supporting the ZLU update effort after certain decisions by the BOS over the past few weeks impacted the Assistant's ability to continue in her role. PB will table the ZLU update discussion until the next meeting.

8. Announcements:

- A. The next regularly scheduled PB meeting will be on **Tuesday, July 16, 2019** at 7:00 PM.
- B. The board's longstanding opening for one Alternate Member has been filled by town resident William Graham. He is expected to be able to join regular meetings going forward.

A motion was made to adjourn the meeting. The Chair adjourned the meeting at 7:40 PM.

Respectfully submitted,

Laura Chadbourne,
Secretary, Sweden Planning Board