

Town of Searsmont
Planning Board Meeting Minutes
July 6, 2023
6:30 PM

1. Call to order: The meeting of the Planning Board convened at 6:31 pm. These minutes are a summary of the Board's discussions. A recording of this meeting is available at the Town office.
2. Roll Call - Members Present:

Christian Halsted, Chair Sarah Crosby, Vice Chair Jon Thurston Jack DeGraff	Others: Patricia Chapman, PB Clerk Brenda Hannon Hughes Ron Hughes Selectman Redman
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3. Applications:
 - a. Brenda & Ron Hughes are from Texas and inherited property on Quantabacook Lake
 - i. Brenda's father originally purchased the lot from Louise Robbins, his 1st grade teacher.
 - ii. Lot 11-26 & 27 at the end of Beach Drive #41, at the end of a dead-end road. There are 4 properties on that road.
 - iii. Questions:
 1. What can they do to make it larger and able to be lived in year-round, i.e. a well, etc. They would like to move here permanently.
 2. Currently has a 675 sq foot cabin about 25' from the water and 2 smaller buildings/sheds (10x8, 16x16)
 3. They put a toilet connected to the septic system in one of the smaller buildings
 4. Current building is not insulated.
 5. Can they upgrade the building or do they/can they build a new building?
 - iv. This lot is in the Shoreland Zone. If they were to build a new building, they would need to adhere to the zoning rules such as the 250' set back from the high water line.
 - v. Yes, they can drill a well but it does need to be 100+ feet from the septic/leach field. If they get a waiver for this, it comes with additional restrictions.
 - vi. There is a one-time, 30% square footage expansion of impervious surface (footprint) allowed if they want to expand the current building. They can also insulate it and drill a well, etc. Well-drillers are scheduling about a year out right now.
 1. Expansion could not go closer to the water so it would need to go in a direction parallel or away from the water.
 2. Building up does not count toward the 30% but there is a separate height limit as well. So they can expand the footprint (out to the sides by 30%) and it could be a 2-story addition.

3. They should talk to an architect or a builder to design the addition. J. DeGraff recommended asking a place like Viking Lumber for recommendations for an architect or builder. The planning board can not recommend a builder or architect.
 4. They have at least a year before they can actually move to Maine so they have time to plan.
 5. Maximum height in the shoreland zone is 35 feet.
 6. The lot is only 1 acre so there is not enough room to build a second building to live in.
 7. There is already a septic that has been inspected per a previous conversation with F. Therio. They would need to determine if the septic would need to be or could be expanded if the house is expanded. They may need to remove the toilet from the other building.
 8. They own a second adjacent lot but it isn't buildable.
 9. There are two other properties on the road. This property is accessed by crossing the other properties. If a driveway is added to provide direct access, it would limit space available for a leach field.
 10. Walker Road, leading up to Beach Drive, is a town road that is maintained year-round.
 11. It is a lot of work but it's a pretty common thing for camp owners to renovate a camp to be year-round.
 12. It is up to the owner/applicant to talk to the contractors and get all the details needed to apply for the appropriate permits.
- b. Isaac Parker permit application from last week:
- i. J. DeGraff and C. Halsted visited the property and talked to I. Parker. Before the visit I. Parker officially marked and measured the property lines and discovered that his original application was not accurate.
 - ii. He does have at least 18 feet set back and has the garage footprint flagged.
 - iii. J. DeGraff made a motion to accept the amended permit application with the corrected measurements, seconded by C. Halsted. Motion passed 4 in favor, 0 opposed.
 - iv. J. Thurston made a motion to amend the original motion to include approving \$218 fee: 20'x24' = 480 x \$.35 + \$50; C. Halsted seconded. Motion passed 4 in favor, 0 opposed.
- c. There was some discussion about why the board needs to vote on the permits when, under normal circumstances, the CEO would just approve them with no discussion or vote.
- d. Andrea Crawford permit for a "Rent to own building" approx. 10'x12'. Although not noted on the application, this is an after the fact request as the structure is already there.
- i. The permit refers to a photo on file. C. Halsted believes this is something the assessor may have.
 - ii. There is not enough information on the permit to make a decision as it was not filled out correctly. C. Halsted will contact the applicant to get the permit completed.
 - iii. The permit indicates a trailer on the property but it's not clear on the town maps.

- iv. The board needs more detail about the boundaries, the amount of setback from the road and the property lines, and the size of the structure.
 - v. We will be charging a late permit fee (4x the original permit fee).
 - vi. J. DeGraff made a motion to have C. Halsted contact the application for additional information, seconded by S. Crosby. Motion passed 4 in favor, 0 opposed.
- e. James Nelson, 70 Main Street. Application to extend an existing accessory building.
- i. 20'x50' shed - 1,000 square foot total.
 - ii. The structure is already in progress. (as seen by planning board members, not noted in the application)
 - iii. The original application was submitted over a year ago but they never came to the town office to pick it up and pay for it. They called recently annoyed that they didn't have a permit and C. Halsted let them know they needed to resubmit an application and it would be reviewed at the next meeting (tonight) and they could pick it up on Monday. The board is frustrated they started the work without waiting for approval.
 - iv. A late permit fee is 4x the original permit fee which would be \$1,600 as the original fee was \$400. Should they pay the late fee or just a new permit fee?
 - v. C. Halsted made a motion that we approve the permit but charge the late permit fee of \$1,600, seconded by J. DeGraff. After some discussion, the motion was approved 4 in favor, 0 opposed.
- f. Nathan Spectre, 373 Pond Road – 10'x14' shed on skids. This is a new shed in addition to an existing shed on the property. Map 7, Lot 86
- i. The application does not show the distances to boundaries but it is a decent size lot (1.9 acres) and shouldn't have any issues.
 - ii. A permit for a 10'x12' shed and an 8'x24' deck was submitted and approved in April 2023.
 - iii. The new shed is behind the house further away from the water but closer to the road.
 - iv. C. Halsted made a motion to approve this permit, seconded by J. Degraff. Motion approved 4 in favor, 0 opposed.
 - v. $10'x14' = 140'x\$.35 + \$50 = \$99$ fee– J. Degraff, made a motion to amend the original approval to include the \$99 fee, seconded by C. Halsted. Motion passed 4 in favor, 0 opposed.
- g. Inquiry from Shannon Smith at 798 Albin road further up the lake, just past the junction of Albin and the right fork.
- i. Permit 2898 was approved to move an existing home from Higgins Road to this property. Originally paid \$167.60 for a 336 square foot structure – 12'x28'.
 - ii. While crane is on site for the move, he wants to add a 2nd story to the structure being moved. He is requesting to amend the permit to add a 2nd story and asking what the fee would be.
 - iii. The property is not on the water but does have a small right of way to the water – he could not build close to the water on the right of way.
 - iv. Moving the house would be considered new construction, not an existing structure on the new property.

- v. J. Degraff made a motion to amend permit #2898 to include the additional square footage for the second floor, seconded by C. Halsted. Motion approved 4 in favor, 0 opposed.

4. Approval of Minutes:

- a. J. DeGraff moved to accept the June 20, 2023 minutes as written, S. Crosby seconded. Motion passed with 4 in favor, 0 opposed.

5. Treasurer's report: None

6. Communications:

- a. Building Permit spreadsheet: C. Halsted will update the sheet after tonight's meeting.

7. Committee Reports: None.

8. Old Business:

- a. Update on Selectman's decision regarding the MCOG meeting. They decided not to participate in the Community Resiliency Partnership grant but they are going to contract for the full services of MCOG to help with the Comp Plan. They reduced the original quote for the service by the amount of the dues paid and removed some contingency funds they had originally included. Final price is \$14,500 vs the original quote of \$19,500.
 - i. This the full package. They guide us through the whole process – doing most of the writing, community engagement, managing meetings, dealing with the state feedback, etc.
 - ii. The plan is to submit a warrant item to put the amount normally added to the legal reserve fund into this project (approx. \$5,000) over two years.
 - iii. The Selectmen have already decided to allocate ARPA funds for approximately half the cost.

9. New Business:

- a. C. Halsted had someone ask if a homeowner's solar array would require a permit. C. Halsted thought it might be needed.
 - i. J. Thurston previously talked to F. Therio about needing a permit when he installed a solar array and he said no because it wasn't going to be lived in or be used for storage.
 - ii. The ordinance only refers to a structure with a footprint without regard to the use of the structure. J. Thurston's solar array was installed on a 10'x20' cement pad that does create a footprint greater than 100' on an impervious surface and therefore should have had a fee.
 - iii. Section 330:
 - 1. No building or structure with a footprint greater than 100 square feet or more than 16 feet above grade shall hereafter be built, enlarged, moved or placed on a lot without a permit. This shall not apply to alterations within the frame of an existing structure*. Any building or structure, including those too small to require a permit, must abide by all pertinent setback requirements as outlined in the Ordinances
 - iv. The definition of structure:

1. Anything temporarily or permanently located, built, constructed or erected for the support, shelter or enclosure of persons, animals, goods or property of any kind or anything constructed or erected on or in the ground.
2. The part “anything constructed or erected on or in the ground” would make it apply to the array.
 - v. If the solar array were just on posts vs being on a pad, only the actual posts would count toward the footprint and therefore would not likely meet the minimum 100 square footage needed to require a building permit.
 - vi. The array itself does not count as an impervious surface. It is over grass.
 - vii. The reason an overhang on a building counts in the square footage of a structure, is because it was put into the state regulations in shoreland zones.
- b. P. Chapman will not be at the next meeting on 7/18. She will prepare the agenda but someone else will need to take minutes. P. Chapman can finalize the minutes and post them when she returns from vacation.
- c. J. DeGraff proposed that Evie could take minutes at the 7/18 meeting.
- d. Bangor Payroll needs planning board members to either opt in to direct deposit or sign a form to waive direct deposit and receive paper checks. The members have done this already but Bangor Payroll is asking again as they would strongly prefer everyone to have direct deposit. C. Halsted handed out the forms for members to complete and return later.
- e. J. DeGraff asked about the permit for Robbins Lumber to expand two buildings as the work is not complete and they will need an extension. The permit is on the spreadsheet from August 2022 - #2905.
 - i. One of the building expansions has started but the other has not so they are going to need to request an extension. Since both buildings are on one permit, and one of the building extensions has been started, they can apply for an extension.
 - ii. Per the ordinance, (2) one-year expansions can be approved before they expire if there has been a substantial start on the project, the request is made 30 days prior to the expiration date, and there are no changes to the original project plan.

10. Adjournment: J. DeGraff made a motion to adjourn, seconded by C. Halsted. Motion passed by a vote of 4 in favor, 0 opposed and the meeting was adjourned at 7:46 pm.

i.

After the meeting ended, it was restarted to amend the permit approvals to include the permit fees.

Respectfully submitted,
Patricia Chapman, Planning Board Clerk

J. DeGraff made a motion at the July 18 meeting to approve the July 6 minutes as written. Motion was seconded by J. Thurston and motion passed 6 in favor, 0 opposed.