

**Town of Arrowsic
Minutes of Planning Board Meeting
August 5, 2019 at ~ 7:05 PM
Arrowsic Town Hall**

Attending: Will Neilson (PB, Chair); Roger Heard (PB); Matt Caras (PB, Secretary); Don Kornrumpf (PB); Stan Lane (PB); Mike Kreindler (CEO).

Review of Houze Relocation of Existing Lot Line Without Creating New Lot

Reference is made to a Newtown Subdivision Amendment For William & Linda Houze, 2 Newtown Road, Arrowsic, ME dated "PRELIMINARY" and prepared by Bruce W. Martinson of SITES (the "Survey"). Newtown is a subdivision and Newtown Lot IV, which is the subject of the Survey, appears to be at or about 2 Newtown Road, Arrowsic, Maine (apparently Arrowsic Tax Map/Lot Number 3/9) (the "Property"). According to the Survey, the record owners of 2 Newtown Road are William and Linda Houze. In attendance were William Houze and Bruce Martinson.

Reference is also made to the 08/05/2019 Minutes of Houze Site Walk.

William Houze and Bruce Martinson requested that the Planning Board review this matter. The Houzes wish to relocate an existing lot line, without creating a new lot. Bruce Martinson presented the details of the Survey. The Planning Board has chosen to review this matter, but to limit its review to the review criteria set forth in Section 2 of the Arrowsic Subdivision Ordinance. In reviewing this proposed relocation of existing lot line in a subdivision, the Planning Board makes no determination as to whether: (a) The Subdivision Ordinance requires review pursuant to Section 8.4; (b) the Subdivision Ordinance requires compliance with Section 8.4; or (c) the proposed subdivision complies with Section 8.4. Further, the Planning Board makes no finding or determination that the lots affected by the relocation of the lot line are buildable lots. Mr. Houze and Mr. Martinson acknowledged that they should not and cannot assume that the lots are buildable.

Before reviewing Section 2 of the Subdivision Ordinance, the Planning Board considered the question whether the two lots affected by the proposed relocation of lot line are valid lots under the Arrowsic Zoning Ordinance, specifically considering the applicable requirements set forth in the Table III Dimensional Requirements for lots in Rural Residential I District. The Planning Board determined that the two affected lots satisfy those Dimensional Requirements.

The Planning Board next considered and reviewed the requirements of the twelve subsections of Section 2 of the Subdivision Ordinance. Upon completion of the review, the motion was made to find that all applicable requirements of Section 2 are satisfied, and that the relocation of lot line as set forth on the Survey be approved. The motion was made by Roger Heard, and seconded by Don Kornrumpf. The vote was unanimous in favor of the motion.

The Planning Board signed and dated the Survey on its face.

Margonelli/Cooper CU Application

Consideration of Conditional Use Permit Application for Reconstruction & Replacement of an Addition to a Non-Conforming Principal Residential Structure (the "Structure") by Lisa Margonelli and Clarke Cooper (the "Applicants") on property owned by the Applicants and located at 18 Cottage Road, Arrowsic, Maine (Arrowsic Tax Map/Lot Number 3/2) (the "Property"). In attendance were Clarke Cooper and the Applicants' representative, Toby Gabranski of Tobias Gabranski Architects.

A site walk was taken by the Planning Board immediately prior to this meeting; reference is made to 08-05-2019 Minutes of Margonelli/Cooper Site Walk. The Property, including the Structure, are within the Shoreland Zone and the Shoreland District. The Application does not include DEP approval, as required by Section 4.2.2(d) of the Ordinance. It was noted that, in the event the Planning Board approves the Application, the approval will include a condition that work on the project cannot begin until the CEO receives the DEP permit. It appearing that the Conditional Use Permit Application satisfies the provisions of Section 4.2.2 of the Ordinance, other than that it does not include approval from the DEP, motion was made to find the Application complete in all other respects. (Motion made by Roger Heard and seconded by Don Kornrumpf.) All Board members in attendance voted in favor of the motion.

Utilizing materials prepared by Toby Gabranski, Toby and Clarke Cooper described the proposed reconstruction and replacement of the addition. It was represented that there will be no modification of the existing driveway and no tree removal. It was also represented that the new construction will be supported by posts only.

The Board then reviewed the Existing Non-Conforming Shoreland Structure Worksheet, and materials submitted by the Applicants in connection therewith. In connection with building permit process, the CEO will confirm that the expansion percentage is in compliance with the requirements of the Ordinance.

The Board then reviewed the ten factors set forth in Section 4.2.3 of the Ordinance. By unanimous agreement of its members, the Board made a positive finding that the proposed use satisfies the requirements of 4.2.3, including the requirement that the proposed use is in conformance with the provisions of Section 3.0 Performance Standards. The Board, on its initiative, imposed three conditions, to wit: (1) At all times during and after construction, provision shall be made to prevent soil erosion and sedimentation of surface waters; (2) work on the project will not start until the CEO has received the DEP Permit; and (3) confirmation by CEO that expansion percentage is in compliance with the Ordinance. Thereafter, motion was made to approve the Application. (Motion made by Roger Heard and seconded by Don Kornrumpf.) All Board members in attendance voted in favor of the motion.

The Permit for App # CU19-06PB dated August 5, 2019 was then provided to the Applicants.