

WHITEFIELD PLANNING BOARD

Town of Whitefield, Maine

Whitefield Town House

May 19, 2010

MINUTES

1. Call to order. – Christi Mitchell called the meeting to order at 7:03 p.m
2. Roll Call / Quorum – Four Board members were present: Christi Mitchell, Jim Torbert, Steve Smith, and Beth Whitman. One member, Bob Bills, was absent. Secretary Judy Maldovan was absent, Christine Norris filled in for her. Members of the public present: Lucy Martin, Les Lufkin, Sam Hutchinson, Mr. & Mrs. David Elliott, Michael & Paula Cuthbercson, Carol Cifrino, Herb Hartman, Lynn Talacko, and Whitefield CEO Arthur Strout.
3. Approval of Minutes – A motion was made by Ms. Mitchell to strike the approval of the April 21, 2010 and May 6, 2010 meeting's minutes from the agenda due to the absence of Ms. Maldovan who possesses those minutes. The motion was seconded by Ms. Whitman and passed unanimously.
4. Election of Board officers – Ms. Mitchell made a motion to strike the election of Board officers from the agenda due to Mr. Bills absence and will address the item at the next meeting at which all Board members are present. The motion was seconded by Ms. Whitman and passed unanimously.
5. Approval of Agenda – Mr. Torbert made a motion to accept the agenda as amended, Ms. Whitman seconded the motion and was passed unanimously.
6. Shoreland Zoning – Date & Location for Public Hearing

The board discussed the reasons for addressing the shoreland zoning ordinance and the state statute outlining the requirements for notification of a public hearing. Ms. Mitchell proposed the public hearing be scheduled on June 30, 2010 at 7:00 p.m. in the Historical Society room at the Town House if it is available. The board expressed concern that the room would not be large enough to accommodate the number of people anticipated to attend and suggested three possible alternative sites: school gym, Arlington Grange, and the Union Hall. Ms. Whitman made a motion to accept the

date and time of the hearing, and to check on the availability of the three alternation locations at that time. Mr. Torbert seconded the motion and was passed unanimously.

7. Review of Applications

A. New Review: Pre-Development Application

1. Sam Hutchinson, 63 Benner Road

Pre-Development Meeting

Ms. Mitchell provided a description of the development and asked Mr. Hutchinson to provide the board with an overview of his project. Mr. Hutchinson provided copies of his pre-development application and explained the scope of his planned 9-hole disc golf course with a pro-shop. Ms. Mitchell informed the board that the proposed area was located in a limited residential zone within the shoreland zone. Ms. Mitchell also verified that the rules of the development ordinance did apply to this plan and made a motion to review the application. Ms. Whitman seconded the motion and was passed unanimously.

The board reviewed the checklist by each item. In Section 1, item J was amended to request Mr. Hutchinson provide a 20' standard topographic map. The board also requested that a detailed map provide fairway locations, fairway lengths, and location of portable toilets. Review of Section 2 included the board's request for the following: a written statement from the road commissioner concerning the impact of parking and traffic on road conditions, a written statement from Mr. Hutchinson addressing the use/non-use of fertilizers and pesticides, and the contingency plan for neighbor's protection from stray patrons and equipment. Mr. Hutchinson was also asked to verify if he would be required to apply for any state land use permits. Ms. Mitchell suggested to Mr. Hutchinson that he obtain statements from abutters to submit with his final development application.

After review of the pre-application Mr. Hutchinson was instructed to provide the additional information when he submits his final development application to the board.

Ms. Mitchell opened the floor for public comment. Mr. Elliott, an abutter to Mr. Hutchinson's property, expressed concern about increased traffic and people, loss of privacy, and trespassers. Mr. Elliott indicated that he and Mr. Hutchinson had discussed his concerns, he was comfortable with the contingency plan Mr. Hutchins had come up with, and felt that the project should be approved by the board.

B. Continuing Review: Development Application

1. Paula Cuthbercson, 208 Route 17

Inquiry of review of previously approved development application.

Ms. Mitchell provided a description of the previously approved application and informed the board that the development ordinance does not express a time limit for a project to be completed once it has been approved, so long as the scope does not change.

Mr. and Mrs. Cuthbercson indicated that they intended to follow their original plans to construct a commercial addition to their business, however the size of the building may be reduced from the earlier approved application.

Ms. Mitchell made a motion to accept the board's October 3, 2006 finding of fact as sufficient unless the applicant's plan changes. Mr. Torbert seconded the motion and was passed unanimously.

2. Town of Whitefield, Fire Department Building, Ballstown Lane

Development Application

Ms. Cinfrino provided copies of the development application to the board. Ms. Whitman made a motion to review and approve the application checklist line by line. Ms. Torbert seconded the motion and was passed unanimously. Ms. Cinfrino provided the location of each item within the application as requested by Ms. Mitchell. Ms. Mitchell made a motion that item 1a had been fulfilled. Ms. Whitman seconded the motion and was passed unanimously. Ms. Mitchell made a motion that item 1b had been fulfilled. Ms. Whitman seconded the motion and was passed unanimously. Ms. Whitman made a motion to withdraw her motion to review and approve the application checklist line by line. Mr. Torbert seconded the motion and was passed unanimously.

Ms. Cinfrino indicated that the town would be applying for a permit by rule from the Maine Department of Environmental Protection due to the size of the project unless it was downsized.

The board reviewed and agreed that items 1a-1j were fulfilled. At this time Ms. Whitman recused herself from the remainder of the review process due to her being an abutter to the project property.

Ms. Mitchell made a motion that all items needed as specified in sections 1 and 2 were submitted with the exception of item 1g (septic system plans - these were not provided at the meeting because they are still in process) and the MDEP permit by rule (to be provided to the board if it is applied for). Mr. Torbert made a motion to accept the application as complete with the exception of the septic system plans and MDEP permit. Ms. Mitchell seconded the motion and was passed unanimously by the three voting board members.

Ms. Cinfrino requested and was granted the application fee be waived due to this being a town project.

Mr. Smith expressed that he would like to make a condition for the town to contact abutters so that they have an opportunity to air their concerns with the planning board. The applicants felt this obligation had been fulfilled by the town meeting and information session that had already been held.

At 9:26 p.m. Ms. Mitchell called a break to review public hearing standards set by the Maine Municipal Association. After a 5 minute break Ms. Mitchell suggested that the planning board notify the abutters in writing that the application would be available for 2 weeks for their review and comment and that a public notice would be published in an available newspaper. All parties agreed that this was an acceptable compromise. Ms. Mitchell made a motion to send written notice to the abutters listed on the tax map in the application advising them that the application was available for review and the planning board would accept their comments in writing or at a planning board special meeting to be held on June 2, 2010 at 7 p.m. at the Town House. Mr. Smith seconded the motion and was passed unanimously by the three voting board members. Ms. Whitman recused herself from this vote as well.

8. Old Business

A. Travis Abbott – Request to re-open Avery Dunn gravel pit.

1. Ms. Mitchell asked CEO Arthur Strout to provide an update on his examination of the Avery Dunn gravel pit on Vigue Road per Travis Abbott's request to re-open the subject property for personal use. Mr. Strout voiced concern about the line of sight being less than 400 feet on either side of both driveways. He also questioned if the pit had been closed by the town and how long it had been inactive. Ms. Mitchell advised him that she would check the state statute in an effort to determine the status of the pit. Mr. Strout indicated that he had yet to make a site visit with the owner due to conflicting schedules. Mr. Strout advised that should the pit be allowed to re-open the owner would not be permitted to dig deeper due

to an aquifer but would be allow to expand outward approximately and acre and a half.

B. Shoreland Zoning Ordinance

The board agreed they would have the next work session on June 2, 2010 after the special meeting.

9. New Business – There was no new business.
10. Public Comment – No public comment.
11. Adjournment – Ms. Mitchell adjourned the meeting at 10:12 p.m.