

**Town of Whitefield, Maine**

**Planning Board**

**Minutes of Meeting held on August 18, 2010**

Present: Christi Mitchell, Chair

Beth Whitman

Jim Torbert

Judy Maldovan, Recording Secretary

Absent: Steve Smith

Bob Bills

7:06pm – meeting called to order by Christi Mitchell, Chair; three members present constituting a quorum; meeting held at Town Office, Townhouse Road, Whitefield.

Upon motion duly made and seconded, it was VOTED (3-0) to approve the Agenda with the following amendments: approval of minutes as amended of public hearing on June 30, 2010 moved to end of meeting; addition of Walter Chiappini and Dennis Gould after Sue McCrimmon.

Upon motion duly made and seconded, it was VOTED (3-0) to approve the minutes of meeting held on July 21, 2010.

Sue McCrimmon, 130 Augusta Road

Mr. & Mrs. McCrimmon were present along with a daughter-in-law. Their property is located on the West side of Lee Richards' property. They have lived there for 30 years. They are very concerned about the ongoing business development of Mr. Richards. They were not informed of the Development Application. Ms. Mitchell showed Planning Board members the email communications between Mr. & Mrs. McCrimmon and herself. Ms. Mitchell explained the procedure followed by the Planning Board regarding the Development Application process and reviewed the documents that were filed with the Development Application of Mr. Richards. Mr. Richards' Development Application received Planning Board approval on April 21, 2010. There is no timeframe with regard to construction. Ms. Mitchell said that it is appropriate to request Arthur Strout, Code Enforcement Officer, to visit the site with

the Development Application to determine if there is a violation(s). It is possible for the Planning Board to go with Mr. Strout to the site; this would require 2-week public notice for special meeting of the Planning Board. Concerns that Mr. & Mrs. McCrimmon expressed were: they cannot use their swimming pool because of dust created by construction; value of their property has dropped; no fence between properties; rocks over the property line; sink hole (water run off); noise; and dust.

Upon motion duly made and seconded, it was VOTED (3-0) that the Planning Board will meet at the Town Office on Wednesday, September 8, 2010 at 5:00pm to review the Development Application of Lee Richards and do a site visit at 6:00pm.

#### Walter Chiappini, Map 15, Lot 7A

Mr. Chiappini owns land on the Meaher Road (discontinued road) next to a house which was built in 2006 by Eugene Mooers for his former wife, Shirley Mooers. This house is too close to the sideline; bank is in the process of selling the house; Mr. Chiappini would like to convey land to meet the setback requirement; he may be the person to purchase the house. Christi Mitchell said that the Town records indicate that the Planning Board did not grant a variance to the owner, but the Code Enforcement Officer approved the Notice to Build based on owner's application dated November 4, 2005. Ms. Mitchell will send a letter to Arthur Strout, Code Enforcement Officer, requesting him to determine if the property is 15 feet from sidelines.

#### Dennis Gould

Mr. Gould has a customer who wants to build a screened gazebo on the East side of Weary Pond, Map 11, Lot 28, which is a limited residential zone. There will be no earth moving; would like to put gazebo on ledge. Mr. Gould was advised that a Notice to Build would need to be completed by the homeowner.

#### Brent Perry, 95 Main Street, Coopers Mills-Wireless Communication Facility

No one was present at the meeting.

#### Shoreland Zoning Ordinance

Public comment closed on August 13, 2010. One public comment received from John Burns, Map 16, Lot 12: will be in resource protection and wants to be removed. Jim Torbet will prepare a response to Mr. Burns indicating that the land owner needs to contact the State Department of Environmental Protection and request a site visit from the State to make a determination.

September 13, 2010 is the deadline to submit questions to be on the November, 2010 ballot.

Upon motion duly made and seconded, it was VOTED (3-0) that the Planning Board shall create the following ballot questions:

1. Shall an Ordinance entitled “Shoreland Zoning Ordinance for the Municipality of Whitefield” be enacted?
  
2. Shall the Ordinance entitled “Whitefield Shoreland Use Regulation Ordinance As Passed and Amended by Special Town Meeting dated 27 June 1974” be repealed?

and that these ballot questions be prepared and submitted to the Town Office by August 31, 2010 pending consultation with Mike Moore, State Dept. of Environmental Protection regarding Section 10 and Section 16 (B) (C).

Upon motion duly made and seconded, it was VOTED (3-0) concerning the Shoreland Zoning Ordinance, if the ballot questions have not been submitted to the Town Office by August 31, 2010, further discussion of the Shoreland Zoning Ordinance will be included on the Agenda for September 8, 2010.

Upon motion duly made and seconded, it was VOTED (3-0) to approve the minutes (as amended) of the public hearing re: Shoreland Zoning Ordinance held on June 30, 2010.

8:50pm – VOTED (3-0) to adjourn.

/s/ Christi Mitchell