

TOWN OF WHITEFIELD, MAINE

PLANNING BOARD

MINUTES OF MEETING HELD ON August 15, 2012

PRESENT: Ann Roberts

Steve Smith

David Spicer

Judy Maldovan, Recording Secretary

ABSENT: Bob Bills

Jim Torbert

Meeting held at Town Office, Townhouse Road, Whitefield; 3 members present constituting a quorum; meeting called to order by David Spicer at 7:09pm.

Upon motion duly made and seconded, it was VOTED (3-0) to approve minutes of meeting held on June 20, 2012.

Tom Armstrong, Morton Lumber, Inc., Map 8, Lot 40 (off Jewett Road)

Dave Shibley, licensed forester, was present on behalf of Mr. Armstrong. Mr. Armstrong wants to harvest more than the 40% allowed in the Shoreland Zoning Ordinance. He has spoken with Arthur Strout, Whitefield Code Enforcement Office, and also Earl Townsend of the State Dept. of Environmental Protection who sent him back to the Planning Board. Property consists of 500± acres; some wetland on property. Planning Board reviewed 2007 field survey; some trees are rotting out.

The Town's Shoreland Zoning Ordinance states:

“O. Timber Harvesting 2.b. Timber harvesting operations exceeding the 40% limitation in paragraph a. above, may be allowed by the planning board upon a clear showing, including a forest management plan signed by a Maine licensed professional forester, that such an exception is necessary for good forest management and will be carried out in accordance with the purposes of this Ordinance. The planning board shall notify the Commissioner of the Department of Environmental Protection of each exception allowed, within fourteen (14) days of the planning board's decision.”

Mr. Shibley indicated that there would be a “fully stocked stand”.

Upon motion duly made and seconded, it was VOTED (3-0) to grant an exception from the 40% rule on 2 acres in Stand 1 and 5 acres in Stand 1A; total of 90 acres in Stand 1 and 1A with remainder in shoreland zone to be in accordance with the current Ordinance. The Planning Board will notify DEP of this exception and will send a copy to Timberland Consultants, P.O. Box 126, Nobleboro, Maine 04555.

Steve Smith voluntarily recused himself at this time so he could represent himself on the following matter.

Stephen C. Smith, Map 18, Lot 14G, (Route 17) Ice Cream Stand Expansion

Development Application/Standards Checklist reviewed with Board. Mr. Smith presented the following:

1. sketch;
2. floor plan of addition;
3. floor plan of existing structure;
4. elevations; and
5. TOPO.

Existing structure is 13 x 28 and addition will be 16 x 36; septic is rated for food preparation; landscape will remain as now exists – natural foliage (some existing grass); prefers not to plant trees for security reasons; David Spicer would like to see shade trees.

The Board requests that Mr. Smith bring to the next meeting: square footage; measurements on sketch; timeline for completion. Mr. Smith said that he wants to start construction within 30 days. He is also requested to bring a landscape plan and erosion plan which can be presented by comment.

Mr. Smith requested the following be entered on the record:

“Applicant would like to say he appreciates the Planning Board’s attentiveness, and is disappointed that no quorum is present. He feels he has shown exemplary effort in relation to compliance and has notified the Board that he has to make business decisions before final approval and it appears to him that he is compliant with all rules and regulations of the Town of Whitefield.”

David Spicer stated that the Board present tonight has no authority to tell Steve Smith to go forward; approval was not granted due to lack of a quorum and 2 weak areas on the application.

Steve Smith re-entered the Board at this time.

8:45pm – VOTED (3-0) to adjourn.