

Shapleigh Planning Board

Minutes

Tuesday, August 8, 2023

Members in attendance: Steve Foglio (Chairman), Ann Harris (Vice Chairman), Madge Baker, Maggie Moody, Norman Baker and Alternate Thomas Clement. Code Enforcement Officer Mike Demers was also in attendance.

Minutes are not verbatim unless in quotes “” – If the names of a Citizen making a comment was not requested by the Planning Board Chairman, the reference to their name will be known as ‘Citizen’ or ‘Abutter’ depending on who is speaking.

The Planning Board meeting started at 7:00 pm.

- *The Planning Board Chairman began the regular meeting with The Pledge of Allegiance.*

Steve F. asked if there were any issues, questions or concerns with the minutes of the last meeting? There were none. Steve stated he would entertain a motion to accept the minutes as written. Madge B. moved to approve the minutes. All board members voted to approve. The minutes from Tuesday, July 25, 2023 were accepted as written.

- **Unfinished Business**

Best Practical Location – Replace Structure – Map 30, Lot 11 (35 Totte Road) – Tyler Matthews, Applicant; Michael & Nancy Keane, Property Owner(s)

Mr. Matthews was present for the review of the application.

Provided along with the application, was part of a survey plan, which depicted Lot 11, showing the existing house and attached deck, two retaining walls adjacent to the house and deck, and one wall between the house and Totte Road. Also on the plan were stairs from the water toward the deck, and from the house toward Totte Road; the well; septic covers; and two sheds. The distance stairs from the high water mark to the existing deck is noted as being 34.9’, and the distance from the house to Totte Road is noted as being 29.1’.

Provided was a second copy of part of a survey plan for Lot 11, which in addition to the above, showed the location of the proposed house, the fact it will be 34.9 feet from the high water mark, and 25’ from Totte Road. In addition, there is a notation that states, “All disturbed area gets stabilized with either grass or mulch”.

Provided was a copy of the Subsurface Wastewater Disposal System Application, drafted by Kenneth Gardner, SE #73, dated 9/3/1996 for a replacement system for a 2 bedroom home.

The application detailed description is as follows: *Tear down existing house and build a new house, no closer to the water, & a little closer to the road, 25’ instead of 29’.*

Mr. Matthews provided pictures of Lot 11, which showed the existing house, deck, retaining walls, stairs, and existing vegetation.

Steve F. asked Mr. Matthews to let the board know what they planned to do. Mr. Matthews stated they wanted to tear down the existing structure and build a new structure. He stated they wanted to keep the distance from the lake the same, which is 34.9’. He said they would move the structure to 25’ from the road on the back, which is a distance of 4 feet closer to the road.

Steve F. stated that it appeared there was a steep slope. Mr. Matthews agreed it was a decent slope.

Steve F. asked if they were keeping the existing septic, noting they submitted a plan for the existing system? Mr. Matthews said, “Yes, it is across the road on their other lot”.

Steve F. asked what their revegetation plans were? Mr. Matthews stated that currently the site has native grass, that he did not believe was fertilized. He said it depended on what the property owner wanted, it would likely be mulch or grass in all the disturbed areas.

Steve F. reviewed for Mr. Matthews §105-51.3 ‘Revegetation requirements’. Steve read the following:

- A. The property owner must submit a revegetation plan, prepared with and signed by a qualified professional, that describes revegetation activities and maintenance. The plan must include a scaled site plan, depicting where vegetation was, or is, to be removed, where existing vegetation is to remain, and where vegetation is to be planted, including a list of all vegetation to be planted.

Steve F. stated that the only thing he saw that was missing from the plan presented was the revegetation plan. Madge B. agreed, and thanked Steve for pointing it out. Mr. Matthews stated the area disturbed would be approximately 25 feet around the structure, and it is presently grass. He said he would bring a plan to the next meeting.

Steve F. stated the site visit would be prior to the next meeting on Tuesday, August 22nd. He said the board will meet at the town hall at 6:20 pm, and meet on site for 6:30 pm. A notice to abutters will be mailed as well.

Nothing further was discussed.

Conditional Use Permit – Build Garage 25’ from Totte Road - Map 30, Lot 11A (Totte Road) Tyler Matthews, Applicant; Michael & Nancy Keane, Property Owner(s)

Mr. Matthews was present for the review of the application.

Provided along with the application was a copy of a survey plan for Lot 11A. The plan depicts the lot lines as follows: 70.32 feet adjacent to Totte Road; 67.67 feet at the rear lot line; 67.31 feet on the side lot line on the left facing the lot toward Totte Road, and 70 feet along the right side lot line. Sketched on the plan was a 24’ x 22’ proposed garage, 25’ from Totte Road at its closest point.

Provided was a copy of the survey plan drafted by Joseph Stanley of LinePro Land Surveying, of Springvale Maine, dated April 26, 2023, which depicts the existing conditions for Nancy Keane on Totte Road, Shapleigh Maine. The plan depicts both Lot 11 and Lot 11A. Abutting properties for Lot 11 are also depicted as Lot 10, owned by the Jacobs Family Revocable Trust, and Lot 12, owned by Muriel Brown and Gary Smith. Abutting properties for Lot 11A are depicted as, Lot 10A, owned by Gary Marlin; Lot 12 (across the street from Lot 12 which holds an existing structure) owned by Muriel Brown and Gary Smith; and Lot 67 C (behind Lot 11A), owned by Linda Stanley.

Steve F. stated the next application was for a garage on the back lot. Mr. Matthews stated the lot was fairly steep and the septic was on the right. He said they wanted the ability to not have the structure back 50 feet from the road, but get the variance to place it 25 feet from the road.

Steve F. asked if there was a distance to the side lot line, or would it be in conformance. Mr. Matthews stated that it would be in conformance.

Steve F. stated that the 25’ setback was allowed with a conditional use permit. He stated the lot will be looked at at the same time they look at the best practical location for the new structure on August 22nd.

Steve F. asked if they were doing anything with the wall next to the house that is being removed? Madge B. stated there was a retaining wall noted on the plan, abutting the house. She also wanted to know what happened to the wall when the house was replaced? Mr. Matthews stated there was a hill, so there will be a couple of walls put in place in part to move the water. Madge asked if he was saying that if they disturb the existing walls, they will put them back? Mr. Matthews stated, “Yes”. Mr. Matthews stated that he didn’t know exactly where they will go until they put the new foundation in. Madge noted that the foundation would have an entrance close to what he has now. Mr. Matthews agreed.

Steve F. asked if there were any more questions for Mr. Matthews? There were none.

Nothing further was discussed.

Other:

Steve F. asked CEO Demers if he had anything for the board? CEO Demers stated he would like to hold a workshop to look at possibly amending the Zoning Ordinance for campsites, both commercial and personal. He said the commercial campgrounds were talked about during a previous application. He said there was also some remnants of the dock ordinance left in the Zoning Ordinance that have to be dealt with as well.

Steve F. said that he also wanted to talk about access onto Rte. 11 and Rte. 109. He did not feel it was in the board’s purview, the board doesn’t deal with entrance widths and permits for State routes. He said if part of the ordinance for State roads goes into off-street parking, then perhaps it can go into parking.

Norman B. asked if Steve was referring to the parking lot at the foot of the lake? Steve F. stated that no, the ordinance calls for a maximum width to enter onto Routes 11 & 109. He said both are State roads, he felt it was outside of what the board has a say over. He said these routes are State controlled, the State issues the driveway permit for the lots.

The board agreed to set up a workshop date at the next meeting, it will likely be held in September.

Growth Permits

• **Map 24, Lot 1A (Channel Circle)** –Canbury Homes, Applicant; R. Silva Property Owner **GP #14-23**
Existing lot of record.

• **Map 1, Lot 30-1 (Deering Ridge Road)** – S. Young, Applicant; Sky-Way Investments LLC **GP #15-23**
Madge B. asked if this was a subdivision? Steve F. stated that he did not believe so, he thought it was a homestead that they were able to create two lots from. Each lot is on either side of the parent lot.
Each lot meets the minimum standards for a residential lot in Shapleigh, with 200 feet of road frontage and 80,000 square feet.

• **Map 1, Lot 30-2 (Deering Ridge Road)** – S. Young, Applicant; Sky-Way Investments LLC **GP #16-23**

The meeting adjourned at 7:25 pm.

The Planning Board meets the 2nd and 4th Tuesday of each month at 7:00 pm, unless it falls on a holiday or Election Day. Should there be a cancellation due to a storm event, holiday, or Election, the meeting will typically be held the following Wednesday, also at 7:00 p.m. Public hearings are held at 6:30 pm, just prior to the meeting.

Please contact the Land Use Secretary if there is a question in scheduling, 207-636-2839, x4.

Also visit www.Shapleigh.net, there is a calendar of events, and you will find Planning Board information there, including schedules, the agenda, and minutes of the meetings.

Respectfully submitted,
Barbara Felong, Land Use Secretary
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