



TOWN OF BREMEN  
P.O. Box 171~ Bremen, ME 04551

*Walter Voskian, Chair*  
*Blair Kauffman, Board Member*  
*Autumn Mahoney, Board Member*  
*Jack Boak, Board Member*  
*Steven Wallace, Board Member*  
*Vacant, Alternate Member*  
*Vacant, Alternate Member*

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**Bremen Planning Board  
Meeting Minutes  
August 14, 2018 at 7:00 p.m. – Bremen Town Office**

**I. Attendance**

Members Present: Walter Voskian, Chairman; Jack Boak; Blair Kauffman; Autumn Mahoney, and Steven Wallace.

Members of the Public: Boe Marsh, Community Shellfish LLC, applicant; Wendy Pieh; Jamie Francomano, Consultant

**II. Meeting called to order at 7:02 p.m.**

**III. Adjustments to Agenda**

Chairman Walter Voskian suggested moving the election of officers to right after considering the minutes for the July meeting. All members were in agreement.

**IV. Approval of Minutes**

***After determining that there were no corrections or amendments to the Minutes, on a motion duly made and seconded, it was voted unanimously to approve the July 10, 2018 regular Planning Board Minutes, as presented. The Minutes were signed by the members present.***

Thank you to Jamie Francomano, Mid-Coast Regional Planning Commission, for completing the July 10, 2018 Minutes.

**V. Election of Officers**

Per the Planning Board Ordinance, the members are obliged to elect officers annually. The positions for annual election are Chairman, Co-Chairman, and Recording Secretary.

***On a motion duly made and seconded, Walter Voskian was nominated as Chairman. No other nominations were made. Nominations were closed. Walter Voskian received a unanimous vote and accepted the position of Chairman for the Bremen Planning Board.***

Members of the Planning Board requested changing the position of Co-Chairman to Vice Chairman. All members were in agreement.

No nominations for Vice Chairman were made. It was suggested that a member serve as interim Vice Chairman until a permanent Vice Chairman is elected. Steve Wallace agreed to serve as interim Vice Chairman for the September meeting. Discussion followed regarding the unavailability of members for the September Planning Board Meeting. A September date was not viable for the Board. A September meeting will depend on permits received.

No election for Recording Secretary was made at this time.

## **VI. Applications for Review**

Community Shellfish LLC, Map 4 Lot 9A, Addition

This application is for the expansion of a commercial structure in the Commercial Fisheries/Maritime Activities District of the Shoreland Zone located at 45 Cora Cressey Lane. Planning Board members, accompanied by the applicant, visited the site on August 12. The existing structure is 2480 square feet, and the proposed addition at 20 feet by 20 feet would add 440 square feet to that total, making a grand total of 2920 square feet. The Planning Board approved a 600-square foot expansion of that structure in November 2016. According to the site plan provided with the application, the structure is 80 feet from the Normal High-Water Line. This was confirmed at the site review on August 12 by measuring. The proposed addition would be on the south side of the building and would not extend the structure further into the setback area from the Normal High-Water Line. The area is in the minimum flood hazard zone according to FEMA's National Flood Hazard Map.

Chairman Voskian asked the applicant if he had any comments. The applicant stated the building is for storage, logistics and packing. It is a very simple structure, just a shed extension and purely logistical. No plumbing is involved.

Chairman Voskian stated there are several parts to this application. First, in the interest of clarity, because the Site Plan Review Ordinance has been abrogated and rolled into the Land Use Ordinance, this application, unlike the November 2016 application for expansion of this structure, will not need to be considered for a site plan review approval. We no longer have such a process. Instead, this application will be covered by the provisions of the Land Use Ordinance,

especially its Positive Finding Requirements in Section XI, 11.7, and provisions of the Shoreland Zoning Ordinance. All members were in agreement.

Second is the issue of setbacks. Section 15 B (1) of the Shoreland Zoning Ordinance, Principal and Accessory Structures, says "that in the Commercial Fisheries/Maritime Activities District there shall be no minimum setback." The text does appear to tie this statement to "new principal and accessory structures," but Jonathan Hull advised us in the case of the previous application for expansion of this structure in 2016 that the proposed expansion of the structure is new even though the structure itself is grandfathered.

So it would appear to be that the "no minimum setback" provision of the Shoreland Zoning Ordinance applies in this case. All members were in agreement.

Third is the issue of expansion itself. Section 12 C (1) iv of the Shoreland Zoning Ordinance says that for non-conforming structures located less than 100 feet from the Normal High-Water Line (and this is 80 feet) the combined total floor area for all parts of those structures within that 100-foot setback is 1500 square feet. As noted earlier, the total square footage of the existing building is 2480 square feet, and the proposed addition of 440 square feet would put the total at 2920 square feet, well over the 1500-square foot limit for that setback.

However, this structure appears to be a conforming structure, rather than a legal non-conforming structure. The Shoreland Zoning Ordinance defines a non-conforming structure as one not meeting one or more of the following: setback requirements, height limits, and lot coverage limits. We have already established that there are no setback requirements in the Commercial Fisheries/Maritime Activities District. Also we determined in 2016 that lot coverage limits are not exceeded, and at 18 feet (the height of the building), the building is under the height limit of 35 feet.

So it would appear that this building is a conforming structure and not subject to the non-conforming structure provisions of the Ordinance. All members were in agreement.

Finally, if we are inclined to approve, we have to find that the proposal meets the "Positive Finding Requirements" in Section 11.7 a through s of the Land Use Ordinance.

Member Wallace stated in 2016 there was a permit for a shed extension, and by then we had the Maritime Fisheries Zone. Member Wallace asked if the building was originally built in 1997.

The applicant stated the previous owner, Bremen Lobster Co-op Realty Corp., was the applicant for that building. It was a simple square. The applicant added a shed extension onto it and is now looking to add another shed extension.

Member Wallace asked when was it originally built. The applicant believes it was 2010. The assessor's card lists a permit in 1997.

The applicant indicated the building was built on a grant given by the Working Waterfront Program, State of Maine, which means that that piece of property, all of the 13.13 acres, had to be used only for commercial fishing and shorefront activities; no development and no condos are permitted. With that grant, they were given a matching grant, and they built that building and did some other improvements in 2010.

The applicant stated that the same survey used continually through transactions of grants and ownership change was done in 1997, and it remains accurate to this date.

Member Mahoney had questions about the lot line. The applicant reviewed the survey with the members.

Chairman Voskian asked if the members have looked at the Positive Finding Requirements. Members found nothing questionable. Chairman Voskian verified that the property is in the minimal flood hazard zone.

Member Boak had concerns with the roof and past erosion, which the applicant is trying to keep under control with straw. The applicant indicated the extension will be completed as soon as possible.

Comment by Member Boak for the record: He was impressed by the fact that the applicant had put hay down to try to minimize any negative fallout at this time while in the process of working on the project.

***Motion to approve the application as presented based on our finding that because the structure is in the Commercial Fisheries/Maritime District, no minimum setback applies in accordance with Section 15 B (1) of the Shoreland Zoning Ordinance; that because the structure is a conforming structure, the total square footage limits under Section 12 C (1) do not apply; and that the application would meet the Positive Finding Requirements in Section XI, 11.7 of the Land Use Ordinance. Moved, Seconded, no further discussion. All members were in agreement.***

## VII. Public Comments and Questions

None.

## **VIII. Other Planning Board Business**

Chairman Voskian attended the July and August meetings of the Board of Selectmen where he brought them up to date on Planning Board deliberations and findings. Specifically, he noted the Planning Board's preference to retain the practice of more detailed minutes.

Discussion followed on the possibility of videotaping the meetings. The Planning Board has no objection to recording the meetings but does have misgivings with being on video.

The Selectmen have hired retiring Lincoln County Regional Planning Commission Planner Bob Faunce to help the Planning Board with application reviews and meeting with applicants. This arrangement with Bob will continue for the foreseeable future while the LCRPC looks into the possibility of hiring a circuit-riding planner who would serve local jurisdictions on an hourly basis with the LCRPC serving as the employer. More on this later as this develops.

Chairman Voskian will represent the Planning Board at the August 23<sup>rd</sup> Board of Appeals Hearing of Mr. and Mrs. Jones' request for variance of the 150-foot setback in the wake of the Planning Board's second denial of the Jones' application to erect a residential structure on the Webber Pond property. He indicated he would welcome attendance by other members of the Planning Board.

Chairman Voskian as well as Interim Vice Chairman Wallace will out of town for two weeks during September. Because other members also had commitments in September that precluded mustering a quorum for a September meeting, the Board's next meeting will be in October.

Finally, Chairman Voskian stated he was pleased that Tom Kronenberger has agreed to serve as an alternate member of the Planning Board. With the Chairman's absence, we may need to call on him to ensure a quorum for the September meeting.

Discussion followed on the draft Planning Board Ordinance and By-laws. The Board agreed to have an informal workshop, which would not require a quorum, on September 20 at 6:30 p.m. to discuss the draft By-laws. Jamie agreed to have a draft for members well in advance of the September 20 meeting.

There being no further business, the meeting was adjourned at 8:20 p.m.

## **IX. Meeting Events Calendar**

One Planning Board Application was received. The applicant agreed to wait until the October Planning Board Meeting, due to member unavailability.

**September 20, 2018 - Work Session at 6:30 p.m. to discuss Bylaws**

**September 28, 2018 - Applications for Building Permits to be considered at the next Planning Board meeting must be filed with the Town Office by 12:00 Noon.**

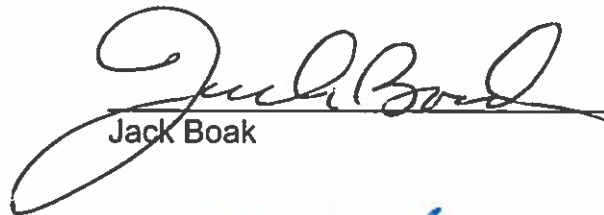
**October 7, 2018 - Site visits (if any) 4:00 p.m.**

**October 9, 2018 - Planning Board Meeting 7:00 p.m., Bremen Town Center.**

**BREMEN PLANNING BOARD:**



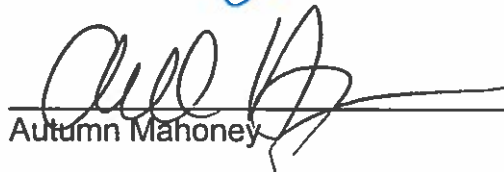
Walter Voskian, Chairman



Jack Boak



S. Blair Kauffman



Autumn Mahoney

Steven Wallace, Interim Vice Chairman

Respectfully submitted,  
Kelly A. Clancy  
Acting Recording Secretary