



TOWN OF BREMEN
PO Box 171 ~ Bremen, ME 04551

Stephen Barnes, Planning Board Chair
Walter Voskian, Co-Chair
James Boak, Board Member
William Emmet, Board Member
Dede Heath, Board Member
David Koubek, Board Member
Thomas Kronenberger, Board Member
Penelope Card, Recording Secretary

**BREMEN PLANNING BOARD
MEETING MINUTES
January 12, 2016 at 7:00pm ~ Bremen Town Office
MINUTES**

1) ATTENDEES:

Bremen Planning Board members: Chairman Steve Barnes, Co-Chairman Walter Voskian, Tom Kronenberger and William Emmet. Julie Cruz, Secretary.

Members of the Public: Chris Grotton, James Nixon, Laura Nixon, Eric Harrington

The meeting was called to order by Steve Barnes-Chairman at 7:04 p.m.

2) ADJUSTMENTS TO AGENDA

Added to New Business:

- Planning Board budget request for 2016
- Management of the Planning Board going into the future

Added to Old Business:

- Discussion of Uniform Definitions

3) APPROVAL OF MINUTES - December 8, 2015. *On a motion duly made and seconded, it was voted to approve the minutes of December 8, 2015.*

4) APPLICATIONS FOR REVIEW:

A. James Nixon/Chris Grotton, Map 11, Lot 5 - Change of Plan from the Building Permit granted on April 14, 2015.

Board members Steve Barnes, Walter Voskian, Jack Boak, Bill Emmet, Dede Heath and Tom Kronenberger conducted a site review of the subject property on December 6, 2015 and April 12, 2015.

Chairman Barnes explained that on December 23, 2015 Phi Home Designs submitted another permit application to increase the pitch of the currently existing cottage roof from a 4/12 pitch to a 9/12 pitch, increasing the volume of the cottage from 21,178 cubic feet to 23,392 cubic feet – an increase of 2,214 cubic feet (based on an email from Phi Home Designs and attached to the December minutes). This application also proposes rearranging the configuration of several non-conforming accessory structures and reducing the overall non-conforming volume as justification for increasing the roof's pitch.

Mr. and Mrs. Nixon and their representative Chris Grotton explained the proposed reconstruction of the roof and reviewed the contents of the application with the Board.

Both Chairman Steve Barnes and Co-chairman Walter Voskian prepared written statements (attached to these minutes) outlining their reasoning for casting dissenting votes. Reasons outlined by both were that the Shoreland Ordinance does not empower the Planning Board to swap volume between one non-conforming building and another; the proposed expansion is within the 25 foot zone where expansion is prohibited; and the proposal includes the possibility of increasing the overall non-conformity with shoreland zoning by adding floor area to the main residence. These statements were read out loud during the Planning Board's meeting.

After hearing the Planning Board response to the application, Mr. Grotton declined a rebuttal but emphasized that the Shoreland Ordinance was not clear to them regarding swapping volumes between accessory and primary buildings if an overall decrease in nonconformity was achieved. The Nixon's have removed the outhouse and are considering moving the boat house back as far as possible. The Nixons and Mr. Grotton wanted to know what the Town Attorney had said, and Chairman Steve Barnes stated that Town Attorney Jonathan Hull had stated over the phone that the Planning Board is not allowed to swap volumes between buildings and that if a structure is removed or replaced, the structure must be moved back 150 feet (or as far as practical).

On a motion duly made and seconded, it was voted to deny this application based upon the fact that a portion of the structures are within the 25 foot setback zone in which no further expansion may occur, and that the existing floor area in the 75 foot setback zone exceeds the 1000 square feet allowed by over 1000 square feet. Hence, further expansion of the property's structures is prohibited under Sections 12.C. (1)(a)i., ii., and iii. of the Shoreland Zoning Ordinance for the Town of Bremen, Maine. The written opinions from Planning Board members Walter Voskian and Stephen Barnes are included as findings with respect to the Board's decision and attached to the permit application and included with these minutes.

The applicant was informed of his right to appeal this decision by notifying the Town Clerk, in writing, within 30 days of the date of the Planning Board's decision. There was some confusion about exactly when the 30 day countdown to file an appeal begins.

Chairman Steve Barnes will check with Maine Municipal and report back to the Nixons and the Planning Board.

B. Elliot Lobel/Minky LLC, Map 4 Lot 53 – Replacement of existing accessory buildings (Eric Harrington, representative)

A site review was done on September 7, 2015 by board members Steve Barnes, Walter Voskian, Jack Boak, Dede Heath and Tom Kronenberger. Mr. and Mrs. Lobel were present at the site review. Eric Harrington represented the Lobels at this meeting.

Two small accessory buildings are extant but showing signs of age. Both are located within 25 feet of the normal high water mark, so expansion is prohibited under Subsection 12.C.(1)(a)i. – page 3 of the Shoreland Zoning Ordinance. Mr. Harrington commented that the state has given the Lobel's a permit by rule, and he realizes that they cannot expand or completely replace structures within 25 feet of the normal high water mark. Mr. Harrington agreed to amend the original application and provide new drawings of plans for the accessory buildings that would neither increase the footprint or the volume of the existing buildings.

On a motion duly made and seconded, it was voted to request an amended application with updated drawings that will provide for the renovation of the accessory buildings with an in kind or smaller footprint.

5) PUBLIC COMMENTS AND QUESTIONS:

None

6) NEW PLANNING BOARD BUSINESS –

A. Chairman Steve Barnes distributed a copy of the 2016 Proposed Planning Board budget which has already been approved by the Budget Committee.

B. Chairman Steve Barnes discussed possible steps to lessen the work load for the Planning Board Chair. These steps include requesting a different Board member to spearhead each permit or item of business and possibly alternating the responsibility of chairing the meetings between Co-Chairs. Walter Voskian noted that, from his perspective, Board members should essentially be interchangeable parts.

7) OLD PLANNING BOARD BUSINESS –

A discussion of the Town Attorney's comments on the Uniform Definitions proposed by the Planning Board was tabled because the attorney could not attend.

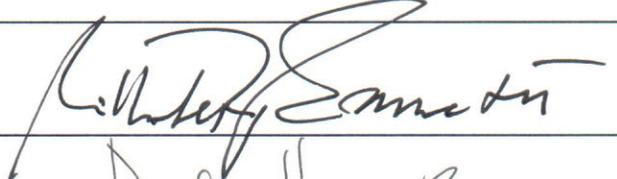
8) CALENDAR

- January 29, 2016 - Applications for building permits to be considered at the next Planning Board meeting must be filed with the Town Office by close-of-business (2pm)
- February 7, 2016 - Site Reviews at 3pm (if any)
- February 9, 2016 -Planning Board meeting at 7:00 pm

9) ADJOURNMENT

Meeting was adjourned by unanimous decision at 8:20 p.m.

BREMEN PLANNING BOARD:

	Stephen Barnes, Chairman
	Walter Voskian, Co-Chair
	Jack Boak
	Bill Emmet
	Dede Heath
	David Koubek
	Tom Kronenberger

Respectfully submitted, Julie Cruz, Secretary