



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  
July 10, 2018 at 7:00 p.m. – Bremen Town Office**

**I. Attendance:**

Members Present: Walter Voskian, Chair; Tom Kronenberger, Co-chair; David Adkins; Jack Boak; Blair Kauffman; and Autumn Mahoney.

Members Absent: Steve Wallace.

Others Present: Harold Schramm, Board of Appeals; Tracy Jones, applicant; James P. Francomano, Regional Planner.

**II. Meeting called to Order at 7:00 p.m.**

Chair Walter Voskian opened the meeting by expressing the Board's appreciation for the service of members David Adkins and Tom Kronenberger. This will be their last meeting.

**III. Adjustments to Agenda**

None.

**IV. Approval of Minutes**

***On a motion by Autumn Mahoney, seconded by Blair Kauffman, the Board voted unanimously to approve the minutes of their June 12, 2018 meeting.***

**V. Development Review**

1. Diana and Tracy Jones, owners of Map/Lot 003/033-4 Maple Lane, applying for Shoreland Zoning approval to construct a single-family home.

Walter Voskian summarized case history of the application. In February, this proposal was denied unanimously (4:0) by the Planning Board on the basis of Section 15(b) of the Shoreland Zoning Ordinance (setbacks). In April, the applicants appealed the Planning Board's decision to the BOA

and simultaneously requested a variance. The BOA voted (5:0) to remand the application to the Planning Board on the condition that a new submission should include an up-to-date site plan drawn by a licensed professional with accurate dimensional details. (See the Planning Board's Minutes and the Board of Appeals' finding for further details.)

Mr. Voskian shared his observation that the revised Site Plan dated May 30, 2018 does include a scale and other detail provided by a Professional Licensed Surveyor but clearly shows that the house footprint dimensions cannot possibly fit within the building envelope identified in the revised site plan. Mr. Voskian referenced the 150' minimum setback from the upland edge of the wetland or waterbody (Webber Pond) in Section 15(b) of the Shoreland Zoning Ordinance as well as the definition of "setback" in Section 17.

Blair Kauffman and Tom Kronenberger concurred. This view seemed to reflect the consensus of the Board. Autumn Mahoney concurred and asked the applicant if there is an alternative interpretation or some other point of view on the Ordinance that would be helpful to the Planning Board? Why did the applicant proceed with this application showing a building envelope that clearly would not accommodate the proposed structure?

Tracy Jones indicated that a previous survey showed a larger building envelope and that he believes this should be taken into account by the Board in some way. However, Mr. Jones added that he understands the Ordinance and is simply "going through the process" in which he sees the Planning Board as only the first step on his way to a variance application to the Board of Appeals and then potential litigation on both Boards' decisions before the Superior Court.

***After some additional discussion, Mr. Voskian motioned that the Board deny the application to construct a new single-family home in the Shoreland Zone because the proposal is not in compliance with applicable provisions of the Shoreland Zoning Ordinance. Mr. Kauffman seconded the motion.***

***Findings of Fact: Specifically, during discussion of this motion, Mr. Voskian noted that the placement of the proposed structure in the building envelope identified in the revised site plan dated May 30, 2018 and submitted with the current application would violate the provisions of Section 15(b) of the Shoreland Zoning Ordinance that a structure must be at least 150 feet from the normal high-water line of the edge of a wetland. As presented in the revised site plan, the proposed structure would sit at least 15 feet into the required 150-foot setback from the upland edge of a wetland. Moreover,***

***setbacks are expressly defined in Section 17 of the Shoreland Zoning Ordinance and Section 12.2 of the Land Use Ordinance as being a measurement of horizontal distance taken from the normal high-water line of the upland edge of a wetland to the nearest part of a structure.***

***Voted: 6-0 in favor of denying the application on these grounds.***

**VI. Public Comments and Questions**

None

**VII. New Business**

Discussion of the Planning Board's approach to the preparation of Meeting Minutes. Mr. Voskian reported that that Select Board had some concern about the extensive length and detail preferred by the Planning Board. Member Mahoney noted that it is the findings of fact that must include extensive detail to ensure effective review upon appeal.

Board of Appeals Member Harold Schramm noted that, for an "administrative" appeal, the Board of Appeals needs detailed Minutes to serve as a record of the basis for the Planning Board's decision.

After considerable additional discussion, the clear consensus of the Board was that its custom of producing detailed Minutes should continue and that adequate resources for this purpose be requested from the Select Board.

**VIII. Other Planning Board Business**

**1. Possible revisions to a "Building in Bremen" brochure.**

It was generally agreed that the draft brochure is too long and too broad in scope, especially given the recent creation of the Land Use Ordinance that is more user-friendly than the multiple ordinances it replaced. Autumn Mahoney and Jamie Francomano will follow up with additional discussion on the structure and scope of this document. Blair Kauffman and Jack Boak are also willing to review drafts and comment between meetings. Autumn Mahoney noted that a pending redesign of the Town's applications for Planning Board approvals is also implicated in this work.

**2. Proposed revisions to the Town's adopted Planning Board Ordinance.**

The Board held a brief discussion on the composition of the Board and conduct of meetings, as reflected in the draft. Jamie Francomano will follow up with a revised draft based on this discussion and give some

more thought to the definitions of "municipal officers" and "municipal review authority" in the context of a small town with an elected (as opposed to appointed) Planning Board. Jamie will draft a short memo on Bremen's approach to statutory authorization for the PB to act as the "permitting authority" in Shoreland Zoning and/or other matters. Walt will follow up with Town Attorney Jonathan Hull on some technical aspects, including calculation of quorum and majority votes.

3. Proposed Bylaws for the Planning Board.

A brief discussion. Jamie will follow up with a revised draft.

**IX. Meetings/Events Calendar**

**August 3, 2018** – Applications to be considered at the next Planning Board meeting must be filed with the Town Office by 12:00 p.m.

**August 12, 2018** – Site Plan Visits (if any) 4:00 p.m.

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

**Adjournment 8:00 p.m.**

**BREMEN PLANNING BOARD:**

  
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Walter Voskian, Chair

  
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Jack Boak

  
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S. Blair Kauffman

  
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Autumn Mahoney

  
\_\_\_\_\_  
Steven Wallace

This draft respectfully submitted by  
James P. Francomano, MCRPC