

Embden Planning Board – May 10, 2012

Members present were Chairman Leo Mayo, Eleanor Ketchum, Jay Wilson, Dwight Barron, and alternates, Alton McClamma and Myles Durgin. Also present were CEO Robert Dunphy, CEO and John Lynch; Alton Stevens; Margi Browne; Jerry Lunch; Ken Pomelow; Richard Packard; Bob Berry; Terri Lamontagne; and Beth Agren.

The meeting was opened by Leo Mayo at 7:00 p.m.

Citizens: Nothing

Leo forget to approve the March meeting minutes. The minutes were accepted. The April minutes were accepted with two corrections.

Correspondence: Dwight made a motion seconded by Eleanor to review correspondence. Alton McClamma to take Ann Bridges' place.

Ken Pomelow application: Leo reviewed the application for omissions from the last application. DEP has reviewed project. Motion was made to accept application by Eleanor and second by Dwight to emplace a 20' x 20' sq. area with 2' of loan and hay and seed. Motion not carried. Leo asked about a vegetated buffer strip. Bobby said one had existed before. Page 13 in shoreland zoning ordinance studied to support rejection of motion. Alton asked if there was a 20% slope. Leo said there was not.

Motion was re-visited by motion of Dwight and second by Eleanor. Leo asked if the soil erosion plan was adequate. Dwight was asked to read 6.2.3.2.1 through 6.2.3.2.7 in the shoreland zone ordinance. Leo asked if there were any other questions. Vote carried. Check was previously received.

Permit #	Issued to	Construction Type	Plumbing Permit #	Amt.	Check #
2319	Ken Pomelow	To emplace, level and seed; cover with hay 20' x 20' sq. area; 5' from NHM; Tax Map 026, Lot 002		\$25.00	#4955

Gary & Beth Agren – Received \$25.00. Leo asked if the construction was less than 20%. Bobby said it was. The application is to include a 12' x 12' accessory building and a 10' x 30' deck. Site evaluation #5232. Leo read a letter from Frederick Buschmann that there was no room for a gray water system. The letter was dated May 24, 2011. Bobby talked to Tim Jacobsen at DHHS and he also said there was no room for a gray water

system. The building does not meet the setback requirements. Beth Agren re-state her purpose was to submit a building permit application so a ruling could be made on whether or not the lot was one that could be built on. There was again a finding of fact that the placement of building does not meet the setback requirements. Leo asked if there was anything else that would allow building without an appeal. Dwight read 4.4.1 in response to any other facts. Leo read town ordinance #3. Leo asked for a positive motion to move the application forward. Alton made a motion that we grant a permit to Gary & Beth Agren to construct a 20' x 30' structure with a 10' x 30' deck and a 12' x 12' accessory building on their property (Tax Map 24, Lot 5). Dwight second. Motion not carried because of town ordinance #3 and shoreland zone ordinance 4.4.1 and 5.13.1.

Permit #	Issued to	Construction Type	Plumbing Permit #	Amt.	Check #
2320	Terri & Julien Lamontagne	To construct 8' x 26' addition to existing 26' x 32' 1 1/2 story dwelling; 1066 Embden Pond Road; Tax Map 005, Lot 43		\$25.00	TR327-1
2321	Richard Packard	To construct 17' x 24' one story dwelling with attached 8' x 16' porch on posts; 1509 Embden Pond Road; Tax Map 007, Lot 006	Ext. #1555 Int. #1556	\$25.00	#294
2322	Richard Berry	To construct 21' 6" x 28' 6" one story garage on concrete slab; 625 Moulton Road; Tax Map 011, Lot 022		\$25.00	#3091

Next on the agenda was the application of Anne Roosevelt (1297 Embden Pond Road; Tax Map 023, Lot 003) to modify the existing deck and stone patio. Alton Stevens, attorney for Anne Roosevelt explained his conversation with Bob Dunphy which he felt was acceptable to Bobby and to the Roosevelt family as to modifications of existing construction. That being a deck and replacing asphalt driveway with permeable pavers. Alton McClamma asked for clarification on pavers and the deck. Deck would be reduced from its present dimensions. Bob Dunphy talked about what to bring up for a motion. Leo Mayo asked that the request be drafted with the particulars and dimensions so that the planning board would have the proper dimensions to consider. Leo Mayo suggested that three separate applications be made for the Roosevelt requests rather than combining them in one. Leo Mayo reminded Alton Stevens that the Planning Board does not enter into consent agreements. Leo asked for a motion. Jay Wilson made a motion to table the application so the proper amendments could be made no later than sixty days from May 10, 2012. Dwight second.

Due to the fact that the late hour and the fact that there were still items pending on the agenda, a motion was made and seconded to continue the meeting to May 17, 2012.

Minutes of the meeting of May 10, 2012 were taken by Jay Wilson, Secretary Pro-Tem.

Present at the continuation meeting were Leo Mayo, Eleanor Ketchum, Ann Bridges, Jay Wilson, Dwight Barron and Alton McClamma along with Robert Dunphy, CEO. Also present was Chuck Taylor, Selectman, who observed a portion of the meeting.

The Chairman asked Jay Wilson, who kept the minutes of the meeting held on May 10, 2012 to read his notes concerning what had transpired at the last meeting concerning Anne Roosevelt's application to modify the existing deck and stone patio. The Chairman discussed with the members that the Planning Board cannot do consent agreements, only the Selectmen have that authority.

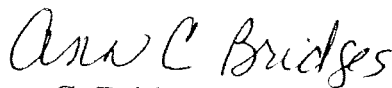
The Chairman requested that the Vice Chairman JW take over the meeting and that AM would sit in place of JW.

Permit #	Issued to	Construction Type	Plumbing Permit #	Amt.	Check #
2323	Rodney Duane	To rehabilitate existing 8' x 17'6" screened porch - 54' HWM: to repair existing driveway by adding gravel to low sections in order to divert water to prevent erosion of driveway; to emplace approximately 8 yds. of gravel; see areas 1, 2 & 3 per attached sketch including soil erosion control; site review completed 05/07/12; 14 Thistle Drive; Tax Map 14, Lot 17		\$25.00	#856

With regard to Laurel Place, the Chairman read a letter from Rob Nixon dated June 9, 2010 (a copy of which is attached to these minutes) concerning the conversion from a condominium to a residential subdivision and the status.

There being no further business to come before the Board, it was voted to adjourned. Adjourned.

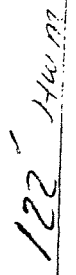
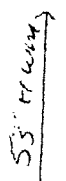
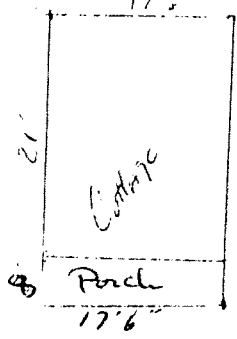
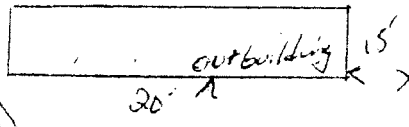
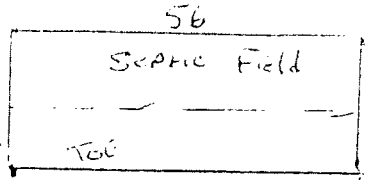
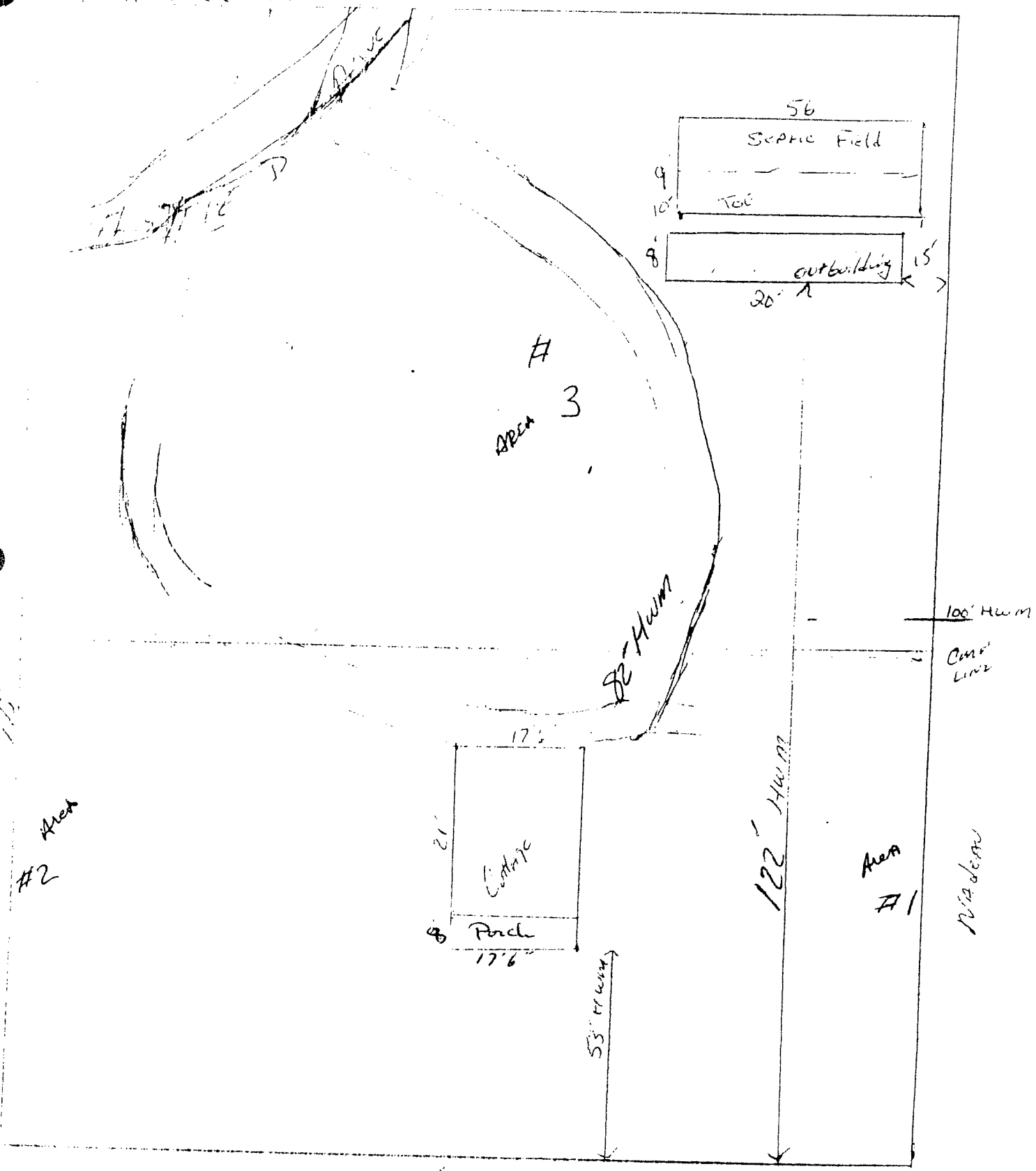
Respectfully submitted,



Ann C. Bridges
Secretary

Property Line
100' 11" 11/2
11/2

100' 11" 11/2
11/2



100' Hum

Cur
Line

Area
#1

100'
Hum

100'

Area
#2

Area
#3

100'
Hum

Driveway

Balsam Drive, LLC
18 Balsam Drive
Embden, ME 04958

Town of Embden
809 Embden Pond Road
PO Box 279
Embden, ME 04958

June 9, 2010

Subject: Nullify 2008 Approval

To Whom It May Concern: .

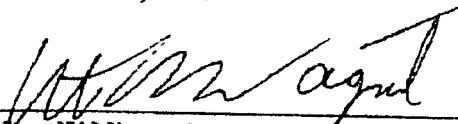
Balsam Drive, LLC hereby declares that it will undo, abandon, and nullify the approval for the Laurel Place development project, located on Cross Town Road in Embden, Maine, that was approved by the Embden Planning Board in 2008, upon the Planning Board's approval of a proposal that changes the Laurel Place existing 2008 condominium approval to a conventional residential subdivision.

The Registry of Deeds does not remove plans from their archives. Instead, the proposed plan that changes Laurel Place from a condominium to a residential subdivision (currently pending on your Board's table) will have a note that clearly states that it will replace the old plan. The old plan then will become null and void. This will, in effect, comply with the Boards request that the applicant undo the previous approval if, as, and when the Board permits the conversion from condominium to residential subdivision.

Thank you for your attention to my project. I look forward to meeting with the Board again.

Sincerely,

Balsam Drive, LLC



Robert W Nixon, Registered Agent