

Embden Planning Board – August 11, 2016

Members present were Chairman Leo Mayo, Eleanor Ketchum, Ann Bridges, Dwight Barron, Myles Durkin, and alternate Jan Welch. Also present were Robert Dunphy, CEO, Wes Hupper, Roy Morris, Philippe Laurendeau, Russ Burns, Jeff Lloyd, Connor Graham and Samuel Morris.

Minutes of the July meeting were accepted as presented.

Old Business: The Chairman gave the Board members a copy of the Appeals Board decision concerning property owned by Sandra Chouinard (located at 668 and 672 East Shore Road). The Appeals Board denied her After the Fact permit to replace structures totaling 92 sq. ft. and a 192 sq. ft. accessory building. The Appeals Board cited Sections 4.3.5; 4.5.1 and 5.13.1 of the ESZO for its reasons for denial. The denial also noted that she could appeal the decision to the Maine Superior Court. It was noted by the Planning Board that her time for filing such an appeal had expired and that the CEO will issue a Notice of Violation.

Old Business: The Appeals Board granted a variance to Shane Nichols (Tax Map 25, Lot 1; 1589 Embden Pond Road) for a 5' x 5' platform with a ramp.

Permit #	Issued to	Construction Type	Plumbing Permit #	Amt.	Check #
2476	Shane Nichols	To construct 5' x 5' platform with ramp at entrance farthest from the water on the north side of structure – 47' HWM; site review 05/12/16; 1589 Embden Pond Road Tax Map 25, Lot 1		\$25.00	#6462
2477	Phillippe Laurendeau	To remove 15" x 123" portion of deck & replace with crushed stone & patio blocks; to construct 5' x 9.5' addition to existing deck; point of attachment 50' HWM; to remove 3' x 16' portion of deck – 10" HWM; site review completed 08/06/16; 20% rule exhausted; 1271 Embden Pond Road; Tax Map 23, Lot 6		\$25.00	TR#900-1
2478	Russell & Joanne Burns	After the Fact Permit to construct 6' x 16' one story 12' high addition to existing camp on posts 50' HWM including overhang in foot print; site review completed 08/07/16; 1853 Embden Pond Road; Tax Map 26, Lot 15		\$400.00	M/O

Next on the agenda was an application by Samuel Morris (868 Kennebec River Road; Tax Map 9, Lot 8; site review completed 08/07/16; TR#1493-1 - \$25.00) to rehabilitate the existing 25' x 70' one story 30 foot high structure within the shoreland zone and within the flood zone. Discussion ensued concerning whether the planned use for the structure was a change of use and, if so, would the new use be a commercial enterprise. It was also determined that the structure was within the flood zone. The CEO indicated that they would need a flood hazard permit. A motion was made by DB and seconded by EK to table any further action on the application until such time as a flood hazard permit was delivered to the Board. All were in favor.

Next on the agenda was an application by Bob and Nancy Thomas to construct dormers to their existing dwelling; They propose a 28' wide shed former on the east side with setback to 51' from HWM; two 6' side A dormers on the west side and one 8' wide A dormer on the west side.

Permit #	Issued to	Construction Type	Plumbing Permit #	Amt.	Check #
2479	Bob & Nancy Thomas	To construct dormers to existing 24' x 36' 1 1/2 story dwelling with attached porch; 50+ft. HWM; to construct 10' x 10' screened in porch 12' high on posts attached to northwest corner of existing dwelling 60+ft. HWM; to construct 8' x 14' shed 10' high on posts 100+ ft. HWM: 30% rule exhausted in volume & square footage; site review completed 08/09/16; 1755 Embden Pond Road; Tax Map 25, Lot 3		\$25.00	TR#1511-1
2480	Justin Lloyd	To construct 60' long retaining wall – 4 feet high; 116' HWM: site review completed 08/08/16; 146 Perkins Road; Tax Map 21, Lot 10		\$25.00	TR#1603-1

Due to the late hour and since there were several items on the agenda, it was voted to continue the meeting to August 17, 2016 at 7 p.m.

Present at the continuation meeting were Chairman Leo Mayo, Eleanor Ketchum, Ann Bridges, Dwight Barron, Myles Durkin and alternate Jan Welch along with CEO Robert Dunphy.

Permit #	Issued to	Construction Type	Plumbing Permit #	Amt.	Check #
2481	Thomas Sheehan	To construct 32' x 48' two story dwelling 30' high on frost wall; site review completed 08/09/16; 40 Rusty Drive; Tax Map 5, Lot 34	Ext. #1659	\$25.00	TR#1520-1
2482	Mark Hinkley	To construct 16' x 40' 12 foot high pole barn on concrete slab; site review completed 08/09/16; 20 Fieldstone Lane; Tax Map 2, Lot 6-6		\$25.00	TR#1473-1

The Chairman requested that the Vice Chairman Dwight Barron sit in his place and that JW sit in place of DB.

Present at the continuation meeting were Chairman Leo Mayo, Eleanor Ketchum, Ann Bridges, Dwight Barron, and alternate Jan Welch along with CEO Robert Dunphy. The Chairman indicated that JW would sit in place of MD who was absent.

Permit #	Issued to	Construction Type	Plumbing Permit #	Amt.	Check #
2483	Steven Brooks	To rehabilitate 11'6" x 13' permanent dock; DEP Permit by Rule required; soil erosion to be in place prior to any work; site review completed 08/09/16; 464 East Shore Road; Tax Map 18, Lot 18		\$25.00	TR#1262-1

Permits No. 2481, 2482 and 2483 to be held pending signature by the CEO.

Next on the agenda was an application by Richard and Sharon Moulton (1679 Embden Pond Road; Tax Map 25, Lot 10; site review 08/09/16; TR#1465-1 - \$25.00) to construct a 8' x

12' 12 foot high porch on posts; 84.5+ ft. from HWM. Two Board members indicated that on April 14, 2016 Mr. and Mrs. Moulton were issued building Permit #2461 and that the permit contained the notation that the 30% rule had been exhausted. A motion was made by AB and seconded by EK to allow the Moultons to construct a 8' x 12' 12 foot high porch on posts; 84.5+ ft. from HWM. All were opposed. A letter of denial will be forwarded to the Moultons.

The Chairman told the Board that he was been advised that the former Embden Resorts restaurant/ apartment had been split into two dwelling without any permits. The secretary was directed to prepare a letter to the CEO with this information.

The Board then proceeded to review the definitions under the ESZO as it pertains to the VFW building located on the Kennebec River Road. The Chairman will check with the town's attorney as to how the VFW organization is classified.

There being no further business to come before the Board, it was voted to adjourn.  
Adjourned at 8:15 p.m.

Respectfully submitted,

Ann C. Bridges, Secretary