

TOWN OF UNITY, MAINE
PLANNING BOARD MINUTES

DATE/TIME: Wednesday, December 14, 2016

LOCATION: Unity Town Office

COMMITTEE MEMBERS PRESENT: Jean Bourg, Sherry Powell-Wilson, Donald Newell, Jim Porter

COMMITTEE CHAIR/ACTING CHAIR: Jean Bourg

SECRETARY: Sherry Powell-Wilson

CODE ENFORCEMENT OFFICER: Charlie Porter

SELECTMEN: Penny Picard Sampson

Application #/Date	Applicant Name	Building Site Address	Structure Type	Committee Approval	Conditions
Lot Permit _____ 12/14/2016 (See below)	Tim & Sue Ferreira Present: Tim & Sue Ferreira	Tax Maps 10-1 and 10-2, Map 14 Bangor Road		Conditional	Receipt of legal description of lot to be created. CEO has authority to approve.

Jim Porter promptly called the meeting to order at 7:00 PM. Introductions were made around the table.

New Business

Present: Tim & Sue Ferreira, Tax Maps 10-1 and 10-2, Map 14 – The Ferreira’s wanted to talk to the Board about the permit requirements that need to be met in order to create two lots from one (separating the trucking business from Bob & Carol’s property). It was determined that in order to approve, the Town would need the legal description of Bob and Carol’s lot. Don Newell made the motion for conditional approval based upon receipt of legal description by a surveyor of new lot to be created. Jean Bourg seconded. All in favor. CEO has authorization to approve the permit.

Present: Chad and Theresa Tozier – Chad has returned to discuss a possible construction project on Juneberry Lane. Roughly a couple months ago the Board approved his application to split a lot on Juneberry Lane. He now requests the Board to entertain a permit to install six year-round cabins on the upper lot, five for retail, one for personal use. Chad was of the understanding that this lot would be outside of Shoreland Zoning. Due to lot size requirements, Charlie Porter stated there was no way for him to approve this project. He explained that part of the property is in Shoreland Zoning thereby restricting how many units could be built. He also explained that with any parcel in Shoreland Zoning, the whole parcel is treated as shoreland. Time was spent in determining the actual lot size and any possible alternatives. Jean asked how the lot size requirements differ from Shoreland and the Land Use Ordinances, and Charlie explained that the requirements are less being 2 acres x4. Charlie's suggestion was to take the matter to the Appeals Board but that the Planning Board would first have to disapprove the permit application. The problem is there is not enough land to meet the minimum lot size of two acres or 80,000 ft. Don asked if Chad had put restrictions on the bigger lot that it cannot be further subdivided, and Chad stated that the "ink isn't dry on the paper yet."

Applicable sections from both the Shoreland Zoning Ordinance and Land Use Ordinance were read.

Shoreland Zoning - 15. Land Use Standards, A. Minimum Lot Standards

(1) All new lots with shore frontage shall conform to the following standards, and any existing lots that do not meet these standards are considered non-conforming lots.

(a) Residential per dwelling unit, minimum lot area of 40,000 sq ft., minimum shore frontage of 200 ft.

(2) In addition, new lots shall conform to the lot standards outlined in Unity's Land Use Ordinance, including average lot size requirements.

Land Use Ordinance, page 16,

2) Rural District, New lots created by dividing a larger parcel must meet requirements both for minimum lot size and for average lot size. The average size of all created lots shall be at least 120,000 sq ft, except in some instances where properties are located in the shoreland zone, as described in C(3). For the purposes of calculating average lot size, a shorefront lot located in the Rural District can be divided into two lots, provided that the resulting average size of the two lots is at least 80,000 sq ft and that all other requirements of the Shoreland Zoning Ordinance are met. Each additional lot after the second will require an additional 120,000 sq ft on average.

D. Further Lot Size Requirements (by district),

2) Rural District, each principal structure beyond the first requires an additional 40,000 sq ft. Each dwelling unit beyond the second requires an additional 10,000 sq ft.

Going by the above ordinances, it was determined that the lot size would be nonconforming. The plan is for Chad to submit a permit application, which the Planning Board would have to decline, and then he will take it to the Appeals Board.

Present: Scott & Cherdelle Bryant – Looking to possibly buy property (formerly Larry Hubbard’s property). The Bryants had questions regarding possibly opening a business on the property on the first floor of the building (an embroidery shop) with a rental unit being on the second. It was explained that, at this time, the current Land Use Ordinance requires that the owner of the business must reside on the property.

Old Business

Minutes of October Planning Board were reviewed. Don moved to approve, Jean seconded, all in favor.

Note for Town Clerk: Don Newell needs copy of Shoreland Zoning Ordinance and Land Use Ordinance.

Meeting adjourned at 8:40 PM.

Respectfully submitted,
Sherry E. Powell-Wilson, Notary Public
Accepted: 01/25/2017