

PLANNING BOARD - TOWN OF MACHIAS

JANUARY 5, 2022

This meeting was called to order at 7:00 PM by Chairman William Thompson. In attendance were Board members Ed Pellon, Rich Rolfe, Arthur McCurdy, and Harry Flower; Secretary Cathy Lord; Town Manager Bill Kitchen, Betsy Fitzgerald, Denise Cilley, Charles Rudelitch.

1. MINUTES - REVIEW AND ACTION

On a motion by Arthur McCurdy, seconded by Ed Pellon, the Board voted to approve the minutes of the November 3, 2021 Board meeting.

2. BUILDING PERMIT APPLICATIONS - REVIEW AND ACTION

A. The Board reviewed a building permit application submitted by J & K Properties (Justin King) for the construction of a storage building for equipment and materials to a lot located on outer Dublin Street. Mr. Thompson noted that the Code Enforcement Officer Kevin Brodie had inspected the property and found no concerns except concern for the property setback distances. The Board discussed the dimensions of the setbacks. Members of the Board noted concern that the dimensions adhere to the municipal building ordinance. The Board discussed having the CEO inspect the site again and check the measurements before construction begins.

On a motion by Arthur McCurdy, seconded by Rich Rolfe, the Board
VOTED:

To conditionally approve a building permit application submitted by J & K Properties (Justin King) for the construction of a storage building to a lot located on outer Dublin Street with the Code Enforcement Officer checking to see if the building construction adheres to the front and side setback requirements of the Town of Machias building ordinance before construction begins.

B. The Board reviewed a building permit application submitted by the Sunrise County Economic Council for the replacement of the Nash building on Main Street. Mr. Charles Rudelitch, Executive Director, and Ms. Denise Cilley, Director of Small Business & Entrepreneurship, discussed the permit with the Board. Mr. Rudelitch advised the Board that the Council is seeking to remove the two story Nash building and replace it with a new two story structure on the footprint of the existing building to serve as an entrepreneurship center. He added the part of the plan is to shore up the foundation of the building including extending the back portion of the new building beyond the dimensions of the existing building towards the river. Mr. Rudelitch explained that the Council will need variances and will be discussing those needs with the Planning Board. He advised the Board that the plan is to demolish the walkway between the existing building and an adjacent building and build a side access from the town lot to the front of the new building.

Town Manager Bill Kitchen said that the Town fully supports the construction of a new building. He did note that the Town received a letter from an abutter, Sandi Bryand, who noted her concerns. Mr. Kitchen explained that Ms. Bryand wants to be assured that her property is not damaged during construction of the new building.

Mr. Rudelitch explained that the plans are to stay as far from the water as possible. He noted that the Council believes it owns the property (non-conforming lot) but he noted that it was found that the survey of the land was inconclusive as to the location of the property line. Mr. Rudelitch noted that most of the new building will be built on the existing footprint and that the building will be extended on the back side.

Mr. Thompson pointed out that where the property line is contested which needs to be considered by the Board. Mr. Rich agreed that there is a property dispute which brings a setback into question. Ms. Fitzgerald suggested approving the permit pending resolution of the property line question and a review of the property line by the Code Enforcement Officer.

Mr. Rudelitch advised the Board that a request for construction bids will be put out in February and that demolition of the old building is planned for April.

Mr. Thompson asked Mr. Kitchen if he would consult with the town's attorney if the Planning Board can change the front setback requirements of the town's ordinance since there is a question of the right-of-way and a property line question. Ms. Fitzgerald said the construction falls under shoreland zoning and that the building can be rebuilt on the foundation of the old building. The members of the Board discussed the timeline and decided that it would be prudent to get legal opinions before proceeding with reviewing the permit further.

On a motion by Rich Rolfe, seconded by Arthur McCurdy, the Board
VOTED:

To table the building permit application submitted by Sunrise County Economic Council until the Planning Board's February meeting to allow time for a legal opinion.

3. OTHER BUSINESS

Town Manager Bill Kitchen distributed a report from the CEO on trailer park inspections in Machias. The members of the Board reviewed the report.

On a motion by Arthur McCurdy, seconded by Rich Rolfe, the Board voted to adjourn the meeting at 7:43 PM.