

PLANNING BOARD - TOWN OF MACHIAS

JUNE 6, 2018

This meeting was called to order at 7:00 PM by Chairman Bill Thompson. In attendance were Board members Ed Pellon, Joe Gurney, and Arthur McCurdy; Secretary Cathy Lord; Town Manager Christina Therrien; Justin King, Mary Angarola, David Clark, Jim Whalen, Ben Okafor, Helen Merchant, Bob Berta.

1. MINUTES - REVIEW AND ACTION

On a motion by Joe Gurney, seconded by Arthur McCurdy, the Board voted to approve the minutes of the May 2, 2018 Board meeting.

2. BUILDING PERMIT APPLICATIONS - REVIEW AND ACTION

A. The members of the Board reviewed a building permit application submitted by Justin King for the construction of a four unit commercial office building (44X98 feet) to be located at 61 Dublin Street. Mr. Thompson noted that since one of the setbacks is on Route #1 that Mr. King will need to check with the Maine Department of Transportation as to state setback requirements. Mr. King advised the members of the Board that the building he is proposing will be comprised of four commercial rental spaces. The members of the Board reviewed the building plans Mr. King provided.

On a motion by Joe Gurney, seconded by Arthur McCurdy, the Board
VOTED:

To conditionally approve the building permit application submitted by Justin King for the construction of a commercial building at 61 Dublin Street pending Maine Department of Transportation's approval of the setback dimension from the state road.

B. The Board reviewed a building permit application submitted by Ben Okafor for the conversion/change of use of a residential house located at 194 Main Street into a medical pharmacy. As requested by the Board, Mr. Okafor marked his site plan with setback dimensions. Mr. Okafor advised the members of the Board that he has contacted the Maine Department of Transportation regarding a driveway entrance for his new business.

On a motion by Ed Pellon, seconded by Arthur McCurdy, the Board
VOTED:

To conditionally approve a building permit application submitted by Ben Okafor for the conversion of a house located at 194 Main Street into a medical pharmacy based on the dimensions provided by Mr. Okafor on his site plan as verified by the Code Enforcement Officer.

C. The Board reviewed a building permit application submitted by Jennifer Bryant Flynn for the location of a mobile home to a lot located at 666 Kennebec Road. Mr. Thompson advised the Board that Ms. Fitzgerald had attempted to contact the applicant to inspect

the property but was unsuccessful. Mr. Thompson noted that the Code Enforcement Officer will perform an inspection of the property and that the Planning Board will make this a stipulation on the permit.

On a motion by Ed Pellon, seconded by Arthur McCurdy, the Board
VOTED:

Pending a site inspection by the Code Enforcement Officer, to conditionally approve a building permit application submitted by Jennifer Bryant Flynn for the location of a mobile home to a lot located at 666 Kennebec Road.

D. The Board reviewed a building permit application submitted by Michael Emery (land owner) and Helen Merchant (mobile home owner) for the location of a mobile home to a lot located at 9 Emery Lane.

On a motion by Arthur McCurdy, seconded by Ed Pellon, the Board
VOTED:

To approve a building permit application submitted by Michael Emery and Helen Merchant for the location of a mobile home to a lot located at 9 Emery Lane.

E. The Board reviewed a building permit application submitted by Leslie Haynes for the location of a storage shed to a lot located at 180 Kennebec Road.

On a motion by Ed Pellon, seconded by Arthur McCurdy, the Board
VOTED:

To approve a building permit application submitted by Leslie Haynes for the location of a storage shed to a lot located at 180 Kennebec Road.

F. Mr. Thompson noted that a building permit application was submitted on May 16th for Joan Carter for the construction of a garage to a lot located at 7 Kilton Lane. Mr. Thompson noted that the application was submitted after the fifteenth of the month and he also noted that due to the close proximity to the Machias River and concerns about possible location within a resource protection area that Code Enforcement Officer Betsy Fitzgerald will be inspecting the site and making a report to the Planning Board.

On a motion by Ed Pellon, seconded by Arthur McCurdy, the Board
VOTED:

To table action on a building permit application submitted by Joan Carter for the construction of a garage on a lot located at 7 Kilton Lane pending an inspection of the site by the Code Enforcement Officer.

3. DISCUSSION OF TOWER STRUCTURES ORDINANCE

The Board discussed development of a tower structures ordinance and reviewed a sample ordinance. The Board discussed height limitations to include in an ordinance. Ms. Therrien noted that the Board may want to think about stipulating the distance a tower structure can be placed from a residence; she added that the Board can determine the distance a tower structure can be located from a residence. Mr. Whalen suggested that a

clause be included in an ordinance stipulating that the final step the applicant must take after contact with the FAA/FCC is to contact the town on their intentions. Ms. Therrien advised the Board that the ordinance they develop can make stipulations on locating tower structures appropriately.

Mr. McCurdy commented that tower structures do devalue other people's property and there is ongoing discussion of the affect of radiation. Mr. Pellon added that homeowners do not want a blinking light in their neighborhoods.

The Board asked Ms. Therrien to look at areas in Machias where tower structures could be placed. Ms. Therrien explained that this can be done by examining tax maps to determine areas where there is sufficient distance from residential locations. Ms. Therrien pointed out that the Board has time to put an ordinance in place that meets the needs of the town. Mr. Thompson requested more information from the FCC on what municipalities can do to ensure appropriate placement of tower structures. Ms. Therrien added that the Board can also look into co-location of tower structures.

On a motion by Arthur McCurdy, seconded by Joe Gurney, the Board voted to adjourn the meeting at 7:52 PM.