

CALAIS PLANNING BOARD
JUNE 3, 2019

The meeting of the Calais Planning Board was called to order by William Cody at 6:02 p.m. on Monday, June 3, 2019.

Present was Planning Board Members William Cody, Glenn Gallina, Ron O'Brien, Everett Libby, Herm Gadway and Joan Perry. Also present was Tim Krug; Code Enforcement and Haley Coutinho; Office Assistant.

On a motion by Member O'Brien and a second by Member Libby, it was unanimously voted to approve the previous minutes.

Lea Babb Howard is requesting permission to rebuild a camp that burned back in November 2018 at 350 Chisholm Boulevard/Nash's Lake. The camp will be 30% bigger than what was previously there. A burned down shed (8x8) will be replaced along with replacing a deck on front (10x12).

Tim Krug notified the Planning Board members that he had to re-calculate his square footage on the site plan. In doing so, it made a difference of almost 200 square feet that they gained. They do not have to go with the same size deck, but can utilize some of the extra square footage if needed as long as they don't go closer to the water. The fire did a lot of damage including taking down trees and another shed that was on the property. The only thing saved on the property was another shed which does not get included in the footprint. Member O'Brien asked if the property had been cleaned up since the fire and Krug explained that it had been all taken care of. Member O'Brien asked if the distance from the lake meets what we expect for code where Krug explained it's an existing structure. It is grandfathered in, they can rebuild up to 30% as long as it has never been re-built. Member Libby mentioned that even though it is 30% larger, it cannot get closer to the water in which Krug said that was correct. Krug mentioned on one corner of the cabin, the lake is closer in which he made sure to re-iterate that the structure cannot be closer to the water than it already is. Krug stated the Owner has the option to expand the back of the camp, as long as it does not exceed the 30%. The camp will be 560 sqft, burnt shed; 64 sqft; 3ft of open porch; 84 sqft.; front deck; 136 sqft gives a maximum of 30% which totals 1,094 sqft which they can

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utilize if they choose. Member Gallina asked if they plan on repositioning the driveway where Krug explained they are not, but they are going to replace the septic line to leech field/pump station. Member O'Brien makes a motion to approve the plan, Member Gallina seconded. The vote was unanimous for approval.

Krug brought up a complaint about a lakefront property located on Howard Lake that was not listed on the agenda. Krug explained that setbacks from the water are required on anything built, but building next to each other does not apply. There are no side line, rear line or front line because it is not zoned as divided property line, it is one plot of family land. The complainant stated someone had cut some trees down to put an accessory structure up (storage shed) by the road. Accessory structures do not need Planning Board approval. Complainant wanted to know if there were setback requirements as far as building next to each other which Krug explained there are none. Land Use Codes as far as setbacks do not apply for that lot of land because it is not divided into minimum standard lot sizes because it is private property. Krug personally went out and looked at the property and stated it was a civil issue.

Member Libby, who was not in attendance for the last Planning Board Meeting, brought up the issue on Price Street concerning Danny Moses which was included in the Previous Minutes. Member Libby had thought the issue had been resolved where Krug states, that nothing had been resolved concerning the property on Price Street. Krug states there was a stop work order in Court. Member Cody asked where the City sits regarding the issue and Krug states that the City Manager and the City Solicitor do not know where to go from here. Krug said that he is being charged personal property tax for operating a business even though he is operating it against current zoning standards. Even mentioned he spoke to the Mayor, stating that he as Code Enforcement Officer has done everything he can do, it is now up to the City. Member Libby expressed feeling bad for the neighbors who came forth showing concerns regarding the property. Krug mentioned that while talking to the Mayor, he agrees that the zone shouldn't be changed to commercial because it opens it up too much. If you look under a home business, that particular type of business doesn't qualify. However there is already set precedence on Union Street with a similar operation, which is

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not as big nor has it caused issues. It was also mentioned that the Ordinance could be changed so that it would have to go through Council to approve a home business. Member Cody stated that the City has the right to make changes if needed, but Member Libby and Member Perry stated that it wasn't fair. Member Cody wanted on record, that it's not fair for the businesses who are already paying taxes and it's okay for him to get away with his business. Member Cody expresses frustration of having a Planning Board if rules/regulations are going to be bypassed to allow him to continue with his business. Member Libby mentioned he had bought the property under false pretenses. Krug states that it is on record where he admitted that he knew he could not run a commercial business. Krug stated that he did go to court where he was supposed to cease operations of the business. Member Libby mentioned that a follow up would be to take him back to court. Member Cody asked if fines were suppose to be levied every day against him, where Krug states no because he is currently being charged as a business. Member Cody states that we're willing to overlook the policies that the Council has put in place by allowing him to do whatever they feel is fine without considering what the Planning Board has set forth. Member Cody states that he is done and they (City Council) can make the decisions as they go forth and walks out. Member Gadway agrees with Member Cody, that we should let Council know that we do not agree with them. Krug states he started a business in a zone where it wasn't zoned for that particular business and you can't spot zone which was a major issue. In which he came back to put in a home business, which it did not qualify for. This business is not listed in the home business section and wanted it changed so he could have his business in a residential area. He wants the City to change the rules to add his type of business to the home business section. Krug mentions he can send letters stating he is operating a junkyard where Member Libby expresses that if he had already been taken to court, they should be able to take him back to court over the issue. Member Gadway states that it's not a good home business especially in a residential area. Krug states that City Council and the Planning Board need to be in a meeting to go over this issue so everyone can express their opinions.

Since Acting Chairman, Member Cody walked out, Member Gadway motioned to adjourn the meeting, Member Gallina seconded it. The meeting was adjourned at 6:37 p.m.

Adjourn

Attested By: Haley Coutinho Date: 6/13/19
Haley Coutinho, Office Assistant