

Approved 6/17/15
Town of Owls Head
Minutes of Planning Board Meeting
(Wednesday, April 15, 2015 – 7:30 P.M)

Board Present: Chair Robert Pratt, Larry Choate, William Leppanen, and Dale Martin

Board Absent: Ken Wexler and Marc McNeilly (Alternate)

Staff Present: CEO Scott Bickford and Recording Secretary Deborah Sealey

Chair Robert Pratt opened the meeting at 7:30 P.M.

I. Approve Minutes: 3/11/15

ACTION: Dale Martin made a motion, seconded by William Leppanen, to accept the minutes of the 3/11/15 meeting as amended.

Carried 3-0-1 (Mr. Choate abstained)

II. New Business

David Eaton – 336 Dublin Road – Application for Expansion of Use as a Dog Kennel on Existing Residential Lot – Tax Map 3, Lot 16:

Applicant David Eaton said he was a 15-year resident of South Thomaston who owned a landscaping business in Rockport and also raised Golden Retrievers. He had found the property at 336 Dublin Road next to the airport and commercially-zoned airport land. He wanted to erect a building for the raising and training of dogs and rent the existing house so there would be someone on the property. Mr. Eaton asked the Board if he could build on the property for his purposes.

Chair Robert Pratt asked the applicant to cite an ordinance and provide the rationale that would enable him to do what he proposed. Mr. Eaton replied that the property was in the Rural Residential area, which allowed agricultural and horticultural uses, including animal husbandry. However, the parcel on Dublin Road would not be owner-occupied and consisted of .71 acres rather than the 15 acres required for agricultural use.

Chair Pratt said the Board would allow the use if Mr. Eaton had an agricultural product and asked the applicant if he were characterizing the retrievers as an agricultural product. Mr. Eaton said that he was. Board members looked at the requirements.

CEO Bickford, after disclosing that he was related to Mr. Eaton, said the applicant was looking at Page 10 of the ordinance, where animal husbandry fit under the agricultural definition. Mr. Eaton then referred to Page 17 (F) and the following paragraph that referred to the 15-acre requirement. Mr. Bickford suspected that the 15-acre minimum should have been placed in the ordinance before Section 15 (F).

Chair Pratt stated that the Board agreed that animal husbandry was not restricted to 15 acres by the ordinance. The CEO agreed that it was allowed, but noted there was no mention of Site Plan Review. Mr. Choate, who had helped draft the ordinance, agreed that it was out of sequence. Chair Pratt said Mr. Eaton had clearly shown that, with no 15-acre requirement, his proposed use fit under animal husbandry. Mr. Leppanen said this parcel was the best lot in Owls Head for a kennel because it already had airport noise and there were no neighbors. Mr. Eaton said nearby lots were wet and not suitable for building.

Mr. Eaton said the dogs would be inside at night. When asked if there would be someone on the property 24/7, the applicant said there would not, but he lived a mile and a half away and would be hiring a couple of dog-walkers.

Asked if there were a wetland issue, Mr. Eaton replied that the new building for the dogs would be 30' from the property line adjacent to the road and no further back than the edge of the existing shed.

Chair Pratt noted that the applicant now wanted to make changes to the set of plans submitted, modifying the shape and position of the proposed building. CEO Bickford said the size of the structure was a problem and asked if the Board was calling for a commercial use in a residential zone. Mr. Pratt said the Board would now decide if it would be an animal husbandry use and if the lot could accommodate the building.

ACTION: William Leppanen made a motion, seconded by Dale Martin, to accept this as an allowed animal husbandry use under agricultural use and is acceptable in this Rural Residential lot.
Carried 4-0-0

Chair Pratt said the applicant wanted to change the location and size of the building and asked if the building was acceptable. Mr. Eaton said he wanted to decrease the size to 2,200 sq. ft. Mr. Pratt asked Mr. Eaton if he would be able to submit a new plot plan by next month. Mr. Eaton asked why he couldn't do it if he met the setbacks. Chair Pratt responded that the Board needed to review and accept the proposal, so needed a plan, which could be presented to the CEO.

CEO Bickford said the building plans would not come under the Board's purview unless they viewed it as a commercial structure. Mr. Pratt said the Board had accepted the plan under agricultural animal husbandry, rather than commercial. Board members all agreed that they had done their due diligence and any change in the structure would have to go to the CEO.

II. Old Business

Don Blackman – 6 Waters Edge – Application to Expand/Renovate a Dwelling in the Shoreland Zone and Partly in the 75' Buffer Setback – Tax Map 13, Lot 72: Architect John Hansen represented the applicant for a design change from last month's approved plan. He said he had been working with Mr. Blackman, who now wanted to rotate the roof as a gable, with the ridge still no higher than the highest point of the structure in the setback.

Chair Pratt asked Mr. Hansen to point out the change on the plan. Mr. Hansen did so, explaining that they had wanted to raise the shed roof and now wanted to bring the ridge forward, increasing the pitch. The gable would improve the view of the water.

Chair Pratt confirmed that it would still be a cathedral ceiling and would not change the volume or square feet. Mr. Leppanen said this would open up the view from behind the house. Mr. Pratt stated that the applicant would be rotating the building 90 degrees from the approved plan and changing the roof.

ACTION: William Leppanen made a motion, seconded by Dale Martin, to accept a new permit that allows the new plan rotation of the roofline by 90 degrees.
Carried 4-0-0

III. Other Business

Chair Pratt distributed copies of the latest by-law revisions for the members' signatures.

The Chair said the members of the Board had agreed to go to Waldoboro for a PB seminar on April 21st. They would meet at the Town Hall at 3:00 P.M. and drive down together

IV. Adjournment

The meeting adjourned at 8:15 P.M.

Respectfully submitted,

Deborah Sealey
Recording Secretary

Town Of Owls Head Planning Board:

Robert Pratt, Chair

Larry Choate

William Leppanen

Dale Martin

Ken Wexler

Marc McNeilly (Alternate)