

Approved
Town of Owls Head
Minutes of Planning Board Meeting
(Wednesday, May 18, 2016 – 7:30 P.M)

Board Present: Chair Robert Pratt, Larry Choate, William Leppanen, Dale Martin, and Marc McNeilly (Alternate)

Board Absent: Ken Wexler

Staff Present: CEO Scott Bickford and Recording Secretary Deborah Sealey

Chair Pratt opened the meeting at 7:35 P.M.

I. Approve Minutes of 4/20/16 Meeting Minutes

ACTION: Larry Choate made a motion, seconded by Dale Martin, to approve the April 20, 2016 minutes as corrected.
Carried 4-0-1 (Mr. Leppanen abstained)

II. Old Business

A. Ed Glover – South Shore Drive – Request for Support for the Location of Commercial Lot Boundaries to Recommend or Not to the Select Board – Map 11, Lot 1: Mr. Glover said the town ordinance written in 1987 noted some parcel, including his, as commercial. The parcel (Map 11, Lot 1) had been described as, an acre on South Shore Drive. This single acre, along with 7 others, had been owned by “Buck” Buckmaster.

Mr. Glover said he was trying to define the 1-acre commercial lot within the 8 acres comprised of Map 11, Lot 1 and Map 7, Lot 192. He said the acre whereon Mr. Buckmaster had carried out his operation was what the town saw as the commercial use. Mr. Glover was asking for clarification and agreement that the one acre as drawn by him would be that commercial acre.

Chair Pratt called for comment. CEO Bickford said Mr. Glover simply wanted a recommendation for this to go to the Select Board. The Chair explained the procedure to the applicant. Mr. Bickford clarified for the applicant that the Select Board might decide not to put it on the warrant.

ACTION: William Leppanen made a motion, seconded by Dale Martin, that the Planning Board recommends to the Select Board that this be put on the warrant for a town vote.
Carried 5-0-0

Mr. Leppanen asked if the Select Board would have to inform Mr. Glover when they would discuss his issue. Chair Pratt said he would forward the vote to the Select Board and they would have to handle it. Mr. Leppanen said he understood that, but asked again if they would advise Mr. Glover. Mr. Pratt replied that he assumed so.

B. Eugene Scalzo – 312 Ash Point Drive – Request for PB to Recommend Select Board Place on the Warrant Changing Part of His Lot from Residential to Commercial – Map 4, Lot 69: Mr. Scalzo said he had been doing business on this parcel for 17 years, possibly illegally because the town had

allowed him to continue. In order to continue his business or make a viable sale he needed to have the property designated as commercial.

Chair Pratt asked the applicant if he understood that if it became a commercial lot it could be used for a lot of other purposes not marine-related. Even a gas station could go in, opening the door for other uses. Mr. Scalzo said he couldn't expand his business as it was now, which could cause him to lose the business.

Chair Pratt informed the PB that he had never done business with Mr. Scalzo. Mr. Martin said he had previously listed the applicant's property.

Mr. Martin asked Mr. Scalzo if wanted all 14 acres to be designated commercial, as that would be a whole different story. The applicant said the land was predominantly swamp so the percentage he could use was restricted. He said he did not need more than a couple of acres in order to make it viable to other customers. He said he had not previously thought about how much of the property he wanted to be commercial.

Chair Pratt called for public comment and Jim Kalloch, an abutter to Mr. Scalzo, said he was in favor of however many acres Mr. Scalzo wanted to be commercial. He did not want Mr. Scalzo to go out of business because his was a viable business for Owls Head.

Mr. Scalzo told the PB he had sent a letter to all abutters. Mr. Glover said this was a boatyard that served an important purpose. He felt commercial was very necessary in Owls Head because it was a lobstering town. Chair Pratt concluded the public comment.

Mr. Leppanen asked the applicant how much frontage he had on Ash Point Drive and Mr. Scalzo thought it was about 350'. He had friends who had bought part of the land and might possibly want more. Mr. Scalzo asked for clarification of the town's ability to regulate what could be done on a commercial property. Mr. Bickford said the Land Use table showed what could be done. The applicant said there must be something to restrict more extreme uses. He thought the town must have the wherewithal to prevent a mess. The CEO explained the restrictions on the table but said almost all of the things allowed in commercial required PB approval.

A Board member asked if the applicant could apply for the commercial marine activity zone, but Mr. Pratt said those were all on the waterfront. Mr. McNeilly said he had a problem with making all 14 acres commercial because of what it could open up. He would prefer that Mr. Scalzo come back, having designated 2 or 3 acres. Mr. Scalzo asked why not say that now.

ACTION: Marc McNeilly made a motion, seconded by Dale Martin, that the Planning Board recommends to the Select Board the designation of a commercial lot, not to exceed 3 acres, to be delineated in the next 30 days.
Carried 4-1-0 (Mr. Choate voted against)

There followed some discussion of possible locations for the 3 commercial acres. Mr. Bickford told the applicant to be sure the remaining land had the correct amount of road frontage, as well as the location of the existing ROW. He asked Mr. Scalzo to come see him when he had it figured out so he could be sure Mr. Scalzo was not creating a non-conformance.

The CEO said the better the drawing and depiction were, the more likely success with the Select Board would be.

III. Adjournment

ACTION: Marc McNeilly made a motion, seconded by Larry Choate, to adjourn at 8:25 P.M.
Carried 5-0-0

Respectfully submitted,

Deborah Sealey
Recording Secretary

Town Of Owls Head Planning Board:

Robert Pratt, Chair

Ken Wexler

Larry Choate

Marc McNeilly (Alternate)

William Leppanen

Dale Martin