

**Winthrop Planning Board
Meeting Minutes
Wednesday, October 5, 2005
Winthrop Town Office**

Planning Board Members Present: Eric Robbins (Chair), Rick O'Brien, Bryant Hoffman, Edward Vigneault, Steve Robbins, Robert Ashby, Clark Phinney, Andrew Flint, Beth Young (CEO), and Julie Winberg (Secretary).

Planning Board Members Absent: Jon Leonard

Chairman Robbins called the meeting to order at 7:00 P.M.

Public Hearing – *Ordered that the Winthrop Planning Board meet to consider the following items:*

Item No.

05-19 **Case # 200** – *Joan McCarthy - requests a conditional use permit for earthmoving to replace and expand a non-conforming structure in the Shoreland Zoning District, 16 Nicholas Lane, Cobbossee Lake, (Town Map 53 Lot 8).*

Mrs. McCarthy and her son, Kevin, were present to discuss their conditional use permit. Mr. McCarthy explained to the Board that this is an old camp that has been pieced together thru the years. It has become increasingly dangerous to live in and the extended family would like to replace it totally with a larger structure. The increase in size is going up rather than out. The footprint of the existing cottage will basically remain the same, as will the distances on all sides to the shoreline. The camp is on a small lot. He passed around a diagram of the way the camp is situated on the lot now. There are usually four or five cars parked in and around the campsite. The present carport will be torn down. Its size is approximately 12' x 25'. That, as it stands right now, is not included in the size of the new structure. That space will be used to park boats and canoes. There is a fence on the side of the property thus blocking this view from neighbors. The cottage now stands a few feet from the water. The current square footage is 32'x34'. The family has consulted an architect and included his drawings for the Board's review. The new structure includes a loft with an additional one-half bath (with energy conserving toilets installed). Their design falls within the 30% volume allowance.

The CEO confirmed for the Board that the former owners received a variance for the carport and questioned Mr. McCarthy's about using that space, after the carport is removed, for parking boats and canoes. Board Member O'Brien questioned as to why such a restriction would be placed on this site. The CEO informed the Board that sometimes restrictions do get placed and in this case, they did not want the owner to enclose the carport. Restrictions such as this are usually put on decks.

Mr. McCarthy explained that because he knows the town does not allow for lateral expansion and since the overall roof space is being cut down quite a bit by removing the carport, the proposed new structure expansion is going up and not out.

Board Member Hoffman remarked that this indeed was expanding an already non-conforming structure. The drawing submitted with the application left for quite a bit of confusion. The confusion centered on what the exact dimensions of the new structure was in relation to the existing structure. And although you are allowed to increase the size of a building, you cannot increase its non-conformity in any way. Mr. McCarthy acknowledged that analysis and explained that was the reason the new structure expansion was that of a loft and why they were moving the entire footprint 2' further back from the shoreline. He realized that this camp did not meet any of the setback requirements as it stood right now.

Board Member Ashby determined that the description depicted in the applicant's drawing cut back 2 corners but the deck was still a 20' deck and the existing building was 36' wide. Mr. McCarthy explained that through all this, they were still moving the footprint back two feet and the new deck would then become 8' instead of 6'.

The CEO verified that the deck counts toward the footprint and that the 30% core area is not exceeded.

Board Member O'Brien asked what the distances are now and what they will be to the shoreline. Mr. McCarthy responded that the lot was surrounded by water on two sides. The nearest point to the water was 8' now on one side and 30' on the other side. With the new structure, the distance on the 30' side would remain the same and on the 8' side would increase to 8' as the footprint is being moved back two feet.

Board Member Vigneault determined that 30 yards of earthmoving would be involved and the general erosion control plan would be in place. Board Member Steve Robbins confirmed that the lot was a flat lot with the northwest corner being 4' above the water line and approximately 2' by the shore.

Board Member Ashby asked the applicants to draw hash lines on the existing camp diagram showing exactly where the new structure was going to be placed showing the changes that would be made and the dimensions being used so that the Board could determine if the width is the same, the setbacks the same and the actual size of the deck. The applicants did this and passed it around to the Board Members.

There being no further discussion, motion by Ashby, and seconded by O'Brien, that **Case # 200** – Joan McCarthy's request for a conditional use permit for earthmoving **to replace and expand a non-conforming structure** in the Shoreland Zoning District, 16 Nicholas Lane, Cobbossee Lake, (Town Map 53 Lot 8) be approved with the condition that a more comprehensive plot plan identifying the existing structure with the new structure superimposed with dimensions be presented at the time of filing with Factors #2, #6, and #7 stipulated. Vote was unanimous (8-0).

05-20 **Case # 201** – Robert Brown - requests a conditional use permit for earthmoving **to build a single-family residence** in the Shoreland Zoning District, 52 Larson Lane, Cobbossee Lake, (Town Map 41 Lot 11).

Robert Brown presented his completed application and very well designed plans to the Board. His plan involves building a single-family year round residence in back of the present existing seasonal cottage well within the required setbacks. His diagram showed the layout of the property, driveway, septic design, and setbacks on all sides. The residence is approximately 26' x 40' with the addition of a screened porch to the left of the building that is approximately 10' x 20' in size that will be built on posts. A 20' x 20' two car garage will be at the end of the building. The home will have a deck on the front. The foundation starts about 113' from the water and the deck starts at 103' from the posts. The existing cottage that will be removed upon completion of this project is approximately 23' x 40'. The general erosion controls will be in place.

Acting Chair O'Brien closed the public portion.

*There being no further discussion, as the plans that were submitted with the application were detailed and complete for the Board's review, motion by O'Brien, seconded by Ashby that **Case # 201** – Robert Brown's request for a conditional use permit for earthmoving **to build a single-family residence** in the Shoreland Zoning District, 52 Larson Lane, Cobbossee Lake, (Town Map 41 Lot 11) be approved and Factors #2, #6, and #7 be stipulated. Vote was unanimous (8-0).*

Other Business

CEO Young informed the Board that a workshop for Planning Board and Zoning Boards was being held on November 29th at the Civic Center. It involves a dinner at 5:30 p.m. to 6:30 p.m. and workshops follow. She requested that the Board Members consider this and to let her know in ample time for registration.

Board Member Ashby informed the Board that there is a multi-series of meetings sponsored by the Department of Transportation in reference to the 20-year highway plan.

Chairman Robbins informed the Board that the Federal Government has approved funding for the East/West Highway.

Approval of Minutes

Motion by Ashby and seconded by Vigneault approving the September 21, 2005 minutes. Vote was unanimous (8-0).

Motion by Vigneault and seconded by Ashby to adjourn the meeting at 7:50 p.m. Vote was unanimous (8-0)