

**Planning Board
April 6th, 2017
Bristol Town Office**

Committee Members present: Andrea Cox, Jeff Eilenberg and Andrew Poland (Alternate)

Also present: Jessica Westhaver and Joseph Rose

Public: Robert Faunce

Absent: Robert Cushing, Patricia Jennings, Benjamin Pendleton and Jason Lord (Alternate)

The meeting was called to order at 7:04 p.m. by Andrea Cox.

New Business –

- **Nancy Dodge Building Permit**

- Ms. Dodge submitted a building application to CEO Joseph Rose for the property located on tax map 026 lot 002 for the Ye Olde Forte Cabins. The request is to raise all of the cabins by a one (1) foot and place new cement posts and a cement pad. The cabins are currently sitting on wooden posts. There will be no expansion to any of the cabins.
- The cabins are currently legally non-conforming to the seventy five (75) foot setback with the SZO.
- The board reviewed the options of relocating the cabins to conform to the setback and it was determined there was no option to move. Cox reviewed the SZO section 12.C (2) and (3) which reads:

*(2) **Foundations.** Whenever a new, enlarged, or replacement foundation is constructed under a non-conforming structure, the structure and new foundation must be placed such that the setback requirement is met to the greatest practical extent as determined by the Planning Board or its designee, basing its decision on the criteria specified in Section 12(C)(3) Relocation, below.*

*(3) **Relocation.** A non-conforming structure may be relocated within the boundaries of the parcel on which the structure is located provided that the site of relocation conforms to all setback requirements to the greatest practical extent as determined by the Planning Board or its designee, and provided that the applicant demonstrates that the present subsurface sewage disposal system meets the requirements of State law and the State of Maine Subsurface Wastewater Disposal Rules (Rules), or that a new system can be installed in compliance with the law and said Rules. In no case shall a structure be relocated in a manner that causes the structure to be more non-conforming.*

In determining whether the building relocation meets the setback to the greatest practical extent, the Planning Board or its designee shall consider the size of the lot, the slope of the land, the potential for soil erosion, the location of other structures on the property and on adjacent properties, the location of the septic system and other on-site soils suitable for septic systems, and the type and amount of vegetation to be removed to accomplish the relocation.

- Cox also reviewed the definition of a “Foundation” in the SZO which reads:
 - *the supporting substructure of a building or other structure, excluding wooden sills and post supports, but including basements, slabs, frost walls, or other base consisting of concrete, block, brick or similar material.*

- The board has deferred the permit back to Rose and determined the work to be done does not require Planning Board approval based on the fact that the replacement of wooden posts to cement posts and a pad do not qualify as a true foundation.
- **Guest Speaker Robert Faunce from Lincoln County Planning Commission**
 - Mr. Faunce was invited to share a presentation and recommendations surrounding minimum structure elevations based on sea level rising/storm surge levels that have shown pattern of increasing by 7 to 8 inches since the last 100 year storm. He stated that the ocean temperature has been steadily increasing which in turns causes the volume of the ocean to expand. The last 100 year storm was in February 1978 for Lincoln County.
 - Faunce stated that FEMA's maps are based on historical information and do not have projections for the future.
 - Faunce stated with the current pattern of sea rise the next 100 year storm maximum tide could be between one (1) and three (3) feet higher.
 - Faunce provided to the board his suggested edits to the Bristol Land Use Ordinance that would reflect the height change. He addressed the fact that there was a town limit of thirty-five (35) foot structure height. The board discussed the reason of the structure height limit may be due to the current restrictions of the Fire Departments trucks to reach a fire.
 - The board will take the information provided by Faunce and discuss in the future to determine what action should be taken if any.
 - The LCPRC's website will be added to the Town of Bristol's website for all residents to be able to review the provided information to the board. The website is www.LCPRC.org. The direct link to the presentation is: <http://www.lcrpc.org/coastal-projects-planning/lincoln-county-sea-level-rise-flood-study-updated>.

Old Business -

- Shoreland Zoning Ordinance.
 - Westhaver updated the board on communication received from Colin Clark from Maine's DEP. Clark has stated that the Ordinance will be approved as written and he will send communication. Rory from Maine Coast Surveying is currently working on the updates to the SZO map and as soon as completed it will be presented to the board for approval and then an attested copy will be submitted to Clark.

Housekeeping –

- Rose updated the board on the meeting with the Appeals Board for the matter for Lisle Ogle. Information was provided purely for a courtesy for information.
- Rose reviewed a site visit to the proposed site for the new dry hydrant located at Monro bridge.
 - DEP is ok intake pipes, however, gravel pads (for parking of the fire trucks) are required to have a twenty-five (25) foot setback. The current question is if the dry hydrant can be twenty-five (25) feet away. A fire truck has to be six (6) to ten (10) feet from the dry hydrant.
- Westhaver reminded board of providing a recommendation to the Selectmen for action on a recreational marijuana ordinance/moratorium. Westhaver provided a few ordinances from other towns. This information will be distributed to the board through email for review at the next meeting.

- Minutes from the April 6th, 2017 Planning Board meeting needed a minor adjustment to remove the town of Dresden for a suggested ordinance reference. Westhaver will complete the adjustment and provide a new copy of the minutes at the next meeting.

Meeting adjourned at 8:05PM. The next meeting is scheduled for May 18th, 2017 at 7:00PM.

Respectfully submitted,
Jessica Westhaver
Planning Board Secretary

PLANNING BOARD APPROVED: _____