



Town of Carrabassett Valley
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Carrabassett Valley Planning Board

Thursday, May 27, 2021 at 4:30 P.M.

*****Meeting IN PERSON at CV Town Park Pavilion*****

(Please note - there will be no remote access component but the public is welcome to join in person)

Agenda

1. Review the Minutes of the March 25, 2021 Planning Board Meeting.
2. Timber Harvest Application of Forest Harvesting Permit in the VC/R2/R1 zones by the Penobscot Nation – Tax Map 1D – Lot 14 – specifically area shown on Forester’s map on area being land west of Route 27 between Ayottes/Judson’s/North Ridge and the Redington North & East Communities
3. Shoreland Zoning Application of a Driveway thru the RP District to access a residential home in the R1 District.
4. Potential Continued Workshop – Discussion of Non-Conforming Structures as outlined in Standard Zoning Ordinance
5. Other Business?
6. Adjourn

Please email cvceo@roadrunner.com to request meeting materials ahead of the meeting.

**TOWN OF CARRABASSETT VALLEY
MINUTES OF THE PLANNING BOARD MEETING
March 25, 2021
Via “Zoom” Meeting**

Members Present: Brian Demshar Alan Sleight
 Dave Corrow Tim Flight
 Tom Bird Scott Stoutamyer
 Roddie Ehrlenbach

Others Present: Chris Parks Trevor Ross
 Phoebe & Hilary Folger Peter Roberts
 Dan Barker Howard Ross

Brian Demshar opened the meeting at 7:03 p.m. and welcomed those present.

The first order of business was to review the minutes of the February 25, 2021 Planning Board Meeting. Dave Corrow made a motion to accept the minutes, with one typo noted. Tom Bird seconded the motion. Motion approved via roll call.

The next item on the agenda was a Site Plan Review Application for Sugarloaf’s new Snowmaking Pumphouse on the mountain, near Bullwinkle’s (Map 1B, Lot 1 in the Recreational District). Peter Roberts was in attendance to discuss the project. He noted that he applied with Maine DEP last year, and Danny Barker has done the application with the Town. The purpose is to divide the snowmaking system into two different pressure zone by putting a new pumphouse by Bullwinkle’s. Because it is over 2700’ in elevation, it was subject to additional review by the State. The site plan outlines the erosion control plan. There won’t be any water or sewer to this new facility. It is just a pump station and hose workshop. There will be some blasting required, which has been approved by the State. Alan Sleight asked what size the pipes will be for this facility. Peter anticipates 10”, 12” and 16”. He inquired if there are fail-safes in place, should one of these pipes burst. Peter believes there’s a pressure alarm that would be in place, but he doesn’t have the particulars at this time. He noted that there’s not a reservoir of water that would empty out, since the water has to be pumped uphill. Alan asked if the owners of West Mountain have been made aware and whether accommodations will be made for the permanent residents. Peter noted that abutter notices have been sent to all abutters, and he did not have any responses. The construction of this facility will likely be in 2022, since there is a specific window in which tree clearing can be done. Danny Barker was asked to speak to the concern about a potential pipe rupture. He said that the Controller monitors the system, and if there’s a low-pressure notification, they can shut the pumps off and open the main drain at the pump house, so it can be controlled better. It's a 300 wall pipe that's going in. If a pipe were to blow, there would not be a concern about water going near homes. This project is mostly about distribution of water, rather than a significant increase in quantity of water coming up the hill at this time. With no other questions at this time, Brian Demshar initiated the Findings of Fact. With review

of each of the questions, all items were found to be acceptable. Dave Corrow made a motion to approve the application as presented. Tom Bird seconded the motion. Motion approved via roll call.

An Application has been received for Map 9, Lot 70 (shoreland zone) from Dana Herrick. He has a camp that was built in 1968, which is in disrepair. He would like to tear it down and build a comparable-sized camp. He would like to build a 24' x 20' timber frame structure. He will remove the outhouse and install a septic system, which has been designed for this project. Dana has a dug well which is not in use. He plans to install a drilled well after the fact. He would like to do the demolition in mid-April and then install the septic and do excavation, and then continue construction thereafter to try to get as much done this year as possible. The new camp will occupy the same location as the one-story camp. He will be adding a ½ story on the new structure. There will be two inhabitants most regularly, with family visiting occasionally. Dana has completed the purchase of abutting land to increase the size of his lot to meet State Minimum Lot size of 20,000s.f. to be considered a minimum conforming lot. Brian Demshar initiated the Shoreland Zoning Findings of Fact. With the review of each of the questions, all items were found to be acceptable. Roddie Ehrlenbach made a motion to approve the application. Tom Bird seconded the motion. Motion approved via roll call.

The next item on the agenda was to continue the workshop discussion of non-conforming structures as outlined in the Standard Zoning Ordinance. Chris Parks provided an excerpt of the language that exists, along with some footnotes on discussions and interpretation. Chris noted that the prior applicant had purchased additional land from the Town (lot abuts the Outdoor Center parcel and neighboring properties have been encouraged to acquire 25-50' of lot depth to gain conformance) to make the existing structure conforming to the rear lot line instead of the 13' it originally setback from. He proposes to add an Item C to indicate that a non-conforming structure that is willingly removed by the owner can be rebuilt in accordance with the ordinance, either by approval by the Code Enforcement Officer or with a conditional use permit granted by the Planning Board. Brian Demshar asked about the time limit for reconstruction on such a reconstruction. It is currently 12 months, but that may need clarification. Chris Parks said that a building permit is good for 24 months, and there are times that the Code Enforcement Officer will work with the owner, depending on any extraordinary circumstances. He interprets the ordinance to allow for 12 months to rebuild a non-conforming structure under "grandfathering", but after that, it would need to be in compliance. Roddie Ehrlenbach noted that, if the property is destroyed by other than an intentional act, he would like to see a 12-month window for work to begin, since there are times when the insurance companies aren't as quick to respond as desired. The group agreed that there should be some ability for extenuating circumstances to be reviewed from time to time. Roddie Ehrlenbach said he would like the language to clarify that the construction needs to begin within a one-year timeframe (in the event of an act of God) and will default to the CEO, but if it lingers beyond that year it may need to come before the Planning Board. He said all other notes are agreeable. Chris Parks noted that once consensus on any recommended change is decided, that the Planning Board's recommendations will go to the Selectmen for their decision to be put on a warrant article item on a future town

meeting. It was decided to ask Chris to put some language to this matter for consideration at the next meeting. Phoebe Folger asked if owners of non-conforming structures can willfully tear down their structure and build again and/or expand on the non-conforming lot in a different location – does this risk issues with abutters. Roddie Ehrlenbach noted that they need to be in compliance with setbacks, if that were to be the case. Phoebe asked about Section 3.2.a in the zoning ordinance, which discusses the 25% expansion, and whether an owner can destroy and increase a structure without violating this section of the ordinance. Alan Sleight explained that it would make it more non-conforming, which is what the concern was with a prior discussion. Howard Ross asked if an owner could tear down a non-conforming structure, shouldn't it have to be rebuilt in full conformance? Chris Parks said that, while he agrees that would be ideal, there are times when an improvement to the situation may be the best that can be achieved (especially when considering site features, topography, wells and septic) which is why these matters sometimes come to the Planning Board to make determination of findings if the proposed condition will be no less, or more conforming than the existing condition. More on this will be discussed at a future meeting.

Meeting adjourned at 8:26 p.m.

Respectfully submitted,

Lynn M. Schnorr