

**Town of Newfield  
Planning & Zoning Board  
March 6, 2013  
Public hearing & Planning Board meeting Minutes**

**MEMBERS PRESENT:** Denise Carpenter, Anthony Garrity, Christine Iannazzo, Gloria Dyer, Ben Buzzell & Marguerite Correia.

**Members Absent:** Robin Thayer

**Comprehensive Planning members:** Hillary Wallis & Mr. Iannazzo (Christine's Husband)

**Audience Members:** Steve Sanborn, Code Enforcement Officer, and Edwin Lewis

**Comprehensive Plan**

The board and volunteers worked in their Comp Plan subcommittees from 7-8 p.m.

**OFFICIAL BUSINESS**

Meeting was called to order at 8 p.m. Pledge of Allegiance done by all present.

**DISCUSSION**

**Public Comment:**

Board will vote to hear Edwin Lewis under other business after scheduled agenda items.

**New Business:**

**Maplewood Road rebuild after house fire**

**Steve Sanborn**

Steve came before the board presenting applicants, Brian and Priscilla Hinchey of 212 Onamor Drive, West Newfield, ME 04095. The Hinchey's home burned down recently and they have come to Steve for assistances in rebuilding. The design is basically the same with a few additions one being safety and adding a egress. Discussion regarding whether the house can go back further to fall within the required setbacks. Steve responded that the lot does not allow for a setback then the road setback would be in question. Rebuilding in the same foot print is The Hinchey's right after fire damage. The reason they come before the board tonight is to request the small section of building that falls within the 100 ft of Shoreland zoning specifically the first 20 ft which is why they are before the board. Since the house is within 100ft Shoreland zoning and NRPA applies; the expansion request can only be 10%. They have already applied for permit by rule. Steve said he would forward a copy of permit by rule to us upon receipt.

Is there a foundation or slab there?

Both are present. Only the garage is on the slab section.

Is any portion of the foundation or slab usable? Because according to guidelines that the board has to follow if the foundation is not in good usable condition we have to then follow the 100 ft setback requirement.

Steve assured the board the foundation and slab are fine.

Gloria wondered what side the emergency egress is now on? It is on the water side.

How long ago did the fire occur? Local residences confirmed within less than 18 mts.

Are the Dormers apart of the expansion?

Steve stated that the Dormers fall within the normal setbacks so are not a part of the 10%.

The Dormer with the egress is a part of the 10% calculation come in at 3%

Ben asked who is the contractor? Steve wasn't sure. Permit by rule does apply here and we would need a copy of that. The applicant does fall within the 10% expansion by NRPA

Gloria clarified with Steve the correct acronym for Natural Resource Protection Areas. Steve said it is NRPA. Thanks Steve for that information.

Denise would like, as always, best management practices be a condition of approval with regards specifically to erosion control.

Concerns were raised about the roof pitch changing. Only the dormer is 10%.

A motion was made by Gloria Dyer to approve the proposed 10% expansion per NRPA as described in the letter being built on the same foot print. Conditions of approval are that best management practices with concerns towards erosion control be followed and the board receive a copy of the permit by rule from NRPA. Motion seconded by Christine Iannazzo. Vote Unanimous. Motion passed.

**Other Business:**

**Terms of Service:**

Gloria brought to the boards attention that all of the terms are not staggered. The solution we have is to all just figure out where we fall sign the paper and go back down to the town hall to finalize. Denise asked Ben if he could go down to the Town offices at some point to be sworn in as a full member. We can discuss further. Gloria will send email with document attached for the board to further think about.

**Edwin Lewis, King James Grant & Symmes Pond Road**

Edwin is before the board this evening as the owner of Symmes Road. Edwin has been before the board several times and only just a few years ago regarding snowplowing issues. Gloria presented email and phone notes with Mr. Lewis He has requested 10 minutes. The board voted unanimously to hear Edwin. Since Christine Iannazzo parents are abutter to property being discussed she is going to recused herself from this discussion to avoid a conflict of interest issues.

Edwin explained his frustration in having to take the time to figure this mess out. It took him 9 months to locate the actual owners. They then sold it to Symmes Open Road Associates Incorporated. The board would really like to see the deed. Edwin went over the problem that the common area and roads were never deeded properly. The subdivision was never finalized and lots were sold and ownership of the road was never finalized. Board asked who maintains road now if not an approved town road? Edwin said he does.

King James Grant has a property association that manages road and common space. With Symmes Pond Road deed ryders were never filed with the deed or followed the different sales the lots went through. Thus an association was never formed. New owners weren't even informed of this situation. The corporation that began the Symmes acres and then sold it never transferred ownership of the road. No one knew who owned the road. Of course everyone has a right of way to their property.

What Edwin would like to see in the approval of future subdivisions is following through on finalizing roads.

Denise asked when was that subdivision built? Edwin responded 1978. 1979 is when the state addressed this issue and the town updated in 1988. So the issues were addressed in the Subdivisions Regulations book on page 22. Denise read from page 22 the section that applied.

Edwin raised concern of what happens in the exception that the owners don't relinquish ownership of said road or common land to the homeowners association.

Other avenues sometimes have to be taken but the board cannot police those situations.

Board asked if Edwin would supply a copy of deed for the record.

**Advertising:**

Smart shopper approximate sizes and prices listed below:

5x5 = \$70

3x5 = \$47

3x3 = \$30

business card size = \$20

The board would like to try to aim for business card as the maximum size for \$20 but smaller if able. And only advertise in one paper for the proper legal notice time.

Some suggestions discussed were maybe just doing line notice for 2 of the 4 weeks and business card size for the other 2 weeks.

**Next Month's tasks:**

At next month's meeting the board will review advertisement sizes along with pricing. Shoreland Zoning maps and ordinance language and Terms of Service.

Christine Iannazzo made a motion we adjourn the meeting seconded by Ben Buzzell. Meeting adjourned at 9:30 p.m.

Respectfully submitted,

Marguerite Correia  
Recording Secretary  
Planning Board of Newfield, ME