

## **Liberty Planning Board Minutes**

April 13, 2017, convened 7:00 pm, Liberty Town Office

**Attendance:** Peter Mallow, chair; Lou Pelletier; Vic Ahlefeld; Al Johnson; Norman Fuller; Steve Chapin, alt; Danielle Blake, secretary.

### **II. Procedural**

1. Review minutes of March 9, 2017 meeting. Motion to accept by Fuller, seconded by Pelletier. Pass 5-0.
2. Comments by CEO on matters pertaining to the Planning Board. CEO not present.

### **III. Applications**

1. Garafano, Brenda. 180 Roberts Shore Rd. Map 20 Lots 78 & 51. Application to attach a 40' X 10' screened in porch to house 100' from the HWM on non-conforming lot.

Garafano replied no when asked by the chair if she had anything to add to her application. Mallow raised the question if the porch add-on made the structure more non-conforming. Garafano said it met the 100' setback. Chapin said the 100' set back was the main issue, so it would be safest to have the CEO measure the distance from the HWM. Mallow asked why it was a non-conforming lot. Chapin replied it was the size of the lot and the amount of road and shore frontage. Mallow stated that it couldn't be made more non-conforming and asked what Garafano's time frame was. She replied that she would like to start tomorrow. Mallow asked if she had enough time to get verified measurements. Fuller asked if the porch was to be screened in and roofed and stated that couldn't be done before. Ahlefeld asked if he was referring to the % of coverage clause. Fuller said that makes it a non-permeable surface. Mallow said you have to see if it adds to the footprint of the structure itself. Pelletier said that the roof overhang counts in the calculation. Chapin calculated that the structure was 400 sq. ft., the deck was also 400 sq. ft. for a total of 800 sq. ft. on a 8800 sq. ft. lot, but said that because it isn't a non-conforming structure, it doesn't matter. Section 15b4 of the SZO was cited—not to exceed 20% of the lot with non-permeable surface. Chapin wondered what the driveway dimensions were. Mallow asked if the Board wanted to have Harriman measure. Chapin said that was the only issue and noted that Garafano owned a lot across the street so has more space. Mallow asked if the Board wanted to table the application. Chapin replied it could be made contingent. Johnson motioned to approve the application with the condition that the CEO verify that the proposed deck and structure meet the 100' setback. Fuller seconded. Pass 5-0.

2. Nash, Cary. 24 Kirby Island Rd. Map 21 Lots 17 & 29. Contractor Thomas Bland. Application to install frostwall under existing non-conforming 47' X 20' camp with nearest point 19' from the HWM.

Nash said it is a non-conforming lot and camp and they want to lift the camp and put a frost wall underneath. He said there is a septic tank located behind the camp. Contractor Tom Bland (present at the meeting) wrote up a plan. Mallow said he remembered from their appearance at the previous PB meeting the situation was that the structure would have to be moved back to make it less non-conforming but because of the septic tank it couldn't be moved. Chapin noted that on the plan the other shaded lots belonged to Nash and allowed space for it to be moved back. Nash said that the leach field was in back. Mallow cited SZO section 12c2-setback to the greatest practicable extent. Nash said he hoped they wouldn't have to move the septic. Chapin responded that wouldn't be practical. Mallow asked what existed where the frostwall would go. Bland said there were tipped Sonotubes and added they intended to raise the camp 2-3'. Fuller asked if they were talking about doing this for the entire perimeter. Bland responded they didn't intend to dig way down and would use blue styrofoam to insulate. Fuller asked if the septic tank was metal. Nash responded it was concrete. Bland said he thought the easiest thing was to lift the camp, slide it over, and put up the frostwall. Fuller said that it could then be moved back. Ahlefeld asked if the septic tank on this lot and the leachfield on the other made moving it back not practical. Chapin said that they couldn't judge what was practical tonight, they would need to do a site visit. Ahlefeld said the real goal of moving it back was to get it beyond 100' and not just move back 5'. Fuller said it might be too expensive. Ahlefeld said they may then choose to just replace the footings and consider it repair and maintenance. Ahlefeld motioned to table the application so that the Board could do a site visit and determine if it was practical to move the camp back, seconded by Pelletier. Pass 5-0.

#### **IV. Public**

None present.

#### **V. Administration**

1. Pending application work.
  - Braley, James and Margaret. 127 Howes Cove Rd., Map 2 Lot 21-G. Braley presented revised plans to the Board for a structure permitted by the Board at the 3/9/17 meeting. The plans were altered to decrease the house size and change the orientation so that the roof was more southerly facing. Mallow noted that the revisions hadn't changed the conformity so the new plans would just replace the old in the SZ application submitted by Braley.
2. Ordinances

- Approved Shoreland Zoning Ordinance—Blake to make copies to distribute to the Board at next meeting.
3. Any other administrative matters that might properly come before the Board.
- Charlie Evans-wrote a letter to the Board requesting a change to the wording on the Smiley Shores Subdivision plot plan. Chapin noted the town should get a copy of this plan from the Registry of Deeds. Mallow asked if this had anything to do with the PB. Chapin said yes, because the Board deals with subdivisions. He said the request may trigger a clause in the SZO and that they would need to look at the Subdivision Ordinance. He said he wasn't sure if the recombining clause was triggered. SZO section 12e1 dealing with non-conforming lots was cited—grandfathered lots don't have to be combined. Mallow said he would draft a letter to Evans requesting a signed plan recorded at the Registry of deeds as well any pertinent documents regarding this subdivision. Letter will be sent to the Board for review prior to mailing.

Motion to adjourn by Johnson, seconded by Fuller. Pass 5-0. Adjourned 8:40 pm.