

1 **TOWN OF NORTHPORT**

2 **PLANNING BOARD MEETING**

3 **JUNE 14, 2022**

4  
5 **Present:** Planning Board Chairman Reeves Gilmore, Planning Board Vice Chair Jim Nealey, Planning  
6 Board Member Mike Parker, Planning Board Member Rich Coleman, Planning Board Secretary Patsy  
7 Littlefield, CEO Toupie Rooney, James Dorsky on behalf of Magnificent Seven Limited Partnership for  
8 Cove View Subdivision, Chris Maseychik, Drew Martens and Paul Overgaag

9 Meeting was opened at 6:01 p.m. by Chairman Reeves Gilmore. It was determined that a quorum is  
10 present. Reeves reports that Al Grimshaw would like to become an alternate if we find another regular  
11 member for the Board. There are presently two (2) alternate positions open.

12 **OLD BUSINESS:**

13 **Sammis / Cove View Subdivision represented by James Dorsky of Gartley & Dorsky**

14 **MAP U14 / LOT 1-1, 1-2, 1-3**

15 **Making a 3 lot subdivision into a 2 lot subdivision**

16 Reeves Gilmore made the statement that in the last two (2) years we have been working on changes to  
17 the Subdivision Ordinance, so he had reviewed what the current Subdivision Ordinance is as that is what  
18 the Cove View Subdivision had originally applied under. Therefore, this is termed a minor subdivision as  
19 it is less than four (4) lots; it had three (3) lots but is now being changed to be only two (2) lots. As a  
20 minor subdivision, if it is considered that he has a complete application at this meeting, then we can go  
21 straight into the final application and approve all in one (1) meeting.

22 James Dorsky went over the Magnificent Seven Limited Partnership, LLC, subdivision which was  
23 originally approved as three (3) lots but is now being amended to only two (2) lots. Another change  
24 within the two (2) lots is the long driveway which had been required because there was no 600' of road  
25 frontage to allow for the original three (3) lots. Now there is enough road frontage to support the  
26 proposed two (2) lots and the long driveway is being eliminated. There has been no change in  
27 ownership with any of the lots.

28 **FINDINGS OF FACT Subdivision Name: Cove View First Amended Subdivision**

29 **The Applicant proposes to amend Cove View Subdivision by reducing three (3) lots to two (2) lots.**  
30 **One lot is developed as previously approved in the original recorded subdivision. Said proposed**  
31 **amendment plan is hereinafter referred to as "The Project".**

32 **4.1. Pollution. MET.**

33           **The Board finds on motion made** by Jim Nealey and seconded by Mike Parker that The Project,  
34 in fact, will lessen the possibility of any air or water pollution. Ultimate developed surface area will  
35 decrease, expected traffic volumes may decrease and density will decrease. The Planning Board voted  
36 4-0 **in favor** of this motion.

37 **4.2. Sufficient Water Supply. MET.**

38           **The Board finds on motion made** by Mike Parker and seconded by Jim Nealey that The Project  
39 has sufficient water for the foreseeable future. The Project will lessen onsite demand for water, and the  
40 lots are served by individual water wells. The Planning Board voted 4-0 **in favor** of this motion.

41 **4.3. Municipal Water Supply. NOT APPLICABLE.**

42           **The Board finds on motion made** by Jim Nealey and seconded by Rich Coleman that this  
43 criterion is not applicable. The Project does not have access to a municipal water supply. The Planning  
44 Board voted 4-0 **in favor** of this motion.

45 **4.4. Erosion. MET.**

46           **The Board finds on motion made** by Rich Coleman and seconded by Mike Parker that The  
47 Project will result in lessening potential erosion and will not affect the land's capacity to hold water. The  
48 Planning Board voted 4-0 **in favor** of this motion.

49 **4.5. Traffic. MET.**

50           **The Board finds on motion made** by Jim Nealey and seconded by Rich Coleman that The Project  
51 will not increase but will, in fact, lessen the amount of potential traffic to the site with the reduction of  
52 the number of lots for development. The Planning Board voted 4-0 **in favor** of this motion.

53 **4.6. Sewage Disposal. MET.**

54           **The Board finds on motion made** by Rich Coleman and seconded by Jim Nealey that The Project  
55 will rely on private individual sewage systems. The lots are appropriate in size. The Planning Board  
56 voted 4-0 **in favor** of this motion.

57 **4.7. Municipal Solid Waste. MET.**

58           **The Board finds on motion made** by Rich Coleman and seconded by Jim Nealey that The Project  
59 will not adversely affect the town's ability to process solid waste at the Northport Transfer Facility. The  
60 Planning Board voted 4-0 **in favor** of this motion.

61 **4.8. Aesthetic, Cultural & Natural Vales. MET.**

62           **The Board finds on motion made** by Jim Nealey and seconded by Rich Coleman that The Project  
63 will not adversely affect aesthetics of the site or place of scenic natural beauty. No historical sites or  
64 wildlife habitats have been designated. The Planning Board voted 4-0 **in favor** of this motion.

65 **4.9. Conformity with Local Ordinances/Plans. MET.**

66 **The Board finds on motion made** by Mike Parker and seconded by Rich Coleman that upon final  
67 approval The Project will comply with the adopted Northport Subdivision Ordinance and Comprehensive  
68 Plan. The Planning Board voted 4-0 **in favor** of this motion.

69 **4.10. Financial and Technical Capacity. MET.**

70 **The Board finds on motion made** by Rich Coleman and seconded by Mike Parker that The  
71 Project will require no construction of common infrastructure to serve the lots. Applicant is the owner  
72 of the entire tract to be subdivided. The Planning Board voted 4-0 **in favor** of this motion.

73 **4.11. Surface Waters. MET.**

74 **The Board finds on motion made** by Jim Nealey and seconded by Rich Coleman that The Project  
75 is not within the watershed of any pond or lake or within 250 feet of a designated wetland. The  
76 Planning Board voted 4-0 **in favor** of this motion.

77 **4.12. Ground Water. MET.**

78 **The Board finds on motion made** by Mike Parker and seconded by Rich Coleman that The  
79 Project will lessen the demand for groundwater; therefore, there will be no adverse effect on the quality  
80 or quantity of groundwater. The Planning Board voted 4-0 **in favor** of this motion.

81 **4.13. Flood Areas. MET.**

82 **The Board finds on motion made** by Jim Nealey and seconded by Rich Coleman that The Project  
83 is not located within the FEMA designated flood plains per the adopted FIRM panels. The Planning  
84 Board voted 4-0 **in favor** of this motion.

85 **4.14. Freshwater Wetlands. MET.**

86 **The Board finds on motion made** by Rich Coleman and seconded by Jim Nealey that the  
87 applicant has identified freshwater wetlands on the submitted plan. The Planning Board voted 4-0 **in**  
88 **favor** of this motion.

89 **4.15. River, Stream or Brook. NOT APPLICABLE.**

90 **The Board finds on motion made** by Rich Coleman and seconded by Jim Nealey that this  
91 criterion is not applicable. The Project does not encompass or is adjacent to any river, stream, or brook  
92 as defined by Maine Statute Title 38, Section 480-B, Subsection 9. The Planning Board voted 4-0 **in favor**  
93 of this motion.

94 **4.16. Storm Water. MET.**

95           **The Board finds on motion made** by Rich Coleman and seconded by Jim Nealey that the  
96 infrastructure to manage storm water is in place. The Project requires no additional improvements. The  
97 Planning Board voted 4-0 **in favor** of this motion.

98 **4.17. Spaghetti Lots Prohibited. MET.**

99           **The Board finds on motion made** by Rich Coleman and seconded by Mike Parker that The  
100 Project does not propose any spaghetti lots. The Planning Board voted 4-0 **in favor** of this motion.

101 **4.18. Impact on Adjoining Municipality. MET.**

102           **The Board finds on motion made** by Jim Nealey and seconded by Rich Coleman that The Project  
103 does not cross any municipal boundaries. The Planning Board voted 4-0 **in favor** of this motion.

104 **4.19. Lands Subject to Liquidation Harvesting. MET.**

105           **The Board finds on motion made** by Jim Nealey and seconded by Rich Coleman that The Project  
106 is not in violation on any rules regarding liquidation harvesting. The Planning Board voted 4-0 **in favor** of  
107 this motion.

108 **4.20. State Subdivision Law Criteria. MET.**

109           **The Board finds on motion made** by Mike Parker and seconded by Jim Nealey that upon final  
110 approval The Project will comply with the above criteria and State law. The Planning Board voted 4-0 **in**  
111 **favor** of this motion.

112 **Motion made** by Jim Nealey and seconded by Rich Coleman that the application as submitted is  
113 considered to be a complete application. The Planning Board voted 4-0 **in favor** of this motion.

114 **The Board finds on motion made** by Jim Nealey and seconded by Rich Coleman to approve the  
115 amendment to the Cove View Subdivision as stated on the Findings of Fact with no conditions of  
116 approval. The Planning Board voted 4-0 **in favor** of this motion.

117 The Findings of Fact and all three (3) plats were signed by Reeves Gilmore, Jim Nealey, Rich Coleman and  
118 Mike Parker.

119 **NEW BUSINESS:**

120 **Site Plan Review for Drew Martens representing MCM Properties LLC**

121 **207 Rocky Road**

122 **Map R1 / Lot 55**

123 **2 building 8 unit apartment complex**

124 Also in attendance were abutters Mark Dumas, Jean Cole, and Dana and Regina Kennedy.

125 Drew Martens explains his project on Rocky Road. He will construct two (2) buildings containing four (4)  
126 apartment units in each. Each building will be 60' by 36'. Each apartment unit will be two (2) bedrooms

127 and one (1) bathroom. Each building will house four (4) apartment units with two (2) units on the first  
128 floor and two (2) units on the second floor. Each building will have a one (1) entrance/exit in the front  
129 and three (3) exits in the back. Each unit has its own washer and dryer hookups available.

130 Reeves Gilmore asked about surface water drainage. Drew Martens responded that the water flows to  
131 the back of the property away from Rocky Road. There will be a dumpster on site, placed at the bottom  
132 right of the building complex parking lot. There is a play area in the back of the building. A lawn will be  
133 planted. There will be a grassed area between the two (2) buildings

134 Abutters voiced concerns over the lighting for the apartment complex, traffic, trash, septic, soil impact  
135 and surface runoff and noise from the number of tenants. Drew Martens addressed the issues. He  
136 stated there would not be any oversized lighting. He will install downward facing lights. There will be a  
137 30' buffer to the roadway.

138 Drew Martens stated there are two (2) septic designs for the property. This property is an 11 acre lot.  
139 There are no wetlands on the property. He clarified that no pets will be allowed at the apartment  
140 complex. Drew states that there will be a 30' buffer on Mr. Kennedy's side of the property line.

141 Reeves Gilmore explained to the abutters that under the town's ordinances there are certain things that  
142 the Planning Board can do and certain things that they cannot do. The Town of Northport does not have  
143 a land use ordinance. We follow the guidelines and rules that are available to us to enforce on a Site  
144 Plan Review.

145 The road commissioner will be looking at the driveway area. If any additional buildings are to be added  
146 in the future, that plan request would have to come back before the Planning Board for separate  
147 approval.

148 Reeves Gilmore called an end to the Drew Martens project discussion at this time as there were no  
149 further questions.

150 Reeves Gilmore stated that a signature block needed to be added. There was nothing to be signed  
151 tonight. There are changes to make on the plan:

- 152 Show the dumpster location.
- 153 Show the proposed landscape and buffer area.
- 154 Show the location of signs, if any.
- 155 Show the location of exterior lighting.
- 156 Need to add an approval block.
- 157 Show the drainage flow.
- 158 Show driveway dimensions.
- 159 Show utility pole location for property along Rocky Road.

160 **Motion made** by Mike Parker and seconded by Rich Coleman to table this application until the July 12<sup>th</sup>  
161 meeting. The Planning Board voted 4-0 **in favor** of this motion. Reeves Gilmore will prepare the  
162 Findings of Fact on this application for that meeting.

163 **Paul Overgaag**  
164 **3 North Avenue**  
165 **Map U5 / Lot 152**  
166 **Remodel of existing home**

167 Paul Overgaag states this is an older cottage with a small addition on the back. Above that addition is a  
168 roof deck. He wishes to demolish the addition and roof deck. He then will rebuild on the same footprint  
169 another one story addition with a deck on top. He will put a dormer the length of the side of the cottage  
170 on the shore side. There will be 3 skylights on the southeast side of the house. He will add new siding  
171 to the building. All of this will be done on the existing footprint.

172 CEO Toupie Rooney states he is at the Planning Board because this is a nonconforming lot and it is in the  
173 shoreland zone.

174 **Motion made** by Jim Nealey and seconded by Mike Parker to approve the application of Paul Overgaag  
175 for 3 North Street as presented with no expansion of square footage. The Planning Board voted 4-0 **in**  
176 **favor** of this motion. The application was signed by Reeves Gilmore, Rich Coleman, Jim Nealey and Mike  
177 Parker.

178 **Christopher Maseychik**  
179 **5 North Avenue**  
180 **Map U4 / Lot 151**  
181 **Remodel change of plans**

182 Chris Maseychik wanted to resubmit his application as there are some changes to his original  
183 application. He had reread the ZBA. The ground floor will remain as it is. The second floor will gain a  
184 room at the rear. The third floor will gain two (2) rooms at the front. He will also put in a partial  
185 foundation based on the drainage issue at the front of the cottage. The roof of the central portion of  
186 the cottage will be pushed out on two (2) sides to gain some headroom inside the cottage. The height  
187 will be maintained at 35'.

188 **Motion made** by Jim Nealey and seconded by Rich Coleman to approve the Chris Maseychik application  
189 for 5 North Avenue as submitted with no approval conditions. The Planning Board voted 4-0 **in favor** of  
190 this motion. The application was signed by Reeves Gilmore, Rich Coleman, Jim Nealey and Mike Parker.

191

192 **ITEMS FOR DISCUSSION:**

193 CEO Toupie Rooney wished to discuss Metric Motorcar, business of Ron Parkinson. He is adding on. He  
194 wants to put in a full slab and build a lean-to (588 square feet) only on the length of the existing  
195 building, not on the whole slab. Toupie is wondering if the concrete slab is considered part of the  
196 structure. The consensus is it would be considered as a driveway, not part of the structure; and the  
197 Planning Board would have no problem with it.

198 **MINUTES:**

199 Minutes of the May 10, 2022, meeting was reviewed. There were no corrections.

200 **Motion made** by Reeves Gilmore and seconded by Rich Coleman to approve the minutes of the May 10,  
201 2022, meeting as presented. The Planning Board voted 4-0 **in favor** of this motion.

202 **Motion made** by Jim Nealey and seconded by Rich Coleman to adjourn the meeting at 7:50 p.m. The  
203 Planning Board voted 4-0 **in favor** of this motion.

204 Respectfully submitted,

205 *Patsy Littlefield*

206 Secretary

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