

**St. George Planning Board
St. George Town Office
February 23, 2021 - 7 p.m.**

The Planning Board meeting was called to order at 7:00 p.m. via Zoom. Members present were: Anne Cox, Chair; Jane Brown, Anne Cogger, Ray Emerson, Mary K. Hewlett, Michael Jordan, and Alan Letourneau. Also present: CEO Terry Brackett, Richard Bates, Mark DeMichele, Loreen Meyer, and Greg Soutiea.

Quorum: Due to personal issues, Michael Jordan asked to step down as a voting member for this meeting and to participate as the alternate. Anne Cogger (alternate) was elevated to voting status. A quorum was present.

Conflict of Interest: None.

Adjustments to Agenda - The following adjustment was made:

- A Brief Discussion Regarding Orientation of New Members was added under Workshop.

Review of the Minutes:

Planning Board Meeting — February 9, 2021 – The minutes were corrected as follows:

Page 2, under #3, line 2, change to read: There are no **developed** or natural...

Page 3, #7, add the following wording after vote: ... , **because the site is in tidal waters.**

#8, add the following wording after vote: ... , **because there are no such structures.**

#9, add the following wording after vote: ... , **because it is not in a CFMA District and there are no structures.**

A motion was made by Hewlett, seconded by Brown, to approve the minutes of February 9, 2021, as amended. The vote was 5-0. The motion carried.

Public Hearing Minutes – Ronald Thow, 6 Hupper Island - February 9, 2021 - A motion was made by Letourneau, seconded by Cogger to approve the Public Hearing minutes as written. The vote was 5-0. The motion carried.

Public Comments: None.

Building Permits:

a. Maine Coast Construction Corp. for Steve Culver, 33 Cottage Road / Map 101, Lot 40 Mark DeMichele represented the property owners, Steve and Holly Culver. The application is to construct two (2) dormers in an existing bedroom on the east side of the cottage. The Existing and Proposed Use is Residential. Shoreland Zone District: Marine Residential. Floodplain Designation: AE-11.

DeMichele explained the proposed project. The plan is to add two small dormers on either side of the existing gambrel structure to enlarge the space and provide more light and headroom to that area. The ridge of the new structure will not exceed the existing ridge of the house. The existing room is approximately 11' x 16'. There is no footprint change. The applicant is not expanding the footprint just getting more headroom in the same footprint. No plumbing work will be done. Minimal electrical work will be done, i.e., adding a couple of lights in that space, and two new windows will be added.

Hewlett asked DeMichele if the chimney is on the water side or the land side. He stated it is on the land side. Hewlett asked Chair Cox if the plan could be amended by drawing an arrow to the two proposed sections. The change was noted.

Hewlett: "What is the setback from the water?" DeMichele stated there is no picture of the other side of the cottage in the application packet, but there is an open porch. He estimated the porch to be approximately 30' from the water.

Jordan asked about the lot coverage; the application says it is 10 percent. Jordan stated that when he divided 2,100 sq. ft. of the total amount of the buildings by the 12,222 sq. ft. of the lot, he got 17.2 percent. (Chair Cox agreed.) Jordan added, "But 20% is allowed."

DeMichele: "I took this application because I didn't have the lot and map number from several years ago when we applied for a kitchen addition and were permitted to do it. It is on the same side. I took the application, and I might have missed that 10%. I might have done that calculation based on the old permit (application). That could be a mistake on my part, and I would defer to your math."

Jordan: "Would we have your consent to change the 10% to the 17.2 percent?"

DeMichele: "The total square footage of all buildings is 2,100. Yes, please, we will change that."

Hewlett: "My point was going to be we are adding square footage."

DeMichele: "No, we are not. We are not expanding the footprint."

Hewlett felt they were adding square footage to the building. DeMichele explained that it is more volume. Brown and Emerson agreed.

Chair Cox stated they were not adding ground footprint. Hewlett noted on page one of the application under Property Information, Total sq. ft. of all buildings, it was adding square footage to the building and she felt it was interior square footage. Brown stated the room was no bigger, and Chair Cox added they were not expanding; the dormers were just going straight up. Brown reiterated it was just dormers, the measurements of the room were 16' x 11', therefore the square footage was no larger.

Letourneau: "To clarify. The cubic footage is being expanded; the square footage is not." Brackett explained that under the "old method" they used to use square footage and volume. The state dropped the volume. Hewlett stated okay.

Chair Cox reviewed why the application was before the Planning Board. The estimated cost was more than \$10,000 and the project was located in the 75' buffer zone of Shoreland Zoning. The Planning Board had no further questions.

A motion was made by Letourneau, seconded by Brown, to accept the application as complete. The vote was 5-0. The motion passed.

Chair Cox reviewed the location of the proposed project, noting the construction of the two dormers would be on the landward side of the Culver's cottage and she felt the project met the standards according to town ordinances.

A motion was made by Cogger, seconded by Brown, to approve the application because this project is not increasing the footprint, construction will take place on the landward side of the building, and there appears to be no town ordinance that prohibits this construction. The vote was 5-0. The motion passed.

Site Plan Review:

a. Craginair Inn, Greg and Lauren Soutiea, 5 3rd Street, Spruce Head, Map 106, Lot 016

The applicants were present. The application is to expand outdoor seating, add a second-floor balcony on the water side, and expand the existing deck located on the water side of the building. Shoreland Zone District: Marine Residential (MR). Floodplain Designation: VE-19

Greg Soutiea stated the project was to expand the Craginair Inn's deck, adding approximately 40-45 more seats. He stated because of Covid, last season they were only able to seat one-half of their inside tables. They also used the existing deck for outdoor dining and placed several picnic tables under a tent. That arrangement seated about 20-25 people.

The applicants also want to extend the roofline to cover approximately one-half of the tables and add balconies and partitions for three guest rooms above the restaurant. Those will be private balconies for their guest room rentals. Soutiea was not sure if they could financially do the roofline and balconies this year, but they would like to keep the permit request active because they felt the two projects went hand in hand with the construction.

Soutiea stated they talked with their closest neighbor who lives next to the Inn on Lot 017. The owners of that home are in favor of the project and are willing to issue a written statement if that would help with any concerns the Planning Board might have.

Chair Cox noted the existing structure was nonconforming. She asked Soutiea for the current setbacks of the building to the road. Soutiea stated on Clark Island Road, going down towards the water, it got a little closer to the road and thought the deck was 8 feet to 10 feet at that point.

Jordan: "When the new extension to the deck is added, how far will it be from the road at that point?" Soutiea did not know.

Brackett: "If it is about 8' now, it would be 5' to 6'. I didn't measure it at that time figuring that I would have to go over there to put stakes in to figure out if they have the setback from the leach field."

Chair Cox: "Will that not be an issue?" Brackett stated yes, it could be an issue.

Hewlett: "Is it 10' for Commercial?" Brackett stated 20 feet. Chair Cox stated that in the case of a nonconforming structure, the nonconformity cannot be increased. Brackett stated that is correct.

Jordan thought Soutiea could angle the deck off a little bit away from the road at that corner and that might solve the problem.

Hewlett: "We have a septic diagram. Are we looking at restaurant capacity, patrons vs. existing septic?" Brackett stated the diagram is there because they will probably have to apply for a variance to get the deck in there according to this plan.

Brackett asked Soutiea about the septic systems. Is the smaller system (960 gallons per day) in front of the Inn? Soutiea stated yes, the smaller of the two is for the kitchen. Brackett asked if that included the dining room. Soutiea stated there are only two bathrooms that are downstairs as part of the restaurant and those go into the inn's larger septic.

Brackett stated: "So, the 960 gallons a day is strictly for the kitchen?" Soutiea said he believed so but could double-check. He believed the town had them take the laundry off the kitchen one, about two years ago so, it is just the kitchen, dishes, and sink.

Brackett: "The guest rooms upstairs and the two bathrooms downstairs for the restaurant are on the larger system?" Soutiea stated that is correct. All the bathrooms in the house are on the larger system.

Chair Cox asked if part of the application was going to be for a new septic system. Soutiea stated no, both septic systems are brand new. Brackett said they have three new septic systems.

Chair Cox: "It sounds like there is plenty of septic capacity but in terms of wanting to increase the seating, as well as parking, do we know what they are and if they are within that?"

Brackett: "No, I've got to figure that out, but in order to calculate that out, I have to know how many guest rooms they have in the inn, and the number of existing seats and proposed seats along with which meals they are serving."

Soutiea noted the contractor who did the septic last year still needed to come back and compact the lot and will add a little more gravel where it got packed over the winter. They will then have it striped and each space individually marked with Maine Coast Heritage Trust. Soutiea stated because they were rarely over capacity last summer, they did not enforce the 8-spot limit for the preserve. He stated that even when they had 20 cars in the parking lot and the people were all at the preserve and 60 plus people out on the beach, they still had enough parking.

Soutiea: "I have a layout of the parking lot done by the engineer last year, and I can look to see how many spaces that is. Effectively, it is only about 20 more seats than we were using last year since we already had about 20-25 outdoor seats. Once we better monitor and control where the preserve visitors parking is, I don't think that will pose a problem."

Chair Cox thought the Planning Board needed more information they could compare to the standards such as, "What is the layout of the parking lot? How many parking spaces? If you would be adding 40-45 seats with the additional deck, where they going to park?" Chair Cox also felt the Planning Board should have a diagram/sketch showing where Clark Island Road is in relationship to the proposed deck. She added, "Where the current setback is; it cannot be more nonconforming. What would that look like? And there may be some other things."

Hewlett stated the tent they used to cover the picnic tables last season never got approved by the Planning Board, and if they were planning to use a tent again, it had to be included in the

application. Soutiea stated he did not realize the tent needed approval because it was a temporary structure. He stated they were not planning to do that again with the additional patron seating on the deck.

Letourneau, "Distance from the water." Brackett believes they are over 75 feet. Soutiea stated they have 450' of road along Clark Island according to the diagram. He thinks it is about 200' from the water.

Hewlett: "You understand where the existing building is and if you were to bring the deck out, you would practically be in Clark Island Road." Jordan and Chair Cox noted Soutiea could just not increase the nonconformity. Jordan said whatever the current distance is, it can't be exceeded. Hewlett said the current distance is almost on the road now, so it is going to have to be moved over. Chair Cox: "Right, but it doesn't need to be moved over 20' feet; it just cannot get any closer to the road than it currently is." Soutiea stated he would get the exact measurements for them.

Hewlett asked if handicapped spaces need to be delineated on the parking diagram. Soutiea stated the building is not handicapped accessible now. "I think we are grandfathered into the ADA accessibility and as far as I know, we are not required to have any handicapped designated spots, currently."

Chair Cox asked Brackett about the variance. Brackett stated that is an issue he will have to deal with on the plumbing end and asked Soutiea how many meals a day are they serving. Soutiea said they are anticipating serving lunch and dinner, 5 days a week. Hewlett asked about breakfast for their guests. Soutiea stated they are open to their guests for breakfast but not to the public.

Hewlett asked about exterior lighting for the deck or other areas. Soutiea thought they would have lighting on the underside of the covered deck, and it would be downshielded. Hewlett stated they will need specifics. She asked about signage on the Clark Island Road. She noted they have a sandwich board sign, and the specifics should be included in the resubmission plan. Cox said it would be helpful to have everything spelled out.

The Planning Board discussed holding an on-site inspection visit and then taking up the application on March 23rd. Soutiea asked if there was any way the application could progress sooner before things started to get busy and under construction. He stated coordinating with contractors and ordering materials that are on 6–8-week delays would put them into June or July, their busy season.

Jordan suggested there was nothing in the ordinance that required the Planning Board to do an on-site. They wouldn't need to waive it; they just would not need to do it. Jordan thought most of the Planning Board members had been there enough to know the layout of the property and this was one case in which they did not need to go and inspect it. Brackett asked if they were going to waive the Public Hearing? Jordan said there was no requirement for a public hearing and no requirement for an on-site. They did not need to waive anything. They could just decide not to do it.

Chair Cox stated she would be happy to have a very clear application, not just the construction drawings, but a site plan that shows where the road is. How far away is the water? All those

details. Chair Cox asked if the Board had detailed information, would that be sufficient. Hewlett stated that would be fine if people thought that would be okay with the abutters and neighborhood.

Letourneau suggested the Site Plan that would be resubmitted should show that there was no further encroachment on Clark Island Road. He explained, "In other words, the deck needs to be angled, even that one side of it that is abutting the road. If that is angled to maintain that 8' to 10' that is there, that is what the Planning Board needs to see."

The Planning Board discussed Option 1 and Option 2 on the submitted application. Soutiea said the difference was the staircase and Brackett had told him Option 2 was not an option because of the septic system. When he resubmits the application, he will not include that option.

The application will be placed on hold for the March 9th meeting. Hewlett recommended that Soutieu review the 20 questions in the Site Plan Review and said the Board would also need information such as, hours of operation, the number of chairs and the seating capacity, etc. Chair Cox stated the Board would need the additional information they discussed. Hewlett asked Soutiea if he would work with Brackett to make sure he had a completed application. If not, the Planning Board would have to delay his application again, and she knew time was of the essence. Chair Cox asked Brackett if he was good with that. Brackett stated yes.

Other Business: Chair Cox stated the Planning Board should have received an email from the Board of Appeals regarding the Findings of Fact/Decision on the Midcoast Marijuana Company. Discussion of this item will be placed on the March 9th agenda.

There was no further business to come before the Board. On a motion by Brown, seconded by Letourneau, it was voted 5-0 to adjourn at 7:48 p.m., and the Board immediately went into a workshop.

Respectfully submitted,

Marguerite R. Wilson
Planning Board Recording Secretary