

PORTAGE LAKE PLANNING BOARD

REGULAR MEETING

FEBRUARY 11, 2009; 7:00P.M.
12

THURSDAY

CONFERENCE ROOM PORTAGE MUNICIPAL
BUILDING

AGENDA

I. CALL TO ORDER AND DETERMINE QUORUM

II. PUBLIC HEARING

III. REVIEW AND APPROVE MINUTES

Minutes of December 11, 2008 meeting.

IV. NEW BUSINESS

- A. Danny Higgins, Map 8 Lot 1, flood plain application.
- B. Shoreland ordinance update
- C. Windmill proposals
- D. Amendments to fee schedule fines etc.
- E. Election of officers
- F. Fire/demolition ordinance that prohibits demolition by burning
- G. Respond Pat Hunt's letter

V. OLD BUSINESS

VI. OTHER BUSINESS

VII. ADJOURN

PORTAGE LAKE PLANNING BOARD
REGULAR MEETING
FEBRUARY 12, 2009 7:00 P.M.
PORTAGE LAKE MUNICIPAL BUILDING

MINUTES



Chairperson

Members present: Bonnie Condon, Brian Condon, Audrey Rafford, Gerry Cormier, and Bruce Hussey, CEO

I. CALL TO ORDER AND DETERMINE QUORUM.

A quorum was confirmed and the meeting was called to order at 7:03 P.M.

II. REVIEW AND APPROVE MINUTES.

Audrey Rafford moved to approve the minutes from the December 11, 2008 Planning Board meeting. Brian Condon seconded the Motion. The Motion passed unanimously.

III. NEW BUSINESS.

- A. Danny Higgins, Map 8 Lot 1, flood plain application. The matter was tabled until DEP made finding on driveway.
- B. Shoreland zoning update. The CEO is to provide copies of the Maine Shoreland Zoning Ordinance to the members.
- C. Windmills zoning. Gerry Cormier raised the issue of zoning for wind farms. The CEO obtained different ordinances from other jurisdictions too numerous to provide copies to each member. Gerry Cormier volunteered to review the material and provide guidance to the Board.
- D. Amendments to the fee schedule fines, etc. The Board agreed that the criteria for fining violators were adequate subject to attorney review. The Board agreed unanimously that there should be 2 fines; one for major violations in the amount of \$1000.00 and one for minor violations in the amount of \$500.00. Gerry Cormier thought that the fees were increased by the Board of Selectmen prior; the CEO will discuss this with the Town Manager.
- E. Election of officers. Tabled to next meeting
- F. Prohibition of demolition by burning. The Board agreed that the Fire Chief inspect the building prior to the issuance of demolition permit to insure that hazardous materials have been removed.
- G. Pat Hunt's letter regarding division of contiguous lots. The CEO related his response that contiguous lots jointly owned cannot be divided if they fail to meet the minimum lot size and frontage.

IV. OTHER BUSINESS.

V. ADJOURN.

At 9:00 p.m. Audrey Rafford moved to adjourn. Brian Condon seconded the motion. The motion passed unanimously.

PORTAGE LAKE PLANNING BOARD

REGULAR MEETING

MARCH 12, 2009; 7:00P.M.

THURSDAY

**CONFERENCE ROOM PORTAGE MUNICIPAL
BUILDING**

AGENDA

I. CALL TO ORDER AND DETERMINE QUORUM

II. PUBLIC HEARING

III. REVIEW AND APPROVE MINUTES

Minutes of February 12, 2009 meeting.

IV. NEW BUSINESS

- A. Danny Higgins, Map 8 Lot 1, flood plain application.
- B. Shoreland ordinance update
- C. Election of officers
- D. Fire/demolition ordinance that prohibits demolition by burning.
- E. Fee Schedule.

V. OLD BUSINESS

VI. OTHER BUSINESS

VII. ADJOURN

PORTAGE LAKE PLANNING BOARD

SPECIAL MEETING

MARCH 25, 2009; 7:00P.M.

WEDNESDAY

**CONFERENCE ROOM PORTAGE MUNICIPAL
BUILDING**

AGENDA

I. CALL TO ORDER AND DETERMINE QUORUM

II. PUBLIC HEARING

III. REVIEW AND APPROVE MINUTES

Minutes of February 12, 2009 meeting.

IV. NEW BUSINESS

- A. Shoreland ordinance update
- B. Election of officers
- C. Fire/demolition ordinance that prohibits demolition by burning.
- D. Fee Schedule.


V. OLD BUSINESS

VI. OTHER BUSINESS

VII. ADJOURN

PORTAGE LAKE PLANNING BOARD
SPECIAL MEETING
MARCH 25, 2009 7:00 P.M.
PORTAGE LAKE MUNICIPAL BUILDING

MINUTES


Chairperson

Members present: Bonnie Condon, Brian Condon, Audrey Rafford, Gerry Cormier, and Bruce Hussey, CEO, also present were Brian Cote, Ray Cyr, Gary Hafford, and Darey Gagnon.

I. CALL TO ORDER AND DETERMINE QUORUM.

A quorum was confirmed and the meeting was called to order at 7:00 P.M.

II. REVIEW AND APPROVE MINUTES.

Brian Condon moved to approve the minutes from the February 12, 2009 Planning Board meeting. Audrey Rafford seconded the Motion. The Motion passed unanimously.

III. NEW BUSINESS.

- A. Danny Higgins, Map 8 Lot 1, flood plain application. The matter was not on the calendar but the Board permitted Mr. Higgins to present parts of his application. The matter was closed with Mr. Higgins to submit a completed application for the April 9, 2009 Planning Board meeting.
- B. Shoreland zoning update. The CEO provided copies of the updated Maine Shoreland Zoning Ordinance to the members. With input from the public, minor changes were made.
- C. Amendments to the fee schedule fines, etc. Tabled.
- D. Election of officers. Tabled to next meeting.
- E. Prohibition of demolition by burning. Tabled.

IV. OTHER BUSINESS.

V. ADJOURN.

At 9:15 p.m. Audrey Rafford moved to adjourn. Brian Condon seconded the motion. The motion passed unanimously.

PORTAGE LAKE PLANNING BOARD

REGULAR MEETING

APRIL 9, 2009; 6:00P.M.

THURSDAY

**CONFERENCE ROOM PORTAGE MUNICIPAL
BUILDING**

AGENDA

I. CALL TO ORDER AND DETERMINE QUORUM

II. PUBLIC HEARING

III. REVIEW AND APPROVE MINUTES

Minutes of March 25, 2009 meeting.

IV. NEW BUSINESS

- A. Danny Higgins, Map 8 Lot 1, flood plain application.
- B. Shoreland ordinance update
- C. Election of officers
- D. Fire/demolition ordinance that prohibits demolition by burning.
- E. Fee Schedule.


V. OLD BUSINESS

VI. OTHER BUSINESS

VII. ADJOURN

PORTAGE LAKE PLANNING BOARD
REGULAR MEETING
APRIL 9, 2009 6:00 P.M.
PORTAGE LAKE MUNICIPAL BUILDING

MINUTES


Chairperson

Members present: Bonnie Condon, Brian Condon, Audrey Rafford, Jeannie Long, and Bruce Hussey, CEO also present Gary Hafford.

I. CALL TO ORDER AND DETERMINE QUORUM.

A quorum was confirmed and the meeting was called to order at 6:00 P.M.

II. REVIEW AND APPROVE MINUTES.

Brian Condon moved to approve the minutes from the March 25, 2009 Planning Board meeting. Audrey Rafford seconded the Motion. Discussion was held the minutes of the March 25, 2009 failed to include Jeannie Long as in attendance. Audrey Rafford moved to amend the minutes of the March 25, 2009 to include Jeannie Long as present. The Motion was seconded by Brian Condon. The Motion passed unanimously.

III. NEW BUSINESS.

- A. Danny Higgins, Map 8 Lot 1, flood plain application. The matter was heard. The Board had the complete application before it. There was evidence provided that the elevation of the camp was above the 100 year flood plain and that a subsurface wastewater system can be designed for that camp. Discussion was also whether a site visit should occur prior to approval. The Board declined to visit the site. The camp was already there without prior approval. Jeannie Long moved to approve the application as submitted. Brian Condon seconded the Motion. The Motion carried.
- B. Shoreland Zoning Ordinance (final draft) was submitted to the members prior to the meeting. There were comments that the requested changes and grammatical errors corrected. Audrey Rafford moved to approve the Amendments to the Portage Lake Shoreland Ordinance as submitted without changes. Jeannie Long seconded the Motion. The Motion carried.
- C. Election of officers. Tabled to next meeting

IV. OTHER BUSINESS.

V. ADJOURN.

At 7:00 p.m. Audrey Rafford moved to adjourn. Brian Condon seconded the motion. The motion passed unanimously. The next meeting was scheduled for May 14, 2009 at 6:00p.m.

**PORTAGE LAKE
PLANNING BOARD
PUBLIC HEARING**

MAY 14, 2009 at 6:00 PM

PORTAGE LAKE MUNICIPAL BUILDING

The Portage Lake Planning Board shall hold a Public Hearing regarding:

**Amendments to the Shoreland Zoning Ordinance
For Portage Lake**

MEMORANDUM
OF
PLANNING BOARD PUBLIC HEARING

June 4, 2009

A Public Hearing was held on May 14, 2009 at 6:00p.m. at the Portage Lake Municipal Building. The Hearing was properly advertised. The Planning Board members and the Code Enforcement Officer were present and available for any inquiry. The requirements for adoption of the Amendments to the Portage Lake Shoreland Zoning Ordinance are hereby satisfied and ready for the residents of Portage Lake to ratify them.

Respectfully submitted.

Bruce Hussey, Secretary Planning Board

A handwritten signature in black ink, appearing to read "Bruce L. Hussey", with a long horizontal flourish extending to the right.

PORTAGE LAKE PLANNING BOARD

REGULAR MEETING

JUNE 11, 2009; 6:00P.M.

THURSDAY

**CONFERENCE ROOM PORTAGE MUNICIPAL
BUILDING**

AGENDA

I. CALL TO ORDER AND DETERMINE QUORUM

II. PUBLIC HEARING

None

III. REVIEW AND APPROVE MINUTES

Minutes of April 9, 2009 meeting.

IV. NEW BUSINESS

A. Election of officers

B. Mike and Sue Tweedie, M.13 L. 3, 458 West, 30% expansion.

C. Gerald Smith, M. 21 L. 22, 313 Cottage, new driveway.

V. OLD BUSINESS

None

VI. OTHER BUSINESS

None

VII. ADJOURN

PORTAGE LAKE PLANNING BOARD
REGULAR MEETING
JUNE 11, 6:00 P.M.
PORTAGE LAKE MUNICIPAL BUILDING

MINUTES


Chairperson

Members present: Bonnie Condon, Brian Condon, Tom Mastro, and Bruce Hussey, CEO also present Gerald Smith and Susan Putnam.

I. CALL TO ORDER AND DETERMINE QUORUM.

A quorum was confirmed and the meeting was called to order at 6:00 P.M.

II. REVIEW AND APPROVE MINUTES.

Tom Mastro moved to approve the minutes from the April 9, 2009 Planning Board meeting. Brian Condon seconded the Motion. The Motion passed unanimously.

III. NEW BUSINESS.

- A. Mike and Sue Tweedie, M. 13 L. 3, 458 West, Expansion. The application was reviewed. Discussion about whether the expansion could go beyond the existing dimensions of the deck that was there. It was determined that the expansion could go laterally no closer to the lake and no more than 30% expansion. The expansion is ~~11%~~ 22% therefore the expansion was met and the expansion is not closer to the lake pursuant to the application. Tom Mastro moved to approve the application. Brian Condon seconded the Motion. The Motion carried.
- B. Gerald Smith, M. 21 L. 22, 313 Cottage, new driveway. The Board discussed the matter and concluded that the application was incomplete because it was vague. Brian Condon moved to table the matter. Tom Mastro seconded the Motion. The Motion carried.
- C. Election of officers. Tom Mastro was nominated as Chairman. Nominations closed. Tom Mastro was elected unanimously.
- D. The CEO advised the Board that the Shoreland Zoning Ordinance, Shoreland Zoning Map and the Building Permit Application are available at the Portage Lake website.

IV. OTHER BUSINESS.

V. ADJOURN.

At 7:00 p.m. Tom Mastro moved to adjourn. Brian Condon seconded the

motion. The motion passed unanimously. The next meeting was scheduled for July 16, 2009 at 6:00p.m.

PORTAGE LAKE PLANNING BOARD

REGULAR MEETING

JULY 16, 2009; 6:00P.M.

THURSDAY

**CONFERENCE ROOM PORTAGE MUNICIPAL
BUILDING**

AGENDA

I. CALL TO ORDER AND DETERMINE QUORUM

II. PUBLIC HEARING
None

III. REVIEW AND APPROVE MINUTES
Minutes of June 11, 2009 meeting.

IV. NEW BUSINESS
A. Gerald Smith, M. 21 L. 22, 313 Cottage, new driveway.
B. Proposed Amendments to Land Use Ordinance allowance of horses in the Village and Growth areas.

V. OLD BUSINESS
None

VI. OTHER BUSINESS
None

VII. ADJOURN

PORTAGE LAKE PLANNING BOARD

REGULAR MEETING
JULY 16, 2009 6:00 P.M.
PORTAGE LAKE MUNICIPAL BUILDING

MINUTES



Chairperson

Members present: Bonnie Condon, Brian Condon, Tom Mastro, Jeannie Long, and Bruce Hussey, CEO also present Gerald Smith, Gary Hafford, Greg Cyr, Mark Putnam, Barb Pitcairn, Rita Sinclair, and Susan Putnam.

I. CALL TO ORDER AND DETERMINE QUORUM.

A quorum was confirmed and the meeting was called to order at 6:00 P.M.

II. REVIEW AND APPROVE MINUTES.

Brian Condon moved to approve the minutes from the June 11, 2009 Planning Board meeting with a correction showing that the Tweedie (map 13 lot 3) expansion is 22.8% not 11%. Bonnie Condon seconded the Motion. The Motion passed unanimously.

III. NEW BUSINESS.

- A. Gerald Smith, M. 21 L. 22, 313 Cottage, new driveway. Bonnie Condon moved to adjourn the meeting to do a site visit off the record. Jeannie Long seconded the Motion. The Motion passed. At 6:35pm the meeting was reconvened. The Board discussed the issue of the ability to have vehicles turn around. The Board found that the turn around area was sufficient. Tom Mastro moved to approve the application. Brian Condon seconded the Motion. The Motion carried.
- B. Proposed Amendments to Land Use Ordinance to allow horses in the village and growth areas. There was discussion concerning the minimum pasture dimensions and the disposition of manure. Board members were to do independent research concerning the aforementioned issues. The Board set the Public Hearing for August 13, 2009 at 7:00pm.

IV. OTHER BUSINESS.

V. ADJOURN.

At 7:00 p.m. Tom Mastro moved to adjourn. The motion passed unanimously. The next meeting was scheduled for August 13, 2009 at 7:00p.m.

PORTAGE LAKE PLANNING BOARD

REGULAR MEETING

AUGUST 13, 2009; 7:00P.M.

THURSDAY

**CONFERENCE ROOM PORTAGE MUNICIPAL
BUILDING**

AGENDA

I. CALL TO ORDER AND DETERMINE QUORUM

II. PUBLIC HEARING

Proposed Amendments to Land Use Ordinance allowance of horses in the Village and Growth areas.

III. REVIEW AND APPROVE MINUTES

Minutes of July 16, 2009 meeting.

IV. NEW BUSINESS

NONE

V. OLD BUSINESS

None

VI. OTHER BUSINESS

None

VII. ADJOURN

PORTAGE LAKE
PLANNING BOARD
PUBLIC HEARING

AUGUST 13, 2009 at 7:00 PM

PORTAGE LAKE MUNICIPAL BUILDING

The Portage Lake Planning Board shall hold a Public Hearing regarding:

Amendments to the Land Use Ordinance as follows:

Allow for seasonal boarding of horses in the Village area;

Exclude horses from livestock definition;

Add definition for pets to include horses;

Add definition for seasonal boarding of horses;

Reduce the minimum lot size to allow three horses per acre.

PLANNING BOARD DECISION

A public hearing was on August 13, 2009 at 7:00 on the following specific changes to the Land Use Ordinance:

1. Amendment of the Land Use Chart in Section 2(4)(D) of the Land Use Ordinance to allow for Seasonal Boarding of Horses or Equestrian Animals in the Growth District/Village Area and the Rural District with CEO approval.

2. Amendment of the definition of "Livestock" in Section 21(2)(201) of the Land Use Ordinance to read as follows: "Domestic animals kept or raised for profit, such as, but not limited to, cattle, horses, sheep, or pigs, that are typically kept outside of the house, except for horses or equestrian animals that are kept for pleasure rather than for profit or utility."

3. Amendment of Section 21(2) of the Land Use Ordinance to add a definition of "Pet(s)" to read as follows: "Domesticated animals, including horses and equestrian animals, kept for pleasure rather than for profit or utility."

4. Amendment of Section 21(2) of the Land Use Ordinance to add a definition of "Seasonal Boarding of Horses and Equestrian Animals" to read as follows: "The keeping of horses or equestrian animals for pleasure for a period not to exceed eight months in a calendar year. Seasonal boarding of horses or equine animals shall not constitute a "Stable" as regulated under Section 6(31) of this Land Use Ordinance."

5. Amendment of Section 6 of the Land Use Ordinance to add a new subsection number 31-A titled "Seasonal Boarding of Horses or Equestrian Animals" to read as follows:

A. The minimum lot size on which up to three horses, ponies or equestrian animals may be kept shall be one acre of fenced area.

B. No portion of any area for the horse, pony or other equestrian animal shall be closer than 50 feet to the nearest dwelling, except for the property owner's dwelling.

C. A manure management plan shall be provided for the seasonal period during which the horses, ponies or equestrian animals shall be kept on the property. No manure pile shall be retained on any area within three hundred (300) feet of the normal high water line of any flowing or intermittent brook or stream, river, pond, lake or wells used to supply water for human consumption.

D. The perimeter of the lot on which the horse, pony or equestrian animal will be kept shall be enclosed by a fence sufficient to prevent grazing on adjacent property and to substantially contain the animal at all times. The fence may be constructed of wooden poles or boards, posts and rails or runners, or the like; or two strand electrified wires designed and marked with signs so that they will present no hazard.

E. All grains shall be kept in rodent proof containers.

F. A pest (insect and rodent) control plan shall be provided.

Evidence presented: Luke Rossignal, attorney for the proponents for horses in the Village area, outlined the proposed amendments set forth above. Katherine Blair, proponent, reminded people about the history of horses in Portage Lake. She also discussed her love of horses and the low impact they would have in Town.

Several members attending the hearing raised concerns about contamination of wells, aquifer and lake. Other concerns centered on the adequacy of the land for pasture.

Another issue was whether the adoption of the amendment would create spot zoning. No further comments or evidence was submitted; the public hearing was closed.


Decision: The Board voted unanimously not to forward the amendments to the Board of Selectmen pursuant to Section 20(2)(B) of the Portage Lake Land Use Ordinance. If horses were to be allowed in the Village area, then the Land Use Ordinance would have provided for them. Agreeing to forward the amendments to the Selectmen would not be productive use of the Selectmen's time and resources. A written petition from the voters would be a better indicator of the Town's willingness to allow horses in the Village area.

Tom Mastro, Chairman

Date: _____

PORTAGE LAKE PLANNING BOARD
REGULAR MEETING
AUGUST 13, 2009 7:00 P.M.
PORTAGE LAKE MUNICIPAL BUILDING

MINUTES



Chairperson

Members present: Bonnie Condon, Brian Condon, Tom Mastro, Jeannie Long, and Bruce Hussey, CEO

I. CALL TO ORDER AND DETERMINE QUORUM.

A quorum was confirmed and the meeting was called to order at 7:00 P.M.

II. REVIEW AND APPROVE MINUTES.

Jeannie Long moved to approve the minutes from the July 16, 2009 Planning Board meeting. Brian Condon seconded the Motion. The Motion passed unanimously.

III. NEW BUSINESS.

A Public Hearing was held regarding proposed amendments to the Portage Lake Land Use Ordinance. The Planning Board issued a separate decision regarding their recommendation for adoption in a separate document.

IV. OTHER BUSINESS.

V. ADJOURN.

At 8:00 p.m. Brian Condon moved to adjourn. The motion passed unanimously.

PORTAGE LAKE PLANNING BOARD

REGULAR MEETING

OCTOBER 8, 2009; 7:00P.M.

THURSDAY

**CONFERENCE ROOM PORTAGE MUNICIPAL
BUILDING**

AGENDA

I. CALL TO ORDER AND DETERMINE QUORUM

II. PUBLIC HEARING
NONE

III. REVIEW AND APPROVE MINUTES
Minutes of August 13, 2009 meeting.

IV. BUSINESS

1. Walking trail committee's request for letter sanctioning the construction of a walking trail in downtown Portage Lake.
2. Review of draft decision regarding the amendments to the Portage Lake Land Use Ordinance.

V. OTHER BUSINESS
None

VI. ADJOURN