

**TOWN OF HOLDEN
PLANNING BOARD MEETING MINUTES
Monday, January 14, 2019
Holden Municipal Building
6:00 P.M.**

I. Open Meeting

Chair, Jeffrey McBurnie opened the meeting at 6:00 P.M.

Members present: Jeffrey McBurnie, Carol Cuddy, Joy Knowles, Susan McKay, Michael Pedreschi and Allan Poole.

Members absent: James Pelletier

Others present: Town Manager/Code Enforcement Officer Ben Breadmore; Robert Jones, Jr., Deborah Jones, and Britnie Jones.

II. Minutes of December 11, 2018, digital recordings on file.

MOTION was made by Michael Pedreschi and seconded by Allan Poole to approve the Minutes for December 11, 2018. Vote 5 in favor, 1 abstain, 1 absent.

III. Public Hearing – Site Plan Review request for proposed operation of an outdoor cooking, consumption and sale of lobster and seafood on Lot 19A of Tax Map 20 at 421 Main Road. Robert Jones (Jones Lobster Company) applicant.

Chairman Jeffrey McBurnie explained the reasons for holding or not holding a public hearing, which is basically to give the public an opportunity to ask questions and discuss details about the proposed project. Town Manager Ben Breadmore advised that the public has been appropriately notified and people are looking forward to having lobsters served in the community. MOTION was made by Carol Cuddy and seconded by Sue McKay and Joy Knowles that we waive the public hearing, Vote 6 in favor, 1 absent.

IV. Site Plan Review request for the proposed operation of an outdoor cooking, consumption and sale of lobster and seafood on Lot 19A of Tax Map 20, Robert Jones (Jones Lobster Company) applicant.

Chairman Jeff McBurnie introduced Robert Jones who had nothing to add to the documentation provided. Mr. Jones did want to address the concerns of Board Member Michael Pedreschi about the fact that no parking areas were specified for large vehicle traffic, such as motor homes and vehicles with 5th wheel trailers and/or tagalongs. Mr. Jones stated that they do not have parking places specified on the plan in front of the building for regular vehicles with the idea that the larger vehicles would know they should be able to park there. Mr. Pedreschi expressed concern that they would stop on the road if they could not get in. Town Manager/Code Enforcement Officer Ben

Breadmore advised that Holden's ordinance Section 522.4 states that "No off-street parking area along Route 1A shall be located within the minimum front yard setback," but that if we did not allow parking within that setback (as it was allowed on this lot before the adoption of this ordinance), then there would be very limited in parking due to the topography of the lot. Town Manager Ben Breadmore said he discussed this issue at length with Stan Plisga, the drafter of the design of this site plan, and they concluded that this area (not described on the plan) would be a good place for large vehicles and trailers to park, but that it could not be designated without violating the ordinance. Chair Jeff McBurnie suggested that signs could be placed showing that parking on Route 1A is prohibited. Parking in the front area of the property would have to be implied for now, and if it becomes an issue, the Town will deal with it. In answer to a question from the Board, Robert Jones said they would like the business to become year-round, but said right now they have no way to cook the lobsters on the premises in winter. He advised that the outside gazebo will be the main place for eating, with some tables outside, and some booths inside.

Town Manager Ben Breadmore added that due to the well's proximity to the septic system, the water being served will be bottled. Mr. Jones stated that they will be serving on paper products. Town Manager Ben Breadmore said that this is regulated by the Department of Agriculture under seafood, so the company would have to obtain a special license if they wanted to upgrade for serving other foods. Robert Jones said they do not know much about the well and the pump (how deep, etc.) so they may have to drill another well anyway and would relocate the well at that time. The building was probably built in the late 1950s or early 1960s and the new owners are doing many upgrades.

Site Plan Review

Background Information:

1. The applicant is Jones Lobster Company;
2. The applicant has demonstrated a legal interest in the property indicating in their site plan application that they hold a purchase sales agreement with the owner to purchase the property. Also included within the packet is a copy of the executed Warranty Deed dated December 21st, 2018;
3. The parcel is located at 421 Main Road, on the south side of Route 1A, and is identified on the Holden Tax Map 20, Lot 19A;
4. The parcel is currently located wholly within the Limited Commercial Zone;
5. The project will use private sewer and water.
6. The Site Plan application indicates utilization of the existing structure as well as an addition to the primary structure of approximately 1, 270 square feet, and construction of an 800 square foot gazebo. The proposed Use of the structure is to be a Retail Sale and Restaurant, both of which are allowed uses within the Limited Commercial Zone.

Two Waivers were granted as part of this Site Plan Application under Article 8, Section 806.6.11 and Section 806.6.17.

Site Plan Review Criteria under Article 8, Section 815 were reviewed by the Board.

Section 815.14 - MOTION was made by Joy Knowles and seconded by Allan Poole to adopt the findings and six conditions contained therein, and based upon the findings and conditions contained therein, to determine that the proposed development does conform in all respects with the provisions of this ordinance. Vote 6 in favor, 1 absent.

MOTION was made by Carol Cuddy and seconded by Joy Knowles that based upon the Findings of Fact and Conclusions of Law, together with the background information for this application and conditions listed, the Planning Board hereby votes on this day, January 14th, 2019 in favor of the proposed Robert Jones (Jones Lobster Company) Site Plan. Vote 6 in favor, 1 absent.

V. Public Comment

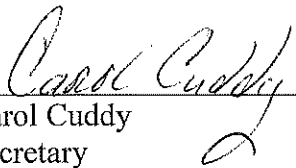
Town Manager Ben Breadmore advised that this coming summer the DOT has plans to install a center turn-lane on Route 1A from the existing end at Maine Military to Copeland Hill and from the Town Office to the South Road. Unfortunately, this site location will be left out at this time, but probably will be included in the future.

Town Manager Ben Breadmore indicated that they continue to work on the zoning ordinances. He updated us on the progress of some previously approved site plans, and mentioned a town-owned property for sale.

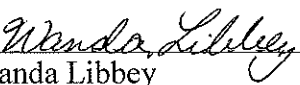
VI. Adjournment

MOTION made by Allan Poole and seconded by Carol Cuddy to adjourn the meeting. Meeting adjourned at 6:50 p.m.

Respectfully submitted,



Carol Cuddy
Secretary



Wanda Libbey
Town Clerk