

Approved: _____
Approved with changes: _____
Unapproved: _____

Effingham Planning Board
August 3, 2017

Members Present: Mike Cahalane, Elaine Chick (A), Theresa Swanick, Paul Potter, George Bull, Joanna Bull, Gary Jewell

Members Absent: Henry Spencer

Others Present: Dianne Park, Cheryl Feirick, Gina Detorio, Rebecca Boyden

Meeting called to order at 6:30pm

Minutes

There was a discussion about the minutes from July 6, 2017. Page 2, the second paragraph, under 'Other Business' was changed to read: 'The Zoning Officer asked for clarification on campers who would like to expand the structures on their camp sites without expanding the structure footprint. (Ex. Roof over deck, roof over refrigerator). The question being, as long as they stay within the original 843 square feet, can they add anything they want, or if the structure is already nonconforming are they prevented from adding anything more: Mike stated if the ordinance is not clear that the Planning Board is not the Board to interpret the Zoning Ordinance. The Zoning Board of Adjustment (ZBA) is the only authority statutorily authorized to interpret the Zoning Ordinance, not the Planning Board and not the Zoning Enforcement Officer. He read aloud section 103 of the Zoning Ordinance and stated any change of a nonconforming use or structure as outlined in Article 7 must go to the ZBA. The Zoning Officer indicated she is responsible for answering the question stated above.' A motion was made by Theresa, seconded by George to approve the change, all were in favor.

A motion was made by Mike, seconded by George, to approve the minutes from July 6, 2017 as amended. All were in favor.

A motion was made by George, seconded by Joanna, to approve the minutes from July 20, 2017 as written. All were in favor.

Discussion of Camp Sites from July 6, 2017 Meeting

A discussion continued about the outcome of the camp site building permits from the July 6, 2017 Meeting. Points discussed:

- Article 1 Preamble & Title
 - Section 103 Land Use Limited to Specific Listed Uses
- Article 2 Existing Uses
 - Section 201 Existing Uses
- Article 6 General Provisions
- Article 7 Non-conforming Uses and Structures
 - Section 702 Change or Expansion of Non-Conforming Use
 - Section 706 Expansion of a Non-conforming Structure

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- Article 10 *Condition of Approval of Permitted Uses*
- Article 11 *Administration and Enforcement*
 - Section 1101 *Enforcement Officer*
- Camp Site Regulations
- Is a Campground Residential?

Mike wanted the board to appeal the Zoning Enforcement Officer (ZEO) decision on the permit for Tax Map 401 Lot 11, Area 1 Site 11 in the Ossipee Lake Campground. The Planning Board has a small window of time to make this appeal. A motion was made by George, seconded by Joanna, to appeal to the ZBA the decision on the permit for Tax Map 401 Lot 11, Area 1 Site 11 in the Ossipee Lake Campground. After further discussion Joanna withdrew her second. A motion was made by Joanna, seconded by Paul, to discuss this topic at a future work session and to not appeal the original decision. Mike disagreed and everyone else agreed. The motion carried. A work session was scheduled for August 9, 2017 at 6:30pm to discuss the Zoning Ordinance as it relates to camp sites.

Mike presented a stack of building permits that have been approved but the conditions have not been met asking, what happens to these? Cheryl will send an email to the Town Attorney asking if he is available for a consult on August 9, 2017.

Joanna left the meeting at 7:50pm and George left the meeting at 8:10pm.

Correspondence

- ZEO Monthly Report
- A letter to the Planning Board from the Sandwich Planning Board on Tax Map R3 Lot 31 & 49 stating the project had regional impact and the Effingham Planning Board was welcome to come to the next meeting to voice their opinion.
- FYI-Shoreland Permit for Jolly Roger Campground Tax Map 104 Lot 1-George will investigate
- FYI-Dredge & Fill Permit
- Town & City Magazine

Other Business

2018 Budget Review. This will be put on the agenda for September 7, 2017. Cheryl will send all board members a copy of the 2017 budget.

On a future agenda is the topic of purchasing a computer for the Recording Secretary of the ZBA and Planning Board.

The Zoning Enforcement Officer asked if Hobby Clubs are regulated. This topic will be on a future agenda.

A motion was made by Paul, seconded by Gary, to adjourn the meeting.
Meeting adjourned at 8:40pm.

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