

SEARSPORT PLANNING BOARD MEETING
February 13, 2023
UNION HALL / TOWN OFFICE
6:00pm

Members Present

George Kerper, Chair
Keith Ritchie
Peter Nowell
Norris Staples
Travis Otis
Celine Kelley, Alt

Staff

Randy Hall, CEO
Janine Laveway, Board Secretary

Members of the Public Present

Charles Zorich, applicant
Kirk P. Linder, applicant
Larry and Laura Brown
Rob and Paula Martell

1. Call To Order: George Kerper, Chair called the meeting to order at 6:00 pm
2. Roll Call: Chair Kerper called the roll call Celine Kelley is the non voting alternate for tonight's meeting.
3. Adjustments to the Agenda: None
4. Acceptance of the Agenda: Motion: Keith Ritchie made a motion to accept the agenda as written. Second: Travis Otis Vote 5-0-0
5. Acceptance of the minutes from the January 9, 2023 meeting: Motion: Norris Staples made a motion to accept the minutes as written. Second: Keith Ritchie Vote: 5-0-0
6. Public Hearing, Land Use Ordinance, and Site Plan Review Ordinance review on an application from Kirk Linder and Charlie Zorich for the building at 27 E. Main St. Map #12 Lot #33 in the Commercial Zone. The building will be used to increase the seating capacity of the Hey Sailor restaurant. This is an approved use in the commercial zone.

Motion: Peter Nowell made a motion that the application is complete. Second: Keith Ritchie Vote 5-0-0. The \$250.00 application fee was paid at the hearing. Staff have no objections to the improvements. The CEO and Fire Chief will want to do a walk through. The Water district wants to look at the back flow device. The state fire marshal will review the seating capacity and the Department of Health will review the current license as well. The sign is on the agenda for the Historic Preservation Committee's review. 6 abutters were notified.

Public Hearing was opened by George Kerper at 6:14 pm.

Applicants gave an overview of their plans and expressed their desire for better signage from the town directing their patrons as well as those of other businesses in town to the public parking that is available behind the Laundromat and on Mortland Road. Members of the board asked questions. Laura Brown spoke in support of the application.

Public Hearing was closed by George Kerper at 6:18 pm

Land Use Ordinance Review:

1. Section V.A. General Performance Standards: Danger N/A, Vibration N/A, Wastes N/A, Offensive Noise, Lighting: The sign light will be very similar to those on the Penobscot Marine Museum. Odor Nuisance: N/A

Motion: Peter Nowell made a motion that all applicable general performance standards have been met. Second: Keith Ritchie Vote: 5-0-0.

2. Section V.B. Specific Performance Standards: Only two are applicable. Section V (B) (6) Signs and Section V(B) (11) Requires Site Plan Review.

Motion: Keith Ritchie made a motion that these two have been or will be met. Second: Travis Otis Vote 5-0-0

3. Section V.G. Positive Findings Required: Section VI(G)(1) Permitted use in the district Commercial Zone. (Restaurant requires planning board review) Section VI(G)(2) use in conformance with the applicable performance standard of Section V.

Section VI(G)(3) Has received, or as a condition of approval, will receive all permits or approvals required under other applicable Town of Searsport Ordinances related to the use of property.

Section VI(G)(4) Will provide safe access and egress from public or private.

Motion: Peter Nowell made a motion that all of the performance standards in section G have been met. Second: Keith Ritchie Vote: 5-0-0.

Motion: Keith Ritchie made a motion that the application meets all the applicable provisions set forth in the Land Use Ordinance Regulation with some conditions. Second: Peter Nowell Vote 5-0-0.

Site Plan Ordinance Review:

1. Preserve and Enhance the Landscape:
Motion: Keith Ritchie made a motion that it is not applicable. Second: Peter Nowell Vote 5-0-0
2. Relationship of Proposed Buildings to Environment:
Motion: Keith Ritchie made a motion that it is not applicable. Second: Travis Otis Vote 5-0-0
3. Vehicle Access:
Motion: Keith Ritchie made a motion that it has been met. Second: Travis Otis Vote 5-0-0
4. Parking and Circulation:
Motion: Keith Ritchie made a motion that it has been met. Second: Travis Otis Vote 5-0-0
5. Surface Water Drainage:
Motion: Keith Ritchie made a motion that it has been met. Second: Travis Otis Vote 5-0-0
6. Existing Utilities:
Motion: Keith Ritchie made a motion that it has been met. Second: Travis Otis Vote 5-0-0
7. Advertising Features:
Motion: Keith Ritchie made a motion that it has been met. Second: Travis Otis Vote 5-0-0
8. Special Features of the Development:
Motion: Keith Ritchie made a motion that it has been met. Second: Travis Otis Vote 5-0-0
9. Exterior Lighting:
Motion: Peter Nowell made a motion it has been met. Second: Keith Ritchie Vote 5-0-0
10. Emergency Vehicle Access:
Motion: Keith Ritchie made a motion it has been met. Second: Travis Otis Vote 5-0-0
11. Municipal Services:
Keith Ritchie made a motion it has been met. Second: Travis Otis Vote 5-0-0
12. Water Pollution:
Keith Ritchie made a motion it is not applicable Second: Peter Nowell Vote 5-0-0
13. On Site Water Supply:
Motion: Keith Ritchie made a motion it has been met. Second: Travis Otis Vote 5-0-0
14. Soil Erosion:
Motion: Keith Ritchie made a motion it is not applicable. Second: Travis Otis Vote 5-0-0
15. Septage Disposal:
Motion: Keith Ritchie made a motion it has been met. Second: Travis Otis Vote 5-0-0

16. Adverse Effects:

Motion: Keith Ritchie made a motion it has been met. Second: Travis Otis Vote 5-0-0

17. Financial Capacity:

Motion: Keith Ritchie made a motion it has been met. Second: Travis Otis Vote 5-0-0

18. Air Quality:

Motion: Keith Ritchie made a motion it has been met. Second: Travis Otis Vote 5-0-0

Motion: Peter Nowell made a motion that all applicable performance standards have been met.

Second: Keith Ritchie Vote 5-0-0

Motion on the application

Motion: George Kerper made a motion that the application be approved with conditions that the CEO Randy Hall and Fire Chief Antonio River do a walk through before opening. The Water District, Herb Kronholm, will inspect for a back flow device. The State Fire Marshal will address the seating capacity. The Department of Health and Human Services will address the restaurant's license. The Historic Preservation Commission will issue the sign permit. Second: Travis Otis Vote 5-0-0

7. Other Business: None

8. Code Enforcement Officer's Report: None

9. Public Comment: None

10. Adjourn Meeting: Motion: Keith Ritchie made a motion to adjourn at 6:45 pm. Second: Travis Otis. Vote: 5-0-0

Respectfully Submitted

Janine F. Laveway
Board Secretary

APPROVED February 13, 2023