

TOWN OF JEFFERSON PLANNING BOARD

Meeting Minutes
December 9, 2025

Members Present: Bill Farren (Chair), Joan Jackson, Tom Kirvan, Gary Olsen

Members Absent: Dana Clark

Others Present: Curt Sweet (via phone)

Chair Bill Farren called the meeting to order at 6:00 p.m.

Bill shared the November 4, 2025 meeting minutes and provided an update on Action Items. Bill moved to **APPROVE** the minutes as submitted. Second by Tom. All in favor, 3-0-1.

Curt Sweet (Map 045, Lot 030), 52 Spear Rd

Curt Sweet described the project as adding a 16' x 20' studio/workshop to the shoreland zoned property. Presently on the lot is a small seasonal cottage and two sheds.

Bill and Tom visited the site and confirmed the stakes found for the proposed structure are 102' from the edge of Damariscotta Lake, just outside the critical 100' line and 23' from Spear Road.

Discussion ensued regarding the setback requirement from Spear Road, which is a private road. It was Mr. Sweet's understanding the studio could be as near as 14' from the road and no less than the minimum setback for existing structures on the same road. He provided an excerpt from the current Building Ordinance, page 6, Section 10, paragraph A.2.b, "*Non-Public (Private) Road. All principal structures shall have a minimum setback of twenty-five (25) feet from the outside edge of the travelled way unless existing principal structures are already sited on the road at a lesser distance. In such circumstances, the setback shall be no less than the minimum setback of existing principal residences fronting on the same road.*"

Bill pointed out this cite refers to "principal structures" and since there is an existing seasonal cottage, that is the principal structure. The more accurate cite is on page 7, paragraph C, Accessory Structures that states, "*Accessory structures shall have a minimum setback of eighty-five (85) feet from the center line of a public road and twenty-five (25) feet from all lot lines, except on private roads, where the setback is twenty-five (25) feet from the outside edge of the travelled way.*"

Mr. Sweet acknowledged this latter interpretation and agreed for Bill to amend the application on his behalf to reflect the 25' minimum setback from Spear Road and that the final structure may be less than 16'x20' in size.

Bill moved to **APPROVE** the permit on the conditions that 1) the application is amended by the Chair on behalf of Curt Sweet, to reflect the minimum road setback to be 25 feet and 2) the new accessory building will not be larger than 16 feet by 20 feet. Second by Gary. All in favor 4-0.

OTHER BUSINESS

a) Advisory opinions

Bill provided a concrete example on why the Planning Board and the CEO should not give advisory opinions when asked by realtors, prospective buyers and even existing property owners. To give an opinion that may prove erroneous may leave the Town open to a lawsuit.

b) After-the-fact permit fees

The Board discussed the need for bigger penalties for after-the-fact permits. The current penalty is 2X the permit fee.

Action Item: Bill to bring this concern to the Select Board.

UPDATE: Bill attended the 12/15 Select Board meeting and presented the Planning Board's concern. He presented evidence of local towns also use the 2X penalty but Waldoboro and Nobleboro impose a 5X penalty for after-the-fact permits in the shoreland zone.

After a brief discussion, the Select Board passed 3-0 a resolution to apply a 5X penalty to Building Permits and Tree Cutting Permits in the shoreland zone. The 2x penalty for other after-the-fact permits remains.

Bill submitted the updated Building Permit application form to the town office on 12/16 and is working on a revised Tree Cutting permit.

ADJOURNMENT

Bill moved to **ADJOURN** the meeting at 6:43 PM. Second by Gary. All in favor 4-0.

Next meeting: January 6, 2026

Respectfully submitted,

Bill

Bill Farren, Chair

William Farren William Farren
Dana Clark Absent
Joan Jackson Joan Jackson
Thomas Kirvan Thomas Kirvan
Gary Olsen _____