

BOARD OF SELECTMEN
RICHARD F. BEAL, CHAIRMAN
FLORENCE J. SPRAGUE
CORY R. ALLEY

TOWN CLERK / TREASURER
DENISE Mc CORMICK



ADMINISTRATIVE ASSISTANT
TO THE SELECTMEN
JAMES FORTUNE
PUBLIC SAFETY COORDINATOR
KATELYN DAMON
TCI LOCAL HEALTH OFFICER
CARI ALLEY

Planning Board Meeting Minutes May 15, 2020 Video Teleconference

Attendance:

Joanne Thormann, Chairman,
Laurie Dobson, Planning Board
Philippe Donald, Planning Board
William Dowling, Planning Board

Ben Sumner, Deputy Clerk
Dennis Dever, CEO & LPI
Roger St. Amand
Phil Whitney

I. Call to Order: 10:02 A.M. by Joanne Thormann

Four Planning Board members are present at today's meeting, which represents a quorum. Chairman Joanne Thormann reads a statement on how the meeting will be conducted via video teleconference. Public statements have been solicited prior to the meeting. Each one will be read aloud during the meeting and will be included in the public record of the meeting. A roll call will be used to record the vote of each member as applicable.

II. Review / Approval of Previous Meeting Minutes: October 22, 2019

William Dowling moves to approve the October 22, 2019 minutes as written. Philippe Donald seconds the motion. **Motion approved 4-0.**

III. Review Application

Samuel Brooks & Laura Coleman: Map 27, Lot 27 Islesford
Limited Residential District
Construction of a 120ft Fixed Pier
Shoreland Stabilization (150 Linear Feet)

An application was filed on April 6, 2020 and determined to be complete by the CEO on April 11, 2020.

General discussion and review of the application. Roger St. Amand, representing the applicant, provides an overview of the project. Joanne Thormann reads a public comment from an abutting landowner opposing the proposal. Joanne Thormann advises that the Planning Board has jurisdiction over the pier portion of the project only; the shoreland stabilization project falls under review of the Code Enforcement Officer per the Shoreland Zoning Ordinance Table of Land Uses. Code Enforcement Officer Dennis Dever confirms the chairman's interpretation of the table. William Dowling reports that the Harbor Committee has reviewed the proposed pier and has no objections. In response to questions from various Board members, Roger St. Amand reports that the Maine DEP takes aesthetic considerations into account when issuing permits in coastal wetlands, that standard erosion control protections and treated lumber provisions are required to be maintained throughout the project, that the pier will not alter customary pedestrian passage at high tide, and that all five required permits have been approved for construction of the pier.

Land Use Ordinance for the Shorelands, Section 15: Land Use Standards

A. Minimum Lot Standard

Joanne Thormann moves that the standard is not applicable. William Dowling seconds the motion. **Motion approved 4-0.**

B. Principal & Accessory Structures

Joanne Thormann moves that the standard is not applicable. William Dowling seconds the motion. **Motion approved 4-0.**

C. Piers, Docks, Wharves, Bridges and Other Structures and Uses Extending Over or Below the Normal High-Water Line of a Water Body or Within a Wetland

Joanne Thormann moves that the project meets the standard. William Dowling seconds the motion. **Motion approved 4-0.**

D. Campgrounds

Joanne Thormann moves that the standard is not applicable. William Dowling seconds the motion. **Motion approved 4-0.**

E. Individual Private Campsites

Joanne Thormann moves that the standard is not applicable. William Dowling seconds the motion. **Motion approved 4-0.**

F. Commercial & Industrial Uses

Joanne Thormann moves that the standard is not applicable. William Dowling seconds the motion. **Motion approved 4-0.**

G. Parking Areas

Joanne Thormann moves that the standard is not applicable. William Dowling seconds the motion. **Motion approved 4-0.**

H. Roads & Driveways

Joanne Thormann moves that the standard is not applicable. William Dowling seconds the motion. **Motion approved 4-0.**

I. Signs

Joanne Thormann moves that the standard is not applicable. William Dowling seconds the motion. **Motion approved 4-0.**

J. Storm Water Runoff

Joanne Thormann moves that the project meets the standard. William Dowling seconds the motion. **Motion approved 3-0.** (Laurie Dobson abstains)

K. Septic Waste Disposal

Joanne Thormann moves that the standard is not applicable. William Dowling seconds the motion. **Motion approved 4-0.**

L. Essential Services

Joanne Thormann moves that the project meets the standard. William Dowling seconds the motion. **Motion approved 4-0.**

M. Mineral Exploration & Extraction

Joanne Thormann moves that the standard is not applicable. William Dowling seconds the motion. **Motion approved 4-0.**

N. Agriculture

Joanne Thormann moves that the standard is not applicable. William Dowling seconds the motion. **Motion approved 3-0.** (Laurie Dobson abstains)

O. Timber Harvesting

N/A

P. Clearing or Removal of Vegetation for Activities Other than Timber Harvesting

Joanne Thormann moves that the project meets the standard. William Dowling seconds the motion. **Motion approved 4-0.**

Q. Hazard Trees, Storm-Damaged Trees, and Dead Tree Removal

Joanne Thormann moves that the standard is not applicable. William Dowling seconds the motion. **Motion approved 4-0.**

R. Exemptions to Clearing and Vegetation Removal Requirements

Joanne Thormann moves that the standard is not applicable. William Dowling seconds the motion. **Motion approved 4-0.**

S. Revegetation Requirements

Joanne Thormann moves that the project meets the standard. William Dowling seconds the motion. **Motion approved 4-0.**

T. Erosion & Sedimentation Control

Joanne Thormann moves that the project meets the standard. William Dowling seconds the motion. **Motion approved 3-1.**

U. Soils

Joanne Thormann moves that the project meets the standard. William Dowling seconds the motion. **Motion approved 4-0.**

V. Water Quality

Joanne Thormann moves that the project meets the standard. William Dowling seconds the motion. **Motion approved 4-0.**

W. Archaeological Site

Joanne Thormann moves that the project meets the standard. William Dowling seconds the motion. **Motion approved 3-0.** (Laurie Dobson abstains)

Land Use and Shoreland Zoning Ordinance, Section 16-D, Procedure for Administering Permits

1. Will maintain safe and healthful conditions

Joanne Thormann moves that the project meets the standard. William Dowling seconds the motion. **Motion approved 4-0.**

2. Will not result in water pollution, erosion, or sedimentation to surface waters

Joanne Thormann moves that the project meets the standard. William Dowling seconds the motion. **Motion approved 3-1.**

3. Will adequately provide for the disposal of all wastewater

Joanne Thormann moves that the project meets the standard. William Dowling seconds the motion. **Motion approved 4-0.**

4. Will not have an adverse impact on spawning grounds, fish, aquatic life, bird, or other wildlife habitat

Joanne Thormann moves that the project meets the standard. William Dowling seconds the motion. **Motion approved 3-0.** (Laurie Dobson abstains)

5. Will conserve shore cover and visual, as well as actual, points of access to inland and coastal waters

Joanne Thormann moves that the project meets the standard. Philippe Donald seconds the motion. **Motion approved 3-1.**

6. Will protect archaeological and historic resources as designated in the comprehensive plan

Joanne Thormann moves that the project meets the standard. William Dowling seconds the motion. **Motion approved 3-0.** (Laurie Dobson abstains)

7. Will not adversely affect existing commercial fishing or maritime activities in a Commercial Fisheries/Maritime Activities district

Joanne Thormann moves that the project meets the standard. William Dowling seconds the motion. **Motion approved 4-0.**

8. Will avoid problems associated with floodplain development and use Joanne Thormann moves that the project meets the standard. William Dowling seconds the motion. **Motion approved 4-0.**

9. Is in conformance with the provisions of Section 15, Land Use Standards
Joanne Thormann moves that the project meets the standard. William Dowling seconds the motion. **Motion approved 4-0.**

Joanne Thormann moves to approve the application. William Dowling seconds the motion. **Motion approved 4-0.**

Planning Board members agree to sign approval letter subsequent to this meeting.

IV. Review Application

The Three Nephews, LLC and The Three Grandsons, LLC Map 27, Lot 27 Islesford
Map 16, Lots 13 & 14, Great Cranberry Island
General Development District
Construction of a 620' Residential Driveway via Deeded Easement

An application was filed on April 6, 2020 and determined to be complete by the CEO on April 11, 2020.

General discussion and review of the application. Joanne Thormann reads the applicant's cover letter giving an overview of the proposal and a public comment from an abutting landowner in support of the project. Roger St. Amand, representing the applicant, reports that the applicant is exercising right-of-way provisions in its deed and has worked with the neighboring landowners to minimize disruptions to the effected properties and that all applicable permits have been approved. Joanne Thormann advises that the project will be considered as a private road instead of a driveway due to its length (over 500'). General discussion. In response to questions about wetlands provisions, Roger St. Amand advises that much of the location is wet, but does not meet the definition of a wetland by the Shoreland Zoning Ordinance definition. However, a rock sandwich construction method will be used to allow water to move back and forth under the roadway in the wet portions.

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Joanne Thormann moves to approve the application. William Dowling seconds the motion. **Motion approved 4-0.**

Planning Board members agree to sign approval letter subsequent to this meeting.

V. Shoreland Zoning Ordinance Updates

Joanne Thormann moves to table until next meeting. William Dowling seconds the motion. **Motion approved 4-0.**

VI. Telecommunications Facility Construction Moratorium

Joanne Thormann moves to table until next meeting. William Dowling seconds the motion. Motion approved 4-0.

VII. Other Business

Consensus of the Board is to hold a meeting prior to May 29, 2020. Chairman Joanne Thormann suggests Laurie Dobson prepare a document reflecting views expressed by some members of the Planning Board on proactive planning measures for the Board to review prior to the next meeting.

VIII. Adjournment

Joanne Thormann moves to adjourn the meeting. William Dowling seconds the motion. **Motion approved 4-0.**

Meeting adjourned at 2:52p.m