TOWN OF LONG ISLAND PLANNING BOARD
P.O. Box 263
Long Island, ME 04050
207−766−5820

Planning Board Meeting Minutes
July 8, 2008

Present: Nancy Berges, Brad Brown, Emily Jacobs, Tom Johnson, Curt Murley, Ruth Peterson and Joel Watters
Guests: Carol and Ben Doughty, Anne−Marie Train, John and Anne Wary

Meeting Convened:

The meeting was called to order at 7:15 PM by Chairperson Murley with seven (7) members present. Quorum met. Chairman Murley welcomed new Planning Board member Joel Watters to the Board.

Minutes of Previous Meeting:

It was moved by Emily Jacobs and seconded by Ruth Peterson to accept the minutes of the June 9, 2008 meeting as read. The motion was unanimously approved.

3. Public Hearing: None

4. Correspondence:

a) Letter from DEP

Michael J. Morse of the Maine DEP wrote a letter dated June 11, 2008 regarding the approval of the Zoning Ordinance Amendments at the 2008 Long Island Annual Town Meeting. Because town meeting article 58, the proposed amendment to Article 4 Shoreland Zoning, Section M, Item 2.I relating to lot standards in the shoreland zone was not passed, Morse is requesting the Planning Board to address this issue so that the wording is consistent with State Shoreland Zoning Guidelines. (Attachment 1)

b) Letter to David Johnson

Chairperson Murley has written a letter to former Planning Board member David Johnson thanking him for his long tenure on the Board.

5. Report of the CEO: None

6. Committee Reports: None

7. Old Business

a) Spar/Wary Application/Site Walk

A site walk of the Spar/Wary property at 280 Island Avenue was conducted on June 25, 2008 by John and Anne Wary. All Planning Board members were in attendance, with the exception of Tom Johnson.

Mr. Wary gave a revised project overview to Chairperson Murley at the June 10, 2008 Planning Board meeting. All Board members were provided with a copy as part of a new package of information on the Spar/Wary project. (Attachment 2) At this same meeting Board members deemed the application complete.

It was moved by Tom Johnson and seconded by Joel Watters to schedule a public hearing on the Spar/Wary Project for Tuesday July 29, 2008 at 7:00 PM at the Long Island Learning Center. The motion was unanimously approved.

Mr. Wary asked the Board to make a decision on his application at the August 12, 2008Planning Board meeting. He also asked the Board to not allow Emily Jacobs to participate in Planning Board proceedings regarding this application. Mr. Wary thanked the Board for its diligence and stated that he will provide a contour map or any other information that will help his application, should it be needed.

b) Chestnut Hill Inn

Carol Doughty addressed the Board about expanding activities at the Inn to include the preparation of food on an outside grill and takeout service on a seasonal basis. Ms. Doughty was asked to provide a written description of her proposal for the next scheduled Board meeting. A workshop on this matter will be held on July 22, 2008
at 7:15 PM at the Town Office.

7. Old Business

a) Site Plan Review and Subdivision Application Forms

Chairperson Murley has modified the forms to a three page document to be used as an application for site plan reviews and subdivisions.

b) Planning Board Code of Ethics/Planning Board Procedures

Emily Jacobs shared the City of Biddeford Code of Ethics with the Board. Chairperson Murley felt the Board did not need such a detailed policy, since the Maine Municipal Association and the by−laws spell out the procedures the Board must follow. The codes are in the Land Use Manual. Ms. Jacobs has offered to outline the procedures.

c) Proposed Small Wind Energy Ordinance

Emily Jacobs distributed a copy of the small wind energy ordinance for the Town of Wiscasset. At present, windmills on residential parcels within the height and setback requirements would be addressed by the CEO. The Town had considered installing a test windmill, but decided against it because of the associated cost. The Board will continue discussion of this matter at future meetings.

8. New Business

a) Planning Board Ethics Issue

A member of the public had requested the Board to not allow Brad Brown to vote on the Spar/Wary project because he had signed a petition that would affect the Spar/Wary application. It was so moved by Tom Johnson and seconded by Joel Watters. Following discussion the motion was defeated by 6 votes and 1 abstention.

b) Planning Board Incompatible Position

The Maine Municipal Association manual on Page 6 addresses the issue of a selectperson sitting on a planning board as an appointee of the selectmen. This situation can be construed as a conflict of interest. This matter was brought to the attention of the chair of the Planning Board by a planning board applicant. Ruth Peterson in her dual capacity of Selectperson/Planning Board member has always recused herself

from any controversial issue or from Board appointments. She will obtain a letter from the MMA outlining its position on this matter.

c) DEP Shoreland Zoning Guidelines

The voters of Long Island did not pass articles on the 2008 Town Warrant that would bring the town into compliance with the DEP Shoreland Zoning Guidelines. The DEP sent a letter to the Planning Board saying this issue must be addressed by June 2009.

Chairperson Murley drafted a letter to the DEP Commissioner stating reasons why the Town should not be held to the lot size standards. This draft was deemed acceptable by the town attorney and by Michael Morse of the DEP, but Selectman Floyd did not send the letter to the commissioner, stating he did not feel he sufficiently understood the issues. Discussion will continue at the next PB meeting.

9. Other

John Wary had requested the Board to remove Emily Jacobs from participating in the Spar/Wary application decision. Ruth Peterson so moved and Tom Johnson seconded the motion. Five (5) board members opposed the motion and two(2) abstained. The motion was defeated.

10. Adjournment

On a motion by Brad Brown that was seconded by Tom Johnson, the meeting was adjourned at 8:46 PM.

The next regular meeting of the Planning Board was scheduled for Tuesday August 12, 2008 at 7:15 PM at the Town Office.

Respectfully submitted,

Nancy M. Berges
Secretary, Town of Long Island Planning Board

Cc: Town Clerk
Board of Selectmen