

**Town of Long Island**  
**Planning Board Meeting Minutes**  
**March 9, 2020 - Library Meeting Room**

**1. Call to Order**

Meeting was called to order at 5:30 PM by Vice-Chair Paul Thornton.

**Members present:** Michael Lingley, Curt Murley, Brenda Singo and Paul Thornton

**Members Absent:** Steve Hart

**Members of Public in Attendance:** None

**2. Review Minutes**

The February 2020 meetings minutes were not available and this item was tabled until the next meeting.

**3. Public Hearing - None**

**4. Correspondence**

The Board has received e-mail correspondence from Tim Honey regarding a proposed change to the shoreland zone ordinance. This message is made part of these minutes as Attachment A.

Brenda Singo expressed concern that Mr. Honey's references to proposed shoreland zone changes had not previously been approved by the Board. Curt Murley pointed out that items (10)(a) and (b) referenced in the Honey document had in fact been approved by the Board as part of proposed shoreland changes section 4.15.C. He also noted that item S in the Honey document had also been approved by the Board as proposed section 4.15.S. Definition 4.17 in the Honey document has been part of our ordinance for some time.

Brenda Singo asked who the arborist is that Mr. Honey refers to in his proposal. Mike Lingley stated that although he is a licensed state arborist he is not the town arborist and does not know if there is one.

Mike Lingley went on to express his concern that Mr. Honey had been in contact with him regarding the changes he, Mr. Honey, is proposing. He then stated that he would no longer continue to talk to Mr. Honey regarding this proposal. Several Board members then noted that individual Planning Board members

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should not engage with members of the public regarding Planning Board business outside a Planning Board meeting.

Further discussion regarding Mr. Honey's proposal continued. Curt Murley stated that he did not think we should attempt to incorporate this proposal in the changes to our shoreland zone ordinance this year.

At the end of the discussion it was agreed that this proposal should be put on the agenda of our April meeting for further discussion.

**5. Report of CEO - None**

**6. Old Business**

**a. Draft Driveway Permit Application - discussion**

**Motion:** Brenda Singo moved that we accept the current version of this document and forward it to the CEO for his comments.

**Seconded:** Mike Lingley.

**Vote:** Unanimously approved.

**b. DEP Shoreland Zone regulations - status update**

Curt Murley distributed a copy of a document received from Jeffrey Kalinich, the Southern Maine DEP representative, containing his comments on our proposed shoreland zone changes. Mr. Kalinich's cover letter, that include comments by Curt Murley, is made a part of these minutes as Attachment B.

After a short discussion it was agreed that we should make the changes suggested in Mr. Kalinich's comments on our proposed changes.

Regarding Mr. Kalinich's comment about campgrounds and individual campsites, Curt Murley suggested the following changes.

- 1) We replace our current 4.15.D Campgrounds, which currently states "See Article 3(7)(E)", with the text of 4.15.D of the current DEP Guidelines.

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- 2) We replace our current 4.15.E Individual Private Campsites, which currently states “See Article 3(7)(F), with the text of 4.15.E of the current DEP Guidelines.

As far as Mr. Kalinich’s comment about Timber Harvesting and Land Management Roads not being in a “table of land uses” in our ordinance Curt Murley pointed out that we have never had a “table” of land uses in our ordinance. Article 3 of our Land Use Ordinance enumerates our zones and specifies the permitted and conditional uses allowed in each zone. Furthermore we do not allow timber harvesting in any of the zones enumerated in our Land Use Ordinance.

**Motion:** Curt Murley moved that we incorporate the changes suggested by Mr. Kalinich and that we also include the text from the DEP Guidelines for items 4.15.D and 4.15.E in our proposed shoreland zone ordinance.

**Seconded:** Brenda SIngo.

**Vote:** Unanimously approved.

Curt Murley will advise Mr. Kalinich of this action.

**c. Proposed frontage requirement amendment - discussion**

The proposed ordinance changes related to frontage and other issues is made part of these minutes as Attachment C.

Michael Lingley started the discussion by stating that he thought that changing the definition of Lot Frontage, item A of proposal, to include private ways was a very bad idea and asked why this was being proposed.

Curt Murley responded by saying that this issue was brought to him by our CEO who recently became aware that a careful reading of our Land Use Ordinance requires frontage that lot be on a public way. Note that sections 3.2.E(2), 3.3.E(2) and 3.7.E(2) require “street” frontage and “street” is defined in our ordinance Article 2 as a “public way”, i.e. lot frontage must be on a public way. Going forward this means that our CEO cannot issue building permits for structures on private ways. Examples of private ways on Long Island are paper streets, Apple Tree Lane, Stepping Stone Lane and Atlantic Lane among others. The Board then generally agreed that we should address this issue.

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Regarding item B of this proposal the Board generally agreed that this is a good idea.

As far as the proposed item C is concerned the Board agreed that this should be considered and possibly revised.

At the conclusion of the discussion the Board decided not to act on any of items in the proposal until the CEO has had a chance to review it and provide the Board with his recommendations.

Curt Murley will convey the proposed frontage and driveway standards in the proposal to the CEO and report back to the Board.

It was noted that if we want to get any of the proposed changes in this document before the town at our May town meeting we will have to schedule a Board meeting prior to March 21st or 28th, whenever our public hearing will be held.

**7. New Business Comprehensive Plan update**

Tabled until April Meeting

**8. Other - March 21st Public Hearing**

It was noted that if the notice for the public hearing had not already been placed in the newspapers that we cannot hold our hearing on the 21st since it must be publicised no less than 12 days before the hearing date.

Extract from state law 30-A M.R.S.A. section 4352 regarding notices for public hearings on proposed land use ordinance changes:

B. The notice must be published at least 2 times in a newspaper that complies with Title 1, section 601 and that has a general circulation in the municipality. The date of the first publication must be at least 12 days before the hearing and the date of the 2nd publication

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must be at least 7 days before the hearing. That notice must be written in plain English, understandable by the average citizen. [PL 1997, c. 36, §2 (AMD).]

Vice-Chair Thornton we reach out to Chair Hart to find out if this has been done. If not we should consider changing our public hearing date to March 28th.

**9. Adjournment**

The meeting adjourned at 7:10PM. The next regular meeting will be Monday April 13, 2020 at 5:30PM.

Respectfully submitted,  
Curt Murley - Acting Secretary