

2021-05-20 Site Plan Review Emergency Meeting - **DRAFT**

This was a Zoom meeting. This meeting was not recorded.

LIPB Members Present: Steve Hart, Mike Lingley Curt Murley, Justin Papkee, Paul Thornton and Peter Thornton

Members of Public Present: Ed and Jeanie McAleney, Joe Donovan, Lorinda Valls, Toni & Fulton Wilcox, Morghan Beaudoin, Dick Clarke, Austin Clark, Lou Sesto, Debra Wallace, Brad Brown, Ralph Sweet, Tommy Hohn and Rennie Donovan.

Meeting was called to order by Chair Hart at 7:00pm.

Ed and Jeanie McAleney are considering applying for a site plan review to allow the parking of rental golf carts on the property they own in the IB zone on Garfield Street. The primary use of this property, identified as lot 314 on the town parcel map, is residential as there is currently a single family residence on it.

The purpose of this conference is to consider if a site plan review is needed for this proposed use and if so to determine the site plan review submission requirements.

At a pre-application conference held May 18, 2021 the potential applicants stated that they wished to allow the owners of an Island golf cart rental business to use an existing structure, a driveway, on their parcel for the parking of golf carts when they are not in use. The golf cart business owner will not be conducting business on the property. Golf cart customers will pick up and drop off carts in the parking lot at the pier down front. There will be no sign(s) indicating that there is a golf cart rental business on this property and the property owners will receive no compensation from the owners of the business for allowing them to use their property.

The potential applicants further stated that there would be a maximum of 7 golf carts on the property at any one time and that activity related to the golf cart parking would be minimal. They further stated that they might consider allowing the business owners to store their golf carts on the property over the winter.

Motion:

Chair Hart stated that he felt a site plan review was required and made the following motion:

A site plan review is needed for the proposed parking and storage of rental golf carts on lot 314 on Garfield Street.

2021-05-20 Site Plan Review Emergency Meeting - **DRAFT**

The motion was seconded by Board Member Paul Thornton.

Discussion

It was noted that while parking is a permitted use in the IB zone the current use of lot 314 is residential, there being a single family residence on the parcel. It was also noted that the parking of rental vehicles in the driveway of this lot would be a change in use of the parcel.

The question was raised about lot 314 being in the shoreland zone. From our current parcel map showing the shoreland zone overlay, the lot is very close but does not lie in the 250 foot shoreland zone. Board Member Murley noted that our parcel maps can not be relied on to precisely fix the boundary of the shoreland zone. He went on to note that if a portion of the lot did lie in the shoreland zone the proposed parking area would be permitted since it is well away from the 75 foot zone where parking is not permitted.

There being no further discussion of the motion Chair Hart asked the Secretary to call the roll.

Vote on Motion

Member Hart – Y

Member Papkee – N

Member Peter Thornton – Y

Member Paul Thornton – Y

Member Lingley – Y

Member – Murley - Y

The motion was approved by a vote of 5 in favor and 1 opposed.

Prior to the meeting Chair Hart distributed electronically to board members and the potential applicant the list of the submission requirements, as enumerated in the Land Use Ordinance Section 10.4, that he felt were required for this application. He also suggested four additional items. The list is shown below.

Suggested Site Plan Review Application Submissions for 14 Garfield St Golf Cart Parking

Following the Board's May 18, 2021, pre-application conference with Ed and Jeanie McAleney regarding an application for a site plan review of the property at 11 Garfield St. for the storage of rental golf carts, the Board needs to deliberate,

2021-05-20 Site Plan Review Emergency Meeting - **DRAFT**

decide, and then inform the applicants what information and/or documentation needs to be submitted in the application.

The information and/or documentation required as part of an application for a site plan review is provided in 10.4 SUBMISSION REQUIREMENTS (pages 86-89, of Chapter 14 Land, Use Ordinance, Town of Long Island). Under sec. 10.4 J., the Planning Board may, after consideration and discussion, “waive or modify any of the these submission requirements when the Board determines that the scope or scale of the proposed project or activity is of such a nominal magnitude that the risks from the proposed activity to public safety, adjacent property owners or the Town is so minimal as to make the information or submission unnecessary or that the proposed activity by its scope, nature or location does no necessitate review of certain criteria.”

I recommend that the Board approve the following, as listed in sec. 10.4, to be included in the formal application for a site plan review. I propose that information related to items showing “...” need not be included with the application.

- A. A fully executed original and eight (8) copies of the application for Site Plan Review*
- B. Eight (8) copies of a site plan drawn at a sufficient scale to allow review of the items listed under Sec 10.5 CRITERIA AND STANDARDS of this Article. The application shall also include or show the following:*
 - 1. Owners’ name and, address, and signature*
 - 2. Names and addresses of all abutting property owners*
 - 3. ...*
 - 4. A plan depicting the configuration and boundaries of all contiguous properties, including properties under the control of the owner or applicant regardless of whether all or part of such land area is being developed at this time.*
 - 5. ...*
 - 6. Zoning classification of the property and adjacent properties, and the location of zoning district boundaries if the property is located in two or more zoning districts.*
 - 7. ...*
 - 8. ...*
 - 9. The location, size, and character of all existing and proposed signs and exterior lighting.*
 - 10. The location of all buildings within one hundred (100) feet of the parcel to be developed and the location of intersecting roads or driveways within 100 feet of the parcel.*
 - 11. ...*
 - 12. A plan showing the location of Shoreland Zoning boundary, if*

2021-05-20 Site Plan Review Emergency Meeting - **DRAFT**

applicable.

13. ...

14. ...

15. ...

C. ...

D. ...

E. ...

F. ...

G. *Copies of any proposed or existing deeds for easements, covenant, or deed restrictions that currently impact or that are proposed to control or preserve activities on the property.*

H. ...

I. *Copies of all applicable State approvals, licenses, or permits.*

In addition, I recommend the Board require the application to include the following:

- 1. The specific dimensions of the space to be utilized for rental golf cart storage*
- 2. The surface type of the space (grass, gravel, concrete, asphalt) to be utilized for the rental golf cart storage*
- 3. The number of rental golf carts to be stored at the site.*
- 4. The time period annually the rental golf carts are going to be stored at the site – is the storage proposed seasonal in duration or year-round?*

I believe the above information and/or documentation as part of the application for a Site Plan Review will provide the Planning Board ample information to make an informed judgement on the application.

Guest Morghan Beaudoin asked if the Board had sought interpretation of the application of our site plan review ordinance from the town's attorney. Chair Hart responded that we had not nor was it our policy to seek legal advice from the town attorney on our interpretation of our land use ordinances.

The potential applicants expressed their opinion that they were being treated unfairly by the Board in that other golf cart businesses had been allowed to operate on the island in the past without having to go through a site plan review. A couple of members of the public in attendance supported their view.

Motion

There being no further discussion of this matter the Chair made the following motion:

The site plan review application submission requirements for the potential applicant's proposed use of lot 314 for the storage and parking of rental golf carts shall be as noted above, with the change that only 2 (two) hard copies of the application will be required.

The motion was seconded by Board Member Paul Thornton.

2021-05-20 Site Plan Review Emergency Meeting - **DRAFT**

There being no further discussion of the motion Chair Hart asked the Secretary to call the roll.

Vote on Motion

Member Hart – Y

Member Papkee – Y

Member Peter Thornton – Y

Member Paul Thornton – Y

Member Lingley – Y

Member – Murley - Y

The motion was approved by a vote of 6 in favor and 0 opposed.

Since this review must be conducted as soon as possible the Board decided to waive the 30 day notice as required by the Land Use Ordinance section 10.3.D(40). It also decided to classify this review as a Minor Site Plan Review Change in Use application that requires a \$60 application fee as specified in the Town's municipal fee schedule. Once the application has been received the Board will schedule a hearing as soon as possible. The meeting notice must be published in the Portland Press Herald at least 10 days before the hearing date.

There being no further business before the Board the meeting ended at 7:48PM.

Respectfully submitted,

Curtis Murley

Town of Long Island Planning Board Secretary