

EDGECOMB PLANNING BOARD  
MINUTES, JUNE 2, 2008

1. Call to Order

Chairman Katharine Braid called the meeting to order at 6:39 pm.

2. Roll Call

Board members present were David Boucher, Katharine Braid, Bruce Cameron, Barry Hathorne and Anne Peaslee and alternate Jarryl Larson. Alternate April Lawrence was absent. Also present was Jack French, a potential alternate member.

3. a. Review and approval of Minutes of May 15, 2008.

Bruce Cameron moved, David Boucher seconded, to approve the minutes. Vote 3-0-2 (Hathorne and Peaslee abstained).

b. Clarifications - none

4. Thomas Moore, Manchester, MA - Shoreland (Limited Residential) building permit review for dock, float and ramp, Cross River, 50 High Head Road, Map R-4, Lot 12.3

Mr. Moore was not present. This application was on the agenda for the previous meeting, which Mr. Moore did not attend. The chairman recommended that Mr. Moore advise the Board in writing if he wished to have his application considered in the future.

5. Lee and Leah McGriff, Shoal Creek AL (represented by Joseph LeBlanc) - Shoreland (Limited Residential) building permit review for dock, ramp, floats and haul-out area, Cross River, 880 Cross Point Road, Map U-14, Lot 880

Mr. LeBlanc presented plans for a 40-foot ramp, a 6' x 30' pier and two 10' x 20' floats. The 45-acre lot has 4000 feet of frontage. A farmhouse and barn are on the lot. Included in the application is an 8' x 35' timber frame float haul-out. The pier and haul-out will be built on site; the ramp and float will be built offsite. The Army Corps of Engineers' permit has been received and Mr. LeBlanc has met with the DEP and expects that permit shortly. The abutters have been notified, but no comment from them has been received.

The Board reviewed the performance standards and replies made by the applicant as follows to determine if the project:

1. Will maintain safe and healthful conditions - passive system, not public, no disturbance or erosion;
2. Will not result in water pollution, erosion or sedimentation to surface waters - no excavation, no septic;
3. Will adequately provide for the disposal of all wastewater - no wastewater;
4. Will not have an adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitat - DEP permit will include IF&W and Marine Resources approvals;
5. Will conserve shore cover and visual, as well as actual, points of access to inland and coastal waters - will not affect third party access or cover;
6. Will protect archaeological and historic resources as designated in the comprehensive plan - sent application to Maine Historic Preservation Commission and Five Tribes;

7. Will avoid problems associated with flood plain development and use - not residential, fixed structure; and
8. Is in conformance with the provisions of Section 1.9, Land Use Standards- yes.

Bruce Cameron moved, Barry Hathorne seconded, that the findings of fact in Article III, Section 1.10.3.1 through 1.10.3.8 have been met. Vote 5-0.

Barry Hathorne moved, Anne Peaslee seconded, to approve the application conditional upon receipt of the DEP approval and the filing of the approval with the Planning Board. Vote 5-0. The fee was paid.

6. Glidden Oyster Co., Inc. (represented by Lauren Stockwell) - Shoreland (Limited Residential) building permit review for landing, Damariscotta River, 707 River Road, Map R-6, Lot 56-1

Ms. Stockwell presented an application for construction of a 30' x 20' wooden pile-supported landing north of the existing pier to allow access by boat at mid to high tides for loading and off-loading of product and gear. The proposed structure will eliminate the need to carry the oysters up the ramp from the float and will allow the unloading of cages onto the landing for periodic drying. Permits from the DEP and Army Corps of Engineers as well as a letter from the Historic Preservation Commission have been received. There will be no disturbance to the ground; the construction will be on ledge. The abutters have been notified and there has been no comment. Although the DEP application is for a recreational pier, the Board determined that it is a water-dependent commercial use, that aquaculture is a permitted use and the landing is a structure accessory to an allowed use. The written responses to the review criteria in the subdivision regulations were read and will be filed as part of the application. David Boucher moved, Anne Peaslee seconded, that the findings of fact in Article III, Section 1.10.3.1 through 1.10.3.8 have been met. Vote 5-0. David Boucher moved, Bruce Cameron seconded, to approve the application. Vote 5-0.

7. Announcements and Correspondence - none

8. Other Business

Katharine Braid asked that the Planning Board contact the Comprehensive Plan Task Force with the recommendation that particular concerns or issues be included in its review. Her recommendations were that the comp plan indicate whether listed uses were exclusive and none others were permitted or whether similar uses would be permitted; and that the plan address what forms of uses fall within the taxpayers' definition of rural. Examples of uses, which are not addressed in the ordinance, are a scrap metal yard and adult bookstore. She also would like the task force to indicate whether there will be any change in the subdivision regulations. There was a consensus that members of the Planning Board would submit questions on policy matters for the task force to consider at the next workshop meeting on July 7.

9. Election of Officers

Katharine Braid said she could not continue as chairman without the assistance of a part-time planner, and she nominated David Boucher to succeed her. Boucher said he was not available to take calls or emails during the day and had limited time in the evening to devote to Planning Board business; however, he would accept the nomination but it would be necessary to develop a communication system in order to accommodate applicants. Changes in Board procedures will be discussed at the next workshop meeting. The vote on David Boucher's nomination as chairman was 4-0-1 (Boucher abstained). Boucher nominated Katharine Braid as vice-

chairman. Braid said she would be willing to chair meetings when the chairman was not available, but was unable to take calls as well. The vote on the vice-chairman nomination was 4-0-1 (Braid abstained).

(Continuation of Other Business)

Stu Smith, Chair of the Select Board, explained the approved budget of the Planning Board for the year is \$4,050. This amount does not include the Planning Board's legal costs that will be covered by the Town's legal budget up to a total of \$2,500. He recommended that the Planning Board use MMA as much as possible. Katharine Braid said that some legal fees and consultant fees would be payable by the applicant; however, as she had pointed out in her request for funds, the budget as approved would not cover ordinance revisions if they were needed when the new comp plan is approved. Stu Smith said that there are no funds, other than the Planning Board budget, to cover the costs of any ordinance revisions, and he pointed out that the Town is on a tight budget and taxes are going up.

With regard to the amendments, which have recently been approved, Stu Smith suggested not reprinting the Land Use Ordinance until the Shoreland revisions have been approved by the State. Byron Johnson will follow up with the State on its progress.

Stu Smith asked that the Planning Board reinstate the public comment period as a means of obtaining input from the public and improving public relations. Katharine Braid said that planning boards of surrounding towns do not have a public comment period and added that the time for Board members to discuss issues among themselves is limited and the majority of meetings have lasted two and a half hours just dealing with applications and administrative matters.

Jarryl Larson suggested that comments on Planning Board matters received by the Select Board be forwarded to the Planning Board for consideration.

Stu Smith said that the Selectmen meet at 6 p.m. on Mondays, and the Planning Board does not have to give prior notice to attend and speak at their meetings.

John Johnson said there is the perception that the Planning Board is a closed shop and that people had complained to the Selectmen that they had been insulted and not allowed to speak before the Planning Board. He also noted that at the May 15 Planning Board meeting Katharine Braid had made a clarification that he thought was inappropriate, as it appeared she was trying to change what was actually said at the May 5 meeting. It was explained that the reason for the clarification item on the agenda was to explain any misstatement or clarify statements made at a previous meeting, the original minutes of May 5 would remain as written, the minutes of May 15 would contain the clarification, and, in any event, the tape of the meeting was the official record.

Jack Sarmanian, newly elected Selectman, recommended that the Selectmen and Planning Board work closely together.

Returning to administrative matters, Katharine Braid said a checklist for the subdivision application was needed. Byron Johnson said he would be working on that as well as one for the shoreland application, which would need references to the amended ordinance. He will also consolidate the recently approved amendments into the Land Use Ordinance, and there is sufficient money in the planning account to publish a limited number of copies.

## 10. Adjournment

Barry Hathorne moved, Katharine Braid seconded, to adjourn the meeting at 8:50 p.m. Vote 5-0.