

Town of Islesboro
Planning Board
Regular Meeting
July 9, 2012
6:15 PM
Town Office Meeting Room

MINUTES

Members Present: Chairman Alice Faye, Peter Coombs, Gil Rivera, Mark Small, Janice Harmen (tardy) and alternates Katie Schwarzenbach and Jennifer Whyte

Others Present: Bill Boardman - CEO, Andy Hamilton, Nancy Hoffman, Judy Gardner, Paul Nichter, Pete Anderson, Adam Seamans, Bill Thomas, Carrie Thomas, Michael Boucher, David Burmon, Kayo Burmon.

The meeting was called to order at 6:15 PM and a quorum was established.

MOTION by Mark Small to accept the minutes of June 18, 2012 as amended. Gil Rivera seconded the motion and it passed 4-0.

ANDY STAPLES, CARPENTER FOR HIRE LLC, MAP 39, LOT 36, MD3-12

This application was tabled at the last meeting for consultation with the town attorney. As the General Code has been adopted after the initiation of this application, the attorney advised A. Faye that the Board continue to review this application through completion under the old ordinance. The Board members were given hard copies of the General Code ordinances, but have been asked to keep the old ordinances for now.

Paul Nichter, agent for Andy Staples, addressed the Planning Board and passed out a handout on a GrassPave System using a honeycomb type product to allow grass to continue to grow with low speed, moderate use of vehicles. Mr. Nichter said he's addressed other issues raised by the Board in his letter dated June 15, 2012. He further said that amendments to the original application have been made and that the application now meets the ordinance standards.

Bill Boardman, CEO, has reviewed the calculations of the 2NC form and has found that his numbers are different that those of Mr. Nichters. Mr. Boardman submitted his 2NC form for the file.

A. Faye stated that the applicant has not made it clear on the plan where the parking, driveway, and/or grassed areas are going to be. Mr. Nichter said he may have to request the application be tabled so that he can submit a more precise plan delineating these areas. A. Faye also told the applicant that there is the possibility that they may have to go the Board of Appeals to request a variance citing chapters referencing same in the DRO and LUO. Mr. Nichter told the Board they are not asking for a variance but want to know whether the Board will accept the documentation that grass can grow using the GrassPave System.

Andy Hamilton referred the Board to his letter of May 21, 2012, P 3, describing four violations of DRO 4.1.9: 1) Lot coverage violation 2) Placement of Fill Violation 3) Development Prior to Approval Violation, and Nuisance Violation. (Please see letter for details). He also pointed out that the size of the truck that was recently parked on Mr. Staple's lot was not a light vehicle (he showed a picture of the truck to the Board). He said that contractor's yards are inconsistent with grass pavers.

Mr. Staples said that he is willing to amend his application to show elimination of the fence and in turn the elimination of the yard as an area of activity. There is an existing gravel area that he can use to park.

A. Faye clarified that what Mr. Staples has done to date on the property was with the consent of the CEO, whom was following guidelines of the ordinance, and therefore he is not in violation of the ordinance. Mr. Hamilton said that Mr. Boardman was testing compliance under the LUO and not the DRO. He went on to state that buffers are not discretionary under the DRO, they are mandatory, and in this case they are mandatory unless the applicant amends his application otherwise.

MOTION BY M. Small to table the application of Andy Staples, MD3-12, for submission of a revised application. G. Rivera seconded the motion and it passed 5-0.

JANET AND ANDREW ANDERSON, MAP 30, LOT 3, MD#8-12

This application is for the conversion of a garage into a woodworking shop, and was tabled at the last meeting for Findings of Fact. Findings of Fact were distributed and reviewed the Board.

MOTION by M. Small to approve the Findings of Fact as written. G. Rivera seconded the motion and it passed 5-0.

MOTION BY M. Small to approve Application #MD8-12, Map 30, Lot 3 for Janet and Andrew Anderson to change the use of the existing garage into a woodworking shop. G. Rivera seconded the motion and it passed 5-0.

CHRISTIE RAY ROBB, MAP 38, LOT 16, MD#9-12

This application for the establishment of a gift shop was tabled for Findings of Fact at the last meeting.

The Findings of Fact were distributed and reviewed by the Planning Board.

MOTION by J. Harmen to approve the Findings of Fact as written. G. Rivera seconded the motion and it passed 5-0.

MOTION by J. Harmen to approve the application of Christie Ray Robb, MD #9-12, Map 38, Lot 16 for the establishment of a gift shop. M. Small seconded the motion and it passed 5-0.

BILL AND CARRIE THOMAS, MAP 36, LOT 13, Application #21-12

This project includes the addition of a new entry with a bathroom, mudroom, and laundry with new stairs that will lead to a hall and open study area. The kitchen will be renovated and expanded as well. The application was found to be complete by the Planning Board, and it was noted that there are ample setbacks. There is no addition of a bedroom, so the septic system is not an issue.

MOTION by P. Coombs to approve Application #21-12, Map 36, Lot 13, for Bill and Carrie Thomas to construct an addition and perform renovations to the existing house as outlined in their application. M. Small seconded the motion and it passed 5-0.

ADAM SEAMANS, MAP 32, LOT 5D, Application #17-12

This application is to construct a 6' x 24' addition to the existing cab to be used for extra space and storage. The building is essentially a cabin with a gray water system. The application was reviewed and found to be complete. The closest side lot line is 40'. There is an outhouse on the premises which is still in use by the applicant.

MOTION by M. Small to approve Application #17-12, Map 32, Lot 5D for Adam Seamans to construct a 6' x 24' addition to the existing cabin. G. Rivera seconded the motion and it passed 5-0.

BILL SCHOPPE, MAP 38, LOT 14A, MD#10-12

This application is a change of use of a portion of the existing house to be used as a church, called Island Baptist Church. The applicant has church gatherings on Wednesdays and Sundays and wants to put up a sign as well. The size of the activity in the house which includes a room, hall and bathroom, is 280 square feet. The applicant has a letter of standing from the owner of the property, as well as a letter from Mark Umbach giving him permission to use Mr. Umbach's adjacent lot for overflow parking. The application was deemed complete by the Planning Board.

The applicant has already been holding sessions at this house and wants to get a formal permit to hold these

gatherings. Several Board members questioned whether the newly established parking area is 50' back from the center of the road and also questioned whether there needs to be adequate buffers as outlined in Chapter 16. The Board is unclear on whether buffers are mandatory for minor development applications, and if they are, they would look towards perhaps changing the ordinance to *not* make it mandatory to create buffers for minor development applications.

MOTION by P. Coombs to table the application of Bill Schoppe, Map 38, Lot 14A, MD#10-12 for a site review. G. Rivera seconded the motion and it passed 5-0. G. Rivera, P. Coombs and B. Boardman will perform the site review.

OTHER BUSINESS

Correspondence from EBI Consulting re an *Invitation to Comment* on the Verizon Cell Tower at PYY. As this application has already been approved by the Planning Board, it didn't seem logical to send in comments after-the-fact.

MOTION by M. Small to adjourn the meeting. J. Harmen seconded the meeting and it passed 5-0. The meeting adjourned at 7:25 PM.

Respectfully submitted,

Peggy Pike
Secretary to the Planning Board