

Town of Islesboro  
**Board of Selectmen**  
Regular Meeting  
January 30, 2013 @ 6:15 PM  
Town Office Meeting Room

**AGENDA**

Members Present: Craig Olson, Susan Schnur, Arch Gillies, Jay. T. Zlotkowski, and Sandra Oliver

Others Present: Town Manger Janet Anderson, CEO Bill Boardman, Maggy Aston, William Warren, Pam Grindle, David Paul, Robert Crawford, and Robert Gerber.

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

MOTION S. Schnur to approve the minutes of January 16, 2013 as written. A. Gillies seconded the motion and it passed 5-0.

MOTION by S. Schnur to approve the minutes of January 23, 2013 as corrected. A. Gillies seconded the motion and it passed 5-0.

**PUBLIC HEARING**

MOTION by S. Schnur, seconded by A. Gillies to go into Public Hearing to consider the Automobile Junkyard application for David Paul and Pam Grindle.

C. Olson explained the procedure for the Public Hearing, asking that any future correspondence be submitted to the Board of Selectmen no later than the Friday prior to the meeting at which the application is discussed. Sequence of Public Hearing will be the applicant will speak first describing the proposed activity, followed by abutter's comments and questions, and finally the Selectmen will have the chance to ask questions. C. Olson reminded the Board to ask all questions during the Public Hearing, and not after the Public Hearing is closed. All motions/decisions will be made outside of Public Hearing.

Craig Olson, structured the review /discussion around each point of the Maine Statutes Title 30, Subchapter 1: Junkyards and Automobile Graveyards.

**Applicant David Paul** described his plan to establish an automobile graveyard:

He intends to follow the rules and regulations as outlined in the Maine State Statutes, and would remove all fluids, refrigerants, batteries, etc from any automobile that is not operational within 180 days of acquisition as outlined in §3754-A #5 (F). He is not necessarily going to drain them of fluids prior to storing them, but he does intend to drain them within 180 days of acquisition. The fluids will be drained into barrels which will be stored close to the existing garage on Lot 17. (Actually Map 19, Lot 2) The vehicles are to be stored on Map 17, Lot 20. The barrels will be taken to a mainland facility for recycling. He will probably install a cement pad on which to place the barrels while they are being stored. Batteries will also be taken to the mainland facility as Mr. Paul can make money on these as well. Mr. Paul would store tires in small amounts near his garage and then take them to the mainland periodically. He does not intend to use solvents in his automobile recycling business. Regarding freon - Mr. Paul does not have tools for recycling at this time. Under ordinary circumstances he would leave the freon in the automobile. He has not

opened his mechanic business as of yet, he is still acquiring tools and equipment necessary to operate the business. Opening his mechanic business is not dependent on establishing the junkyard, although it would be helpful. He reported that there was no state license required to establish his mechanic business, but

would need one if he were to inspect vehicles down the road. The work on the vehicles will primarily be done on Lot 17 (Actually Map 19, Lot 2), and then the automobiles will be placed on Lot 20, Map 17. The applicant, and his mother, Pam Grindle, say that the two lots abut and vehicles will be towed or taken from Map 17, Lot 20 directly to Lot 17 (Actually Map 19, Lot 2) going from one lot directly to the other lot without going on the Main Road or over another person's property. The applicant said that the Town Tax Maps are not a true representation of the lots, and they state they have a survey of the lots. They did not, however, provide the Selectmen with the survey. It was noted that the Planning Board is directed to go by the Town Tax Maps when issuing a permit, and the same perhaps would be true for the Selectmen when issuing a permit.

**Attorney Robert Crawford** outlined his concerns. They are as follows:

- 1) There is no impervious area intended for the junkyard site.
- 2) He is concerned that practices be put into place to prevent accidental discharges.
- 3) There are clear EPA restrictions and standards that need to be followed regarding freon.  
Mr. Gerber noted that it is illegal to crush a car with the older type refrigerant.
- 4) He is concerned that there be some type of containment unit placed under the barrels that will be holding the fluids to avoid leakage on the ground in case of spillage.
- 5) He wonders if there are any solvents used in the recycling business.
- 6) He wants to know the procedure for handling/storing and disposing of batteries.
- 7) He wants to know the procedure for handling/storing and disposing of tires.

**ARCH GILLIES** asked if the Board of Selectmen can issue a permit for an automobile graveyard on Map 17, Lot 20 when most of the work will be done on Lot 19. (Actually Map 19, Lot 2). **Mr. Crawford** asked the applicant for confirmation that he would be working on the vehicles on Lot 19 (actually Map 19, Lot 2), and then storing them on Map 17, Lot 20, to which Mr. Paul confirmed in the positive. **Mr. Crawford** said that the application should include both lots as activity for the business will take place on both lots.

**Operating standards (B):** Bill Boardman, CEO, Craig Olson, as well as the Groundwater Committee all went on site, took measurements and found that the area meets the setbacks as outlined in this section. **Bob Gerber of Ransom Consulting Engineers and Scientists** said that in reviewing this application and looking over the maps that were provided, he is unable to make any sense of them. The maps do not correlate with the hand written sketch. Without knowing exactly where the junkyard is and not having the maps drawn to any type of scale, he cannot continue with his review. A clear map to scale is needed. **Mr. Boardman, CEO, said that he is positive after measuring the setbacks that the junkyard meets the setback from the wetland and the stream.** **Mr. Gerber** argued that this cannot be a certainty without having an accurate map showing the exact location of the junkyard. **Mr. Boardman** admitted that he did not measure the setback from the property line. It was decided that Mr. Boardman would go back to the lot and take GPS readings of the 4 corners of the junkyard and readings from the property lines if he can find them. This information will be provided to Mr. Gerber. **Mr. Gerber** said that if he were able to have access to Mrs. Grindle's survey that that could prove to be helpful as well.

Mr. Boardman goes on site once a year to read the log as described in Section E. It was discussed that perhaps a stipulation of the permit would be to have Mr. Boardman go every six months instead to read the log.

**Mr. Boardman** reported that he did speak to Earl Townsend, D.E.P. and was told that because this area is under one acre, there are no storm water regulations that come into play.

MOTION by S. Schnur to recess the Public Hearing until February 27, 2013 at 6:15 PM. A. Gillies seconded the motion and it passed 5-0.

MOTION by S. Schnur to table the application of David Paul for an accurate survey of the lot(s), GPS locations of the 4 corners of the automobile graveyard and lot lines, and that this information be given to the abutter's representative. A. Gillies seconded the motion and it passed 5-0.

#### TOWN MANAGER'S REPORT

- 1) 4<sup>TH</sup> Quarter ending balance for the Health Center Endowment Fund was reviewed.  
The balance is currently \$45,703.98
- 2) MOTION by S. Schnur to approve the Construction Overlimit Permit for Maine DEP for the Mill Creek Road Project. A. Gillies seconded the motion and it passed 5-0.  
The BOS signed the permit.
- 3) MOTION by S. Oliver to approve the letter dated January 30, 2013 to the Waldo County Legislation Delegation regarding Islesboro's Fiscal Impact of Governor LePage's State Budget Proposed Town Year Suspension. S. Schnur seconded the motion and it passed 5-0.

#### CORRESPONDENCE

- 1) Letter from Robert Crawford of Berstein Schur dated 1/24/13 (reviewed under Public Hearing proceedings).
- 2) Draft of the Airport Committee Minutes dated 1/24/13. J. Anderson said they did discuss the fence and they are not supportive of the idea at this time. The committee intends to check the runway in the spring, as this is something they used to do routinely.

#### WARRANT

MOTION by S. Schnur to approve Warrant #15 in the amount of \$425,190.51. Jay. T. Zlotkowski seconded the motion and it passed 5-0.

Town Payroll	\$ 38,743.01
Town Payables	\$ 41,450.84
Health Center Payables	\$ 1,865.98
School Payroll	\$ 46,287.93
School Payables	\$ 298,708.73
<b>Total:</b>	<b>\$ 425,190.51</b>

## APPOINTMENTS

MOTION BY S. SCHNUR TO appoint Gordon Murphy as Local Health Officer.  
A. Gillies seconded the motion and it passed 5-0. This is a three year term.  
It is noted that Alison Wood is also the Local Health Officer. This will be beneficial as sometimes one or the other is not available.

## SELECTMEN COMMENTS

Sandy Oliver would like to encourage people who wish to run for office to take out papers.  
She is intending to write an article in the Island News to promote and encourage this idea.

MOTION by S. Schnur to adjourn the meeting. A. Gillies seconded the motion and it passed 5-0.  
The meeting adjourned at 8:15 PM.

Respectfully submitted,

Peggy Pike  
Secretary to the Board of Selectmen.

