

ISLESBORO PLANNING BOARD  
REGULAR MEETING  
MONDAY, March 28, 2022  
In- Person and Zoom Meeting at 5:00 PM, Town Office

**MINUTES**

1. Call the meeting to order and Establishment of a Quorum

Chair Bill Schoppe called the meeting to order and a quorum was established at 5:00 pm.

Members Present: Bill Schoppe, Isabel Jackson, Jennifer West, and Jesse Burns.

Members absent: Gil Rivera and Roger Burke.

Others Present: Dave Dyer, CEO, Suzanne Caporael, Bruce Murkoff, and Earl MacKenzie. Via Zoom: Jim Mitchell, Terry Cowan, and Melissa Burns.

2. Approval of Minutes of March 14, 2022.

**Motion: To approve Minutes of March 14, 2022, as written, J. Burns, seconded by I. Jackson. No discussion. Roll Call, Motion passed, 4 yes, 0 no, Unanimous.**

3. OLD BUSINESS

A. LAND USE ORDINANCE

1. None

B. DEVELOPMENT REVIEW ORDINANCE

1. None

**Motion: To take the agenda out of order, B. Schoppe, seconded by I. Jackson. No discussion. Roll Call, Motion passed, 4 yes, 0 no, Unanimous.**

4. NEW BUSINESS

A. LAND USE ORDINANCE

1. Bruce Murkoff for Suzanne Caporael, Application LU 11-22, to construct an addition of a library, bedroom, and bathroom.
  - Bruce Murkoff explained that there is an old barn that is about three feet from the house, and that the addition will connect the barn and house to provide more space.
  - Not changing the footprint of the house.
  - Isabel Jackson asked if the current septic system can accommodate the additional bedroom.
  - Dave Dyer said that Bill Boardman evaluated the septic system, and it is sufficient for the expansion. It is a 3-bedroom system, and there are currently only two bedrooms.
  - Bill Schoppe said he didn't see a reason for a site review.

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**Motion: No need for a site review for application LU 11-22, J. Burns, seconded by B. Schoppe. No discussion. Roll Call, Motion passed, 4 yes, 0 no, Unanimous.**

**Motion: Application LU 11-22 is complete, J. Burns, seconded by I. Jackson. No discussion. Roll Call, Motion passed, 4 yes, 0 no, Unanimous.**

**Motion: No request or need for a Public Hearing for application LU 11-22, I. Jackson, seconded by J. Burns. No discussion. Roll call, motion passed, 4 yes, 0 no, Unanimous.**

**Motion: To approve application LU 11-22, J. Burns, seconded by I. Jackson. No discussion. Roll Call, Motion passed, 4 yes, 0 no, Unanimous.**

**Motion: To return to original agenda, B. Schoppe, seconded by J. Burns. No discussion. Roll Call, Motion passed, 4 yes, 0 no, Unanimous.**

2. Roger Burke for Terry Sanderson, Application LU 10-22, to construct a new entrance, porch, and 9'x10' dining area.
  - Neither party was present to answer questions.
  - Dave Dyer said the property is not a non-conforming lot. It's big enough, but we're unsure about setbacks.
  - Some information is lacking. We will need a site review.
  - There's no septic design, but they're not putting in any bedrooms, so no septic design is needed.
  - Jennifer West asked if the shoreland part of his property should be indicated in the application even though the project is not in the shoreland. Dave answered that the project doesn't fall within 250 feet of the shoreland so it doesn't need to be indicated.

**Motion: To table application LU 10-22 for a site review, J. Burns, seconded by I. Jackson. No discussion. Roll Call, Motion passed, 4 yes, 0 no, Unanimous.**

Bill Schoppe and Jennifer West volunteered to go on site review. Dave will let us know when.

#### B. DEVELOPMENT REVIEW ORDINANCE

1. None

#### 5. OTHER BUSINESS

- CEO Report: Dave submitted his report for January. New dock that we approved last year needs shoreline stabilization.
- People Wishing to Address the Planning Board: Earl MacKenzie spoke about the application that he will soon submit on behalf of the Town for the recreational Big Tree Swim Project dock at Seal Harbor, and said he'd answer questions preliminary to submitting the application.

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- There's a bit of a time crunch because they are hoping to have it operational for this summer.
- Materials are on order. The town will own them.
- We have a contractor who is willing to do the work in a timely fashion, but we still have to go through the bid process to make sure that no one else wants to bid on it.
- All permits have been approved. The DEP permit is not in our hands, but it's coming soon. They are required to provide it before the 1<sup>st</sup> of April.
- Earl is wondering if the Planning Board can do a site review prior to the next meeting, so that the application doesn't have to be tabled and extended to the following meeting.
- Earl would be happy to meet with any Planning Board members anytime.
- Preliminary clearing has been done.
- This application will be only for the dock, not the parking area, nor the grounds.
- UMaine Engineering group is doing a study on potential ways to address parking.
- The necessity of the project is because it's getting dangerous with the amount of people swimming at the current boating docks. There have been close calls with boats.
- The Recreation Committee wants to conduct swimming lessons this summer, and the Harbor Committee has assured them they're going to do everything possible to have it in place.
- We have a float donated, we've purchased the incline, the engineering is finished.
- Hoping we can be on the April 11<sup>th</sup> agenda.
- Earl spoke with Bill and Janet about whether or not we will need a public hearing. Janet is looking into it.
- Last year \$30,000 was approved by the Town. This year the Harbor Committee is asking for \$10,000 to complete the project. \$53,000 has been raised in donations, and more is coming. There's been a lot of volunteer work.
- J. West asked Dave if, since this is a municipal project, does the application need to go under Development Review. Dave thinks because it is a regular dock, it can be a Land Use application. Once they apply for the parking project, that will be Development Review.
- J. West asked if the access ramp locations have been staked out. Earl answered that it has been. Tom Fowler did the engineering. All abutters have been notified.
- J. West asked if the Harbor Master has submitted a letter. Earl answered that he has personally done all the soundings, which is included in the documentation.
- No boats will be allowed except for a row boat for safety, possibly kayaks. The area is inside where the mooring field is. From the float to the beach is completely out of the boating area. A floating line will be installed to mark a swimming lane.
- There was a discussion about whether or not the Planning Board could do a site review in advance, and the precedent that would be set.
- B. Schoppe asked about the possibility of congestion at Big Tree if we approve the dock before parking is improved. Earl feels the safety issue at the boating dock is far greater.

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- I. Jackson asked if the speed limit will be lowered along that stretch of road. Earl said he would like to see it lowered and talked about ways to do it, with signage, a crosswalk, etc., but wants to keep the parking and road part of the project separate.
  - We can do research on whether a Public Hearing is needed, and discuss further whether we can do a site review in advance.
  - Earl pointed out that the Board has the authority to take things case by case and not be constrained by precedent.
  - I. Jackson asked when the bidding process would be finished, and Earl responded that he couldn't send the project to bid until it has Planning Board approval, unless he puts it out contingent on approval. We want to keep the process above board and transparent.
  - J. Burns volunteered to go on site review.
  - Terry Cowan addressed the Board via Zoom. He thinks the Board is dancing close to making decisions without benefit of public notice and public hearing. He also pointed out that the Town and not-for-profit organizations are not exempt from normal Planning Board discussions of Land Use and permitting, per the Town Ordinance. This should be in an open, advertised public meeting.
  - Earl stated there are certain exceptions sometimes for municipalities for maritime use, for maintenance at the ferry dock, etc. Bill would like to see it in the Ordinance.
- Correspondence: None.
  - Committee Reports: None.
  - Chair- Additional Business: None.

6. Adjournment of Meeting

**Motion: To adjourn meeting at 5:46 pm by B. Schoppe, seconded by I. Jackson. No Discussion. Roll Call, Motion passed, 4 yes, 0 no, Unanimous.**

Respectively Submitted,



Carrie Reed