

Islesboro Select Board  
Regular Meeting  
Town Office Meeting Room & via Zoom  
Tuesday, January 17, 2024 @ 6:00 PM

MINUTES

APPROVED  
1/31/24

**Members Present:**

Chair Shey Conover, Vice Chair Lauren Bruce, Melissa Burns, and Peter Anderson

**Others Present:**

Town Manager Janet Anderson, Jennifer West, Isabel Jackson, John King, Murt Durkee

Via Zoom: Josh Leach, Fred Porter, Philo Hutcheson, Amy Mulnix, Antony Merck, P. Steffen

Call to Order: Chair Shey Conover called the meeting to order at 6:00 PM and a quorum was established.

**MOTION BY M. Burns, seconded by P. Anderson, to approve the minutes of January 3, 2024 Regular Meeting, as written. Motion passed, 4 yes, 0 no.**

**VISITOR COMMENTS/PETITIONS.**

None.

**FERRY SERVICE UPDATE**

John King reported on the status of the MCS. The reduction gears need to be replaced. It's been hauled for a Coast Guard hull inspection anyway, so they will do the repairs at the same time. It will be offline for 8-12 weeks. Bill Geary has stated he has no plans to change the ferry schedule, which is currently the summer schedule Monday – Friday.

John stated he has been on the Emergency Transportation Committee to explore ambulance options, but it's not going anywhere, so he feels the committee should be disbanded. However, Fred Porter has been in touch with John regarding another organization that is exploring water ambulances, with a broad scope in Penobscot Bay.

Regarding the Tariff, it is still in process and hasn't been submitted for approval. There is still an opportunity to comment. We have a recent request from Bill Geary about some provisions. Item #11 is about Priority Transportation. Emergency vehicles will have priority. Postal Service vehicles are listed, and they will be keeping them as priority so people can get their medications. John will clarify with Bill Geary. John thought the Board might want to discuss island-specific information for priority status. He recommends leaving it be. S. Conover stated she feels it's been working as is, and we should keep it simple. J. Anderson stated she feels the Health Center providers should also have priority status. S. Conover read from page 11, Municipal Priority, "Each municipality is authorized to arrange priority transportation in support of town projects..." The Health Center providers should be covered with that provision, but it's

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worth clarifying how it's working. J. Anderson will check with Dorie and Dr. Kramer about how it's been working so far. S. Conover stated that if it hasn't been an issue, we can make sure they get a reservation through the Municipal Priority provision. John stated he will clarify with Bill Geary.

John will attend the Advisory Board meeting next week via Zoom.

## **SEA LEVEL RISE**

S. Conover thanked the Emergency Response folks, who did a tremendous amount of work and coordination over the past week and a half with the storms. It was a real community effort. It provided real life examples of why we are focused on the Narrows.

GZA Engineering is coming tomorrow for a kickoff meeting. They will head to the Narrows and take measurements onsite, then meet with the committee. The goal is for them to get a sense of the community, understand our risk tolerance, and hear a summary of all the community outreach we've done over the past 9 months. They will then do some modeling of three alternatives they will propose to us as potential infrastructure changes. We should have those alternatives by the end of April or beginning of May.

As a committee, we have been focused on the Narrows, but Fred and Carrie are collecting photos and videos from the storm damage. About 18 months ago, we met with representatives from the MDOT about the Ferry Road concerns, and at that point they were doing their own studies. Now is a good time to reach out to them with photos and re-engage. In addition to doing small-group community meetings on the Narrows project, Liv Lenfestey, our Island Fellow, is pulling together a list of resources with the Island Institute to help landowners who have experienced damages from the storm.

Murt Durkee added that these storms have opened our eyes to other areas that will be affected. The end of Billy Shore drive flooded and took quite a bit of pounding. West Bay Road near Dale Hatch's place got close to flooding. Sprague's Beach was full of water but it never crested over the road because it was on the lee side of the island. We still have concerns about parts of East Shore Drive. S. Conover replied that Shri Verrill is helping us identify funding sources to address those other vulnerable areas. We need to put some money into our road maintenance plan this coming budget season.

## **MUNICIPAL BUILDING PROJECT**

L. Bruce reported that the bidding and the Guaranteed Maximum Price process is happening between January 19 and February 19. We should have a GMP by Feb. 26. The preconstruction permitting, shop drawings, and site mobilization should be happening in early March, and construction should begin March 21.

## **UPCOMING MEETINGS AND SUBCOMMITTEE REPORTS**

- Harbor Committee: January 18<sup>th</sup>, 6:30pm
- Housing Committee: January 23<sup>rd</sup>, 5:00pm.

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- Planning Board: January 22<sup>nd</sup>, 5:00pm, cancelled.

**TOWN MANAGER REPORT**

- Packet included Agenda for 1/17/24 and Minutes of 1/3/24 Regular Meeting.
- Committee Minutes/Correspondence:
  - Harbor Committee minutes of 10/19/23
  - Energy Committee minutes of 12/12/23
  - Lighthouse Committee minutes of 11/30/23
  - Lighthouse Committee minutes of 12/28/23
  - 1/15/24 email from John King/Fred Porter/Rick Petrie re: Boat Ambulance Meeting.
  - Re: Museum
    - 1/8/24, Ken Smith sent a letter to CMP regarding Pole #39 at Grindle Point, which is connected to the Museum. He asked CMP to address this issue.
    - 1/16/24, Ken sent an update on storm damage at the Light Station. James Nelson and Phil Berry were able to secure the boat house after the 1/10/24 storm moved it six inches.
    - The Museum Committee worked tirelessly at cleaning up flooding in the tower.
- Old Business
  - Pine Tree Waste, Inc. Renewal Agreement – fuel usage chart included from Patrick Neal, Casella 1/4/24
- New Business
  - MSFS Tariff #9.1
  - Planning Board: Jennifer West will hand out a 1-page info sheet
- Warrant #15
- Manager Report
  - Roads: The Narrows took the biggest hit of the 1/10/24 storm, ripping up asphalt and spewing rocks across the road. Peter Coombs was able to clear it off and Phil Berry brought down stones from the Up-Island PS Garage site to fortify the low sea wall. Thank goodness the 1/13/24 storm was milder.
    - Ferry Road was flooded along the guardrails and adjoining wetlands.
    - Docks were blown around and PYY secured all. PYY is adding 3-ton moorings to floats.
    - Big Tree docks were fine.
    - Billy Shore Road lost three poles, and several trees down. The shoreline near the stone wall is eroding. J. Anderson spoke with Hans Brigham, who is having engineer Tom Fowler look at that area. Perhaps stones from Up-Island can be used.

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- Charlotte's Cove Road took a beating. Photo included.
- The Farley repair of East Shore Drive looks great. There is further erosion north of that area. She has asked them to send her a quote for that. They were planning to take their equipment off island on Friday, but if they can do this work while the equipment is still here, that would save us some money. S. Conover added that if Farley can't do it, we should put it out to bid. It would be important to remind them that we awarded them the contract because they could get the work done in a timeframe that has now been exceeded, and we have been patient and appreciate their prioritizing this so they can get it done.
- Thanks to all who helped during the cleanup: Fred Porter, Don Johnson, Murt Durkee, Jordy Watson, Charlie Cilley, Josh & Janice Leach, Phil Berry, Peter Coombs, John Apelquist, Nick Day, and Bill Tilden. Josh added Dylan & Monica Mullins, and Blake Zlotkowski.
- Josh stated he has a delivery to make to Impy's house on Tuesday, and asked if East Shore Drive will be passable by then. J. Anderson stated she will ask Farley tomorrow.

## CORRESPONDENCE

Discussed in Town Manager's Report.

## OLD BUSINESS

1. Pine Tree Waste, Inc. Renewal Agreement
  - Patrick Neal sent a follow-up with fuel chart and flat-rate options.
  - We're going to save a couple thousand dollars going with the higher flat rate based on his fuel cost predictions.
  - S. Conover stated she is convinced we should go with the flat rate rather than the variable fuel surcharge. M. Burns agreed, and added that the flat rate provides a tangible cost for budgeting.
  - It's a three-year contract.

**MOTION BY M. Burns, seconded by L. Bruce, to have Janet Anderson enter into a contract with Pine Tree Waste with a flat rate. No further discussion. Motion passed, 4 yes, 0 no.**

## NEW BUSINESS

1. Maine State Ferry Service Tariff #9.1.
  - Discussed in Ferry Service Update

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2. Planning Board Proposed Ordinance Changes

- Jennifer West and Isabel Jackson from the Planning Board explained the Planning Board's proposed ordinance changes based on the State's housing legislation, LD 2003, which is mandating increased housing density.
- Every town is required to have Designated Growth Areas, and Islesboro has that as the two Town Centers. For affordable housing, Growth Areas can have a minimum of 8,000 square feet per unit, or 2.5 times the base density otherwise allowed. Affordable housing uses a guide of 120% of Area Median Income (AMI). They have a question out to the attorney because the State legislation states it needs to be 80%, and Maine Housing Authority uses 120%.
- All housing still needs to meet setback and water system requirements.
- The new rules will allow an Accessory Dwelling Unit (ADU) for every primary dwelling unit.
- Our current ordinance requires that the homeowner must reside in the primary residence in order to have an ADU, but they are proposing to eliminate that requirement. This is unmandated.
- They are proposing to require that the ADU must be rented out for a minimum of 60 days in hopes of encouraging workforce housing.
- ADUs need to be at least 190 square feet and no more than 800 square feet. Tiny houses are smaller than that, but they can't be considered an ADU.
- The Planning Board is also updating and adding definitions for clarity.
- M. Burns asked if there are copies of what the current ordinance says and what it is being revised to. J. West stated that it is out to the attorney, and when it comes back, it can be shared with the Select Board.
- The Groundwater Committee suggested some changes. The Planning Board is proposing an Ordinance for Geothermal systems, as well as for swimming pools and fire-suppression cisterns. This will require a permit for new builds.
- The Planning Board would also like to expand the Town Center boundaries to follow property lines instead of the shoreland protection zones. The IAP would like to add lot 9A to the Post Office Town Center.
- The Housing Committee will be proposing a new Town Center around Durkee's Store.
- Discussion about the process. The Planning Board will look at what the attorney has done, then bring it back to the Select Board. It will need to go to Public Hearing, and then a vote at Town Meeting. It needs to be done by July 1<sup>st</sup>, when LD 2003 will go into effect.

**OTHER BUSINESS**

1. None.

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**APPROVE WARRANTS: FY24 #15**

**MOTION BY M. Burns, seconded by L. Bruce, to approve Warrant FY24 #15. No discussion. Motion passed, 4 yes, 0 no.**

**APPOINTMENTS:**

Lighthouse Museum Committee, Edward Bacon.

**MOTION BY M. Burns, seconded by P. Anderson, to appoint Edward Bacon to the Lighthouse Museum Committee. No discussion. Motion passed, 4 yes, 0 no.**

**CHAIR COMMENTS**

S. Conover: A big thank you to all the Emergency Responders and volunteers who have put in so much time over the past couple of weeks.

**VICE-CHAIR COMMENTS**

L. Bruce: Hope the weather stays nice for a while.

**INDIVIDUAL SELECT BOARD MEMBER COMMENTS**

P. Anderson: No comment.

M. Burns: Thank you to everyone who helped shore up the lighthouse. Basketball is going well. Check social media for dates, games, and fun stuff. Go Eagles!

**MOTION BY S. Conover, seconded by M. Burns, to Adjourn Meeting at 7:04 PM. No Discussion. Motion passed, 4 yes, 0 no.**

Respectfully Submitted,



Carrie Reed  
Secretary