

Town of Machiasport
P.O. Box 267 - Machiasport, Maine
Planning Board Meeting
THURSDAY- August 11, 2016
7:00 Planning Board Meeting

Chair

Michael Hinerman
2016-2019

Vice Chair

Jeff Huntley 2014-2017

Bill Prescott Jr. 2014-2017

Jimmy Clark 2016-2019

**Code Enforcement
Officer (CEO)**

James Bradley

Secretary

MINUTES

I. Call meeting to order/ Roll Call

Michael Hinerman called the meeting to order at 7:00 p.m.

Present: Michael Hinerman, Jeff Huntley, Jimmy Clark, Jim Bradley, CEO, Bill Prescott, Jr., Pam Jordan, Ronald Wood, Roseanne Arseneau, Robert Arseneau, Rick Heller, Kathy Mercer, Bob Mercer, Shar Lauders, Bonnie Beiswenger, Ron Beiswenger, Richard Fielder, Amanda Fielder, Wesley Graham, Heather Graham, Lynn Dwelley/Recorder

Quorum: Yes

A. Planning Board Correspondence – Mike Hinerman

Sandra Prescott has resigned as Planning Board Secretary. Members of the planning board should have a copy of her resignation. (Attachment #2). Temporarily for one meeting, Lynn Dwelley will take the notes.

The selectman received a written resignation from Rick Bury to confirm his verbal resignation, which we have a copy of.

II. Adjustments to Agenda-

MOTION made by Jeff Huntley, seconded by Jimmy Clark that the Planning board send a letter thanking Sandra Prescott, Rick Bury and Shirley Erickson for all their work. Motion Passed, Unanimous vote. Mike Hinerman will write the letter on behalf of the board.

III. Approval of Planning Board Minutes-July 14, 2016

MOTION made by Jeff Huntley seconded by Jimmy Clark to approve the July 16, 2016 Planning Board minutes as written. Motion passed. Vote 3 in favor, 1 abstention – Bill Prescott.

IV. Consideration of Building Permits

- A. BP # 16-19, Cheryl and Don Ficker, sunroom and screened in porch. Applicants not present. Jim Bradley has looked over the permit and has no problems with it. Discussion ensued regarding this permit.

MOTION to approve made by Bill Prescott, seconded by Jeff Huntley to approve BP # 16-19. Motion passed unanimously.

- B. BP # 16-20, Ronald L. Wood, deck. Applicant present. 10 X 34 open deck. The lot is one acre. No issues from Jim Bradley with the permit.

MOTION to approve made by Jimmy Clark, seconded by Jeff Huntley to approve BP # 16-20. Motion passed unanimously.

- C. BP # 16-21, Jack Collip, Remove existing structure, SLZ, and rebuild. Wesley Graham was present representing the applicant. Removal of what is commonly known as "the Castle" and replace it with a smaller structure approximately 1300 square feet. Further discussion ensued. **Jim Bradley** advised that the application meets all the requirements for rebuilding in the same footprint. **Bill Prescott** asked about the disposal of the debris. Mr. Graham advised that the debris will be hauled off the island. There was a general discussion regarding the burial of debris. Jim Bradley advised the committee of the laws on this matter. **Jimmy Clark** further advised that for real estate purposes, if debris is buried on a property it has to be declared on the deed. **Bill Prescott** inquired if a permit is needed to tear a house down. **Jim Bradley** answered that some towns don't require a permit, but Machiasport does require a permit.

MOTION made by Jimmy Clark and seconded by Jeff Huntley to approve Building Permit # 16-21. Motion passed unanimously.

- D. BP# 16-22, Richard Fielder, New Double Wide with new septic and well. Applicant present. Lot size is 1 ½ acres. The lot is near Downeast Correctional Facility. He will be 15 feet or more from all property lines. All documentation was complete for the application. Jim Bradley had no issues with the application.

MOTION made by Bill Prescott and seconded by Jeff Huntley to approve Building Permit # 16-22. Motion passed unanimously.

Consideration of TABLED Building Permits:

- A. BP# 15-19- David Thomas, After-The-Fact to remove and replace a trailer – **Tabled until September 8, 2016.** Applicant not present. Mr. Hinerman advised that Mr. Thomas put another trailer in to replace an existing one. The septic system was not an approved system and Mr. Thomas has been unable to locate the records on the original septic system. Due to financial issues, he was given until September to correct the matter. Jim Bradley will remind Mr. Thomas about the September meeting. There was additional discussion on how to correct the issue.

V. CEO Report- Jim Bradley

Mr. Bradley reported that it has been a quiet month, other than personnel changes.

He also agreed that everyone that is no longer with the committee has done a top notch job, noting that it isn't an easy job.

VI. Old Business - None

VII. New Business

- A. Review of Building Permit Ordinance revised at Town Meeting on June 27, 2016, including Permit Application Fee Schedule, Submission date and Expiration date.

Bill Prescott and **Mike Hinerman** clarified the Submission date of the building permit applications. **Mike Hinerman** said there was discussion at last meeting about an application that came in the morning of the deadline and the fee wasn't paid until the afternoon. The position was taken that because the application was physically there, it was not late.

Jimmy Clark had questions regarding Attachment 1, the fee schedule. **Mike Hinerman** advised that it was not in the ordinance that was passed at Town Meeting. It was taken out of the ordinance so the Selectmen could modify it without changing the ordinance. It will be presented to the Selectmen at their next meeting to be discussed.

Discussion ensued regarding the fee schedule. **Jim Clark** and **Jeff Huntley** felt that the fee per square foot was too high. **Jim Bradley** added that our permit fees barely cover the cost of utilities for the Planning Board meetings. **Bill Prescott** stated that this matter is out of the Planning Board's hands and should be changed by the Board of Selectmen if they want to. **Jimmy Clark** felt the square footage fee might dissuade people from building larger homes and discriminates on socioeconomic class. **Bill Prescott** added that when the new fee schedule was put together it was arbitrary numbers. It is up to the Selectmen now to decide on the fees. **Jeff Huntley** recommended going to a \$50 fee, with no additional fee for square footage. **Jimmy Clark** suggested a sliding scale percent based upon a table of values. **Jim Bradley** had no further comment. **Bill Prescott** felt that there should be some number in there. There was more discussion among the committee members on what percent to charge.

It was decided that **Mike Hinerman** would attend the next Selectmen's meeting and bring up the Planning Board's s ideas and opinions.

VIII. Public Comments –

Bob Mercer - He agrees that the decision to take the Planning Board's opinions regarding the fee schedule to the Selectmen is a good one. He will attend the meeting and voice his opinion that he thinks a dollar per square foot is ridiculous. He feels a dollar per 100 square feet is much more reasonable. He is in favor of a fee per square foot as long as it is reasonable. He also asked a question regarding burying items on your property, specifically a couch or furniture. He wanted to know if a resident can create their own impromptu residential land fill? **Jim Bradley** answered yes to that question. If you invite your neighbors/friends to do the same, you have exceeded the spirit of it. **Mike Hinerman** noted that he believes that there is a minimum amount of acreage you have to own before you can do this. **Jim Bradley** advised that things get much more sensitive around SLZ. **Mike Hinerman** advised that you have to be licensed and get a permit if you disturb more than one cubic yard (with some exemptions) of soil in SLZ. **Bill Prescott** wanted to confirm that anyone could bury asphalt shingles on their property? **Jim Bradley** said that this is correct.

IX. Reports/Comments from members

Mike Hinerman started by saying that he will take the Board's vote to write letters and hope to have that done within a week. There will be separate letters for all three. He does have a copy of Rick Bury's resignation. Presumably the Selectmen will discuss his replacement at their next meeting.

I also have a letter here from FEMA about their flood insurance rate maps and flood insurance rate study for Washington County. All the towns got electronic copies of these maps. They may not be 100 percent correct, but they are much better than the 1970's/early 80's maps we have been using. **Jim Bradley** noted that some towns have found inaccuracies. Mike Hinerman said these maps are based on LIDAR mapping and they are available online through Maine GIS or FEMA.

Bill Prescott commented on the previous minutes about Rick Bury's feelings on what was done by the Selectmen. He wants everyone to know that he agrees with Mr. Bury. He went on to express his dissatisfaction with the Selectmen's action.

Jimmy Clark will have a phone number available for a MEMA representative from the State of Maine who has full access to the GIS maps if anyone has questions about their property.

Bob Mercer gave an update on the ordinance committee. They met with Judy East who is with WCCOG. She advised on how to proceed with the SLZ ordinance. In her opinion, the latest version of the State's ordinance (Jan 26, 2015) is significantly less restrictive than the one from 1992. It's less restrictive than the one that was defeated in the Town Meeting in 2011, as well as the one we have in place right now. For the most part the State changed the language to "You May" instead of "You Must" do certain things. So, it's left an incredible amount of decisions up to the towns. Going forward the hope is that this will be significantly less restrictive than it was three years ago and we won't have the major objections that were raised at that time. We are using the new State's ordinance as a template and comparing it with our current ordinance, suggesting changes as necessary. Mr. Mercer said the time frame for completion should be anywhere from three to six months.

X. Adjournment

MOTION made by Jimmy Clark seconded by Bill Prescott to adjourn the Planning Board meeting at 7:50 p.m. Motion passed unanimously.

Attachment # 1 Copy of letter to the Selectmen from Secretary, Sandra K. Prescott dated August 5, 2016

Minutes recorded for the Planning Board by: Lynn M. Dwelley

Approved by the Planning Board 09-08-2016

Date

Attested by: Michael F. Hinerman
Michael Hinerman, Chair, Planning Board

The next meeting for the Planning Board will be held on September 8, 2016.