

Original

Approved by the Planning Board on October 13, 2016

**Town of Machiasport**  
**P.O. Box 267 - Machiasport, Maine**  
**Planning Board Meeting**  
**THURSDAY- September 8, 2016**  
**7:00 Planning Board Meeting**

**MINUTES**

**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**

**I. Call meeting to order/ Roll Call**

**Michael Hinerman** called the meeting to order at 7:04 p.m.

Present: Michael Hinerman, Jeff Huntley, Jimmy Clark, Jim Bradley CEO, Bill Prescott, Marcus LiBrizzi, Tyler LiBrizzi, Lynn Dwelley/Recorder

Quorum: Yes

**A. Planning Board Correspondence – Mike Hinerman**  
N/A

**II. Adjustments to Agenda-**  
N/A

**III. Approval of Planning Board Minutes-Aug 11, 2016**  
Bill Prescott noted an error in the spelling of Bob Mercer’s last name in two different locations. Spelling should be changed from Mercier to Mercer.

**MOTION made by Bill Prescott, seconded by Jeff Huntley to approve the August 11, 2016 Planning Board minutes with the above noted correction. Motion passed unanimously.**

**IV. Consideration of Building Permits**

A. BP # 16-23, Marcus Librizzi, 10 X 12 building within the SLZ. Applicant is present. All documentation is in order. CEO Jim Bradley has no issues with the permit.

**MOTION made by Jeff Huntley and seconded by Bill Prescott to approve Building Permit # 16-23. Motion passed unanimously.**

**Consideration of TABLED Building Permits:**

A. BP# 15-19- David Thomas, After-The-Fact to remove and replace a trailer - Applicant not present. Mr. Bradley said he was not able to make an attempt to contact Mr. Thomas regarding this meeting. Mr. Huntley said that he has been there and noted that Mr. Thomas has it surveyed with stakes in the ground for a

septic system. There was further discussion on this matter. In general, the committee feels that Mr. Thomas is making progress and heading in the right direction. **Mike Hinerman** gave his personal opinion that Mr. Thomas had been given until September to resolve this, however since he has had a survey and spent money for a plan, he would like to see Jim Bradley follow up on the matter and have Mr. Thomas provide a contractor and construction date within (30) thirty days. Otherwise, the committee should consider action for non-compliance. **Mr. Prescott** agreed. **Mr. Clark** further commented that he should provide a one page plan with the steps to get it done along with a time line. **Mr. Hinerman** agreed that it needs to include a time line. **Mr. Huntley** said that Jim should be seeing a permit for whoever is going to put the septic system in. Discussion continued on this until the following motion was agreed upon:

**MOTION made by Bill Prescott and seconded by Jeff Huntley. It is noted that Mr. Thomas has started the process of putting in a septic system. Jim Bradley (CEO) will contact Mr. Thomas by September 15<sup>th</sup> to inform him that he needs to appear and present a formal septic plan with his intentions and time line at the next Planning Board meeting. Motion passed unanimously.**

**V. CEO Report- Jim Bradley**

Defer until the end of the meeting.

**VI. Old Business – Discussion of Fee Schedule**

**Mike Hinerman** attended the Selectman's meeting to discuss the fee schedule that was proposed. Their intentions are not to "make money" and they would like the Planning Board to work out a fee schedule that would work with the permits. The Selectmen would like to have it submitted at their next meeting for approval. Until that time, the old fees will continue. There was a lengthy discussion on the fee schedules. The primary proposed change was the dollar per square foot change. The first option discussed was a flat fee for a building permit. **Mr. Prescott** did not agree with this and felt a bigger house should require a bigger fee. **Mr. Bradley** added for prospective that a person buys a piece of property and pays \$265.00 for a septic system permit. He felt \$50 or \$75 seems small for the house permit. There was more discussion of splitting fees on attached and detached building permits. **Mr. Huntley** was in favor of lower flat fees for residents. **Mr. Prescott** asked if the fees cover the costs of the Planning Board and **Mr. Bradley** replied that they do not. There was a discussion that followed explaining the expenses of the Planning Board. After a lengthy discussion, the following motions were made for the fee schedule:

**MOTION made by Jimmy Clark and seconded by Jeff Huntley for the following Building Permit Fees:**

**Building Permit Fees**

**(1) Building Permit Application Fee –**

- a. Shed, deck, (non-living structure without electricity or plumbing) - \$20.00
- b. New Construction - \$50.00

**(2) Driveway Culvert Application Fee (on a town road) - \$20.00**

(3) Communication Tower/Windmill Application Fee

- a. Residential - \$20.00
- b. Commercial – \$500.00, plus any required legal fees and hearing costs

**Motion was amended by Jimmy Clark and seconded by Jeff Huntley to change Tower/Residential \$10 to \$20 and remove height requirement.**

Motion passed unanimously.

**MOTION made by Jimmy Clark and seconded by Jeff Huntley for the following After the Fact Building Permit Fees:**

**After-The-Fact Building Permit Fees**

Note: If construction for a building/structure has begun before a Building Permit Application has been considered by the Planning Board, an After-The-Fact Building Permit Fee may be imposed by the Code Enforcement Officer (CEO) and Planning Board.

- (1) Commercial Communications Tower/Windmill - \$200
- (2) A building/structure in the Shoreland Zone - \$200
- (3) For all other After-The Fact buildings/structures - \$100

Motion passed unanimously.

**Exemption From Building Permit Fee**

The Building Permit Fee for burning down an building/structure by the Machiasport Fire Department is WAIVED provided the burn is an approved training exercise for the department. In this case, the Fire Department will inform the Planning Board, in writing when the training exercise (controlled burn) will occur.

**Mike Hinerman** stated that no discussion was necessary on the above exemption statement. The Board agreed that it can remain as written.

**MOTION made by Jimmy Clark, seconded by Jeff Huntley that the proposed changes to the fee schedule document today will be incorporated in a new document. This will include removing the SLZ building permit fees from the document.**

Motion passed 3 to 1, with Mr. Prescott opposed.

**VII. New Business – Future Goals for the Planning Board**

It was decided to table this discussion for a future meeting. **Bill Prescott** added that he would like to see the comprehensive plan included in this discussion as it is now out of date. **Jeff Huntley** stated that he would like to see the building application simplified and streamlined. **Mike Hinerman** agreed in changing the application. **Jimmy Clark** also agreed that the application could be revised. **Bill Prescott** also wants to include moving the Town Garage onto this lot and correcting the septic systems over in Larrabee. **Mike Hinerman** will put (30) thirty minutes on upcoming agendas to discuss the future plans. **Mike Hinerman** added that the Assistant Town Clerk has not been selected as of

yet, however, the new person will have the Planning Board secretary as part of their job description. **Mike Hinerman** will have copies of the comprehensive plan for all the board members at the next meeting.

**VIII. Reports/Comments from Public**  
N/A

**IX. Reports/Comments from members**

**Jim Bradley** commented on the lot size in town. For future ordinance discussion, it needs to be clarified how many dwellings can be allowed per lot size.

**Bill Prescott** commented on the Selectmen's understanding of Planning Board member qualifications. As long as we have a certified CEO, we as the Planning Board don't need to be certified.

**Jeff Huntley** questioned the required qualifications of Planning Board members. **Jim Bradley** stated that issue came up over SLZ. If the Planning Board were to approve SLZ permits, they would need to have the same certifications as the CEO. **Jimmy Clark** added that the Planning Board is a legislative body. Code Enforcement is an executive function. The legislative body does not enforce the law, they make the law. We cannot function as legislative and enforcement both. **Jeff Huntley** stated he is going to read up on this to get clarification.

**X. Adjournment**

**MOTION** made by **Jeff Huntley** seconded by **Jim Bradley** to adjourn the Planning Board meeting at 8:07 p.m. Motion passed unanimously.

Attachment # 1 Copy of Proposed Machiasport Building Fee and Penalty Schedule

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

Approved by the Planning Board October 13, 2016  
Date

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

**The next meeting for the Planning Board will be held on October 13, 2016.**