

TOWN OF ORLAND
 PLANNING BOARD MINUTES
 June 6, 2016
 7:00PM

I. ROLL CALL

X	JACK MACBRAYNE
X	DEXTER JOHNSON
X	BRENDA LEAVITT
X	CHARLES GIOSIA
X	ROGER WOOD
X	KRISTIN COOK (ALTERNATE)
	BILL ORCUTT (ALTERNATE)

Staff Attending:

X	EDWARD RANKIN SR, Code Enforcement Officer & Chair Selectman
	RALPH GONZALES, Selectman
	LESTER STACKPOLE, Selectman
X	LUKE CHIAVELLI, Code Enforcement Officer & Plumbing Inspector
	DONALD BAKER, Alternate CEO
X	TRACY PATTERSON, Board Secretary

Attending Public: Pamela Latarte, Norman Latarte, Nate Holyoke, William Stevenson, and Brenda Ashe

II. Macbrayne called the Meeting to order at 7:00pm.

III. MINUTES OF May 2, 2016 MEETING

A. Leavitt noted that section 3, approval of minutes read "May 2" in error, and should read "April 6". Patterson stated the error would be corrected.

Motion to approve minutes: Leavitt

Second: Johnson

Approved by unanimous vote.

IV. CEO REPORT

A. Chiavelli Reported issuing 22 permits.

a. Chiavelli discussed the circumstances surrounding eight permits being issued to the same person on Rivers Edge Road.

b. Permits issued included road repair, garages, internal plumbing, and septic systems.

V. COMMUNICATIONS AND CHAIRMAN'S COMMENTS

- A. MacBrayne had phone conversations with William Stevenson, and Norman Jacques regarding Site Plan reviews resulting in them both being added to the May planning board agenda for tonight.
- B. MacBrayne notified the planning board of a workshop being offered through the Hancock County Planning Commission titled 'Land Development and Personal Property Rights: Striking a Balance in Hancock County: Site Plan Review From the state and Municipal Perspective. The workshop will be held June 23, 2016, from 5pm-8pm, at the VFW Hall, 419 Main Street, Ellsworth, Maine. This workshop qualifies for CEO/LPI Land Use Credit Hours.
 - i. Those who plan to attend were instructed to notify Patterson who will register participants, and facilitate payment through the town office.

VI. UNFINISHED BUSINESS

- A. Nate Holyoke was present to continue his request for a variance to build a road closer than 100 feet from the water in a shoreland zone.
 - i. Johnson, Giosia, and Holyoke met for a site visit to see the circumstances surrounding the variance request. Giosia passed out photos of the site to the planning board to show the many large boulders complicating the road construction.
 - 1. Giosia, and Johnson, both agreed that the proposed road route would be the best option.
 - ii. Cook asked if there could be a stipulation to keep vegetation. Chiavelli responded that would already be required as it is located in the shoreland zone.
 - iii. Johnson moved to authorize Chiavelli to approve a waiver for the road within the 100 foot setback.
Seconded by Leavitt.
Approved with a 5-0 vote.
Chiavelli will issue the permit, and Holyoke will pick it up in the town office.

VII. NEW APPLICATIONS

- A. Norman Jacques was on the agenda for a pre-application conference regarding moving three buildings onto his property. However, he was not present for the meeting.
 - i. Chiavelli reported that Jacques add three buildings onto his property without proper permitting to house migrant workers in his campground.
 - ii. MacBrayne reviewed Jacques permit from 2004 which approved 30 RV sites, which 22 were actually built, and a shower house. It was determined that Jacques would require an after-the-fact permit for the structures.
- B. William Stevenson presented for a pre-application conference regarding moving his boat business, Penobscot Yacht Exchange, to Lot 1 of the Cottages Subdivision.

- i. Stevenson explained that his growing business, along with wanting to separate his business from his home, led to searching for a larger location to house his business, while staying on Route 1.
- ii. Stevenson explained that he stores, repairs, and does restoration to boats. He discussed his success, noting he stored 65 boats last winter, with a wait list of 20 more, employs 5-6 employees in the summer, plus some part-time workers, and has been in operation for 23 years.
- iii. Stevenson highlighted his plans to only use approximately 1/3 of the property, to level the field, put in a shop, with a 40 x 80 foot steel building on a slab with well and septic.
 - 1. Stevenson stated that he may decide in the future to add a house to the property.
- iv. Stevenson distributed a sketch of his desired plans to the planning board. There was discussion surrounding the entrance to the property being on Cottage Lane, and certain stipulations/bylaws/provisions for the property being governed by an association being made up of property owners within the subdivision. It was determined that the property owners have not yet formed an 'association'.
- v. Stevenson requested planning board input before spending money and beginning the purchase process.
 - 1. Cook asked Chiavelli if he saw any potential issue with Stevenson's site plan application. Chiavelli reported the property was outside the shoreland zone, and therefore DEP would have more strict regulations regarding Stevenson's business.
- vi. MacBrayne explained that the Site Plan Application would need to be received within two weeks of the next meeting to get on the agenda, and should include a purchase and sale agreement.

VIII. OTHER BUSINESS

- A. Wind Ordinance Review. Rankin was present to discuss the email that was sent out containing the comments, clarifications, and suggested changes to the Wind Ordinance that Johnson put together and distributed.
 - i. The planning board agreed that although there were many good changes discussed, the next step is to go through the changes to make suggestions for changes. However, they do not want to embark on that process without support from the selectmen.
 - 1. Rankin reported speaking with the selectmen and expressed their reluctance to take the Wind Ordinance back to the voters after three votes have already proven support of the current ordinance. Rankin stated that the selectmen are willing to look at clarification.
 - a. Johnson clarified that his notes were in red, and that he went through the ordinance as though he was doing an application.

He added that the planning board was within their power to suggest changes that would make the ordinance better.

- b. MacBrayne stated that some of the time frames were relatively short.
 - c. Leavitt recommended making categories of changes to include clerical, major, clarification, etc., and compile a list for the selectmen to consider.
 - d. Rankin agreed some time frame changes may enhance the ordinance, and suggested the planning board keep recommended changes to a minimum, reiterating the selectmen's reluctance to have a fourth vote on the Wind Ordinance.
 - e. Leavitt asked if there was any way to make changes without a vote, and it was discussed that any changes to the current ordinance would require an information meeting, and a vote.
- B. Johnson gave an update on the Comprehensive plan. Johnson reported that the committee is reviewing the population section of the comprehensive plan, with the economy being next on the agenda, and that the town wide survey has been finalized. There will also be an online survey, and the Hancock County Planning Commission is standardizing the response sections. Johnson reported that the meetings are held on the fourth Monday of each month, at the Orland Community Center, and are open to the public.
- C. Leavitt handed out the completed Site Plan Review Application checklist. Johnson recommended using it when approving, or denying, applications. MacBrayne suggested adding "N/A" to complete the "Y/N" options. Discussion resulted in recommendations to also add applicant, date, name of project, site plan approved/not approved, and to use the document to serve as legal document for the decision. Everyone commended Leavitt on a great job creating the list.
- D. Discussion on the need to update the Orland town website with the correct Shoreland Zoning Ordinance, and to add the effective date to the front of the Subdivision Ordinance. It was suggested that all the ordinances be checked for accuracy. Patterson stated that she did not have access to make corrections on the town website. Johnson suggested the town use govoffice.com through Maine Municipal Association to run the town website.

IX. PUBLIC QUESTIONS and COMMENTS

- A. Pam Letarte stated that the Planning Board was doing a good job.

X. NEXT MEETING will be held Tuesday, July 5, 2016 at 7:00pm at the Orland Community Center Conference Room.

XI. ADJOURN

- A. Motion to Adjourn:Johnson
Second: Wood
Approved by unanimous vote at 8:45pm.