

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

I. ROLL CALL

X	JACK MACBRAYNE
X	DEXTER JOHNSON
X	BRENDA LEAVITT
X	CHARLES GIOSIA
X	ROGER WOOD
	KRISTIN COOK (ALTERNATE)
X	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
X	DONALD BAKER, Alternate CEO
X	TRACY PATTERSON, Board Secretary

Attending Public: Pamela Latarte, Norman Latarte, Stephanie Tourles, and Debbie Gray

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

III. MINUTES OF February 1, 2016 MEETING

Johnson requested the following changes to the February 1, 2016 minutes.

- a. Wind Ordinance Review section 14.6, "Great Pond" should read "Great Pond Mountain Conservation Trust Wildlands, and the sentence including "should be 8 miles from the turbines" should be deleted.
- b. Wind Ordinance Review section 14.2 on page 4 should be numbered 14.12.
- c. The fourth sentence in 14.7, and the second sentence in 14.8, should be deleted.

Motion to approve minutes as amended: Johnson

Second: Wood

Approved by unanimous vote.

IV. CEO REPORT

- A. Chiavelli Reported issuing two septic permits, and continuing to follow up on nuisance complaints.
 - a. Gene Ash, of 26 Cottage Lane, was issued a permit for a Sub Surface Waste Water System.
 - b. Michael Roy, of 60 Short Point Way, was issued a permit for a Sub Surface Waste Water System.

V. COMMUNICATIONS AND CHAIRMAN’S COMMENTS - None

VI. UNFINISHED BUSINESS - None

VII. NEW APPLICATIONS

- A. Stephanie Tourles submitted an application to open the home business of “Feet Re-Leaf Reflexology”.
 - i. Tourles stated that there will be no new construction; however she intends to put a new rail on the deck. Tourles gave an overview of her business consisting of operating out of a 15ft x 15ft remodeled bedroom on the first floor of her home. She explained that there is a massage table, heated bed, and that she works directly on the bottom of feet and occasionally on hands.
 - ii. Tourles explained that she is fully insured, her clients are by appointment only lasting 1 to 1.5 hours each, and that she expects only one or two clients a week. She stated that she has ample parking, and a circular driveway.
 - iii. Tourles gave an overview of the goals of reflexology and is currently working on her certification. She also noted that she may be moving out of state in the next few years.
 - iv. MacBrayne suggested that they approve a sign with conditions that the Code Enforcement Officer will approve the sign before placement.
 - v. Wood made a motion to approve Permit with the condition that any future sign be approved by the Code Enforcement Officer prior to placement.
Seconded: Johnson
Approved by unanimous 5-0 vote
Chiavelli issued the Site Plan Permit to Tourles.

VIII. OTHER BUSINESS

- A. Floodplain Management Ordinance. Rankin discussed the need for the town to approve the ordinance at Town Meeting in order to stay in the FEMA Federal Floodplain program. He stated the only other option was to not adopt the ordinance which would equate to Orland opting out of the Federal program, however doing so would significantly increase Orland residents flood insurance rates. Rankin discussed many specific changes the new ordinance includes, such as effecting tributary waters, new requirements, the A-zone, and numerous changes in engineering.

- i. MacBrayne stated the need to change the Application fee on page 4 from a fixed \$50 fee to one of the other approved alternate language offered. He recommended the Code Enforcement Officer and the Selectmen discuss what an appropriate fee would be. Leavitt suggested option 4, which allows the Selectmen to vote on the fee annually.
 - ii. Discussion surrounding wording and type of fee structure, such as a graduated fee system. MacBrayne reminded everyone that they could make suggestions, however the any proposed change to the original proposed ordinance would need to be reviewed by the Maine Floodplain Management Program to actually make, and word, those proposed changes.
 - iii. Rankin stated that all the paperwork and the new maps should be arriving this month.
 - iv. Discussion on Floodzone Permitting. Floodzone permitting will need to be looked at as both shoreland and floodzone.
 - v. Chiavelli will attend a workshop on April 19, 2016 on enforcing the new Floodplain Management Ordinance.
- B. Leavitt reports that the Site Plan Review checklist is in process.

IX. PUBLIC QUESTIONS and COMMENTS - None

X. NEXT MEETING will be held April 4, 2016 at 7:00pm at the Orland Community Center Conference Room. Johnson will chair the meeting in MacBrayne's absence.

XI. ADJOURN

- A. Motion to Adjourn regular meeting and begin Wind Ordinance Review: Johnson
Second: Leavitt
Approved by unanimous vote at 8:05pm.

XII. REVIEW OF THE WIND ORDINANCE

- A. 16.2.1. Leavitt suggested adding "alleged" to the complaints/violations. Johnson stated that it is up to the CEO to determine whether it is an actual violation. Johnson added that at this point the person is no longer an applicant and is now an owner/operator.
- B. 16.2.2. Leavitt inquired again about the "alleged", and MacBrayne verified it was. Discussion clarified that the three reports could be from the same person. MacBrayne and Wood agreed the wording should read "complaint" instead of "violations".
- C. 16.2.3. Johnson questioned what the "appropriate time period" would be, and who decides. Chiavelli stated that a time restriction would limit his ability to investigate complaints. Johnson explained his thought that not having a time limit could allow a complaint/violation to exist for an extended period of time before action is taken. Wood added that until testing is done a complaint does not become a violation. MacBrayne reminded everyone that the purpose of the review was not to change the ordinance

tonight. Leavitt stated that while there is an obligation to protect the town, there is also a need to have confidence in the people that are put in charge.

XIII. ADJOURNED at 8:35pm