

Planning Board
Bustins Island Village Corporation

To: Planning Board
From: Jeff Leland, Secretary
Copies To: CEO, Appeals Board, Board of Overseers, Clerk
Subject: Minutes of the June 22, 2013 Meeting

Date: June 26, 2013
Corrected: Sept. 2, 2013
Approved: Sept. 2, 2013

The meeting was held at the Community House, Bustins Island, Freeport, Maine. Present were Chair, Christine Martens, Vice Chair, Dave Gosnell, Warren Barrows, CEO Ron Tozier, Secretary, Jeff Leland, Bustins Island Board of Overseers member, Bill Cooper, and Island Surveyor, John Wood. Absent were Charlotte Kahn, Dave Guernsey, and Associate member, Kevin Petrie. The meeting was called to order at 8:30 a.m.

1. **2013 Roads**

Presentation was made by John Wood. Discussion ensued regarding what roads and plans would be brought forth at the 2013 Annual Meeting.

The Chair made a motion that the Planning board submit to the Board of Overseers for inclusion in the warrant for the 2013 Annual Meeting an article or articles proposing:

1. To accept certain plans entitled “Plan of a Standard Boundary Survey, Showing Proposed Acceptance of ‘Central Avenue,’ Section E, Bustins Island, Freeport, Maine” made for Bustins Island Village Corporation by Island Surveys of Arrowsic, Maine dated 06/17/13 and “Plan for Road Acceptance, Central Avenue, Section E, Bustins Island, Freeport, Maine,” made for Bustins Island Village Corporation by Island Surveys of Arrowsic, Maine, dated 06/17/13”. These plans shall be certified as amendments to the Zoning Map of Bustins Island dated, August 2, 2003 as corrected through May 16, 2005. This map is a successor to the Bustins Island Village Corporation Zoning Map of Bustins Island dated September 1, 1975; and

2. To accept by metes and bounds as additions to public ways for all purposes for which public streets are now and in the future held and maintained by the Bustins island Village Corporation on Bustins Island, Maine, those parcels shown on “Plan for Road Acceptance, “Central Avenue”, Section E,” Bustins Island, Freeport, Maine made for the Bustins Island Village Corporation by Island Surveys of Arrowsic, Maine dated 06/17/13 and also Parcels A, B, C, D, E, F, & G on “Plan of a Proposed Conveyances, “Central Avenue,” Section E, made for Bustins Island Village Corporation by Island Surveys of Arrowsic, Maine, dated 06/17/13 so set out and further described by metes and bounds all as set out on Schedule A.

3. To accept certain plans entitled “Plan for Road Acceptance, Street E, Section A, Bustins Island, Freeport, Maine,” made for Bustins Island Village Corporation by Island Surveys of Arrowsic, Maine, dated 06/19/13”. This plan shall be certified as an amendment to the Zoning Map of Bustins Island dated August 2, 2003 as corrected through May 16, 2005. This map is a successor to the Bustins Island Village Corporation Zoning Map of Bustins Island dated September 1, 1975; and

4. To accept by metes and bounds as additions to public ways for all purposes for which public streets are now and in the future held and maintained by the Bustins island Village Corporation on Bustins Island, Maine, those parcels shown on “Plan for Road Acceptance, Street E, Section A,” Bustins Island, Freeport, Maine made for the Bustins Island Village Corporation by Island Surveys of Arrowsic, Maine dated 06/19/13 and also as Parcels D, E, F, H, I, & J on “Plan of a Proposed Conveyances, Street E, Section A, made for Bustins Island Village Corporation by Island Surveys of Arrowsic, Maine, dated 06/19/13 so set out and further described by metes and bounds all as set out on Schedule C.

The motion was seconded and unanimously voted to submit the articles.

It was noted that no hearing will be necessary regarding the article to accept the gifts or transfer of parcels of land associated with the Road Acceptance.

It was decided that the Golf Course Road would not be brought forward in 2013.

There was further discussion regarding changing the name of the Resource Protection District to avoid confusion with it relating to the State of Maine’s definition of Resource Protection Districts and all the rules that apply. John Wood suggested distinguishing our RPD by changing the name to “Bustins Island” Resource Protection District. This may not be distinguishing enough. No action was taken.

It was also determined that a new zoning map showing all corrections to date would be prepared for 2014. Plans for a separate island map showing features, not related to zoning, is being discussed.

2. **Approval of Minutes**

Upon a motion duly moved and seconded the May 26, 2013 meeting minutes with corrections unanimously approved.

3. **Review of Follow-Up/Action Items:**

All of the To Do Items from May 26, 2013 meeting minutes were completed. All of the Long Term Agenda Items remain.

4. **CEO/LPI Status Report**

- a. CEO discussed a Lot 108 jointly owned by Steve Kirkland and Marc Woodworth. The Lot is partially in the Shoreland District and the Resource Protection District. Ron advised the Mr. Woodworth of the necessary steps that need to be taken before he can apply for a building permit, one of which is to determine by survey where the line for the RP district falls on that Lot.
- b. Jeff Whiting has applied for a Building Permit to expand a deck on Lot 32. This Lot is in the Shoreland District so the application has been denied and Jeff will need a CUP from the Planning Board. The hearing is scheduled for July 13, 2013 at 10:30 a.m.

5. **Correspondence**

The Chair mentioned the Jensen Baird Seminar in the fall and recommended that people attend if they have the time.

6. **Review Pidge's Cove Update**

Board of Overseers has approved moving forward with a cite evaluation as stated in the Ross Cudlitz Proposal. On July 13th at 8:30 a.m. Ross will have a site view. There will be an open board meeting that morning after the scheduled Road Hearings and CUP hearing at the Brewer Cottage.

7. **Zoning Ordinance Revisions Final Drafts**

A motion was moved, duly seconded and unanimously voted to put forward five (5) Articles as discussed and amended as follows:

- a. Capitalizing all terms defined in Section 3.2 of the Ordinance wherever such terms are used in the Ordinance.
- b. Amending Section 3.2, DEFINITIONS, of the Ordinance to add definitions for various terms that are used but not defined in the Ordinance.
- c. Amending Section 4.2.5 of the Ordinance to replace the reference to the text "normal low and high water lines" with the text "Normal Low Water Line and the Normal High Water Line", which text uses the correct defined terms.
- d. Amending the BIVC Zoning Ordinance (the "Ordinance") by amending Section 5.6 of the Ordinance, entitled Filling, Grading, Lagooning, Dredging or Earth-Moving Activity, to include a new subsection (8) setting forth provisions mirroring State Law requirements that only contractors certified in erosion control practices, or contractors supervised

by a person that has been so certified, may be employed to perform certain earth moving activities in shoreland areas regulated by the State of Maine, as follows.

- e. Standardizing References to Building Height

8. **Comprehensive Plan Revisions Update**

Dave Gosnell reviewed the status of the Comprehensive Plan. A discussion ensued that the members of the Board will review the draft Comprehensive Plan, provide input to Dave and Charlotte, and prepare to have the Plan put forward for a vote and approval in 2014.

9. **2013 Meeting and Hearing Schedule**

It was determined that the June 29, 2013 meeting was not necessary. The Roads Hearing and CUP Hearing will start at 10:00 a.m on July 13, 2013 will be at 10:00 a.m. followed by a regular PB meeting.

10. **Board Organization**

Board members confirmed and/or updated their contact information for the Chair.

11. **Any Other Item**

There was discussion about seeing if Peter Hanrahan, CPESC; from EJ Prescott Inc. of Gardiner, Maine would be approached to discuss the topic of Maine Coastal Erosion Control.

The motion was moved, seconded, and unanimously voted to adjourn at 10:40 a.m.

Date

Jeff Leland, Secretary

To Do List:

1. Dave to see Jeff Whiting to discuss the issue of the porch and CUP hearing.

Long-Term Agenda Items:

- Discuss solar system/fire issues
- Discuss electrical permitting
- Review need for informational handout to help Islanders know what people “can do” regarding cutting regulations.
- Continue to (i) investigate and identify BIVC coastal roads and property at risk of loss due to erosion from existing or projected increase in sea level and storm activity and intensity, and (ii) possible need for professional study of coastal bluffs to determine whether action is warranted, and if so, available options.