

Planning Board Bustins Island Village Corporation

To: Planning Board
From: Kevin Petrie
Copies To: CEO, Appeals Board, Board of Overseers, Clerk
Subject: Minutes of the July 11, 2015 Planning Board Meeting

Date: July 11, 2015
Corrected: Sept. 1, 2015
Approved: Sept. 7, 2015

The public hearings and meeting were held at the Brewer Cottage on Bustins Island, Maine. Present were Chair, Warren Barrows, Charlotte Kahn, Dave Gosnell, Jeff Leland and Kevin Petrie. Roger Leland, Rob Boone and Bill Cooper of the Board of Overseers, and CEO/LPI, Ron Tozier, also joined the hearings and meeting. The Hearings commenced at 9:00 a.m.

The board voted to appoint Kevin Petrie to be full voting member for the meeting and hearings.

1. Public Hearings:

The Chair opened the public hearings at 9:00 a.m. and reported that proper notification was satisfied with a first class mailing to all property owners on June 12, 2015 and advertised twice in the *Brunswick Times Record* first on June 12th and second on June 15th, 2015, and posting at the Island Post Office and Community House on June 15th, 2015.

9:00 a.m. Public Hearing for Street G & Leland Lane

Roger Leland withdrew his proposal relating to Parcel D in Section C, but did present the proposal for Leland Lane, Street G, Parcel A, Parcel B, and Parcel C in the map(s) entitled:

- “Plan of a Standard Boundary Survey of land in Section C, Bustins Island, Freeport, Maine” made for Bustins Island Village Corporation by Island Surveys, Arrowsic, ME dated 5/20/15
- “Plan for Road Acceptance, Street G & Leland Lane, Section C, Bustins Island, Freeport, Maine” made for Bustins Island Village Corporation by Island Surveys, Arrowsic, ME dated 3/23/15

Discussion followed and the Planning Board members asked questions. There was no opposition expressed from any islanders.

- Parcel A to be conveyed to BIVC
- Parcel B to be conveyed to Bustins Island Trust
- Parcel C to Nickerson Living Trust

The Board moved, seconded and unanimously voted to close this hearing at 9:12 a.m.

9:15 a.m. Public Hearing for Street B & X

Bill Cooper presented the proposed plan (s) entitled:

- “Plan for Road Acceptance, Street X, Section B, Bustins Island, Freeport, Maine made for Bustins Island Village Corporation by Island Surveys, Arrowsic, ME 03/30/15

The “Plan of Proposed Conveyances, Streets B & X, Section B, Bustins Island, Freeport, Maine, made for Bustins Island Village Corporation by Island Surveys, Arrowsic, ME, dated 03/30/15 was not presented due to unresolved questions.

Discussion followed and the Planning Board members asked questions.

The Board moved, seconded and unanimously voted to close this hearing at 9:29 a.m.

9:30 a.m. Public Hearing for the addition of Lots C-U & C-V to the Resource Protection District

The Board reviewed the plans entitled “Proposed addition of Lots C-U, C-V [a.k.a. Steger Lots], to the Resource Protection District.”

Discussion followed and there was no opposition expressed from any islanders.

The Board moved, seconded and unanimously voted to close this hearing at 9:40 a.m.

9:45 a.m. Public Hearing for the addition of Lot E-65 to the Resource Protection District

The Board reviewed the proposed addition of the balance of Lot E-65 to the Resource Protection District.

Discussion followed and there was no opposition expressed by any islanders.

The Board moved, seconded and unanimously voted to close this hearing at 9:50 a.m.

10:00 a.m. Public Hearing for Amendment of the Zoning Map to correct errors

The Board reviewed the draft of the map entitled, “Zoning Map of Bustins Island, Freeport, Maine, made for Bustins Island Village Corporation, dated, 7/1/2015 with corrected errors and changes since it was last approved in 2005.

There was no opposition expressed by any islanders. It was noted that there needed to be A correction made to Lot C-8 and Lots adjacent to Street X.

The Board moved, seconded and unanimously voted to close this hearing at 10:05 a.m.

2. Planning Board Meeting

The Chair called the meeting to order at 10:07 a.m.

A. To Do List:

The Board reviewed the To Do List, with updates to status and actions captured in the list below.

B. Pidges Cove:

Dave Gosnell updated the Board on his conversation with Ross Cudlitz about three primary erosion risks to Pidges Cove, including runoff, groundwater seepage and ocean waves/tidal currents. The Board discussed the likelihood that rip rap in itself would be insufficient to address these risks, and agreed that additional options such as a plunge pool (for runoff) should be assessed. The Board also agreed that Mike Morse would need to approve the cutting/removal of any trees. Warren, Jeff and Kevin will finalize the Pidges Cove assessment and recommendation as soon as possible for Planning Board review.

C. Prior Meeting Minutes:

Motion to approve 5-14-2015 meeting minutes as submitted with no changes was seconded and unanimously approved.

D. CEO/LPI Status Report:

1. Ron Tozier sent notice of violation to John Carrier and advised him to remove his tent platform and comply with septic system regulations. No response to date.
2. Ron and the Board discussed the new Chapter 1000 Shoreland Zoning Changes and the need to formally adopt them with the Island Zoning Code this fall/winter. The impact is expected to be minimal.

E. Board Review of Public Hearings and Articles:

Street G & Leland Lane:

The Board voted to support the abandonment by the BIVC of Parcel B, with Jeff Leland recusing himself. All other voting members voted unanimously to approve the plan and conveyances..

The Board unanimously voted to approve the conveyances of Parcel A, Parcel B, and Parcel C for Leland Lane:

- Parcel A is to be conveyed to the BIVC
- Parcel B is to be conveyed to Bustins Island Trust
- Parcel C is conveyed to the Nickerson Living Trust

Street B & X:

The Board agreed to table action on Proposed Conveyances for Streets B & X, Section B, until a future hearing in which property owner Simone Shields can be present. No vote was taken on Street X.

Lots C-U & C-V:

The Board voted unanimously to support the conveyance of Lots C-U, C-V to the Resource Protection District.

Lot 65 into RPD:

The Board voted unanimously to support the conveyance of the currently-non-Resource Protection portion of Lot E-65 into the Resource Protection District.

Bill Cooper will write the necessary warrants and articles for the Annual Meeting on August 1st.

Island Zoning Map:

The Board voted unanimously to support the map entitled, “Zoning Map of Bustins Island, Freeport, Maine, made for Bustins Island Village Corporation, dated, 7/1/2015 with corrected errors and changes since it was last approved in 2005, as the official Island Zoning map, correcting errors as outlined above, with the exception that changes will be made to show Parcel D was not conveyed as previously shown in the plan.

Motion to adjourn the meeting was seconded and unanimously approved at 11:30 a.m.

11. Summer Meeting and Hearing Schedule –

May 24, 2015, Sunday, 8:30 a.m. Meeting at Community House

June 27, 2015, Saturday, 9:00 a.m. Hearing & Meeting at Brewer Cottage

July 11, 2015, Saturday, 9:00 a.m. Meeting at Community House
Aug 1, 2015, Saturday, 9:00 a.m. Meeting within Annual BIVC Meeting
Aug 29, 2015, Saturday 9:00 a.m. Meeting at Brewer Cottage

Date

Kevin Petrie

To Do List

1. Warren to consult with Rob Boone and Bill Dale, then ask Town of Freeport whether Planning Board or possibly Board of Overseers have authority and/or obligation to enforce current electric international code
2. Kevin to discuss map options (including data points such as vegetation, runoff risk, etc.) with John Wood and come back with proposal
3. Warren will do a search for the term “Low Water Line” in the zoning Ordinance
4. Warren to send Comprehensive Plan to State authorities as soon as possible
5. Warren, Kevin and Jeff to finalize initial Pidges Cove assessment and share findings with BOO in next few months
6. Kevin to speak with Al Presgraves about runoff water risk as input to Pidges Cove assessment
7. Warren to respond to Michael Coyle regarding CUP process
8. Dave Gosnell to email Chris 2014 PB report submitted at annual meeting
9. Charlotte is working with Ali Taisey on action item #1 on Comp Action Plan for 2014
10. Roger continues to work with John Wood on a survivorship plan, including IP rights and Island access to editable files

Long-Term Agenda Items:

- Discuss Possible Zoning Ordinance Changes for 2014 – Storage on RP, Clarify permits in section 6.2 of ZO.
- Discuss solar system/fire issues
- 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.