

Planning Board
Bustins Island Village Corporation

To: Planning Board

From: Christine Martens, Secretary

Copies To: CEO, Appeals Board, Board of Overseers, Clerk

Subject: Minutes of the September 3, 2011 Hearing & Meeting

Date: September 3, 2011

Corrected: October 29, 2011

Approved: October 29, 2011

The hearing and meeting were held at the Brewer Cottage on Bustins Island, ME. The hearing was originally scheduled for August 27, 2011 but due to Hurricane Irene it was rescheduled to September 3, 2011. Present were Chairperson Marcia Hohn, Dave Gosnell, Christine Martens, Warren Barrows, Associate member Jeff Leland, Overseer Bill Cooper, and CEO/LPI Ron Tozier. The hearing was called to order at 9:18 a.m. The Chair distributed an agenda and appointed Jeff to vote in place of Charlotte Kahn.

1. Public Hearings on Applications for Conditional Use Permits for Ryan:

The board heard the case for Kim & Jim Ryan to construct a shed dormer on their cottage located in Section A, Lot 26 as shown on the Zoning Map of Bustins Island, Freeport, Maine dated, August 2, 2003, as corrected through, May 16, 2005. The chair closed the hearing at 9:30 a.m. and the board went into regular session to discuss the application. The planning board found that:

1. The board determined that all proper documentation was submitted and the Conditional Use Permit Application standards had been met.
2. The abutters were notified of the hearing change date and there were no objections raised to the date change.
3. The expansion volume increase falls within the Maine State 30% expansion rule but needs to be tracked for future use.
4. There will be no increase in the building footprint or earth moving required and no setbacks are affected.
5. There will be no tree cutting involved.
6. There will be egress windows installed in bedroom and hallway for fire access.
7. There was no opposition raised at the hearing.
8. The applicant was informed of the thirty day appeal period and was advised that any construction prior to thirty days would be at his own risk.

It was duly moved, seconded and unanimously voted to issue the Conditional Use Permit 2011-1 subject to the following conditions:

The board's conditions as listed on the CUP permit are as follows:

B1- That all construction shall be under the supervision of, and shall meet with the approval of the Code Enforcement Officer of Bustins Island.

B3- The premises shall not be occupied for habitation until the Code Enforcement Officer finds that all conditions of the permit have been met.

2. **Approval of Minutes** – The minutes from the July 16, 2011 meeting and July 17, 2011 hearings were duly moved, seconded, and unanimously voted to accept with corrections.
3. **Reconsideration-final recommendation of new permit fee structure** – The board reviewed the new permit fee structure it previously considered on, May 29, 2011, before final submission to the BIVC Overseers. The fee structure will be as follows:

- \$25.00 minimum fee for a building permit
- \$10.00 per \$1,000 for renovation
- \$0.20 per sq. ft. of new construction plus a \$75.00 fee for a CUP to cover all advertising costs

Marcia will forward the new fee structure to the BIVC Overseers.

4. **CEO Report**- Ron reported that he attended a two day workshop on Wetland Delineation at The University of Maine at Orono. He also reported that four islanders had their septic tanks pumped. Ron would like to update and revise the current building permit application. He and Jeff Leland will work together on a revised application.
5. **Review of Proposed Tenting Provisions** – Warren Barrows reviewed the current proposed tenting revisions to the zoning ordinance. The planning board feels that this is an important issue that needs clarification in the zoning ordinance. Warren will work to simplify the proposed language to be considered for a warrant article for the 2012 annual meeting. The board will consider having an informational meeting on the proposed tenting revisions on Memorial Day weekend in 2012 to get islander feedback.
6. **Role of the Chair** – Marcia reviewed the role of the chair and co-chair and made suggestions of how the responsibilities could be divided in the future.
7. **Other Business** – None.

The next meeting will be on Saturday, October 29, 2011 at 10:00 a.m. at the Freeport Fire & Rescue Building.

The meeting was adjourned at 11:37 a.m.

Respectfully submitted,

Christine G. Martens

Follow-Up/Action Items:

- Marcia will revise role of planning board chair responsibilities
- Marcia will forward new building fee structure to BIVC Overseers
- Marcia will put possible Zoning Ordinance changes for solar electrical safety on agenda for the next meeting
- Marcia will recommend Jeff Leland to the BIVC Overseers for membership
- Deeds for road slivers need to be recorded

- Ron & Jeff will work on revising building permit application
- Ron will email lead paint legislation to board members
- Ron will get a PDF document with Section 690 of the electrical code for the board for next meeting
- Warren will revise proposed language for changes to zoning ordinance regarding tenting
- Charlotte will work with Ellen Donovan to introduce composting initiative to the Comprehensive Plan

Long-Term Agenda Items:

- Further corrections to island Zoning Map
- Noise Ordinance and house boats
- Discuss solar system/fire issues
- Discuss electrical permitting
- Review Comprehensive Plan to add wording to help islanders know what people “can do” regarding cutting regulations
- Discuss adding permanent conservation easement to any lots added to Resource Protection