

## **Planning Board**

### **Bustins Island Village Corporation**

**To:** Planning Board **Date:** July 6, 2012  
**From:** Jeff Leland, Secretary **Corrected:** July 1, 2012  
**Copies To:** CEO, Appeals Board, Board of Overseers, Clerk **Approved:** July 1, 2012  
**Subject:** Minutes of the April 28, 2012 Meeting

The meeting was held at the Freeport Fire and Rescue Building, Freeport, Maine. Present were Chair, Christine Martens, Vice Chair, Dave Gosnell, Warren Barrows, Charlotte Kahn, Secretary, Jeff Leland, CEO/LPI, Ron Tozier, and BIVC Board member, Bill Cooper. Absent was Associate member, Dave Guernsey. The meeting was called to order at 10:01 a.m.

#### 1. Approval of Minutes

The minutes from the March 3, 2012 meeting with minor amendments were duly moved, seconded, and unanimously voted to accept as submitted.

#### 2. Old Business

a) Informational Act training for Board members is almost complete with only Charlotte left to complete the training.

b) At a previous Planning Board meeting, Dave Gosnell raised a question from an Island resident concerning the asphalt content in the road materials. Per Crawford Taisey this is a “process based” material better to bind the roads, but there is no intent to increase the asphalt content. The Island gets what is available from the processing plant.

c) CEO Ron Tozier and Jeff Leland are to revise the Building Permit Application to make it more accommodating and generic for non-construction CUPs. It was suggested to add a place for “use” or “other.” The Chair asked that the CEO revise the CUP Application for the next meeting.

#### 3. New Business

a) A flash drive was given to the Secretary by the Chair for secretarial duties.

b) New Zoning Codes with pink backings were handed out to each member.

c) A motion was made and voted to recommend Ron Tozier as the CEO and LPI and that this recommendation be passed on to the Board of Overseers by the Chair.

d) The budget information is due to Pat LaFleur, Administrator of the Board of Overseers by June 1, 2012. To meet this deadline the Planning Board must prepare the budget at the next meeting on Saturday, May 26<sup>th</sup>. However, it was suggested that the payment to John Wood be raised to at least \$4,000 for the next year. Discussion ensued over the Water Study and the estimated approximate cost of \$5,000 that was projected by MACTEC over two years ago to complete the study since Gerber who ran the original model has gone out of business. There was extensive discussion regarding the Water Study and whether action should be taken at this time. The CEO indicated that it was not possible to deny a building permit due to the Water Study and that any action would have to be voluntary. The basic opinion was that this was not a pressing issue for the 2012 season. The discussion was tabled until the next meeting on May 26, 2012.

4. **Correspondence on Electrical Code**

The Chair shared the response from Bill Dale's email to Bill Cooper's inquiry regarding the adoption of an electrical code by the island. It was determined that the State Code could be adopted by reference, but there are requirements that need to be followed. The CEO recommended that only the solar part be adopted by reference. It will require a Warrant Article, but the Agenda is too full to add this to the 2012 BIVC Annual Meeting.

5. **CEO/LPI Status Report**

a) There will be a need for a CUP hearing for Pat Reardon for conducting contractor business from his private lot on the island. The CEO has visually inspected the system and determined that he believes it is satisfactory to service both properties.

b) David Dickison owner of the former Record's Cottage intends to put in a septic system in the front of the house designed by Frick. A CUP will be needed as it will require the removal or filling of more than ten (10) cubic yards of material.

c) Ron Sweatt will also need a CUP hearing for a grey water system. This has been designed by Frick and is also necessary due to the removal or filling of more than ten (10) cubic yards of material.

d) BIVC has initiated the process to make the Community House outhouse compliant with 2010 ADA requirements. This plan may be delayed since the outhouse is actually located on Taisey property. The Board of Overseers is presently reviewing this problem and will have Frick complete a study.

6. **Board of Overseers Discussion of CUP Hearing for Vehicle Storage–presented by Bill Cooper**

a) The application has been presented to the CEO and was denied due to the fact that vehicle storage requires a conditional use permit. The Board reviewed the Zoning Map of Bustins Island as Revised 5/16/2005. The Board of Overseers requested a waiver of the \$75 fee. A motion was duly moved, seconded, and unanimously voted to waive the fee.

b) It was determined that the BIVC CUP hearing would be held on Sunday, July 1, 2012 along with CUP hearings for two (2) septic systems plus the Reardon CUP at the Community House. The exact times of the hearing will be set at the Planning Board meeting on May 26, 2012. July 14<sup>th</sup> will be the Roads Hearings and a Comprehensive Plan hearing at 9:00 at the Community House.

7. **Street Acceptance**

a) The Board reviewed five (5) plans: Prepared by Island Surveys of Arrowsic, Maine made for the BIVC, Bustins Island, Freeport, Maine 04013

- i) Plan of Standard Boundary Survey of Island Ave., Section E, dated 12/5/11
- ii) Plan of Proposed Conveyances of Island Ave., Section E, dated 12/5/11.
- iii) Plan for Road Acceptances of Island Ave., Section E, dated 12/5/11
- iv) Plan of Proposed Conveyances of Land in Section E, dated 3/15/12
- v) Plan of Proposed Drainage Easements dated 3/23/12

b) It was determined that the Chair will join Bill Cooper of the Board of Overseers to see John Wood to review these Plans in anticipation of having a hearing on July 14<sup>th</sup> for a Plan of a Proposed Article for the 2012 BIVC Annual Meeting.

8. **Comprehensive Plan Revisions Update**

Dave Gosnell stated the compliance is complete. One more public meeting will be held this summer. At the next Planning Board meeting there will be a presentation and planning issues will be included. Bill Cooper indicated that he has the original Comprehensive Plan in an electronic format.

9. **Tenting**

a) Before reviewing the draft of the April 28, 2012 Proposed Revision Regarding Tents, the Chair read a letter from Bill Dale indicating that he felt that seven (7) days was the maximum that we could have tents in Resource Protection areas.

b) There was a lengthy and detailed discussion of the proposed revisions starting with a discussion to add sun canopy and lawn tent to the proposed revisions and then further discussions ensued as follows:

c) Discussion followed whether a fee was needed.

At 12:20 p.m. the Secretary needed to leave for a prior meeting.

The motion was moved, seconded, and voted to adjourn at 12:40 p.m.

---

Date

---

Jeff Leland, Secretary

**To Do List:**

1. Chris will recommend Ron Tozier as CEO and CPI to the Board of Overseers
2. Chris will contact Brunswick newspaper to determine the cost of legal ads
3. CEO will contact Sweatt and Dickison regarding their CUP hearings
4. CEO will contact Pat Reardon about his CUP hearing
5. Make sure that John Wood provides us all plans that are referenced in the Minutes and Agenda so that we have copies for review
6. Need a big map of proposed conveyances dates March 15, 2012
7. Need a Plan for road acceptance December 5, 2011
8. Need a Plan of proposed drainage easements March 23, 2012
9. CEO will create a form for approval of the tent permitting

**Follow-Up/Action Items:**

- Chris will put possible Zoning Ordinance changes for solar electrical safety on agenda for the next meeting
- Chris will follow up with PB members who have not completed Informational Act training
- Warren will revise tenting revisions
- Deeds for road slivers need to be recorded
- Ron & Jeff will work on revising building permit application (include tenting and vehicle storage language)
- Ron will get a PDF document with Section 690 of the electrical code for the board for next meeting
- 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