

**Minutes of Public Hearing and Board Discussion
Town of Frye Island Planning Board
September 23, 2006
Frye Island Community Center**

The Public Hearing was called to order at 10:00 a.m. by Paul Peterson, Chairman of the Planning Board.

Present: Sam Donio, Marge Hommel, Ed Johnson, Paul Peterson, Kathy Potts,
David Treacy, Paul White – Town CEO

Excused: Steve Kaplan

Attendees: Bill Stevens, Ron Cedrone, Dick Norris, John MacGregor, Bobbie Aranyi

Public Hearing on Proposed Changes and Additions to Land Use Ordinances

Chairman Peterson opened the meeting with requests for comments on proposed Warrant articles by Board members and by Islanders in attendance.

Road Opening – Dick Norris requested a change in spelling from “right of way” to “rights of way.” The change was noted, and there were no additional comments.

Substantial Start -- It was noted that “50% of the estimated costs of completed construction” will be mutually determined by the owners and CEO as part of the Building Permit process. Dick Norris asked if buildings would become grandfathered, should the permit elapse and the building become non-conforming. The answer from the CEO was that the building would not be grandfathered. There will be a certain amount of latitude in the “24 months” clause as determined by the CEO on a case-by-case basis, with extenuating circumstances allowing extension of the Building Permit. The question was raised as to how taxes are assessed as construction proceeds. Paul White described assessment and taxation as an on-going process, beginning when the foundation is capped and continuing through completion of the structure. Dick Norris commented that the process needs a policy statement regarding assessment and delays in construction. Paul White replied that the Town Charter allows the Assessor latitude and authority in both cases.

Tree Removal -- It was noted that the proposed Ordinance meshes well with obtaining a Building Permit, and the spirit of the Ordinance is well within the Comprehensive Plan and Land Use Ordinances. The Ordinance applies to adjacent lots, and only lots eligible for Building Permits fall under the

Ordinance. Ed Johnson asked whether shorefront privacy lots would be included in the Ordinance; Paul White replied that deed restrictions apply under those circumstances. Ed Charrette asked if the CEO's advice was given during the Building Permit process; Paul White replied that it is currently being given, but recommended that Town standards be developed. Paul Peterson stated that the Planning Board will address this concern in 2007. Bobbie Aranyi asked if the Planning Board was considering surveying requirements in the future; no commitment was made.

Ed Johnson moved that the Public Hearing be closed; David Treacy seconded the motion, and the motion passed unanimously.

After discussion by the Planning Board, the Tree Removal Ordinance was changed to read, "this does not prohibit tree removal in conjunction with a building permit for a dwelling unit."

Ed Johnson moved to accept and forward to the Board of Selectmen/Executive Committee as three separate Warrant Articles the proposed definitions and Ordinances on Road Openings, Substantial Start, and Tree Removal. The motion was seconded by Marge Hommel; the motion passed unanimously.

Planning Board Working Meeting

Minutes Correspondence, and Comments from the Public:

The Minutes of the meeting of September 16, 2006, were approved with changes as follows –
Tree Removal changed to Section 101-I-4-S
Road Opening changed to Section 101-I-4-T
Building Permits changed to Section 101-I-11, D – a, b, c
By-Laws, paragraph 1, third sentence changed to read, "generally *convenient*" times...."

Future Meetings: May, 2007

Ed Johnson moved that the meeting be adjourned; Paul Peterson seconded the motion. The meeting was adjourned at 10:55 a.m.

Respectfully submitted,

Kathy Potts
Secretary