

# **Minutes of the Planning Board Work Session**

Saturday, July 12, 2008  
Frye Island Community Center

**Present:** Steve Kaplan, Ed Johnson, Bob Sutherland, Dave Treacy, Sam Donio, and Ron Cedrone

**Absent:** Marge Hommel

**Attendees:** Ed Charrette #79, Conservation Committee Chairman

**Steve Kaplan, Chairman, called the meeting to order at 8:30am.**

## **Minutes and Correspondence**

Ed Johnson moved to accept the minutes of the June 28, 2008 meeting, seconded by Dave Treacy with all in favor.

## **Old Business**

### **Comprehensive Plan Update**

Steve passed out the July 20, 2006 Comprehensive Plan Assignments. The Plan assignments have not been updated since that time and some people are no longer actively involved.

Current assignments are as follows:

Marge Hommel – assignment stays the same

Ed Johnson – assignment stays the same

Dave Treacy - Historic and archeological resources  
Long range budget  
Goals, objectives and policies  
General proofreading

Sam Donio – Public facilities and services  
Recreation and beaches  
Access to public space

Ron Cedrone – Transportation  
Telephone service  
Solid Waste

Carl Hommel – Transportation

Ed Charrette – Evacuation planning  
Access to public space  
Natural/critical resources  
Agricultural/natural resources

Wayne Fournier – assignment remains the same

BoS/Executive committee – assignment remains the same  
All – assignment remains the same re: goals, objectives and policies

Steve distributed the SPO notice which states that the old comprehensive plan review that SPO uses to review comp plans for consistency with Maine's Growth Management Act expires on September 20, 2008. All plans submitted after that date will be reviewed under the "new" rule.

Ours looked good as a basis but needs to state goals and lots of historical information may need to be enhanced. Additional information is needed on the following:

Growth: managing how we're going to assimilate ferry and water needs, agreeing about remaining waterfront lots and what we're going to do with them; resolving underlying friction of demanding needs of longer term residents vs. newer residents.

Biggest issues: ferry funding and management, electrical supply needs – not updated, and recreational aspect – questionable need for more beaches.

Sam asked how we're going to break down the information logistically? Is each person going to take their assigned section and give the information to the coordinator, Dave Treacy, and let him put it together?

Sam stated that maps and copies of the comp plan are expensive to produce. Sam has previous copies of the land use maps and offered to produce copies for the next meeting.

Sam felt that the assignments should not be just gathering information, but also include setting policy; for example, we need seven (7) more public beaches on the island to meet the growth needs. If these goals are in the comp plan, it gives a lot more leverage to what we want to accomplish. Sam also suggested using the expertise of other Island committee members to assist us.

Ed Johnson brought up an issue regarding the Portland Water District rule stating that if you have a home on five (5) lots, you can only have one (1) septic system. His concern is that some corporation might come in and buy a block of lots and put in one huge septic system. Ed suggested that we put in an ordinance which says one septic system per house. Ed's concern is the possibility that we could exceed the 750 homes allotted.

### **Review corrected ordinance drafts of ATVs and UTVs Regarding ATV's:**

Steve stated that there is a Frye Island ordinance in place that bans ATVs on Frye Island roads.

Dave stated that he was having a problem with underage, unlicensed operators of golf carts in his area and was concerned that this might become a problem with UTVs. Steve advised Dave to alert the Island police to watch the area and, if possible, Dave should get a lot number from the golf cart.

Ron moved that the proposed ordinance be presented at a public hearing, seconded by Ed Johnson with all in favor.

### **Review updated draft of ordinance on beach policies**

Dave proposed using a "hearts and flowers" approach in stating the purpose of the ordinance; i.e. health and safety. Bob Sutherland suggested using the same wording as the purpose of the UTV ordinance, "the purpose of this ordinance is to protect the health, safety and well-being of the people of Frye Island by providing rules for the use of the public beaches."

Ed Johnson moved to accept the ordinance with the corrections and to present at the public hearing, seconded by Bob with all in favor.

### **Review draft of lot clearing (tree cutting) ordinance for interior properties**

Dave Treacy submitted a proposed draft for a lot clearing ordinance. Several were concerned about the lots that have already been clear-cut and what should be done about them.

Several suggestions were put forward to strengthen the ordinance:

- 1) For all the lots that have been clear-cut prior to the effective date of this ordinance and have not been built on, all secondary growth must remain until the application of a building permit.
- 2) Ed Johnson suggested that, under the definition of clear-cutting, a change be made from "substantially" to "over 25 percent of" all trees on a lot.
- 3) Steve suggested inserting under remediation, who determines the remediation and that inland lots should follow the same plan as the Shoreland Zoning guidelines.
- 4) It was also suggested that a cutting plan should be reviewed by the CEO and then presented to the Planning Board for final approval.
- 5) The rules that govern Shoreland Zoning should apply to everyone.
- 6) Put in a penalty of \$100 per day with denial of a building permit until appropriate remediation takes place.

Dave will rewrite proposed ordinance to present at the next meeting.

### **Shoreland Zoning**

Sam Donio studied the wording of the ordinances of waterfront communities of Sebago, Raymond, Windham and Naples regarding docks and whether it was permissible to rake leaves and trim brush – two areas of contention when the Planning Board reviewed and amended the Shoreland Zoning last fall.

Docks – the majority of the communities considered the total square footage on the water and how far out the docks can go with 50 feet being the standard. Sam feels a

maximum dock size of 300 square feet would most likely meet the majority of people's needs.

Steve suggested we set up general guidelines of 300 square feet for docks and any specific situations should be submitted to the CEO for review and brought to the Planning Board for final approval. For exceptional situations, they may need to apply for a variance.

Regarding leaves – “do not disturb the cover.”

A motion was made by Ed to bring the Beach and UTV Ordinances to public hearing, seconded by Sam. All approved.

The next meeting is scheduled for 8:30am August 2, 2008 which will include the public hearing followed by a regular meeting.

Dave made a motion to adjourn the meeting, unanimously approved.

**Meeting was adjourned at 10:30am.**

Respectfully submitted,

Inez “Smitty” Kaplan, Recording Secretary