

**Minutes of the Planning Board Meeting  
August 23, 2008  
Frye Island Community Center**

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

**Absent:** Marge Hommel, Sam Donio

**Attendees:** Carl Hommel 68, Wayne Fournier 1113, Town Manager

Chairman Steve Kaplan called the meeting to order at 8:35 am.

The chairman appointed Ron Cedrone as a voting member for today's meeting to replace Sam Donio

**Agenda**

**Minutes and Correspondence**

Ed Johnson made a motion to accept the minutes of the August 16, 2008 meeting; seconded by Dave Treacy with all in favor.

**Old Business**

**Comprehensive Plan**

At the August 16, 2008 meeting Marge Hommel voiced concerns that updates made to the comp plan on October 11, 2003 might jeopardize the Duration of Consistency Findings ( Town of Frye Island ) issued by Ruta Dzenis AICP, Maine State Planning Office. As stated at the August 16<sup>th</sup> meeting, Steve Kaplan did call Ruta Dzenis for advice and clarification and he received confirmation that we do not have to submit a new Town of Frye Island Comprehensive Plan until 2014. An e-mail of verification was sent to all Planning Board members on August 20, 2008; however Steve want to continue updating transportation and water.

On August 22, 2008 Ron Cedrone sent a very thorough e-mail to the Planning Board members and all other people working on various aspects of transportation for Frye Island. Ron suggested that Carl Hommel, Dave Treacy and Dave Bond meet with the Planning Board and coordinate efforts rather than “reinvent the wheel”. Carl stated he felt it was a waste of time until we get the DOT grant.

Steve stated Ruta said we should continue to follow the plan. Ron asked if we know the time frame of the grant. Is it six months or dependent on the Federal Government? Carl said “yes to both” – its in Washington right now. Ron feels its going to continually change. Steve questioned if it would be better waiting until Spring and go the the PDF file over the winter and put sections into Word giving us the ability to review information and make updates.

Dave Treacy doesn’t feel that it is advisable to wait as we have 30 acres on the mainland with plans for an office, parking, etc. This is part of transportation and should be put into the comp plan. Wayne agreed with Dave saying there is a vision to use the land for a ferry terminal, office, and passenger ferry. The grant should facilitate this growth.

Ed Johnson questioned what would happen if Raymond changed the zoning. Wayne stated they have an engineer working on it. He is putting together a conceptual plan calling it a ferry terminal because of the grant.

Ron asked the board to get together with Dave Bond to go over the current Transportation Plan and to insert the new updates (vision), then to e-mail all concerned for input. Bob Sutherland stated that this is a dynamic plan that will be constantly changing, especially if we get the grant.

### **Shoreland Zoning**

Steve stated that the deadline has been extended to July 1, 2009 and there are only minor issues left to address. The primary one is the dock issue. There are a few people who prefer the 300 square foot limit that Naples uses. Some feel that there should be no size limit and some who want to go with the 350 square foot limit.

Ed Johnson feels we should wait and see what direction the other water front communities on Sebago Lake do. He doesn’t favor being too restrictive and if problems arise, we can address them with an ordinance. Bob Sutherland is in favor of a square foot limit.

Dave Treacy stated that it’s already in the code that a dock is a temporary structure. A new dock is a seasonal structure because permanent structures are not allowed.

Ron Cedrone pointed out that in an August 21, 2007 e-mail from Paul White, he verified with the DEP that the Town does have the option not to regulate temporary docks and to

just go with the state requirements. Dave Treacy feels we shouldn't put in requirements that we are not going to be able to reinforce.

Steve asked what confidence we have that other Sebago Lake waterfront communities will meet the deadline. He asked whether or not we should let it ride until early spring to get ideas from other towns or start the process right now.

Bob Sutherland feels we should start right now by establishing an ordinance with a 300 square foot limit, then go through the appeals process if there are exceptional circumstances. Dave Treacy also feels we should start right away stating seasonally removable docks of 300 feet or less do not require a permit.

Bob made a motion to put a square footage based ordinance in place; seconded by Dave Treacy. The motion was defeated with three opposed and two in favor. Ron Cedrone, Steve Kaplan and Ed Johnson were opposed stating they would like to "opt out". Bob Sutherland and Dave Treacy were in favor. Most preferred waiting until spring.

## **New Business**

### **Consideration of a Minimum Lot Size Ordinance**

An islander who filed an application of waiver of minimum lot size to obtain an MLSW to make his lot buildable gave John Thompson CEO a copy of Town of Naples Minimum Lot Size Ordinance for informational purposes. The CEO feels the Planning Board should be involved with a goal of protecting people who bought land several years ago and the set backs have since changed. Steve felt if the Planning Board were to become involved, it would be to give the Board of Appeals the ability to grant variances regarding minimum lot size.

Steve asked the Board if they felt that a document such as this is needed on Frye Island. He asked Dave Treacy for a "legal" interpretation. Dave said the document is saying that under certain conditions the 4 point system does not apply regarding set back reductions. The only contingency the Board of Appeals needs to use is that the reductions will not result in unreasonable interference with the privacy of the abutting landowners.

Steve asked for someone to make a motion on whether to pursue this or leave it alone. Ed Johnson made a motion to table the issue; seconded by Ron Cedrone. Bob Sutherland feels it's a decent ordinance regarding set backs and that it covers everything.

Ed Johnson stated he wanted to withdraw his first motion. Ed made a motion to go forward with the exploration of drafting an ordinance to allow the Board of Appeals to grant variances regarding minimum lot size; seconded by Dave Treacy with all in favor.

Steve requested Bob Sutherland to draft an ordinance proposal and present it at the next meeting.

Steve notified Ed Johnson to be chairman for the September 13, 2008 meeting as Steve will be unavailable.

The next meeting will be a Public Hearing and regular meeting on Saturday, September 6, 2008 at 8:30 am.

Dave made a motion to close the meeting; seconded by Ron Cedrone with all in favor. Meeting adjourned at 9:50 am.

Respectfully submitted,

Inez (Smitty) Kaplan, Recording Secretary