

Lamoine Planning Board  
Minutes of September 13, 2021 meeting

Present: Board members Don Bamman, Perry Fowler, John Holt, Richard McMullen and Chris Tadema-Wielandt; Steve Salsbury, agent for Doug Gott & Sons, Inc.; Jim Boyle, agent for Maine Woodland Properties, LLC.; Nick Holt & Carol Korty

Absent: Board alternate members Steve Gabel-Richards and Stewart Workman; CEO Rebecca Albright

1. Chair Holt called the meeting to order shortly after 7:00 p.m.
2. Agenda review. Holt added two items to the agenda, namely, a construction permit submitted by AT&T and a discussion regarding a Remote Participation in Board Meetings Policy.
3. Minutes. The minutes of the August 9, 2021 meeting were accepted as written (Vote 4-0-1 abstention).
4. Code Enforcement Officer's Report. No report submitted. CEO was not present at the meeting.
5. Permit Conditions Tracking Report. The only permit being tracked for conditions compliance is the Kittredge Gravel Pit permit. The CEO will inspect for compliance on or after October 7.
6. Application Completeness Review of Subdivision Permit application of Maine Woodland Properties (Map 3 / Lots 32-1 through 32-7 on current Assessor's Map).

The Board went through the 20-item Application Review Checklist and noted several items for which more information is desired.

  - Item 5. Listing of any covenants to be imposed on the lots.
  - Item 7. Statement of square footage of 'upland' (buildable land) for each lot.

Tie lines and distances along west (water side) boundaries of shore lots.
  - Item 9. Data regarding details of road construction proposed.
  - Item 12. Determination of whether utilities will be above or below ground.
  - Item 14. Letter from Lamoine Fire Chief regarding Fire Protection.
  - Item 16. 10' elevation contours need to be added to the Plan. Also requested are lines denoting the 250' shoreland zone and Flood Plain boundaries, if any.
  - Item 17. Add 'culverts' to list of construction items.

In addition to the above, two significant items were discussed:

- (1) The Plan showed the entire parcel divided into 12 lots, one of which was "to be conveyed to an abutter." The applicant stated that this lot was not to be part of the subdivision and thus the subdivision would consist of only the 11 lots so labeled.

Holt noted that unless the lot actually has been sold (or is under contract), it must be counted as a subdivision lot, thus making the subdivision a 12-lot development, which would add further requirements of the subdivider.

(2) There was significant discussion regarding “open space” and possible “public use” of “open space” portions of the parcel. Topics included accommodating the needs of wormers and clammers to access the mudflats in the Jordan River, providing public access to the shore, maintenance of roads if the public is given a legal right of access, parking areas, liabilities. The plan as submitted provided for a small (3 cars) parking lot and a footpath to the shore.

In light of the many checklist items in need of information and the above two significant issues to be resolved, the Board found the application to be incomplete. The applicant will address these matters and discussion will continue at the October 4 meeting.

7. Application Completeness Review, Gravel Permit application, Doug Gott & Sons, Inc., B & H Pit, Map 3 / Lot 6.

Holt noted that the applicant had used an out-dated version of the application form. Review of the checklist indicated that the most significant omission was Item 2.a.8.c, “Documentation of water quality.” The board voted to find the application complete with conditions, namely, to resubmit the application using the correct application form and to provide the required water quality information. This resubmission needs to be turned in to the Town Office by September 17 to provide ample time for Public Hearing notices to be sent to abutters and published in The Ellsworth American prior to the Board’s October 4 meeting. A Site Visit was scheduled for Monday, September 20, at 4:30 p.m.

8. Application Completeness Review, Gravel Permit application, Doug Gott & Sons, Inc., Smith Pit, Map 3 / Lot 2.

As with the previous application, the applicant had used an out-dated version of the application form. Review of the checklist indicated that the most significant omission was Item 2.a.8.c., “Documentation of water quality.” The board voted to find the application complete with conditions, namely, to resubmit the application using the correct application form and to provide the required water quality information. This resubmission needs to be turned in to the Town Office by September 17 to provide ample time for Public Hearing notices to be sent to abutters and published in The Ellsworth American prior to the Board’s October 4 meeting. A Site Visit was scheduled for Monday, September 20, following the 4:30 pm Site Visit to the B & H Pit.

9. The Board received a construction application from AT&T Mobility to install a walk-in cabinet and generator on a proposed 10’ x 20’ concrete pad within the existing wireless telecommunications facility owned by American Tower, located at 212 Lamoine Beach Road, and to install new equipment and mounts to the existing cell tower there. Under the provisions of the Federal Middle Class Tax Relief and Job Creation Act, Section 6409, simple co-locations and/or equipment upgrades at existing telecommunications facilities must be approved by local municipal boards.. The Board voted to approve the project.

10. The Board decided not to seek approval of voter authorization to permit remote participation in Planning Board meetings.

11. Ordinance Development. The Board did not further discuss ordinance regulations concerning "camping". The topic will be discussed at a future meeting.

12. Scheduled meetings:

Regular meetings: October 4, November 1 and December 6, 2021

Site visits: Monday, September 20, 4:30 pm at B & H Pit and Smith Pit

Public Hearings" Monday, October 4, 6:30 pm, Gravel Permit applications of Doug Gott & Sons, Inc., for B & H Pit (Map 3 / Lot 6) and Smith Pit (Map 3 / Lot 2).

13. Adjourned at 9:15pm EDT

Respectfully submitted.

C. D. Tadema-Wielandt,  
Secretary Pro tempore