



Lamoine Planning Board

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Minutes of February 6, Public Hearing and Monthly Meeting

Boards Members Present: John Holt, Don Bamman, Perry Fowler, Stuart Workman, Steve Gabel-Richards. Kathleen Rybarz, representing the Lamoine Select Board. Hal Feinberg, CPEX, LLC.

Present via Zoom: CEO Rebecca Albright

Members of the Public: Kathryn Gaianguest, Bob Christie, Joyce Lachance, Bob Lachance, Frank Donnelly, Carol Korty, Carol Lange, Amy Morley Karen Hood, Katie Dandurand, Malachi Flynn, Bret Jones, Matt Jordan, Sabrina Jordan, Ronald Becker, Marie Overlock, and Michael Walls.

Public Hearing, Amendment to Shoreland Zoning Ordinance Map voted by Select Board for inclusion on the warrant for the March 15, 2023 Town Meeting - to change the designation of a portion of Map 13/Lot 50 from Limited Residential District to Commercial Fisheries/Maritime Activities District, called to order at 6:34 pm.

Carol Korty asked if there was a written statement by Glen Crawford detailing his plans for the property. Kathleen Rybarz said that Crawford never presented one, only the wording for the zoning change. Korty then asked if Crawford had presented the select Board with the signatures necessary for an item to be included on the warrant. Rybarz responded that he hadn't but would if required. Korty commented that she felt the signatures were necessary for such a major and inappropriate change.

Frank Donnelly then asked Rybarz if she had a proposal from Crawford stating what his plans were for the property. She read a short statement from Crawford stating that he would like to be able to accommodate some of the fishermen currently working out of the state park at his pier. Crawford was not in attendance at this hearing to elaborate further.

Eric Hartman then asked just what Crawford would be allowed to do if this change went through. In response, Planning Board chair John Holt read from the ordinance activities that would be allowed given proper permitting. Again, several comments were made wondering why the petitioner and a representative from the state weren't in attendance.

Holt reminded those present that this was a request to change the zoning designation of the property and that there was no application, at this time, to begin any project on the site. An application in the future would have to go through the full permitting process.

Frank Donnelly raised the question again about why the party requesting the change was not present to respond to questions from the public. Holt responded only that it was not required.

Eric Hartman asked if the Board felt that granting this request would set a precedent that would affect future requests for zoning changes. Holt replied that it was the Town that approved any changes through Town Meeting votes and not any Board.

Bob Christie questioned the impact of the proposed change to the Town as well as to Crawford. Once again there were questions that couldn't be answered without the presence of those behind the proposal. There were also questions that only representatives of the State could answer concerning the use of the State Park by Lamoine fishermen.

Holt reminded the public that if the Town approved this change, it would still need the approval of the State Department of Environmental Protection as it involves the Shoreland Zone.

Kathryn Gaianguest raised the issue of uncertainty as to what the impacts of this change would have on the Town and on Frenchman Bay given the pressures from various marine activities.

Several people expressed concerns about the amount and availability of information concerning this article that can easily be accessed by the people of the Town.

And finally, there was considerable discussion about how much was unknown about what was planned for this property and widespread disappointment that Crawford wasn't in attendance to respond to questions.

Public hearing adjourned at 7:23 pm.

Consideration of Minutes : [Minutes from the January 2, 2023](#) monthly meeting were reviewed and passed.

The Board accepted the CEO monthly reports.

Old Business:

[Site Plan Review Ordinance](#) and [BLUO](#) Subdivision applications completeness reviews CPEX, LLC proposal to construct [Clear Sky Acadia Glamping Resort](#) - Map 4 / Lot 23. The applications were reviewed for completeness and found incomplete (Holt/Bamman) 5 - 0.

For the Site Plan Review, the following requirements were not met.

- 1-2 Space needed on the final plan for signatures of the Board and the date.
- 1-3a Clarify owner vs. applicant for the project
- 1-3d Should read Map 4 / Lot 41 and Map 8 / Lot 23
- 1-3e Need documentation of property ownership and record of updated property tax payment.
- 1-3f Provide missing registration numbers for several of the engineers listed for the project.
- 1-4e Completed Comprehensive Environmental Study is needed.
- 1-5f Soils investigation report needs to be completed.
- 1-5I Awaits completion of Comprehensive Environmental Study.

Additional Information Requested

- Hydrologic assessment prepared by hydrologist/geologist for on-site water supply and waste water disposal.
- Provide additional information about electrical supply on the final plan.
- A letter from a bank or other financing source indicating the name of the project, amount of financing proposed, and interest in financing the project.
- A traffic study is needed. This has been a major area of concern expressed by people in the community.

Based on the materials above, a motion was made to find the application incomplete (Holt/Bamman) the motion passed 5 - 0.

Subdivision Application Completeness Review

Sections

- 11. Comprehensive Site Evaluation needed.
- 12. Plan for electrical utilities requested.
- 14. Fire protection plan to be approved by the Fire Chief.
- 15. Certified wastewater disposal plan needed.
- 18. Space required on the final plan to record approval by the Board.
- 20a. State of Maine Dept. of Human Services approval for central water supply system.
- 20b. Sewage disposal plan and appropriate State approval required.
- 20c. Maine Dept. of Environmental Protection approval required before submission of final plan.
- 20d. Fire protection plan needs approval of Lamoine Fire Chief.
- 22. Required fees, as determined by the Select Board, need to be paid to the Town.

Motion made (Holt/Bamman) to find the application incomplete. Passed 5 - 0

No New Business

No Ordinance Development

Upcoming Meeting Dates: March 6, April 3, and May 1.

Motion to Adjourn (Holt/Fowler) 5 - 0