

# TOWN OF CHEBEAGUE ISLAND

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## **Meeting of the Town of Chebeague Island Planning Board, April 30, 2009 at 7:00 at the Hall**

Present: Mabel Doughty, Sam Birkett, Tad Runge, Jane, Frizzell Beth Howe; absent Ernie Burgess. The Board has one vacant seat.

Paul Belesca, Cheryl Stevens, Donna Damon, David Stevens, Ken Hamilton, Hank Whetham, Bob Grant, Dianne Brewer

Beth Howe called the meeting to order at 7:04

Approval of the Minutes of July 17<sup>th</sup> 2008

**Tad Runge made a motion to accept the minutes of the July 17, 2008, Mabel Doughty seconded, and they were approved unanimously**

Public Hearing on a minor site plan review, section 206, and shoreland zoning permit, section 427 of the Town of Chebeague Island Zoning Ordinance for a replacement of the boat shed at the Chebeague Island Boat Yard, 24 Niblic Circle, Tax Assessor map I02 map 76, Paul Belesca owner and applicant.

Beth Howe gave an overview of the process of site plan review in Maine, and the process for site plan approval at this meeting.

Paul Belesca presented the proposed project. The proposal is to replace the boat shed at the boatyard. The approach would be changed so that boats don't come up the marine railway from the east but are brought in through doors on the south side by trailer. It will also be winterized for twelve month use.

The new building will be slightly larger than the old one, with a reduction of the lean-to portion but increasing the width from 32 to 46 feet. The footprint will be largely unchanged, and the building will still be separate from the existing gift shop and Post Office building. The new building will not be closer to the water than the old one. It will be 22 feet tall at the peak of the roof; the present one is 20 feet.

Because of the building done at the site in 2007, which received site plan and shoreland zoning permit approval by the Town of Cumberland Planning Board, the plan requests waivers for many of the areas that were addressed in that site plan and will remain unchanged in this one.

Questions by Planning Board to applicant

Tad Runge asked about whether there should be signage to prevent parking in fire lane. Paul Belesca replied that he doesn't specifically remember whether that was a condition of the original application, but that it is common sense to not block the fire access. The parking spaces provided are out of the way of the access.

Beth Howe replied that it would be possible to make adding signs a condition of approval.

Sam Birkett commented that the application and presentation were both very thorough.

Mabel Doughty commented that she was impressed by the amount of material.

Jane Frizzell requested a clarification on how much additional square footage the building would contain.

Paul Belesca replied that there would be a 12 x 46 foot addition and a 12 x 18 foot reduction.

Conversation on the dimensions took place. Mabel Doughty estimated that the additional footage would be about 336 feet, which Paul stated would be about 9% more than the current building.

Beth Howe asked if there would be any new signage.

Paul Belesca replied that he doesn't expect any new signage that would be visible from the public way.

Beth Howe asked if the building will contain a bathroom.

Paul Belesca replied that it was undetermined at this time, and if so, it would be a single bathroom for workers only. There are two public bathrooms in the adjacent building.

Beth Howe asked if the septic system would be adequate?

Paul Belesca replied that it would be, and that the bathroom would require plumbing permits and Code Enforcement Officer permission.

Mabel Doughty wanted clarification about the number of employees at the site and parking for them. Five were mentioned but it seemed like there were more than five.

Paul Belesca replied that the staffing has increased but that employees park on another part of the site that does not impact the customer parking.

Mabel Doughty replied that that was fine, she just wanted to be sure that the staff of the Niblic were not forgotten.

Beth Howe said that the number of employees would be useful information for the findings of fact.

Paul Belesca replied that there are 2 at post office, 3 at boatyard, with 2-3 full time equivalent staff, and seasonal employees as well.

Questions from Members of the Public

Donna Damon asked if there will be any access between the buildings?

Paul Belesca replied that there would not be.

Sam Birkett asked if there would be any additional external lighting.

Paul Belesca replied that there would be no freestanding lighting, but there would be wall mounted lighting intended for workspace on the south side.

Beth Howe that she had received to letters about the site plan

There was a letter from Bob Earnest in support of the project, which was read by Beth Howe.

There was also an anonymous communication asking if DEP/Shoreland standards for the project have been met. It also asked whether in 2007 were soil erosion measures taken during the construction, and had the soil been tested for pollutants. What happened to the soil removed during the previous construction? Who is responsible for monitoring the new construction's compliance with the shoreland zoning requirements?

Beth Howe said that issues that apply to a previous, approved, project are not in the purview of the Planning Board. The meeting tonight will determine whether the State Shoreland Zoning standards are met for this project. Code Enforcement Officer Paul White will be responsible for monitoring the current construction.

Sam Birkett said it would probably be better for Paul Belesca to answer the questions about the 2007 construction to clear the air.

Paul Belesca said that before the boatyard was sold the Brewers hired an environmental consulting firm to study the property to see if there were any pollution issues from the site being used as a boat yard. It met the state standards. Regarding the soil from the previous construction, because the dirt pile from the excavation is more than seventy five feet from the high water mark, it is not a concern of the DEP. Most of the soil remaining from that project will be utilized in this one. Unused sand was removed by Wayne Dyer in 2007 and Paul was not aware of what happened to it.

Bob Grant stated that his house was directly across street from boat yard, and that Boat Yard has always been a good neighbor and he believes the project is worthy of approval.

Beth Howe closed the public hearing at 7:40

Discussion of findings of fact on the Boat Yard application

The decision was made to consider the waivers after going through the findings of fact.

The members of the planning committee went through Beth Howe's draft Site Plan findings of fact and created a final site plan findings of fact. (attached)

**Tad Runge moved that the waivers be granted to The Chebeague Island Boatyard as listed on the April 24<sup>th</sup> communication to board by chair (attached). Sam Birkett seconded. The motion was approved unanimously.**

**Mabel Doughty moved that Site Plan findings of fact be approved, Tad Runge seconded, and the motion was approved unanimously.**

**Tad Runge moved that fire chief must review the project and issue certificate of compliance by May 13<sup>th</sup> 2009. Jane Frizzell seconded. The motion was approved unanimously.**

Shoreland Zoning Findings of Fact:

The planning board read through the draft findings of fact created by Beth Howe and created a final findings of fact (attached)

**Jane Frizzell made a motion to approve the Shoreland Zone findings of Fact unconditionally. Tad seconded. The motion was approved unanimously.**

**Mabel Doughty moved to approve the site plan and Shoreland Zoning permit for CIBY. Tad seconded and the motion was approved unanimously.**

Additional Comments: Paul Belesca stated that the one day a week work of the code enforcement officer can be a problem during construction due to time lags. Hank Whetham that he would occasionally send digital pictures to Bill Longley (the Code Enforcement officer for the town of Cumberland) and would work that way.

Meeting adjourned at 8:45

Respectfully submitted,  
Thea Youngs