

**Meeting of the Chebeague Island Planning Board  
July 17, 2008  
7:15 P.M. Chebeague Island Hall and Community Center.**

Members Present: Beth Howe, Jane Frizzell, Mabel Doughty, Ernie Burgess, Tad Runge

No members of the public attended.

Beth called the meeting to order at 7:20

***Item 1: Approval of the Minutes of May 15***

**Ernie made a motion to accept the minutes of May 15, Mabel seconded, and the motion was approved unanimously.**

***Item 2:Public hearings on proposed zoning changes.***

Beth gave an overview of the proposed zoning changes and asked for comments. This was a series of public hearings and the overall vote was taken at the end of each one. But where there was significant discussion on an issue, a vote was usually taken on that issue at that point.

***A: Very Minor Changes***

Beth opened the public hearing on the very minor changes and said that the first four items were the result last fall of the review by MEDEP of the new Shoreland Zoning provisions:

P 38 Sec. 204 Table 1 item 15: add footnote #9.

P. 39 Table 1 item 24: The table states that private campsites are allowed with the permission of the CEO. Change this to “no”.

There is no definition of individual campsites in the existing zoning regulations, so the committee would either have to define the term, or make them not allowed in the shoreland zone. The rewording here -- to change “CEO” to “no” in all the items in section 24 -- would make the table conform to the wording of the rest of the ordinance. Individual campsites will no longer be listed as allowed with permission of the Code Enforcement Officer, but will not be allowed. The group discussed the need to deal with the issue of individual campsites, particularly on the outer islands, but decided to refer this to the Comprehensive Planning Committee. **Tad made a motion to change “CEO” to “no” but also to refer this issue to the Comprehensive Planning Committee, seconded by Ernie. Approved unanimously.**

P. 75 sec. 401.1: replace *Maine Guidelines* with *Manure Utilization Guidelines*, which is an updated publication. Mabel moved to make this change.

P.127-128- Section 427.5b:

Section 2 should read (with changes in italic):

Selective cutting of trees around the buffer strip is allowed provided that a well distributed stand of trees and other natural vegetation is maintained. For the purposes of this section a “well-distributed stand of trees” adjacent to a *wetland, stream, or tributary stream shall be defined as maintaining a rating score of 16 or more in each 25x50 ft rectangle (1250 sq ft) area as determined by the following rating system.*

Additionally, the numbers in the chart are out of order, and therefore the resulting calculation is off. The chart should read as follows:

Diameter of Tree at 4 ½ Feet Above Ground Level (Inches)	Points
2- <4 in	1
4- <8 in	2
8- <12 in	4
12 in or greater	8

The final sentence in item 2 is redundant and should be eliminated.

And accordingly, the example should read: *“As an example, adjacent to the upland edge of a coastal wetland, if a 25-foot x50-foot plot contains four (4) trees between 2 and 4 inches in diameter, two (2) trees between 4 and 8 inches in diameter, three (3) trees between 8 and 12 inches in diameter, and two (2) trees over 12 inches in diameter, the rating score is:*

$$(4 \times 1) + (2 \times 2) + (3 \times 4) + (2 \times 8) = 36$$

*Thus the 25-foot by 50 foot plot contains trees worth 36 points. Trees totaling 20 points may be removed from the plot provided that no cleared openings are created.”*

Tad moved, seconded by Jane to change the wording of this provision as drafted. Approved unanimously.

Other very minor changes identified by using the Zoning Ordinance:

P.6 Section 110.19: add “which”

P. 76 sec. 403.1 Rural Residential districts are on mainland, and this language should have been removed from Town of Chebeague’s zoning ordinances. Mabel moved, seconded by

P. 152 Section 501: Non conforming buildings, uses, structures and lots-have notes on non-conforming lots dealt with in sec. 205 and is not mentioned here. There should be an addition of a footnote to guide readers to also examine section 205.

The public hearing on the very minor issues was closed.

**Mabel moved to convey the very minor changes to the Selectmen to be included in the warrant for the next Town Meeting. Jane seconded, and the motion was approved unanimously.**

***B. Minor Changes:***

Beth opened the public hearing on the minor changes.

P 99, Sec. 417.5:

The language regarding fuel tanks in the mobile home provisions of the ordinance should be changed to “*any fuel storage tank shall be enclosed. Fuel storage tanks may not be buried.*”

Beth said that Tom Calder had point out that fuel storage tanks on Chebeague should never be buried because that poses a threat to the groundwater. Tad noted that it will be necessary to come up with language for the definition of enclosed. Beth said that would be possible to postpone this change until a more thorough definition of what constitutes enclosed can be worked out. It would also be useful look at modifying the ordinance language for other fuel storage tanks, not just in relation to manufactured housing. Discussion followed of containment/enclosure practices. Beth suggested talking to Carol White about recommendations, especially during the Comprehensive Planning process. The problem is that a wholesale change to fuel tank regulations could be a large issue, with a lot of controversy. **Jane made a motion to change the ordinance to Beth’s language, Tad seconded, and the motion was approved unanimously. Mabel made a motion to bring this issue to the Comprehensive Planning Committee in order to examine the larger issue, Ernie seconded, and the motion was approved unanimously.**

Clarification: Building on non-conforming lots

Beth gave an overview of the clarification, and proposed to amend Section 205.4 to read: “*In the IR and IB districts, notwithstanding limitations imposed by other provisions of this ordinance, a lot containing at least 20,000 square feet as shown on a plan of a subdivision duly proved and recorded in the Cumberland County Registry of Deeds on or before July 1 1975, and irrespective of whether said lot was in separate and distinct ownership from adjacent lots on said date, may be built upon subject to the conditions in Sec. 204.1C, D, and E, or Sec. 204.3 C, D, and E.*”

Beth explained that this was an issue that had come up during the consideration of an amendment to the Cart Road Acres Subdivision. The language inherited from Cumberland involved several conflicting provisions.

**Jane made a motion to accept the language change, Ernie seconded, and the motion was approved unanimously.**

The public hearing on minor changes was closed.

**Mabel moved to convey the minor changes to the Selectmen to be included in the warrant for the next Town Meeting. Jane seconded, and the motion was approved unanimously.**

***C. Major change:***

The public hearing on the major change was opened.

P. 96-97 Sec. 415.b.

To change the regulations concerning home based business to: *“In the case of a home occupation, the number of non-family employees is limited to three, provided that off-street parking is available in addition to parking provided for customers and;”*.

This issue had been thoroughly discussed by the Planning Board at two previous meetings. **Jane moved to change this regulation, Tad seconded, and the motion was approved unanimously.**

The public hearing was closed.

**Jane moved to convey this major change to the Selectmen to be included in the warrant for the next Town Meeting. Tad seconded. Approved unanimously.**

***Item 3: Other Business:***

*None*

*Meeting Adjourned.*

Respectfully Submitted,

Thea Youngs