Minutes of the meeting of the TOCI Planning Board, December 19 2013
at 7:15 in the Hall

Present: Sam Birkett, Jane Frizzell, Charles Hall and Beth Howe
Absent: Mabel Doughty, Louise Doughty and Chip Corson
Also present: Ron Tozier, CEO

1. Minutes of the meeting of November 21, 2013. Sam moved, seconded by Jane that
the minutes be accepted. The vote was unanimously in favor.

2. Chebeague Inn
Beth said that this item is for information only – there is no action proposed to be
taken. She explained that Casey Prentice, the owner of the Inn, wants to “regularize”
the zoning status of the inn. It is now a grandfathered use. His bank is worried that
if the Inn burned down or was destroyed in a storm, it could not be rebuilt. He had
written to the Selectmen on December asking that the Town create a new zone –
“commercial II – which would be identical to the existing Island Business Zone
except that it would add hotels as a permitted use. The only place that would be
included in this zone would be the parcel at 68 South Road. Beth pointed out that
the Inn is at 61 South Road; 68 is probably one of the houses they own. This
possible error had stymied the Selectmen, since they did not have any real idea of
what change Prentice wants. Beth said she thought this latest proposal would be
spot zoning and that she has suggested has suggested that he ask the Selectmen to
create a contract zone for the Inn. He does not want to do this.

The group discussed why he might not want to have a contract zone. Jane and Sam
had concerns about what he plans to do with the houses he holds. Beth said that if
he wants to use them for uses permitted in the existing commercial zone, Prentice
can apply for a special exception to the Board of Appeals and bring a site plan to the
Planning Board. Jane said she thought there were a lot of people who would be
opposed to adding hotels to the Island Business Zone because of the concern with
encouraging the construction of other hotels. Beth said that this may not really be a
viable financial proposition. She also suggested that the Board could look at the
existing business zone to estimate whether there are any parcels large enough for a
hotel. This idea was not taken up.

Ron said that Prentice has brought him a proposal for the addition of an outdoor
generator. This has raised the issue of lot coverage. Except in the Shoreland zone,
Chebeague has no limits on the proportion of a lot that can be covered other than
the setbacks. In the case of a grandfathered building, there are no side setbacks, so a
building can be built right out to the property line. It may make sense to consider
adopting lot coverage standards for zones other than the Shoreland Zone.

3. Beth said she will be having a meeting on December 27 with The Cacoulides’ lawyer
and engineer about what information the Planning Board needs to have to consider
their application for a shoreland zoning permit.
4. Proposed revision to Section 206 of the Zoning Ordinance relative to Site plan
decision criteria.
Beth suggested going over the proposal for regulating noise. She went over the
three types of noise problems that noise can create. Sound levels would be higher
during the day and lower at night. So the criteria would set specific times of
operation for businesses. The Planning Board could approve variations in specific
cases. This was accepted. On the volume of the sound created Beth said she did not
yet know what the difference is between dB(A) and dB(C) sound readings. Ron
looked it up on his cell phone and read out the definitions. He said he thought that A
relates to the ongoing sound level and C may relate to peak sound levels. Beth said
that to cover repetitive, percussive sound is something that seems not generally to
be measured, and that the approach in other ordinances is to add 5 points to the
measured sound level to represent this. There was a general discussion of these
different ways of measuring sound. No one is very clear about what they represent
in real life. Beth said that at the next meeting she will try to provide examples of
different sound ratings. There was general agreement that an approach like the one
taken in the draft makes sense, but that more information on the specific
measurement levels is needed.

The group also went over the proposed standard for exterior lighting which tries to
reduce unnecessary lighting. Sam suggested adding a provision that would require
turning lights off automatically when they are not needed. These criteria were
accepted by the Board.

This leaves several proposed criteria that have not yet been covered.

Respectfully submitted,

Beth Howe
TOCI Extraction/Excavation Permit Application (similar to the Shoreland Zoning Permit Application form)

General Information
- Applicant: name, address, telephone number
- Property owner: name, address, Telephone
- Contractor: name, address, telephone
- Address of the property
- Tax map page and lot number
- Zoning district
- Lot size

Description of the existing use of the property and the proposed extraction and/or excavation project, including:
- Land clearing and road building.
- Cubic yards of material to be excavated
- Proposed use of the earth materials to be extracted or excavated.
- Estimated cost of operation

A site plan drawing indicating:
- Lot lines
- Setbacks defined in Section xxx of the TOCI Zoning Ordinance.
- Direction of surface water drainage on the property.
- Area to be cleared of trees and other vegetation.
- The exact location of the excavation/extraction.
- Location of any existing or proposed buildings.

A soil erosion control plan