

## Draft Planning Board Workshop Minutes

**The Planning Board held a meeting on Thursday, April 14, 2016 at 7:00 Pm at the Island Hall.**

Chip opened the meeting at 7:08 PM.

**Planning Board Members Present:** Nancy Hill, Bob Earnest, Chip Corson, Carol White, Donna Colbeth, Jane Frizzell, Sandra "Sam" Birkett (late)

**Also Present:** Marjorie Stratton, Gloria Brown

### Minutes

**Motion:** Moved by Bob Earnest and seconded by Nancy Hill to accept the minutes of the April 9 workshop as distributed.

**Vote: 6-0 (Sam Birkett had not yet arrived); Motion Carried**

### Planning Board Ordinance

Sam arrived.

**Motion:** Moved by Carol White and seconded by Bob Earnest to amend the current Planning Board Ordinance, not replace it with a new ordinance.

**Vote: Unanimous; Motion Carried**

**Motion:** Moved by Bob Earnest and seconded by Donna Colbeth to change item B(2) by striking the words "State of Maine" and replacing them with "Town of Chebeague Island."

**Vote: 6-1 (Nancy Hill Opposed); Motion Carried**

**Motion:** Moved by Carol White and seconded by Donna Colbeth to leave item B(4) as it is.

**Vote: 5-2 (Bob Earnest and Nancy Hill Opposed); Motion Carried**

**Motion:** Moved by Bob Earnest and seconded by Carol White to leave item B(6) unchanged.

**Vote: Unanimous; Motion Carried**

**Motion:** Moved by Sam Birkett and seconded by Carol White to change item D(6) by striking the phrase "Section 206" from the item.

**Vote: Unanimous; Motion Carried**

**Motion:** Moved by Bob Earnest and seconded by Nancy Hill to strike out item D(7).

**Vote: 6-1 (Sam Birkett Abstained); Motion Carried**

**Motion:** Moved by Donna Colbeth and seconded by Carol White to leave item D(8) unchanged.

**Vote: Unanimous; Motion Carried**

**Motion:** Moved by Chip Corson and seconded by Nancy Hill to change the last words of item D(9) to "Town Administrator" instead of "Town Meeting."

**Vote: Unanimous; Motion Carried**

**Motion:** Moved by Nancy Hill and seconded by Bob Earnest to strike "the Town Engineer" from the first line of item E.

**Vote: Unanimous; Motion Carried**

**Consensus:** During discussion the group came to consensus to leave items F and G unchanged for now. These items will be discussed with a land use attorney in the near future.

### **Minutes**

**Motion:** Moved by Bob Earnest and seconded by Nancy Hill to accept the minutes of the March 17, 2016 minutes as distributed.

**Vote: Unanimous; Motion Carried**

**Motion:** Moved by Carol White and seconded by Nancy Hill to accept the minutes of the February 18, 2016 minutes as distributed.

**Vote: Unanimous; Motion Carried**

### **Upcoming:**

- Potential Subdivision Plan Hearing
- Look at the Subdivision Ordinance at a meeting with Atty. Ann Torregrossa
- Public Hearing on proposed amendments to the shoreland zoning section of the Zoning Ordinance on Wednesday, April 27, 7:00 PM at the Island Hall

### **Adjournment**

The meeting adjourned at 8:40 PM>

Respectfully submitted,

Gloria Brown, Town Clerk

Town of Chebeague Island Code of Ordinances  
Chapter 17 — Land Use & Planning  
Article V — Administration

**PLANNING BOARD**  
**ORDINANCE**  
**of the Town of Chebeague Island**  
**MAINE**

Adopted by the Town Meeting: July 1, 2007  
Effective: July 1, 2007  
Amended June 11, 2016

\_\_\_\_\_  
Attest:  
Town Clerk  
Seal:

## **SECTION 101. PLANNING BOARD**

### **A. Establishment of Planning Board**

The Planning Board of the Town of Chebeague Island is hereby created pursuant to 30-A M.R.S.A. § 3001.

### **B. Appointment, Qualifications, Tenure and Vacancies**

1. The Planning Board shall consist of seven (7) members appointed by the Board of Selectmen. They shall serve without compensation.
2. Members shall be residents of the ~~State of Maine~~ Town of Chebeague Island. The Selectmen may establish additional, uniform and lawful criteria for appointment to the Planning Board. Four or more members of the Board shall constitute a quorum of the Board. A decision of a quorum of the Board made in conformance with applicable law shall be valid and binding.
3. Members of the Board of Selectmen and of the Board of Adjustment and Appeals shall not serve as members of the Planning Board.
4. The term of office of each regular member shall be three years. The terms of office shall be staggered with the terms of office of two members expiring in one year, the terms of office of three members expiring in the next year, and the terms of office of two members expiring in the third year.
5. Vacancies may occur by reason of resignation, death or removal from the Town or State. Vacancies shall be filled by the Board of Selectmen for the unexpired term.
6. If a member fails to attend two regular or special, meetings in a row without providing an excuse, a majority of the Board may certify this failure to the Selectmen, asking them to replace the member. A member may also be removed for cause after notice and hearing by the Board of Selectmen.

### **C. Organization and Rules**

1. The Board shall annually elect a Chairman and a Vice-Chairman. Officers shall serve one-year terms and shall be eligible for re-election.
2. Four members of the Board shall constitute a quorum.
3. The Board shall adopt rules and regulations for the transaction of its business.

Town of Chebeague Island Code of Ordinances  
Chapter 17 — Land Use & Planning  
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4. Any question of whether a particular issue involves a conflict of interest sufficient to disqualify a member from voting thereon shall be decided by a majority vote of the other members present.
5. All records of the Board shall be public records and may be inspected at reasonable times.
6. All meetings shall be held pursuant to public notice and be held in a public building.

**D. Duties**

The Planning Board shall have the following duties and powers:

1. The Board shall prepare a Comprehensive Plan for the Town of Chebeague Island in accordance with the provisions of 30-A MRSA 4323 and 4326. This plan shall be recommended for adoption to the Town Meeting under 30-A MRSA 4324.9.
2. The Board shall periodically review the land use ordinances of the Town of Chebeague Island and submit to the Town Meeting proposed amendments thereto, consistent with said Comprehensive Plan.
3. The Board shall investigate and make reports and recommendations upon such planning and land use matters as it may deem appropriate or as may be formally referred to it by the Town Meeting, the Board of Selectmen, other Town committees or the Town Administrator.
4. The Board shall give the public ample opportunity to be heard concerning the development of the Comprehensive Plan, land use ordinances and other land use policies.
5. The Board shall serve under 30-A MRSA 4403 as the municipal reviewing authority of all requests for subdivision approval. The Board shall approve the naming of all streets in proposed subdivisions.
6. The Board shall serve under the Zoning Ordinance of the Town of Chebeague Island, ~~Section 206~~ as the reviewing authority for all requests for site plan approval.
- ~~7. The Planning Board shall request recommendations from the Lands and Conservation Commission on any proposed major or minor subdivision that impacts the Town's natural resources or Town owned property, or which involves the transfer of an interest in land to the Town.~~

~~8.7.~~ 9.7. The Board shall, with the Town Administrator, develop and review the Capital Improvement Plan and the annual capital budget.

~~9.8.~~ 9.8. The Board shall annually submit a report of the Planning Board's actions to the Town ~~Meeting~~ Administrator.

#### **E. Assistance from Other Town Officials**

The Town Administrator, ~~the Town Engineer~~ and the Code Enforcement Officer shall provide such technical, administrative and clerical assistance as required by the Planning Board. The Board may request the Town Administrator to engage such professional help as it may require to carry out its duties, subject to the availability of funds appropriated therefore by the Town Meeting. The Board shall annually, through the Chairman, request operating appropriations in a manner prescribed by the Administrator.

#### **F. Appeal**

An appeal from a decision of the Planning Board shall be taken directly to Superior Court, pursuant to the provisions of the Maine Rules of Civil Procedure.

#### **G. Savings Provision**

The invalidity of any provision of this ordinance shall not affect the validity of any other provision thereof.