

**Board of Selectmen Meeting
on April 06, 2022**

The Board of Selectmen will hold a Business Meeting at 6:00pm at the Chebeague Island Hall on Wednesday, April 06, 2022 to view log into Zoom or watch live on YouTube

On your computer: https://zoom.us/j/326962753	Password Required: 175989
On your land line phone: +1.929.205.6099 Meeting ID: 326962753	
On your cell phone: +1.929.205.6099 Meeting ID: 326962753#	

I. Call Public Meeting to Order

II. Public Comments for items not on the agenda

III. Town Reports

Town Administrator

Treasurer's Report

Public Works Report

Harbormaster Report

IV. Regular Business

22-029 To hear recommendations from the Code Enforcement Officer re: various fees and consider action.

22-030 To hear a presentation on Indian Island Erosion.

22-031 To conduct a survey for the Melkonian Drainage Easement.

22-032 To provide an update on the Congressional Community Grant.

V. Budget Workshop- Third draft of the Budget

VI. Communications

VII. Approve Minutes from March 16, 2022

VIII. Items to be placed on future agenda

IX. Adjourn



Town of Chebeague Island

MEMO

To: Donna Miller-Damon, Chair and Members of the Select Board
From: Viktoria G. Wood, Town Administrator
Date: April 1, 2022
RE: Town Administrator Report

Audit Update: I have continued to call around to find a municipal auditor but have not had any luck. Last week I attended an audit class through MMA that was presented by Marc Roy, Director of Accounting for Berry, Talbot & Royer. I spoke with him in depth about the difficulty of finding an auditor and he confirmed that his firm as well as many of those I called have dropped municipalities because they don't have enough people to do the work. I have spoken with the state a number of times and this issue is just getting to them. I expect a call back from the state by the end of this week with an update from senior staff about whether they are able to help our municipality.

Annual Report: A decision needs to be made whether the Board wants to proceed with printing an annual report this year. We do not have an audit for 2021 so there would not be any financial statements to put in. Typically, we do not have the town warrant finalized before annual reports go out to print. The only things they would be printed are the letters we receive from nonprofits. My recommendation is that we not print them this year if there is nothing to put in.

Stone Wharf Widening: Found out that Travis Lucia from Sevee and Mahar is no longer employed there. Our new contact is Dan Diffin. I have a call and an email out to him with an update on where we stand with the project.

Dredging Update: Still underway. An extension was received until April 15th.

Boat Engine Update: We may have found an engine. More information will be shared at the meeting as it is received.

Bookkeeper Search: Ongoing. There is a scheduled interview this week. The job has been advertised since end of December with MMA, Indeed, Liveandworkinmaine.org, JobsME, Yarmouth, Portland, Chebeague and Long Island Facebook pages. We had a number of applicants but no follow throughs. Eager to get someone as we are getting very busy and are short staffed.



Town of Chebeague Island Department of Public Works
49 Littlefield Road
Chebeague Island, ME 04017

Phone: 207-846-6419

ps1@chebeague.net

Fax-207-846-6413

MONTHLY REPORT

March 1 2022

This month we were very busy. Worked our butts off and were able to get three floats fixed early and put in for CTC. We also were able to get Chris Burgess to weld and fix the dump body hinge on truck Ten. We started filling potholes in the pavement and I started dragging gravel roads to try and fix some of the many potholes on all the of gravel roads. I also started blowing the sand off the sides of the roads with the Billy Goat blower. We cleaned leaves out of a bunch of culverts to allow water too flow better. We put Stop sign back up at the end of Roy Hill Road. We removed snow markers at golf course.

We are planning on getting the rest of the floats fixed and put in and fix the pilings that have rusted off at the bottom at Stone Pier. And plan on finishing fixing gravel roads and blowing the fest of the sand off the sides of the roads. Thanks for your support.

Public Works Crew

From: Genaro Balzano <genarobalzano@gmail.com>
Sent: Monday, April 4, 2022 10:48 AM
To: TownAdmin@townofchebeagueisland.org
Subject: Harbormaster/Shellfish Report

Harbormaster/Shellfish Report

Stone Pier

Remaining floats will be launched after dredging is complete which should be around April 15
2022 tie up stickers are available at the town office.

Moorings

2022 mooring applications were sent out via email April 1 and holders that don't have email will receive a hardcopy via
United States Postal Service.

Town Vessel

Graciously Mark Dyer has helped to track down a viable Engine for the harbormaster Vessel. Many thanks.

Shellfish

Shellfish licenses are on sale in the town office. If needed outside of business hours please call a head or HM @ 233-
1495.

If anyone has any questions or concerns please contact me via telephone 233-1495 or email
harbormaster@townofchebeagueisland.org

Regards,
Genaro Balzano

Town of Chebeague Island Fees and Fines

FY2023 Proposed Changes (3/1/2022)

Building Permits:

<u>Residential:</u>	Minimum Fee	\$ 50.00	100.00
New Construction	Finished Areas	\$.40/per square foot	.55
	Unfinished Areas	\$.20/per square foot	.30

**Note: Including all floor levels from the lowest floor to the highest floor level.

Renovation and Alteration (INCLUDE written cost estimate)	\$ 10.00 per \$1,000		11.00
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<u>Commercial:</u>	Minimum Fee	\$100.00	300.00
New Construction	Finished Areas	\$.45 per square foot	.60
	Unfinished Areas	\$.25 per square foot	.40

**Note: Including all floor levels from the lowest floor to the highest floor level.

<u>Decks & Sheds:</u>	\$ 35.00		45.00
	*Up to 400 square foot then .10 per square foot additional.		

<u>Demolition:</u>	\$ 35.00		100.00
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<u>Change of Use:</u>	\$ 75.00		150.00
	*No change if permit issued.		

Electrical Permits:

<u>Residential</u> New Construction/ Addition/ Renovations:	\$.05/per square foot		.10
<u>Commercial</u> New Construction/ Addition/ Renovations:	\$.05/per square foot		.15

**** \$35.00 Minimum Inspection Fee** 50.00

New Service Upgrade	\$ 25.00		35.00
Swimming Pool	\$ 25.00		35.00
Administrative Fee (Required on all permits)	\$ 25.00		35.00
	**\$50.00 Minimum fee for Electrical permits		35.00

Fines for Construction without permit:

1 st Offense Double Fee			
2 nd Offense Double Fee			Triple Fee
3 rd & subsequent Offenses Min. \$2,500.			

**Note: Based on twelve-month permit activity for Individual, Contractor, or Company. This includes Building, Plumbing and Electrical Permits

Plumbing Permits:

Town Admin Fee:	Flat Fee	25.00	
Internal Fees:	\$ 10.00 per fixture		Minimum Fee \$ 40.00
External Fees:	For complete systems		
	Engineered Systems	\$200.00	
	Non-Engineered Systems	\$250.00	
	Primitive System	\$150.00	
	Separate Laundry	\$35.00	
	Seasonal Conversion	\$50.00	
	Variance	\$20.00	
	For Separate parts of systems:		
	Alternate Toilet Only	\$50.00	
	Disposal Field (Engineered)	\$150.00	
	Disposal Field (Non-engineered)	\$150.00	
	Treatment Tank only (non-eng)	\$150.00	
	Treatment Tank only (eng.)	\$80.00	
	Holding Tank	\$100.00	
	Other Components	\$30.00	

Re-Inspection Fee:

Building, Plumbing and Electrical	\$ 100.00 – First	
	\$ 100.00 – Second	\$200
	\$250.00 – Third or more	

*Note: RE-inspection fees are assessed at the discretion of the Inspector.

Re-Zoning or Contract Zone Fee:

Staff Review	\$500.00	\$1000.00
Zoning Map Change	\$350.00	\$550.00
Zoning Text Change	\$350.00	\$550.00
**Consulting Escrow	\$800.00	\$1000.00

**If both a Text and map change collect for BOTH.

Shoreland Zoning:

Staff Review	\$150.00	\$250.00
Planning Board Issued	\$250.00	\$350.00

Signs:

	\$50.00	\$100.00
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Swimming Pools: (above and in-ground)

	\$100.00	\$150.00
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Stop Work Order or other Violation:

Sec. 30-A M.S.R.A. §4452: \$100.00 to \$2,500 per violation.

Board of Appeals:

Application and Notice Fee	\$ 100.00	\$250.00
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Site Plan Fees:

Minor:	Application Fee	\$ 100.00	\$250.00
	Up to 5,000 Sq Ft Fee	\$ 350.00	\$500.00
	*Consulting Escrow:	\$1,000.00	\$1500.00
Major:	Application Fee	\$ 100.00	\$500.00
	Up to 10,000 Sq Ft Fee	\$ 500.00	\$1000.00
	*Consulting Escrow:	\$1,500.00	\$3000.00

Subdivision Fees:

Minor:	Application Fee	\$ 100.00	\$250.00
	Planning Review Fee	\$ 500.00	\$750.00
	Per Lot Fee	\$ 25.00	\$1000.00
	*Consulting Escrow:	\$ 100.00 per lot or	\$200.00
		dwelling unit	
Major:	Application Fee	\$ 100.00	\$350.00
	Planning Review Fee	\$1,500.00	\$1500.00
	Per Lot Fee	\$ 100.00	\$1000.00
	*Consulting Escrow:	\$ 100.00 per lot or	\$200.00
		dwelling unit	
Revision:	Application Fee	\$ 100.00	\$200.00
	Per Revised Lot Fee	\$ 150.00	\$250.00
	*Consulting Escrow:	\$ 350.00	\$450.00

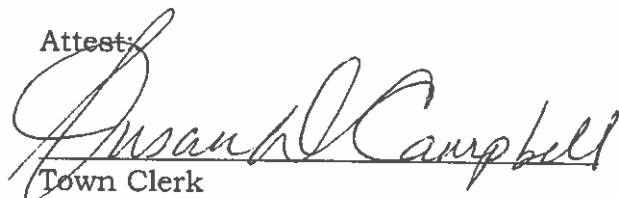
Town of Chebeague Island Code of Ordinances
Chapter 17- Land Use & Planning
Article VII- Growth Management

Growth Management **Ordinance**

of the Town of Chebeague Island
Maine

Adopted by the Town Meeting: July 1, 2007
Effective: July 1, 2007

Attest:


Town Clerk

Seal

SUSAN D. CAMPBELL
Notary Public, Maine
My Commission Expires May 22, 2014

GROWTH MANAGEMENT ORDINANCE

SECTION 101. TITLE

This Ordinance shall be known as the “Growth Management Ordinance of the Town of Chebeague Island, Maine” and shall be referred herein as the “Ordinance.”

SECTION 102. LEGAL AUTHORITY

This Ordinance is adopted pursuant to Home Rule Powers as provided in Article VIII-A of the Maine Constitution and 30-A M.R.S. § 3001.

SECTION 103. PURPOSE

The purpose of this Ordinance is to protect the health, safety and general welfare of the residents of the Town of Chebeague Island by placing limitations on residential development and

- 103.1. Providing for the immediate housing needs of the existing residents of the Town of Chebeague Island.
- 103.2. Ensuring fairness in the allocation of Building Permits.
- 103.3. Planning for continued residential population growth of the Town of Chebeague Island which would be compatible with orderly and gradual expansion of community services including, but not limited to, education, public safety, transportation infrastructure, waste disposal and health services.
- 103.4. Avoid a situation in which the rapid development of new residences could outpace the town’s capability to expand its services.

SECTION 104. DEFINITIONS

Building Permit: A permit is defined by and issued in accordance with the Town of Chebeague Island Building Code and Section 602.1 of the Town of Chebeague Island Zoning Ordinance.

Calendar Year: The period of time comprised of fifty-two (52) weeks commencing on January 1 and extending through December 31 on any given year.

Dwelling Unit: A room or group of rooms designed and equipped exclusively for use as living quarters for a family, including provisions for living, sleeping, cooking and eating. The term shall include, but not be limited to, manufactured housing, modular/mobile homes, apartment unit, duplexes and multiplexes and condominium units. The term shall not include trailers or recreational vehicles used for overnight or temporary lodging only.

Family: A person or persons occupying a dwelling unit and living as a single housekeeping unit, as distinguished from a group occupying a boarding house, lodging residence, hotel or motel.

Growth Permit: A permit issued, in accordance with the provisions of this Ordinance, by the CEO to allow the establishment of a new dwelling unit.

Manufactured Housing: A fabricated pre-assembled dwelling unit designed to be transported after fabrication and to be used as living quarters. The term “Manufactured Housing” may include the term “Modular Home” and “Mobile Home”, except that the fabricated single-family modular home is assembled on the building site on a permanent foundation.

Person: A person shall be defined to include an individual’s spouse, parents, siblings and members of his or her immediate family unless the spouse, parents, sibling or immediate family member can demonstrate that the person seeking the Growth Permit owned the title to the property that is the subject of the Growth Permit independently of his spouse, parents, siblings or immediate family members as of May 1, 2000.

Subdivision: A subdivision shall be defined by 30-A M.R.S. § 4401, and as amended from time to time. For the purposes of this Ordinance, subdivisions shall mean only those approved by the Town of Cumberland or Town of Chebeague Island Planning Board after March 6, 1959. In addition, any lots shown on a subdivision plan, but not subject to Planning Board review shall not be considered a lot in a subdivision.

SECTION 105. APPLICABILITY

This Ordinance shall apply to all new dwelling units (including manufactured housing) within the Town of Chebeague Island. No new dwelling unit which fails to meet the requirements of the Ordinance shall be constructed or placed within the Town of Chebeague Island.

SECTION 106. EXEMPTIONS

This Ordinance shall not apply to the following:

- 106.1 The repair, replacement, reconstruction or alteration of any existing building or structure provided the number of dwelling units is not increased, regardless of the need for a variance.
- 106.2 Accessory Apartments as allowed in Section 408.1 of the Town of Chebeague Island Zoning Ordinance.
- 106.3 Lots in subdivisions approved by the Cumberland Planning Board or equivalent body prior to July 1, 2000.

SECTION 107. ADMINISTRATION

107.1. Maximum Number of Dwelling Units

- 107.1.1. Unless and / or until this Ordinance is amended pursuant to Section 112, the maximum number of new Growth Permits issued from January 1, 2008 to December 31, 2008 and annually thereafter, shall be four (4), plus two (2) additional Growth Permits that shall be for affordable housing constructed by a not for profit organization.
- 107.1.2. No more than twenty (20) permits over a 5 year period, beginning on July 1, 2001, shall be issued.
- 107.1.3. All Growth Permits shall be issued in accordance with the issuance procedure described in Section 107.3 of this Ordinance.

107.2. Application Procedure

- 107.2.1. All Growth Permit Applications shall be submitted in person to the Code Enforcement Officer or his/her assistant or agent (hereinafter the CEO) during normal office hours on the form designated Growth Permit Application. No Growth Permit Applications shall be accepted by mail.
- 107.2.2. The CEO shall indicate on the Application form the date and time the Growth Permit Application was received and provide the applicant with a receipt. The Applications shall be reviewed in the order in which they were received. Only complete Applications will be accepted.

107.2.3. The Growth Permit Application shall be accompanied by a non-refundable administrative fee in the amount of One Hundred (\$100.00) Dollars, documentation establishing the applicant's right, title and interest to the property, and one copy of a subsurface wastewater disposal system application form (HHE-200 or equivalent).

107.2.4. A separate Application shall be required for each dwelling unit.

107.3. Issuance Procedure

107.3.1. Growth Permit Applications shall not be accepted by the CEO until on or after the effective date of this Ordinance. Growth Permit Applications shall be on file with the CEO. From the time of the adoption of this Ordinance onward, Applications will be accepted, and Growth Permits issued, as provided for in this Section.

107.3.2. Growth Permits shall be available on a first-come, first-served basis.

107.3.3.1. The CEO shall notify an applicant once the applicant is entitled to have a Growth Permit issued. Once the CEO has notified the applicant that the applicant is entitled to have a Growth Permit issued, the applicant shall have thirty (30) days to accept the Growth Permit from the CEO, and the CEO shall notify the applicant in writing of the date of the expiration of said thirty (30) days. If the applicant shall fail to accept the Growth Permit, then the Growth Permit shall expire.

107.3.3.2. Expired Growth Permits shall be available for reissue during the same calendar year.

107.3.3.3. The CEO shall issue Growth Permits for all complete Applications if they do not outnumber the supply of Growth Permits.

107.3.3.3.1. If Applications exceed supply for any given year, Permits shall be issued on the basis of the order complete Applications were received by the CEO. Those on the list who do not get a Permit for that year shall have first priority to get a Permit in the next year.

107.3.3.4. With respect to Growth Permits sought for property located within a subdivision, no more than one (1) Growth Permit shall be issued during any calendar year in a single subdivision. Corporations shall be treated as the same corporation for purposes of this Ordinance if they share common directors (or their spouses) and / or shareholders (or their spouses) of 10% or more of the stock. Any person or corporation

which is a partner in a partnership shall also be considered the same person as the partnership.

With respect to Growth Permits sought for property not located within a subdivision, no more than one (1) Growth Permit shall be issued during any calendar year to any one person, partnership or corporation.

107.3.3.5 All Growth Permits shall be issued on the basis of the calendar year (January 1 through December 31).

107.3.3.6. If, at the end of any calendar year, there are any unissued Growth Permits still available, they shall not be carried over to the next year, except as permitted in Section 107.5.

107.4. Replacement with building permit and expiration

107.4.1. A Growth Permit shall be replaced by a building permit for a dwelling on the specific site for which the Growth Permit was issued. A Growth Permit which has not been replaced with a building permit within 90 days of Growth Permit approval by CEO shall be considered expired and must be resubmitted for consideration. Resubmitted Growth Permit Applications will not have any priority over other Growth Permit Applications. The expiration of the building permit shall be in conformity with the Town of Chebeague Island Building Code.

107.5. Transferability

Growth Permits are not transferable. They shall be valid for construction on the lot specified on the Application and by the Applicant; provided however, that such valid Permits shall be transferable to new owners of the lot should the property change hands. If a Permit is transferred, the date of issuance remains unchanged.

SECTION 108. CONFLICT WITH OTHER ORDINANCES

This Ordinance shall not repeal, annul, or otherwise impair or remove the necessity of compliance with any federal, state or other local laws or ordinances. Where this Ordinance imposes a greater restriction upon the use of land, buildings, or structures, the provisions of this Ordinance shall prevail.

SECTION 109. SEPARABILITY

Should any section or provision of this Ordinance be found by the courts to be invalid, illegal, or unenforceable, such decision shall not affect any other section or provision of this Ordinance either singly or collectively.

SECTION 110. EFFECTIVE DATE

The effective date of this Ordinance shall be July 1, 2007, but the total number of Growth Permits available through June 30, 2008 shall be limited by Section 107.1 hereof.

SECTION 111. REVIEW PROCEDURE

This Ordinance shall be reviewed by the Board of Selectmen in 2009 to assess the efficacy of the Ordinance. The Board shall make recommendations to the Town Meeting for any necessary changes to the ordinance. The ordinance shall be reviewed by the Planning Board not less frequently than once every three years, to ensure that the annual maximum growth rate has not become inconsistent with the Town's capital program requirements to establish, maintain, or enlarge needed public facilities and services. Based on its review the Planning Board may recommend amending this Ordinance as provided in Section 112.

SECTION 112. AMENDMENTS

112.1. An amendment to this Ordinance may be initiated by one of the following:

112.1.1 The Planning Board.

112.1.2 The Board of Selectmen.

112.1.3 By citizen petition, pursuant to 30-A M.R.S. § 2522 or similar provision.

SECTION 113. VIOLATIONS

113.1. A violation of this Ordinance shall be deemed to exist when any person, partnership or corporate entity engages in any construction activity directly related to the erection or placement of a dwelling unit, upon any land within the Town without first having obtained a Growth Permit from the CEO.

- 113.2. If a dwelling unit has been constructed or placed, without a Growth Permit, it shall be deemed a violation for any person, firm, or corporate entity to sell, lease, rent or occupy such dwelling unit until such permit has been duly issued.

SECTION 114. NOTICES OF VIOLATIONS; LEGAL ACTION

When a violation of any provision of this Ordinance shall be found, the CEO shall send a written notice of the violation to the responsible party or parties and shall notify the Board of Selectmen of the violation. If the notice does not result in the correction of the violation, the Board of Selectmen may institute any and all actions and proceedings, either legal or equitable, including seeking injunctive relief, the imposition of fines, removal of the structure, or other action that may be appropriate or necessary to enforce the provisions of this Ordinance. The remedies set forth herein are intended to be cumulative and not exclusive of each other. The Board of Selectmen is authorized to enter into administrative consent orders to eliminate violations with or without court action. Such agreement shall not allow an illegal structure or use to continue.

SECTION 115. PENALTIES

- 115.1. Any person owning or controlling the use of any dwelling unit being constructed or occupied in violation of this chapter shall be liable to be fined not less than \$100 or more than \$2,500 for each day such a violation (i.e. construction activity, unlawful occupancy) continues after notification by the CEO.
- 115.2. If a dwelling unit has been built in violation of this chapter and is then occupied, for residential use, the owner may be fined as provided in Section 14 A. of this Ordinance.

SECTION 116. APPEALS

- 116.1. The Board of Adjustment and Appeals in accordance with Section 603 of the Zoning Ordinance of the Town of Chebeague Island, may, upon written application of an aggrieved party and after public notice, hear appeals from determinations of the Code Enforcement Officer in the administration of this Ordinance. Following such hearing, the Board of Adjustment and Appeals may reverse the decision of the Code Enforcement Officer only upon a finding that the decision is clearly contrary to the specific provisions of this Ordinance.