

## JONESPORT BOARD OF APPEALS HEARING MINUTES

Meeting Date and Time: March 7, 2023, 6:00 pm

Meeting Location: Peabody Memorial Library, 162 Main Street, Jonesport, ME, 04649

Meeting Attendees: Holly Iossa, Sarah Davis, William Blackwood, Jim Smith, alternates Ernie Rackliffe and Dave Rier. Absent: Michael Church

The meeting was called to order at 6:02 pm.

Meeting agenda: Public Hearing of Protect Downeast Appeal of Kingfish. Board deliberation.

### I. Approval of Agenda

1. Agenda agreed upon unanimously

### II. Review of Previous Minutes

Minutes of last meeting were approved.

### III. Consideration of Open Issues

1. Quorum - role read by secretary, quorum established.
2. Discussion of conflict of interest issues - No conflicts of interest.

### IV. Deliberations

The hearing in its entirety will be available on audio/video.

Chairperson Holly Iossa opened deliberations. Atty. Steven Wagner made a statement outlining the responsibilities and criteria to be used by the Board of Appeals in making a decision on this appeal. Jurisdiction and standing were established.

#### 1. Land use regulation, commercial/industrial structure

The Board of Appeals (BOA) found that the proposed buildings are part of maritime use and not simply commercial/industrial, therefore the Jonesport Planning Board (JP) did not err in approving the application on this basis.

#### 2. Water quality standard

The BOA found that based on what we now know, the rating of Chandler Bay will not be changed by the proposed discharge, and further that the additional agreed upon testing sites should be sufficient to prevent a change in rating, and therefore will not impair designated uses, therefore the JPB did not err in approving the application on this basis.

#### 3. Harm to Commercial Fisheries/Maritime Activities District.

The BOA found that the proposal is outside the Maritime district and will not cause harm to the Maritime district, and that SZO 16D7 cannot be read alone as a basis for denial, therefore the JPB did not err in approving the application on this basis.

The meeting was adjourned by Holly Iossa, Chairperson, at 7:00 pm.

Minutes submitted by: Sarah Davis, Secretary

Minutes approved by: Holly Iossa [Mail on Android](#)