

Town of Jonesport

Planning Board Public Hearing Minutes

Time: 6:00 p.m.

Place: JBHS gymnasium

Date: Sept. 29, 2022

Present:

Planning Board Members: Frank, Lee, Paul, and Alvin

Alternates: Anthony and Diane

Counsel: Attorney Stephen Wagner

Representing the Kingfish Maine Application: Bill Lane, Megan Sorby,
Darrell Richards, and Attorney Adrian Kendall

Motion: Frank motioned; Paul seconded to accept the minutes of 9/15 as written.

Vote: Unanimous

Frank asked if it was okay with the applicant to suspend water quality until the Planning Board had received answers from DEP. The applicant was agreeable. Megan questioned if there would be another round of questions for the DEP. The consensus of the Board was that there would only be this one round of questions.

Motion: Frank motioned; Al seconded that the Board go back to Shoreland Zoning H. Roads and Driveways for tonight which is where we left off when we skipped to water quality.

Vote: Unanimous

Motion: Al motioned; Paul seconded to allow Anthony to vote tonight.

Vote: Unanimous

15.H.4 Roads and Driveways

Bill Lane spoke for the applicant.

Board: Lee

Motion: Frank motioned; Paul seconded that number 4 is not applicable to Kingfish.

Vote: Unanimous

15.H.5 Roads and Driveways

Applicant: Bill Lane

Motion: Frank motioned; Al seconded that Kingfish's road banks being 3:1, not greater than 2:1, therefore meets the provisions of H. 5 in this Ordinance.

Vote: Unanimous

15.H.6 Roads and Driveways

Applicant: Bill Lane

Motion: Al motioned; Frank seconded that road grades are acceptable to the Shoreland Zoning Ordinance number 6.

Vote: Unanimous

15. H. 7 Roads and Driveways

Applicant: Bill Lane

Motion: Frank motioned; Paul seconded that Kingfish satisfies H.7 by emptying onto an unscarified buffer strip more than 50 feet plus two times the average slope.

Vote: Unanimous

15.H.8 Roads and Driveways

Applicant: Bill Lane

Motion: Frank motioned; Al seconded that since Kingfish does not have open ditches, section H.8 ditch relief does not apply.

Vote: Unanimous

15.H.9 Roads and Driveways

Applicant: Bill Lane

Motion: Al motioned; Frank seconded that H.9 be approved Kingfish assume they meet the requirements for keeping the roads maintained as they indicated they would.

Vote: Unanimous

15. I Signs

Applicant: Megan Sorby

Motion: Frank motioned; Paul seconded that I.1-7 are all non-applicable because Kingfish is not having signs.

Vote: Unanimous

J. 1-2 Storm Water Runoff

Applicant: Bill Lane

Motion: Al motioned; Paul seconded that Storm Water Runoff as written by Kingfish, a substantial stormwater management system has been designed to comply with this standard and Maine's stormwater law. A full design narrative is on file at the town office in the SLODA submission. Refer to appendix 9C for findings. Therefore, we accept that J. is satisfied by Kingfish.

Vote: Unanimous

K.1 Septic Waste Disposal

Applicant: Bill Lane

Motion: Frank motioned; Al seconded that since Kingfish has no septic systems within 100 feet from the normal high-water line and their septic systems are outside the Shoreland Zone that Septic Waste Disposal is not applicable.

Vote: Unanimous

L.1 & 2 Essential Services

Applicant: Bill Lane

Attorney Stephen Wagner

Motion: Frank motioned; Paul seconded that Kingfish satisfies L. Essential Services because they are not within a resource protection or stream protection district, and they do not have existing public ways.

Vote: Unanimous

M. Mineral Exploration and Extraction

Motion: Frank motioned; Paul seconded that since there is no mineral exploration and extraction on Kingfish property, M. is not applicable.

Vote: Unanimous

N. Agriculture 1-5

Applicant: Megan Sorby and Bill Lane

Motion: Frank motioned; Paul seconded Kingfish satisfies the standard under agriculture by not doing agriculture nor spreading manure or tiling soil (N.1-5).

Vote: Unanimous

O. Clearing of Vegetation for Development

Applicant: Bill Lane

Motion: Paul motioned; Frank seconded that 15. Section O. 1-5 is satisfied by Kingfish based on the information submitted in their application.

Vote: Unanimous

P. Erosion and Sedimentation Control 1-5

Applicant: Bill Lane

Motion: Frank motioned; Al seconded that Kingfish satisfies P. Erosion and Sedimentation Control 1-5 because a substantial erosion and sedimentation control plan has been developed to comply with this standard and Maine’s Erosion and Sedimentation control law.

Vote: Unanimous

Q. Soils

Applicant: Bill Lane

Motion: Frank motioned; Paul seconded that Q. Soils is satisfied by Kingfish’s application due to the substantial erosion control plan that was referenced in P. Erosion and Sedimentation Control.

Vote: Unanimous

S. Archeological Sites

Applicant: Bill Lane, Megan Sorby

Public: Attorney Beopple, Crystal Canney, Harry Fish, John Church

Board: Al

Motion: Frank motioned; Al seconded that Kingfish satisfies S. Archeological Sites because there are no known archeological sites on their property, they are not listed on the National Register of historic places and have a letter from Maine Historic Preservation commission saying that they have not found any archeological sites on the premises. They are required to report any findings during construction to the DEP.

Vote: Unanimous

16. D. 1-4

Applicant: Megan Sorby, Bill Lane, Attorney Kendall

Public: Attorney Boepple, Holly O’Neal, Lyn Alley, John Church

Board: Attorney Wagner, Lee, Al

The Board agrees that wastewater (D.3) will include the effluent.

Motion: Frank motioned; Paul seconded to wait on D. 1-4 until we get answers back from DEP.

Vote: Unanimous

16. D. 5

Applicant: Megan Sorby

Public: Attorney Boepple, Holly O'Neal, Lyn Alley, John Church

Motion: Frank motioned; Al seconded that standard 16. D.5 will conserve shore cover and visual, as well as actual, points of access to inland and coastal waters has been satisfied by Kingfish's application and architectural renderings.

Vote: Unanimous

16.D.6

Applicant: Darrell Richards

Public: Cynthia Beauvais, Lyn Alley

Motion: Frank motioned; Paul seconded to suspend until the next meeting. (Need Comprehensive Plan Map)

Vote: Unanimous

Public: Lyn Alley

16.D.7

Applicant: Attorney Kendall, Megan Sorby

Board: Lee, Attorney Stephen Wagner

Public: Tonia Merchant, Attorney Beopple

The Board was asked if they wanted to deal with D. 7 now or wait for DEP answers. Frank, Paul, Al, and Anthony wanted to deal with now, Lee voted to wait.

Motion: Frank motioned; Paul seconded that #7 is not applicable because Kingfish is not in the Commercial Fisheries/Maritime Activities District.

Vote: Unanimous

16.D.8

Applicant: Bill Lane

Motion: Al motioned; Paul seconded #8 Will avoid problems associated with flood plain development and use; that the Kingfish descriptions under the engineering drawings and descriptions meet the requirements.

Vote: Unanimous

16.D.9

Includes water quality therefore the Board will wait for answers from DEP.

The Board agreed that DEP results (answers) were needed before they can finish. Applicant agrees.

Public: Sherry Fish

There will be no meeting October 6th. If the answers come from DEP by noon on October the 11th, there will be a meeting on October 13th.

Public: Lynn Alley

Note: Frank made many comments and conferred at times with Attorney Wagner.

Meeting adjourned at 8:21 p.m.

Minutes by TJM