

# **Town of Jonesport**

## **Planning Board Public Hearing Minutes**

Time: 6:00 p.m.

Place: JBHS gymnasium

Date: Sept. 8, 2022

Present:

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

Alternates: Anthony, Bill, and Diane

Counsel: Attorney John Hamer

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

**Motion:** Frank motioned; Al seconded to accept the minutes of 8/25 as written.

**Vote:** Unanimous

Attorney Hamer addressed the issue raised concerning conflict of interest because of undo bias. Attorney Kendall will speak on behalf of the applicant and Mr. Guptill (Lee) will speak on his own behalf.

**Motion:** Paul motioned; Al seconded to allow the alternates to vote on the bias issue.

**Vote:** Unanimous (Lee did not vote.)

During the undo bias proceedings Attorney Kendall and Megan Sorby spoke on behalf of the applicant. Lee defended himself. Other comments from the Board came from Frank, Paul, and Al, counsel from Attorney Hamer.

Frank asked each Board member if they had undo bias to which each answered, "no".

Frank explained and called for a vote. Frank stated that we are voting as to whether or not Lee is bias. A yes vote would make Lee bias and we would elect an alternate to finish these proceedings. A no vote would say that the Board

considers Lee to be unbiased (undo bias) and means he continues on this Board for the proceedings. Yes vote will mean undo bias.

**Vote:** yes- 0; No- 7 (Lee did not vote.)

Bill Nunan requested to take water quality out of order. The applicant was in agreement.

**Motion:** Frank motioned; Paul seconded to discuss water quality out of order.

**Vote:** Unanimous

Megan Sorby explained the nitrogen portion of the applicant's water quality. Additional comments were made by Tom Sorby, Attorney Kendall, and Darrell Richards.

Questions/comments from the Board came from Frank, Bill, Paul, Al, and Lee. Attorney Hamer was asked if the Board could require an extra test spot, beyond the Bar to the east, at the same time other testing as a condition of approval. Attorney Hamer responded, "yes".

We will continue with water quality at the next meeting.

**Motion:** Frank motioned; Paul seconded to adjourn.

**Vote:** Unanimous

Meeting adjourned at 9:00 p.m.

Minutes by TJM