# St. George Planning Board Meeting February 14, 2017 – 7:00 p.m.

The Planning Board meeting was called to order at 7:00 p.m. Members present were: Anne Cox, Chair, Noah Bly, Jane Brown, Ray Emerson, Paul Gill, Mary K. Hewlett and Gary Minery. Also present: Terry Brackett, CEO, Richard Bates, Tim Hoppe, Hunter Hoppe, David Lowell, Jan Letourneau, Bob Cremonni, Karen Farquhar, Bob Siegenthaler, Anita Siegenthaler, Shasta Minery, Will Gartley, Mark DeMichele, Sandra Coggeshall, Joss Coggeshall, Vern Thompson, Daniel Smith, Ron Crusan, Steve Smith, Larry N. Bailey, Richard Bomba and Diane Rekow.

**Quorum:** A quorum was present.

**Conflict of Interest:** There were none.

#### Adjustments to the Agenda:

- 1. The Finding of Facts and Conclusion of Law on Bryce and Gail Molloy's application for a ramp and float located at 542 Wallston Road was reviewed at the end of the meeting.
- 2. Timothy Hoppe's building permit for a wood processing shop and sign located at 263 Port Clyde Road was moved out of order and reviewed first, as he plows snow and another storm was expected. There were no objections.

#### **Review of the Minutes:**

**Planning Board Meeting – January 10, 2017** – The minutes were amended as follows:

Page 1, under Wharfs, section a., change from Molloy's to Molloys. Under Discussion, 5<sup>th</sup> line from the bottom, change word as to are: Because the river basin and mudflats are migratory Page 3, change all contracted words and write out in full

Page 8, #7, third line, remove the word not . . .

Page 16, 1<sup>st</sup> line, change to read Mrs. Siegenthaler wanted to point out. . .

Page 4, Section 15(C), include vote count - under #1, motion carried. 5-0; #2, motion carried 5-0; #3 motion carried 5-0; #4 motion carried 5-0

Page 11, 5<sup>th</sup> paragraph, correct to: Shoreland Zoning Policy Ordinance.

A motion was made by Minery, seconded by Hewlett, to accept the minutes of the January 10th Planning Board meeting, as amended 5-0.

### Onsite Public Hearing – January 23, 2017

**Tim Hoppe Tree Service** – The minutes were amended as follows:

Paragraph 5, line 3, insert the word chipper. Hewlett mentioned that the diesel chipper was louder... and line 5, change to read: with a 12-inch diameter with the mulcher.

Paragraph 2, line 3, change to read: There is a one story, one-unit dwelling on the lot and one workshop garage building.

Paragraph 3, line 1, change to read: Mr. Hoppe currently leases the workshop garage building.

A motion was made by Hewlett, seconded by Brown, to accept the minutes as amended for the onsite public hearing for Tim Hoppe Tree Service 5-0.

#### **Site Plan Review:**

**a. Tim Hoppe Tree Service** – The applicant represented himself. Hoppe explained the application is for a year-round truck storage/wood processing business and revised signage located at 263 Port Clyde Road. There is a one story, one-unit dwelling on the lot and one workshop garage building. An on-site public hearing was held on January 23, 2017. Hoppe brought a drawing of the sign. The sign measures 38"x40" and is 10.2 square feet.

There were no changes to the application. Hoppe submitted a copy of the lease to Brackett which will be attached to the application. Hewlett asked Brackett if there were restrictions on the lease. Hoppe said he could not sub-lease to another business until after he purchased the property. Brown made a motion, Minery seconded, to accept the application as complete, with the addition of the copy of the lease, vote 5-0.

The Planning Board began Site Plan Review.

#### **Performance Standards:**

- 1. <u>Preserve and Enhance the Landscape</u> On a motion by Hewlett, seconded by Brown, standard has been met 5-0. The landscape will be enhanced by the business which will be operating at the site. There will be a clean-up of the area which will improve the site.
- 2. <u>Relationship of the Proposed Buildings to the Environment</u> On a motion by Bly, seconded by Brown, standard has been met 5-0. The new use of the site is in harmony with the existing site.
- 3. <u>Vehicular Access</u> On a motion by Minery, seconded by Brown, standard has been met 5-0. The vehicular access to the lot is off Rt. 131 and it is adequate.
- 4. <u>Parking and Pedestrian Circulation</u> On a motion by Minery, seconded by Brown, standard has been met 5-0. There will be no change in the parking or pedestrian circulation.
- 5. <u>Surface Water Drainage</u> On a motion by Minery, seconded by Brown, standard has been met 5-0. There are no surface water drainage problems.
- 6. <u>Existing Utilities</u> On a motion by Minery, seconded by Brown, standard has been met 5-0. There is a well on the property. Minery added the previous business had several employees and it was never a burden on the town.
- 7. <u>Advertising Features</u> On a motion by Minery, seconded by Brown, standard has been met 5-0. There will be one sign and it is 10.2 square feet. No lights on the sign.
- 8. <u>Special Features and Operations of the Development</u> On a motion by Bly, seconded by Minery, standard has been met 5-0. Hours of operation would be Monday-Saturday, 8 a.m. 5 p.m. Machinery is set back and there is sufficient screening from the road.
- 9. Exterior Lighting On a motion by Hewlett, seconded by Minery, standard has been met 5-0. There is one exterior light on the building which is already down-shielded.
- 10. <u>Emergency Vehicle Access</u> On a motion by Minery, seconded by Brown, standard has been met 5-0. There is a large parking area and road is of sufficient width.
- 11. <u>Municipal Services</u> On a motion by Hewlett, seconded by Minery, standard has been met 5-0. There will be no change in the municipal services. Hewlett added that this business would enhance municipal services, hoping he works with the Transfer Station's brush pile.
- 12. <u>Water/Air Protection</u> On a motion made by Minery, seconded by Brown, standard has been met 5-0. Hoppe added the new equipment meets the emissions standards. There is no water used in any process and no water on site.

- 13. <u>Water Supply</u> On a motion made by Minery, seconded by Brown, standard has been met 5-0. There is well water on-site.
- 14. <u>Soil Erosion</u> On a motion made by Brown, seconded by Minery, standard has been met 5-0. There will be no soil erosion caused by this business. Owner will use Best Management Practices for his stockpiling of material.
- 15. <u>Sewage Waste Disposal</u> On a motion made by Minery, seconded by Hewlett, standard has been met 5-0. There is a septic system on site.
- 16. <u>Hazardous, Special and Radioactive Materials</u> On a motion made by Minery, seconded by Hewlett, standard has been met 5-0. There is a drum to store hazardous waste material (oil) which will be shipped off site.
- 17. <u>Financial/Technical Capacity</u> On a motion made by Hewlett, seconded by Minery, standard has been met 5-0. The applicant has the financial/technical capacity for the project.
- 18. <u>Shoreland Zone</u> On a motion made by Minery, seconded by Brown, standard is not applicable 5-0. The project is not in the shoreland zone.
- 19. <u>Flood Plan</u> On a motion made by Minery, seconded by Hewlett, standard has been met 5-0. The project is not in a flood plain.
- 20. <u>Lot Standards</u> On a motion by Minery, seconded by Brown, standard has been met 5-0. The proposed project complies with all setbacks.

On a motion made by Brown, seconded by Minery, it was voted to waive the Performance Guarantee, 5-0. The Board has reviewed the 20 Performance Standards and they have been met. On a motion by Minery, seconded by Brown, the application was approved 5-0.

#### **Building Permits**:

- **a.** The Baker Property Trust There was no one present. On a motion by Minery, seconded by Bly, it was voted to table the application 5-0.
- **b.** Lee & Dirk Born Mark DeMichele represented the applicant. A motion was made by Bly, seconded by Minery, to take the application from the table. The vote was 5-0 to put the application back on the agenda. The application is for the addition of an exterior elevator shaft and passenger elevator onto the existing house located at 181 Island Avenue, St. George. The application was tabled at the September 13, 2016 meeting because the Planning Board needed more information on (1) the flood plain elevation and (2) the wetland situation.

Chair Cox asked DeMichele to comment on any changes or additional information for the project. DeMichele said his clients' own property on Rackliff Island and need an elevator to access their summer home which is a three-story structure.

He said there were two major issues: the flood plain elevation and designated wetlands on the shore side of the building where they wanted to put the shaft to house the elevator. DeMichele got FEMA requirements for elevator installation in flood plain. Their engineer designed a structure which would comply with FEMA standards. Gartley & Dorsky did a survey of the property to establish the new flood plain elevation. The Board reviewed the new design in which the elevator had been moved to the land side of the building. Gartley commented that he felt they were now in compliance with FEMA and the town's requirements for the setback from the wetlands.

Hewlett asked if the Board was taking up the application that was tabled or the application received in their packets. Brackett said refer to the application received with the updated plan. Chair Cox said when the Board votes, they should specify the application is with the documentation presented, and has replaced the previous application which had been tabled.

A holeless hydraulic elevator was recommended by FEMA. The present height of the building is 29' and the proposed height was 32'. The construction meets the standards and will not exceed 35' in height. Minery said the change in location was much better. Brackett said it conforms to FEMA's guidelines. Hewlett asked about the wetland issue. Brackett said that swinging it around, it doesn't matter because it is within the existing structure's parameters. Brackett said it meets the 25-foot setback. DeMichele said it does not protrude from the existing footprint of the house.

The revised application was updated to include the location change of the elevator which was documented on the September 13<sup>th</sup> permit application. Minery said the name on the design plan needs to be changed from Rackliss to Rackliff.

A motion was made by Brown, seconded by Bly, to accept the revised application as complete 5-0. A motion was made Bly, seconded by Minery, to approve the application as it meets FEMA's standards for elevator construction, is more conforming, and does not exceed height requirements of 35'. The vote was taken; the application was approved 5-0.

c. Kathleen Maloney – Will Gartley of Gartley & Dorsky represented the applicant. The application is to stabilize the 65' shoreline to eliminate ongoing erosion located at 70 Neva Way. Gartley said it is 18 inches high, at the maximum. At the southeasterly end of the property, there is a section already rip rapped. The applicant would like to continue with that and add some stones. There are stone steps there now but not very visible. The project has been submitted to the DEP. Gartley spoke with them today and the DEP said the application was signed and it should be received this week. Chair Cox asked if the wood platform noted on the permit, already existed. Gartley said yes. He did not know how long the platform had been there, but Brackett thought it had been there forty years.

Minery asked if there were any trees going to be removed? Gartley said there would be no trees taken out to do the project. Gartley said, "As you can see," in the photos, there is limited access. They will be coming in around the south side of the house by the deck, and then accessing from the shore. The first two photos presented were the southerly end that already had rock on the shoreline. The other four pictures of the northerly end, the erosion was apparent; there was a quick drop off. Hewlett said it was very helpful to show on the diagram where the pictures were taken.

Hewlett asked if he would be putting down any steel plates on the lawn. Gartley said it depended on what time of year the applicant does it. He said it is a small project and they are going to try to use more landscape size equipment instead of the excavator. Hewlett asked Gartley if damages would be repaired, and he said it was part of the DEP permit. He said the access down to the shore had to be stabilized.

Chair Cox noted Gartley said that DEP had approved the project. He said he was told today (2/14/17) that it was signed and would be mailed out soon. Cox said it is helpful to look at the actual DEP permit.

Chair Cox commented, "We have had a tendency on this Board, if the DEP approval has not come in, if we approve it, it would be pending receipt of that. Just as a note, I think it would be very helpful for the DEP approval or their response to come to the Board, so we can make decisions based on what their experts have said before we approve an application. It does not mean that we will not approve the application; I just want to raise that as a concern." She said she would appreciate beginning to move in that direction. Emerson said that the only problem there, is, that you need to know who you are dealing with. The State is not timely. Gartley commented that if you have to wait, we cannot submit our application to you; it could be, sometimes a whole other month. Chair Cox said she just wanted to raise that as something that she had been thinking about and talked with Terry about it as well.

Brackett asked what the length of the project was. Gartley said 65'. Minery asked if any of the old rip rap was going to be removed. Gartley said it was being left as it is. Hewlett said that should be added onto the project description and asked if the fees had been paid. Chair Cox and Brackett said yes, they had.

Brackett asked what the width of the stairs would be. Gartley said they were talking 3 to 4 feet, maximum. Minery said 4' is maximum. Chair Cox asked if the application was complete. Minery made a motion, Brown seconded, to accept the application as complete 5-0.

Chair Cox asked what section deals specifically with Shoreline stabilization? Brackett said Page 19, Section 15(B) Principal and Accessory Structures, and (a) The water body, tributary streams, or wetland setback provision shall neither apply to structures which require direct access to the water body or wetland as an operational necessity, such as piers, docks and retaining walls, nor to other functionally water-dependent uses.

Brackett asked Chair Cox what other section she was looking at. She said she was looking at page 24, Section 15(C)10. Brackett said he did not believe he (Gartley) was removing any vegetation, right now. Minery said anything damaged, if there is anything, would be repaired per DEP, not even per us (the town), but per DEP. Chair Cox said right.

Chair Cox asked if the Board wanted to move on approving this. A motion was made by Brown, seconded by Minery, to accept the application using the standard that is stated 15(B)1(a) and the standard 15(C)10, vegetation is not being removed, any damage per DEP will be repaired, and pending receipt of the DEP permit. No further discussion. The vote was taken; application accepted as complete 5-0.

- **d. Daniel D. Richard** The applicant was not present. On a motion made by Minery, seconded by Bly, it was voted to table the application 5-0.
- **e. David & Elaina Lowell** David Lowell was present. The application is to install rip rap along 110 linear feet of shoreline located at 9 Sea Street, Tenants Harbor. The rip rap would be 18 to 24-inch blasted ledge laid on nonwoven geotextile. This is to keep the fine particles from washing through the rock. The existing stone stairs would be re-installed to allow easy

access to the beach from the lawn area. The equipment and trucks would access the shore across the lower part of the lawn traveling on steel plates to reduce the damage to the lawn. Mr. Lowell presented photos of the shoreline erosion.

Hewlett asked Lowell how much land had he lost. He thought approximately 7' to 10' which has been occurring, over time. Chair Cox asked if it was about 3' from the shore to the top of the lawn. Lowell said yes. Minery asked if he was going to put steps in. Lowell said there were steps already there but, barely recognizable. He said they do use those. Hewlett asked if they would re-grass the area once it was stabilized. Mr. Lowell said the goal was to set the rip rap above the high tide mark, where the lawn ends and maybe seed a very small area. He said anything damaged by the contractor would be reseeded after the project was completed, at the contractor's expense. Chair Cox asked Brackett if he had any questions. He said he had worked with Mr. Lowell for quite some time on the project. Brackett said Lowell expressed it quite well, and his description is very adequate.

Chair Cox asked if an application had been filed with DEP. Lowell said it was a work in progress. He did not have a signed copy to share with the Board, yet. Chair Cox asked if it was in the process of getting approved. Lowell said, yes. Hewlett asked if Lowell was involved with the Army Corp of Engineers. Lowell said Prock Marine is checking on that.

Chair Cox asked the Board if the application appeared completed. A motion was made by Brown, seconded by Hewlett, to accept the application as complete 5-0.

Discussion: Brown said the standards have been met under Shoreland Zone Ordinance 15(B)(a), and 15(C)10. Brackett said the project would be done from the land side. Both Minery and Lowell said yes, there would be steel plates on the lawn to reduce the damage.

A motion was made by Brown, seconded by Hewlett, to approve the application, contingent upon receiving approval from of the DEP and the Army Corp of Engineers. The vote was taken; the application was approved 5-0.

#### **Site Plan Review continued:**

- **b. Linda Bean -** Steve Smith represented the applicant. The application is to construct an art gallery and information center for the Wyeth history at 20 Horse Point Road, Port Clyde. Demolition of all existing structures. Existing use is Residential. Proposed use is Business. Smith provided the following items which were previously requested:
  - 1. Dimension plan
  - 2. Window schedule
  - 3. Exterior lighting plan, four downlighting on the building, no overhead lights in the parking area
  - 4. Signage proposal, one sign 18" x 36" and small sign on the building

Smith said there were other items related to the business operation: hours per day, number of weeks, number of employees, parking, outdoor activities, expected visitors per day, months of operation.

Another item was review of the septic capacity. Doug Meservey designed the system. Smith had a letter from Meservey concerning the description of the system as to the code and capacity which concurs with what Brackett said about the capacity. He said, at a minimum, it would accommodate over 30 people a day.

The other item of concern was parking. Smith said there had been discussion and correspondence amongst the neighbors and Ms. Bean, concerning this issue. At the last meeting, they did not have parking as part of the application. He said there are seven spaces onsite. Bean also owns a lot on Co-op Road which would accommodate another 8 to 10 spaces. He had the tax map and pointed out the potential parking layout.

The last change to the application, Smith said, was the elimination of any retail business. He knew that people were concerned with parking and the traffic. He said perhaps partly due to communication from within the neighbors, Ms. Bean decided not to have the retail store. Bean is now calling the building a reading room which would strictly be an informational or historical collection of Wyeth history.

Ron Crusan said they are proposing the same hours as the gallery. The Wyeth Gallery operates 10 a.m. to 6 p.m., daily, Memorial Day through Columbus Day. They anticipate 1 to 2 employees, mostly 1 at a time. No outdoor activities. Expected visitors: it is difficult to answer because they do not know. He did look at the number of sales in the Wyeth Gallery. They had a lot of visitors through the Gallery but only about 229 sales. Crusan said it told him most of the people who come through the Wyeth Gallery are tourists who are looking for something to do, waiting for the ferry, or waiting for lunch. Crusan said his feeling was the people who purchase items, are the ones who want to know more about the Wyeths. He said that he looked at 229 sales for the whole summer. He felt those people would be the ones interested in going to the reading room to learn more.

Crusan said they anticipate having wall panels with time lines regarding the Wyeths, i.e., when did they come, why did they come, in the reading room. There would be Wyeth related books and magazines. Crusan said part of his job is cataloguing Bean's collection. Though she has a fabulous art collection, she also has numerous magazines and books where N.C. Wyeth's illustrations appeared over the last hundred years. They want to take some of that material and put it in the reading room and make it available to the public. There will not be a retail operation. It will be a free, open to the public and people can do research in this building. Another important aspect is Bean's collection often goes out on loan to different exhibitions. Currently, they have a painting at a museum in Atlanta.

Crusan discussed traffic concerns. He said that with the elimination of retail, it would cut down considerably on traffic. They have done a couple of things to mitigate the traffic. First, on the map, it shows there are about 9 spaces of parking on Co-op Road. That is going to be their primary parking. The 6-7 parking spaces on the site will be for staff, handicapped and the elderly. That will not be open parking to the public. That is Bean's plan, right now. Chair Cox asked Crusan if they would need 6 or 7 spaces for that. He said, possibly. They have 1 or 2 staff members, and they have a lot of elderly who come to the gallery, who cannot access it because of the stairs. Hewlett asked if they would have the staff park on Co-op Road. Crusan said no, they would park onsite, so they could control the parking. Hewlett said, would it not make sense to put them on Co-op Road. Crusan said, they could. Hewlett

said you would still have 6 spaces still available at the building. Crusan said they are trying to keep the traffic down as much as possible. Hewlett said if you do not have enough spaces for people to pull in, then there is a problem by the site. Crusan said last summer when he worked at the Gallery, he encouraged people to walk. He said 20 Horse Point Road is very accessible, about a 10-minute walk from the Gallery to the property. From the Co-op Road, it is about a 5-minute walk.

Brackett showed a GIS printout of the property to Crusan and Smith. Brackett said the white line on the GIS is a 75' buffer zone, and he told them they would have to keep parking out of that area. Brackett said he did not think they would have 9 spaces. Smith reviewed the GIS and agreed with Brackett. Smith said they could probably get 5 spaces versus 8 or 9 spaces.

Chair Cox asked if they had any other information to share. Crusan said the purpose of the reading room is to help the public establish where the Wyeths came in the summer. The Wyeths have been coming here almost 100 years, three generations and they are really known for living in Brandywine Valley in Chadds Ford. The aim is to establish that the Wyeths have a very strong presence in Port Clyde. Crusan said, in the realm of American art, this is really important. Crusan said he is a 30-year veteran of the museum world and art historian by trade and curator and museum director for all that time. The Wyeths have a very important place in American art. They aim is to establish them as summer residents of Port Clyde and to establish Port Clyde as an important center for Wyeth study.

Chair Cox said the Board needs to determine whether the application is complete or not. Chair Cox asked what the difference was between the old plan and new plan. Smith said they eliminated a small area 20'x20' out of the original 1500 sq. feet that was going to have some prints available. On the original drawing, it was labeled store. That is no longer part of the plan.

Cox said we have the letter from Meservey about the septic system. Emerson asked if an onsite was needed. Brackett and Cox said yes. Chair Cox said the Board could accept the application as complete, now, or wait until after the onsite was done.

Hewlett said someone put "needs 25' for these setbacks." She asked if that could be addressed. Brackett said he probably put that on and said, yes, they do need the 25' setback. Brackett told Smith he did not think he (Smith) had taken into consideration Raspberry Lane which would require a 25' setback. Brackett said he had the space. Chair Cox said she thought he had the room. Smith asked if it was 20 or 25' setback. Brackett said 25' because Raspberry Lane is a road. Smith said he had 25' from Horse Point Road and 20' from Raspberry Lane but he will change that to 25'. Hewlett asked if they are changing the operation from a retail operation to a reading room, is it the type of thing where people will make appointments to come or are you still looking for walk in traffic. Crusan said walk in traffic. He said when the plans were originally submitted, the retail was a minor part. The major part was always reading room and research. It should have regular hours, 10 a.m. to 6 p.m. so people know they are open. Hewlett asked if the Wyeth Tours would still be sold out of the center. Crusan said no. The tours will be sold out of the gallery, as it does now. Hewlett said she is still very concerned about volume of people that would go there. She said that if she were visiting this area and saw Wyeth Center, she would want to go, because what else are you going to while here.

Hewlett said she is concerned about traffic. Crusan said they just do not know about the number of visitors, and hopefully it will be a great success and people would want to come. It is a question of trying it and seeing who is out there. Minery said if you get too many, you would have to shuttle people in. Minery said there is no parking (in Port Clyde). Hewlett said that would be another option to shuttle from another area that you own. Minery said Horse Point Road is a very narrow road. You cannot park on the side of the road. People will be parking on the grass. Hewlett said for overflow parking, there is none. Hewlett asked them to think about the possibility of a shuttle operation, should they become hugely successful, and what other property Bean might be able to park these cars on. Hewlett wants a backup plan. Crusan there is quite a large lot up on Culver Road. Bean has a boat storage building there. It is quite a large lot and many of her employees park there in the summer. Hewlett reiterated that the Board would want that as a backup plan. Bly asked if they would be shuttled from there. Crusan said, he would guess so but it is walkable. Bly said a lot of people would not go unless they could drive straight to the door. Crusan said he had not given too much thought to that option, but it would be something to explore. Hewlett said parking might be one of the Board's major concerns. Chair Cox said that the Board needs to go see the site. She thought having the snow on the ground would make it easier to stake out the corners of the building and corners of the parking.

An onsite was scheduled for Saturday, March 4, 2017 at 9:00 a.m. Chair Cox said the abutting neighbors will be notified and a notice put in the paper. The public can come, but the onsite is so the Board can gather information and see the site. There will be a Public Hearing scheduled at next Planning Board meeting. At that meeting, the Board will take comments about the proposal.

Selectperson Bates asked about the parking on Co-op Road. Was it part of the application or distinctly separate? Chair Cox asked Smith if he wanted the Co-op Road parking to be part of the application. He said he thought so but would like to research it a little more with Brackett. Selectperson Bates asked Brackett what did all the fisherman do when they parked down there and go out during the day? They do not park 75 'from the water, do they? Brackett said that would be a Marine related situation. Minery said it is commercial marine. Smith said, okay. Was the lot zoned the same? Brackett said the section on Shoreland Zoning, (that was given Smith), states if it is marine related, you can park closer; but if not marine related, you have to be 75' back. For example, if that was a boat ramp, you could park closer. Smith said he understood. Hewlett asked Smith if he would work with Brackett on the parking, prior to meeting, again, with the Board. Chair Cox thought it would be good to have more information about the parking, as that may have a bearing on how the Board deals with the application.

After the discussion, Chair Cox felt the Co-op Road parking information should not be included on this application. Smith said they would keep it separate and have a backup plan before the next meeting. Emerson asked how the parking would be for the onsite. Chair Cox asked where the Board could park. Crusan said the actual driveway on Horse Point Road was plowed for 3 to 4 cars but would make sure it was plowed to accommodate more vehicles. No further discussion.

#### **Findings of Fact and Conclusion of Law:**

## **Bryce & Gail Molloy**

542 Wallston Road Applications – July 12 and October 4, 2016

The Board reviewed the Findings of Fact and Conclusion of Law. Chair Cox and Minery asked if the attorney had reviewed the Findings of Fact. Brackett said the town attorney had reviewed the Findings, made a few changes and forwarded them to Cherie Yattaw that afternoon. Minery asked if the Board of Appeals would get the Findings of Fact. Brackett said yes. A motion was made by Brown, seconded by Hewlett, to accept the Findings of Fact and Conclusion of Law on Bryce & Gail Molloy, as written. The vote was taken, 5-0 to accept the Findings of Fact. The report was signed by: Anne Cox, Chair, Jane Brown, Gary Minery, Noah Bly and Mary K. Hewlett on February 14, 2017.

There was no further business to come before the Board. On a motion by Minery, seconded by Hewlett, 5-0, the meeting adjourned at 8:45 p.m.

CEO Brackett held a training session for the Planning Board directly after the meeting. Richard Bates, Chair of the Select Board, gave a short report on an upcoming public hearing scheduled by Aqua Ventus, the group who is working on the Monhegan Wind Power Project. The town manager has asked the Planning Board to attend the February 27<sup>th</sup> Select Board meeting as Jack Ward, representative from Aqua Ventus, will be there to give a presentation.

Brackett reviewed the following with the Board:

- 1. Decision Making Checklist of Evidence
- 2. Commercial Project Checklist
- 3. Training Manual, page 39, Finding of Facts and Conclusion of Law: Reasons for preparing written and detailed conclusions
- 4. Next training session, review Chapter 2

Respectfully submitted,

Marguerite R. Wilson Planning Board Recording Secretary