

**St. George Planning Board**  
**St. George Town Office**  
**January 26, 2021 - 7 p.m.**

The Planning Board meeting was called to order at 7:00 p.m. via Zoom. Members present were: Anne Cox, Chair; Jane Brown, Anne Cogger, Ray Emerson, Mary K. Hewlett, Michael Jordan, and Alan Letourneau. Also present: CEO Terry Brackett, Richard Bates, Russell Wolfertz, Joesph R. LaBranche, Jon Lewis, Mark Bartholomew, David Emery, Eliza Bailey, Malli Gero, Ben Norton, Loreen Meyer, and James Dorsky.

**Quorum:** A quorum was present.

**Conflict of Interest:** None.

**Adjustments to Agenda:** None.

**Review of the Minutes:**

**Planning Board Meeting** - The minutes of January 12, 2021 were corrected as follows:

Page 1, last paragraph, line 2, change to read: ...this is my town...

Page 3, under Thow, line 3, insert word: The Shoreland Zone District is Marine Residential.

Page 5, paragraph 5, line 1, correct to: ...the 250-foot setback requirement...

A motion was made by Jordan, seconded by Brown, to approve the minutes of January 12, 2021, as amended. The vote was 5-0. The motion carried.

**On-Site Inspection Minutes** – St. George Sea Farms, LLC, January 9, 2021. The minutes were corrected as follows:

Page 1, paragraph 5, line 3, insert after leakage, the sentence: Two sheds will also be removed.

Page 2, second paragraph, line 4, correct the word to: eaves

Page 2, paragraph 5, line 4, change to read: The dam will be concrete...

Page 3, paragraphs 5 & 6, correct word to: barbed wire

A motion was made by Letourneau, seconded by Hewlett, to approve the St. George Sea Farms on-site inspection minutes, as corrected. The vote was 5-0. The motion passed.

**Public Hearing Minutes** – St. George Sea Farms, LLC, January 12, 2021. The minutes were corrected as follows:

Page 2, paragraph 2, lines 3 & 4, delete the parenthetical: (formerly known as Wildcat Lobster)

Page 1, paragraph 3, line 2, delete the period and change to read: ...oysters to remove the...

Page 2, paragraph 3, line 6, correct word to aquaculture.

A motion was made by Jordan, seconded by Hewlett, to approve the St. George Sea Farms Public Hearing minutes, as corrected. The vote was 5-0. The motion passed.

**Public Comments:** None.

**Subdivision Amendment:**

**a. Adric Drive Subdivision** / Wallston Road, St. George, Map 218, Lot 12-1 and 12-2  
James Dorsky of Gartley & Dorsky Engineering & Surveying was present. Dorsky had submitted a subdivision amendment application on behalf of Garrett and Edward Thorbjorson. It was reviewed by the Planning Board on January 12, 2021, and the application was placed on hold pending receipt of an authorization letter for James Dorsky to act on behalf of Garrett and Edward Thorbjorson, and CEO Brackett to contact Philip Reinhardt about the subdivision amendment.

CEO Brackett stated he received the authorization letter from Garrett and Edward Thorbjorson, and that he had contacted Philip Reinhardt about the amendments and Reinhardt said he had no problem with the proposed changes.

James Dorsky had no other comments regarding the application. Chair Cox summarized the three changes that affect Lots 2 and 3 of the subdivision:

1. Remove the 100-foot setback from the Resource Protection Zone.
2. To remove the 70% lot coverage note, as 20% is the actual lot coverage.
3. To show the current correct setbacks.

On a motion by Hewlett, seconded by Brown, it was voted 5-0 to accept the application as complete based on the submitted information by Gartley & Dorsky Engineering and Surveying, the authorization letter from the Thorbjorsons, and CEO Brackett's conversation with Philip Reinhardt.

A motion was made by Hewlett, seconded by Brown, to approve the Adric Drive Subdivision Amendment Application based on the changes made to the subdivision plan which will bring the plan into conformity with the Shoreland Zoning Ordinance on lot size, and all the owners of the subdivision have approved the changes. The vote was 5-0. Motion carried.

**Site Plan Review:**

**a. St. George Sea Farms, LLC** – 127 River Road, Map 219, Lot 65 and Lot 85

This application is to repair the pound containment for marine aquaculture, specifically oysters. Remove the existing structures, replace these with a single wood-frame structure, and replace the existing overboard discharge septic system with a new subsurface septic system.

A pre-application meeting with the Planning Board was done on November 24, 2020; a meeting was held on December 8, 2020, in which the application was presented to the Board; an on-site visitation inspection was held on January 9, 2021; a Public Hearing and a review of the application was held on January 12, 2021; and a revised application per request of the Planning Board was received for their January 26, 2021 meeting.

Russell Wolfertz, the authorized agent represented the applicant, John Wagner, who was not able to attend the meeting. Joseph R. LaBranche and Jon Lewis were also present.

Wolfertz reviewed the project. He explained that the plan is to continue to move forward on this aquaculture project, primarily for oysters.

Wolfertz: The footprint of the building and all of the building is for the aquaculture business which will have a small accessory residential component. The accessory residential component is historically consistent with the existing caretaker's house and only to be used for the employees of the business operation. The accessory residential component will have two bedrooms.

Wolfertz: On the Haskell Point side of the property, we have developed a pretty good plan regarding the heat sink or sump, the granite laid on the ground going into the water up to 20 feet. We have tried to define how that occurs to keep the water a little bit warmer for oyster growth. Joe has included some schematics that are cross-sections of the Haskell Point Road, Section A.

Wolfertz: Along Haskell Point Road, we are trying to make sure when the fencing comes down, people don't slide off the road. We will place blocks of granite along there that are consistent with what was done a few years ago. The granite is all coming from the granite pile. We don't intend to destroy the road or do any other work there.

Wolfertz: The fencing. I have discussed the fence removal extensively with Bill Reinhardt, and he is very confident that we can take the fencing off, roll it up, and sell that off as salvage. Then either pull or cut the posts, depending on if they are anchored in concrete.

Wolfertz: Along River Road, Route 131, we had several different thoughts that were discussed. The plan is to place some of our larger granite blocks in a consistent fence-like fashion trying to make it look more natural than manmade form, so it fits the architecture of the area, similar to that at Drift Inn Beach.

Wolfertz: Mr. Wagner is concerned that we can't obtain some of the other permits that we're referencing on pages 2 and 3, primarily because we need to own the property prior to any of the permits being issued. We are all ready to remove the overboard discharge and install the Fuji system, but DEP requires we own the property before we pull the OBD out and install the replacement system.

Wolfertz: Mr. Wagner said there are no lenders involved in this project. He already has another building he acquired about four weeks ago which will be used for some of the seeding and sorting operations, so that will limit activity at this site. We will have a maximum of four to six employees and there will be some light, small truck traffic to move the product.

Planning Board members remarked that the re-filed application information was clearer and more consistent, but several discrepancies were noted.

Jordan referred to the (LaBranche) Written Statement, Page 2 (c). The existing building is 4,536 sq. ft. and 7,097 sq. ft. is what the building footprint will be for the new building, but it states the "lot area" as 98,232 sq. ft.

Jordan: "Did we not settle on 2.4 acres of land on Lot 85?" (LaBranche: Yes.) Jordan: "If my math is right then that is not right."

LaBranche: No. The lot area by definition in the St. George Shoreland Zone Ordinance excludes acreage below the right-of-way, so it is 2.4 acres minus the acreage under the right of way and also the first sentence is not the square footage of the existing buildings; it is the square footage of the footprint of the floor area of the proposed building.

Jordan said he understood, and Chair Cox noted the lot area is excluding the right-of-way.  
Jordan: "The right of way under the portion of the Haskell Point Road that is on the property."

Hewlett: Isn't the overhang and the ramps in that square footage included in the footprint if there is a 30% allowance for expansion?

Chair Cox explained they do not have to worry about that because there is a 70% lot coverage allowance in the CFMA District. Jordan stated the building is not nonconforming by being too close to the water because it is in a CFMA District and there is no restriction on that.

Jordan referred to the application, page 1, Property Information. "On the total lot coverage, what you have done is taken the building coverage and divided it by the lot size to get 3%, 4%, and 7%." He explained that the lot coverage would be based not only on the building but on other parts such as gravel or paved driveways, a portion of the decking that is off the land that leads out to the decking over the dam, and maybe or maybe not the pile of granite. Jordan: "Is any of that granite on Lot 85 or is it all on Lot 65?"

LaBranche: "Some of it is on Lot 85 and I allowed for the Shoreland Land Zoning coverage. I think I assumed the coverage in that on the building permit was directly related to the zone, that particular zone, not the shoreland overlay."

Jordan: "What I think we need on the lot coverage though is to take all of the things that count and include that in it, and if I am not mistaken, the Site Plan has a note on it that says the coverage is 42%." LaBranche stated yes.

Jordan: "Then I think that is what we want in this box. It is an easy mistake to make because right next to it talks about the building." Jordan questioned whether the existing and any proposed difference would reduce the lot coverage.

Hewlett said it was still less than 70% but they should definitely get the present and proposed (lot coverage) in agreement at some point. She asked LaBranche if he knew what the present or proposed percentages were. LaBranche stated he did not see where it asked him to calculate the present, non-vegetated cover and the increase, so he did not and did not know the answer unless it was on the Site Plan.

Jordan thought for present purposes, maybe they could accept the application showing a total coverage of 42% without the present and proposed coverages. Chair Cox agreed.

Jordan: "On the height of the buildings, you have included the chimney and the chimney does not count under our ordinance. It is compliant no matter what you do, but if my math is correct, the proposed height will be 28 feet, 10 inches."

LaBranche: "We may not have had to account for the height of the piers which is actually included in the 32 feet, 4 ¼ inches height. The chimney is not included in that height, but the piers are."

Hewlett: "Are we going to want a diagram of the riprap construction? Normally, we see diagrams of riprap. I am not holding it up because of that. That could be a condition that they just submit to the CEO."

LaBranche stated it would be illustrated thoroughly in the application when they do the individual permit with DEP. Section A shows a cross-section of a portion and the shaded area shows the footprint of the riprap. Hewlett said the Planning Board normally asks about the riprap, such as what kind of fabric material would be used.

CEO Brackett: "You will have to approve that riprap because that is below the high-water mark."

Hewlett said correct and if they approved the application tonight, they would be approving it without seeing the details of it. Chair Cox asked Brackett if they could approve it without seeing the details on the riprap.

Brackett: "This really isn't riprap for erosion control. This is more riprap for a heat sink, so I think you could probably approve the concept and have them supply you with a drawing of the actual riprap, how it's going to be placed."

Hewlett noted this was a big project and was concerned about the stability of Haskell Point Road. "It is coming right up against the road."

Brackett: "They are just laying the granite on the surface as a heat sink, and it is going to act a little as a reinforcement for the road, but it is not like the typical riprap projects that you normally see." Hewlett asked LaBranche for his opinion.

LaBranche: "I think Haskell Point Road is already substantially stabilized and that is being buttressed, to 1.5:1 slope would be increased or flattened, 2:1 slope; and that is more or less to Terry's point that we are adding to it. We are not creating anything different there. We certainly are not regrouping anything in order to do this. It really is a reinforcement of a reinforcement."

Chair Cox explained that it was not a shoreland stabilization project. They were not digging anything out. Just laying on top of what was already there.

Hewlett asked if the length of it from the riprap section was about 3 feet long. LaBranche stated he specified some widths in his written statement (page 1). Jordan stated 20 feet, and Hewlett asked if that included the north end. LaBranche stated the variable width? Yes; 12 feet and 20 feet.

Letourneau: "I want to clarify that in the proposal [Section I.V.B.2. Written Statement (b)] now, it does say that the impoundment height will be increased by four (4) feet whereas before in the notes and such, we noted three (3) feet. Is four feet the final determination on this?"

Lewis: "My understanding in working with Mr. Wagner and Joe is four (4) feet is the maximum gain in elevation. That will affect the water height only at low water. The highwater height will remain unchanged because it will be topping the top of that dam."

A motion was made by Letourneau, seconded by Jordan to accept the application as complete with a notation on the application, and with the consent of the applicant that the lot coverage is 42 percent. The vote was 5-0. The motion carried.

The Planning Board reviewed the Shoreland Zoning Ordinance, Section 14. Table of Land Uses, the applicable standard is CFMA – Commercial Fisheries/Maritime Activities District and for the following sections reviewed: Table 1. Land Uses, pages 15 and 16 in the Shoreland Zone Ordinance, and Section 15. Land Use Standards under the CFMA standard. Chair Cox noted that aquaculture is allowed, and a principal structure and use allows for Commercial, Functionally Water Dependent Activities, and Piers, Docks, Wharves, and Bridges.

Jordan noted that residential dwellings are not allowed in the CFMA District, Land Uses, 15(a), only if they are principal structures or principal uses and as the Board had previously discussed, the caretaker's apartment is not the principal use of the building; it is ancillary.

The Board looked at Land Uses, #29 and #30. Hewlett noted the project will require a lot of earth moving. She stated it is allowed in a CFMA district and the CEO can approve but it should be noted because she assumes, they will be moving more than 10 cubic yards.

On a motion by Hewlett, seconded by Brown, it was voted 5-0 that based on Table 1, Land Uses in the Shoreland Zone Ordinance, the Planning Board believes this application is allowed to be heard. The motion carried.

Chair Cox: "Then there are questions about setbacks," and referred to page 18 under the CFMA District. Chair Cox noted the lot coverage at 42% which is under the 70% allowed; the building height is under 35 feet, and all the setback requirements are met.

CEO Brackett explained the proposed septic system did not have to meet the setbacks. Chair Cox asked if the subsurface system is 100 feet from the highwater or the drainage field. LaBranche stated they will be requesting a variance. Chair Cox then referred to page 18, Setbacks, Sewerage drainage field setback – 100 feet.

Brackett: "Yes, that is normally true, but the State makes a lot of exceptions to get overboard discharges removed, and that is one of these in the category on that page. The box in the middle of page 1 on the HHE 200 contains the rule variance approval level. This system requires state and local plumbing inspector's approval. So that is where the state would come in and hopefully approve the system."

Hewlett asked if Brackett would approve it as the plumbing inspector? Brackett said it is probably beyond his limits of what he can approve.

Hewlett asked why it is not being placed underneath the existing dwelling that will soon be taken down as that would be a little further away from the water source. Brackett said they read the soils and those soils have been excavated to make a basement there. He said it would not get it any further away from the water source because it is right on the end of the house.

Hewlett: "If it was put underneath the existing dwelling closer to the gravel driveway?" Brackett stated it would still be roughly the same distance from the water.

Chair Cox thought this would be another condition on the application. Hewlett asked if LaBranche had talked with anyone about this.

LaBranche: "Yes, his father put the question to Irene Saumers at the Department of Health and Human Services, and the variance request, the explanation of the situation, and what we are trying to accomplish. That is in the works and anticipated to be approved but we will not know until they approve the variance."

Brackett stated he does not foresee the State not approving this because it removes the overboard discharge. LaBranche agreed and said this wouldn't meet the setback, but it wouldn't be an overboard discharge, either.

Chair Cox thought the project did meet all the town ordinances setback requirements, except for the sewage setback from high water, and a variance was being applied for.

On a motion by Letourneau, seconded by Hewlett, the Planning Board voted 5-0, to state that the St. George ordinances are met with the exception of the sewage drainage field which the Planning Board can defer to the judgment of the State of Maine Department of Health and Human Services. The motion carried.

Jordan noted the dam was not new construction but did the Planning Board need to think about it. Chair Cox said the DEP permit approval would be an exhaustive study of the dam, but the Board did not have that. She thought the dam issue was something the Board would have to leave as conditional pending the Dept of Environmental Protection and the US Army Corps of Engineers of Engineer's assessments. Chair Cox and Hewlett thought the cantilever was the Board's main issue.

The Board then reviewed the following standards in the Shoreland Zoning Ordinance. Hewlett noted this review is in relation to the northeast section of the building.

### **Section 15(C)**

- C. Piers, Docks, Wharves, Bridges and Other Structures and Uses Extending Over or Beyond the Normal High-Water Line of a Water Body or Within a Wetland and Shoreline Stabilization.

1. No more than one pier, dock, wharf, or similar structure extending or located below the normal high-water line of the water body or within a wetland is allowed on a single lot. - On a motion by Jordan, seconded by Brown, the standard has been met, 5-0. There is only one structure proposed.
2. Access from shore shall be developed on soils appropriate for such use and constructed so as to control erosion. - On a motion by Brown, seconded by Hewlett, the standard has been met, 5-0. Erosion control and Best Management Practices (BMP) will be used.
3. The location shall not interfere with existing developed or natural beach areas. - On a motion by Jordan, seconded by Brown, the standard has been met, 5-0. There are no beach areas at this location.
4. The facility shall be located so as to minimize adverse effects on fisheries. - On a motion by Jordan, seconded by Hewlett, the standard has been met, 5-0. The aquaculture activity will be contained within the pound and the projection of the building over the water will not affect fisheries.
5. The facility shall be no longer in dimension than necessary to carry on the activity and be consistent with the surrounding character and uses of the area. A pier, dock, or wharf in non-tidal waters shall not be wider than (6') six feet for non-commercial uses. - On a motion by Jordan, seconded by Letourneau, the standard has been met, 5-0. Based on the Planning Board's examination of the property, the facility is no longer in dimension than necessary.
6. No new structure shall be built on, over, or abutting a pier, wharf, dock, or other structure extending beyond the normal high-water line of a water body or within a wetland unless the structure requires direct access to the water body or wetland as an operational necessity. - On a motion by Letourneau, seconded by Brown, the standard has been met, 5-0. The new structure requires direct access to the water body as an operational necessity.
7. New permanent piers and docks on non-tidal waters shall not be permitted unless it is clearly demonstrated to the Planning Board that a temporary pier or dock is not feasible, and a permit has been obtained from the Department of Environmental Protection, pursuant to the Natural Resources Protection Act. - On a motion by Hewlett, seconded by Jordan, the standard is not applicable, because it is in tidal waters, 5-0.
8. No existing structures built on, over, or abutting a pier, dock, wharf or other structure extending beyond the normal high-water line of a water body or within a wetland shall be converted to residential dwelling units in any district. - On a motion by Hewlett, seconded by Jordan, the standard is not applicable, 5-0. The new structure will be used for Commercial Fisheries/Marine Activities (CFMA) and can never be converted to a residential dwelling unit.
9. Except in the Commercial Fisheries/Marine Activities District, structures build on, over, or abutting a pier, wharf, dock or other structure extending beyond the normal high-water line of a water body or within a wetland shall not exceed (20') twenty feet in height above the pier, wharf, dock or other structure. - On a motion by Letourneau, seconded by Hewlett, the



standard is not applicable, because it is in the Commercial Fisheries/Marine Activities District, 5-0.

10. Vegetation may be removed in excess of the standards in Section 15 (P) of this ordinance in order to conduct shoreline stabilization of an eroding shoreline, provided that a permit is obtained from the Planning Board. Construction equipment must access the shoreline by barge when feasible as determined by the Planning Board. - On a motion by Jordan, seconded by Letourneau, the standard is not applicable, 5-0. No removal of vegetation is proposed.

**SECTION 16(D) – Procedure for Administering Permits**

1. Will maintain safe and healthful conditions. - A motion was made by Hewlett, seconded by Jordan, that this project will clean up the parcel of land and make it safer and healthier. The vote was 5-0. Motion carried.
2. Will not result in water pollution, erosion, or sedimentation to surface waters. - A motion was made by Hewlett, seconded by Brown, that Best Management Practices will be used, and the applicant has stated this project will not cause any water pollution, erosion, or sedimentation to surface waters. The vote was 5-0. Motion carried.
3. Will adequately provide for the disposal of all wastewater. - A motion was made by Letourneau, seconded by Brown, that the proposed FujiClean wastewater system will be an improvement over the current overboard discharge system. The vote was 5-0. Motion carried.
4. Will not have an adverse impact on spawning grounds, fish aquatic life, bird, or other wildlife habitat. - A motion was made by Jordan, seconded by Brown, that the aquaculture farm will have minimal impact on spawning grounds, fish, bird, or other wildlife habitat, and the concern expressed was principally about mussel farming, not in the pound area but elsewhere in Long Cove. The oysters will be contained within the existing pound. The vote was 5-0. Motion carried.
5. Will conserve shore cover and visual, as well as actual, points of access to inland and coastal waters. - A motion was made by Hewlett, seconded by Brown, that the applicant has spent considerable time working with the neighbors regarding the view corridor from this parcel and presented a plan to construct an aesthetically pleasing building on this site. The vote was 5-0. Motion carried.
6. Will protect archaeological and historic resources as designated in the comprehensive plan. - A motion was made by Jordan, seconded by Letourneau, this is not applicable as there are no archaeological or historic artifacts on this site. The vote was 5-0. Motion carried.
7. Will not adversely affect existing commercial fishing or maritime activities in a Commercial Fisheries/Maritime Activities District. - A motion was made by Jordan, seconded by Brown, the aquaculture business will have a positive effect on one type of maritime activity but will not affect commercial fishing or maritime activities outside the pound area. The motion was 5-0. Motion carried.

8. Will avoid problems associated with flood plain development and use. - A motion was made by Jordan, seconded by Hewlett, that subject to the required permit for building in the Floodplain, this condition will be met because the Code Enforcement Officer will make the determination that the Floodplain Ordinance has been complied with. The vote was 5-0. Motion carried.
9. Is in conformance with the provisions of Section 15, Land Use Standards. - On a motion by Jordan, seconded by Hewlett, this provision is met because the Land Use Standards were met. The vote was 5-0. Motion carried.

### **Site Plan Review Ordinance**

#### **Section V. Performance Standards:**

1. Preserve and Enhance the Landscape – On a motion by Jordan, seconded by Hewlett, standard has been met, 5-0. The proposed project will greatly improve the aesthetics and improve the appearance of the landscape.
2. Relationship of the Proposed Buildings/Structure to the Environment – On a motion by Jordan, seconded by Hewlett, standard has been met, 5-0. The proposed project will improve the scenic view of the area and improve the appearance of the landscape.
3. Vehicular Access – On a motion by Jordan, seconded by Letourneau, standard has been met, 5-0. The proposed site layout of the driveway is self-explanatory.
4. Parking and Pedestrian Circulation - On a motion by Jordan, seconded by Letourneau, standard has been met, 5-0, based on the Planning Board's observation of the layout and design of vehicular and pedestrian circulation at the on-site inspection there is adequate access. There will be no retail operation on this property which will limit pedestrian and vehicle access on the site.
5. Surface Water Drainage - On a motion by Jordan, seconded by Brown, standard has been met, 5-0. Installation of new gravel will help with the absorption of stormwater drainage. There will be a minimal increase to the building area, but this will not adversely affect neighboring properties.
6. Existing Utilities - On a motion by Jordan, seconded by Hewlett, standard is not applicable, 5-0. The proposed project will not use any of the specified utilities.
7. Advertising Features - On a motion by Jordan, seconded by Brown, standard has been met, 5-0. The application includes a proposed 2 foot by 3-foot sign which is allowed under the Shoreland Zoning Ordinance.
8. Special Features - On a motion by Jordan, seconded by Hewlett, standard has been met, 5-0. No storage areas, machinery, or service areas are included in the application. The standard hours of operation will be 7 a.m. to 7 p.m., seven (7) days a week but given the nature of the business, emergency hours of operation may occur and be allowed.

9. Exterior Lighting - On a motion by Jordan, seconded by Hewlett, standard has been met, 5-0. The exterior lighting will be under the roof overhang and down shielded.
10. Emergency Vehicle Access - On a motion by Jordan, seconded by Letourneau, standard has been met, 5-0. There are adequate provisions for providing and maintaining convenient and safe emergency vehicle access to the building based on the Planning Board's observation at the on-site inspection.
11. Municipal Services – On a motion by Jordan, seconded by Letourneau, standard has been met, 5-0. The business operation will not have an unreasonable impact on any of the municipal services.
12. Water/Air Protection - On a motion by Jordan, seconded by Letourneau, standard has been met, 5-0. The proposed project will not result in undue water or air pollution. The project will improve water pollution as the overboard discharge system is being removed.
13. Water Supply - On a motion by Jordan, seconded by Brown, standard has been met, 5-0. There are existing wells that are adequate and operational on-site, but two locations have been identified for well drilling with the primary location at the south edge of the parking lot and the other location in the northwest corner of the property.
14. Soil Erosion - On a motion by Jordan, seconded by Letourneau, standard has been met, 5-0 based on the representatives' statements that Best Management Practices will be used in the construction of this project.
15. Sewage Waste Disposal - On a motion by Jordan, seconded by Letourneau, standard has been met, 5-0. A new subsurface wastewater system will be installed and will provide for adequate sewage waste disposal. This is subject to approval by the St. George plumbing inspector.
16. Hazardous, Special, and Radioactive Materials - On a motion by Jordan, seconded by Brown, standard is not applicable, 5-0. The representative stated that to his knowledge, there will be no hazardous materials stored on the premises.
17. Financial/Technical Capacity - On a motion by Jordan, seconded by Letourneau, standard has been met, 5-0. The applicant has stated that Mr. Wagner has the financial capacity to complete the project and there is technical expertise involved to carry out the project in accordance with this ordinance and the approved plan.
18. Shoreland Zone - On a motion by Jordan, seconded by Letourneau, standard has been met, 5-0 based on the Planning Board's findings under Section 15(C) and Section 16(D) of the Shoreland Zoning Ordinance.
19. Flood Plain - On a motion by Jordan, seconded by Letourneau, subject to the approval of the floodplain application by the St. George Code Enforcement Officer, the standard has been met, 5-0.

20. Lot Standards - On a motion by Jordan, seconded by Letourneau, standard has been met, 5-0 subject to receipt of a variance from the State of Maine Department of Health and Human Services for the location of the septic field.

The Planning Board reviewed the 20 Performance Standards and they have been met.

On a motion by Jordan, seconded by Hewlett, it was voted 5-0 to approve the St. George Sea Farms application subject to the following Conditions of Approval.

- All state and federal permits, including but not limited to:  
National Resource Protection Act (NRPA) permit from Maine Department of Environmental Protection  
Army Corps of Engineers  
Department of Marine Resources  
Internal plumbing permit  
Floodplain permit from the Code Enforcement Officer  
Sub-surface wastewater permit including variances from St. George LPI and State of Maine Plumbing Inspector
- The applicant's purchase of the property will be completed.
- Haskell Point Road will remain open and passable for vehicles and emergency apparatus during the construction process. If damage occurs during construction, Haskell Road will be restored to its current condition or better immediately after completion of the St. George Sea Farm construction project.

There was no further business to come before the Board. On a motion by Brown, seconded by Letourneau, it was voted 5-0 to adjourn the meeting at 8:42 p.m., and the Planning Board immediately went into a workshop on ordinance review.

Respectfully submitted,

Marguerite R. Wilson  
Planning Board Recording Secretary