

**St. George Planning Board  
St. George Town Office  
March 22, 2022 - 7 p.m.**

The Planning Board meeting was called to order at 7:10 p.m. Present in person were: Anne Cox, Chair; Jane Brown, Michael Jordan, Van Thompson, and Richard Moskowitz. (Anne Cogger and Mary K. Hewlett were absent.) Also present in person were: CEO Terry Brackett, Diane Hall, and Jane Hall. Present via Zoom were: Veronika Carlson and Loreen Meyer.

**Quorum:** Van Thompson and Richard Moskowitz were elevated to voting status as Anne Cogger and Mary K. Hewlett were not present. A quorum was present.

**Conflict of Interest:** None.

**Adjustments to Agenda** - The following adjustments were added under Other Business:

- CEO Brackett to Discuss a Wharf Issue Concerning the Port Clyde General Store.
- Town Protocol for Masking at Future Meetings.

**Review of the Minutes:**

**Planning Board Meeting** — March 8, 2022 – The minutes were reviewed and corrected.

A motion was made by Van Thompson, seconded by Moskowitz, to approve the minutes of March 8, 2022, as amended. The roll call vote was 5-0. The motion carried.

**On-Site Inspection** – March 10, 2022, Tenants Harbor General Store, 16 Main Street  
The minutes were reviewed and corrected.

A motion was made by Jane Brown, seconded by Moskowitz, to approve the Tenants Harbor General Store on-site minutes of March 8, 2022, as amended. The roll call vote was 5-0. The motion carried.

**Public Comments:** None.

**Commercial Building Permit:**

**a. Tenants Harbor General Store, LLC, 16 Main Street / Map 104, Lot 010**

Veronika Carlson was present by Zoom and represented the Tenants Harbor General Store. The application is to install a new exhaust hood, duct, exhaust fan, and fire suppression system required by the Maine State Fire Marshal's Office.

Carlson explained the application. We are applying to put in a commercial hood system that is required by the State Fire Marshal. It will be installed on the left side of the back of the building and go vertically up above the roof.

Diane Hall noted that she had not received the information packet regarding this application.

Chair Cox stated the original drawing in the application is being replaced with the drawing that shows the ductwork going up the back of the building, and in terms of specifications, all else remains the same.

Jordan suggested a correction be made on the first page of the application under Project Description as it currently stated, "The ducting will go out the back of the store wall "to the right" and up the side of the building." Jordan asked to have the words "to the right" deleted.

Chair Cox stated it then should read, "The ducting will go out the back of the store wall, and up the backside of the building." Carlson stated she was okay with that correction.

Chair Cox: We received information from J/M Superior Fire Services about Moskowitz's question on using rubber washers. J/M Superior stated they are not rubber washers but an adhesive rope style dampening component that will be put on the curb base.

Carlson: Later on, the ductwork will all be enclosed with siding matching the store siding, and the only thing that will be exposed is above the roofline. As for vibration, noise, etc., at the store level, everything that is enclosed should be pretty minimal.

Jordan suggested adding Carlson's statement about the ductwork under Project Description: "The ductwork will be enclosed with siding." Carlson asked if they would have up to two years to install siding on the enclosure. Chair Cox stated that the Planning Board could make that a condition of the application and place a time limit on it.

Jordan had questions about the letters the Board received. He stated, " One suggested there was a proposal to extend the hours of the store? I did not see that anywhere in the application and we have not considered that."

Chair Cox: I have not seen anything about extending hours, extending the hours of the gas pump, or extending the menu offerings of the kitchen.

Carlson: We are going to continue to operate as-is. Our hours of operation will stay the same, and our menu in the deli will stay the same.

Chair Cox asked if the Fire Marshal's violation was based on their current operation. Carlson stated yes, that was correct.

Chair Cox asked about the comments made about the gas pump and the lights.

Carlson: Our gas pump is programmed to turn on when the store opens and off when the store closes. So, it is our hours of operation, essentially. As for the lights, the lights would be a tough one for me. The lights are always there. I am sure you are aware, that there have been two local break-ins in the last 1½ weeks. We can't turn off any lights. We need them for security, safety, liability, slip and fall issues, etc.

Chair Cox: What are your hours of operation?

Carlson: 4:45 a.m. to 8:15 p.m.

Chair Cox: That means the gas pump closes at 8:15 p.m. and you cannot use a credit card after 8:15 p.m. to pump gas?

Carlson: The gas pump is shut off at 8:15 p.m. and can't be accessed.

Chair Cox: So, that's not a change.

Chair Cox: Do we have enough information to accept the application as complete?

On a motion by Michael Jordan, seconded by Thompson, by a vote of 5-0, the Planning Board voted to accept the Tenants Harbor General Store application as complete.

Chair Cox: Are you going to be adding a propane stainless floor fryer?

Carlson: Yes. We already fry items, and we are just going to be frying them more efficiently.

Thompson: It is an upgrade.

Chair Cox: You are probably creating more grease which is why you need this.

Carlson: Yes.

Chair Cox: That is a change.

Carlson: Currently, the existing fan fills up with a lot of grease. The new fryolator system has filters that will get removed and cleaned twice a year, so there will be fewer outdoor emissions.

Chair Cox: What would be the impact on the store if you couldn't do this?

Carlson: Devastation.

Chair Cox: The store is being required to do this. They are adding a new fryolator, but they are already frying food. (Hall: On a stovetop.) So, there will be more fried food available at the store, and I think the system will be quieter.

Moskowitz: I agree it will be quieter because you have this full wall that the current fan is on and bounces all the sound away from the building while the proposed system will be on top of the building and the sound will dissipate in all directions.

The Planning Board began the Site Plan Review.

Performance Standards:

1. Preserve and Enhance the Landscape – On a motion by Jordan, seconded by Thompson, the Planning Board determined by a vote of 5-0 that the standard has been met with the condition that the applicant will encase the ductwork in siding within two years after approval of the application.
2. Relationship of the Proposed Buildings/Structure to the Environment – On a motion by Jordan, seconded by Thompson, the Planning Board determined by a vote of 5-0 that the standard has been met because this standard has an immaterial effect on the environment as one source of noise is being replaced with another source of noise which may be less obnoxious,

because the proposed system will be on top of the building and the sound will dissipate in all directions.

3. Vehicular Access – On a motion by Thompson, seconded by Moskowitz, the Planning Board determined by a vote of 5-0 that the standard does not apply because no change is being proposed.
4. Parking and Pedestrian Circulation – On a motion by Thompson, seconded by Moskowitz, the Planning Board determined by a vote of 5-0 that the standard does not apply because no change is being proposed.
5. Surface Water Drainage – On a motion by Thompson, seconded by Moskowitz, the Planning Board determined by a vote of 5-0 that the standard does not apply because no change is being proposed.
6. Existing Utilities – On a motion by Thompson, seconded by Moskowitz, the Planning Board determined by a vote of 5-0 that the standard does not apply because no change is being proposed.
7. Advertising Features – On a motion by Thompson, seconded by Moskowitz, the Planning Board determined by a vote of 5-0 that the standard does not apply because no change is being proposed.
8. Special Features – On a motion by Moskowitz, seconded by Thompson, the Planning Board determined by a vote of 5-0 that the standard has been met because the proposed ductwork and fan to be installed above the roofline will have minimal impact on the current level of sound being generated by the existing fan.
9. Exterior Lighting – On a motion by Jordan, seconded by Thompson, the Planning Board determined by a vote of 5-0 that the standard does not apply because no change is being proposed.
10. Emergency Vehicle Access – On a motion by Jordan, seconded by Thompson, the Planning Board determined by a vote of 5-0 that the standard does not apply because the proposed plan does not affect existing emergency vehicle access.
11. Municipal Services – On a motion by Jordan, seconded by Thompson, the Planning Board determined by a vote of 5-0 that the standard does not apply because the proposed plan does not affect municipal services; there is no change being proposed.
12. Water/Air Protection – On a motion by Moskowitz, seconded by Jordan, the Planning Board determined by a vote of 5-0 that the standard has been met because the proposed exhaust system will have improved filtration and reduce air emissions.

13. Water Supply – On a motion by Jordan, seconded by Thompson, the Planning Board determined by a vote of 5-0 that the standard does not apply because no change is being proposed.
14. Soil Erosion – On a motion by Jordan, seconded by Thompson, the Planning Board determined by a vote of 5-0 that the standard does not apply because no change is being proposed.
15. Sewage Waste Disposal – On a motion by Jordan, seconded by Thompson, the Planning Board determined by a vote of 5-0 that the standard does not apply because the proposed project will not affect the sewage waste disposal.
16. Hazardous, Special, and Radioactive Materials – On a motion by Jordan, seconded by Thompson, the Planning Board determined by a vote of 5-0 that the standard does not apply because there are no hazardous, special, or radioactive materials proposed.
17. Financial/Technical Capacity – On a motion by Jordan, seconded by Thompson, the Planning Board determined by a vote of 5-0 that the standard has been met because there is sufficient technical documentation provided by the applicant to carry out the project, and the owner of the Tenants Harbor General Store, LLC has the financial capacity to complete the project.
18. Shoreland Zone – On a motion by Jordan, seconded by Moskowitz, the Planning Board determined by a vote of 5-0 that the standard has been met because the proposed project is not located in the Shoreland Zone.
19. Flood Plain – On a motion by Jordan, seconded by Moskowitz, the Planning Board determined by a vote of 5-0 that the standard has been met because the proposed project is not located in a floodplain.
20. Lot Standards - On a motion by Jordan, seconded by Moskowitz, the Planning Board determined by a vote of 5-0 that the standard has been met because the proposed project meets the setback requirements and does not increase the non-conformity of the lot coverage.

Diane Hall asked to address the Planning Board regarding issues that had been discussed:

The store advertises 24/7 gas at their facility. I have personally witnessed an individual pumping gas there into his motorcycle at 2 a.m.

The drawing is a sketch and I want to be sure that no portion of that whether it be the round thing at the top or any of the ductwork is exceeding the existing lines/footprint of the building. The line does run right down the left side of the building.

I think the Fire Marshal's order had a time limit on it. Are you going to split this between installing the fan and wrapping it up with vinyl siding into two different terms of time?

The other source of the noise outback is an exhaust fan at the basement level of the building. I do not know how that is regulated (on a thermostat or something else) but it is fairly loud, and it

keeps the basement cool and the compressors to the refrigeration are down there, so I understand the purpose and the need but that is very loud.

I also think that commercial fans of this nature are required to be cleaned annually by a certified professional, and I am wondering how they are going to get to it? The other thing is that sound bounces off the buildings. In between my building and that building, it is a roar. You can step 10' to your right where it is not bouncing off the building, it is much quieter, and there is no filter on that current residential exhaust fan over the pizza oven.

And last but not least, there is a significant expansion of food service that has occurred over time since Tim Holmes put in the pizza oven. That is what is requiring this commercial hood system; that expansion of the foodservice occurring over time.

Veronika Carlson's Responses:

As of today, at 2 p.m., our gas pumps were programmed to only operate during the hours I already specified. (Hall: Thank you.) As for the installation, seems like you have seen some of the application and not all of the newest information that the Fire Marshal is requiring, but the application does have the exact drawings and how it will go on the back and up the building.

Thompson to Carlson: In regard to the fan in the basement, is there any way on the outside of the building to add a duct that goes down so the sound is not going directly that way but directed towards the ground? It does not change the volume of air that can come out, but it could handle some of the noise and make things better. It is a 90-degree change in direction. That is up to you but it's a thought. You don't need to add it to the application. It would be between you and Hall.

Carlson: I will look into it.

Chair Cox: I think the concern is increasing the sound output. So, anything that decreased it would make for good relations with neighbors.

Hall: May I add something? (Cox: Yes.) The fact that the fan is thermostatically controlled is really not acceptable to anybody that has to listen to it. It would be nice for it to turn off when the store closes so we could go back to the silence we all enjoyed in the village. We might have heard them taking that crowbar to the store and the Quarry Tavern the other night if the fan had not been running but the fan runs 24/7.

Carlson: With the new hood system there is no way for us to turn the thermostat on and off. That is no longer an option with the new system.

Hall: I believe you can turn them off, and I think it is probably not in the best interest of anybody to be using a food service commercial exhaust fan to control the temperature in this building.

Carlson: The professional installation company that I met with said that is no longer something they can do. For example, I have five large hood systems at different locations and two of the newer systems do need a thermostat.

Thompson: Is it the temperature in the building or the temperature above the heating surfaces that it runs from?

Carlson: It is both. If the temperature in the building is high, it is going to go off, but we are doing the best we can. We have put five air conditioning units in the store to try to cool the building down, and you have the information for those. Those are reasonably quiet.

Hall: I appreciate everything you are trying to do, and I do think this is an improvement. I just also see these other little things slipping in under the radar like the expansion of the food services with a fryolator.

Chair Cox asked the Planning Board if they wanted to reconsider any of the Performance Standards after hearing the comments. No changes were made.

On a motion by Van Thompson, seconded by Moskowitz, the Planning Board by a vote of 5-0 approved the Tenants Harbor General Store application because the 20 Performance Standards were met, and the project may reduce the existing noise. As a condition of the application, the ductwork will be enclosed within two years from the application's date of approval.

**Other Business:**

- Port Clyde General Store Wharf: CEO Brackett stated Will Gartley of Gartley & Dorsky Surveying and Engineering had contacted him recently about the wharf at the Port Clyde General Store. Brackett explained that the Port Clyde General Store wants to replace approximately 26 pilings on their wharf, and Gartley asked Brackett if they needed to bring the issue before the Planning Board for discussion.

Brackett stated he looked at the Shoreland Zoning Ordinance Section 14, #17 which talks about piers and wharf, and it did not say anything about replacement and maintenance.

Brackett: This is a commercial business, and it is located in the Shoreland Zone. Usually, the Planning Board hears anything that has to do with a commercial application. They will only be replacing the pilings and they are not changing the footprint, but I wanted the Planning Board to weigh in on this application. I am just asking what you think. If it did go before the Planning Board, I am not sure what you would ask for.

Carlson added that these were the riding pilings and they had rotted away and were dangerous.

Jordan asked if anything like this had come up in the past, and Brackett stated no. Brown noted the Board reviews commercial projects that cost \$10,000 and this project would be over \$10,000. Chair Cox agreed and stated the ordinance said that anything over \$10,000, the Planning Board had to see. Carlson thought the replacement cost for 24-26 pilings would be around \$34,000. Thompson and Jordan felt that if the cost was \$10,000 plus and the ordinance stated it, then the Board should see the project.

Brown noted that if they were going to replace their roof, and it was \$10,000, they would still have to come to the Planning Board. Chair Cox agreed.

CEO Brackett: I will pass your discussion on to Will Gartley.

- Masking at Future Planning Board Meetings: The Planning Board discussed the issue of masks. Jordan stated that Select Board Chair, Richard Bates, stated at the next Select Board meeting that they would not require masks; but he also heard there is a new sub-variant that may derail everything. Chair Cox stated that the Planning Board had said they would follow the protocol of the Town Office.

CEO Brackett will check with the Town Office on the current protocol for masking at meetings.

- Land Use Ordinance Revisions: Chair Cox also noted that the Land Use revisions had been sent to the lawyer for review.

There was no further business to come before the Board. On a motion by Brown, seconded by Moskowitz, it was voted 5-0 to adjourn the meeting at 8:02 p.m.

Respectfully submitted,

Marguerite R. Wilson  
Planning Board Recording Secretary