

ST. GEORGE SELECT BOARD & ASSESSORS

St. George Town Office

MEETING MINUTES

August 21, 2023

The Select Board meeting was called to order at 7:00 p.m. Present were Steve Cartwright, Rick Erb, Wendy Carr, Jane Conrad, Randy Elwell, Irene Ames, Van Thompson, Rob Kelley, Trish Ohler, Mike Smith, Elizabeth Matthews, Alane Kennedy, Kerry Smith, Karry Liparale, Lisa Dinsmoore, John Bergeron, and Erin Elwell.

Via Zoom: Present was Loreen Meyer, Judy Smith, Kathleen N., and Greg Soutiea.

Quorum

A quorum was present.

Public Comments

There were no public comments.

Adjustments to the Agenda

Traffic on Clark Island Rd. was added to the agenda.

Traffic on Clark Island Rd.

Thompson

We've seen several communications from residents on Clark Island Road about the volume and the speed of traffic with the trust taking over, the popularity of the Causeway Restaurant and Craginair Inn, and the overflow parking which is bringing a lot of foot traffic on the road. There are concerns. It's something that needs some discussion and public comments. One of the suggestions was speed bumps or speed humps, which are more extensive and generally 10 to 16 feet in length. They work well as a deterrent, and this is what the state now recommends. I have to find out the costs and have inquiries out as of today. I became aware of this with an email that arrived yesterday. It's taking a while to get this information. We're open to discussion about options such as expanding the width of the road which would involve people giving up some property. I'm not sure where we are with easements in that area; that would have to be investigated. If we proceed forward, it's up to us to design it, determine the feeling of the residents and where we are financially.

Erb

Van, when you refer to widening the road, are you talking about sidewalks?

Thompson

Yes. The potential to add a sidewalk or walkway along the road itself.

Speaker

That will not stop them from speeding.

Thompson

It will make it safer. How to prevent them from speeding is another story and that's why we need to investigate other possibilities.

Conrad

Can we go back to basics? Who owns the road there?

Thompson

It is a town road which means that there's likely an associated easement and we need to determine the extent of that easement.

Conrad

What is the speed limit?

Thompson

25mph in the residential area.

Speaker

Is it possible to put the 25mph sign closer to the turnoff to Clark Island Rd., instead of halfway down the road.

Thompson

That would be something we'd have to approach the state for.

Erb

They must approve all speed limits.

Elwell

If it's already at 25mph, would we just move the sign?

Speaker

There's only one sign.

Thompson

It is further down the road.

Lisa Dinsmoore

I appreciate you looking at the speed hump. I can't think of any other deterrent. I did notice that the speed meter was back up again. As I said in my email, people will slow down as soon as they see it, and then speed up as soon as they go past it. Today, there was a guy in a white truck, and I almost got in my

car to find out where he was going and ask why he felt the need to drive so fast. I walk my dog on that road and half the people don't even slow down when they see me walking. I've asked them to slow down, and I know John has also, and they either tell us they are sorry or give us the finger. As I said in my email, there is more foot traffic on that road and so many more kids riding their bikes. One guy that was speeding told me they shouldn't be on the road. They are kids. Where are they supposed to ride their bikes and where am I supposed to walk my dog? There are some people that live on our road that speed; it's not just visitors. I'm open to anything to get the traffic to slow down. I appreciate the need for a police department in our community, but they can't be there 24 by 7. It might be a bit of a deterrent.

Conrad

Are you talking about the area closest to the Craignair that's more populated or beyond that?

Lisa Dinsmoore

On Quarry Rd., near Outward Bound. Where that hair pin turn is, people speed along there. It's not just in the location of the houses.

John Bergeron

My experience has been on weekends, when there are a lot of people that come to the island who park at the overflow place and walk down and sometimes the road is quite filled with people. Of course, they have to slow down, so on weekends traffic isn't that fast, because there are people in the road and a lot of the locals congregate and talk in front of each other's houses and are on bicycles. They see us and do slow down. On weekdays, they seem to go a little faster. I do agree with what she said about the locals. They know better but they own the road and they have owned their house for many more years than I have and feel they're entitled.

Lisa Dinsmoore

Also, there's a lot of construction going on.

Kerry Liparale

Those trucks are so big and heavy that even if they were going 25mph, they couldn't stop for a child and they're going back and forth with dirt and supplies. We have a fenced yard to keep our animals safe but over the years animals have gotten out and we've had three dogs hit and two suffered terribly and had to be put down. The cars were going so fast that the animal couldn't survive the hit. It's just a small narrow road. People just don't care.

Erin Elwell

It may be helpful to have a visual as you go into the village. A big 25mph sign announcing that you're entering Clark Island Village and to please slow down.

Terry Smith

I think it would be helpful to have a speed limit sign down in the village instead of way up on the road.

Cartwright

I've seen signs in some places that say, "Village Area", suggesting that you ought to slow down.

Unfortunately, what's happening down there happens on Harts Neck Road. Many people walk there, and little kids play and have scooters and so forth. People zoom right through our village in front of the Town Office way too fast. We have a lot of speeding in our society.

Erb

There are a lot of places where it's an issue.

Conrad

It's probably worth having a subcommittee or some examination of the whole issue of speeding in the town and the complaints that we get. I know that it is an option for the town to assume responsibility for setting speed limits as opposed to having the state set it.

Thompson

I'd like to review that with you because I had trouble finding that.

Conrad

We all know that there's a bigger issue of speeding right by this building and everywhere else. It might be worth looking at that. One question I have is whether we would have the authority to put up signs.

Erb

We can. I would like to read one thing from Maine Municipal Association about the town setting speed limits. There's a narrow exception for qualifying municipalities, but the technical requirements are so burdensome that no municipality in the state currently qualifies.

Cartwright

In Rockland, Cedar Street now has several speed humps, which really slow you down. The residents say they work well. I find them annoying, but I understand. The island is open to the public and that's wonderful and the Craignair is a nice business to have in our community.

Speaker

It is a blessing and a curse. It's wonderful but the island (Maine Coast Heritage Trust) pursued the property behind our house to buy the land to install a big parking lot. There are benefits but for those that live there year-round, it's tricky. I'm happy for the Craignair, but it brings many more people in there because they promote it.

Cartwright

If you go back 100 years, it was an industrial site belching smoke from the island.

Thompson

We will take this into consideration. It is a grander problem than just Clark Island.

Speaker

I appreciate you listening to our concerns and reading our emails. There were two ladies that were listed on your site, but they don't have contact information.

Cartwright

Your concerns are very valid.

Conflicts of Interest

There were no conflicts of interest.

Minutes

A motion was made by Elwell, seconded by Conrad, to approve the August 7, 2023 Select Board Minutes as corrected, and by a 5-0 vote, the motion carried.

Communications

There were no communications.

Warrant**Ames**

There are two warrants. The general fund had a payment to the school. There is also one for the 10 Cold Storage Road project. We had to pay the state a fee for filling in part of the ocean.

Erb

We will have county taxes due later in the month. They moved up the payment due date.

Town Manager's Report**Erb**

Everything I have is elsewhere on the agenda so I will hold comments for now.

Committee Reports**Planning Board - Carr****Carr**

They did not meet. They will meet tomorrow night.

Board of Appeals - Conrad**Conrad**

There were no appeals.

Harbor Committee - Elwell

Elwell

They meet on Thursday night. They met previously and I gave that report last time.

Budget Committee – Thompson

Thompson

They have not met and are still looking for another member.

Resiliency Committee - Thompson

Thompson

They had their Green Tour and I think it went well.

Comprehensive Planning Committee - Conrad

Conrad

I have a nomination for an alternate, Ed Cady. He and his wife Mary bought a house here twenty years ago. They lived here full time for a few years, and he's been CEO of a steel company. They moved here from Ann Arbor, Michigan. I think he's an engineer but willing to serve as an alternate. I'm still struggling for one local business owner. I talked to two more people over the last few weeks.

A motion was made by Cartwright, seconded by Elwell, to nominate Ed Katie as a Comprehensive Planning Committee alternate, and by a 5-0 vote, the motion carried.

Conservation Committee - Cartwright

Cartwright

I have no report.

Thompson

The trail is coming along. I was approached about the possibility of a trail cam to overlook the bridge because of concerns over the expense of that bridge. It's wood and could be damaged. There are very sophisticated things run by solar these days.

Shellfish Committee – Elwell

Elwell

We meet next month.

Thompson

We did appreciate the presentation.

Solid Waste – Erb

Erb

They have not met.

Cemetery - Carr

Carr

They have not met.

Affordable Housing - Cartwright

Rob Kelley

We could defer to the new business agenda item. It's all one piece.

Port Clyde Landing Project

Erb

As Randy mentioned, the Harbor Committee met the week before last, and will again on Thursday. I understand from Dan Vino, the Superintendent, they will be moving their operation to the area where we will lose the parking spaces, probably sometime next week. We will maintain access to the floats. The cost for that project fortunately came down from \$27,000 to \$15,000. Before they had jersey barriers and now, it is fencing. The question was whether they were satisfied with the public safety aspect and the answer is they are and would not have proposed it if they were not, so that will happen. We are waiting to hear from Central Maine Power about their estimate for the cost of three phase electricity. We are at their mercy at this point and waiting to hear from them. We do have general guidelines from the Harbor Committee on what they think would be a reasonable amount. Regarding the hoist design, we've had problems deciding what the hoist would be. The ones that people are familiar with have been custom-made. It gave CPM some concerns. They were looking for something standardized. We may end up pulling it from CPM's contract and paying for it separately. Otherwise, things are going smoothly.

Cartwright

How late in the year do we have the rental spaces that we're paying for?

Thompson

October, I believe.

Erb

It seems to be working as anticipated. There is always someone there during the daytime but they're not always full, and there is a good mix of in-state and out of state license plates. People, for the most part, are adhering to the two-hour limit. We may have more problems when we lose the other parking but we're getting near the end. We'll get through it.

Status of Tax Acquired Properties

Erb

I can give you the shorter, updated list. We've kept up the outreach to people and that has had a positive effect. It's clear that when the Select Board decided to hire a real estate agent, that snapped some people to life, and we did start receiving more funding. We have some left that are more difficult cases such as people who have passed away with no executor. We have some work to do and since then, we've also had the Supreme Court case regarding the ruling that made it illegal for municipalities to keep all the sale proceeds, versus solely costs and back taxes, determining the way Maine operates. Keeping all the sale proceeds is unconstitutional. The Maine State Legislature followed up by changing Maine law. There is work to be done by the state. They directed municipalities to delay all sales for tax acquired property, except those to the former owner, until required notice forms are available from Maine Revenue Services. Friday, I asked if they were available, and they are not. We have to wait on some unanswered questions. The MMA guidelines state how municipalities should provide notice and return excess proceeds when tax acquired property is abandoned or when the former owner is deceased, and no representative has been approved. Within the next two to four weeks, we'll have the forms. If it's unclear who the excess funds should be returned to, we will ask our attorney, but I suspect we will go into escrow at that point. That should help straighten out everything and hopefully people will get their act together. I'm happy with the progress we've made. We have some insignificant properties to work on, including some very landlocked parcels, but there are a couple of pieces that people will be interested in. Within a month, it will be much clearer.

Pet Waste Issues

Thompson

Jane forwarded information from the paper, and some of us have looked at the guidelines that waste should go into the landfill, and the problem on trails with people not picking up the waste, etc. The question is, how do we alert our citizens to the fact that the major bacterial contaminants are attributable to pet waste, particularly dogs. We have a problem and need to address it.

Carr

I'm not sure she said that the bacteria was attributable, in part, from dogs. I can't believe that the bacteria we see in the river is as high as she mentioned. I would say it's under 10%. I would need to see the numbers. I believe, the contaminants in water bodies are mostly from sources like fertilizing property.

Thompson

That is the nutrient load and the phosphates.

Carr

Absolutely. I'm just afraid of pointing fingers at dog owners. It's good to educate, but I just think we can't overlook the other sources of contamination in that river.

Thompson

Which ones can we control? Which ones can we have some action on? We need to find out more.

Erb

I asked Ben if we're still putting out the bags for people, he said he doesn't have to refill them as often.

Conrad

I sent an email to some friends who live on the river advising they might want to read the minutes from Gabrielle's presentation because it was so interesting, and we learned that all of us who live near the water should be picking up dog poop in our yards and putting it in the landfill. One wrote back and said they had been under the impression it isn't to be put in the landfill. I do think that even though this is a relatively small problem, community education is worth doing, and we could put up a sign at the dump that it is an appropriate place to dispose of it and could put signs up on trails.

Carr

Dog waste shouldn't go into compost. It has heavy metals. Dog owners will not be happy about that.

Cartwright

There might be a way to do it without attacking dog owners. All my neighbors have dogs.

Cartwright

We could put a sign up at the transfer station directing them to put the dog waste in the hopper.

Carr

The idea of putting it in a landfill is that the pollution that's created is arguably collected and treated before it's released back to the environment. That's why it goes to the landfill. If you've looked up those waste systems for your property where you dig a hole and put tablets in it, don't use that because if you have a well, you're going to have critters.

Conrad

Does it make sense to ask the Solid Waste Committee to make a recommendation?

Carr

At my property, Canada geese are a big problem. Finding dog DNA in water versus tracking the sources of bacteria are two different lab reports. You can't equate finding dog DNA with the number of bacteria.

Thompson

I propose we have the Solid Waste Committee look into it.

Conrad

The Conservation Committee could put signs up on the trails. As somebody who has had dogs for a long time, people don't realize this and think if they're tossing it in the woods near their property where nobody will walk on it, it is okay. We are just advising the better practice.

Cartwright

The other thing that's obnoxious but doesn't happen too often is when people forget to pick up the bag and leave it sitting on the side of the road. That's human nature, I guess.

Knox County Dispatch Issues

Erb

The County Commissioners met this morning. It was a brief meeting. The meetings are on the internet. They approved a short-term, six-month agreement with Waldo County, where Waldo County will handle the 911 calls and dispatch will continue at Knox County after that happens. They didn't say anything about the cost or how this was being paid for. I emailed the County Administrator afterwards and he had the Chair get back to me. They're going to be spending \$142,000 on startup costs and wages for staff. It's not certain how much the end cost will be. It will not exceed the cost that would normally be budgeted. They're taking funds that would have been used to pay people and are using that to help pay Waldo County. It should be less than that. It's not a long-term solution. They recognize that they have quite a few internal issues to deal with. Part of it was not being able to pay people well enough, but they also have some management issues. A couple of them were very clear that we could fix this relatively easily, but there are deeper concerns within the organization. I was glad to hear them discuss it in those terms.

Cartwright

If it was just a matter of pay, you could increase that.

Elwell

They're going about it the wrong way. They approached the union about new hires and are trying to get some of the people back with \$40/hour pay. People who had been there for quite a while were going to receive less, and they turned it down. From what I've gathered, it starts with Andrew Heart. This is something that has gone on for a long time. There are internal complaints the administration did not handle, and people got tired of certain personalities and left. I know two people that went to Waldo County. We need to stay on top of this. The county will try to push this, and it is going to cause someone to be in very dire need. Waldo County will take the call if you call 911 and transfer it to the county.

Conrad

What is the point of having them call Waldo County?

Elwell

Waldo County has the manpower to handle the computer and the County, because they only have a few employees, is doing the actual dispatching and talking to the ambulance, police and fire departments.

Mike ?

Waldo County will dispatch the informational part and then we need our county to provide updates.

Elwell

Each town in County dispatch has a book of protocols. For an example, if there's a car accident in town, the fire and ambulance are dispatched until they're told to go home. Waldo County dispatchers don't have a clue about St. George. We need to get in with other towns, and make the county accountable. The county has done this to themselves.

Conrad

How do you propose we handle this?

Elwell

I'm not sure. Maybe Rick could contact other town managers and express his concerns and discuss their plans to help deal with this.

Erb

My counterpart from Thomson has requested a meeting between the Town Managers and the county. I never heard another word. I'm pretty sure they ignored it.

Elwell

They will play that game. That's why they have the meetings at 10:00a.m.

Carr

Does the county have our protocol?

Elwell

Yes. They have a book of protocols for each town.

Cartwright

Mike, do you anticipate any delay going through Waldo County.

Mike Smith

I think over time it will because it's another step. It's a process they're trying to fix. I don't know why it had to come to this point. They have hired one new person and they have another person (Inaudible). They have two full-time positions in the process of being filled and are fully certified. There is a lot of training. It's a high stress job.

Elwell

It is the worst job in that profession and has the highest suicide rate.

Mike Smith

It is going to be a problem in the short term. The county is really getting on the sheriff. We have received multiple updates; they are trying right now. Randy and I have been around the EMS and fire service for a long time. We used to receive a lot of dispatching from Thomaston, and it worked.

Elwell

Years ago, the state said we had to go into a peace app for the (Inaudible) system and we had Thomaston, Cushing, St. George, Warren, Rockland, Owl's Head, South Thompson, Camden, Lincolnville and Hope and it worked. We fought the county and said it works but they forced us into it. The state is trying to push some out because they say there are too many, so it's something we have to be aware of. Someone in Belfast sitting in that dispatch isn't going to know that the ambulance has been going to certain homes regularly or know the history. I just feel things will be lost in translation.

Conrad

It makes sense to post on the town's webpage for callers to provide as much information as possible.

Mike Smith

They ask many questions while they are being dispatched.

Elwell

When you call 911, every bit of the information from your phone is available.

Carr

When the county was doing both pieces, how did that work?

Elwell

The person answering the phone is usually the one who dispatches.

Mike Smith

If they have a second call, they will use another dispatcher.

Thompson

Rick, who's keeping track of this or getting back to us with what is happening.

Erb

The Town Managers are pretty much out of the loop from everything that I've seen. It was a short meeting today with little information and there was no opportunity to ask questions or I would have.

Conrad

We have a former reporter at the table. Maybe there are other ways of putting pressure on the county.

Thompson

I have a meeting with one of the County Commissioners on Wednesday.

Erb

Let me follow up with Kara as she was the one who raised the issue and asked for the meeting.

Conrad

Is this the responsibility of the sheriff?

Elwell

Yes. He is to straighten this out and find a solution.

Erb

The County Commissioner who got back to me said they have a surplus fund balance. It's segregated from the rest of county government and will be carried forward to help pay for these pay increases next year, so that we don't get hit as hard as we would have. We already had a tough year with 16%.

Transfer of Property for Housing at Kinney Woods

Erb

It takes quite a while to go through the process for a ballot question. Absentee ballots must be available thirty days before election day on November 7th and there has to be a hearing before the ballot is finalized. That requires ten days' notice, so we have a minimum of forty days for this to get pulled together and working backwards from November 7th, if at our next Select Board meeting on September 11th we discussed language for a ballot question, we could put out a public hearing notice later that week and hold a hearing on October 2nd. Then, around October 3rd or 4th, make absentee ballots available and November 7th would be voting day. That's all condensed at that point and we would have to figure out what we want the language to be. I suspect it would be something along the lines of, "Shall the town vote to authorize the Select Board to transfer the property on Kinney Woods Rd. (lot and map) to the CDC for the purpose of establishing an affordable housing project?" We need to give a good understanding of what it is the Select Board is authorized to do. It doesn't have to be detailed, but it must be clear that the town has approved the Select Board to carry out what they're approving in general terms.

Cartwright

They also should mention the purpose is to alleviate the current housing crisis.

Erb

Obviously, words are important. That's the timeframe we're talking about. It would have to move along quickly, and we can do it. We are focused on doing this on the November ballot. To my knowledge, there's nothing that requires that. You could have an open town meeting vote on this. I have the feeling St. George doesn't do that as much as some of the other places where I've worked but there are pros and cons to both. More people show up at a day long voting event, but there's no opportunity for discussion.

Conrad

If there is a public hearing, that provides an opportunity.

Erb

It does. I would suggest that we have a public meeting discussion, and then an official public hearing.

Cartwright

An informational meeting.

Erb

Absolutely, or one closer to the actual election day. Are we far enough along to do this? I suspect we are.

Cartwright

It seems to me that we have the survey so we know what acreage could be transferred.

Rob Kelley

We engaged with Landmark, the surveyor that Habitat uses. Thank you for contributing funds. The survey was in multiple parts. First, there's a wetlands delineation showing where we can't build based on federal and state regulations on wetland setbacks. That's been completed for what we consider to be the

most likely buildable site on the parcel. For those of you who know the parcel, there's a logging road in the center of what we think is the most buildable. We mapped about eight acres, of which some are wetlands and can't be built upon. Next, a lidar survey was done so we know exact elevations and that gives us a good sense of what can be built, not in the sense of land use regulations, but in terms of actual places you could build a house, and that leaves about five acres which obviously would exceed the multi-unit subdivision codes because we can include wetlands as part of that. We are waiting for Landmark to give us a conceptual design using the cluster housing land use regulations already in our subdivision regulations for the town so that we get a sense of what the density could be. It's not approved and hasn't gone through the Planning Board but would allow us to speak intelligently to citizens who are interested in the impact. We also believe that the section to the east likely has another buildable plot. We have not done a detailed survey. If I remember correctly that whole parcel, which is long and goes toward the water, is about eighty acres. Forty of them are complete wetlands and not buildable. That's the part toward Route 131. Some of you may recall that there is a deed covenant that prohibits building within 250 feet of Route 131. One question is what the town will transfer. We've done some thinking internally and have some ideas, but obviously that's something the Select Board has to champion. We would be willing to commit to an absolute date by which development would begin, or else the land reverts to the town. I don't know the legality of that. It might be too complicated to mess with. I recognize that as a voter, I might question whether the CDC could sit on it and not build, a reasonable concern that I think we could probably find a way around. If the town were to grant the whole parcel, and the transferee by the way will be the Community Development Corporation 501C3, it is possible in the future that it may be internally transferred to a development entity that would be a single member LLC owned by the CDC, as it is common for development and construction to be managed as separate entities for liability's sake. Should we get the whole parcel, we're committed to anything not buildable being transferred to a permanent conservation easement. For example, our commitment for the forty acres to the west that are wetlands would be that any unbuildable property would be passed to George's River Land Trust that runs conservation easements all over the Midcoast and puts that land permanently into conservation, or another similar entity. Finally, we're prepared to commit that any improvements to recreation or conservation, for example trails, would be made public to the community and would be deeded as such. There's some lovely area down by the tributary to Jones Brook. That would be a lovely walking path and we're prepared to make that a public good. We are asking what makes the most sense for our community, is easiest and what you are comfortable with.

Carr

Is Landmark going to do PERC tests to figure out if there could be similar systems?

Rob Kelley

There were rough PERC tests when they did the wetlands delineation, figuring out what the soil content is. No engineering has been done. We assumed, like much of St. George, that if you're going to do multi-unit septic, it's going to be engineered in any case. This is not going to be a classic tank leach field per unit. That wouldn't make any sense and isn't cost effective. I don't have a sense of the aggregate PERC ability but that's where engineered systems come in, to ensure they are not stressed, and are certified from a regulatory perspective. We couldn't build anything that didn't fit the state standards.

Thompson

I like the thought of what you might offer for the contingencies that could show up.

Conrad

To raise funds for the building, the CDC must own the property. It's part of the rock and a hard place we're in. Some of this hasn't been figured out yet. There's no survey and for a ballot measure like Rick proposed, one that's five acres and buildable, some work has been done but there are questions.

Rob Kelley

It's a balancing act. We committed funds for a preliminary survey but there's a bit of a chicken and egg problem. I don't think we could do the permitting because we wouldn't own the land, but a much more detailed PERC test and preliminary designs would need to be paid for with no guarantee we would ever be able to build, if the land never transferred. There's a little bit of a gray zone between intent and execution. It's one of the reasons we raised the concept that should we not build, the land would revert. There's a leap of faith here on the behalf of the taxpayers of St George that something is going to happen. That said, I like to err on the side of getting something done. That is what we all want. I'm proposing what I think is the best path to get there. We're committed to doing this work. This will be the town's last commitment to get this to happen. We will not come back to the town for funding, with the exception that certain kinds of housing funding must go through a municipality, but that would just be a pass through. We're not looking to come back to the town; this will be private. This will be a partnership with organizations like Habitat, the Municipal Council of Governments, the county, the state, and federal government. I can't tell you exactly what that looks like because it depends on the project.

Cartwright

What is the drawback of limiting the transfer of land to the amount you need for the housing and access?

Rob Kelley

This is a not a small amount of work including the town running another ballot initiative, etc. The voters and all of you understand that housing is in crisis. It's a moment to act. If we were to do phase one, in the area where we have detailed surveys, and come back in five years, things may have changed in terms of local attitudes. I'm hoping that a commitment now allows us to do what will undoubtedly be a multi-phase project over many years. That would be up to all of you. What it will require is additional surveying, because we would have to delineate a lot and the current survey doesn't give you that data. I can think of some logical places you might draw a lot line, but it hasn't been done yet. It really would have to be a collaboration, providing the intent, and then we could ask a surveyor for a lot delineation.

Conrad

A timeliness issue is the availability of federal and state money right now for housing that may not be in the future. That's an argument in favor of proceeding, but we need to sell this to the voters. What are we selling? Are we selling the five-acre plan or a multiple phase project.

Thompson

There is the reference that the property would revert back if those things were not done.

Conrad

Yes. I think that's a really good plan and achievable but we are certainly opening ourselves up to an argument, asking for a vote before this has been figured out.

Rob Kelley

It's a fair critique. Any affordable housing development takes one of two paths. Either acquiring an existing home on a piece of land and then converting it into some kind of deeded covenant, doing it part by part; or you build. The largest challenge in any affordable housing development is land acquisition, because nobody gives you money for it. There are some limited monies; they're pretty restrictive. The hardest thing to do is get the land because until you have the land, you can't do the development. Until you do the development, you can't get funding lined up, because funding is dependent on a specific project with a specific median income target, with other attributes including how much is accessible. Unfortunately, there is an inevitable leap that we have to go through between land and a house. None of that mitigates against doing this in parts. From our perspective, I love the horizon of continuing development because the money is such that you can't just go build fifty houses. That's so prohibitively expensive that the capital outlay is impossible. You have to do this in phases. We'd like to know that we have room to keep going. That's what we would like. It doesn't mean that's what's going to happen.

Conrad

What has the town considered doing with this land in the past?

Elwell

Nothing. It was just sitting there.

Conrad

There are no other opportunities?

Elwell

Originally, the idea was to build the new school. That was the only thing that ever was discussed.

Rob Kelley

And honestly having done the survey, they couldn't do it.

Cartwright

One selling point is, as so many people like to hike and walk around here, there would be guaranteed public access to the undeveloped land for the townspeople.

Elwell

As a Select Board, we should have a public hearing and see what people's thoughts are before we decide. There are still a lot more questions than answers. I know we need it, but I think we should really advertise it to get people to voice their opinions.

Carr

A true public hearing or an informational.

Elwell

I think a true public hearing.

Rob Kelley

What's the difference?

Conrad

Legal notice to the public as opposed to things that are open like this meeting. When you have a public hearing, you have to go through certain steps in advance to make the public aware of a meeting.

Erb

That would meet the requirements to have a ballot question as well.

Cartwright

In my experience, you have something that's in writing to talk about.

Conrad

At our next meeting on September 11th, we would be deciding the ballot question on which we would like to hold a public hearing.

Carr

I just think it's too premature.

Thompson

I think we're looking towards a separate ballot, not the November one.

Elwell

I agree.

Thompson

Does that cause a major problem for you?

Rob Kelley

No. We're going to continue doing the work. We're always looking at private land acquisition. We don't have the cash for it, but we look. This is an important opportunity because it solves one of the most challenging problems with developing affordable housing, obtaining the initial land.

Thompson

We may be talking about a one-to-two-month delay from the November 7th date.

Rob Kelley

What would the next official ballot date be?

Erb

The town meeting in May.

Thompson

I'm thinking we don't want to wait that long.

Cartwright

One argument for November is a bigger turnout and more representation.

Conrad

Right, but we have to be ready.

Erb

I don't think we're really looking at a very large turnout for November this year.

Conrad

Why wouldn't you have more information about the eighty-acre parcel?

Rob Kelley

Because I would have to foot the bill to survey. I can take our donors money and do that but if the land doesn't transfer, we wasted it and these engineering costs are expensive.

Conrad

Would that be another \$5,000?

Rob Kelley

It would probably be another \$20,000 to \$30,000. Maybe we could get MCOG to pitch in. They just gave Lincolnville a little bit of money for some upfront development costs. That would tell us where the buildable envelope potentially is to the east of the Jones Brook Tributary.

Carr

I think we need to know that, even in a phased approach, if we're going to transfer the land. We need to know what kind of housing we're going to produce from the project to sell it to our voters.

Elwell

If we have to wait until the next budget cycle to do that survey, then that's what we have to do. We don't have that kind of money to do it now, so we'd have to put it into the 2024-25 budget.

Cartwright

Even if they do one phase with the initial parcel, that's still a reason to go forward with it. Potentially there may be another development, or maybe not, but we're not doing anything with the land now.

Rob Kelley

Randy, I completely appreciate where you're going with the budget. We're trying as hard as we can not to burden the town with any of those costs. Given Knox County's mill rate increase we face year over year and this year especially, we understand the political realities of this. We're trying to figure out how to build affordable housing. We walk this road together. We're being completely transparent.

Thompson

That's where I come back to the contingencies that you're building in, displaying a good faith effort here. If there's nonperformance within a specific time it reverts to the town.

Conrad

So, you'd be okay with going ahead and authorizing the transfer, knowing that it may revert to the town?

Thompson

If those requirements do not occur within a specified time period.

Rob Kelley

We just need to speak with the town attorney about how to put that into proper ballot language.

Conrad

Why don't we ask him to inform us so that by the September 11th meeting, we can decide whether we want to have a ballot question that's contingent in this way.

Thompson

And the ballot question date could be November or we could decide to move it further out?

Rob Kelley

I'm happy to make our attorney available if there's clarification that needs to happen.

Erb

The question for him regarding the ballot question is what criteria would have to be met.

Conrad

Transfer of the parcel with a condition it would revert to the town if not developed within a certain time.

Rob Kelley

We would have to define what development is and set a timeline, which can't be too short.

Conrad

Five years.

Thompson

I was thinking ten. That would be something to discuss on September 11th.

Rob Kelley

In the meantime, we're available for conversations with the attorney or any of you for clarification. I will share the surveys we have so far and walk you through them because they're not self-explanatory.

Conrad

The other question for the attorney would be whether the language for the ballot could reflect that we would transfer some or all of the parcel because it may be that we would find out that some of it's not developable and keep a piece of it.

Rob Kelley

Our commitment would be anything we determine to be unbuildable is put into a conservation easement.

Conrad

It's also possible that there would be a piece that would be buildable, but you run out of money. Maybe the town would then want to build a school or have a fire station, etc. and want a piece of it back.

Rob Kelley

There's probably a way to do that in the way the business part of the ballot initiative is constructed. There's a level of risk we have if there's uncertainty about the land being available.

Thompson

I'm suggesting that all of that is not in the ballot. That's in the agreement.

Rob Kelley

My understanding is the ballot directs what happens next and we then construct an agreement with the town via the Select Board.

Speaker?

Randy, from the folks that you've spoken to, is that an area that locals use for hunting?

Elwell

No, they just don't want to see affordable housing up there.

Rob Kelley

I should have said that our conception is mixed use. Full market housing plus homes deemed affordable.

Elwell

It's a "not in my backyard" issue.

Rob Kelley

It's not in anybody's backyard. You cannot see it from the road.

Thompson

The hearing is where you establish this, and the idea is a ballot question. You lay this all out in this agreement and therefore the ballot question becomes much simpler to phrase. Trying to include all this in a ballot won't happen. It has to be very simple.

Rob Kelley

Prior to the ballot, we could execute an MOU between the Select Board and the CDC describing what we will do if this goes through and then we can hammer out the details post ballot.

Speaker

People refer to it as a housing project and that has negative connotations. That isn't what we're talking about here. We're not talking about building apartment buildings for Section Eight.

Rob Kelley

These will be quality homes.

Elwell

That's where the public hearing comes in, to answer these questions.

Erb

Have we circled back around to thinking that a ballot question on November 7th is possible at this point? I felt like we were moving away from that.

Thompson

I'm suggesting on the 11th, we look at whether that's possible or move it a month or two down the line. We need to get things lined up. November 7th is not a critical date. It could be December or January.

Carr

I don't think we're going to be ready by December.

Conrad

Are you thinking the survey of the other part should be done before we do the transfer?

Carr

Yes, I am.

Conrad

Ideally, that will happen. I realize the challenge the CDC has in spending, hoping that the voters agree.

Rob Kelley

We could minimize the expense by surveying only the part we think is close to being buildable.

Cartwright

Maybe there is some sort of compromise to do a survey of the second phase.

Rob Kelley

That's what I would propose. We survey and determine what is buildable. If the town only wants to transfer that part, it is fine. We can't do anything with the rest. If it is partially buildable, there are access issues since it doesn't front Kinney Woods Rd. directly. We would need a survey plus a lightweight design. I'm guessing that would be another \$5,000 for us. I have to take this back to my board.

Conrad

I think it'd be helpful to know that before our next meeting if they are willing to do the survey.

Rob Kelley

This is not my decision. It's the Board.

Conrad

How long did it take you to get the survey? I remember that was the challenge.

Rob Kelley

It took a couple of months to get that scheduled. Some of that was bad timing due to weather. I can talk to Mike Sabatini at Landmark and get a time estimate as well as a dollar estimate.

Conrad

It would be helpful to have information about what your board is willing to do to survey the other piece.

Rob Kelley

I will expedite that.

Thompson

What's the critical nature of that?

Conrad

We can go to the voters and have a public hearing about the general position of the community's willingness to transfer property to the CDC to pursue this in phases. If people are comfortable with that very broad authorization, we could do it in November. Then, when they're in a position and have the land, they can raise money and do surveys,

Rob Kelley

Then we could do the detailed survey and figure out the details of the crafting the Select Board wants to do and exactly what transfers, having been given the general permission from the voters to do that. I would certainly have an easier time asking my board for another \$5,000 for property I know we're going to use. That conversation was straightforward. They were not throwing money into this with no expectation that it's going to happen. Finding a middle ground would be helpful.

Thompson

What could be crafted attorney to attorney relative to the transfer of land with contingencies.

Rob Kelley

I would think the most general version is the ballot question. The contingencies are hammered out between the CDC and the Select Board after that.

Thompson

If we can get the attorneys to agree that this could be done, an agreement could be hammered out that would allow us to put the more general question to the voters.

Conrad

Psychologically, for me and others here, it is an adjustment. I had been thinking what we'd present to the voters was a project they could envision with little pictures of houses.

Rob Kelley

We will have a conceptual plot plan in a few days and a conceptual subdivision map. We haven't gone through all the permitting.

Thompson

Try and get the ducks in line for September 11th.

Erb

Is that only the five acres?

Rob Kelley

That's only the five acres; it's all we surveyed.

Conrad

If we have that then we can show our vision with what's already been surveyed and advise we would be conveying the whole parcel, if further surveys allowed further development, and money was raised.

Rob Kelley

That's exactly right.

Carr

I feel uncomfortable about it. There are no plans for the rest of the parcel. Without funding, the worst-case scenario is that the project doesn't go beyond phase one and they sell to an unscrupulous developer.

Thompson

They can't according to the agreement.

Rob Kelley

We can put covenants on the deed.

Carr

You say that but things have happened in this town that have proceeded in that direction. I would be really uncomfortable without phase one, phase two, and phase three laid out.

Rob Kelley

I can't give you that because that would be another level of development planning. It would probably be \$50,000 - \$75,000 to get that level of detail. I can't justify spending that prior to knowing we have access to the land. I know that puts you in a tough position, but I don't have a better answer.

Carr

I would say that for the ballot question and in the conveyance, we only give the five acres because I don't think we're doing our voters a service by giving them this amorphous idea. We're not giving our voters enough information to make decisions about the parcel.

Conrad

The problem we have then is that the CDC is never going to spend the other money for future phases unless they own the land, versus having covenants in the transfer, that limit it or that we would get it back if they don't develop, if we want it back, which is another thing.

Carr

If phase one goes forward, but not phase two or three, and they own the land in fee simple with a covenant that says the land returns to us in ten years and between year five and ten we have another entity approach us to build affordable housing but need to do it within five years, we're hamstrung because CDC owns the property in fee simple for that period of time. It seems too amorphous.

Thompson

The town needs to solve the problem for the long term. We need more development in affordable housing and unless we're willing to take a chance, limiting it to five acres is short sighted.

Conrad

It makes sense to have Bill Kelly tune in on September 11th and tell us whether he thinks it's possible for us to protect the town so the CDC would have the option of phase two plus and the town would be protected. We could make it five years or revisit it in five years.

Rob Kelley

May I ask a favor. Could we have a preliminary discussion prior to September 11th with the town attorney so that he's up to speed on the conversation and we can be more productive.

Thompson

We'll get going as soon as possible.

Conrad

Obviously, he can't give us advice until he has all this information.

Thompson

September 11th is a key time to see if we are able to vote on this and proceed with a ballot.

Erb

Does that include all eighty acres?

Thompson

Yes.

Erb

I don't think I want to go this way, but we could say up to 80 acres. I have the same concerns as Wendy. We're asking the town to transfer a substantial asset with much still unknown. If I were a voter, that would give me pause.

Cartwright

I wouldn't want those issues to preclude the importance of doing something for affordable housing in this town and we're not going to have people, other than CDC, banging on our door saying we want to build affordable housing. There is plenty of non-affordable housing.

Conrad

The important questions for the town attorney on September 11th involve protecting the town given the unknowns.

Cartwright

You could certainly have covenants that it can't be sold. All kinds of things are possible.

Rob Kelley

As this is a public conversation, two days ago we launched a frequently asked questions site called St. George community.org/housing as we did when we collaborated with the town on Connect St. George. It has the basics. Why are we doing it? What's the mission? How are we intending to execute? What do we know and what do we not know? How will it be funded? Those pages will be kept up to date and ongoing as the process essentially evolves.

Trish Ohler

It's not just related to the Kinney Woods project. It includes the Long Cove project and our housing mission in general to serve residents who live in or work currently in St. George.

Rob Kelley

Thank you all for your time.

Select Board Priorities 2023 - 2024

Erb

We have a major project underway in Port Clyde. The successful completion of that needs to be a priority from my point of view.

We are fully committed to affordable housing and it's in the Comprehensive Plan. We are required by state law to update our ordinances to meet the criteria established in their housing legislation. We talked about traffic issues tonight. Another one that goes along with speeding has been the parking issue, whether it's at Drift Inn Beach, or what we are dealing with now and how it will be changing in Port Clyde. We've all said we can do a better job of communicating with the citizens as well.

Thompson

There's no doubt about the Comprehensive Plan. I am very concerned about pursuing grants for sea level rise in the ocean, particularly in Port Clyde, with what's going on down there. Whether we can work things out with a co-op along those lines remains to be seen. I think MCOG will play a part in that.

Cartwright

I don't think we want to wait until we are desperate.

Thompson

It's getting close to that. I've been working with Meg and we're trying to put together the timeline based upon the charette with Sebago Technics, and hand that off to the Board for review of the priorities for various areas such as Drift Inn Road being cut off on both ends. The question there is will the beach follow sea level rise. There are some indications that it does but that's another discussion. I will be passing that out because that will influence some of the things we might think about in terms of funding. That will be coming up, hopefully, later this week. I have some information here about working with the state on mitigation for Route 131 in terms of their planning. I don't know where they are with that but we certainly depend upon that for all of our access.

Elwell

There is only one way in.

Thompson

I'd like to find out what their plan is and their timing.

Erb

What are the urgent needs on Route 131?

Thompson

The Wildcat area because there are going to be storms in the next ten years and more problems.

Conrad

There was a wash out there.

Elwell

Tara's house was flooded there when we had a big thunder shower years ago.

Carr

And there was a tree down on Walston Rd. so you couldn't get in or out of the town.

I had a couple of other things to discuss. I want us to think about hiring a planner at some point. The salary and benefit costs are challenging, but somebody who is a professional planner looks at all the piecemeal changes that are occurring in town and lets us know where we are in terms of housing density. I realize this isn't in the Comprehensive Plan, but a professional planner, even if it's somebody part time, who's coming back with suggestions about where we should be going with our planning ordinances is helpful. I've been suggesting that for years. Rockland just hired somebody in the last couple of years.

Also, I want us to think about enforcement mechanisms in our ordinances, and whether our ordinances need to be changed or if we just need one kind of overarching enforcement mechanism so we can enforce permits, etc. The conditions are never enforced and maybe that's because we don't have enough staff. For whatever reason, I just think it's something we should think about.

Cartwright

I'm not sure never is correct.

Thompson

Not enough.

Elwell

I'd like us to support and stay on top of aquaculture because that's the biggest part of our town.

Erb

Are you talking about being supportive of newer aquaculture endeavors?

Elwell

Yes. They want us to have a moratorium, and we should look into it more and see if that's the way we want to go or just support what we have.

Conrad

One of the ways I'm hoping the Comprehensive Plan process will encompass some suggestions is by early in the process having a public meeting at which people can say what their priorities are for the town, such as the working waterfront, land use issues, economic development, housing, and certainly the working waterfront, and then having a meeting where we focus and discuss just that.

Elwell

That's a good thing. The Comprehensive Plan is where we should be dealing with that.

Cartwright

I endorse the idea of a planner. I've worked in towns with a planner. Usually part time planners are overworked but a planner makes sense to coordinate things. In some ways St. George is wide open to all kinds of development that a lot of us may not want to have. We ought to have some say and not be rolled over by developers. I'm all in favor of aquaculture, but not gigantic aquaculture by overseas outfits who are about making money as fast as they can. That's how we've decimated our fishery industry.

Elwell

If a small company can sell to a big company for good money, it will. The moratorium won't do anything. We must stay on top of it to keep out the big guys and help the little ones sustain themselves.

Thompson

We can work with this data in terms of the size of culture and what the permits would be at the local level to expand around a certain area.

Cartwright

I think Wendy's point about having a professional on board can make a good case for that.

Conrad

We will have a consultant that's a planner for the Comprehensive Plan. We're envisioning using our sixteen hours as part of our MCOG dues for the beginning of that and then probably having a contract with them. If that person and process was helpful, then we could have an ongoing relationship with that same group to help us with planning. I think it's good to be thinking about that from the beginning because there are many issues such as Airbnbs, parking, and sea level rise. It's a huge task.

Elwell

That's where you have to prioritize. Like you said, nothing was enforced.

Conrad

We could have a constable.

Elwell

We don't want to do that. We had that before. If we start towing cars, they're going to get the hint.

Cartwright

The state has said if you set too low a speed limit, people will ignore it.

Elwell

The village is busy down there. It's busier than ever because of the island and Craignair.

Conrad

Rick, can you let us know what some sign changes would cost?

Erb

You are talking about custom signs.

Elwell

We could speak to the sheriff and see if there is a chance he can increase speed checks.

Conrad

I do feel like we need to come back to that at another meeting.

Carr

If I want to submit comments on an environmental matter in my own name, not referencing the Select Board, is that okay?

Erb

Absolutely.

Adjournment

A motion was made by Elwell, seconded by Cartwright, to adjourn the Select Board meeting, and by a 5-0 vote, the motion carried, and the meeting was adjourned at 9:59 pm.

Respectfully submitted,

Tammy Taylor
Recording Secretary
Town of St. George, Maine