VINALHAVEN PLANNING BOARD

MINUTES

September 9th, 2020

Hybrid zoom meeting and in person meeting at Town Office, 7 pm

Zoom link: [https://us02web.zoom.us/j/6106316586?pwd=QjhIY1hqTzNUNUVtaU1Lb1pRcCsyUT09](https://www.google.com/url?q=https%3A%2F%2Fus02web.zoom.us%2Fj%2F6106316586%3Fpwd%3DQjhIY1hqTzNUNUVtaU1Lb1pRcCsyUT09&sa=D&source=calendar&usd=2&usg=AOvVaw2Ezu8wnycIOvTVtR_IuRP8)

Present: Jeanne Bineau-Ames, Robb Warren, Banner Moffat, Niall Conlan, Faye Grant CEO

Meeting called to order: 7:05 pm

1. PERMIT APPLICATIONS
	1. NEW:
		1. Applicant: Michael Farnham

Owner: Joe Fisher Estate

 Browns Head Light Road TM 1 L 8B

 New Building: Utility Structure 32’W x 60’L x 30’H

Motioned by Jeanne seconded by Robb

VOTED: To APPROVE application, 4-0 PB #20-23

 On the condition that Faye (CEO) and Michael (applicant) make measurements on propert together to ensure that setbacks are met.

**Finding of Facts:** Permit application follows and abides by all

Vinalhaven Land Use Ordinances.

* + 1. Applicant: Charles Reidy

Owners: Richard and Elaine Ruback

 73 Seal Bay Road TM 6 L 66

 Repair and replace an existing structure with new structure that will have the same footprint. Three bedrooms and 1.5 floors.

24’W x 34’L x 20’H

Motioned by Robb seconded by Banner

VOTED: To APPROVE application, 4-0 PB #20-25

**Finding of Facts:** Permit application follows and abides by all

Vinalhaven Land Use Ordinances.

* 1. TABLED:
		1. Applicant: Christopher Grotton, Architect

Owner: Ann Bresnahan and David Watson

 Dogfish Island TM 8 L 001

 Addition to existing structure – Single family home

Motioned by Banner seconded by Niall

VOTED: To TABLE application, 3-0

**Finding of Facts:** Application must first be approved by Shoreland Zoning with the State of Maine before it is approved by the Planning Board, as stated in Section 4 of Vinalhaven Land Use Ordinances.

Motioned by Banner seconded by Jeanne

VOTED: To APPROVE application, 4-0 PB #20-24

**Findings of Facts:** Vinalhaven Land Use Ordinance Section 18. B. Definition of Increase in Non-conformity of a Structure states that an expansion of an existing non-conforming structure is permitted as long as the expansion does not extend past any existing portion of the structure.

* + 1. Applicant: Tom Hedstrom

Owner: Larry Coombs

 3 Blueberry Lane TM 22 L 85

 New Building: Garage with apartment 24’W x 36’L x 30’H

 3 floors and 3 bedrooms

Motioned by Robb seconded by Banner

VOTED: To TABLE application, 5-0 (7/8/2020)

**Findings of Fact:** Applicant has asked for application to be tabled as the new structure is contingent on the sale of this property.

Motioned by Robb seconded by Banner

 VOTED: To TABLE application, 4-0 (8/12/2020)

**Finding of Facts:** Applicant has asked for application to be tabled as the new structure is contingent on the sale of this property.

Motioned by Niall seconded by Banner

 VOTED: To DENY application, 4-0

**Findings of Facts:** Vinalhaven Land Use Ordinance Section 15 states required minimum distances from lot lines. This application does not meet the required setbacks for the zone that it is located in.

* + 1. Applicant/Owner: Phil Crossman

Old Harbor Road TM 21 L 5

New Building: Single Family 30’W x 40’L x 24’H

Motioned by Robb seconded by Banner

VOTED: To TABLE application, 5-0 (7/8/2020)

**Findings of Fact:** Permit application does not yet meet Vinalhaven Land Use Ordinance Section 17. D. 1 stating that application must be complete with all necessary information required in order for the Board to make a decision.

Motioned by Robb seconded by Jeanne

 VOTED: To TABLE application, 4-0 (8/12/2020)

**Finding of Facts:** Permit application does not yet meet Vinalhaven Land Use Ordinance Section 17. D. 1 stating that application must be complete with all necessary information required in order for the Board to make a decision.

Motioned by Robb seconded by Banner

 VOTED: To TABLE application, 4-0 (9/12/2020)

**Findings of Fact:** This will be the last time tabling application, based on ordinance requirements and amount of time given to applicant to obtain all necessary information for this to be voted on by the Planning Board.

**Findings of Fact:** Permit application does not yet meet Vinalhaven Land Use Ordinance Section 17. D. 1 stating that application must be complete with all necessary information required in order for the Board to make a decision.

* + 1. Applicant: Hurricane Island Foundation

Owner: Hurricane Island Trust

 Hurricane Island TM 02 L 007

 New Building: Small nonresidential facilities for educational, scientific, or nature interpretation purposes. Removal of existing boathouse and construction of marine field research station on existing footprint.

Motioned by Robb seconded by Brendan

VOTED: To TABLE application, 6-0 (On March 11th, 2020)

 Planning Board needs more information before making an approval or denial of this application.

 Information needed: Elevation Certificate from FEMA for proposed structure is required since it is being built in the floodplain.

 Permit approval from DEP.

 Approval from Shoreland Zoning.

 **Findings of Fact:** Under Section 18. B: Definitions of Vinalhaven Land Use Ordinances, “Functionally water-dependent uses” is defined and it has been determined that this definition describes the use of the building being proposed.

 Section 16. N. of Vinalhaven Land Use Ordinances states that all functionally water dependent uses and structures require permitting from DEP and Planning Board.

 Article VIII. A. 1. Of Vinalhaven Floodplain Management Ordinance states that the applicant proposing a structure within the floodplain must have an Elevation Certificate completed by a professional land surveyor, engineer or architect and submitted to the CEO when completing new or substantial improvement of any elevated structure.

 Motioned by Niall seconded by Brendan

 VOTED: To TABLE application, 6-0 (On May 13th, 2020)

 **Findings of Fact:** No new information has been given by the applicant. All findings of fact from March 11th minutes, noted above, still must be proven and shown to Planning Board.

 Motioned by Niall seconded by Jeanne

 VOTED: To TABLE application, 5-0 (On June 20th, 2020)

 **Findings of Fact:** No new information has been given by the applicant. All findings of fact from March 11th minutes, noted above, still must be proven and shown to Planning Board.

 **Findings of Fact:** Section 17. E. 4 states the Planning Board may continue or table any portion of a meeting for reasonable cause. In this case that reasonable cause is the effects that the COVID-19 pandemic may be having to delay any information from being shared.

Motioned by Niall seconded by Banner

 VOTED: To TABLE application, 5-0 (On July 8th, 2020)

 **Findings of Fact:** No new information has been given by the applicant. All findings of fact from March 11th minutes, noted above, still must be proven and shown to Planning Board.

 Motioned by Banner seconded by Robb

 VOTED: To TABLE application, 4-0 (8/12/2020)

 **Findings of Facts:** All findings of facts from Mach 11th, 2020 minutes, noted above, still must be proven by applicant.

 **Finding of Facts:** The Planning Board has given applicant more tabled votes than required in Ordinance Section 17. E. 4. Of Vinalhaven Land Use Ordinances. If the requested information is not shown by the next regularly scheduled voting meeting then the Board will not be likely to table this application again.

 Motioned by Robb seconded by Jeanne

 VOTED: To DENY application, 4-0

 **Findings of Facts:** Application has been tabled more times than the required three times as a courtesy by Planning Board because of COVID-19 pandemic, without much new information being given by applicants.

 **Findings of Fact:** No new information has been given by the applicant. All findings of fact from March 11th minutes, noted above, still must be proven and shown to Planning Board.

1. OTHER BUSINESS
2. MINUTES FROM PREVIOUS MEETINGS
	* 1. August 12th, 2020 Minutes

Motioned by Robb seconded by Niall

VOTED: To APPROVE minutes as written, 4-0

1. DATE OF NEXT MEETINGS: October 7th and 14th, 2020