

EDGECOMB PLANNING BOARD
EDGECOMB ORDINANCE REVIEW COMMITTEE
MINUTES, NOVEMBER 16, 2017

1. Call to Order

Planning Board chairman Jack French called the meeting to order at 6:35 p.m.

2. Roll Call

Present were Planning Board members Jack French and Barry Hathorne, ORC members David Boucher, Skip White, Corning Townsend and alternate Barb Gibson.

3. Approval of Minutes of November 2, 2017

Approval was postponed until the next meeting.

4. Marijuana and Floating Structures Moratoria

Chair Jack French said the moratorium on floating structures had expired, and a moratorium on retail marijuana would be advisable to protect the Town until the State takes action. David Boucher moved to ask the selectmen to hold a special town meeting to vote on the floating structure and marijuana moratoria. Vote 5-0-0. French and Hathorne will attend the next selectmen's meeting to present the board's vote.

5. Ronald and Juliette Cohen – Site Plan Review for general store and cabins on Route 27, Map U16, Lot 17

Ronald Cohen provided additional application requirements for the store and cabins he plans on Route 27. Barry Hathorne moved to find the application complete. Vote 4-0-0. David Boucher moved to approve the application. Vote 4-0-0.

6. Corning Townsend – Approval of Float in Shoreland, 86 Fort Road, Map U-6, Lot 13

Townsend presented an application for a 10' x 20' float. Barry Hathorne moved to find the application complete subject to receiving DEP approval. Vote 4-0-0. Barry Hathorne moved to approve the application pending receipt of DEP approval. Vote 4-0-0. There was discussion on the state-required map showing the shoreland zones. Karl Olson will be asked to clarify the shoreland zones on the current map. The \$20 fee was not paid.

7. Floating Structures

Barry Hathorne said he believed that the current Shoreland Ordinance is adequate to ban floating structures and there was no need to amend it. There had been no input or reply from the attorney or the DEP on the draft Planning Board ordinance. Corning Townsend suggested clarifying the Shoreland Ordinance to specifically ban floating structures. Emails from the DEP regarding floating structures will be sent to the board as well as the draft ordinance. Barry

Hathorne said he would like to have the floating structure ordinance voted on at the annual town meeting.

8. Marijuana

The members discussed a moratorium. The State moratorium applies to the commercial growing, manufacturing, and testing and retail sales and social clubs and Barry Hathorne asked whether the Town could enact a moratorium ordinance on the citizens' initiative. The State is discussing extending its moratorium on retail marijuana for another year. Barry Hathorne recommended writing an ordinance regulating marijuana and asked whether the town could prohibit everything pertaining to marijuana. Barb Gibson said that people who voted for the marijuana initiative also expected there would be regulation and oversight. Jack French said the moratorium in the initial legislation was limited to one year and there is no provision for extending the State moratorium in the citizens' initiative.

9. Other Business

Jack French said that, in response to questions from Edgecomb residents regarding the two MDOT buildings on Route 1, he had researched the statutes which would seem to indicate that the MDOT should have complied with the comprehensive plan and town ordinances when constructing the two buildings on Route 1. A State entity should not have ignored town ordinances unless there was no reasonable alternative site, and it was necessary for public benefit and to protect health and welfare of the public. The select board suggested that the Planning Board write a letter to the MDOT. Barb Gibson moved to send a letter to MDOT with a copy to CEO Stan Waltz. Vote 4-0-0. Jack French will write the letter.

Dave Boucher said Fire Chief Roy Potter had brought to his attention that commercial businesses had not been complying with the State Fire Marshal's office. He mentioned the Fire Marshal's office should have signed off on the recently approved gallery, the boarding house and the new store. The Site Plan Review ordinance does require that approval from other entities be part of the application and that Fire Chief be advised of the applications. The Fire Chief receives copies of all meeting agendas. It was recommended that the CEO and the Fire Chief be requested to make sure that all applications have the Fire Marshal's approval if necessary.

10. Adjournment

Skip White moved to adjourn the meeting at 8:05 p.m. The motion passed.