

TOWN OF HULL
ADVISORY BOARD MINUTES

Date of Meeting: 4/14/2007 Meeting Start: 8:31 am Meeting Adjourned: 1:30 pm

Attendance:

Member	Present	Absent	Others Attending
Charleen Tyson	X		Jeanne Paquin *
Joan Senatore	X		Dennis Zaia*
Charlie Ryder	X		Joan Meschino*
Jim Tobin (left at 1:00)	X		Phil Lemnios*
John Schmid	X		Pat Finn*
Joan Cellini (left at 12:30)	X		David Marsocci*
Jim O'Brien	X		Chris Olivieri*
David Clinton	X		Alana Sweic*
Open Seat			John Brannan*
			John Silva*
			Dennis Blackall*
			Anne Murray*
			* denotes portions of the meeting in attendance.

We will need to adjourn to upstairs or take a break at 10 am for the Storm Preparedness meeting.

Phil is trying to close the gap. And we will present that gap use the Summary page with only the House I column and the pie chart. And not list the department budgets. Also may incorporate the Decline State Aid explanation. Dennis suggested to use other wording than House I or offer explanation of what that means.

Warrant Article Discussions
Planning Board.

Article 24

Recusal: Jim O'Brien, Charleen, Jim Tobin

ZBA want to add the words “and developed” to section 50-2 footnotes to tables in section 50. Article seeks to add land underwater during tides to lot coverage calculations. Planning board votes unfavorable action unanimously. One member had to recuse.

Charlie mentioned that he thought the ZBA had decided to move no action. A similar article had been presented to town meeting before and been defeated.

Many residents with this condition are not paying full value in taxes.

Jim asks if this is defeated and residents can use the lots in their calculation, can the town take full advantage of valuation for tax assessment.

David M. spoke that most surrounding towns do not allow this calculation. ME NC CA states have language that do not allow this either where there is question of ownership.

David also states that the definition of a lot does exclude land under the tide line but does exclude building something on that land.

Alana presented reasoning behind the article backed points listed above.

Would not stop people from coming before the ZBA to add a deck or enclose a stairwell. This is aimed at reducing the large projects.

Analogy of RR beds, taken by public easement, land between tidal zone, it is public not used for lot size.

What if property is conforming? Technically variance, check to see if properties are conforming; majority are non-conforming. If there as a conforming lot with a structure at 30% and wanted to build a deck. They could. If it were a covered deck it would require a variance.

Article 25

Affordable Housing article will be moved No Action.

Jen Constable will be forwarding a narrative to explain. Will be suggesting disbanding the committee and asking SM to create a new committee to focus on community development.

Article 27

Accessory Apartments

Article was not significantly different than last year and would create more density.

Would allow new and existing accessory apartments and would not count toward affordable housing goals. If we set up an amnesty program we would need some carrots (money) to help residents get up to code. Would need deed restrictions and liens. May also go through the LIP program.

Joan M tells us the Building inspector feels that many of the accessory apts may not be able to be brought up to code. This is required to be counted as affordable housing.

Pat Finn spoke in favor of this article (he is the sponsor). He talked of current zoning having no mention of Accessory Apts and as such there is no means to regulate the ones that exist or will exist.

This article would add regulation for these apartments and give the ZBA some means of authority.

Would also allow the state to use them to add towards affordable housing and give the town a better standing for the Community Block Grant Application.

Does admit that density would be created if everyone decided to do this.

John S asks how this prevents illegal apartments if this should pass. Pat F answered that the Building Inspector would see the construction and relay that the resident needs to meet the code.

John feels that this does not offer the “carrot”. We need to, however, create a inventory of these apartments.

Dennis Zaia asked about the parking item with the article and that may present a problem for some neighborhoods. Meaning we would need more off-street parking instead of one for each apartment.

Only 20% of lots in Hull are conforming as a matter of right.

David M asks if this article would encourage existing residents to come into compliance?

Jeanne asks that if we now of existing Illegal apartments, Does this create liability to the town.

Phil mentioned that the zoning issue is not hand in hand with code requirement. If there are apartment in use then the space needs to be to code.

Jim likes the idea of the article, but does not feel it will accomplish it's goals. Maybe a Renters Bill of Rights is in order.

Article 10

Zoning article dealing with Permits issued in error.

A similar article was before TM two years ago and was defeated by a small margin.

Will this be abused? David spoke to the language of the article should address this question. Time limit, Unanimity of boards, and applicant knowledge.

Dennis Z asked what is considered in error? Is based n Bylaw or otherwise? Can language be amended to define this? Joan M. mentioned “Good Faith Error” as this is a legal standard.

Jim T. asked how many good faith mistakes are allowed. If this is habitual we may need to replace the employees in error.

Charleen asked if this will impact the A St situation of two years ago. Feeling is that it most likely will not.

Article 30

Flexible Plan Article

Initial thoughts of the planning board was this a good catch of the potential loopholes that may exist. If a project is good it would pass at TM. One person spoke against this article – David Kellem. He thought it was unrealistic that someone would put enough lots together to take advantage of the Flex Plan Dev.

Much discussion had regarding planning for the future and limiting future development of various parcels.

Article 29

Sagamore Hill

Charlie asked if this is spot zoning. This discussion did not come up with the planning board. Spot Zoning is very hard to define. Planning Board Voted Favorable action. Parking concerns and density, and public safety were big points.

Article 9

DCR Property

Article to transfer land to the town. Charlie has a concern that we may not be able to afford the property's upkeep.

Jim O. explained that the article set a shown interest of the land to the state. Without taking this step we may be missing an opportunity. This property may be a highly sought after opportunity or private-public venture. Has support of State Senator and Rep. The time is ripe to entering into these discussions.

Alana S. mentioned that we should take this opportunity to control our own destiny.

Dennis B. Spoke to develop a partnership that make is self-sustaining.

Town Budget Discussion with Phil Lemnios

Deficit is down to about 120,000 assumes sale of 301 Nantasket Ave. Estimated receipts was not clear if Harbormaster Self-funding of benefits is included here. We are looking at raising building fees to get in line with other communities. We need to careful with estimated receipts that factoring these ideas are “Faire de Complis”. Ambulance Runs have seen a noticeable drop in runs.

Savings to be had because of unfilled vacancies. This amounts to approx. \$250,000.

Do not look to go back to the Schools for additional cuts other than some benefits being picked up by a grant they have. This would be an additional \$50,000 reduction to their budget due to grant money being used to fund benefits to those grant funded positions.

Will not go to Union re-negotiations until the picture is more clear. Would like to have good will for leading to the '09 budget.

Phil focused on get us to stability so that helps the framework around next year's budget and beyond.

Jim O feels strongly that we hold to our assurance to the School Department that we not go back to them with additional cuts. Charleen echoed this sentiment for the board.

There is not a lot of ambiguity in these budgets. These budgets are predominantly personnel. Approx 80%
Some more discussion

Stabilization Fund Discussion

We would look to tap \$542,000 from this fund to help bridge the gap.

This would, in effect, put us at least 1 year behind in the funding of the debt payments.

Jim makes a point that the perception that we are in financial trouble because of the school building project, is false. We would still be in this issue right now as we are not yet funding the debt payments of the Jacobs and HS. Jim feels that we need disclose all the fact relative to all departments. The schools are being linked to financial crisis and the school building debt and this is not the case. Really this is an issue of inflation, rising health insurance rates, and retirement funding.

Charlie asks if it would help to have a debt exclusion override for the Jacobs school project.

Phil states that it would help, but it something that we need to look at in depth first.

We are late in the game now and we need to have long term discussion first before possible making some mistake in order for expediency.

There are many public disconnects, and we need to position ourselves for '09 and beyond so we can have these discussion and connect the dots for the public. Phil will be putting together a presentation to help the public understand how the town functions and what it means to the budget.

Warrant Article Votes

Motion: Articles 1,2,3,4,5 Favorable

Vote:

Member	Made by	Seconded by	In Favor	In Opposition	Abstained
Charleen Tyson					
Joan Senatore			x		
Charlie Ryder		x	x		
Jim Tobin			x		
Joan Cellini			x		
Jim O'Brien	x		x		
David Clinton			x		
John Schmid			x		
Open Seat					

Comments:

Motion: Article 6 Favorable

Vote:

Member	Made by	Seconded by	In Favor	In Opposition	Abstained
Charleen Tyson					
Joan Senatore	x		x		
Charlie Ryder		x	x		
Jim Tobin			x		
Joan Cellini		x	x		
Jim O'Brien			x		
David Clinton			x		
John Schmid			x		
Open Seat					

Comments:

Motion: Article 7 No action

Vote:

Member	Made by	Seconded by	In Favor	In Opposition	Abstained
Charleen Tyson					
Joan Senatore			x		
Charlie Ryder			x		
Jim Tobin			x		
Joan Cellini		x	x		
Jim O'Brien			x		
David Clinton			x		
John Schmid	x	x	x		
Open Seat					

Comments:

Motion: Article 8 Favorable Action

Vote:

Member	Made by	Seconded by	In Favor	In Opposition	Abstained
Charleen Tyson					
Joan Senatore		x	x		
Charlie Ryder	x		x		
Jim Tobin			x		
Joan Cellini					
Jim O'Brien					Recused.
David Clinton			x		
John Schmid			x		
Open Seat					

Comments: This would fund caulking of the seawalls to the tune of approx \$10-15,000

Motion: Article 9 Favorable

Vote:

Member	Made by	Seconded by	In Favor	In Opposition	Abstained
Charleen Tyson					
Joan Senatore			x		
Charlie Ryder		x	x		
Jim Tobin			x		
Joan Cellini			x		
Jim O'Brien	X		x		
David Clinton			x		
John Schmid			x		
Open Seat					

Comments:

Motion: Article 10 Favorable

Vote:

Member	Made by	Seconded by	In Favor	In Opposition	Abstained
Charleen Tyson					
Joan Senatore			x		
Charlie Ryder				x	
Jim Tobin				x	
Joan Cellini			x		
Jim O'Brien	x		x		
David Clinton			x		
John Schmid		x	x		
Open Seat					

Comments:

Motion: Article 12,13 Favorable

Vote:

Member	Made by	Seconded by	In Favor	In Opposition	Abstained
Charleen Tyson					
Joan Senatore			x		
Charlie Ryder		x	x		
Jim Tobin			x		
Joan Cellini			x		
Jim O'Brien	x		x		
David Clinton			x		
John Schmid			x		
Open Seat					

Comments:

Motion: Article 14 Recommendation at Town Meeting

Vote:

Member	Made by	Seconded by	In Favor	In Opposition	Abstained
Charleen Tyson					
Joan Senatore			x		

Charlie Ryder		x	x		
Jim Tobin			x		
Joan Cellini			x		
Jim O'Brien	x		x		
David Clinton			x		
John Schmid			x		
Open Seat					

Comments: Town Budget

Motion: Article 15 Favorable

Vote:

Member	Made by	Seconded by	In Favor	In Opposition	Abstained
Charleen Tyson					
Joan Senatore			x		
Charlie Ryder		x	x		
Jim Tobin			x		
Joan Cellini			x		
Jim O'Brien	x		x		
David Clinton			x		
John Schmid			x		
Open Seat					

Comments:

Motion: Article 16 Favorable

Vote:

Member	Made by	Seconded by	In Favor	In Opposition	Abstained
Charleen Tyson					
Joan Senatore			x		
Charlie Ryder		x	x		
Jim Tobin			x		
Joan Cellini			x		
Jim O'Brien	x		x		
David Clinton			x		
John Schmid			x		
Open Seat					

Comments:

Motion: Article 11 Favorable

Vote:

Member	Made by	Seconded by	In Favor	In Opposition	Abstained
Charleen Tyson					
Joan Senatore			x		
Charlie Ryder		x	x		
Jim Tobin			x		
Joan Cellini			x		
Jim O'Brien	x		x		
David Clinton			x		
John Schmid			x		
Open Seat					

Comments:

Motion: Article 17, Favorable

Vote:

Member	Made by	Seconded by	In Favor	In Opposition	Abstained
Charleen Tyson					
Joan Senatore			x		
Charlie Ryder		x	x		
Jim Tobin			x		
Joan Cellini					
Jim O'Brien	x		x		
David Clinton			x		
John Schmid			x		
Open Seat					

Comments: reauthorization of revolving accounts - can we add to the article and place limits on spending.

Motion: Article 18, 19, 20 Favorable

Vote:

Member	Made by	Seconded by	In Favor	In Opposition	Abstained
Charleen Tyson					
Joan Senatore			x		
Charlie Ryder		x	x		
Jim Tobin			x		
Joan Cellini					
Jim O'Brien	x		x		
David Clinton			x		
John Schmid			x		
Open Seat					

Comments:

Motion: Article 21 Favorable

Vote:

Member	Made by	Seconded by	In Favor	In Opposition	Abstained
Charleen Tyson					
Joan Senatore			x		
Charlie Ryder		x	x		
Jim Tobin					
Joan Cellini					
Jim O'Brien	x		x		
David Clinton			x		
John Schmid			x		
Open Seat					

Comments: Are we adding money to the budget that is not already there?

This article is form easements not money.

Motion: Article 22 Favorable

Vote:

Member	Made by	Seconded by	In Favor	In Opposition	Abstained
Charleen Tyson					
Joan Senatore			x		
Charlie Ryder		x	x		
Jim Tobin			x		
Joan Cellini			x		
Jim O'Brien	x		x		
David Clinton			x		
John Schmid			x		
Open Seat					

Comments:

Motion: Article 23 Favorable

Vote:

Member	Made by	Seconded by	In Favor	In Opposition	Abstained
Charleen Tyson					
Joan Senatore			x		
Charlie Ryder		x	x		
Jim Tobin			x		
Joan Cellini			x		
Jim O'Brien	x		x		
David Clinton					x
John Schmid			x		
Open Seat					

Comments:

Motion: Article 24 Favorable

Vote:

Member	Made by	Seconded by	In Favor	In Opposition	Abstained
Charleen Tyson					
Joan Senatore			x		
Charlie Ryder		x	x		
Jim Tobin					
Joan Cellini			x		
Jim O'Brien					
David Clinton			x		
John Schmid	x		x		
Open Seat					

Comments: in advice of town counsel Jim O'Brien and Jim Tobin Charleen Tyson have recused themselves.

Motion: Article 25 No Action

Vote:

Member	Made by	Seconded by	In Favor	In Opposition	Abstained
Charleen Tyson					
Joan Senatore			x		
Charlie Ryder		x	x		
Jim Tobin			x		
Joan Cellini			x		
Jim O'Brien	x		x		
David Clinton			x		
John Schmid			x		
Open Seat					

Comments:

Motion: Article 26 Favorable

Vote:

Member	Made by	Seconded by	In Favor	In Opposition	Abstained
Charleen Tyson					
Joan Senatore			x		
Charlie Ryder		x	x		
Jim Tobin			x		
Joan Cellini			x		
Jim O'Brien	x		x		
David Clinton			x		
John Schmid			x		
Open Seat					

Comments:

Motion: Article 27 Favorable

Vote:

Member	Made by	Seconded by	In Favor	In Opposition	Abstained
Charleen Tyson					
Joan Senatore			x		
Charlie Ryder			x		
Jim Tobin		x	x		
Joan Cellini			x		
Jim O'Brien			x		
David Clinton			x		
John Schmid	x		x		
Open Seat					

Comments:

Motion: Article 28 recommendation at Town Meeting

Vote:

Member	Made by	Seconded by	In Favor	In Opposition	Abstained
Charleen Tyson					
Joan Senatore			x		
Charlie Ryder		x	x		
Jim Tobin					
Joan Cellini					
Jim O'Brien	x		x		
David Clinton			x		
John Schmid			x		
Open Seat					

Comments: Normally this has been in the budget, but was taken out this year. Phil will endeavor to place this back in the budget.

Motion: Article 29 favorable

Vote:

Member	Made by	Seconded by	In Favor	In Opposition	Abstained
Charleen Tyson					
Joan Senatore			x		
Charlie Ryder		x	x		
Jim Tobin			x		
Joan Cellini			x		
Jim O'Brien	x		x		
David Clinton			x		
John Schmid			x		
Open Seat					

Comments:

Motion: Article 30 Favorable

Vote:

Member	Made by	Seconded by	In Favor	In Opposition	Abstained
Charleen Tyson					
Joan Senatore		x	x		
Charlie Ryder	x		x		
Jim Tobin				x	
Joan Cellini			x		
Jim O'Brien				x	
David Clinton			x		
John Schmid				x	
Open Seat					

Comments: Dennis Z requests that a dissenting opinion be published,

Motion: Article 31 Favorable

Vote:

Member	Made by	Seconded by	In Favor	In Opposition	Abstained
Charleen Tyson					
Joan Senatore			x		
Charlie Ryder		x	x		
Jim Tobin			x		
Joan Cellini			x		
Jim O'Brien	x		x		
David Clinton			x		
John Schmid			x		
Open Seat					

Comments:

Motion: Article 32 Favorable

Vote:

Member	Made by	Seconded by	In Favor	In Opposition	Abstained
Charleen Tyson					
Joan Senatore			x		
Charlie Ryder		x	x		
Jim Tobin					
Joan Cellini					
Jim O'Brien	x		x		
David Clinton					recused
John Schmid			x		
Open Seat					

Comments: WREP asking for \$3,000 for the appraisal of Chatham St. property.

Motion: Article 33 Unfavorable

Vote:

Member	Made by	Seconded by	In Favor	In Opposition	Abstained
Charleen Tyson					
Joan Senatore			x		
Charlie Ryder		x	x		
Jim Tobin			x		
Joan Cellini			x		
Jim O'Brien	x		x		
David Clinton				x	
John Schmid			x		
Open Seat					

Comments:

Motion: Article 34 No Action

Vote:

Member	Made by	Seconded by	In Favor	In Opposition	Abstained
Charleen Tyson					
Joan Senatore			x		
Charlie Ryder		x	x		
Jim Tobin					
Joan Cellini					
Jim O'Brien	x		x		
David Clinton			x		
John Schmid			x		
Open Seat					

Comments:

Motion: Article 35 Favorable

Vote:

Member	Made by	Seconded by	In Favor	In Opposition	Abstained
Charleen Tyson					
Joan Senatore			x		
Charlie Ryder		x	x		
Jim Tobin			x		
Joan Cellini			x		
Jim O'Brien	x		x		
David Clinton			x		
John Schmid			x		
Open Seat					

Comments:

Motion: Article 36 Favorable

Vote:

Member	Made by	Seconded by	In Favor	In Opposition	Abstained
Charleen Tyson					
Joan Senatore			x		
Charlie Ryder		x	x		
Jim Tobin			x		
Joan Cellini			x		
Jim O'Brien	x		x		
David Clinton			x		
John Schmid			x		
Open Seat					

Comments:

Motion: Article 37 No Action

Vote:

Member	Made by	Seconded by	In Favor	In Opposition	Abstained
Charleen Tyson					
Joan Senatore			x		
Charlie Ryder		x	x		
Jim Tobin					
Joan Cellini					
Jim O'Brien	x		x		
David Clinton			x		
John Schmid			x		
Open Seat					

Comments: There were questions about where money would come from. There needs to be more information about how to fund.

Motion: Article 38 Favorable

Vote:

Member	Made by	Seconded by	In Favor	In Opposition	Abstained
Charleen Tyson					
Joan Senatore			x		
Charlie Ryder		x	x		
Jim Tobin					
Joan Cellini					
Jim O'Brien	x		x		
David Clinton			x		
John Schmid			x		
Open Seat					

Comments:

Motion: Article 39 Favorable

Vote:

Member	Made by	Seconded by	In Favor	In Opposition	Abstained
Charleen Tyson					
Joan Senatore			x		
Charlie Ryder		x	x		
Jim Tobin					
Joan Cellini					
Jim O'Brien	x		x		
David Clinton			x		
John Schmid			x		
Open Seat					

Comments:

Motion: Article 40 No Action

Vote:

Member	Made by	Seconded by	In Favor	In Opposition	Abstained
Charleen Tyson					
Joan Senatore			x		
Charlie Ryder		x	x		
Jim Tobin			x		
Joan Cellini			x		
Jim O'Brien	x		x		
David Clinton			x		
John Schmid			x		
Open Seat					

Comments: will wait until next year to re-present

Motion: Special Town Meeting Article 1,2 recommendation at Town Meeting

Vote:

Member	Made by	Seconded by	In Favor	In Opposition	Abstained
Charleen Tyson					
Joan Senatore			x		
Charlie Ryder		x	x		
Jim Tobin					
Joan Cellini			x		
Jim O'Brien	x		x		
David Clinton			x		
John Schmid			x		
Open Seat					

Comments: amount of fund transfer will be in excess of \$175,000

Motion: Special Town Meeting Article 3

Vote:

Member	Made by	Seconded by	In Favor	In Opposition	Abstained
Charleen Tyson					
Joan Senatore			x		
Charlie Ryder		x	x		
Jim Tobin					
Joan Cellini					
Jim O'Brien	x		x		
David Clinton			x		
John Schmid			x		
Open Seat					

Comments: revolving funds

Motion: Adjournment

Vote:

Member	Made by	Seconded by	In Favor	In Opposition	Abstained
Charleen Tyson					
Joan Senatore			x		
Charlie Ryder		x	x		
Jim Tobin					
Joan Cellini					
Jim O'Brien	x		x		
David Clinton			x		
John Schmid			x		
Open Seat					

Comments:

Respectfully submitted;
David Clinton
Acting Secretary/Clerk