

**PUBLIC HEARING
TREMONT COMMUNITY BUILDING
TUESDAY, JUNE 7, 2005
6:00 PM**

The Planning Board held a Public Hearing on June 7, 2005 at 6:00 PM in the Tremont Community Building to review the application submitted by Greg Johnston of CES, Inc. for Robert Egbert Map 8 Lot 9, Limited Residential Shoreland Zone. To construct a 137 foot long pier with a 60 foot ramp and two 40 foot by 20 foot floats connected by a seasonal bridge of 45 feet. Total combined length of 305 feet.

Present were Chairman George Urbanneck, Planning Board Members Mike Ryan, Linda Graham, Wayne Patton, Town Attorney James Collier, CEO Millard Billings and Recording Secretary Heidi Farley. Members of the public present were Mary Beth Jury, Pritam Singh, Ann Johnston, Heath Higgins, Jeff Grafts, Mike Ross, Tyler Reynolds, Charan Kaur, Greg Johnston, Robert Egbert, Sandy Salisbury, Jim Parker, Mark Good – Islander, Douglas Chapman, Will Wilson, Virginia Libhart, Wayne Libhart, Sheila Paine, Lisa Foley, Carroll Butler, Carolyn Johnston, Larry Johnston, Arnold Weisenbery, Peter Butler, Edward Fielding, Wendy Fielding, Gordon Longsworth, Laura Lee Hughes, Grant Hughes, Glenn Squires, Charlie Dillon, Abigail Curtis, Heidi Welch, Pattie Tierney, Nancy Elliott, Cuyler Morris and Buddy Chase.

Michael Ross, Attorney for Robert Egbert, asked if Mr. Pritam Singh could say a few words before the Public Hearing. Chairman Urbanneck complied. Mr. Singh introduced himself along with his Wife and family. Mr. Singh said, “We are all here because this is an important matter to us. It’s not an important financial matter, but an important personal matter. As you all know, we live on Tinker Island in the summer. Two years ago my Wife almost died. In fact when she arrived at the hospital, after having been met at the pier in Bass Harbor they said she shouldn’t have lived. Now we needed a dock on Tinker, we also needed a place to live on shore. So when this property came up for sale we looked at it. We discussed it with our neighbors. Up until recently, we’ve had a very good relationship with Elliot Paine and his Wife. I never meet any other Paine’s. Elliot and I, my Wife and his Wife I thought we were friends. Elliot encouraged me to buy the property. Specifically, he said, “Well if you own the two, you’ve got a land shore base and you’ve got a dock.” In an emergency, like the emergency where my Wife almost died two years ago, it’s a straight shot. I looked at the property; it had a contract on it. I decided not to do it. Then a year later or so, it was still available. Rob Egbert had come to work for us – he joined our family. He’s a Project Manager. And Robert is the one we assigned to be in charge of this project. We bought the property. Robert made the application; the contract was in his name. Now this year, I’ve been traveling most of the year with my children. . . When the closing took place, we were in the Galopagon. When that happened, Mike Ross, who was not in contact with me because I was not contactable, put the name of the deed in the name of myself and my Wife knowing full well we had some agreements and arrangements to put it in the name of all of us, but it just didn’t happen. . . Six or seven years ago we bought Tinker Island. What you’re going to see on that map is a sub-division. We removed that sub-division. Today the land is put under Conservation Easement and on the basis of that promise Maine Coast Heritage Trust

bought the northern half. We saved that island and we restored it and we've done a beautiful job. I welcome any of you to come up there. I think you'd be proud of it. We intend to do the same sort of thing here. . . I want to build a pier. Pier, like every one else has. But because I'm a Real-estate Developer, I've been put through the wringer. . . Please delay this hearing and give us three weeks – I want to start from scratch. . . I'd like to ask for a continuance tonight, as you know there was a huge document today distributed and all kinds of things distributed and we need time to respond to them. Frankly I need time to deal with this. . . That's all I have to say, Thank You." Michael Ross, Mr. Singh's Attorney, asked the Board for a 2 week delay to look over all the documents they received today. Mr. Ross was concerned about the 35 day limit on the Planning Board's decision. James Collier, the Town's Attorney, quoted the Tremont Zoning Ordinance, "Section VIII, 10, c. The Planning Board shall either approve or deny the application in writing within 35 calendar days of the public hearing or within another time limit as may be otherwise mutually agreed to by the Board and applicant. So I think there's lots of room for you there to have the decision beyond the 35 days. The decision can be on another time agreed by both parties." He then asked when the application was determined to be complete. May 17th was the response. It was determined 35 calendar days would be June 21, 2005. Mr. Collier went on to say, "Somebody in the Board could move to continue. Another way is to hold it within the [35] days." Douglas Chapman, Attorney for Sheila Paine, Sylvia Constable, Moose Island Limited Partnership and Seal Cove Trust, explained that he felt a new application should be filed. He went on to say, "If you do decide to grant a continuance, just give the reason why." Michael Ross asked if the Public Hearing could be set up later than 6:00 PM on June 21, 2005. James Collier, in response to a Memorandum dated June 6, 2005 from Douglas Chapman, Esq., on behalf of Abutters Sylvia Constable, Sheila Paine, Seal Cove Trust and Moose Island Limited Partners (see attached), "It's a determination of the Board whether there is sufficient Right, Title or Interest. At the last meeting the Board asked Attorney Ross to provide me with all documents relating to the Title. And I reviewed all those and tonight when I came I handed out a copy of a fax from Attorney Ross and I'm prepared to go through the 12 or 13 documents so the Board can decide if there's sufficient Right, Title or Interest. In short, I believe there is, but that's a determination for the Board to make (The fax is available at the Town Office.). . . I think it would be unfair of the Board to deny application on this basis [staleness of application]." Chairman Urbanneck asked, "I'm just wondering, do we do that now or do we care to ask the Board if they want to accept a continuance of this Public Hearing?" Mr. Libhart said, ". . . I strongly object to your continuing this matter for several reasons. . . What are you accomplishing if you continue?" Mr. Singh said he would be meeting the Maine Coast Heritage Trust to place a Conservation Easement on this property with a limit of 6 houses.

Motion made by Planning Board Member Mike Ryan, with second by Planning Board Member Wayne Patton, to continue until June 21st at 6:30 PM in the Gym. Motion passed by a show of hands 4-0.

REGULAR PLANNING BOARD MEETING
TREMONT COMMUNITY BUILDING
TUESDAY, JUNE 7, 2005
IMMEDIATELY FOLLOWING THE PUBLIC HEARING

1. CALL TO ORDER

Motion made by Planning Board Member Linda Graham, with second by Planning Board Member Wayne Patton, to table for 5 minutes while the room cleared. Motion passed by a show of hands 4-0.

The June 7, 2005 Planning Board Meeting was called to order by Chairman George Urbanneck at 6:53 PM.

Present were Chairman George Urbanneck, Planning Board Members Mike Ryan, Linda Graham, Wayne Patton, Town Attorney James Collier, CEO Millard Billings and Recording Secretary Heidi Farley.

Motion made by Planning Board Member Linda Graham, with second by Planning Board Member Wayne Patton, to table this meeting until June 21st. Motion passed by a show of hands 4-0.

12. ADJOURN

Motion made by Planning Board Member Linda Graham, with second by Planning Board Member Wayne Patton, to adjourn at 6:55 PM. Motion passed by a show of hands 4-0.

Respectfully submitted,

Heidi Farley,
Recording Secretary

Due to illness, minutes done by Debbi Nickerson using recordings and notes done by Heidi Farley.

George Urbanneck