

PLANNING BOARD  
REGULAR MEETING  
TREMONT TOWN OFFICE  
MEETING ROOM  
TUESDAY, JANUARY 8, 2008  
6:00 PM

1. CALL TO ORDER

Planning Board meeting of Tuesday, January 8, 2008 was called to order by Vice Chairman Wayne Patton at 6:14 pm.

2. ROLL CALL

Vice Chairman Wayne Patton, Planning Board member Linda Graham, Rick Nickerson, Susan Snyder, CEO Millard Billings, Recording Secretary Heidi Farley.

Members of the public present were: Carlton Johnson, Margo Stanley and John Adams.

3. ADJUSTMENTS/ADOPTION OF AGENDA

None

4. APPROVAL OF MINUTES December 11, 2007

**MOTION** by Planning Board member Susan Snyder to accept minutes of December 11, 2007 as written, seconded by Planning Board member Linda Graham. Motion passed 3-0-1. Planning Board member Rick Nickerson abstained because he was not at that meeting.

5. SUBDIVISIONS None

6. OLD BUSINESS

Letter submitted by Carlton Johnson withdrawing application for motel units on his property.

CEO Millard Billings read letter from Carlton Johnson withdrawing his Motel application (see attached).

7. NEW BUSINESS

Application submitted by Carlton Johnson for commercial transient lodging in cottage # 1. The property is located in the Commercial Fisheries/Maritime Activity Zone on Tax Map 17 Lot 18.

Vice Chairman Wayne Patton read through the standards for the zone on page 8 of the Town of Tremont's Zoning Ordinance. He then read through Carlton Johnson's application for transient lodging in his cottage.

CEO Millard Billings read aloud an e-mail from abutter Susan Graham sharing her concerns for Mr. Johnson's project (see attached).

Applicant Carlton Johnson explained that transient lodging in his cottage would fit in nicely with the area. Most all abutters and neighbors are either weekly rentals or have been at some time. Mr. Johnson explained that he has more than enough parking. He needs 3933 sq. ft. for his 20 slips, cottage, workers and staff and he has 10,920.25 sq. ft.. Mr. Johnson then cited numerous references to the Zoning Ordinance that he believes substantiates having a cottage for transient lodging. Page 8, E. 1.a.2 of the Ordinance describes non maritime limited Commercial use, page 42 explains commercial use, cottage or cabin definition on page 44, page 14 explains cottages or cabins as a commercial use, page 7. D.c. explains non-maritime commercial use under 3000 feet, page 48 explains transient and page 13 explains prohibited uses , of which transient lodging is not listed. Mr. Johnson said if the intent of the Ordinance was not to allow transient accommodations it would say so. Mr. Johnson further explained that the intended use for this cottage would be very low impact for the area and much nicer than a bait or crab shop.

Planning Board member Linda Graham stated that she does not believe this is a commercial use. She considers this to be a new residential use which is not permitted in this zone.

Resident Margo Stanley asked about the size of the septic and if you can park on it.

CEO Millard Billings explained that the septic is more than adequate and can be parked on.

Mr. Johnson stated "if there is not enough parking I will give the permit back."

**MOTION** by Planning Board member Rick Nickerson to approve application dated 12/30/2007 submitted by Carlton Johnson for Transient lodging in cottage number one contingent on receiving a complete parking diagram from Mr. Johnson, seconded by Planning Board member Susan Snyder. Motion passed 3-1. Planning Board member Linda Graham voted against.

8. CEO ISSUES

Floodplain Management Ordinance revisions

This item will be on the agenda for the next meeting.

9. NOTICES

Notice from Department of Environmental Protection concerning extension of deadline for updating Shoreland Zoning Ordinances (see attached).

10. OTHER

11. SET DATE FOR NEXT MEETING: January 22, 2008

12. ADJOURN

**MOTION** by Planning Board member Linda Graham to adjourn at 7:40 pm, seconded by Planning Board member Rick Nickerson. Motion passed 4-0.

Respectfully Submitted  
Heidi Farley  
Recording Secretary

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Vice Chairman Wayne Patton

PLANNING BOARD  
REGULAR MEETING  
TREMONT TOWN OFFICE  
MEETING ROOM  
TUESDAY, FEBRUARY 12, 2008  
6:00 PM

1. CALL TO ORDER

Regular Planning Board meeting of Tuesday, February 12, 2008 was called to order at 6:00 pm by Chairman George Urbanneck.

2. ROLL CALL

Chairman George Urbanneck, Planning Board members Wayne Patton, Linda Graham, Alden Gray, Rick Nickerson and Susan Snyder, CEO Millard Billings and Recording Secretary Heidi Farley.

3. ADJUSTMENTS/ADOPTION OF AGENDA

None

4. APPROVAL OF MINUTES January 8, 2008

MOTION by Planning Board member Wayne Patton to accept minutes of January 8, 2008 as written, seconded by Planning Board member Linda Graham. Motion passed 4-0-2. Planning Board members Alden Gray and George Urbanneck abstained because they were not at that meeting.

5. SUBDIVISIONS None

6. NEW BUSINESS

1. Application submitted by Doug Gott to discontinue use of existing road and construct new 24'x1500' road and for approximately 1700 yards of fill. The property is located in the Residential/Business Zone on Map 5 Lot 7.

Applicant Doug Gott arrived at 6:15 pm.

Planning Board discussed that before acting on this application they would need the following information:

1. Much better site plan. Planning Board suggested taking plan from Ikatika and revising it.
2. Explanation of how the new road will affect the current Subdivision
3. Design standards from the Town of Tremont Zoning Ordinance
4. Water body locations.

MOTION by Planning Board member Linda Graham to table application submitted by Douglas A. Gott for a new road dated 1/28/08 until all information is submitted.

7. OLD BUSINESS

2008/2009 budget request

CEO Millard Billings told the Board that a Resident had approached him about raises for the Planning Board. After some discussion the Board decided to give themselves a raise after many years of not doing so

MOTION by Planning Board member Linda Graham to request Planning Board receives \$30.00 for Board members per meeting and \$35.00 per meeting for the Chairman, seconded by Planning Board member Susan Snyder. Motion passed 6-0.

Planning Board discussed the budget proposal for next year.

MOTION by Planning Board member Linda Graham approve Planning Board budget request in the amount of \$6350.00, seconded by Planning Board member Rick Nickerson. Motion passed 6-0.

8. CEO ISSUES

Floodplain Ordinance review

Planning Board members will read and review the changes and discuss them at the next regular Planning Board meeting. They will also schedule public hearings at that time.

9. NOTICES

CEO Millard Billings showed the Planning Board the newspaper ad tentatively scheduling a Board of Appeals hearing on one of their recent decisions.

10. OTHER

None

11. SET DATE FOR NEXT MEETING February 26, 2008

12. ADJOURN

MOTION by Planning Board member Linda Graham to adjourn at 6:53 pm, seconded by Planning Board member Alden Gray. Motion passed 6-0.

Respectfully Submitted  
Heidi Farley  
Recording Secretary

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Chairman George Urbanneck

PLANNING BOARD  
REGULAR MEETING  
TREMONT TOWN OFFICE  
MEETING ROOM  
TUESDAY, FEBRUARY 26, 2008  
6:00 PM

1. CALL TO ORDER

Chairman George Urbanneck called the Planning Board meeting of Tuesday, February 26, 2008 to order at 6:01 pm.

2. ROLL CALL

Chairman George Urbanneck, Planning Board members Wayne Patton, Rick Nickerson, Susan Snyder, CEO Millard Billings and Recording Secretary Heidi Farley. Planning Board members Alden Gray and Linda Graham were unable to attend.

Members of the Public present were: Carlton Johnson, Phyllis Adams, Debbi Nickerson, Marybeth Judy and Margo Stanley.

3. ADJUSTMENTS/ADOPTION OF AGENDA

None

4. APPROVAL OF MINUTES February 12, 2008

**MOTION** by Planning Board member Wayne Patton to accept minutes of February 12, 2008 as written, seconded by Planning Board member Rick Nickerson. Motion passed 4-0.

5. SUBDIVISIONS None

6. NEW BUSINESS

Application submitted by Carlton Johnson for a water dependant use for a Yacht Club and Sailing Center in building # 3. The property is located in the Commercial Fisheries/Maritime Activity Zone on Map 17 Lot 18.

Applicant Carlton Johnson explained that he would like the front of existing building, which measures 26.6' wide by 34' long, to formally be the club house for the Bass Harbor Yacht Club and a small scale sailing center. Mr. Johnson explained that there is already scholarship money in place for Tremont residents, Up Harbor would be completely running the sailing center and would align

themselves with a non profit. There will be no bathrooms no exterior changes but some interior remodeling.

Mr. Johnson also quoted page 4 section 4, page 8 E section 1 A, page 45, page 13 section 5 from the Town of Tremont Zoning Ordinance in support of his application.

Planning Board member Susan Snyder asked where the boats will be stored when not in use. Mr. Johnson replied that they would be on the deck space and deck in front of the building and that he is currently financed for 6 boats.

Chairman George Urbanneck said that the use on page 8 E #2 in the Tremont Zoning Ordinance would be the only one that fits this project.

Planning Board member Rick Nickerson asked about a definition of a Yacht Club and that maybe this should go in front of the Harbor Committee.

Resident Debbi Nickerson asked Mr. Johnson how he could align himself with a non profit and have Up Harbor run the center.

Mr. Johnson explained “a non profit is not involved, Up Harbor is definitely into making money, Up Harbor is just using their standards.”

Abutter Phyllis Adams had concerns about parking and if there would be a kitchen. Mr. Johnson showed her a plan for 27 parking spaces and assured her that there would be no kitchen or bathroom facilities.

CEO Millard Billings suggested that Yacht Club and Sailing center are two different issues.

Applicant Carlton Johnson said he has a problem with that and needs it to be defined as a water dependant use, he does not want to use up his 2000 square feet of commercial space.

Planning Board member Rick Nickerson suggested again that the Harbor Committee take a look at this.

Resident Margo Stanley asked if Mr. Johnson would be providing food and drink in this facility. Mr. Johnson said that he would not provide any of that.

**MOTION** by Planning Board member Wayne Patton to approve application, excluding Yacht Club, as a Maritime Commercial use as an educational facility similar to maritime museum or aquarium as defined on page 45 of the Tremont Zoning Ordinance, conditionally upon a 30 space parking plan, Harbor Committee recommendation, no kitchen facility, no bathrooms, no bar and no overnight accommodations, seconded by Planning Board member Susan Snyder. Motion passed 4-0.



**MOTION** by Planning Board member Wayne Patton to take a 5 minute break at 7:40 pm, seconded by Planning Board member Susan Snyder. Motion passed 4-0.

**MOTION** by Planning Board member Wayne Patton to reopen meeting at 7:45 pm, seconded by Planning Board member Rick Nickerson. Motion passed 4-0.

7. OLD BUSINESS

None

8. CEO ISSUES

Floodplain Ordinance review

Chairman George Urbanneck explained that the strike throughs do not match the revised Ordinance and would like CEO Millard Billings to contact someone from Floodplain Management for an explanation.

9. NOTICES

Board of Appeals meeting on March 20, 2008 to hear an appeal of action taken by the Planning Board. All Planning Board members are encouraged to attend.

10. OTHER

11. SET DATE FOR NEXT MEETING March 11, 2008

12. ADJOURN

**MOTION** by Planning Board member Wayne Patton to adjourn at 7:50 pm, seconded by Planning Board member Rick Nickerson. Motion passed 4-0.

Respectfully Submitted

Heidi Farley

Recording Secretary

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Chairman George Urbanneck

PLANNING BOARD  
REGULAR MEETING  
TREMONT TOWN OFFICE  
MEETING ROOM  
TUESDAY, APRIL 8, 2008  
6 PM

1. CALL TO ORDER

Planning Board meeting of Tuesday, April 8, 2008 was called to order by Chairman George Urbanneck at 6:00 pm.

2. ROLL CALL

Chairman George Urbanneck, Planning Board members Wayne Patton, Rick Nickerson, Susan Snyder, Town Attorney James Collier, CEO Millard Billings and Recording Secretary Heidi Farley.

Members of the public present were: Applicant Carlton Johnson, Mr. Johnson's Lawyer Daniel Pileggi, Resident Susan Graham, and abutter to Mr. Johnson, Phyllis Adams.

3. ADJUSTMENTS/ADOPTION OF AGENDA

None

4. APPROVAL OF MINUTES March 26, 2008

**MOTION** by Planning Board member Susan Snyder to accept minutes of March 25, 2008, seconded by Planning Board member Rick Nickerson. Motion passed 4-0.

5. SUBDIVISIONS None

6. NEW BUSINESS

Application submitted by Carlton Johnson agent for Up Harbor Marine for commercial transient lodging as an accessory use to existing maritime commercial use. The property is located in the Commercial Fisheries/Maritime Activity Zone on Map 17 Lot 18.

Applicant Carlton Johnson gave the Planning Board a handout outlining how his cottage will be used as an accessory use to his marina. Mr. Johnson went over this outline with the Board (see attached).

After much discussion with the Town Lawyer, James Collier, Mr. Johnson and his Lawyer and concerned residents, the Planning Board decided that they needed more time to thoroughly research the application and would like Mr. Johnson to submit his proposed conditions as well as more clarification on the definition of accessory use and the nexus between the Marina and the proposed accessory use. Town Attorney James Collier suggested that Mr. Johnson's lawyer research Town of Shapleigh v. Shikles, 427 A.2d 460 (Me.1981)(see attached) as well as other Marina related cases. The Board would like this information submitted no later than one week prior to the next meeting which is on Tuesday, April 22, 2008. The Board asked if any residents had concerns and/ or documents that they submit them in writing also one week prior.

**MOTION** by Planning Board member Rick Nickerson to take a five minute break at 8:00 pm, seconded by Planning Board member Susan Snyder. Motion passed 4-0.

**MOTION** by Planning Board member Rick Nickerson to reopen meeting at 8:05 pm, seconded by Planning Board member Susan Snyder. Motion passed 4-0.

**MOTION** by Planning Board member Rick Nickerson to table application submitted by Carlton Johnson agent for Up Harbor Marina for commercial transient lodging as an accessory use to existing maritime commercial use pending further information and review, seconded by Planning Board member Susan Snyder. Motion passed 4-0.

7. OLD BUSINESS

A. ZONING ORDINANCE REVIEW

Planning Board members agreed that proposed changes were all in order.

B. WARRANT ARTICLES

Planning Board members agreed that warrant articles are in order.

8. CEO ISSUES

None

9. NOTICES

None

10. OTHER

None

11. SET DATE FOR NEXT MEETING April 22, 2008

12. ADJOURN

**MOTION** by Planning Board member Rick Nickerson to adjourn at 8:22 pm,  
seconded by Planning Board member Wayne Patton. Motion passed 4-0.

Respectfully submitted  
Heidi Farley  
Recording Secretary

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Chairman George Urbanneck

PLANNING BOARD  
PUBLIC HEARING  
TREMONT TOWN OFFICE  
MEETING ROOM  
TUESDAY, APRIL 22, 2008  
6 PM

The Tremont Planning Board will hold a Public Hearing at 6:00 pm on Tuesday, April 22, 2008 at the Tremont Town Office meeting room. The purpose of this hearing is to inform the residents and hear comments concerning proposed amendments to the Tremont Zoning Ordinance and Floodplain Ordinance. Copies of the amendments may be inspected at the Tremont Town Office Monday through Friday 9 am through 5 pm.

Planning Board Chairman George Urbanneck opened the Public Hearing at 6:00 pm. Planning Board Chairman George Urbanneck asked if anyone had any comments or concerns. Non Resident Carlton Johnson asked for a copy of the proposed changes. No other comments or concerns.

**MOTION** by Planning Board member Wayne Patton to close Public Hearing at 6:03 pm, seconded by Planning Board member Rick Nickerson. Motion passed 4-0.

PLANNING BOARD  
REGULAR MEETING  
TREMONT TOWN OFFICE  
MEETING ROOM  
TUESDAY, APRIL 22, 2008  
IMMEDIATELY FOLLOWING PUBLIC HEARING

1. CALL TO ORDER

Planning Board Chairman George Urbanneck called the Planning Board meeting of Tuesday, April 22, 2008 to order at 6:04 pm immediately following the Public Hearing.

2. ROLL CALL

Planning Board Chairman George Urbanneck, Planning Board members Wayne Patton, Rick Nickerson, Alden Gray, CEO Millard Billings and Recording Secretary Heidi Farley.

Members of the public present were: Laurie Schrieber from the Mount Desert Islander, Selectman Chris Eaton, Residents Phyllis Adams, Susan Graham and applicant Carlton Johnson.

3. ADJUSTMENTS/ADOPTION OF AGENDA

None

4. APPROVAL OF MINUTES April 8, 2008

**MOTION** by Planning Board member Wayne Patton to approve minutes of April 8, 2008, seconded by Planning Board member Rick Nickerson. Motion passed 4-0.

5. SUBDIVISIONS None

6. NEW BUSINESS None

7. OLD BUSINESS

Application submitted by Carlton Johnson for Up Harbor Marine for Commercial Transient lodging as an accessory use to existing Maritime Commercial use. The property is located in the Commercial Fisheries/Maritime Activity Zone on Map 17 Lot 18.

Planning Board Chairman George Urbanneck announced that the Town received a fax at 3:45 pm from applicant Carlton Johnson's Attorney, Daniel Pileggi, withdrawing application submitted by Carlton Johnson for Up Harbor Marine for transient lodging in his cottage.

8. CEO ISSUES

None

9. NOTICES

Planning Board member Rick Nickerson submitted a letter of resignation due to moving out of Tremont (see attached).

10. OTHER

Letter from a Resident concerning setbacks from Town & State roads

CEO Millard Billings spoke with Mr. Libhart whose concern was a septic system that he felt was too close to the road.

11. SET DATE FOR NEXT MEETING May 6, 2008

12. ADJOURN

**MOTION** by Planning Board member Wayne Patton to adjourn at 6:08 pm, seconded by Planning Board member Rick Nickerson. Motion passed 4-0.

Respectfully submitted  
Heidi Farley

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Planning Board Chairman George Urbanneck

PLANNING BOARD  
REGULAR MEETING  
TREMONT TOWN OFFICE  
MEETING ROOM  
TUESDAY, MAY 27, 2008  
6 PM

1. CALL TO ORDER

Planning Board Chairman George Urbanneck called the Planning Board meeting of Tuesday, May 27, 2008 to order at 6 pm.

2. ROLL CALL

Chairman George Urbanneck, Planning Board members Linda Graham, Wayne Patton, Alden Gray, Susan Snyder, CEO Millard Billings, Recording Secretary Heidi Farley.

Members of the Public Present were: Greg Johnston from CES Inc., Peter Lord from Island Astronomy and Sheryl and Tim Harper owner's of McKinley Market.

3. ADJUSTMENTS/ADOPTION OF AGENDA

None

4. APPROVAL OF MINUTES April 8, 2008

**MOTION** by Planning Board member Wayne Patton to approve minutes of April 22, 2008 as written, seconded by Planning Board member Alden Gray. Motion passed 5-0.

5. SUBDIVISIONS None

6. NEW BUSINESS

Application submitted by Timmy and Sheryl Harper to rent space for a flea market. The property is located in the Residential/Business Zone on Map 14 Lots 23/24.

**MOTION** by Planning Board member Alden Gray to table this application submitted May 13, 2008 to the Town of Tremont by Timothy and Sheryl Harper to rent spaces for a flea market until further information is submitted, seconded by Planning Board member Susan Snyder. Motion passed 5-0.

7. OLD BUSINESS



Application submitted by Timmy and Sheryl Harper to change residential garage to an ice cream/bakery shop as an accessory use to existing commercial store. The property is located in the Residential/Business Zone on map 14 lots 23/24.

**MOTION** by Planning Board member Wayne Patton to accept Town of Tremont application dated 4/21/08 for Timothy and Sheryl Harper for a change of use from residential to ice cream shop/bakery, seconded by Planning Board member Linda Graham. Motion passed 5-0.

8. CEO ISSUES

None

9. NOTICES

Striking a balance workshop May 28, 2008 in Ellsworth.

No Planning Board members were interested in attending.

Local Planning Boards and Boards of Appeal workshop.

Planning Board members Linda Graham and Susan Snyder would like to attend.

10. OTHER

Greg Johnston from CES Inc. spoke with the Planning Board about a proposed driveway for Robert Egbert off the Cape Road. Planning Board told Mr. Johnston that the application would need to meet road standards.

11. SET DATE FOR NEXT MEETING

June 3, 2008

12. ADJOURN

**MOTION** by Planning Board member Linda Graham to adjourn at 7 pm, seconded by Planning Board member Wayne Patton. Motion passed 5-0.

13. NIGHT SKY PRESENTATION BY ISLAND ASTRONOMY

All Planning Board members in attendance stayed to watch the presentation.

Respectfully submitted  
Heidi Farley  
Recording Secretary

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Chairman George Urbanneck

PLANNING BOARD  
REGULAR MEETING  
TREMONT TOWN OFFICE  
MEETING ROOM  
TUESDAY, JUNE 3, 2008  
6 PM

1. CALL TO ORDER

Planning Board Chairman George Urbanneck called the Planning Board meeting of Tuesday, June 3, 2008 to order at 6:00 pm.

2. ROLL CALL

Chairman George Urbanneck, Planning Board members Wayne Patton, Linda Graham Alden Gray, Susan Snyder, Spencer Ervin, CEO Millard Billings and Recording Secretary Heidi Farley.

Members of the Public present were: Greg Johnston from CES and Sheryl Harper from McKinley Market.

3. ADJUSTMENTS/ADOPTION OF AGENDA

None

4. APPROVAL OF MINUTES May 27, 2008

**MOTION** by Planning Board member Linda Graham to approve minutes of May 27, 2008 as written, seconded by Planning Board member Alden Gray. Motion passed 5-0-1. Planning Board member Spencer Ervin abstained because he was not a Planning Board member at that time.

5. SUBDIVISIONS None

6. OLD BUSINESS

Application submitted by Timothy and Sheryl Harper to rent space for a flea market. The property is located in the Business/Residential Zone on Map 14 Lots 23/24.

**MOTION** by Planning Board member Wayne Patton to accept Town of Tremont Application for Timothy and Sheryl Harper to operate a flea market with 30 12x12 spaces for tables, seconded by Planning Board member Linda Graham. Motion passed 5-0-1. Planning Board member Spencer Ervin abstained because he was not a member of the Board at the time of the application.

7. NEW BUSINESS

Application submitted by Greg Johnston of CES Inc. for Robert Egbert to extend newly permitted driveway by 800+ feet and remove existing driveway. The property is located in the Limited Residential Shoreland and Rural Residential Zones on Map 8 Lot 9.

**MOTION** by Planning Board member Alden Gray to accept application submitted by Greg Johnston of CES for Robert Egbert dated 5/28/2008 to construct an 861'x 12' road on tax map 8 lot 9, seconded by Planning Board member Wayne Patton. Motion passed 5-0-1. Planning Board member Spencer Ervin abstained because he was not a member of the Board at the time of the application.

8. CEO ISSUES

None

9. NOTICES

Shoreland Zoning News (see attached).

10. OTHER

None

11. SET DATE FOR NEXT MEETING June 24, 2008

12. ADJOURN

**MOTION** by Planning Board member Linda Graham to adjourn at 6:38 pm, seconded by Planning Board member Wayne Patton. Motion passed 6-0.

Respectfully Submitted  
Heidi Farley  
Recording Secretary

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Chairman George Urbanneck

PLANNING BOARD  
REGULAR MEETING  
TREMONT TOWN OFFICE  
MEETING ROOM  
TUESDAY, JUNE 24, 2008  
6 PM

AGENDA

1. CALL TO ORDER

2. ROLL CALL

3. ADJUSTMENTS/ADOPTION OF AGENDA

4. APPROVAL OF MINUTES June 3, 2008

5. SUBDIVISIONS

Pre application workshop for a possible 5 lot subdivision on the Richtown Road by CES for Oezul, Inc. The property is located in the Harbor Shoreland Zone on Map 5 Lots 33D, 33G, 33J and lot 34.

6. OLD BUSINESS

7. NEW BUSINESS

Application submitted by Joan Jordan Grant to transfer her home occupation (as a retreat center/bed & breakfast) from cabin to new year round residence. The property is located in the Limited Residential Shoreland and Residential Zones on Map 7 Lot 30.

8. CEO ISSUES

9. NOTICES

10. OTHER

11. SET DATE FOR NEXT MEETING

12. ADJOURN

PLANNING BOARD  
REGULAR MEETING  
TREMONT TOWN OFFICE  
MEETING ROOM  
TUESDAY, JULY 8, 2008  
6 PM

AGENDA

1. CALL TO ORDER

Planning Board meeting of Tuesday, July 8, 2008 was called to order at 6 PM by Chairman George Urbanneck.

2. ROLL CALL

Planning Board Chairman George Urbanneck, Planning Board members Wayne Patton, Linda Graham, Alden Gray, Susan Snyder, Spencer Ervin, CEO Millard Billings and Recording Secretary Heidi Farley.

Members of the public present were: Frank Keenan, Larry Turner, Stewart Murphy, Amy Murphy, CES Representative Noel Musson, Morris Yachts Representatives Jeff Toman and Will Ratcliff.

3. ADJUSTMENTS/ADOPTION OF AGENDA

None

4. APPROVAL OF MINUTES June 24, 2008

**MOTION** by Planning Board member Susan Snyder to approve minutes of June 24, 2008 with two spelling corrections on page 2, seconded by Planning Board member Linda Graham. Motion passed 4-0-2. Planning Board members Wayne Patton and Spencer Ervin abstained because they were not at that meeting.

5. SUBDIVISIONS None

6. NEW BUSINESS

- A. Application submitted by Larry Turner for a Home Occupation permit to use his studio as a gallery open to the public. The property is located in the Rural Residential zone on map 11 lot 46.

Applicant Larry Turner explained that he and his wife have had a gallery in Southwest Harbor for ten years and would like to be able to sell items from his recently constructed workshop. Clients will make appointments. Chairman George Urbanneck went through the home occupation standards and determined that the application met all criteria.

**MOTION** by Planning Board member Alden Gray to approve application submitted by Larry Turner dated June 24, 2008 for use of studio as a gallery, seconded by Planning Board member Wayne Patton. Motion passed 6-0.

- B. Application submitted by CES for Morris Holdings, LLC to construct two 50' x 170' boat repair and storage facility buildings. The property is located in the Residential/Business Zone on map 5 lot 19-2.

Planning Board member Alden Gray abstained from all proceedings concerning Morris Yachts because he is an employee of the Company.

CES Representative Noel Musson, representing Morris Holdings, LLC explained to the Board that Morris Holdings, LLC would like to construct two 50' x 70' boat repair and storage buildings.

Chairman George Urbanneck went through the standards of the zone and after much discussion with the Board, Mr. Musson, abutters Frank Keenan and Stewart Murphy and with Morris Yachts representatives the Board decided that Boat storage would be the primary use of these buildings, therefore to conform with the Zoning Ordinance they would need to be under five thousand square feet. Buffering would definitely need to be addressed as well as the beaver pond.

**MOTION** by Planning Board member Linda Graham to table this application submitted by CES for Morris Holdings, LLC for the construction of two boat storage/repair buildings until an amended plan can be brought in, seconded by Planning Board member Susan Snyder. Motion passed 5-0-1, Planning Board member Alden Gray abstained.

Chairman George Urbanneck also noted that once the application is complete a site visit will need to be scheduled.

7. OLD BUSINESS

None

8. CEO ISSUES

Three notices of violation

CEO Millard Billings reported that he had spoken to the recipients of the notices of violations and they are all working on correcting the problems.

9. NOTICES

Department of Environmental Protection letter (see attached)

Freedom of Access Law (see attached)

10. OTHER

LPI Millard Billings reported that he has received a new building permit application for a 1 and ½ story house that is requesting a pit privy as a subsurface wastewater disposal system. LPI Millard Billings said that he feels that the area is residential with more than 40 homes surrounding it that all have septic systems and not in a primitive setting. Department of Health Engineering informed the LPI that if site evaluator approves system, the design must be approved by LPI.

11. SET DATE FOR NEXT MEETING July 22, 2008

12. ADJOURN

**MOTION** by Planning Board member Linda Graham to adjourn meeting at 7:25 pm, seconded by Planning Board member Wayne Patton. Motion passed 6-0.

Respectfully submitted  
Heidi Farley  
Recording Secretary

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Chairman George Urbanneck



PLANNING BOARD  
REGULAR MEETING  
TREMONT TOWN OFFICE  
MEETING ROOM  
TUESDAY, JULY 22, 2008  
6 PM

1. CALL TO ORDER

Planning Board meeting of Tuesday, July 22, 2008 was called to order at 6:00 pm by Chairman George Urbanneck

2. ROLL CALL

Chairman George Urbanneck, Planning Board member Wayne Patton, Alden Gray, Linda Graham, Susan Snyder and Recording Secretary Heidi Farley.

Members of the public present were: Residents Russell Timmons and Richard Hamblen Jr.

3. ADJUSTMENTS/ADOPTION OF AGENDA

None

4. APPROVAL OF MINUTES July 8, 2008

**MOTION** by Planning Board member Linda Graham to approve minutes of July 8, 2008 as written, seconded by Planning Board member Alden Gray. Motion passed 5-0.

5. SUBDIVISIONS None

6. NEW BUSINESS

None

7. OLD BUSINESS

Application submitted by Emma Mitchell to extend approved building permit # 1996 for another year. The property is located in the Commercial Fisheries/Maritime Activities Zone on Map 12 Lot 76.

**MOTION** by Planning Board member Alden Gray to approve application submitted by Emma Mitchell to extend building permit # 1996 for a second time, seconded by Planning Board member Wayne Patton. Motion passed 5-0.

8. CEO ISSUES

Notice of violation, letter # 2 (see attached).

9. NOTICES

Maine State Planning Office letter (see attached).

10. OTHER

11. SET DATE FOR NEXT MEETING

August 12, 2008

12. ADJOURN

**MOTION** by Planning Board member Linda Graham to adjourn at 6:03 pm, seconded by Planning Board member Wayne Patton. Motion passed 5-0.

Respectfully submitted  
Heidi Farley  
Recording Secretary

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Chairman George Urbanneck

PLANNING BOARD  
REGULAR MEETING  
TREMONT TOWN OFFICE  
MEETING ROOM  
TUESDAY, AUGUST 26, 2008  
6:00 PM

1. CALL TO ORDER

Planning Board meeting of Tuesday, August 26, 2008 was called to order at 6:00 pm by Chairman George Urbanneck.

2. ROLL CALL

Chairman George Urbanneck, Planning Board members Wayne Patton, Linda Graham, Mike Ryan, Susan Snyder, Spencer Ervin, Town Attorney James Collier, CEO Millard Billings and Recording Secretary Heidi Farley.

Members of the Public present were: Mark Good from the Mount Desert Islander, Residents Richard Hamblen, Frank Keenan, Amy Murphy, Stewart Murphy, Attorney for Morris Holdings, LLC Alison King, CES Representative Noel Musson representing Morris Holdings, LLC, Morris Yachts representatives Will Ratcliff and Jeff Toman.

3. ADJUSTMENTS/ADOPTION OF AGENDA

Chairman George Urbanneck stated that after 5. Subdivisions the Board would move to 7. New Business 1.

4. APPROVAL OF MINUTES August 12, 2008

**MOTION** by Planning Board member Linda Graham to approve minutes of August 12, 2008 as written, seconded by Planning Board member Wayne Patton. Motion passed 4-0-2. Planning Board members Susan Snyder and Spencer Ervin abstained because they were not at that meeting.

5. SUBDIVISIONS

Preliminary plan review for Subdivision application submitted by CES, Inc. for Ouzel, Inc. to create 1 additional lot for a total of 5 lots to be called Walkers Meadow Subdivision. The property is located in the Harbor Shoreland Zone on Map 5 lots 33D, 33G, 33J and 34.

**MOTION** by Planning Board member Mike Ryan to waive the statement of financial capacity per applicants' request, seconded by Planning Board member Linda Graham. Motion passed 6-0.

Planning Board members reviewed the application for subdivision to be called "Walkers Meadow Subdivision" and asked Noel Musson of CES representing the applicant Ouzel, Inc. to include on the map proposed easements, 250' setback line, Floodplain lines, show 1 foot contours, total acreage, list all separate owners on the application, list street names, check on moving lot line for

lot number 3 because it is an undersized lot and check drainage on the properties, specifically any streams or brooks.

6. NEW BUSINESS (Formally agenda item 7.1. New Business)

1. Application submitted by Tammy Crossman-Turner for Tremont School to construct an 8'x8' tool shed next to the greenhouses. The property is located in the Residential/Business Zone on Map 15 Lot 18.

**MOTION** by Planning Board member Linda Graham to approve application submitted by Tammy Crossman-Turner for Tremont School to construct an 8'x8'x8'H tool shed pending receiving letter of authorization from the Selectmen, seconded by Planning Board member Wayne Patton. Motion passed 6-0.

7. OLD BUSINESS (formally agenda item 6. Old Business)

Application submitted by CES, Inc. for Morris Holdings, LLC to construct two 50'x170' buildings. The property is located in the Residential/Business Zone on Map 5 Lot 19-2.

**MOTION** by Planning Board member Wayne Patton that the Board go into executive session pursuant to Title 1 Maine Revised Statutes Annotated, section 405, subsection 6, paragraph E, Consultations between a body or agency and its attorney concerning on going or pending litigation, seconded by Planning Board member Linda Graham. Motion passed 5-1. Planning Board member Spencer Ervin voted against.

Attorney for Morris Holdings LLC. Alison King objected for the record.

**MOTION** by Planning Board member Mike Ryan to rescind motion, seconded by Planning Board member Linda Graham. Motion passed 6-0.

**MOTION** by Planning Board member Wayne Patton that the Board go into executive session pursuant to Title 1 Maine Revised Statutes Annotated, section 405, subsection 6, paragraph E, Consultations between a body or agency and its attorney concerning or contemplating on going or pending litigation, seconded by Planning Board member Linda Graham. Motion passed 5-1. Planning Board member Spencer Ervin voted against.

**MOTION** by Planning Board member Linda Graham to rescind motion, seconded by Planning Board member Wayne Patton. Motion passed 6-0.

**MOTION** by Planning Board member Susan Snyder to go into executive session to consult with attorney pursuant to Title 1 MRSA, section 405, subsection 68, seconded by Planning Board member Wayne Patton. Motion passed 5-1. Planning Board member Spencer Ervin voted against.

Attorney for Morris Holdings LLC. Alison King objected to executive session. Ms. King said everything "should be stated publicly." Town Attorney James Collier said that it wouldn't put the Town at a disadvantage to not go into executive session.

**MOTION** by Planning Board member Mike Ryan to withdraw motion, seconded by Planning Board member Linda Graham. Motion passed 6-0.

Town Attorney James Collier said that in his opinion the Planning Board needs a document that states that Frank Keenan has released his Right of Way and has been given a new Right of Way.

**MOTION** by Planning Board member Mike Ryan that application submitted by CES Inc. for Morris Holdings LLC dated 7/01/08 for two 50'x170' buildings is incomplete because it does not contain the Right of Way on the site plan that we have seen on amended subdivision, seconded by Planning Board member Linda Graham.

**MOTION** by Planning Board member Linda Graham to amend motion on the table to include that no evidence from application that old right of way has been removed and new right of way given nor has Board received any evidence of a release of the old right of way as shown on amended plan or evidence of new right of way as shown on plan for the benefit of Mr. Keenan and others, seconded by Chairman George Urbanneck. Planning Board members Susan Snyder, Linda Graham and George Urbanneck voted in favor and Planning Board members Wayne Patton, Mike Ryan and Spencer Ervin opposed. Motion failed

CES Representative Noel Musson withdrew the application.

## 7. NEW BUSINESS

2. Application submitted by CES, Inc. to construct one 50'x170' boat repair and storage building. The property is located in the Residential/Business Zone on Map 5 Lot 19-2.

**MOTION** by Planning Board member Mike Ryan that application submitted by CES for Morris Holdings, LLC dated 8/19/08 is incomplete until such time they can show missing right of way on site plan, seconded by Planning Board member Linda Graham. Motion passed 6-0.

**MOTION** by Planning Board member Mike Ryan to schedule a site walk, seconded by Planning Board member Linda Graham. Motion passed 5-0-1, Planning Board member Susan Snyder abstained.

**MOTION** by Planning Board member Mike Ryan to schedule a site walk pending complete application, seconded by Planning Board member Spencer Ervin. Motion passed 5-0-1. Planning Board member Susan Snyder abstained.

**MOTION** by Planning Board member Mike Ryan to schedule a site walk on Wednesday, September 10, 2008, seconded by Planning Board member Susan Snyder. Motion passed 5-0-1. Planning Board member Linda Graham abstained.

## 8. CEO ISSUES

None

## 9. NOTICES

None

10. OTHER

None

11. SET DATE FOR NEXT MEETING September 9, 2008

12. ADJOURN

**MOTION** by Planning Board member Linda Graham to adjourn meeting at 8:52 pm, seconded by Planning Board member Susan Snyder. Motion passed 6-0.

Respectfully Submitted  
Heidi Farley  
Recording Secretary

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Chairman George Urbanneck

PLANNING BOARD  
REGULAR MEETING  
TREMONT TOWN OFFICE  
MEETING ROOM  
TUESDAY, SEPTEMBER 9, 2008  
6:00 PM

1. CALL TO ORDER

Planning Board meeting of Tuesday, September 9, 2008 was called to order at 6:02 pm by Planning Board Chairman George Urbanneck.

2. ROLL CALL

Chairman George Urbanneck, Planning Board members Wayne Patton, Mike Ryan, Linda Graham, Susan Snyder, Spencer Ervin, Town Attorney James Collier, CEO Millard Billings and Recording Secretary Heidi Farley. Planning Board Member Alden Gray was absent.

Members of the public present were: CES representative Noel Musson, Emily Seger from Acadia National Park, Laurie Schrieber from the Bar Harbor Times, Morris Holdings Attorney Alison King, Jeff Toman and Will Ratcliff from Morris Yachts, Residents Frank Keenan, James Shields and Amy Murphy.

3. ADJUSTMENTS/ADOPTION OF AGENDA

Chairman George Urbanneck moved agenda item 5.B. before agenda item 5.A.

4. APPROVAL OF MINUTES

Planning Board member Spencer Ervin made note that he did not vote for executive session in the first, third, and fifth motions on page two of the minutes. Planning Board member Linda Graham noted that James Collier was not listed in the roll call.

**MOTION** by Planning Board member Linda Graham to accept minutes of August 26, 2008 with amendments, seconded by Planning Board member Susan Snyder. Motion passed 6-0.

5. NEW BUSINESS

- A. Request of Acadia National Park for Planning Board to review a proposed amendment to an existing conservation agreement between Maurianne Adams and Acadia National Park. The Select Board reviewed this proposal last night at their meeting. Acadia National Park would like a written opinion before September 15, 2008.

**MOTION** by Planning Board member Mike Ryan that the Planning Board has no comment on the conservation easement, seconded by Planning Board member Linda Graham. Motion passed 6-0.

- B. Application submitted by Joan Fitzgerald to remove an existing deck and replace with a new deck same location, size and footprint. The existing deck is within 20 feet of the normal high water line. The property is located in the Limited Residential Shoreland Zone on Tax Map 11 Lot 24.

**MOTION** by Planning Board member Mike Ryan to approve application dated 8-28-08 to replace and rebuild deck, seconded by Planning Board member Spencer Ervin. Motion passed 6-0.

6. OLD BUSINESS

- A. Application submitted by CES, Inc. for Morris Holdings, LLC to construct one 50 foot by 170 foot boat repair and storage building. The property is located in the Residential/Business Zone on Tax Map 5 Lot 19-2.

**MOTION** by Planning Board member Mike Ryan to deem application submitted by Morris Holdings, LLC dated 8-19-2008 for a 50'x170' boat repair and storage building as complete, seconded by Planning Board member Spencer Ervin. Motion passed 6-0.

**MOTION** by Planning Board member Mike Ryan to close discussion of whether or not Morris Holdings, LLC is in violation of past permits.

Motion failed for lack of a second.

**MOTION** by Planning Board member Susan Snyder that based on Manager Will Ratcliff's description of what Morris Holdings LLC will be doing in the proposed building that the application has met the burden of findings of primary use of boat storage and repair, seconded by Planning Board member Mike Ryan. Motion passed 5-1. Planning Board member Wayne Patton opposed.

Town Attorney James Collier advised the Planning Board that they have wide latitude to regulate conditions of a permit before issuing it.

**MOTION** by Planning Board member Linda Graham to take a five minute break at 8:20 pm, seconded by Planning Board member Mike Ryan. Motion passed 5-0.

Back from break at 8:25 pm.

7. SUBDIVISIONS

- A. Preliminary plan review for a Subdivision application submitted by CES, Inc for Ouzel, Inc. to create a 5 lot subdivision to be called Walkers Meadow Subdivision. The property is located in the Harbor Shoreland Zone on Map 5 Lot 33D, 33G, 33J and 34.

Noel Musson from CES, Inc. representing Ouzel, Inc. reported to the Planning Board that the updated plan now shows the resized lot number 3, named roads, total lot acreage, floodplain lines, high water lines, contour lines, labeled drainage, culverts and new easements have been hatched in.



**MOTION** by Planning Board member Spencer Ervin to accept Walkers Meadow Subdivision plan as complete, seconded by Planning Board member Mike Ryan. Motion passed 6-0.

Public Hearing for Walkers Meadow Subdivision will be on Tuesday, October 7<sup>th</sup>, 2008 at 6:00 pm.

Planning Board decided that a site visit would not be necessary.

Resident and abutter James Shields expressed concerns about the access road to lots one and two. Mr. Shields told the Board that site distance is an issue and it is a dangerous intersection.

Planning Board advised Mr. Musson of CES, Inc. to address concerns with Ouzel, Inc. and Mr. Shields.

8. CEO ISSUES

None

9. NOTICES

None

10. OTHER

None

11. SET DATE FOR NEXT MEETING

September 23, 2008

12. ADJOURN

**MOTION** by Planning Board member Linda Graham to adjourn at 8:36 pm, seconded by Planning Board member Mike Ryan. Motion passed 6-0.

Respectfully submitted  
Heidi Farley  
Recording Secretary

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Chairman George Urbanneck

PLANNING BOARD  
REGULAR MEETING  
TREMONT TOWN OFFICE  
MEETING ROOM  
TUESDAY, SEPTEMBER 23, 2008  
6:00 PM

1. CALL TO ORDER

Planning Board meeting of Tuesday, September 23, 2008 was called to order at 6:08 pm by Vice Chairman Wayne Patton.

2. ROLL CALL

Vice Chairman Wayne Patton, Planning Board members Linda Graham, Alden Gray, Mike Ryan, Susan Snyder, Spencer Ervin, CEO Millard Billings and Recording Secretary Heidi Farley.

Members of the Public present were: Jeff Toman and Will Ratcliff from Morris Yachts, Laurie Schrieber from the Bar Harbor Times, Residents and abutters Amy Murphy, Frank Keenan, Richard Hamblen Jr., CES Representative Noel Musson for Morris Holdings, LLC, applicant for Bass Harbor Campground W.A. Carsey.

3. ADJUSTMENTS/ADOPTION OF AGENDA

None

4. APPROVAL OF MINUTES September 9, 2008

None

5. SUBDIVISIONS None

6. NEW BUSINESS

1. Application submitted by W.A. Carsey for Bass Harbor Campground to construct 2 12'x15' cabins on spaces in campground. No plumbing and minimal lighting. The property is located in the Business/Residential Zone on Map 2 lot 7.

**MOTION** by Planning Board member Spencer Ervin to accept application submitted by W.A. Carsey for Bass Harbor Campground to construct 2 12'x15' cabins on Map 2 Lot 7, seconded by Planning Board member Mike Ryan. Motion passed 6-0.

2. Application submitted by William A. Ward for a change of use permit to change storage area over garage to an apartment. The property is located in the Residential/Business Zone on Map 7 Lot 22.

**MOTION** by Planning Board member Linda Graham to table application dated 9/15/08 because application is not signed and Mr. Ward is not present, submitted by William A. Ward, seconded by Planning Board member Spencer Ervin. Motion passed 6-0.

7. OLD BUSINESS

Application submitted by CES for Morris Holdings, LLC to construct one 50' x 170' building. The property is located in the Residential/Business Zone on Map 5 Lot 19-2.

Planning Board member Alden Gray recused himself and left the meeting due to conflict of interest.

CES agent Noel Musson gave an overview of the new updates on the proposed plan that include putting the pull offs in better locations, limbing trees, regrading the Right of Way and a proposal for buffering (see attached).

Abutter Frank Keenan concerned with buffering plan, agreed to discuss with Noel Musson and try to work out a plan that will satisfy both parties.

Abutter Frank Keenan also concerned with the fifteen piles of dirt on the property and what they may contain. CES representative Noel Musson will look into getting the dirt piles tested before agreeing to get them tested. CES agent Noel Musson will also look into testing the water in the pond, safety issues concerning wetlands on the road and DEP Storm water permit.

**MOTION** by Planning Board member Mike Ryan for applicant to come back after checking feasibility concerning 18' road with 1' shoulders, seconded by Planning Board member Linda Graham. Motion passed 6-0.

Abutters very concerned about the use of awl grip near their families. None of Morris Holdings LLC representatives would confirm or deny awl grip use.

**MOTION** by Planning Board member Mike Ryan to continue discussion on application submitted for Morris Holdings, LLC dated 8/19/08 at the meeting on Tuesday, October 21, 2008, seconded by Planning Board member Linda Graham. Motion passed 6-0.

8. CEO ISSUES

None

9. NOTICES

None

10. OTHER

None

11. SET DATE FOR NEXT MEETING October 7, 2008

12. ADJOURN

**MOTION** by Planning Board member Linda Graham to adjourn meeting at 8:55 pm, seconded by Planning Board member Mike Ryan. Motion passed 5-0.

Respectfully Submitted  
Heidi Farley  
Recording Secretary

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Chairman George Urbanneck

PLANNING BOARD  
PUBLIC HEARING  
TREMONT TOWN OFFICE  
MEETING ROOM  
TUESDAY, OCTOBER 7, 2008  
6:00 PM

A Public Hearing for the preliminary plan review of a 5 lot subdivision called "Walkers Meadow Subdivision" submitted by Civil Engineering Services, Inc. for Ouzel, Inc. The property is located in the Harbor Shoreland Zone on Map 5 Lots 33D, 33G, 33J and 34.

PLANNING BOARD  
REGULAR MEETING  
TREMONT TOWN OFFICE  
MEETING ROOM  
TUESDAY, OCTOBER 7, 2008  
IMMEDIATELY FOLLOWING PUBLIC HEARING

AGENDA

1. CALL TO ORDER
2. ROLL CALL
3. ADJUSTMENTS/ADOPTION OF AGENDA
4. APPROVAL OF MINUTES September 9 & 23, 2008
5. SUBDIVISIONS

Preliminary plan review of a 5 lot subdivision called "Walkers Meadow Subdivision" submitted by Civil Engineering Services, Inc. for Ouzel, Inc. The property is located in the Harbor Shoreland Zone on Map 5 Lots 33D, 33G, 33J and 34.

6. NEW BUSINESS

Application submitted by William A. Ward for a change of use permit to change storage area over garage to an apartment. The property is located in the Residential/Business Zone on Map 7 Lot 22.

7. OLD BUSINESS None
8. CEO ISSUES
9. NOTICES
10. OTHER
11. SET DATE FOR NEXT MEETING October 21, 2008
12. ADJOURN

PLANNING BOARD  
PUBLIC HEARING  
TREMONT TOWN OFFICE  
MEETING ROOM  
TUESDAY, OCTOBER 28, 2008  
6:00 PM

Public hearing for final plan approval of a 5 lot subdivision called "Walkers Meadow Subdivision" submitted by Civil Engineering Services, Inc. for Ouzel, Inc. The property is located in the Harbor Shoreland Zone on Map 5 Lots 33D, 33G, 33J and 34.

Chairman George Urbanneck opened the public hearing at 6:00 pm. Chairman George Urbanneck asked if anyone had any questions or concerns concerning the Walkers Meadow Subdivision. Abutter James Shields stated that he appreciated the consideration given to the road and the change made to the road is a big improvement. Abutter Virginia Everbeck voiced concerns about drainage onto her property. Noel Musson of CES stated that property owners would maintain existing drainage swales along westerly property line.

**MOTION** by Planning Board member Wayne Patton to close public hearing at 6:20 pm, seconded by Planning Board member Linda Graham. Motion passed 6-0.

PLANNING BOARD  
REGULAR MEETING  
TREMONT TOWN OFFICE  
MEETING ROOM  
TUESDAY, OCTOBER 28, 2008  
IMMEDIATELY FOLLOWING PUBLIC HEARING

1. CALL TO ORDER

Planning Board Chairman George Urbanneck opened the regular meeting at 6:20 pm.

2. ROLL CALL

Chairman George Urbanneck, Planning Board members Wayne Patton, Linda Graham, Alden Gray, Mike Ryan, Spencer Ervin, CEO Millard Billings and Recording Secretary Heidi Farley.

Members of the public present were: Noel Musson from CES, Inc., abutters James and Kathy Shields, Virginia Everbeck and resident Richard Hamblen.

3. ADJUSTMENTS/ADOPTION OF AGENDA

None

4. APPROVAL OF MINUTES

**MOTION** by Planning Board member Spencer Ervin to accept minutes of October 7, 2008 as distributed, seconded by Planning Board member Linda Graham. Motion passed 5-0-1. Chairman George Urbanneck abstained because he was not at that meeting.

5. SUBDIVISIONS

Final plan approval of a 5 lot subdivision called "Walkers Meadow Subdivision" submitted by Civil Engineering Services, Inc. for Ouzel, Inc. The property is located in the Harbor Shoreland Zone on Map 5 Lots 33D, 33G, 33J and 34.

**MOTION** by Planning Board member Linda Graham to approve final plan for Walkers Meadow Subdivision conditional upon applicant putting a note on the plan stating that all existing drainage swales along westerly property line shall be maintained by property owners, seconded by Planning Board member Wayne Patton. Motion passed 6-0.

6. NEW BUSINESS None

7. OLD BUSINESS None

8. CEO ISSUES None

9. NOTICES None

10. OTHER None

11. SET DATE FOR NEXT MEETING November 18, 2008

12. ADJOURN

**MOTION** by Planning Board member Wayne Patton to adjourn meeting at 6:25 pm, seconded by Planning Board member Linda Graham. Motion passed 6-0.

Respectfully submitted  
Heidi Farley

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Chairman George Urbanneck

**PLANNING BOARD  
REGULAR MEETING  
TREMONT TOWN OFFICE  
MEETING ROOM  
TUESDAY, NOVEMBER 18, 2008  
6 PM**

**1. CALL TO ORDER**

Chairman George Urbanneck called the Planning Board meeting of Tuesday, November 18, 2008 to order at 6:05 pm.

**2. ROLL CALL**

Chairman George Urbanneck, Planning Board members Wayne Patton, Linda Graham, Alden Gray, Mike Ryan, Susan Snyder, Spencer Ervin, CEO Millard Billings and Recording Secretary Heidi Farley.

Members of the public present were: Noel Musson from CES Inc., Will Ratcliff and Jeff Toman representing Morris Yachts, Mount Desert Islander reporter Mark Good and abutters Frank Keenan, Stewart and Amy Murphy.

**3. ADJUSTMENT/ADOPTION OF AGENDA**

None

**4. APPROVAL OF MINUTES**

None

**5. OLD BUSINESS (FORMERLY AGENDA ITEM 5. SUBDIVISIONS)**

**Application submitted by CES Inc. for Morris Holdings, LLC to construct one 50'x170' building. The property is located in the Residential/Business Zone on Map 5 Lot 19-**

Planning Board member Alden Gray recused himself and left the meeting. Mr. Gray has a conflict of interest because he works for Morris Yachts.

Noel Musson from CES, representing Morris Holdings, LLC explained to the Board that the revised plan includes Orchard Pond Road being 18' of drivable space with pull offs, a dry hydrant, a vegetative underground filter system and timed and shaded lights.

Abutter Frank Keenan suggested that the fill piles on the property be tested as well as the pond for contamination. CES Representative Noel Musson told the Board that testing was done in 1999 of the soil and those tests should be sufficient. Mr. Musson also said "Morris Yachts doesn't believe pond needs to be tested." Planning Board member Linda Graham told the Board that she thought it should be tested for a baseline. Abutters Stewart and Amy Murphy told the Board that they had their well tested and are unable to use their water to bath, wash dishes or drink because it tested so poorly.



**MOTION** by Planning Board member Mike Ryan to approve application submitted by Morris Holdings, LLC dated 8/19/2008 with revised site plan submitted on 11/18/08 for a 50'x170' boat repair and storage building with the following conditions to be provided to CEO Millard Billings:

- 1. DOT road opening permit**
- 2. DEP wetland permits**
- 3. DEP storm water management plan**
- 4. Applicant is to provide composite soil sample test results of piles of fill on site.**
- 5. Applicant is to provide water and sediment sample test results of the pond.**
- 6. Applicant is to put on the plan that Morris Holdings, LLC or any subsequent owners shall maintain buffer trees and replace any diseased or dead trees.**

Motion was seconded by Planning Board member Wayne Patton. Motion passed 5-1. Planning Board member Linda Graham opposed.

**6. NEW BUSINESS**

None

**7. SUBDIVISIONS (FORMERLY AGENDA ITEM 7. OLD BUSINESS)**

**Submittal of Mylar plans for Walkers Meadow subdivision to be signed, conditional upon note on plan stating that all existing drainage swales along westerly property line shall be maintained by property owners.**

Note was not on the plan. CES will bring in corrected set of plans to be signed this week

**8. CEO ISSUES**

None

**9. NOTICES**

Three notices of violation (see attached).

**10. OTHER**

None

**11. SET DATE FOR NEXT MEETING December 16, 2008**

**12. ADJOURN**

**MOTION** by Planning Board member Linda Graham to adjourn meeting at 7:25 pm, seconded by Planning Board member Wayne Patton. Motion passed 6-0.

Respectfully Submitted  
Heidi Farley

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Chairman George Urbanneck

PLANNING BOARD  
REGULAR MEETING  
TREMONT TOWN OFFICE  
MEETING ROOM  
TUESDAY, MARCH 25, 2008  
6:00 PM

AGENDA

1. CALL TO ORDER
2. ROLL CALL
3. ADJUSTMENTS/ADOPTION OF AGENDA
4. APPROVAL OF MINUTES February 26, 2008
5. SUBDIVISIONS None
6. NEW BUSINESS  

Application submitted by Carlton Johnson of Up Harbor Marine to have office/storage space in the upper end of building number 3. The property is located in the Commercial Fisheries/Maritime Activity Zone on Map 17 Lot 18.
7. OLD BUSINESS
  - A. FLOODPLAIN ORDINANCE REVIEW
  - B. ZONING ORDINANCE REVIEW
  - C. WARRANT ARTICLES
  - D. SCHEDULE PUBLIC HEARING Public Hearing can be scheduled for April 22<sup>nd</sup>, 2008 with notices in the newspaper on April 3<sup>rd</sup>, and 10<sup>th</sup>.
8. CEO ISSUES
9. NOTICES
10. OTHER
11. SET DATE FOR NEXT MEETING April 8, 2008
12. ADJOURN

