

**Minutes of the Town of Frye Island Planning Board Meeting**  
**August 18, 2007**  
**Frye Island Community Center**

Meeting called to order by Dave Treacy, Chairman at 8:30 a.m.

**Present:**

Dave Treacy, Steve Kaplan, Ed Johnson, Marge Hommel, Margarete Schnauck, Paul Peterson and Paul White CEO.

**Absent:**

Sam Donio

Dave Treacy, appointed alternate Margarete Schnauck as a voting member for this meeting to replace Sam Donio

The minutes of the July 22, 2006 were approved and accepted.

The Board unanimously voted to approve Inez (Smitty) Kaplan as a non board member recording secretary with this meeting being the effective start date.

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Dave Treacy presented a letter from Tim McCarthy which stated that the Board of Appeals is recommending that the Planning Board adopt an ordinance to better assure compliance with the appropriate property line set backs to reduce the amount of appeals coming to the Appeals Board. Refer to letter for complete details.

Paul Peterson stated the a property survey can cost up to \$2500 and suggested that language needs to be in place to determine whether or not a survey should be required.

After a lengthy discussion the Board strengthened the language in the Appeals Board proposed ordinance to read as follows:

Any new construction or change to an existing footprint will require a building permit, unless based upon the Code Enforcement Officers assessment there is sufficient space and accuracy of Monuments, will require a certified property boundary survey before construction commences. Any lot/construction not requiring a survey will be confirmed in writing by the CEO.

Dave Treacy and Paul Peterson will review the wording and present any further enhancements at the 8/25/07 meeting.

Dave Treacy moved that we set up a public hearing. Seconded by Marge Hommel, All voted in favor.

## **Comprehensive Plan Update – Report on 8/11/07 meeting.**

Steve Kaplan reported that a discussion was held on the priorities that should be addressed. It was decided that we should work on the Ferry System, Water System and Beaches. The ferry system was deemed to be the #1 priority. It was decided that Sam Donio would do the Federal Grant Proposal based on his experience in doing the proposals for his company. The committee felt that we should ask for a pie in the sky list from the Transportation Committee. Steve Kaplan, Ron Cedrone and Bob Sutherland volunteered to attend the 8/11 meeting and present what our committee was looking for. At the meeting we were informed that they were working on exactly what we wanted and were quite a way into the process. That being said it will still take another year for the total plan to materialize. Wayne Fournier appointed Chairman of the Planning Committee Dave Treacy who is also a member of the Transportation Committee to be the liaison to the Planning Board.

## **Shore land Zoning**

### **Definitions of Normal High Water line.**

Paul White went all around the lake to determine what method various towns use to determine the high water mark- In general they use staining on the rocks, shore land vegetation, Terrestrial and aquatic debris. It was determined that 266.5” is the State accepted high water mark elevation.

Steve Kaplan asked if the State or Federal Government controls the water height. Wayne Fournier stated that FERK establishes the water curve for various times of the year- SAPPI controls the dam.

Dave Treacy asked Paul White to point out in the state ordinance where the high water mark is defined. It was on page 119- however our current ordinance includes only what is DEP mandated. Paul, as CEO requested that the language in Frye Island ordinance defining the high water elevation be changed to 266.5” to avoid subjection of various surveying methods.

Subject tabled until next meeting when hopefully Paul can provide more written documentation to justify changing our ordinance.

## **Board of Appeals re: lower standards for non- shoreland variances. (“4- C “)**

Tim McCarthy stated that the Board of Appeals is not in favor of adopting 4- C and recommends leaving the standards as they are.

Marge Hommel moved not to consider 4C. Seconded by Margarete Schnauk. All were in favor.

## **Permits for temporary structures, especially docks.**

Much ambiguity re: docks vs. structures, required permitting, fees per square foot and required size of docks.

Paul Peterson requested clarification regarding State mandates vs. Frye Island ordinance.

Paul White to get in writing rules regarding docks to protect shoreline zone.

Steve Kaplan moved that the subject be tabled until the 8/25/07 meeting. Seconded by Ed Johnson. All in favor.

Paul White to supply definitive information to be voted on.

### **Appraisals for lot line changes.**

Dave Treacy moved to ratify the board agreement in the minutes of the 5/22/04 based on MMA Please refer to the memo from Marge and a letter to Wayne from the MMA.

Marge Hommel moved that lot line changes need not be reviewed by the planning board but by the CEO.

Seconded by Steve Kaplan- All in favor.

### **Fee Schedules**

Wayne Fournier presented a recommendation from the Frye Island lawyer that the Board of Selectman develop a set schedule of fees re: the land use ordinance and then present it at a town meeting. Marge Hummel moved to table the discussion until the 8/25/07 meeting.

Seconded by Ed Johnson- All in favor.

### **Need for Animal Control Ordinance**

Wayne Fournier presented the issue of unruly dogs on our public beaches and several noisy dogs (incessant barking). If we want to control these animals, then we need to have an animal control ordinance in place so the Animal Control Officer and/or police can enforce the rules.

Wayne has a copy of the Raymond Ordinance and will review and will make a proposal at our 8/25/07 meeting. The recommended ordinance will be presented at a public hearing. Date not yet determined.

### **Buoys**

Bill Fitzgerald, Lot 88 questioned whether or not it was legal to place a buoy and tie up a boat in front of someone else's property. Marge Hommel stated that the town does not have a mooring ordinance and, therefore, the town does not have control of the water. There is a restriction, however, that states that no one is allowed to walk through private property to get to their boat.

Margarete Schnauck moved to adjourn the meeting. Seconded by Steve Kaplan. Meeting adjourned at 10:40 a.m.

**ATTENDEES**

<b><u>NAME</u></b>	<b><u>LOT NO.</u></b>
Wayne Fournier	1113
Barbara Fitzgerald	88
Anne Dupuy	87
Bill Fitzgerald	88
John Nun	269
Tim McCarthy	159
Bob Sutherland	31