



Select Board

Public Hearing & Regular Meeting
Tuesday, September 22, 2020 @ 5:30pm
Southwest Harbor Fire Station

MINUTES

Public Hearing

I. Chair Kristin Hutchins called the public hearing to order at 5:32 pm;
Present: Board members Carolyn Ball, Snap Willey, Chad Terry, George Jellison.
Town Manager, Justin VanDongen; Code Enforcement Officer, John Larson; Town Clerk, Marilyn Lowell.

II. Marijuana Ordinance Public Hearing:

Carolyn Ball proposed several edits to the Marijuana Ordinance that included: Clarify that the Select Board to act as the “licensing authority”; the term charter was removed as Southwest Harbor does not have a charter; establishments used consistently throughout; facility consists of cultivation, manufacturing and testing; license procedure on page 8, remove “if” and replace with “where”; page 9 “recognized by the State of Maine” strike out phrase of OMP; registered caregiver clarified through body of ordinance.

III. Land Use Ordinance Public Hearing: No comments.

IV. Shoreland Zoning Ordinance Public Hearing: No comments.

V. Subdivision Ordinance Public Hearing: No comments.

VI. Adjourn Meeting

Motion to adjourn Public Hearing at 6:15 pm by Chad Terry, Seconded by Kristin Hutchins

VII. Adjourn Meeting

Motion to adjourn at 7:37 pm by Chad Terry, Seconded by Kristin Hutchins. Passed 5-0-0.

Regular Meeting

I. Chair Kristin Hutchins called the Select Board meeting to order at 6:15 pm.

II. Visitors to be heard not on the agenda: Erin Witham speaking on behalf of the Hancock County Planning Commission. Erin has been asked to represent the town on the Board of the Commission. She needs the Board’s approval. All towns are considered members at this point with or without paying dues, given that the Commission has not been functioning. Witham is asking for a

nomination to the HCPC. Motion by Jellison to appoint Erin Witham to the HCPC Executive Board for the balance of the term. Second by Willey. Passed 5-0-0

III. Minutes of September 8, 2020: remove sentence in VI. C.

Motion by Ball to accept the minutes of September 8, 2020 as corrected. Second by Willey. Passed 5-0-0

IV. Manager's Report:

Town Garage- The Manager is asking to have an appraisal done on the property located at 13 Mountain View Rd for the proposed town garage.

Motion by Ball to have an appraisal done on the Town's behalf for the property located at 13 Mountain View Rd. Second by Terry. Passed 4-1-0 with Jellison opposed.

One of the owners of the building would be willing, with his co-owners, to consider sale of the building if he can receive a 5 year term to lease one bay. Jellison asked where the money for the appraisal was going to come from, the Manager suggested it could come from the Municipal contingency fund.

Chris's Pond- Maine Coast Heritage Trust has taken charge of going forward with trying to purchase the property and then turn it over to the Town. The right of way to the 392 Main Street property needs to be determined

Motion by Ball to use up to \$4000 from the legal funds to look into the right of way to Chris's Pond as well as the 392 Main St property. Seconded by Terry. Passed 4-1-0 with Jellison opposed.

Covid-19 School Reopening- The reopening checklist is nearly complete, Grades K-4 will resume in person learning 5 days per week, Grades 5-8 will be a hybrid model.

Manset Town Dock- the Harbor Committee had a few modifications to the plan from CES at their meeting on September 14, 2020.

V. New Business

- a. MRC nominations – No nominations given
- b. General Assistance Ordinance Update – Motion by Jellison to accept and sign the appendix updates to the Ordinance. Second by Willey. Passed 5-0-0
- c. Goal Setting Discussion – Board members should be prepared for discussion on goals for the Town Manager and the Board at October meeting.

VI. Old Business

- a. Marijuana Ordinance – Motion by Hutchins to sign certification of text for the Marijuana Ordinance. Second by Willey. Passed 5-0-0.
- b. Land Use Ordinance – Motion by Jellison to sign certification of text for the Land Use Ordinance. Second by Willey. Passed 5-0-0.

- c. Shoreland Zoning Ordinance – Motion by Ball to sign certification of text for the Shoreland Zoning Ordinance. Second by Terry. Passed 5-0-0.
- d. Subdivision Ordinance – Motion by Terry to sign certification of text for the Subdivision Ordinance. Second by Willey. Passed 5-0-0.

VIII. Other Business (corrected from VII on the agenda)

Ball asked Hutchins if she would meet with the Manager to discuss goals ahead of the October meeting for a more fluid discussion. She agreed.

Terry mentioned he received an email about the speed sign that was placed on Fernald Point Rd regarding the lights shining into the residents' bedroom window all night. Jellison added that the speed sign sat in front of Debbie Johnson's home on Main Street all summer long.

Hutchins asked about residents receiving updates on meeting by e email The Clerk will look into restarting the email list.

It was mentioned that the shrubs in front of the Norwood Cove apartments are getting out of control.

Hutchins asked about an update on John Williams parking lot. The Town Manager stated that Planning Board was still working on the plan.

IX. Accept

Motion by Terry to accept:

General Fund Warrants: FY 21 #27

Payroll Warrants: FY 21: #24, #26, #917 and #924

School Warrants: FY 21 #23 and #25

Second by Willey. Passed 5-0-0

X. Adjourn

Motion by Terry to adjourn the meeting at 7:14 pm. Second by Willey. Passed 5-0-0

JD