

City of Ellsworth
Planning Board Regular Meeting Minutes
Wednesday, December 6, 2023 5:30 PM

Chair John DeLeo, Vice-Chair Rick Lyles, Secretary Nelson Geel, and Alternate Member Mike Hangege attended the regular meeting of the Ellsworth Planning Board.

Four board members present

City Planner Matthew Williams, Assistant City Planner Elizabeth Ouellette, Code Enforcement Officer (“CEO”) Lori Roberts, and CEO Robert Grant were present.

Four staff members present

1.) Call to Order

Call to Order

Chair DeLeo called the meeting to order at 5:30 PM.

2.) Adoption of Minutes from the November 1, 2023 Regular Meeting.

Adoption of minutes

Vice-Chair Lyles moved to adopt the Minutes from the November 1, 2023 Regular Meeting. Alternate Member Hangege seconded the motion. **The vote to adopt the Minutes from the November 1, 2023 Regular Meeting was UNANIMOUS (4-0).**

ADOPTED

3.) Shoreland Zoning Review of a Residential Project for Owners Richard & Debra Morrin and Applicant Nathan Butler. The proposal is a single-family home with a garage and deck located in a Shoreland Zone. The size of the project will meet or exceed 3,000 square feet. The subject property is an approximately 1.4-acre lot located at 264 Branch View Drive (Tax Map 81 Lot 39) in the Drinking Water (DW) and Drinking Water Protection (DP) Zoning Districts.

Residential Project

Applicant Nathan Butler was present representing the project. Before questioning the Applicant, Chair DeLeo asked City Planner Williams to explain the situation. Williams said that this was a single family home in the Drinking Water Zone which exceeds 3,000 square feet. He said that in Article 4 of the Unified Development Ordinance (UDO), there is a provision that any single family home exceeding that amount would be required to be reviewed by the Planning Board. Williams said that there are no criteria which the Planning Board is supposed to follow for their review, therefore they would be reviewing the project to see if it would have a disproportionate impact on the surrounding land or the drinking water supply. He said that he would be reaching out to the City Planner at the time that the ordinance was drafted to see what the thought process was behind this requirement. He said that unless there is a good reason for it to still exist, he would likely remove that provision in future revisions of the UDO. DeLeo said that this is the first time he has seen this type of review so it is very uncommon and he would support removing it. Williams said that there are some uses which they want to restrict in the Drinking Water Zone, but single family homes are not one of them. Applicant Butler then asked the Board for approval of the project.

Discussion

Vice-Chair Lyles asked why a permit was already granted for the house when they are reviewing the project now. CEO Roberts said that this was because she had the authority to grant a permit for the home, but did not have authority to grant it for the entire project,

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which includes a deck and garage. Lyles asked if they did not grant this approval, if the Applicant would not be able to build anything. Roberts said that he would still be able to build the house, but he would not be allowed to have a garage. Lyles then asked if there were any additional Staff comments from other departments. Williams said that there were no other comments from Staff.

Chair DeLeo opened the public hearing at 5:34PM. There were no members of the public in attendance who wished to speak. DeLeo closed the public hearing at 5:34PM.

**Public Hearing
OPENED AND
CLOSED**

The Board then discussed the proper phrasing for the motion to approve the review.

Vice-Chair Lyles moved to approve the Shoreland Zoning Review of a Residential Project for Owners Richard & Debra Morrin and Applicant Nathan Butler for a single family home in the Drinking Water and Drinking Water Protection Zoning Districts. Alternate Member Hangge seconded the motion. **The motion to approve the Shoreland Zoning Review of a Residential Project for Owners Richard & Debra Morrin and Applicant Nathan Butler for a single family home in the Drinking Water and Drinking Water Protection Zoning Districts was UNANIMOUS (4-0).**

APPROVED

4.) Staff Comments

Staff Comments

City Planner Williams first introduced the new Code Enforcement Officer Robert Grant who has been hired to replace CEO Roberts once she retires in the Spring. The Board welcomed CEO Grant to the City and expressed their excitement about working with him. Williams then went on to say that there were two applicants for the open Planning Board positions and those two applicants were present at this meeting. Williams asked the applicants to introduce themselves and give a little bit of their background. He told the Board that they cannot interview the applicants this evening since it was not stated on the agenda, but they can introduce themselves and chat for a moment. Williams said that they would be voting for a recommendation to City Council in their January meeting.

The first Applicant came forward and introduced himself as John Califano who is a physician in the City. He said that he also has a Real Estate license and he is eager to use his knowledge in a practical way. He said that he is eager to learn and he hopes that the Board will consider him.

The second Applicant came forward and introduced himself as Vince Messer who is relatively new to the community. He said that he is excited to be a part of the community and work to improve the City in a productive way. He said that in his year and a half in the community, he has seen a lot of growth and that is exciting but also concerning. He said that he would like to be a part of the review process when allowing certain projects in the City. He said that he would like to learn more about the community and he would like to get to know the people of the community. He said that he thought joining the Board would help him do that and he hopes that the Board will consider him next month.

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The Board then introduced themselves, said how long they have been on the Board, gave a little bit of their background, and talked about impressions of being on the Board. Chair DeLeo then said that both the Board Members and City Staff take their jobs very seriously and are very committed to the work that they do. He also said that they like to try and keep things light and fun whenever they can, but their work is their priority. He said that he is excited to learn more about both of the applicants next month. Mr. Califano asked how many people can be on the Board. DeLeo explained that there are 5 regular members and 2 alternate members of the Board. He said that the alternate members do not vote unless there is a regular member who is absent from that particular meeting. He said that currently there are two spaces, both alternate positions, which are available. Alternate Member Hangge said that alternate members can also make comments even if they are not voting. Vice-Chair Lyles said that it was an educational experience to join the Board as an alternate member and have some time to learn about the process. City Planner Williams said that Staff would also provide the new Board members with access to the required training for Planning Board members through Maine Municipal Association.

City Planner Williams then went on to talk about some projects that he anticipates coming back in January, but said that he was not sure if there would be any projects. He said that if there were no projects, he would like to do a review of all of the UDO and see what the Board would like to prioritize in the way of changes they would like made. Williams said that he is about to go through the budget process so he would like to know what to budget for. Vice-Chair Lyles asked for some advanced notice if they were going to be having that meeting. Williams said that they could even have it on a different day if there are no projects that are coming before the Board.

5.) Adjournment

Vice-Chair Lyles moved to adjourn. Alternate Member Hangge seconded the motion. The vote to adjourn was UNANIMOUS (4-0).

**Vote to adjourn at
5:51 PM**

Minutes prepared by: Elizabeth Ouellette, Assistant City Planner.

*Agendas and minutes
posted on the City of
Ellsworth's website:
ellsworthmaine.gov
A video transcript of
this meeting is also
available on
YouTube.*

11/3/24
Date


Nelson Geel, Secretary
Ellsworth Planning Board

