

TOWN OF HANCOCK

P.O. BOX 68 · 18 POINT ROAD · HANCOCK MAINE 04640
PHONE: (207) 422-3393 FAX: (207) 422-6705



MINUTES OF OCTOBER 9, 2024 PLANNING BOARD MEETING

Participants: Doug Kimmel, Ken Emerson, Scott Dyer, Meredith Akerstein, Ant Blasi, Don Baker, Nick Branca, Ruth Franzius, Rod Franzius, Carol Lowrie, Sharon Ressler, Karen Lang

Doug Kimmel called the meeting to order at 6:03.

1. Conflict of Interest Recusals & Quorum Call

Doug appointed Associate Planning Board member Ant Blasi a voting member in Debi Foster's absence; no conflicts or recusals.

2. Approval of Minutes of Planning Board Meeting September 11, 2024

After a spelling correction, Ant moved to approve the minutes, Scott seconded, and the motion passed 4-0. (Meredith Akerstein abstained because she had been absent.)

3. Introduction of persons in attendance

4. Public Comment

Carol Lowrie asked how and why some decisions are made by the Code Enforcement Officer and others by the Planning Board. Doug explained that when a permit is requested for a non-conforming lot or a non-conforming structure, or a variance is required, the Planning Board usually decides, while the CEO generally rules when an ordinance and its applicability are straightforward.

Ant suggested this should be clarified when Town ordinances are reviewed. Doug said there was no need for immediate action, but this should be considered in due course.

5. CEO Report

Don Baker reported that in September his substitute, John Larson and he had issued 4 building permits for a new modular home, a new deck, a new community building, and a

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small addition, and 2 plumbing permits for new subsurface systems. Total income: \$1,543.60.

Don said that because a corporate entity is not permitted to operate a bed and breakfast in a residential zone, he had rescinded the permit issued to the Crocker House owner Robert Noddin to operate a B&B at 112 Cross Road. Crocker House owner Robert Noddin withdrew his application amiably but may return with a proposal that is not under the corporate umbrella of the Crocker House.

6. **New Business: Request from Select Board to Review Town Sign Ordinance**

Doug asked if there were any additions to the new business on the agenda.

a) Mobile home park zoning

Ant moved that the board discuss his proposal to amend Town ordinances to expand the Mobile Home Park Zone to include the property associated with all existing mobile home parks that are not in the Resource Protection, Stream Protection, Shoreland Development or Shoreland Residential Zone. Meredith seconded, and the motion passed 4-0. (Doug abstained.)

b) Shoreland zoning ordinances

Ken moved that the board discuss proposed changes to Shoreland zoning ordinances. Ant seconded, and the motion passed 4-0. (Doug abstained.)

c) Coastal Estates

Don asked the board to approve two of the five additional lots for which Coastal Estates had been seeking approval because the slabs had been poured. Ken asked why Coastal Estates had withdrawn its application. Don said they told him "because they were tired of messing with the whole thing." Meredith moved that the board discuss this, Ken seconded, and the motion passed, 3-0. (Doug and Ant abstained.)

d) Town sign

Doug said the Select Board was interested in creating a sign that would inform passers- and drivers-by of Town meetings and other events, and had asked the Planning Board to review the ECO's sign ordinances. Section 5 B. 28 Signs 3. b)

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states “No sign shall contain, include, or be illuminated by flashing, blinking, intermittent, or moving lights.”

A lengthy discussion ensued and concluded when Doug proposed that he write a memo to the Select Board stating that the Planning Board was in favor of a Town sign and advised that 1) its messages should be restricted to information about Town meetings, events and needs; 2) it should not include commercial advertising; and 3) it should not contain blinking, flashing or distracting lights, images or content.

7. Old Business: Preparation of amendments to the ECO for the Select Board and Public Hearing

On P. 3, in 5) Section 5 Land Use Standards B. Dimensional Requirements c. Additional Dimensional Requirements 6), Ken recommended deleting “or calculations to” and replacing them with the single word “in.” He also submitted to Doug several copy-editing suggestions too minor to merit public discussion.

On P. 5, in 13) Section 12: Definitions B. Definitions of Words, Manufactured Housing, Ruth Franzius recommended changing “permitted and subject to the same requirements as single-family dwellings” to “allowed, subject to the same requirements as single-family dwellings.”

Doug moved to approve, with these changes, the proposed ECO amendments. Scott seconded, and the motion passed 4-0. (Ant abstained.)

The board also considered approving a check list for its Site Plan Review Application. Doug asked Don, Nick Branca, Sandy Giuffrida and Ruth to come up with a new, improved format that includes space for an applicant’s signature.

8. New Business (Resumed)

a) Mobile home park zoning

Ant moved that the board approve his proposed amendment to Town zoning to include in the Mobile Home Park Zone mobile home parks in other zones. He pointed

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out public safety, law-enforcement and other provisions in the current Mobile Home Park Zone that would benefit the Town and mobile home park residents if they were applied to all mobile homes in Hancock.

Discussion: Other board members said this could not apply retroactively to Coastal Estates, and that Town attorney Dan Pileggi had insisted that the Planning Board could not rescind the permit it had approved, even if it had issued that permit in error.

Doug said that only the CEO, not the Planning Board, had enforcement authority over the Coastal Estates, and that the CEO and the Select Board had signed off an agreement that the Planning Board did not have the power to override.

Failing to get a second, Ant's motion was not voted on. "Let posterity regret it," Ant warned.

b) Shoreland zoning ordinances

Confusion arose over when and which shoreland zoning ordinances had been repealed, amended or approved. There are minor discrepancies in different versions of them.

Because it was unclear which ordinances require reviewing, Ken moved that Nick and Ruth Franzius prepare and circulate to board members an up-to-date, definitive version of current Town shoreland zoning ordinances, and note which revisions might be required to comply with Department of Environmental Protection guidelines. The board will review and discuss this at its next meeting. Ant seconded, and the motion passed, 5-0.

Ant noted that surgery will prevent him from attending next month's meeting.

9. Adjourn

Doug moved to adjourn. Ant seconded, and motion passed 5-0. The meeting adjourned at 7:45.