

Minutes for Tuesday, December 17, 2019 Planning Board Meeting

1. Call to Order: The meeting was called to order at 7:03 PM.

2. Introduction of Attendees: Present were Planning Board (PB) Members: David Johnson (Chair), Laura Chadbourne (Secretary), Melanie Eldracher, Morris Gibely, and Alternate Member Bill Graham. Absent: Member Kevin Taylor and Alternate Member Ron Kiesman. In accordance with the PB By-laws, Bill Graham was designated by the PB Chair to serve as a voting PB Member in the absence of Kevin Taylor. Code Enforcement Officer (CEO) was unable to attend due to inclement weather.

Later in the meeting, members of the Sweden Board of Appeals (BOA) (who had been conducting a regular meeting in a separate room in the Town Office) joined the PB meeting. BOA members Bruce Taylor (Chair), Mary Sohl, and Dell Foss attended.

3. Minutes from the November 19, 2019 Meeting: The minutes were reviewed by the group. David Johnson moved that the minutes should be approved conditional on edits if needed from the attorney engaged by the Planning Board. Laura Chadbourne seconded the motion. The motion passed unanimously.

4. CEO's Report for November 2019:

Laura Chadbourne moved and Melanie Eldracher seconded that the CEO's November report be tabled until the next PB meeting when the CEO would likely be in attendance. The motion passed unanimously.

5. Communication & Bills

A. Correspondence Received and Sent (by date)

1. Ltr (emails) to and from PB Secretary dated 12-2-2019 to 12-8-2019 and Mr. Richard Jordan of Flycatcher LLC requested to be placed on the 12-17-2019 Planning Board agenda to present information about a study of the feasibility of developing a ground-mounted solar project in Sweden. PB Secretary confirmed placement on agenda and recommended that Mr. Jordan review the town's Comprehensive Plan. Mr. Jordan replied that they had been reviewing several town ordinances / regulations over the past few weeks.

2. Ltr (email) to PB dated 12-10-2019 from CEO Arthur Dunlap, forwarding a building permit application for a dock from Jim Heath (Map U-01, Lot 2) for PB consideration under Article XIII "Conditional Use" of the town's Zoning and Land Use Ordinance. PB Secretary confirmed back via email on 12-14-2019 that the item would be placed on the PB's agenda for the 12-17-2019 meeting.

3. Ltr (email) to PB dated 12-12-2019 from Doug Porter (on behalf of the Sweden Historical Society),(SHS) requesting to be placed on the Planning Board agenda in January to discuss the electrical phase of the Center Schoolhouse (Map R-05 Lot 41). PB Secretary responded via email on 12-13-2019, confirming placement on the January PB agenda.

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6. New Business:

- A. **Note:** Mr. Richard Jordan from Flycatcher LLC had reached out to PB Secretary earlier in the day to postpone their presentation due to inclement weather. Mr. Jordan will reschedule to a future date.
- B. Regarding Conditional Use Permit (CUP) application for a dock from Jim Heath (Map U-01, Lot 2), Laura Chadbourne made a motion to table the review of application materials until the next PB meeting given the snowy weather and the expected time it would take to review a number of other items on the PB's agenda that evening. She noted that it would be several months before a dock could be put it and therefore time remained to review the CUP in the next meeting. Melanie Eldracher seconded the motion. The motion passed unanimously. Laura Chadbourne stated that she would contact the applicant to let them know that the application will be reviewed in January, and to also ask if they could provide some additional information for the application.
- C. Laura Chadbourne shared information and quotes received from Michael Morse (former Maine DEP) and Southern Maine Planning and Development Commission (SMPDC) for supporting the Town of Sweden in revising its Zoning and Land Use Ordinance (ZO) and Subdivision Regulations (SR). Both are out of compliance with current Maine State laws. The PB discussed that it wants to take a risk-based approach to updating both documents which requires professional representation.

Note: BOA members joined the PB meeting at this point.

Mary Sohl from the BOA shared her past experience in leading updates to the Sweden ZO. As the PB Chair, she and the PB went through this about 13 years ago. State Law required that the ZO be revised to comply with the Town's Comprehensive Plan (approved in 2004). It is a lot of work, will take time, and it's important to have subject matter experts engaged so no mistakes are made which can put the town at risk. She reviewed the steps: they held workshops – probably 30 or more of them - to go through each part of the document, discussed what might need to be updated then checked everything through research or contacting experts. This took well over a year. Explanations needed to be prepared for every single change to the document so that townspeople could understand why suggested changes were being proposed. Public hearings are required and then a town meeting was held to vote on the changes. She emphasized that it is a massive effort. BOA has a few suggestions to update the ZO as well (re: legal fee management, clarifications for existing language, addressing new items that weren't an issue the last time the ZO was revised.).

- D. Both the BOA and PB reviewed the latest job description for the town's Administrative Assistant (AA) which had been revised twice in the past few months and adopted in late November by the Board of Selectmen (BOS) without any solicitation of input from any town committees or boards. The group noticed that almost all support for the PB, BOA, and CEO had been eliminated from the AA job description. Both boards noted that this lack of administrative support is going to be a huge challenge: only 3 people are currently on the BOA and are working full time and/or actively engaged in other committees and

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cannot provide the administrative support that the BOA needs. PB has been requesting administrative support for several years and only kept up thanks to the volunteer efforts of the PB Secretary and PB Assistant which is not sustainable for the long term. One of the original core assumptions in expanding the job description and funding for the AA role, and the main reason the PB, BOA, and Budget Committee (BC) supported it, was to provide much-needed administrative support to the CEO, PB, BOA, BC, and other volunteer boards and committees in addition to the BOS. The bulk of that support has now been removed from the AA job description. In fact, the AA's job title has been changed from "Town of Sweden, Maine Administrative Assistant" to "Town of Sweden, Maine Administrative Assistant to the Select Board".

Given that the bulk of administrative support for the PB has been removed by the BOS, the PB members noted that the draft letter to the BOS for the warrant article should also include funding of a proposed \$10,000 annually for the PB for board support.

David Johnson made a motion for the PB to send a letter to the BOS with the following items:

1. Request for an article in the 2020 Warrant for Town Meeting that reads: "To see if the Town will vote to take from surplus up to \$25,000.00 for the purpose of revising Sweden's Zoning and Land Use Ordinance and Subdivision Regulations to comply with current Maine state law, to ensure that any revisions are consistent with Sweden's Comprehensive Plan, and that any proposed revisions are approved by the Commissioner of the Department of Environmental Protection."
2. A note that the Planning Board will require that its annual carry-over amount be increased to at least \$10,000 beginning with the 2020 budget year.

Morris Gibely seconded the motion. The motion passed unanimously.

7. Old Business:

- A. As a follow up to questions raised at the November PB meeting about the new Volunteer Policy, Laura Chadbourne related information she received about the new policy (adopted by the BOS in September, again with no input solicited from other boards or committees) at the 12-10-2019 BOS meeting. Answers from BOS:
 - i. **Q:** Are Sweden volunteer firefighters subject to the new volunteer policy? **A:** No. The firefighters are through the Sweden volunteer fire association, this is a contract with the association, not anything to do directly with the town.
 - ii. **Q:** Who does the Sweden Volunteer Policy apply to? **A:** any volunteer who does work through the town office. It does not apply to elected and appointed officials.
 - iii. **Q:** Does the Volunteer Policy apply to Sweden Food Pantry volunteers? **A:** No. The food pantry is not part of the town.
 - iv. **Q:** Who, so far, has gone through the Volunteer Policy process? **A:** No one.

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v. **Q:** If it's not being used, why does the town need a Volunteer Policy? **A:** We asked about it and the Maine Municipal Association recommended developing a policy.

The group noted that the only person the policy appears to apply to is the PB Assistant (the BOS stated in a 9-25-2019 letter to the PB that the PB Assistant would need to abide by the new Volunteer Policy). The group is perplexed and concerned as to why the policy appears to single out a person who has supported the town consistently for more than 15 years.

- B. Bill Graham recently attended an evening training seminar offered by MMA for PB and BOA members and found it valuable (other PB members have also attended and felt the same). He is happy to share the presentation materials with the group.
- C. David Johnson will reconfirm with the Lovell Land Trust organization's new director about presenting to an upcoming PB meeting.

8. Announcements:

- A. The next regular meeting would normally be on January 21st, but due to conflicts, the PB decided instead to hold the meeting on Monday, January 13th at 7 PM at the Town Office. Laura Chadbourne will confirm with AA that office is free that evening and ensure the new date is posted. She will also let Doug Porter (SHS) know about the change in date.

A motion was made to adjourn the meeting. The Chair adjourned the meeting at 8:35 PM.

Respectfully submitted,

Laura Chadbourne,
Secretary, Sweden Planning Board