Draft Minutes of 5 February 2020 Town of Clifton, Maine Planning Board Meeting

The meeting convened at approximate 6:05 p.m. in the Town Office Building. Present were Chairperson Bruce Jellison, Vice Chairperson David Cogdell and Members Vern Campbell and Julie LaVertue.

The Pledge of Allegiance was recited.

Upon a motion by Vern/Julie and a vote of 3/0 with David abstaining, the December 2019 meeting minutes were approved as amended.

Upon a motion by Vern/David and a vote of 4/0, the minutes of the January 2020 meeting minutes were approved.

The Maine Municipal Association’s substantially updated Planning Board Manual that was recently issued to Board members was discussed. Members were asked to review the manual and be familiar with its contents. Bruce made special note of the following:

--Freedom of Access Act (FoAA, beginning on page 14). Board members were reminded that any Board emails must also include the Town’s FoAA email address ([cliftonfoaa@gmail.com](mailto:cliftonfoaa@gmail.com)) to ensure the correspondence is captured.

--Board member discussions/emails (page 15). Board members should not have discussions/communications with other Board members regarding an application or other substantive Board matters outside of an advertised meeting.

--Investigations and avoiding any evidence of bias (page 23). Should a Board member want to introduce publicly available information to the Board on a particular matter rather than relying solely on information provided by an applicant or other party, the Board should publicly authorize such an action by a vote to enter the information into the record. Accordingly, upon a motion by Julie/Vern and a 4/0 vote, the Board voted to allow such information to be entered into the record when appropriate.

--Public participation (page 29). Members should be familiar with the ins and outs of what the public may or may not be allowed to do at meetings.

--Ex parte communications (page 33). Members were cautioned about discussing Board-related business with individual town residents and other parties outside of a public meeting.

--Compatibility with neighborhood review standards (page 47, 2nd paragraph). The legalities were briefly discussed.

Bruce provided a proposed Clifton Planning Board Bylaws document that he had written. He asked the members to become familiar with the document and come to the next meeting with any comments or suggestions as appropriate. Bruce noted that section 1.9 in the proposed bylaws contains a 7-day advance period for submitting materials to the Board for consideration at the next meeting vice a 10-day period currently used.

It was reported that the deadline date to hold one or more public hearings for the Silver Maple project was nearing the previously Board-authorized deadline. With the consent of the SWEB representative in attendance and upon a motion by Bruce/Vern with a vote of 4/0, the Board approved a 250-day extension to conduct the hearing(s).

Several letters to the Board from concerned citizens regarding the proposed Silver Maple project were reviewed and discussed. These were an 8 January 2020 letter from Clifton resident Paula Kelso and a January 23, 2020 letter from Otis resident Teresa Davis. Both were present at the meeting and were afforded the opportunity to discuss as appropriate which included concerns regarding the Silver Maple sound study and visual impact assessment. Additionally, Bruce provided written and verbal comments to the Board in response to those letters. It was made clear that Bruce’s comments were in his capacity as a private citizen only and not as Board Chairperson. Upon a motion by Vern/David and a vote of 4/0, the Board approved the motion to include the Kelso, Davis and Bruce correspondence in the minutes for this meeting.

Bruce reported that he was looking into posting the Silver Maple permit application onto the Town’s website to facilitate citizen access to the information. Bruce also reported that he had asked SWEB for some additional information and an improved map based upon Kelso’s letter. Additionally, there were various citizen comments regarding ways to improve notifications for hearings and meetings, and a suggestion that an attorney should review the work of the Board.

Bruce reported that he had received correspondence from the Town’s sound consultant David Hessler. That correspondence concerned comments that SWEB’s sound consultant RSG had provided in response to certain concerns/questions that Hessler had to the RSG sound study that is part of the Silver Maple application. Based upon the correspondence, no further action is required on that issue.

Bruce noted that at next month’s meeting, the Board would discuss completing the finding of facts stage of the Silver Maple application and begin reviewing the compliance portion of the application. Bruce also noted that the Board might be in a position to hold a public hearing by late March.

Upon a motion by Vern/David and a 4/0 vote, the meeting adjourned at approximately 8:02 p.m.

Minutes prepared by Planning Board Vice Chairperson David Cogdell.