

**Selectmen's Meeting Minutes**  
**August 29, 2019**  
**Harpswell Town Office**  
**Approved September 12, 2019**

At 5:00pm, the Board of Selectmen attended a site visit to the Cliff Trail.

**Call to Order and Pledge of Allegiance:** The meeting was called to order at 6:00 p.m.

**Selectmen Present:** Chairman Kevin E. Johnson, David I. Chipman and Jane G. Covey

**Staff Present:** Terri Sawyer, Deputy Town Administrator; William Wells, Code Enforcement Officer; and Mark Eyerman, Planner

**1. Adoption of the Agenda:** The agenda was accepted as printed.

**2. Public Comment:** Laura Crawford asked for more information regarding the recent approval to expend \$6-\$7,000 relating to the heat, ventilation, air and cooling system (HVAC). Deputy Administrator Sawyer responded there have been multiple issues with the HVAC system in the Town Office and the Town has hired an independent consultant to review the current system and make recommendations for improvements. Ms. Crawford responded it seemed pricey; Chairman Johnson responded the first proposal was much more and there was an agreement to focus on the HVAC system at a lower cost. Selectman Chipman added the system is also not a simple one and it's a hybrid.

**3. Selectmen's Announcements:** Selectman Chipman stated that Harpswell Community Broadcast is back on over the air – the antenna has been repaired.

**4. Town Administrator's Report:** Deputy Administrator Sawyer announced the Recycling Center's annual free shredding event will be on September 14 from 9:00am to noon or sooner if the truck gets filled. The Town's capital road project on Laurel Cove Road, Oakhurst Island and a portion of Oakledge Road is moving along nicely with the first coat of pavement on Oakhurst, Oakledge and will soon be on Laurel Cove. Deputy Administrator Sawyer reported that the owner of the boat the Town had towed to the Transfer Station in June came in and reimbursed the Town for the towing fee and will coordinate with the Recycling Center Manager tomorrow to retrieve his personal property. This situation occurred prior to the Board adopting the Abandoned/Recovered Property Policy, which will now govern similar situations.

**5. Consent Agenda: 1) Approval of the Minutes; 2) Consider Road Name; 3) Committee Appointment; 4) Authorization of the Warrants:** Selectman Chipman moved, seconded by Selectman Covey to approve the consent agenda [approved the August 15 minutes; Eagle Lane road name; appointed Harvey Pough to the Fire & Rescue Planning Committee; authorized warrant #35 in the amount of \$328,628.47, and payroll warrant #34 in the amount of \$23,094.67]; motion passed 3-0.

**6. Old Business: Status of Possible Revisions to the Shoreland Zoning Ordinance:** Mark Eyerman, Planner, stated he was before the Board two meetings ago regarding the Planning Board's draft amendments to the Shoreland Zoning Ordinance to bring the Town in conformance with the 2015 State Guidelines. The State defines and measures the height of the structure from the downhill side of the land and allows 35-feet. The Town takes the average of the uphill and downhill sides the land and allows a building height of 30-feet. In the new guidelines, how you measure the height becomes more of an issue as the current 30% allowable expansion rule of non-conforming structures was replaced by a 30% expansion rule and an absolute height limit in relation to how far back the structure is from the high tide. The Planning Board has questioned if the Town should change the way it measures the height to the State's method. Mr. Eyerman stated he reviewed site specific cases to see if the Town changed the way it measures height how it would affect properties. In most cases, the land slope was not extreme and measuring the State's way would have allowed the buildings to be one or two feet higher. On extremely sloped properties, it might have made the building height one or two feet lower. These cases are only

relating to existing non-conforming structures as all new buildings must be 75-feet back from the high tide line. Mr. Eyerman stated the new State guidelines limit the footprint and absolute height which will make it more problematic for non-conforming structures to build up. The Planning Board was leaning in the direction of going to the State's method for both the Shoreland zone and the interior zone. Chairman Johnson stated that he had concerns but is now prepared to go with the State's definition and both Selectman Chipman and Selectman Covey agreed. Mr. Eyerman stated the next step is the Planning board will complete the amendments and the Board of Selectmen will be provided a complete package for review as well as the Department of Environmental Protection. Laura Crawford stated she thought the height limit was due to the fire trucks not having ladders. Deputy Administrator Sawyer stated the State has always regulated the height limit in the shoreland zone and the Town can select the building height in the interior zone and the Town has limited that height as recommended by the Fire Departments.

**7. Joe & Rose Unnold Holding Tank Application, 1 Summerhill Road, Map 21, Lot 73:** Bill Wells, Local Plumbing Inspector, stated originally this lot was part of a family compound and then the lots were separated. One unit is attached to a legal overboard discharge (OBD) system and the other unit was attached to the OBD until the State ruled it was illegal and had to be disconnected. He stated the only replacement option is for a holding tank. Selectman Chipman asked since the holding tank will be above ground, will it be drained in the winter to avoid freezing; Mr. Wells responded affirmatively. Deputy Administrator Sawyer stated if the Board finds it appropriate to approve the application, she recommends requiring two conditions on the holding tank deed covenant form that the owner is required to record in the Cumberland County Registry of Deeds – 1. The dwelling is limited to seasonal use; 2. The discharge is limited to no more than 180 per day from one dwelling. Selectman Chipman moved, seconded by Selectman Covey to approve the application with the stated conditions; motion passed 3-0.

## **8. Mitchell Field Matters**

- **Contractor Recommendation for Engineering Services RE: Dock & Float System:** Deputy Administrator Sawyer stated the Board previously approved a request for qualifications (RFQ) for engineering services for the ramp and float system at Mitchell Field. The Town received three highly qualified responses – GEI Consultants, Baker Design Consultants and Collins Engineers. A review team consisting of Deputy Town Administrator, Planner Mark Eyerman, Mitchell Field Committee Chair Don Miskell and Harbormaster Paul Plummer, met yesterday and scored the responses based on the scoring system outlined in the RFQ. Baker Design Consultants was the highest ranking with 93 points out of 100 and is the team's recommendation. Selectman Chipman moved, seconded by Selectman Covey to authorize staff to open Baker Design's cost proposal and negotiate a contract that will return to the Board for review and approval; motion passed 3-0.
- **Contractor Recommendation for Removal of Buildings at Mitchell Field:** Deputy Administrator Sawyer stated the Town issued a request for proposals (RFP) on August 1 to have two buildings removed and soil cleaned up around the base of the former water tower at Mitchell Field. Two responses were received – Ray Labbe & Sons with a base bid of \$15,570 and Crooker Construction with a base bid of \$23,950. In addition to the base bid, the RFP included two alternates for removing the riser base and a power pole and a deletion for not including the soil cleanup. Staff members – Town Administrator, Deputy Town Administrator and Town Planner – met to review the responses and are recommending the Town proceed with the Ray Labbe & Sons base bid of \$15,570 and enter into a contract for the services. Labbe's bid included having the wood frame building removed from the site by Eric Field of Field's Auto. The Town budgeted \$10,000 for the project in the Mitchell Field operations budget and there may be about \$3,000 - \$4,000 of unspent funds that can help cover this project's overage, although the actual amount won't be known until the end of the year. Staff recommends the Board authorize up to \$3,000 from contingency if needed to cover the remaining amount. Selectman Chipman moved, seconded by Selectman Covey to accept Ray Labbe & Sons bid and contract and authorize up to \$3,000 use of contingency if needed; motion passed 3-0. Deputy Administrator Sawyer asked the Board to approve a

bill of sale for the removal of the wooden building to Field's Auto, which outlines that Mr. Field is responsible for complying with state and federal requirements and that he accepts the building in 'as is' condition. Selectman Chipman so moved, seconded by Selectman Covey; motion passed 3-0.

**9. Accept Donations:** Chairman Johnson read the donors names. Selectman Covey moved, seconded by Selectman Chipman to accept donations from Ocean Waves Quilters \$500 for heating assistance and \$736 from the donation box for the Bandstand fund; motion passed 3-0.

**10. Public Comment:** None.

**11. Other Business:** None.

**12. Administrative Matters:** None.

**13. Adjournment:** At 6:35 p.m. the meeting was adjourned without objection.

Respectfully Submitted,

Terri-Lynn Sawyer  
Deputy Town Administrator

Attachments: