

Jay Planning Board July 18, 2023

Board: Chair Barbara Cook, Mike Fournier, Susan Theberge, Ben Lower

Guests: Gerry Mirabile, CMP; Lisa Gilbreath, Pierce Atwood; Cheryl Ann Jerry, Jamie Carden-Leventhal, Peter Theberge, and Rick Jacobs

Staff: Ronda Palmer, Code Officer

The meeting was called to order at 6:00 PM

Minutes – June 13, 2023

Sue Theberge made a motion to accept the minutes of the June 13th meeting as written. Mike Fournier seconded the motion and it passed unanimously.

Resignation of Elizabeth Marquis & Linda Flagg

Barbara read the resignation letters of Elizabeth Marquis dated June 16th and Linda Flagg dated July 11th.

Recusal request - NECEC

A letter was received from Pierce Atwood renewing their request to have Board members Susan Theberge and Linda Flagg recuse themselves from the meeting. Linda Flagg has resigned. The Board held a hearing in which Sue was given the opportunity to make a statement. She explained that she could be impartial to the project and vote in accordance with the ordinance. She proved she could be fair and impartial as she was at the previous meetings.

Other Board members were given an opportunity to speak on the recusal request. Ben Lower agreed that he thought Sue could be impartial. Mike Fournier did not make a statement.

Barbara Cook stated that she felt Sue could be impartial. Not only did she approve the previous Shoreland Zoning Permit for the NECEC project, Sue, in fact made many of the motions to approve the permit thus proving she was following the ordinance and not letting personal bias interfere.

Motion was made by Ben Lower and seconded by Mike Fournier to allow Sue Theberge to participate in the NECEC tolled request. Motion carried.

NECEC – Tolled request

Mike Fournier asked representatives from CMP and Pierce Atwood to explain the request.

Members present explained that the Shoreland Zoning Permit issued May 18, 2021, should be extended to November 9, 2024. The request is being made because the Maine DEP issued an order suspending the Project. The Project was halted for a total of 17 months and 25 days therefore they are requesting the permit be extended for that length of time (Nov. 9, 2024)

NECEC also submitted a letter stating that they did in fact complete 35 percent of the project within the 1st year. Thirty percent completion is required in Section 17 of the Shoreland Zoning Ordinance.

Ben Lower asked if anyone had verified the 35 % completion which they had not.

Motion was made by Mike Fournier and seconded by Ben Lower to allow the Shoreland Zoning Permit 21-01 to be tolled to November 9, 2024, and to have the Code Officer update the permit with the new date. Motion carried.

Motion was made by Mike Fournier and seconded by Ben Lower to adjourn at 6:35 PM. Motion carried.

The Board set the next meeting date for Tuesday, September 12th at 6:00 PM.