



Board of Selectmen

Steven C. Lewis, Chairman
Dale C. Harmon, Vice Chairman
Chuck Cunningham
Mike Tomacelli
Desiree Scorgia

Town Manager

Daniel Bryer

**Town of Boothbay
Board of Selectmen Meeting
Wednesday, August 26th, 2020
7:00 PM
Agenda**

1. **Pledge of Allegiance**
2. **Public Hearing**
3. **Public Comment**
4. **Approve Minutes-** 1. June 10, 2020
2. June 24, 2020
5. **Reports-** Town Office Reports
6. **Old Business**
7. **New Business-** 1. Discussion re: Ordinance Warrant Public hearings
2. Discussion re: Potential ribbon ceremony for the gazebo on the Common
8. **Public Comment**
9. **Review Warrants**
10. **Adjourn Meeting**



**Town of Boothbay
Board of Selectmen Meeting
Wednesday, June 10, 2020
7:00 PM
MINUTES**

Board of Selectmen

Steven Lewis – Chairman
Dale Harmon – Vice Chairman
Kristina Ford
Michael Tomacelli
Desiree Scorgia

Town Manager

Daniel Bryer Jr.

Present: Steve Lewis, Dale Harmon, Michael Tomacelli, Desiree Scorgia, Kristina Ford, Town Manager Dan Bryer

Pledge of Allegiance

Public Hearing:

Dale Harmon made a motion to approve the 1820 House Restaurant, Inc., (Formally Smuggler's Cove Inn), Map U06, Lot 11, located at 727 Ocean Point Rd, East Boothbay, Maine for approval of: A Hotel-Food Optional (Class 1-A) license. Mike Tomacelli seconded the motion. Vote: 4-0 in favor.

Dale Harmon made a motion to approve D.S. Moore, dba Cabbage Island Clambake, Map R-09, Lot 15, located at Cabbage Island, Boothbay, Maine for renewal of a Restaurant Liquor (Class I, II, III, IV) license and a seasonal Special Amusement Permit Mike Tomacelli seconded the motion. Vote: 4-0 in favor.

Discussion: Special Amusement Permit is for weddings, bands, etc.

Dale Harmon made a motion to approve Boothbay Craft Brewery, Inc., applicants Edwin Jr. and Lori Mitchell, Map R06, Lot 009, located at 301 Adams Pond Rd, Boothbay, Maine for renewal of a Restaurant Liquor license (Class I, II, III, IV). Mike Tomacelli seconded the motion. Vote: 5-0 in favor.

Dale Harmon made a motion to approve Wharf and Weir—Merrill and Maria Liteplo at 30 Ridge Road, Boothbay, Map R04, Lot 41/B to consider the application to construct and maintain a 3'x40' ramp leading to two floats are 12'x24' float below the Mean High Water, and rebuild an 80' x 4' pier. Mike Tomacelli seconded the motion. Vote: 5-0 in favor.

Dale Harmon made a motion to approve Wharf and Weir—Elizabeth Bengis at 30 Edgewater Way, Boothbay Map U7, Lot 03 to consider the application to construct and maintain 6'x60' pier with a 3'x36' ramp and add two floats that are 10'x20'. Mike Tomacelli seconded the motion. Vote: 5-0 in favor.

Dale Harmon made a motion to approve Wharf and Weir—Bradford Collins at 57 Delano Drive, Boothbay Map R1, Lot 71 to consider the application to extend an existing pier by 4'x15' and add tow 12'x20' floats. Mike Tomacelli seconded the motion. Vote: 5-0 in favor.

Dale Harmon made a motion to approve Wharf and Weir—Peter Branch and Paula Carriero at 5 Bufflehead Way, Boothbay Map R04, Lot 116/A to consider the application to construct and maintain 6'x6' pier with a 3'x30' ramp and a 10'x20' float. Mike Tomacelli seconded the motion. Vote: 5-0 in favor.

Public Comment:

Kristina Ford wanted to comment on two experiences that this community shared this past week. The first one was the high school graduation parade. She shared that it was “fantastic.” Ms. Ford also mentioned the Black Lives Matter Rally on the common. She added that the celebration and respect that was shown in this community really justifies “how wonderful it is to live here.”

Dale Harmon asked who purchased the banners for the graduates. Dan Bryer shared that the school bought them and parents or students are more than welcome to get them from the town office. Mr. Bryer added that he would deliver the remaining banners to the high school. Mr. Harmon added that the banners would be a great addition to graduation festivities every year.

Approve Minutes:

Kristina Ford made a motion to approve the April 22, 2020 meeting minutes Dale Harmon seconded the motion. Vote: 5-0 in favor.

Kristina Ford made a motion to approve the May 13, 2020 meeting minutes Dale Harmon seconded the motion. Vote: 5-0 in favor.

Reports:

Code Office: Dan Bryer was happy to share that with everything going on surprisingly this office is close to where it would be normally in regards to applications.

Business Office: Mr. Bryer shared that the business office is continuing to keep the door locked but the public can still access the office by reserving a slot. This phased approach will continue to keep both the staff and public protected. Voting will take place at the Old Town Hall at the Railway Village. Due to standards and precautions this will be an adequate voting venue to stick with state guidelines regarding the public voting laws.

New Business:

1) *LED Street Light Bids*

Bids were received from both Affinity Lighting and Realterm Energy. Steve Lewis recommended going with Affinity due to the fact that they are in the area anyway and he liked that they use Veterans to assemble the lights. Desiree Scorcia added that the non-network lighting bid from Affinity was also cheaper. Ms. Scorcia recommended going with the non-network because she didn't see any advantage of networking. Mr. Lewis countered by saying if we include the networking option now it will not be an additional (possibly more expensive) cost in the future. Mike Tomacelli added that with this small investment it would possibly create opportunities for hotspots. Mr. Bryer added that the towns of Bristol, Damariscotta, and Newcastle have already started to move forward with Affinity.

Steve Lewis made a motion to go with Affinity LED Lighting with the price not to exceed \$83,317.00. Dale Harmon seconded the motion. Vote 4-1 in favor.

Desiree Scorcia loved the proposal but did not agree to include the networking.

2) *Letter to Governor Mills*

Mike Tomacelli initiated a letter in response to the economic impact of the region with the phasing plan that Governor Mills has in place. Mr. Tomacelli went online to look at some of the statistics of Covid-19 in Lincoln County along with other surrounding counties. To date there has been 84 cases, 10 hospitalizations and 2 deaths. With this data Mr. Tomacelli believes that the Governor may be being a little more restrictive than necessary. Kristina Ford suggested that the final paragraph contain specifics on what the Governor should do. Upon approval from members of the board Mr. Bryer and Mr. Tomacelli were going to change some of the wording to reflect those directives. A copy of the letter would be submitted both via email and Postal Service to Governor Mills within the next two days.

3) *Gazebo*

Dan Bryer met with the landscape committee to talk about the anonymous donor for upgrades to the gazebo in the common. This work will be done within the next few weeks and includes PVC trim, cedar shakes and a new hotspot will be in the gazebo itself. Chris Bertin will be doing work along with other local contractors.

4) *BCA Thank You*

Mr. Bryer wanted to take the time to thank the BCA for the work done to both the Town Office and the Boothbay Post Office. The BCA made a goal to donate \$1,000,000 to the region and they are very close to meeting that goal.

Public Comment:

Bill Pearson needed a spelling for "Bertin" and also requested a copy of the letter to Governor Mills.

Review Warrants and sign: Kristina Ford made a motion to review the warrants and sign them and Dale Harmon seconded the motion. Vote: 5-0 in favor.

Adjourn meeting: At 7:45 Dale Harmon made a motion to adjourn the meeting and Kristina Ford seconded the motion. Vote: 5-0 in favor.



**Town of Boothbay
Board of Selectmen Meeting
Wednesday, June 24, 2020
7:00 PM
MINUTES**

Board of Selectmen

Steven Lewis – Chairman
Dale Harmon – Vice Chairman
Kristina Ford
Michael Tomacelli
Desiree Scordia

Town Manager

Daniel Bryer Jr.

Present: Steve Lewis, Dale Harmon, Michael Tomacelli, Desiree Scordia, Kristina Ford, Town Manager Dan Bryer

Pledge of Allegiance

Public Hearing:

Dale Harmon made motion to approve the Carriage House Restaurant, owner Kelly Farrin, applicant for renewal of liquor license, (Class I, II, III, IV) Map U12 Lot 14 located at 388 Ocean Point Road, Boothbay, ME. Mike Tomacelli seconded the motion. Vote: 5-0 in favor.

Dale Harmon made motion to approve Wharf and Weir-Robert and Lucille Scribner, Map U07, Lot 13 A and B located at Luke's Gulch, Boothbay, Maine to construct a 45' by 6' pier with seasonal 54' x 3' runway to two 30' x 10' floats perpendicular to the shore. Two 3-pile dolphins and/or chains from the float will be used to hold them in place. Mike Tomacelli seconded the motion. Vote: 5-0 in favor.

Public Comment:

Approve Minutes: tabled until next meeting

Reports:

Code Office: Dan Bryer reported the following: 1 sign, 8 building permits, 3 Shoreland, 2 internal plumbing, 1 subsurface, 2 shoreland vegetation removal, and 5 final inspections. Kristina Ford suggested sharing a map again of where the building permits are.

Public Works: Dan Bryer reported that they were working on shoulder repair, which had to be redone due to the recent rain event, garbage removal, crosswalks completed and sweeping around the town office.

Business Office: Mr. Bryer shared that the business is busy getting ready for the annual town meeting that will be held at the old Boothbay Town Hall at the Railway Village due to spacing requirements. They have been inundated with absentee ballots. Mr. Bryer added that the town requested another machine to assist with the Boothbay warrant. They are currently working on reopening the town office for July 1st and working on a plan to meet spacing issues. Steve Lewis suggested constructing a type of “takeout” window for the business office. Mike Tomacelli suggested doing it sooner than later. Mr. Bryer will talk to Mike Alley about it. Kristina Ford recommended the Boothbay Register provide an article regarding the plan to accommodate the business needs of people coming to the town office.

New Business:

1) Water District and Boothbay Region Land Trust Initiative

Sue Mello presented on behalf of the Boothbay Region Water District in regards to a new initiative that they are working on with the Boothbay Region Land Trust. Ms. Mello spoke of the work done this far to better monitor the water and water shed areas of Adam’s Pond and Knickerbocker Lake. She added that if we don’t protect and conserve more in the watershed than the rest wouldn’t be good enough. Presentations made to the BRLT resulted in the idea in engaging the whole community in buying and conserving land of willing partners. Currently they are in the process of developing a committee that includes representation from Boothbay, Boothbay Harbor, Southport, the Botanical Gardens, the YMCA and the Knickerbocker Group. Kristina Ford was pleased with the well-written report and admires this initiative. Ms. Ford went on to recommend Mike Tomacelli or Dale Harmon to represent the town. Jason Lorraine would also be a good suggestion because he is the Code Enforcement Officer and Dan Bryer would be a good back up. Boothbay Harbor and Southport decided to appoint a citizen for the committee. Desiree Scorgia recommended putting it out on the website for the public and go from there.

Steve Lewis had concerns regarding the lowering of the tax base for the town when Boothbay Harbor uses more than 50% of the service. Kristina Ford commented that if the water quality were good it would result in a higher property value. Jon Ziegler went on to add that the land would be public and provide public access to high quality trails.

2) Discussion Regarding Fireworks

Discussion is the money being allocated for the fireworks display that will be not be forwarded to Boothbay Harbor this year due to the cancellation. Steve Lewis added that they have no authority to allocate funds to something else and the money will go into undesignated fund.

Kristina Ford started by suggesting this should be in Public Comment due to the fact that there is no information to read about and nothing we are basing it on.

Desiree Scorgia shared questions that the public had shared with her regarding the money. One being if the town would be able to do their own fireworks display. Concerns would be spacing requirements, suggestions to have it over a body of water, parking, etc.

3) *EMA Appointment*

Kristina Ford made a motion to appoint David Cote as the EMA director for Boothbay. Dale Harmon seconded the motion. Vote 5-0 in favor.

Public Comment:

Kristina Ford shared that as a member of the Board of Selectman she encourages everyone to wear a mask.

Bill Pearson requested more information regarding the opening of the Town Office for July 1st.

Review Warrants and sign: Kristina Ford made a motion to review the warrants and sign them and Dale Harmon seconded the motion. Vote: 5-0 in favor.

Adjourn meeting: At 8:07 Dale Harmon made a motion to adjourn the meeting and Mike Tomacelli seconded the motion. Vote: 5-0 in favor.

To: Boothbay Planning Board
 From: Mark Eyerman
 Subject: Ordinance Revisions to Address Sally Daggett's Comments
 Date: August 5, 2020

Sally prepared a memo reviewing the draft zoning ordinance. I went through her memo and divided her comments into three categories:

- In a few cases Sally indicated that she had made changes to the draft so I haven't addressed those below.
- There are a few areas that really fall into the area of policy decisions, Bigelow, short term rentals, CEO as PB gatekeeper, clearing of vegetation, signs, etc. I addressed these in a separate memo.
- Most of Sally's comments deal with technical issues so I pulled those out below and have indicated how I have addressed them in the draft ordinance. Where I made changes they are show in Track Changes in underline/strikeout format.

Here is what I pulled out as technical changes. The left-hand column is taken from Sally's memo and the right-hand column shows what I did to address her comments:

<p>4. Section 1.7.2 – I don't understand the language about "the portion of the Shoreland Overlay Zone subject to the state Mandatory Shoreland Zoning Act" needing DEP review. Don't all of the shoreland provisions need DEP review, as well as the RP provisions?</p>	<p>No change proposed – the language in the draft recognizes that only a portion of the SZO is subject to state shoreland zoning requirements</p>
<p>5. Section 1.8.14 – A date should be added for clarity here - March 4, 1974 or August 20, 1979?</p>	<p>The list of objectives is taken directly from the adopted Comp Plan. Therefore I haven't made any change.</p>
<p>7. Section 2 – Definitions of "Commercial Fishing Activities" and "Maritime Activities" – Should the term "for profit" be changed to "for compensation"?</p>	<p>I revised the language as suggested by Sally.</p>
<p>8. Section 2 – Definition of "Dwelling, One Family" – Can the "separate room/apartment for members of the immediate family, including, but not limited to, parents, grandparents and children" be included without being an "Accessory Apartment"?</p>	<p>I revised the definition to include an accessory apartment and deleted the other language.</p>
<p>9. Section 2 – Definition of "Dwelling Unit" – I recommend tightening this definition (derived from the State's model shoreland zoning ordinance), as there have been disputes</p>	<p>I made Sally's suggested changes – this may raise questions with DEP but it will be OK.</p>

<p>in several other municipalities about whether a structure is a dwelling unit arising from the use of the undefined term “cooking facilities.” Suggested edit (additions <u>underlined</u>):</p> <p style="padding-left: 40px;">One or more rooms physically arranged so as to create an independent housekeeping establishment for occupancy by one family with separate toilets and facilities for bathing, cooking <u>or eating</u>, and sleeping exclusively for the use of the family. The term shall include mobile homes and rental units that contain cooking <u>or eating</u>, sleeping, and toilet facilities regardless of the time-period rented <u>or occupied</u>.</p> <p>And add a definition of:</p> <p><u>Cooking or eating facilities:</u> <u>One or more of any of the following: oven; convection oven; stove; stove top; grill; microwave oven or similar appliance; 240 volt electrical outlet; gas line(s) to serve any cooking appliance; kitchen sink; cabinets commonly used for the storage of food, kitchen equipment and/or utensils; refrigerator in excess of 5 cubic feet; and/or dishwasher.</u></p>	<p>I added this definition as suggested.</p>
<p>10. Section 2 – Definition of “Limited Use” – The term “gross floor area” is not defined but is used in multiple places. (“Floor area” is a defined term.)</p>	<p>I have changed gross floor area to floor area throughout the ordinance since the definition of floor area is the gross floor area.</p>
<p>12. Section 2 – Definition of “Lot Lines” – The example in the definition does not make sense to me.</p>	<p>I have revised this to try to make it clearer.</p>
<p>13. Section 2 – Definitions of “Nonconforming Condition” “Nonconforming Structure” and “Nonconforming Use” – What initial date is used to examine a nonconforming condition, structure or use? Pick one and state it expressly so it is clear going forward. See Comments ##33 & 34 below.</p>	<p>I revised all of these definitions to reference November 3, 2020 as the date of adoption of the updated ordinance.</p>
<p>14. Section 2 – Definition of “Shopping Center” – The term “total gross floor space” is not defined. Is this different than “gross floor</p>	<p>I deleted gross (see 10) but left it as total floor area since the idea is that it is the</p>

area”? <i>See</i> Comment #10.	sum of the spaces.
15. Section 2 – Definition of “Sign, Temporary” – Is this meant to include temporary signs in the right of way? If so, the time period needs to be changed to 12 weeks. <i>See</i> 23 M.R.S. § 1913-A(1)(L).	Temporary signs are addressed in Section 8.3.8.7. It looks like the state law establishes a maximum of 12 weeks for temporary signs in a right-of-way. The definition is consistent with the limit of 8.3.8.7 so I didn’t make a change.
16. Section 2 – Definition of “Structure” – Some of the language seems repetitive.	This definition is derived from the state shoreland zoning guidelines so I did not make any changes.
17. Section 2 – Definition of “Stream” and “Tributary Stream” – The term “shoreland zone” is used twice in the definition but is not a defined term. Also the “Note” belongs elsewhere, as substantive provisions should not be in a definition. The undefined term “shoreland zone” is also used in Sections 6.6.2.3.4, 7.5.17.4.6.3, 7.5.17.4.9.1.2, 7.5.17.4.9.1.4, 7.5.17.4.9.2.2 and 11.8.4.1.3.4.	I revised the definition of stream and tributary stream. The definitions in the draft come from the state shoreland zoning guidelines but I think that DEP will be OK with the revised language. I deleted the Note – again this comes from the state guidelines. Finally I changed shoreland zone to Shoreland Overlay District.
18. Section 3.4.3 – I would revise the language about “shall institute” enforcement proceedings. The Board of Selectmen retains prosecutorial discretion, and if the CEO is incorrect about a violation or the Board has some reason for not prosecuting a violation, the Board should not have to institute enforcement proceedings based solely on a notice from the CEO.	I revised the language to allow the BoS some discretion. This may be an issue with DEP when they review the ordinance.
19. Section 3.4.3.1 – Is there an Alternate Code Enforcement Officer? This term is only used in this one section.	I deleted Alternate Code Enforcement Officer in this section.
21. Section 5.1.2.2 – “Normal repair and maintenance of any structure” ought to be defined. At one point in the recent past, a property owner claimed that an entire tear down and rebuild of a house was “normal repair and maintenance.”	I added a definition of normal repair and maintenance in the definitions. The Board should review this.
22. Section 5.2.2.3.1 – This section uses the term “gross floor area.” Should this be simply the defined term “floor area”? <i>See</i> Comment #10.	Gross has been removed.
24. Section 5.3.6.5 – Is individual notice to abutters to be given for every single Planning Board meeting on an application?	I revised this to be only for the initial meeting with the Planning Board.

<p>25. Section 5.3.6.5.5 – The Boothbay Register only comes out once a week; is two advance notices impractical?</p>	<p>The language in the draft mirrors the provisions in the current ordinance – if it ain't broken!</p>
<p>26. Sections 5.4.4.3 and 5.5.3.2 – These provisions should be reworked so that that risk of an overrun by an outside reviewer is on the applicant, not on the Town. (Also, this same type of technical assistance should be available to the Board of Appeals.) Something along the lines of the following is suggested:</p> <p style="padding-left: 40px;">If the initial fee proves to be insufficient to meet the Town's professional review costs, the Planning Board may assess an additional fee(s) to cover such professional review costs. Any excess amount deposited with the Town in advance shall be promptly refunded to the applicant after final action on the application. The results of the consultation or peer review for which such fees are assessed shall be available for public review, but such results shall be deemed to have been made solely for the benefit of the Town and shall remain its property. Such fees shall be assessed for the privilege of review and shall be payable without regard to consultation or peer review results or the outcome of the application. No building permit or certificate of compliance may be issued nor subdivision plat released until all fees assessed hereunder have been paid in full.</p>	<p>I added language along the lines Sally suggested.</p>
<p>27. Section 5.4.6.1.2.3 – The Town does not have an impact fee ordinance pursuant to State law, 30-A M.R.S. § 4354, so this section should be deleted.</p>	<p>I deleted this language. It was left in under the "if it ain't broke" test.</p>
<p>28. Section 5.4.6.8.1 – Should the 25% be changed to 20%?</p>	<p>This is a toss-up. Soils mapping uses 15-25% and greater than 25% to classify soils and their suitability. The shoreland guidelines use 20% for defining RP. I left it at 25%.</p>
<p>29. Section 5.5.2.2 – Having the CEO</p>	<p>I edited this requirement to simply require</p>

<p>make written findings of fact on every single building permit or other permit application seems impractical. Not sure I know of any municipality that does this. As with all of the added procedures being added under Sections 5.2, 5.3 and 5.4 related to the Planning Board review process, this requirement is only feasible if the Town has the companion staff to make it work.</p>	<p>the CEO to make a written determination.</p>
<p>30. Section 5.5.3.2 – <i>See Comment #26.</i></p>	<p>I made the revision.</p>
<p>32. Sections 5.6.4.7, 5.6.4.10.2, 5.6.5.5 and 5.6.6.4.8.2 – State law has changed and mylars and transparencies are no longer needed for recording at the Registry of Deeds. These sections need to be amended based on whatever submittal requirement the Planning Board wants to require in lieu of a Mylar.</p>	<p>Good catch by Sally. I revised the language to say provide paper copies meeting the requirements of the Registry of Deeds.</p>
<p>33. Sections 6.1, 6.2.1, 6.3.3, 6.3.5, 6.3.5.1, 6.3.5.2 – What initial date is used to examine a nonconforming condition, structure or use? Pick one and state it expressly so it is clear going forward. <i>See Comment #5.</i></p>	<p>I made the date November 3, 2020 which will be the date of adoption if enacted.</p>
<p>34. Section 6.3.4.1 – These review criteria seems vague and lacking in objectivity. What evidence is an applicant to submit to the Planning Board?</p>	<p>While I agree with Sally’s comment, this language comes out of the state Shoreland Zoning Guidelines so I did not change it.</p>
<p>35. Sections 6.4.1, 6.4.2, 6.4.3, 6.4.4 and 6.4.5 – What date applies here? Has the Planning Board checked the date(s) used in the current Zoning Ordinance?</p>	<p>I also changed these to November 3, 2020.</p>
<p>36. Section 6.5.3 – What criteria is the Planning Board to use to determine “greatest practical extent”? Those in Section 6.6.3.2?</p>	<p>I referenced 6.6.3.2.</p>
<p>37. Section 7.2.5 and Section 7.4 – These provisions are inconsistent with one another. If a property is in the RP, Section 7.2.5 says the map controls, but Section 7.4 says the location of the resource on the ground controls. This is a very important issue, so clear language is essential.</p>	<p>I revised 7.2.5 to reference 7.4 when the boundary is based on a natural resource.</p>
<p>38. Section 7.4 – This section should be amended to make it clear that the CEO may require a professional’s report but that he still makes the determination. There was a recent situation where two experts disagreed about the location and extent of a natural resource; the</p>	<p>I revise the language to say that an “expert determination” guides the CEO’s decision.</p>

<p>CEO should be able to make the call, subject to input from the Board of Appeals if necessary.</p>	
<p>39. Sections 7.5.2.4.1, 7.5.2.4.2, 7.5.6.4.1, 7.5.7.4.4, 7.5.13.4.3.1, 7.5.13.4.9, 7.5.14.4.3.1 and Table of Land Uses Note 12 – What initial date is be used to fix the effective date of these sections? Pick one and state it expressly so it is clear going forward.</p>	<p>I changed the “date of adoption” to November 3, 2020.</p>
<p>40. Section 7.5.14 – If Tax Maps are being used for the description of certain zoning districts, the Town should be sensitive to not using a new assessing map numbering system without amending the Zoning Ordinance. If specific lot numbers are to be used, then the specific date of the tax map should be fixed (e.g., Tax Map U-19 as of the April 1, 2019 assessment date).</p>	<p>I added 2020 to the Tax Map references so they read 2020 Tax Map X. There is a reference to a tax map in the Bigelow contract zone that I did not change.</p>
<p>41. Section 7.5.16.1 – The provision about steep slopes should be clarified to make it clear that a parcel of land could be smaller than two acres and still be partially in the RP district. (In a recent situation, a property owner argued that there were not 2 acres of land area with sustained slopes of 20% or greater as part of their property and so the property was not in RP.)</p>	<p>I tried to clarify this.</p>
<p>45. Section 8.3.8 – The temporary sign provisions are inconsistent with the State billboard law (see Comment #15) and the sign provisions generally probably need further review in light of the U.S. Supreme Court’s decision in <i>Reed v. Town of Gilbert</i>, 135 S.Ct. 2218 (2015).</p>	<p>Temporary signs are addressed in Section 8.3.8.7. It looks like the state law establishes a maximum of 12 weeks for temporary signs in a right-of-way. The definition is consistent with the limit of 8.3.8.7 so I didn’t make a change. I’d defer to Sally on the Reed decision but I think the provisions meet the test so I didn’t make any changes.</p>
<p>46. Section 8.3.9.1.1.3 – This provision lacks an objective basis upon which the Planning Board can act to waive or modify the requirements of Section 8.3.9.1.1.1 or Section 8.3.9.1.1.2.</p>	<p>I added some language to provide a standard.</p>
<p>47. Section 11.8.4.1.3.4 – The section makes references to the shoreland zone and the Shoreland Zoning Ordinance. Needs another look to make sure it fits in with the rest of the ordinance.</p>	<p>Another good catch by Sally. I revised this to reference the Shoreland Overlay District.</p>

48. Section 11.20.1.2 and 11.20.2.2 – The references to “Bigelow Laboratory Contract Zone Districts” need review and updating.

I revised the language indicate that the Bigelow Zone is an overlay of the Coastal Residential District.

