

ITEM 1 – ROLL CALL

Present: Bill Hamilton, Chair; Cabot Trott, Vice Chair; John Marshall; Rosanne Adams, alternate member; Jay Meyer, alternate member

Also Present: Shelly Bishop, Code Enforcement Officer; Ann Lukegord, Recording Secretary

Absent: Charles Rankie, (excused); Ellen Lemire, Secretary (excused)

ITEM 2 – PUBLIC COMMENT PERIOD

There was no public input.

ITEM 3 – PUBLIC HEARINGS

Mr. Hamilton began the meeting stating that this is a public hearing to consider adopting a policy by the Board of Appeals to govern the participation via remote methods of members of the Board of Appeals and the public in the public meetings or proceedings of the Board of Appeals. Each board, including the Select Board and I believe the Budget Committee, do you have any notion as to who has selected this at this point, Shelly?

Ms. Bishop stated, the Planning Board.

Mr. Hamilton asked, and not The Council.

Ms. Bishop answered, yes.

Mr. Hamilton asked, not the Budget Committee

Ms. Bishop answered, she did not think so.

Mr. Hamilton continued, stating, each board gets to decide and the reason we are choosing this or doing this is that under Maine revised statutes number 403-B has basically said that remote meetings, even though it was initially only for emergencies, now they have passed a measure, 403-B, it's part of Maine's Freedom of Access Act, under section 400-414, to allow remote meetings. I believe the emergency provision ended July 30th. The Governor's decision. And now the Legislature has approved this for each town provided that they elect to do that. So that is what we are here for tonight is to discuss this provision and to decide whether the Board of Appeals would like to participate in that.

Mr. Hamilton had hoped that the Town Planner would be in attendance to provide more information. In lieu of that, the policy is pretty well spelled out and described how meetings would take place if the policy is adopted. He pointed to the device to his right,

known as The Owl, which records via voice activation. It is not on but would be if the board decided to adopt the policy. He said the meeting is being live streamed and people may participate via Zoom. The device records what is happening on two screens given voice activation. They would focus on individual speakers and would Zoom in and people could participate that way.

Mr. Hamilton read from the sample participation policy aloud as members followed on their copies. The sample participation policy is for the Board to accept or not.

Pursuant to I M.R.S. 403-B, and after public notice and hearing, the above-named body adopts the following policy to govern the participation, via remote methods, of members of the body and the public in public proceedings or meetings of the body.

Members of the body are expected to be physically present for meetings except when not practicable, such as in the case of an emergency or urgent issue that requires the body to meet via remote methods, or an illness or temporary absence of a member that causes significant difficulty traveling to the meeting location. The chair or presiding officer of the body, in consultation with other members if appropriate and possible, will make a determination that remote methods of participation are necessary in as timely a manner as possible under the circumstances. A member who is unable to attend a meeting in person will notify the chair or presiding officer of the body as far in advance as possible.

The public will be provided a meaningful opportunity to attend via remote methods when any member of the body participates via remote methods.

Mr. Hamilton stopped reading and said if one member asks to have a remote meeting, the Board would basically consult prior to that, if we adopt this policy, we would still be expected to attend, but that one person could attend remotely and the Owl would kick in. That would trigger the remote meeting for that one member but we would be present here.

If public input is allowed or required at the meeting, an effective means of communication between the body and the public will also be provided. The public will also be provided an opportunity to attend the meeting in person unless there is an emergency or urgent issue that requires the entire body to meet using remotes methods.

Mr. Hamilton stopped reading and said, if there is another emergency declaration, like schools or municipal bodies, are advised not to meet because of Covid or something, then we could do a remote meeting based on that too.

Notice of all meetings will be provided in accordance with 1 M.R.S. 406 and any applicable charter, ordinance, policy, or by law. When the public may attend via remote methods, notice will include the means by which the public may access the meeting

67 *remotely and will provide a method for disabled persons to request necessary*
68 *accommodation to access the meeting. Notice will also identify a location where the*
69 *public may attend the meeting in person. The body will not restrict public attendance to*
70 *remote methods except in the case of an emergency or urgent issue that requires the body*
71 *to meet using remote methods of attendance.*

72 Mr. Hamilton stopped reading and said, so if there is an emergency and we have to meet
73 remotely, this room will not be available for public participation.

74 *The body will make all documents and materials to be considered by the body available,*
75 *electronically, or otherwise, to the public who attend remotely to the same extent*
76 *customarily available to the public who attend in person, provided no additional costs*
77 *are incurred by the body.*

78 *All votes taken during a meeting using remote methods will be by roll call vote that can*
79 *be seen and heard if using video technology, or heard if using audio technology only, by*
80 *other members of the body and the public. A member of the body who participates*
81 *remotely will be considered present for purposes of quorum and voting.*

82 *This policy will remain in force indefinitely unless amended or rescinded.*

83 Mr. Hamilton concluded reading the document and opened the floor to discussion, saying
84 so that's what we're looking at to vote on, to accept or not to accept, any questions, I'll
85 open the floor up for discussion.

86 Mr. Trott stated that the policy is for when a member of the board, not the public,
87 requests to be remote. In general, this can't be for a member of the public.

88 Mr. Hamilton said no, it would be for a member of the board.

89 Mr. Trott felt the policy should be used when someone is ill or laid up, not if a member of
90 the board is on vacation. Go on vacation when you are on vacation. Mr. Trott wants to
91 make sure the public has the best opportunity to present and testify to the members. His
92 concern is making sure the public has the chance to get everything they deserve to get.
93 He added that if there is another need for a shutdown, the board will need this policy
94 which gives the board that protection.

95 Mr. Hamilton stated I believe if we do pass this, then every meeting will be with the Owl.
96 We won't switch it on only because one member is remote.

97 Mr. Trott agreed that it will be on but we won't have interaction from the public.

98 Mr. Hamilton said yes (we will).

99 Mr. Trott said well then, that's not the way this is written.

Mr. Trott said then there is either something here or in the way that I did my research it states that if there's a reason why the body can't meet in whole, that's when this becomes available so the body in whole can meet and we have to make it available at that time for the public to look at. Not that if we are adopting this policy just allows us to attach this at any time of emergency or would somebody, if it's not practical for someone like me, it is not to be used all the time. I don't think that would be appropriate for the Board of Appeals.

Mr. Hamilton said I think what it's providing is, I'm unclear as well that's why I asked Shelly to come.

Ms. Bishop said that her understanding is that if you vote to use the Owl, then that's what you do all the time. There's no back and forth, we're not going to have Zoom one week and Owl the next week, it's always going to be the Owl going forward.

Mr. Hamilton said every notice of public hearing would include that fact that you can participate physically but you are also able to participate via remote meetings.

Mr. Marshall said let's take tonight as an example, you've got two members out. If they called in at an appropriate time (and that's another question, what is the appropriate time?) if they called in and even though we have a quorum with our alternate members, would that kick in this application or would we just say well that's what we've got alternates for, we don't need to do this. I think it lends an air of confusion to the whole thing and this is a difficult enough process for our citizens to go through without adding any more junk to it. And then the other question I had is in the next to last paragraph on the first page, it talks about someone calling in as early as possible and saying well I need to be remote. When we go to remote what is the time frame required in announcing this to the public that it is going to be partially remote.

Mr. Hamilton said well, I think that is what is covered by the fact that it is going to be remote every time.

Mr. Marshall asked every time?

Mr. Hamilton responded every time. In other words, what it is allowing, the emergency legislation that the Governor passed that expired..

Mr. Marshall asked only under an emergency...

Mr. Hamilton said, well let me just finish, the emergency, this is the prior resolution that the governor as an executive order created this remote policy and none of us could really show up here. We had to deal with remote...

Mr. Marshall said that I understand

134 Mr. Hamilton said this policy is enacted by the legislature and they say if you adopt it
135 than you have to provide both the Owl and the meeting room every meeting basically.
136 That I believe is correct. (Ms. Bishop agreed.) Now to answer your question about
137 remote. Let's take the example of Ellen and Charlie tonight a week ago as he did. If
138 Charlie had notified us, notified me, which he did, a week ago, if he had asked to be
139 remote, which he didn't because we don't have a policy but if we did, I would have
140 contacted all the board and asked you by email or phone, however, and ask you if that
141 was acceptable to have a member remotely, which means that he's a full voting member
142 if we agreed to that. So that means Ellen didn't request it, but Charlie did a week ago.
143 For example, Charlie would be a voting member and we would only have one alternate.
144 So that's how that would work. Does that answer your question?

145 Mr. Marshall said somewhat.

146 Mr. Hamilton said ok, so if we adopt this, it's going to be full-time until we change it.

147 Mr. Marshall said if we adopt this than every meeting...

148 Mr. Hamilton said is remote

149 Mr. Marshall said can anybody that wants to connect remote

150 Mr. Hamilton said correct, they can log in, they can go to the Town website, get the pass
151 code that they need to log into this meeting tonight, if we had adopted this policy and
152 they could participate that way. We could also deal with whatever audience members
153 showed up.

154 Mr. Trott said we are still required to be here.

155 Mr. Hamilton said unless there is an emergency.

156 Mr. Marshall said I think that's a can of worms there.

157 Mr. Hamilton said yes, ok.

158 Mr. Trott read paragraph four of the Remote Participation Policy aloud: "The public will
159 be provided a meaningful opportunity to attend via remote methods when any member of
160 the body participates via remote methods. If public input is allowed or required at the
161 meeting, an effective means of communication between the body and the public will also
162 be provided. The public will also be provided an opportunity to attend the meeting in
163 person unless there is an emergency or urgent issue that requires the entire body to meet
164 using remote methods."

165 Mr. Trott said So when I asked Carol about this, my understanding was, it was to be
166 sitting here that if we adopt it then we can go to the remote when necessary. Not that it

167 had to be all the time. I think by saying that we're going to have lawyers sitting in the
168 office, we aren't going to have things presented, well I didn't have a chance, then try to
169 read it on here, because if they put it up on the screen, that's one of the issues I had with
170 some of the ones we did via Zoom, you know, well I didn't get a chance to print it, I post
171 it on the screen, to be able to take time to look at the screen and look through and digest
172 what they're giving you. I don't think it's a fair way of doing business. If you had the
173 opportunity to plan so Jay for one night had a family emergency, could be out of town but
174 there was something really important that he felt strong about, by all means, we go. I
175 think if we decide to go with that and that's the way it's going to be, it needs to be put in
176 the bylaws that with notice, we try to get it out there, whatever time period we decide,
177 then we go ahead, they can participate remote but everyone else that can make it should,
178 by all means, be encouraged to make it in person. To testify to the board. I think there's
179 nothing like having a person standing in front of you versus on that computer screen. And
180 I think technology is great, I want to provide people but just because to get someone
181 there, start showing up in front of us, just because they are going to go on screen because
182 we allowed this to happen every meeting, I think that's the wrong approach. I think
183 people have the opportunity when needed but also if it means that much to you. Now I'm
184 not talking about these times right now. Because if this means we're going to be on the
185 Owl and we're going to public access from there, we don't have any knowledge about
186 who is going to pop in and testify. We have people sitting here, we have that opportunity
187 to figure it out.

188 Mr. Hamilton said I think we can, as chair, I can certainly control that. Who wants to
189 speak either as an abutter or an interested party? We can certainly shut that down if it's
190 not appropriate.

191 Mr. Trott said I'm sure we can but having the people sitting right here, it's just the go-
192 ahead would be remote all the time. My kid uses this all year long doing classes,
193 everything from parents walking through the back, the house, dogs barking, everything
194 else, the kid forgot to put the computer on mute, the teacher has to take the time to put on
195 mute because there's construction going on in the house. He said that's the most irritating
196 thing to be going on and believe or not his public speaking class is on this in college.
197 Public speaking is being done right now by the Owl for his college class. But I think,
198 right now, if we can adopt this for use the way I understand it that if one of the members
199 has something come up they can't make it but we decide they go remote, the way I
200 understand this and when I looked into it, if we go remote, then we have to give that one
201 time that we go remote, we have to make it available to the public to go remote too.
202 That's the way I read it, that's the way I saw it.

203 Mr. Hamilton said ok.

204 Mr. Marshall said I think I have to agree with that. And it's a case too of in a situation
205 like this, ok, it is somewhat of a trial. And being able to face your accusers, I mean, so to
206 speak, it is an important thing. I think your example of having a lawyer sitting at home, or
207 not at home, in his office and running the show from there is not fair to the rest of the
208 applicants. Very inappropriate. I think if we did this in time of declared emergency, I can
209 put up with that but I think on the whole if you're going to be a participant here, get
210 yourself here.

211 Mr. Hamilton asked for any other comments.

212 Ms. Adams said I see Cabot's concern about not having people physically present
213 because it really does behoove the applicant, the person representing them, the abutters,
214 everyone to be here in presence. However, it should be their choice whether they can do
215 that. I understand lawyers may have a meeting, a very important meeting, and they
216 cannot make it down to Eliot in order to present, they can present remotely. The second
217 thing is I read it the same way Cabot and John read it. When you say in the fourth
218 paragraph, that they attend via remote methods when any member, you're doing it at for
219 each individual meeting, so if the intent is for it to be an ongoing process for anyone can
220 participate remotely, I believe you should allow that, I believe it should be across the
221 board that you can attend remotely if you are not able to come. The other laws and
222 restrictions apply to this board itself, it cannot just be because you don't feel like coming.
223 But for the public, the applicant, if that's the way they want to do it, they take their
224 chances by doing it that way then let them do it. And after the fourth paragraph, the fifth
225 paragraph also says where the public may attend via remote methods. So again, this
226 ordinance does not say that we're doing it as a blanket, the way it's written.

227 Mr. Hamilton said I was surprised that that's what I heard last meeting from the Planner,
228 basically that if we sign off on this, it's every meeting it's available, you're right, that's
229 not what it says here.

230 Mr. Trott asked a question of Ms. Adams, what example, why do you say people we need
231 to allow people to attend remotely?

232 Ms. Adams said I believe you have better access, you allow people better access to the
233 board, people who are disabled for example or need an accommodation. People who are
234 ill but are an abutter and wants to testify remotely. The more avenues we have for
235 participation for the public, the better. And this is just one more...you know, when they
236 did the video streaming there was a big hullabaloo about that, we want people to come
237 physically and so forth, well, not everyone can. And I think it's just one more avenue that
238 people have to participate and like I said, if I have an application before this board, I am
239 going to be here physically because it behooves me to be here physically. And I take my
240 chances if I try to be here remotely and you don't know what I am saying or I don't

241 present properly or you can't see something. You take your chances, I don't think it's up
242 to us to tell people...

243 Mr. Trott said that I agree with, you have a person with an illness or attached to an
244 oxygen tank, getting out and being mobile is just not feasible. I'm good with that. What
245 my concern would become is now we're going to have and I'll use one of our previous
246 Zoom meetings where we had one of the people testifying, there were three people in that
247 room, constantly going, talking, it takes away from that one person testifying and trying
248 to make a statement. What I don't want it to become is someone at home, grab their
249 phone, and put their two cents in. To have a real reason to be remote, by all means, I
250 agree with that. What I don't want, and I don't want to knock technology but sitting here
251 and having ten people sitting in from of me that talk and everything else is more
252 controllable than ten people at home, popping up on the screen, because it is all voice-
253 activated. Every time that we go, that camera is going to turn to you.

254 Ms. Adams said no, the person controlling the video can mute you and only let you in
255 when it's time...

256 Mr. Trott said that machine when it's on, if I start talking, that camera swings to me.

257 Ms. Adams said no, no, that is because you're in this room...

258 Mr. Trott said right, there on that screen...

259 Ms. Adams said no, that's controlled by...

260 Mr. Trott said I just got done with two conferences with this machine, and every time that
261 someone talked, the moderator can keep up with it but every time someone talked that
262 screen changed. Now maybe the conference I was attending they weren't controlling as
263 well. But that's one more thing, we have to have someone, we have to have something
264 else. If you need a variance and it means that much to you, unless you are ill or crippled,
265 do it. I'm sorry, I just think, I don't mind if someone's ill, we have another bad flu season
266 we make the decision to go to remote to protect everyone, I'm all good with that.

267 Ms. Adams said what if I am abutter and I plan to come to the meeting so I did not write
268 anything to the board and I can't come because I'm ill at home, because I have the flu or
269 something else...

270 Mr. Trott said those are the things I'm talking about...

271 Ms. Adams said but I would not be allowed the opportunity without it also being
272 remotely activated...you wouldn't know I couldn't get there because I was sick, I came
273 down with something that day, now I have no input and you don't hear what I have to
274 say. So you have to get the criteria that you're talking about two or three weeks before it

275 is even published in the paper to order to do that. And I can't tell you if I'm going to be
276 sick tomorrow, I'm not even sick today...

277 Mr. Trott said I understand that and it happens. It does happen. And you know what, I
278 went home and for the last two weeks I went looking, I pulled up the things, I've been
279 researching this and trying to understand it, I have sent our chair emails to go ahead and
280 figure it all out so I came here I am prepared. If you're going to come and sit in front of
281 me that night, and you're going to bring stuff and everything else, it's difficult as it is.
282 I'm the one who has to prepare, I'm the one who has to sit there and go. But if you're
283 going to pop up on a screen and just start this, well I have this, it's difficult for me. And I
284 also trying to be fair to the other people that it's going to happen. Not just everybody
285 here, our board members, for me to make my opinion, for me to make appropriate
286 decisions. And I think in fairness to others there, just to go ahead and well I have this
287 document. Why don't I have it? Are we going to just give people the opportunity to just
288 jump in or are we going to set the rules and the boundaries? This is my problem. With the
289 way this is. I don't care if we do it. If you testify, or would like to testify, we need to have
290 documentation to the board members whatever time period we decide, give us a chance
291 to review. Yes, we do allow last minute things to come in but we're doing our job and
292 doing due diligence if we can get that stuff in time to look at it, read it, research it, ask
293 code enforcement questions, get our information. If you're coming to these meetings,
294 I'm sorry, to sit down and you have not done your research, you're not doing your job
295 and those who are going to come in to present to us they haven't done theirs, anything
296 else, maybe I'm old-fashioned, maybe I'm wrong, I don't know, Roseanne, it's not that
297 I'm against people doing it, I'm trying to look at what in my mind is the most appropriate
298 fairness to everybody involved.

299 Mr. Hamilton said just a point of clarification, in reading this again, I don't really see that
300 if we did pass this, that this would allow this to happen at every board meeting. I see it
301 only "under limited circumstances" and those limited circumstances... I think it only
302 really refers, if we do pass this, what the Legislature is saying is that if one board member
303 cannot make it, with a reasonable amount of time to participate remotely. I don't know
304 how this is going to work because the meeting needs to be in the papers ten days before.
305 So Charlie would have had to notify me ten days before so I could get that notice in the
306 paper through the administrative secretary to include the remote provision. Maybe that is
307 the reason the Planning Board and the Council have decided to open this up every time.
308 But that isn't what it says.

309 Ms. Bishop said if you choose to adopt the policy, you're going forward with that ability
310 that somebody could remote in at any given meeting. If you choose not to, it's just the
311 doing the live streaming.

312 Mr. Hamilton said I don't see that we're given that authority.

313 Mr. Marshall asked so you don't think that we would have a hybrid meeting every
314 meeting.

315 Mr. Hamilton said no I think I was misled last time when the Planner suggested that.

316 Mr. Marshall said he would be opposed to having a hybrid meeting every time.

317 Mr. Hamilton said it is difficult to make a public notice unless you are sick ten days
318 before the meeting and you notify the chair and the chair is able to contact all of you
319 (board members) and ask is this allowable? It's not going to happen. I imagine that's why
320 the Planning Board is saying open it up to every meeting.

321 Ms. Bishop agreed.

322 Mr. Hamilton said if someone like Rosanne is sick that night than she can log in. But
323 otherwise if we pass this now and require it only if another board member has to act
324 remotely, will we allow remote access? I don't think it is going to happen. I can't imagine
325 it's going to happen. You certainly wouldn't be able to tune in because we wouldn't have
326 allowed it at that point because we hadn't noticed it in the papers.

327 Ms. Adams said I couldn't even figure out if you could actually poll the members of the
328 board that way if you're allowed to do that.

329 Mr. Trott said that the way that I looked at it is if it's in our bylaws to do so or that type
330 of thing...

331 Mr. Hamilton read from the document the chair or presiding officer of the body in
332 consultation with other members, I imagine the consultation would be via email...

333 Ms. Adams stated but you cannot use email for consultation with this board....

334 Mr. Hamilton said we can actually for notifications.

335 Ms. Adams said but you're asking for input.

336 Mr. Trott said yes or no.

337 Ms. Adams said that's okay, yes or no?

338 Mr. Hamilton answered yes but input on our meetings but not something to do with a
339 case that we are reviewing or a procedure we need to determine, whether remote or not
340 remote. I think it's allowable. We can't have ex patre communication regarding a case
341 but I think we can notify each other on a change of meeting date for example. In this
342 case, I think it would be allowed under the state ordinance as well as the charter. We have
343 the charter...

344 Ms. Adams said ok.

345 Mr. Hamilton said so it has become more confusing than I thought it was going to be.

346 Ms. Bishop said the sample at the top, it talks about this being a sample policy and that it
347 can be tailored to meet the needs of the individual board. If we want to look at what that
348 means and the minimum requirements within thus and how that can be changed to speak
349 to what you're speaking about right now.

350 Mr. Hamilton said he understood that it is a sample and we can amend it and vote on it.
351 My only question is how is this going to work if the only way that we can really allow a
352 remote meeting is if one member wants to be remote. Let's say Charlie notified me this
353 week, I'd have to say I can't accommodate you because we've already posted the notice
354 and there's no notification about remote participation. Let's say it was a public hearing
355 for an appeal. I don't know how it's going to work, I don't see how they're can make this
356 thing work. It'll have to be open all the time. Which is what the Planning Board and
357 Council have decided to do but we don't seem to like that idea.

358 Mr. Meyer stated I believe this sample policy may be more pertinent to other boards
359 whereas this board we have two alternates. Maybe they don't have that same situation on
360 other boards, such as, the Planning Board...

361 Mr. Hamilton asked if the Planning Board does not have alternates.

362 Mr. Marshall said the Planning Board does but the Select Board does not.

363 Mr. Meyer said from what I understand today the Aging In Place Committee adopted this
364 policy. They have five people on the board. Perhaps that is why it's a little bit different
365 that other boards have chosen this sample policy and basically just utilize this policy
366 without tweaking it.

367 Mr. Hamilton said but if they utilize this policy without tweaking it than it wouldn't be
368 every meeting and that's what they're saying that the Planning Board and Council this is
369 available at every meeting whether a member comes in remotely or not. And the
370 conversation I'm hearing is that we don't seem to like that. Did any of this discussion
371 come up at the Planning Board?

372 Ms. Bishop said it may have...it did, I'm sure.

373 Mr. Hamilton said so it's open for every meeting? Right?

374 Ms. Bishop answered correct.

375 Mr. Trott said this sample, I don't know if the town or MMA supplied it.

376 Mr. Hamilton said it is.

377 Mr. Trott said I read the 403-B and it gets worse when you try to read that as far as
378 clarifying. As I said the way I took it and understood it we can adopt as it is and
379 implemented when necessary and that was the point of it is that without it adopted or a
380 similar policy according to 403-B we can't function and go into that mode unless we
381 have done the policy.

382 Mr. Hamilton agreed, saying right.

383 Mr. Trott continued, So, the more I read into that the more I just wanted to throw the
384 laptop away. But it was, I think, intended so that when or if we had members that can't
385 make it and sit, if we're going to give them that allowance to be remote, we have to
386 provide to the public, and that is the only time that we had to provide to the public.

387 Mr. Hamilton said, yes, it says very clearly only under limited circumstances now I don't
388 believe every meeting would be a limited circumstance.

389 Ms. Bishop said no I guess what I'm saying is when you adopt a policy than this goes
390 forward. So, if it's the next meeting, everybody's present, no issue, the following meeting
391 you have somebody that's going to be out last second, sick, get the permission...

392 Mr. Hamilton said but the last second would have to be 10 days before the notice went
393 public, you know, wouldn't we? We have to make notification to the public...

394 Ms. Bishop said you would make notification to the public...

395 Mr. Marshall said yes, in the newspaper and on the radio or something so you got to have
396 it almost two weeks ahead.

397 Mr. Hamilton said exactly, let me see if there's any other thing that clarifies this. He reads
398 from the policy, "notice of all meetings is required as usual for the public. The remote
399 methods notice must include the means by which the public may access the meeting
400 remotely and a location for public to attend in person." So, I don't see how it's going to
401 work if it's so limited...based on one member requesting remote participation.

402 Mr. Marshall said I think the only way that this should kick in is if when someone calls
403 and says I can't make it to the meeting that the criteria is can we come up with a quorum
404 with our alternate members without you and we can this is no I'm sorry I hope you feel
405 better and we carry on with the meeting as we always have. Now, if we have say, three
406 members call in or two members call in, and the alternate can't make it, and we can't
407 come up with a quorum then it gives one of those members that called him couldn't
408 participate Zoom then that's another story.

409 Mr. Hamilton said we need to notify the public

410 Mr. Marshall said and you're right and it has to be in time to notify...

411 Mr. Hamilton said I don't see that ever happen...

412 Mr. Marshall said but if we can make a quorum with our alternates that's what they're

413 here for, that's why we have them.

414 Mr. Hamilton said I don't see it working. I thought it was and I don't really object to the

415 idea of having this being available at every meeting. I don't have a problem with that.

416 Some other members do but that's not what this says. You know it's very odd because it

417 just very clearly states under limited circumstances. Not having this available at every

418 board meeting is not a limited circumstance. I'm just surprised that two other boards are

419 going along with this.

420 Ms. Bishop said even a limited circumstances, you don't know when that's going to

421 happen.

422 Mr. Marshall said In thinking of the Planning Board, they're dealing, many times, with a

423 longer-term planning situation where it's multiple meetings and they're hashing things

424 over and everybody is going to get a chance to come in. But we're dealing with someone

425 who is coming in and hoping they will be able to do something with their property. And

426 it's one and done.

427 Mr. Hamilton agreed.

428 Mr. Marshall continued you got one shot and to do it remotely is, I think, we did the best

429 we could when we were doing it remotely. I'm very pleased that we did as well as we did

430 and I was very surprised that we were able to do that. But in a couple of our last

431 meetings, we didn't get a nice little packet like this, we got an Encyclopedia Britannica

432 with it. Just that is considering we've got a couple of hours to go through it and digest it

433 and explained is bad enough without having people missing and to do it over the

434 computer and all that. I'm looking here in my own perspective as an advocate for the

435 people that live in the town they come and apply for things. Not for the town so much.

436 Mr. Hamilton said I guess looking ahead if there is another shutdown, if we can't meet in

437 public, we probably may not be able to meet because the emergency order that the

438 Governor had initiated and was approved by the Governor expired on July 30th. So,

439 unless there's another emergency ordinance, if we don't adopt this, then we probably

440 won't be able to hold a meeting because the only reason we were able to hold a remote

441 meeting during the last shutdown was because of the Governor's declaration. Unless the

442 Governor does another declaration but it's an emergency situation, the way I read it we

443 won't be able to hold remote meetings without adopting something like this. Because at

444 that point all of us would call in and say basically we need remote meetings and this
445 legislation enables that. Without this legislation, if we don't pass it, I don't think we can
446 meet if there is another shutdown. Unless the Governor has ordered an emergency
447 declaration again, I don't think the Governor would do that because they've already
448 provided a means for us to hold remote meetings in non-emergency situations but this
449 would also apply to emergency situations, so it covers both. This is something to think
450 about.

451 Mr. Meyer asked are we able to adopt this policy and then work the details into our
452 bylaws?

453 Mr. Hamilton answered he would think so.

454 Mr. Trott said my understanding was and again, that if we adopt this policy and only
455 enact it when we have those issues, and that I have no issue with, if we come up with a
456 situation where again we have to stop meeting because OK, we had another virus...or we
457 have people because of time limits and things like that.

458 Mr. Meyer said well if town hall is closed so we couldn't have a meeting

459 Mr. Hamilton said, if we don't adopt this, we can't have a meeting, if we do adopt this,
460 we could have a meeting.

461 Mr. Trott said so, I guess my only sticking point is having this hybrid every time. Making
462 those public notifications, going through this every time. But I think, in general I would
463 have to say that if we can tweak it for our bylaws that as long as we have alternate
464 members showing up, we will keep the rest of it the same. If you want to attend the
465 meeting via stream, go ahead. But we do have the alternates here, showing that we can do
466 that.

467 Mr. Hamilton asked any other discussion?

468 Mr. Marshall said how would we do if we have say an emergency that just limited the
469 number of people that could be in the room.

470 Mr. Hamilton said, we've had that.

471 Mr. Marshall continued And the board could get here with masks or armor or whatever,
472 and we could be here but the public was remote. How much of a possibility is that in an
473 emergency? In an emergency, I would never even consider doing that on a regular basis
474 but in an emergency.

475 Mr. Hamilton said, it's not a possibility.

476 Mr. Marshall responded, it's not.

477 Mr. Hamilton explained, no because we need to notify the public ten days before.

478 Mr. Marshall agreed, saying, if we were in an emergency, we would be able to do that
479 and then I'm assuming with notification.

480 Mr. Hamilton said, Let's say the meeting is on the 15th, that has to be in the paper by the
481 5th, has to be ten days before the meeting. There's a snowstorm on the tenth.

482 Mr. Marshall said well it's not going to work with snowstorms, I'm talking about a
483 medical emergency.

484 Mr. Hamilton answered, if the policy is not in place...

485 Mr. Marshall said If the town shut down, there may not even be any power here to run a
486 remote anyway so we postpone the meeting.

487 Mr. Hamilton agreed.

488 Mr. Trott said it's hard to think of anything that would fit except for another pandemic.

489 Mr. Marshall said, And that's what I'm talking about is if we had a situation where I think
490 technically in the last situation the problem was is the occupancy of the room was
491 limited. But we could be here and probably not over do that but could the public then
492 participate with notice.

493 Mr. Hamilton said they could, some could wait out in the hall, we could rotate in other
494 people...

495 Mr. Marshall said, no, not wait out in the hall, Zoom. Where the public was restricted
496 only to be able to come here via Zoom.

497 Mr. Hamilton said, as long as we meet the ten-day notification and we've adopted the
498 policy to allow it. We can't do it without adopting policy because there's no other means
499 to provide so without adopting the policy.

500 Mr. Marshall said I think we just have to be careful with the document that we have I
501 think there's a reasonable amount of wiggle room in it that you could make it that if
502 somebody decided all I don't feel like going tonight then I want to do it Zoom and then
503 everybody's got to do it Zoom.

504 Mr. Hamilton said, Only if it's 10 days before the notice. If you don't feel like going to
505 the meeting, you don't you feel well...

506 Mr. Marshall said, That's what we have alternates for...

507 Mr. Hamilton agreed and said any other discussion? I'd like to take a vote on this so we
508 can move on. Any other questions, concerns, discussions, anything like that?

509 Ms. Bishop had a suggestion: revising this language with attorney review to cover the
510 remote meetings only under emergencies when town hall is closed due to a snowstorm,
511 due to a pandemic, whatever, maybe but only under emergency situation when Town
512 Hall is not open.

513 Mr. Hamilton said I think that's a different provision than what is written.

514 Ms. Bishop said, yes, it is. You'd have to revise this. It would still generally be the same
515 but you have maybe at the heading that this is for the Board of Appeals for only under
516 emergency situations in those meetings and spell out with that means.

517 Mr. Hamilton said I don't think the legislature has allowed that to happen

518 Ms. Bishop said no, I'm just point to where it said that this could be tailored to meet...

519 Mr. Hamilton said we cannot tailor-make something that the Legislature doesn't allow
520 and the Legislature only allows this if there's a member that Zooms in basically. The
521 member wants to Zoom in, then the public can Zoom in. It's not if we get the Town Hall
522 is closed or we decide it's an emergency or whatever, it's only under that that provision is
523 very limited. I doubt if there are attorneys that would approve.

524 Ms. Bishop said this was just a suggestion.

525 Mr. Hamilton said I think the Legislature is very specific in how they're requiring this.
526 Ok. Any more discussion?

527 Mr. Trott said, yes, is there, with what Shelly just said, the ability to ask the question to
528 MMA how we can adopt this so that we do have or curtail this that if we have a pandemic
529 or that kind of a shutdown that we can operate. Because if we can't without consulting a
530 policy, what kind of policy can we adopt that would allow us to.

531 Mr. Hamilton said I think it would be this policy that the Legislature has allowed us to
532 adopt.

533 Mr. Marshall asked is this from the Legislature or from MMA.

534 Mr. Hamilton said it is from the Legislature. This policy would kick in if there's another
535 threat or pandemic because we all want to be in the Zoom and we all want meet attending
536 limits for the public so we will be in fine shape if we allow this policy. I think it should
537 be very clear if we do approve this that this is specifically for unusual circumstances,
538 very limited circumstances but not on a regular board meeting day. It's not for every
539 board meeting. It's just when it meets the requirement of one board member asking for

540 remote meeting within the time limits of 10 days before the meeting then we should go to
541 it and then the public will be notified and we will be notified. But we still should show up
542 here but the board member will not and then any public numbers can show up or they can
543 go on Zoom. That's how it works, and that's the way I read this now. I don't read it as an
544 open invitation for every meeting.

545 Mr. Marshall said I see that in it some but I also see some wiggle room in it.

546 Mr. Hamilton said, Well...

547 Mr. Marshall said, And if some of what you just said could be added to this...

548 Mr. Hamilton said, We can certainly stipulate in our motion that we approve it based on
549 the limited circumstances and not for every regular board meeting that doesn't meet those
550 limited circumstances. I think that's the intent of this, not changing the intent of the
551 legislation, that if it's just verifying what the Legislature is saying: if one board member
552 wants to be remote, we allow everybody to participate. But if that doesn't happen within
553 the 10 day thing, then it's a normal working meeting without remote, without the Owl.

554 Mr. Marshall said, I think that needs to be stipulated.

555 Mr. Hamilton said, we can stipulate that. I need a motion. The motion doesn't contradict
556 what the intent of this provision is.

557 Mr. Marshall said, I think this is relatively good and we need to take advantage of the
558 technology that we have available that it's only going to get better.

559 Mr. Hamilton said, And let's face it, things aren't looking that great right now.

560 Mr. Marshall said, no they're gonna push it for all they're worth.

561 Mr. Hamilton said, no in terms of Wentworth Douglas's emergency room is completely
562 full, and there's no ICU beds. There are none in York Hospital.

563 Mr. Marshall said, Listen to the way they say it.

564 Mr. Trott said, That's not true. My wife works there, she gets the daily headcount...

565 Mr. Hamilton said, Let's just say, the numbers are going up, it's not like it's going away.
566 So that, I think, may partly be the reason for this too. I don't know. Anyway, so please
567 let's entertain a motion.

568 **Mr. Trott made the motion. I'll make a motion that we do adopt the policy based on**
569 **the only time it would be enacted to those limiting circumstances.**

570 Mr. Hamilton asked, Is there a second?

571 Mr. Marshall said, I'll second it.

572 Mr. Hamilton said, The motion has been made and seconded to adopt the policy only
573 with the limited circumstances which are underlined. Any discussion?

574 Mr. Trott said, Only to be enacted during the limiting circumstances.

575 Mr. Hamilton asked, Any discussion?

576 Mr. Meyer asked, Shouldn't the policy be written before we adopt it?

577 Mr. Hamilton said, We would adopt the sample policy and then just stipulate in our
578 motion that maybe we can include it just at the bottom, at the end of the policy that

579 Mr. Marshall said, We're only enacting it for emergencies and not for every meeting.

580 Mr. Hamilton said, We're adopting for it limited circumstances. It doesn't have to be an
581 emergency, in other words, one member can't make it. That's not an emergency but we
582 can still be under remote meeting. I wouldn't use the word emergency; I would use
583 limited circumstances.

584 Mr. Marshall said, I would not like to see it just if one member if they can't make it.

585 Mr. Hamilton said, That's the way it is written.

586 Mr. Trott said, If we adopt this, correct me if I'm wrong, we can put into our bylaws
587 those circumstances to say, hey, if you're out, even at this time, if we have to fill your
588 position we're going to continue as always. I mean, if you want to get more definite we
589 can. The Chair is correct, if we don't do something, we could find ourselves in a pinch.

590 Mr. Meyer said, I understand.

591 Mr. Marshall said, One of the biggest things I didn't like about doing that meeting from
592 zoom was that it was way too convenient. It could be real easy to just decide to do that
593 and not bother to drag ourselves in here and meet face to face with the public and in
594 person.

595 Mr. Hamilton said, Well, we didn't have an option.

596 Mr. Marshall said, I know we didn't have an option. I mean it was way too easy.

597 Mr. Hamilton said, This is not an either-or situation either. We're still required to be here
598 but that one member doesn't have to be here. We're still required to be here. The first
599 paragraph: members of the body are expected to be physically present for meetings
600 except when not practical.

601 Mr. Marshall said, OK, maybe this is the most pertinent question: if we had a regular
602 member who decided that they couldn't be here and wanted to be on Zoom, would then
603 the alternate member that's present here become the regular voting number?

604 Mr. Hamilton said, No. He read from the policy: "The member of the body of this space
605 remotely will be considered present for purposes of quorum and voting." That's what it
606 says. Whoever is coming in remotely as a member, as a board member, has full voting
607 rights. So, the alternate is not necessary, not being required as a voting member, at that
608 point. Any other discussion?

609 Ms. Adams said, I'm really ambivalent, because we do need a policy, we need some kind
610 of policy. I don't really agree with this policy but if it's a starting point, that's fine, if we're
611 never going to discuss it again, then I would vote against it OK because I think it
612 deserves more discussion as far as you know allowing people to remotely come into our
613 meetings and obviously the other planning board you know the other boards seem to feel
614 that this wording allows them to put what is on our website as far as participation and I'm
615 I'm curious as to why that is and what our lawyer would say about that. I'm very
616 ambivalent. I would say yes because we need something but I don't want that to be the
617 end

618 Mr. Meyer said, I'd like to deal with the pinch situation.

619 Mr. Hamilton agreed, saying I have similar feelings but I don't know; what the alternative
620 would be; I think we need something. Again, I think it's a starting point. It's not a very
621 good law, that's for sure, but I guess they did it, I don't know why they did, only that the
622 Governor's emergency provision lapsed. It was only designed for certain amount of time
623 so the Legislature came in its own way and did this.

624 Ms. Adams said, well this is an interpretation of that because it says it is provided by
625 legal services. It adheres to the requirements yeah within it are the requirements.

626 Mr. Hamilton said, right I don't think MMA would change the intent of the ordinance or
627 the legislation. I think they're simply making it more accessible as Cabot (Trott) says you
628 go online and look at it you're probably going to be more confused.

629 Mr. Trott said, yes, now that we look at it and I see your interpretation, I will probably
630 come forth with a lot of changes. I would make this a little more structured for us.

631 Mr. Hamilton asked, Any more discussion? If not, all those in favor, please raise your
632 hand. (All members raised their hands.) All those opposed. Given that, the motion passed.
633 5-0.

634 The vote was held. All were in favor of adopting the policy. No one opposed. Adopting
635 the Remote Participation Policy was unanimous.

636 **ITEM 4 – REVISED VARIANCE APPLICATIONS DISCUSSION**

637 Mr. Hamilton directed members to the three applications for review – Request for
638 Hardship Variance, Request for Practical Difficulty Variance, and Request for Disability
639 Variance. He asked the members to first consider the Request for Hardship Variance.

640 Mr. Hamilton said, Basically it's an explanation, a better understanding of what's
641 required of an applicant to apply for a Hardship Variance. It's really well done. I have a
642 couple of things that I'd like to include in it that aren't there and have been bugaboos for
643 us for quite a while. One of those is, I think, maybe we should add to paragraph three,
644 where it says, "You must provide the board with all factual information, etc.," and at the
645 very end, "If you do not know what zoning" etc., I think right there we should say, "Your
646 application must be complete prior to submission or your hearing date may be delayed."
647 In other words, if there is no complete application, we get this a bit, and it's up to the
648 code enforcement officer to try to ensure that the applications are complete. I think they
649 are definitely a lot better than they used to be with other code enforcement officers. The
650 frustration level is pretty high when we don't have a complete application and we have to
651 kind of guess or figure out, try to get information at the meeting.

652 Mr. Marshall asked, Are you including in that last-minute submission of information?

653 Mr. Hamilton said. No, as long as the application that is here is complete, usually there is
654 some consultation with code enforcement officer about some issues. Is that right?

655 Ms. Bishop answered, Yes.

656 Mr. Marshall asked, Didn't we just recently address last-minute submissions of
657 information that need to be in more timely?

658 Mr. Hamilton responded, There's always going to be extra information coming in, that's
659 the nature of a public hearing that we get information at the public hearing. But as far as
660 the application is concerned, it should be as complete as possible. Nothing that's major
661 should be left out. Any questions should be filled out. You can't just say...

662 Mr. Marshall said, Yes or no?!

663 Mr. Hamilton said, Exactly! What is the nature of the variance? That needs to be more
664 clearly explained. It's up to the code enforcement officer to make sure that information is
665 conveyed and what happens is, once the application is complete, it gets forwarded to the
666 Chair, and I look it over before I call a public hearing. I've never done this before but I
667 think if we had it in writing that if it's not really complete, we return or I email the code
668 enforcement officer back or the administrative secretary. I would email them back and
669 say we are not prepared to hold a public hearing. But I haven't done that yet because we
670 don't have anything in writing that allows me to say that. I'd like to put that in there

671 somewhere. And this might be the place for it. Since these are very explicit, I'd put this in
672 in all three of them. That's never been addressed. I've been trying to think how to do it.
673 Should it be ten days before the public hearing? No. It has to be complete. The
674 application has to be complete before it comes to the Chair to authorize the public
675 hearing. Without the Chair seeing it and saying, oh that's not complete, it won't make
676 this month's meeting. Sorry. It's going to have to make next month's meeting because
677 it's not done yet. We may not have the tax information or we may just have a rough
678 sketch of what this person wants to do and that's not quite enough.

679 Mr. Marshall said, Even the issue of, if they do have pictures and diagrams, that they
680 have to be legible. We have had several, yes, there was a map there, but I couldn't tell
681 you, it was a mess.

682 Mr. Hamilton said, So we can address that too – your application must be complete and
683 legible.

684 Mr. Marshall said, Yes.

685 Mr. Hamilton added, Prior to submission being made...

686 Mr. Trott said, That stuff that we had down on the waterfront. They gave us all kinds of
687 stuff but half those maps were..

688 Mr. Marshall said, They were fuzzy.

689 Mr. Trott said, They were mimeographs.

690 Mr. Marshall said, Well, they weren't labelled properly either.

691 Mr. Trott said, The only other thing I have, on the back of the question, where you got to
692 do something to encourage them. We've got to spell it out. Parentheses "Explain." Not
693 just say yes or no.

694 Mr. Marshall said, Maybe a note on it saying to use another piece of paper if necessary.

695 Both Mr. Hamilton and Mr. Trott pointed out that the application does suggest using
696 another piece of paper if needed.

697 Mr. Marshall thought the example on the front is not the best example. There could be a
698 better one for this issue.

699 Mr. Hamilton said, If you want to come up with another one, you can, and I think it's
700 pretty good.

701 Mr. Hamilton, Mr. Trott, and Mr. Marshall mentioned "reasonable returns" and shared
702 examples of it.

703 Mr. Hamilton said, I think what's been said in the opening paragraphs, "you must provide
704 the board with all factual information prior to hardship variance request form. You must
705 provide the BOA with proof that you have a legal interest in the property. You must
706 describe the property (a plot plan may be useful), describe the variance you seek, and
707 prove that you cannot meet the requirements of the ordinance, etc." Your application
708 must be complete and legible prior to submission, if not, your hearing may be delayed.
709 The other thing I would like to include at the very end where it says, "in the event you are
710 granted a variance..." (The second page at the bottom.) The Board of Appeals will send a
711 signed notice of decision within seven days of your hearing date. That should be included
712 on all of these. One other thing, a couple of paragraphs above, where it says, "Be sure to
713 complete the application form and provide the Board with documentation of your case."
714 At the end of that paragraph, it says, "...statements from individuals with personal
715 knowledge of the property, and any documentation of previous requests for variances or
716 waivers." Since we had waivers in the past, we probably should keep that.

717
718 Mr. Marshall said, It was a waiver then.

719
720 Mr. Hamilton agreed, saying, Then we should leave it.

721
722 Mr. Marshall said, On the third paragraph in parentheses (on the first page), it says "a
723 plot plan may be useful." I would say that if it doesn't have a plot plan perhaps it's not
724 complete. I mean having a plot plan I more than useful.

725
726 Mr. Hamilton asked, How would you phrase it then?

727
728 Ms. Adams suggested, Include.

729
730 Mr. Marshall answered, Include a plot plan.

731
732 Mr. Meyer suggested that be on page three of the actual form. Please also include...

733
734 Mr. Hamilton said, Yes, good idea.

735 Ms. Adams suggested underlining under b) - you might want to underline that last
736 sentence. If you don't separate it from that from b) - please explain in detail - so that
737 people will actually see that because all the stuff they're going to respond to is on the next
738 page and they may get lost and you might get a yes-no-yes-no.

739
740 Ms. Bishop said, We've urged them to give as much information that will help you make
741 a decision based on what they requested.

742
743 Mr. Hamilton asked, So how do you want that to read?
744

745 Ms. Adams responded, At least underline it. If not, separated a little bit more from that.
746

747 Mr. Trott said, Or put it right on the next page.
748

749 Ms. Adams said, Please explain in detail how your situation criterion. Yes, you could put
750 it on the next page.
751

752 Mr. Meyer said, You could put it under each 1234 and parentheses explain in detail'
753

754 Ms. Adams said, Yes, anything to add in their mind they can get another page
755

756 Mr. Hamilton said, I think Jay's suggestion is a good one. Under each, 1, 2, 3, and 4,
757 please explain in detail how this meets this requirement.
758

759 Mr. Hamilton asked if there was anything else on the Hardship Variance form.
760

761 Mr. Meyer said, On the application itself, where we asking the name, the address,
762 property owner, and location, you addressed that earlier, where they're asked, where it
763 says, if you do not know the zoning district, would it be helpful to include a line that says
764 zoning district under location?
765

766 Mr. Hamilton agreed, Yes. He then directed the board to the Practical Difficulty
767 Variance.
768

769 Similar edits were made to this form, including adding that "your application must be
770 complete or your hearing date may be delayed" at the end of the third paragraph. Add
771 "zoning district" under location. And the same change on the old language of "A plot
772 plan may be useful. Add the notice of decision – you will be sent a notice of decision by
773 the Board of Appeals seven days after your hearing date. Under each one of the
774 requirements it should say the same thing: please explain in detail how your situation
775 meets this requirement.

776 Mr. Hamilton said to Ms. Bishop, I assume that Jeff made these changes. Could you get
777 back in touch with him with these changes?
778

779 Ms. Bishop said, I can, yes. I did mention last time that we have a couple of people
780 waiting for the application to be able to apply. Is there comfort with these changes being
781 made that we can then give out the application?
782

Mr. Hamilton said, Yes. If down the road, they need to be modified we can do that again.

Ms. Bishop suggested that she send to Mr. Hamilton to take a quick peek to make sure the changes were correct. He agreed to do that.

Mr. Meyer suggested that the new version be dated. All agreed.

Mr. Marshall directed the board to the fourth paragraph and the requirement to pass six tests. He said in the past we considered those six things, not that they were required to be met completely. He asked, did we change that or do we still consider these six things?

Mr. Trott said that he asked the Town Planner that very question and he wrote me back very clearly stating that the State Legislature in their ordinance requires that those be met.

Mr. Marshall said, That makes it more difficult.

Mr. Trott said, I know but the best thing about the practical difficulty is knowing the first reasonable return is gone.

Mr. Marshall said, It's just impossibility unless the board is feeling soft at the moment.

Mr. Trott said, yes, it's a tough one.

Mr. Marshall said, If you sit in a lawn chair to watch the waves go by is a reasonable return than it's not possible,

Mr. Trott said, But in a practical difficulty there is no reasonable return.'

Mr. Marshall said, That's good.

Mr. Trott said, Again, that practical difficulty is for that 25 percent...

Mr. Marshall said, Non-conforming water record, right?

Mr. Trott answered, yes. I don't think it's impossible. Is it harder than when we looked at the waivers? Yes. Now there's legislation that backs it.

Mr. Hamilton said, OK, do we want on that third paragraph, plot plan, would it be useful. All agreed yes.

823 Mr. Marshall asked Ms. Bishop if when people came in could they get an electronic
824 mapping of their property?

825
826 Ms. Bishop said, Yes, they could get an aerial view.
827

828 Mr. Hamilton said, Under Disability Variance, a new one for the board, it is required by
829 state law, Section 44-47 The state statute is Title 5, M.R.S.A. section 4553-A.

830 That is basically the definition of a disability. Required medical records. I'd like to
831 include on the second page where it says be sure to complete your application form. Your
832 application should be complete at submission or your hearing date may be delayed. And
833 then, at the end, the Board of Appeals will send you a signed notice of decision within
834 seven days of your hearing date.

835
836 Mr. Marshall said, When this is limited to disability, not going with the deed, how does
837 that meet with that it has to be recorded in the Registrar of Deeds? If this is just a limited
838 thing, does it have to have that?

839
840 Ms. Bishop said that at transfer of property, that's the time when that should be resolved.
841

842 Mr. Marshall asked, So when someone moves or dies, it goes away?
843

844 Mr. Bishop said, That is my understanding.
845

846 Mr. Marshall asked, That is part of what is recorded at the Registrar of Deeds?
847

848 Ms. Bishop said, Right.
849

850 Mr. Marshall asked, It won't go on to the next owner or heirs.
851

852 Ms. Bishop said, Right.
853

854 Mr. Meyer asked, Is that standard language about the medical records being submitted to
855 the Board of Appeals?
856

857 Mr. Hamilton said, I believe it is. It's confidential, not part of the public record, part of
858 the application.
859

860 Mr. Trott said, It can be something as simple as a letter from a doctor stating the
861 condition.
862

863 Mr. Hamilton asked if there is anything else on the Disability Variance.

864

865

Mr. Trott said that he noticed there is a flat fee. Why is this not on the other ones?

866

867

The Board looked at the other applications and realized there is a fee on all of them, on the back of page two.

868

869

870

Ms. Adams suggested the fee should be at the top of the first page to be more visible.

871

872

Mr. Hamilton said the review of the applications did not need a vote, just an acknowledgement that they are all in agreement, which the members are.

873

874

875

Ms. Bishop informed the members that they will have a meeting in October.

876

ITEM 5 - REVIEWED AND APPROVED PREVIOUS MINUTES

877

Mr. Hamilton stated there are no minutes from the previous meeting as the Board did not have a recording secretary.

878

879

ITEM 6 – OTHER BUSINESS

Mr. Hamilton asked if there was other business and there was none.

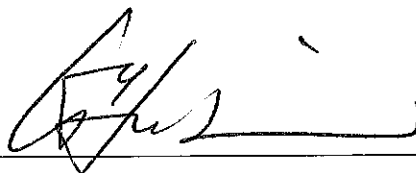
880

ITEM 7 – ADJOURN

881

Mr. Marshall made a motion to adjourn, Mr. Trott seconded it. The meeting was adjourned at 8:30 p.m.

882



Bill Hamilton, Chair

Date approved: _____

1/12/22

Respectfully submitted,

Ann Lukejord, Recording Secretary