

**Board of Appeals Minutes**

Town of Winslow, Maine  
January 26, 2022

**Members Present:**

Joe Marcoux (chairman)	Dr. Charles Kriegel	Rodney Cloutier
Jerome Leclair	Christopher Dawe	Wyatt Quirion
Steve Russell		

**Others Present:**

Amos Michaud (Code Enforcement Officer)	
Audra Fleury	Lynne Choate-Planning Board
Matthew Morrison - Appellant	
Greg Robie -Appellant (Zoom)	Bill Lee, Esq. (Attorney for Town)
Gordon Smith, Esq. (Attorney for Applicant)	Brooke Barnes-Applicant
Ben Aparo-Applicant	

Meeting called to order: 6:00 pm

**Old Business: None**

**New Business:**

- Annual election of Chairman and Secretary

Motion to appoint Joseph Marcoux, Chairman by Jerome Leclair, seconded by Dr. Charles Kriegel  
All in favor

Motion to appoint Christopher Dawe, Secretary by Jerome Leclair and seconded by Dr. Charles Kriegel  
All in favor

Both Joseph Marcoux and Christopher Dawe accepted the position

- Review an appeal from Greg Robie regarding the decision by the Planning Board to approve the Large-Scale Principle Solar Project off Cushman Road and Review the appeal from Matthew Morrison regarding the decision by the Planning Board to approve the Large-Scale Principle Solar Project off Cushman Road.

Jermoe Leclair recused himself from vote, due to a conflict of interest.

Chairman asked appellants if appeals could be heard at the same time, and it was agreed to.

First planning board meeting on topic was October 4, 2021, had procedural issues regarding missing votes and alternates members voting. Brought to boards attention to fix errors

Second meeting was November 1, 2021, Motion to reconsider, approved conditional use Permit, after review by Town Attorney, Bill Lee, it was found that notice to abutters with in 1000 ft was not done.

Third meeting was December 28, 2021, Notices to all abutter within 1000 ft were send, vote was taken, final vote was to approve permit

Morrison: stated he did not receive notice of the 2<sup>nd</sup> hearing but attended the hearing. Has concerns that the meetings were not held properly, the bond regarding decommissioning is not enough that the cost of decommissioning in 20 years will be a lot greater. He believes the council pushed through the vote.

Robie: stated bond was not reviewed by the planning board, that the name of the owners of the company has changed and leaves questions about the bond. The planning board failed to treat public claims and comments the same as the applicants.

Applicants: Town has ordinance regarding decommissioning, DEP and State of Maine has stricter standards than town, and they plan will based on stricter standards. Bond goes with project not the developer, per DEP, bond to be revisited in 15 years and every 5 years after and to be adjusted with inflation and cost to decommission.

Bill Lee, Esq.: He did not review bond and could do so at the request of the board to make sure it meets standards of code.

Questions from board to Lynne Choate on Planning boards process to get to their decisions.

Motion by Steve Russell to Table vote until next meeting. Bill Lee will review decommissioning bond for a legal opinion. Seconded by Dr. Charles Kriegel Passed 6-0, All in Favor

- Review an appeal from Greg Robie regarding the decision by the Code Officer on a building permit:

Greg Robie requested a change in use to accessory dwelling unit which is allowed but his situation does not constitute a change. Mr. Robie wants to perfect warrant deed. According to him lots were merge incorrectly in 2015.

No permit was issued or money collected

Motion by Steve Russell to accept Amos Michuad's decision seconded by Dr. Charles Kriegel Passed 7-0 All in favor.

Motion to adjourn by Steve Russell Seconded by Jerome Leclair passed 7-0 all in favor

Time: 8:58pm