

**Town of Mount Desert
Special SelectBoard Meeting Minutes**

Tuesday, September 10, 2020

Location: Zoom Meeting

This Meeting was held via remote access.

SelectBoard Members Present:

Chair John Macauley, Wendy Littlefield, Matt Hart, Geoff Wood, Martha Dudman

Public Officials Present:

Town Manager Durlin Lunt, Planning Board Chair Bill Hanley, Public Works Director Tony Smith,

Members of the public were also in attendance.

I. Call to order at 4:00 p.m.

Chair Macauley called the Meeting to Order.

II. Selectmen's Reports

Ms. Dudman wondered about the wedding approved the Board at the September 8, 2020 Meeting. Perhaps it would be wise to request the police stop in at the event to check that CDC Guidelines are being followed. Manager Lunt agreed to give the police the heads up. Chair Macauley reported talking with the Applicant. They intend to have only 40 guests.

III. Unfinished Business

A. Request to Authorize a Public Space Special Event Application to William M. Hanley, Planning Board Chair for a Planning Board Public Hearing on Harold MacQuinn, Inc/Freshwater Stone and Brickwork, Inc Quarry scheduled September 30, 2020 – Northeast Harbor Village Green

Manager Lunt noted that the Town has received a Grant from the Department of Health and Human Services. He anticipates having a surplus from that Grant after the anticipated expenses are covered. He estimated \$2,000.00 could be used from the Grant for the Planning Board Meeting. The balance of the meeting expense can be applied for FEMA reimbursement.

Mr. Hart knew the process was near the end. He wondered how the Planning Board would proceed if additional meetings are required, given the upcoming winter season.

Planning Board Chair Bill Hanley updated the SelectBoard with where the issue was at; deliberation on the last section of the Quarry Ordinance, Noise, and a final determination. The Town hired a consultant to advise the Planning Board and the Board needs to deliberate on the consultant's findings. Chair Hanley anticipates final commentary from the Applicant. The majority of Public Comment should theoretically be finished. Chair Hanley hopes a final decision can be made at this meeting. Where it goes from that final decision is not known. The worst-case scenario is that a decision is not made at this meeting and another meeting is required. Chair Hanley noted that a number of abutters have opposed having a virtual meeting via Zoom due to their lack of ability with and access to the necessary technology. Attorneys for the residents are equally opposed to a virtual meeting. Meanwhile, Attorneys for the Applicant are alleging denial of due process from the Town because other Planning Board meetings are occurring while the Board is not considering theirs. Additionally, Board Members are adamant that they will not meet in an enclosed environment, due to the Covid pandemic. Chair Hanley has been in discussions with CEO Kimberly Keene and Town Manager Lunt regarding finding space

1 appropriate for all concerned. A further complication is the attendance numbers to the meetings.
2 Normal attendance has been in the 30s and 40s, however other meetings have had nearly 70.

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4 SelectBoard Chair John Macauley suggested that if meetings continue into the winter months, the
5 high school auditorium could be used. The space has been used for SchoolBoard meetings.
6 Planning Board Chair Hanley reiterated that several Planning Board members refuse to meet
7 inside for the time being. Ms. Dudman wondered if those not wishing to attend in person could
8 attend via Zoom. Chair Hanley would encourage such an option.

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10 Manager Lunt noted that regarding winter meetings, gatherings inside are currently limited to 50
11 people only. There was no way to anticipate what the future will hold. Planning Board Chair
12 Hanley felt that if additional meetings are required, they would have to be a hybrid solution.

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14 Mr. Wood inquired whether those that attend expect to participate actively in the meeting or are
15 there merely to witness. Planning Board Chair Hanley noted that a number of those attending the
16 meetings participate heavily in the process. Additionally, legal staff are active participants on
17 both sides of the issue.

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19 Another concern for Chair Hanley is the time constraints. Meetings on this subject have lasted
20 three or more hours.

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22 The task of keeping attendees on point and the process streamlined is sizable. The Planning
23 Board has received criticism from the residents and their legal counsel for constraining their right
24 to speak at past meetings.

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26 MOTION: Ms. Dudman moved, with Mr. Hart seconding, to approve the request as presented.

27 VOTE:

28 Martha Dudman: Aye 31 Wendy Littlefield: Aye
29 Matt Hart: Aye 32 Chair John Macauley: Aye
30 Geoff Wood: Aye
31 Motion approved 5-0.

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35 **IV. Other Business**

36 *A. Such other business as may be legally conducted*

37 There was no Other Business.

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39 **V. Adjournment**

40 MOTION: Mr. Wood moved, with Ms. Littlefield seconding, to adjourn.

41 VOTE:

42 Martha Dudman: Aye 45 Wendy Littlefield: Aye
43 Matt Hart: Aye 46 Chair John Macauley: Aye
44 Geoff Wood: Aye
45 Motion approved 5-0.

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47 The Meeting adjourned at 4:22PM.

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49 Respectfully Submitted,

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54 Wendy Littlefield, Secretary
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