

**TOWN OF LINCOLNVILLE  
SELECT BOARD MEETING  
October 23, 2023**

**Present:** Chair, Ladleah Dunn, Vice-Chair, Keryn Laite, Jr., Mike Ray, Steve Hand, Robyn Tarantino, and Town Administrator, David Kinney

The quote was read by Tarantino.

1. **Executive Session – Consultation with Town Attorney concerning the Legal Rights and Duties of the Select Board pursuant to Title 1 MRSA Section 405(6)(E)**

Motion by Laite, second by Hand, that the Board enter executive session pursuant to Title 1 MRSA Section 405(6)(E) for the consultation with the Town Attorney concerning the legal rights and duties of the Select Board. The motion passed on a 5-0-0 vote.

2. **(6PM+/-) Possible Action concerning Executive Session discussion:**

Dunn made a motion, seconded by Hand, that the Select Board instruct the Town Administrator and Town Attorney to prepare a moratorium ordinance consistent with Title 30-A, Section 4356 regarding major commercial site plans and a Special Town Meeting Warrant for our consideration at our next meeting. The motion passed on a 5-0-0 vote.

Dunn explained that the Board recommended reviewing their options, because of the conversation at the last Select Board meeting, and the Board felt it was important to have a conversation, in the right way.

The Town Attorney will begin working on language with the Town Administrator, on the process which will require the Planning Board to hold a Public Hearing next month and there will be a draft language by Friday, November 10 of the warrant, which the Select Board will need to consider at the next Select Board meeting on November 13, 2023 for a Moratorium Ordinance regarding major commercial site plan reviews, which tentatively would be voted on December 11, with an applicability date of October 23, 2023.

3. **Citizens' Forum:**

Susan Silverio gave a timeline to the Town Administrator regarding a work plan for the Comprehensive Plan Review Committee. There has been a community group meeting monthly about housing, which will become an agenda item for the next Select Board meeting.

4. **Administrator's Report:**

David Kinney, the Town Administrator, noted:

- **Absentee Ballots:** Election Day is November 7, 2023, at the Lincolnville Central School from 8 AM to 8 PM. Absentee ballots are available at the Town Office during regular business hours and need to be returned on or before 8 PM on November 7<sup>th</sup>.
- **Slab City Road:** There was the removal of a ledge in the ditch on Slab City Road, which made water run into the road.
- **Townhouse Road Box Culvert:** This project is now open. There are several issues that still need to be addressed, but the road is passable and open as of today.

5. **Meetings & Announcements:**

Administrator Kinney read the meetings and announcements.

6. **Upcoming Community Events:**

There will be a public supper at the Lincolnville Improvement Association building on October 10, 2023, at 7 PM.

There will be a work party at the Lincolnville Woodshed Depot to clean up on Saturday, October 28, 2023 at 9 AM.

7. **Meeting Minutes – October 10, 2023:**

**Laite made a motion, seconded by Ray that the Board approve the October 10, 2023, meeting minutes as presented. The motion passed on a 4-0-1 vote. (Hand abstained since he was not in attendance.)**

8. **Winter Road Maintenance Update:**

Tom Farley of Farley, Inc. informed the Board that his trucks and staff will be completely ready by Wednesday, November 15<sup>th</sup>.

Dunn wanted to know what the best avenue for citizens to express any constructive feedback.

Town Administrator, Kinney recommended that citizens call the town office staff and they will forward any questions or concerns to Farley, Inc.

The Board thanked Farley for attending the meeting.

9. **Preservation of Lincolnville Dark Sky – Bob Olson:**

Bob Olson, a Lincolnville resident, came before the Board seeking to create a town committee charged with developing a Dark Sky Lighting Ordinance Committee to help preserve Lincolnville's dark sky, because of skyglow.

Olson also explained that a new study has measured across the United States has found that 80% of the population, can no longer see the Milky Way. Maine is the only state in the eastern U.S. where the Milky Way is still visible from most of its area, but the “light pollution is spreading to parts of Maine.

Olson provided the Select Board with the following supporting material on ways to protect Lincolnville’s night sky:

- Encourage people to avoid over lighting & turn outdoor lights off when not needed.
- Encourage the use of motion detectors for security lighting.
- Use lighting fixtures that aim lighting downward, preventing lighting from escaping upward.
- Use energy-efficient lights with a warm color

Olson thanked the Board for their time and consideration and offered to help in any way possible.

Tarantino was in favor of Olson’s request but requested that if an ordinance is implemented, it not only addresses commercial and municipal development, it includes residential lighting as well.

Ray spoke in favor of creating a Dark Sky Lighting Ordinance Committee since there are several Lincolnville citizens willing to serve on the committee.

Hand thanked Olson for his presentation and stated he values the approach, but felt this may be further down the road, once the Comprehensive Plan Committee gets closer to their process.

Laite suggested that the Energy Group and the Lincolnville Dark Sky Lighting Study Group come together.

Dunn explained, “We have this really beautiful process in this community between the Heart & Soul efforts and the Comprehensive Plan Review and I expect that the results of those efforts is going to yield, then task the Land Use Committee to look at drafting language and getting a comprehensive list and actionable items for the voters to consider, so that the Board can be as efficient in presenting ordinance changes or adoption of ordinances to our legislative body.” After a brief discussion, the Board decided to add this to the Comprehensive Plan Committee list to review, but not create a Night Sky Committee at this time.

Susan Silverio, Chair of the Comprehensive Plan Committee, welcomed any data collected by the Lincolnville Night Sky Study Group and she suggested looking at some other recent Comprehensive Plan’s from other similar towns.

Chair Dunn suggested that the Lincolnville Night Sky Study Group stay in touch with the Select Board for ongoing conversations.

10. **Request for Possible Moratorium Ordinance/Town Meeting – Becky Johnson:**

Lincolnvile citizen, Becky Johnson along with several concerned citizens, requested to be on the agenda to adopt a moratorium in Lincolnvile for a term of 180 days from enactment prohibiting the Town or Planning Board from reviewing or approving any commercial site plan for a commercial building or structure with a footprint over 1,000 square feet.

Johnson asked, “Will the Town Attorney now revise the proposed moratorium?”

Dunn responded, “The state statute regarding moratorium ordinances is very specific, in terms of, what legally categorizes the necessity of enacting one, and the town attorney will take all of the municipal legal language, many of the concerns that were brought up, are laid out within the state statute of possible causes of harm.”

There will be a draft warrant which the Select Board will consider at the next Select Board meeting on November 13, 2023.

11. **Waldo County Housing Working Group – Designation of Lincolnvile representative:**

Kinney reported that the Mid-Coast Council of Governments (MCOG) was recently awarded a grant for their Housing Opportunity Program. MCOG is now establishing a Waldo County Housing Working Group and would like to have a designated representative from the Lincolnvile Select Board, or a Lincolnvile resident.

Kinney also reported that the first meeting would occur in November and then meet every month for a year.

The Board recommended if anyone is interested, please stop by the Town Office to fill out a community interest form.

**Ray made a motion, seconded by Tarantino, that the Board seek a citizen volunteer to serve on the Mid-Coast Council of Governments’ Waldo County Housing Working Group and that interested citizens complete a community interest form indicating such. The motion passed on a 5-0-0 vote.**

12. **Follow-up discussion regarding MaineDOT – Ferry Project:**

Chair Dunn reported that the Harbor Committee recently met to discuss their concerns regarding the new ferry and ferry terminal, which are some of the same concerns she and the Select Board have discussed.

Tarantino recommended the Lincolnvile Select Board have a joint meeting with the Town of Islesboro Select Board to see if they have additional concerns.

Chair Dunn also requested that there be some communication sent out to MaineDOT along with a request to hold a workshop with the Harbor Committee.

The Board requested to be included in the MaineDOT discussion when it comes to the new ferry and terminal upgrade and appoint a Select Board member to attend those meetings.

**Tarantino made a motion, seconded by Laite, that the Town Administrator write a letter to the Maine Department of Transportation setting forth the Board's initial concerns with regards to the project. The motion passed on a 5-0-0 vote.**

13. **Renewal of Revocable License Agreement with Waldo County Woodshed:**

**Laite made a motion, seconded by Tarantino, that the Board authorize the Town Administrator to sign the Revocable License Agreement between the Town and the Waldo County Woodshed. The motion passed on a 5-0-0 vote.**

14. **Selectperson Update(s):**

Laite: There will be an Athletic Infrastructure Committee Meeting on Tuesday, October 24 at the Lincolnville Town Office and a Mid-Coast Solid Waste meeting on Wednesday, October 25, 2023, at the Camden Town Office.

Ray: He reported the Woodshed has been rebuilt and a chain-linked fence has been installed. Requesting firewood must be done by appointment only by calling 207-338-2692.

Hand: No updates at this time.

Tarantino: There will be a Waldo County Budget Committee meeting on Friday, October 27, 2023.

Dunn: No updates at this time.

15. **Treasurer's and Payroll Warrant(s)-Approve & Sign:**

**Laite made a motion, seconded by Hand, that the Board approve and sign the Treasurers and Payroll warrants. The motion passed on a 5-0-0 vote.**

16. **Adjourn:**

**Hand made a motion, seconded by Laite, to adjourn. The motion passed on a 5-0-0 vote.**

Respectfully submitted,

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Melissa A. Geary  
Administrative Assistant