

## MEETING NOTES

### COMPREHENSIVE PLAN IMPLEMENTATION OVERSIGHT COMMITTEE MEETING

Wednesday, May 19, 2021

6:00pm via Zoom

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1. Whose turn to take meeting notes? George indicated that he would prepare meeting notes from the meeting Zoom recording so everyone could participate in the discussion of the topic of improving Town ordinance compliance.
2. Discussion with Gary Fuller, CEO and Anthony Wilson, Town Mgr. regarding progress toward improving Town land use ordinance compliance. The following topics were on the meeting's agenda.
  - a. Implementation status of Comprehensive Plan's 14 recommendations to improve code enforcement,
  - b. Impact of 2018 increase in funding and staff hours for code enforcement, and
  - c. Discussion of the Committee's questions provided in advance of meeting to Gary and Anthony.

Discussion focused on the implementation status of the Comprehensive Plan's 14 recommendations regarding code enforcement and improving ordinance compliance, using the attached table as our discussion guide. Questions and answers also touched on the impact of the voter approved increase in the CEO budget line item and increasing hours from an average of 15/week to 25. The status of progress toward implementation of each is summarized in this table. Highlights include the CEO's ability now to inspect projects approved by the Planning Board for compliance with their permits and conditions of approval as a result of the increase on average of 10 work hours per week. The discussion revealed that the Town has no quantitative tracking system for inspection findings and cannot calculate compliance rates. However, Gary's educated guess is that compliance with Shoreland Zoning and Commercial Development Planning Board and CEO permits is approximately only 50%.

3. Next meeting. Gary Fuller and Anthony Wilson have graciously agreed to return to conclude the discussion to assist the Committee to better understand the status of ordinance compliance in Belgrade and the reasons why so we can put progress toward implementing the Comprehensive Plan into context, and report more meaningful

findings and recommendations to the Select Board.

4. Adjourn

**RECOMMENDATIONS FROM 2014 COMPREHENSIVE PLAN RELATED TO BELGRADE LAND USE  
ORDINANCE COMPLIANCE & CODE ENFORCEMENT**

Updated at 5/19/21 Committee Meeting with CEO & Town Manager

<b>No.</b>	<b>Recommendation Summary</b>	<b>Status on 5/19/21</b>	<b>Explanatory Comments</b>	<b>Recommendation No./Chapter</b>
1	Aggressively enforce existing regulations re wetlands	Ongoing	When arises involve DEP	6-7 Natural Resources
2	Enforce Floodplain ordinance	Rare issue	Limited floodplain area	6-9 Natural Resources
3	Improve implementation of Town ordinances' phosphorous, storm water and soil erosion control performance standards <sup>1</sup>	In progress	Since expansion of hours in 2018 to 25/wk. CEO able to inspect all SLZ & Commercial projects permitted by Planning Board. Educated guess of CEO – compliance with permits issued under these ordinances ≈50%.	7-5 Water Resources
4	Ensure permit approval standards met by applicants including visual screening, phosphorous control, storm water mgmt., & soil erosion	In progress	Since expansion of hours in 2018 to 25/wk. CEO able to inspect all SLZ & Commercial projects permitted by Planning Board. Educated guess of CEO – compliance with permits issued under these ordinances ≈50%.	13-11 Growth & Development
5	Improve code enforcement following commercial development permit	In progress	Since expansion of hours in 2018 to 25/wk. CEO able to inspect	10-6 Economic Development

<sup>1</sup> Shared responsibility with Planning Board

	issuance, including on-site meetings by CEO before start and upon completion of construction		all SLZ & Commercial projects permitted by Planning Board. Educated guess of CEO – compliance with permits issued under these ordinances ≈50%.	
6	Monitor logging roads and timber harvesting/refer problems to Bureau Forestry	Ongoing.	State Bureau of Forestry enforces timber harvesting regs in Shoreland Zone, not Town	12-6 Farming & Forestry
7	Assess compliance with Commercial Development Review Ordinance & establish process for ongoing compliance review	Not started	Would be difficult to assess compliance for projects approved from 2001 until 2016. <sup>2</sup> In 2016 Planning Board first started completing required Findings of Fact & Law and significantly improved consistency & enforceability of their decisions. Going back to 2016 feasible.	13-3 Growth & Development
8	Ensure gravel pits are in compliance with	Last completed	Number of gravel pits did	13-3 Growth & Development

<sup>2</sup> Commercial Development Review Ordinance first approved by Belgrade votes in 2001.

	Commercial Development ordinance	2015, due 2020	not comply in 2015 with ordinance requirement for a 5 year operating permit.	
9	Town should review/revise/create job description & performance goals for CEO	Completed	Dated 9/1/20	13-4 Growth & Development
10	CEO job functions should include: provide guidance to developers/contractors, identify violations & prepare enforcement case for prosecution, compliance inspections of active permits, investigate citizen complaints & report back on investigation, annual reporting of number of compliance inspections conducted and violations found/how resolved.	Completed	Covered in job description & annual job performance evaluation.	13-4 Growth & Development
11	Explore possibility of shared CEO w/ other watershed towns	Started	Possible future goal.	13-5 Growth & Development
12	Provide periodic ongoing 3 <sup>rd</sup> party oversight/review of code enforcement activities	Not started	The Plan envisioned something similar to a quality assurance audit.	13-6 Growth & Development
13	Undertake comprehensive review & inspections of permitted commercial	Not started		13-7 Growth & Development

	developments since 2001, bring into compliance			
14	CEO meet annually w/ Town Mgr. & Select Board to review procedures & challenges implementing Commercial Development Ordinance	Started	CEO meets with Select Board quarterly. Discussion primarily about permits issued, not achieving greater compliance with Town ordinances	13-12 Growth & Development