



# *City of Presque Isle, Maine*

## *Planning Board Minutes*

City of Presque Isle, 12 Second Street, Presque Isle, Maine 04769  
Administrative Staff:

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### *Sargent Family Community Center*

*October 20, 2022 @ 6:00 PM*

**Planning Board Members Present:** Bruce Roope; Chairman, Ward Gerow; Vice-Chairman, Sean Nordenhold, David Perry, & Stacey Walton

**Planning Board Members Absent:** Jayne Farrin & Brandon McDonald (Alternate)

**Others Present:** Galen Weibley, Director of Economic & Community Development; & Tim St. Peter, Code Enforcement Officer; Martin Puckett, City Manager; Laurie Kellie, City Police Chief;

#### **1. Call to Order**

Chairman Roope called the meeting to order at 6:01 PM.

#### **2. Minutes Approval:** Review and approve draft minutes from September 15, 2022.

A motion by **Ward Gerow**, second by **Sean Nordenhold** to approve the revised September 15, 2022 Planning Board Meeting Minutes. **Vote – unanimous 5-0**

#### **3. Discussion over Non-Commercial Keeping of Livestock:** Overview of current Land Use rules regulating keeping of livestock in residential and impact by the Maine Constitutional Amendment for the “Right to Food”

Galen Weibley offered an overview to the history of prohibiting livestock in the residential zones in Presque Isle. Chairman Bruce Roope also highlighted history as to why the City has prohibited the keeping of chickens five (5) years ago given the citizens’ concerns over noise, manure, smell, disease and vermin.

Mr. Weibley also overviewed the recent change of the Maine Constitution which allows residents the right to raise, grow and consume the food of their choosing. Mr. Weibley also highlighted information supplied by Maine Municipal Association (MMA) that there are no pending cases in the courts currently testing local zoning as it relates to prohibiting the keeping of livestock for food. MMA and the City’s attorney recommend keeping any changes that regulate livestock in residential areas to a public health and safety.

The Planning Board inquired of the Code Officer if there are currently cases he has seen of keeping chickens in residential areas. Tim St. Peter, the Code Officer stated he has four (4) cases pending where chickens are being kept outside and indoors of residential neighborhoods with expressed interest from other parties wishing to keep chickens for food and companionship. Members inquired what the status of the cases are at this time. Mr. St. Peter stated he has taken no action as the definition of Agriculture only applies to the keeping of livestock for lease or sale of their products and does not address self-consumption of products.

The Board received a petition from seventeen (17) concerned residents in Presque Isle who are opposed to the keeping of poultry in the residential zones. Planning Board members questioned how the city can enforce changes. Mr. Weibley highlighted mechanisms such as special exception approval, limiting number, species and manure controls to mitigate the impact to the neighborhood. Violations after adoption could be fined \$100-\$1,000/day per Chapter 16 of the City's Land Use Code.

The Planning Board members discussed at length the options that were supplied in the meeting packet. After deliberations, the Board directed city staff to close the definition of "Agriculture" to clear the gray area and institute a new use of Non-Commercial Keeping of Livestock with stringent standards to lessen the impact on neighbors and surrounding community. The proposed draft language will be reviewed at the next Planning Board Meeting.

**4. Proposed Chapter 63 – Lodging Establishment Registration Ordinance – Review Changes from the last meeting.**

Mr. Weibley outlined for the Planning Board Members the changes supplied by the last meeting. Planning Board members reviewed page by page over changes. Mr. Weibley highlighted that there were suggestions by the City Council to add provisions that all property taxes be paid in good standing during renewal and no outstanding code violations that are not being addressed. Mr. Weibley also noted a proposed change by the hospitality industry that removes the requirement of surveillance and instead states that if the Licensee utilizes surveillance, they must keep the recordings for at least one (1) week for law enforcement access.

Police Chief Laurie Kellie provided an overview for the Planning Board members and the public regarding what is considered an unresolved incident. An unresolved incident means if a call was made (i.e. domestic violence call, drug use/sale, etc.) and after a police investigation the hotel, motel or rooming house have not acted to mitigate the issue with a guest, the incident will be labeled unresolved to the satisfaction of the Police Chief.

In the meeting packet, Planning Board members received correspondence from the hospitality industry noting their opposition to the proposed draft. Planning Board members decided to make additional changes based on feedback of the Council and industry.

A motion by **Bruce Roope**, second by **Ward Gerow** to authorize City Staff to schedule a public hearing to consider changes and receive feedback on the proposed Chapter 63 of the Lodging Establishment Registration Ordinance at the Planning Board's November 17, 2022 meeting. **Vote – unanimous 5-0**

**5. Adjournment of the Planning Board Meeting**

A motion by *Sean Nordenhold*, second by *Ward Gerow* to adjourn the Planning Board Meeting at 6:50 PM. **Vote – unanimous 5-0.**

Respectfully Submitted,

Galen Weibley

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**Planning Board Members  
Bruce Roope, Chair, Ward Gerow, Vice-Chair  
Jayne Farrin, Dave Perry, Brandon McDonald,  
Sean Nordenhold, & Stacey Walton**