

Town of Trenton
Board of Selectmen
Minutes of April 19, 2022

- I. Call to Order: The meeting was called to order at 7:00 pm. Present: Fred Ehrlenbach, John Bennett, Daniel Monahan, Charles Farley, Jr., and Carol Walsh. Rachel Nobel was excused. Visitors present: Kristen Farley, John Whetstone, Michael Gilmartin, Danielle Cole, Jessica Thurston, Chip Roskom, Linda Hodgkins, Jeff Hodgkins, Susan Sargent, AJ Collins, Christine Heiniger, Fiona DeKoning, Theo DeKoning, and Susan Starr. Virtual attendees were Mike Hodgkins, Barbara Acosta, and Angie Chamberlain.
- II. Visitors to be Heard: Roskom asked to add the effort to support Monarch Butterflies to Other Business on the agenda.
- III. Acceptance of Agenda: See above.
- IV. Approval of Minutes of April 5, 2022: Farley motioned approval; Bennett seconded. Vote: 4 Yes.
- V. Old Business:
 - a. Fire Department: Nothing new.
 - b. Broadband: Nothing new.
 - c. Road Committee: Nothing New.
- VI. New Business:
 - a. Consent Agreement: A request for a consent agreement was submitted by the DeKonings. Bennett recused himself from the discussion, having been a realtor in the sale of the property and having been on the Planning Board. Fiona DeKoning asked for a consent agreement for a slab supporting a new ice maker which had been erected along side the main building. The slab had been poured erroneously when she was away tending to a family emergency. The need for the ice maker was acute for the continuation of the mussel processing business. Upon her return, a building permit was sought but was denied by the CEO because the slab was placed within the zone setback. The lot is nonconforming. The Appeals Board was unable to approve the application for the placement of the equipment because the application was to contest the CEO denial, and it was determined that the CEO was correct, so DeKoning was referred to the Select Board. The slab is 35 feet from the southern property boundary. It measures 8 feet wide by 20 feet long by 8.5 feet high. Sargent reported for the Board of Appeals that the denial was based on the appeal being to correct the setback to accommodate the 35 foot setback, but the property had already been granted one accommodation for the

design of the building. The Appeals Board could not allow a second accommodation. Linda Hodgkins spoke on advice of an attorney, against the Consent Agreement. They reside at 822 Bar Harbor Road and abut the DeKoning property. They object to the Town of Trenton and the DeKonings entering into any administrative consent agreement which does not assure complete removal of the slab and condenser to meet the 100 foot setback requirement within the rural development zone. and said It is in a direct violation of the Town of Trenton zoning laws. Chamberlain explained that she had not rendered an opinion, but had stated the facts as they relate to the Land Use Ordinance. Farley suggested that the ice maker be moved to remain in compliance with town zoning. DeKoning explained that there is no responsible location to move the equipment to. To move it to the front, rural commercial zone would render the equipment inefficient due to the length of the piping. The parking lot and a storm drain also inhibits such a move. To move it from its current location could be harmful to the environment due to the refrigerant. DeKoning offered to screen the equipment with trees. Hodgkins objected and did not elaborate regarding the objection. Monahan recommended that a decision be postponed until the next meeting. He suggested that members of the Board be able to visit the site. Walsh pointed out that members would have to visit the site individually, otherwise a site visit would have to be advertised. Monahan motioned to table the decision until the next meeting; Farley seconded. Vote: 3 Yes.

- b. Acadia Disposal District: Proposed amendment of Bylaws and Interlocal Agreement. Motion 1: Move to amend the ADD Interlocal Agreement of the Acadia Disposal District at Article II, C of the ADD ILA by and among the Member Towns of Frenchboro, Mount Desert, Cranberry Isles, Tremont, and Trenton. Consistent with the ILA amendment process for non-substantive amendments stated in Article VIII C of the ILA (providing that non-substantive amendments may be through approval of the respective municipal officers of at least two-thirds of the Member Municipalities), the Select Board of the Town of Trenton approves the following non-substantive amendment to Article II C of the ILA: Regular meetings of the Directors shall be open to the public (subject to the ability of the Board to go into Executive Session for legally permitted reasons) held at least 6 times per year at a time and place to be determined and announced by the Directors. Bennett moved the motion; Farley seconded. Vote: 4 Yes.

Motion 2: Move to amend the ADD Bylaws, Section 6 (d). Consistent with the Bylaw amendment process stated in Section 7 of the ADD Bylaws, the Select Board of the Town of Trenton approves the following amendment (to be ratified and approved by a 2/3rds vote of the District Directors at a meeting held more than 60 days following action on this amendment): Section 6.d. Regular meetings of the Directors shall be open to the public (subject to the ability of the Board to go into Executive Session for legally permitted reasons) held at east 6 times per year at a time and place to be determined and announced by the Directors. A quorum shall consist of a simple majority of the Directors. Bennett moved the motion; Monahan seconded. Vote: 4 Yes.

- VII. Other Business: Milkweed: Roskom, of the Parks and Rec Committee, briefed the Board on efforts to plant milkweed on land to the left of the Trenton Elementary School and also to the back of the fire pond at the town office. It is an indigenous species. Ehrlenbach requested that the Parks and Rec Committee bring forth a plan of plantings in specific locations; Bennett seconded. One of the teachers suggested that plantings be set along the left side road to the school. Because of the root system of this plant, it was suggested that the Fire Department be consulted regarding the pond location. Vote: 4 Yes.
- VIII. Approval of AP and Payroll: Bennett motioned to approve; Farley seconded. Vote: 4 Yes.
- IX. Adjournment: Bennett motioned to adjourn the meeting at 8:05 pm; Farley seconded. Vote: 4 Yes.