

**St. George Board of Appeals  
St. George Town Office  
Meeting Minutes  
May 12, 2022 – 7 p.m.**

A Board of Appeals meeting was called to order at 7:08 p.m. Present in person: Steve Miller, Chair; Mark Bartholomew, Jane Conrad, and Sandra Roak. (Richard Cohen and William Reinhardt were absent.)

**Quorum:** Three regular members were present. Sandra Roak, an alternate, was raised to voting status. A quorum of four was present.

**Review of the Minutes** of March 3, 2022.

A motion was made by Mark Bartholomew, seconded by Roak, to dispense with the reading of the minutes. The vote was 4-0, in favor.

A motion was made by Mark Bartholomew, seconded by Roak, to approve the March 3, 2022, as written. The vote was 4-0, in favor. The motion carried.

**Review of the By-Laws:** The Board of Appeals reviewed the Town of St. George Board of Appeals By-Laws.

Chair Miller reported that the Board of Appeals Ordinance for St. George passed with a favorable vote on Monday, May 9, 2022.

Conrad stated that de novo review was part of the ordinance that passed on Monday and St. George has not had any appeals yet that would be governed by de novo review.

Conrad explained the reason for the BOA Ordinance and the draft By-laws. The BOA met in February, discussed a proposed ordinance, and all BOA members were in favor of the draft ordinance. A Public Hearing was then held in March on the same version of the draft ordinance, and the consensus was that the Ordinance should go to the town to be voted on. But after those two meetings had occurred, the town attorney's advice was to take some of the provisions out of the Ordinance and put them in the By-Laws. The town's attorney's reason was that the Ordinance is stricter in a legal sense, and changes had to be voted on by the town. (Miller: Not as complicated to adjust.) Whereas the By-Laws were more like guidelines that the Board could change as it felt was appropriate. Conrad said because they got that advice late, the final Ordinance was shorter because she took the items the attorney suggested and put them into the By-Laws. It is nothing new; it is what we looked at in February. It is just a little different format.

Roak stated she liked the format; it makes it very clear. It makes the information easy to refer back to.

Conrad: I would have liked for everything to be in one document to put in our notebooks and have everything in one place, but we are going to have a couple of places to look for things.

Conrad: Amendments to the Town Charter were passed on Monday. We should have Magan Wallace copy the new Town Charter and the By-Laws (we adopt) for BOA members then we will have everything in one place. One of the Charter provisions that were changed was to make it more clear how many people have to vote for something for it to pass and what the forum rules are.

Conrad: The main thing I thought was important was our timeline for trying to get a final decision written so we comply with state law. So, at the end of a hearing we will have a sense of how we are going to rule, and what we want the decision to say, then table the meeting, and draft the decision. We will then come back and look at a version of it in writing. Once we have all agreed on what the language is, we vote, and that is when the clock starts ticking for appealing, and so forth.

Conrad: The advantage of having the information in the By-Laws is that if the BOA has more experiences with lawyers and more complicated matters, the Board can make changes.

Conrad noted she had sent a copy of the By-Laws to Michael Jordan and Anne Cox for their review. She had also consulted the Maine Municipal Association (MMA) website for examples of written By-laws. Conrad stated that if the By-laws were approved at tonight's meeting, they would go into effect tomorrow.

Conrad explained that the election of officers as stated in Section 2 of the By-Laws should occur at the first meeting after July 1, 2022.

A motion was made by Jane Conrad, seconded by Bartholomew to adopt the proposed By-Laws of the Town of St. George Board of Appeals, dated May 2, 2022, as written. The vote was 4-0 in favor.

There was no further business to come before the Board of Appeals. On a motion by Bartholomew, seconded by Roak, at 7:35 p.m., it was voted 4-0 to adjourn the meeting.

Respectfully submitted,

Marguerite R. Wilson  
Board of Appeals Recording Secretary