

TOWN OF CUSHING
PLANNING BOARD
May 13, 2026 MEETING MINUTES

Approved June 10, 2026

1. Meeting called to Order: at 6:00 pm
2. Pledge of Allegiance
3. Determine a Quorum (Roll Call of Board Members); Quorum established:
Members present: Mark Christopher, Tom Nichols, Susan Mansfield, Rhett Lamb,
Absent: Gene Lukianov
4. Approve Draft Minutes of the April 8, 2026 Meeting:
Rhett motioned, seconded, minutes approved unanimously
5. Additions and Changes to the Agenda:
none
6. Update on State Review of SZO:
Mark has not heard from C. Clark.
Austin states there is a time window for state review and response. If the state does not
reply in time, ordinance stands. Mark will check status.
7. Status of Public Water Access Project:
Planning Board has received an email inquiry regarding the stewardship of the property
going forward: The existing town budget contribution will continue with a portion for
stewardship of the property and the other portion as savings for future development
activities. The Harbor Board will be responsible for the property.
8. Discussion of Planning Board's Procedure for Freedom of Access Act (FOAA) Requests,
Including a response to Attorney Gray Louis Request:
 - The Planning Board operates following FOAA requirements: All Planning Board actions
are public with limited exceptions for executive actions.
 - The five-day window within the FOAA is the window for acknowledgement of receipt
and for denial of a FOAA request, it is not the timing to provide information requested.
Provision of information is required to be of reasonable timing.
 - The G. Louis FOAA communication for a standing request regarding the Public Water
Access Project was reviewed: State law does not allow standing FOAA requests. A FOAA
request must be submitted once a document has been filed at the town.
 - No permits have been submitted or filed regarding the Public Water Access Project.
Current activity is limited to the purchase of the property.
 - Chris Hayden expressed concerns regarding a thirty-day window for a property owner's
response, the posting of meeting notices ahead of meetings and the permitting process

regarding the Public Water Access Project: Cushing meeting notices and information postings follow Maine State laws.

- Ted Piccone requested clarification regarding who would be the permit initiator for the Public Water Access Project.
 - The Harbor Board will be the permit requester once the process is started.
 - Permitting will follow the processes defined in the Shoreland Zoning Ordinance. Table 14 within the Shoreland Zoning Ordinance details and allocates responsibilities between the various responsible organizations.
 - No design for the Public Waterfront Access Project has been developed. The only actions being taken at present is the purchase of the property.

9. Old Business:

None

10. Other Business:

- The FOAA request regarding records of the “Porcupine Hill Subdivision” was discussed:
 - Numerous town officials have searched the town files regarding a “Porcupine Hill subdivision”; none have been located. Sherry James (treasurer of the Porcupine Hill LLC) stated at the April 2026 Planning Board Meeting that no subdivision plans have been developed for the Porcupine Hill and that the property has been classified as ‘Open Space’.
 - The Planning Board does not keep documents. All documents are filed by the Cushing Town clerk.
 - Tom Nichols shared a partial site plan for the Porcupine Hill LLC and discussed how it is connected to the Salt Pond Lot Subdivision plan. This partial site plan is not a formal plan, was done to satisfy Salt Pond Lot owners’ interest and not submitted to the town, not registered with the county and served merely as information for the Salt Pond Lot Owners. The latest Salt Pond Lot Owners Association subdivision plan is the 2021 plan on file with the town
 - Jack Matheson expressed clarification that his FOAA interest is in a tax lot that was created and then rolled back within the Salt Pond Lot Subdivision. He was looking for supporting documentation i.e. title, deed, survey. The FOAA request erroneously referred to the ‘Porcupine Hill Subdivision’.
 - Rhett Lamb motioned that the Planning Board record reflect that the Planning Board is in agreement with the conclusions within this conversation. “This is now a dead issue.” The 2021 Salt Pond Lot Owners Subdivision plan is the approved and filed subdivision plan. Susan seconded, approved unanimously.

11. Public Comment:

- Chris Hayden asked where the \$90,000 is coming from to cover the shortfall in the purchase of the Public Water Access Project. At the time of the meeting, we discussed that the issue would be addressed at the May 26, 2026, Town meeting.

12. Adjournment: at 6:36 pm:

Mark motioned, seconded, unanimously approved.

Respectfully Submitted by: Gene Lukianov, Secretary of the Cushing Planning Board.

Planning Board Meeting Attendees:

Attendee	Cushing Resident
Austin Donaghy	yes
Chris Hayden	no
Jack Matheson	yes
Ted Piccone	yes
Danny Staples	yes