

St. George Planning Board
February 13, 2018 - 7 p.m.

The Planning Board meeting was called to order at 7:00 p.m. Members present were: Anne Cox, Chair; Jane Brown, Brendan Chase, Mary K. Hewlett, Michael Jordan and Paul Gill. Also present: Terry Brackett, CEO; Richard Bates, Carol Putansu, Cecil White, Jessica D. Thompson, Vernon Thompson, Chuck Campbell, and Will Gartley.

Quorum: A quorum was present.

Conflict of Interest: None.

Adjustments to Agenda: None.

Review of the Minutes:

Planning Board Meeting – January 23, 2018 – The minutes were amended as follows:

Page 1, first paragraph, under members present line 2, correct name to **Brendan** Chase

Page 2, paragraph 4, line 3, correct to read, Welch said **the** whole Covenants...

Page 2, paragraph 5, remove underlines and correct to read as follows: Hewlett said the only thing she could find in the subdivision ordinance that remotely involved amendments was **Section 11, Enforcement B. Amendments After Approval.**

Page 2, paragraph 5, line 2, delete the last word **there**

Page 3, paragraph 3, line one, correct word to **Acting** Chair Hewlett...

Page 4, paragraph 11, line one, change to read, Chase asked if **it** would be...

Page 4, paragraph 13, second line, correct word sole to **solely**

Page 6, first full paragraph, line 4, correct to read is not subject to the **water side** setback...

A motion was made by Brown, seconded by Jordan, to accept the January 23, 2018 minutes, as amended. The motion carried 4-0.

Public Comments: There were none.

Building Permits:

a. Chuck Campbell – 11 Waldron Circle, Spruce Head / Map 234, Lot 28

Chuck Campbell was present. The property owner is Mark Schoenfeld of Danbury, Connecticut. The application is to add a dormer to the second floor, remove the existing shed, and add to the footprint of the house. The contractor is David Miller. The existing and proposed use is: Residential. Campbell provided the authorization letter from Mr. Schoenfeld and a check for the application fee.

Mr. Campbell handed out a copy of the septic system design. Brackett asked if this system was going to be installed because the contractor had mentioned having another HHE200 installed. Campbell said the Schoenfelds talked about installing a different system. He was not sure of their decision, but that was the design he had.

Mr. Campbell said there was an existing cottage on the property. The Schoenfelds would like to remove a shed that is there, add that square footage to the cottage to allow stairs to the second floor. They would like to enlarge the second floor. On the proposed plans, they would like to open up the first floor and put the two bedrooms on the second floor, with a bath. The existing building height is about **22' 4"**. The

proposed structure would not be any taller than the existing. They would like to take the existing roof and expand it. The septic system would be installed near where the shed had been.

Campbell said there was an existing shed roof dormer before they put the original second floor on, and that would be removed. Chair Cox said it was more than just a dormer, and Campbell said yes. Hewlett said it was an entire new roof design and, Campbell said he would not argue with that.

Gill asked what was new. Campbell pointed out the new section on the plan and said it was going to be the same profile, just making it bigger.

Hewlett asked if he was taking out the entire roofing system. Campbell said, no they were not taking it off; they were going to cut into it. Hewlett asked about the volume or percentage, calculations, etc. Campbell said they do not do volume, anymore. Hewlett asked when the dormers were put on. Brackett said a long time ago, because it had not had any expansion to it since the Shoreland Zone had been enacted. Hewlett said it looked like it had with these dormers. Campbell said they were not changing the footprint. Chair Cox said the Schoenfelds would like to remove the shed and essentially use that existing square footage. Campbell said it was three (3) square feet less. Chair Cox said the Schoenfelds would like to transfer the footage, so the lot coverage would not increase with this proposal. Campbell said correct. Brackett, "And, the fact that storage building, now is within the buffer zone and it will remain within the buffer zone except it is going to create a more conforming addition on that building because it is going away from the water."

Cox: "The shed is not moving further away from the water."

Brackett: "No, but it is on the side of the building that is away from the water."

Campbell: "They were not going any closer to the water." Cox said you could argue that the shed was going closer to the water; Brackett said, you could. Hewlett said it was going to be hidden. Brackett said the shed was kind of moving parallel, but he said the Board could interpret it the way they wanted to.

Gill asked Campbell to explain the work he would be doing by showing him on the pictures which he did.

Jordan asked if the white line on the second floor, was the outline of the first floor and Campbell said yes. Hewlett asked about the dimensions and to add those onto the print. Campbell said the footprint on the first floor was 35' x 20', plus or minus a few inches. Campbell said the second floor was set in two (2) feet, all the way around; that did not include the stairwell. The stairwell dimensions are 6'8" x 14' as shown on A1.1; A4.1 is proposed.

Campbell said he was using the town tax map drawing from the town website; he said he modified it a little because by the town website, the tax map had the line in a different spot. Brackett said it did not begin to match GIS. Brackett said he did not get to the site until today and asked if there were pins over there. Campbell said he was not able to find any and that was part of his concern which he had mentioned. Chair Cox asked did moving the shed move into the setbacks? Brackett said that was why he was over there today then came back and looked up the deed. He asked Campbell if he had a copy of the deed? Campbell said he did not.

Brackett said that right of way was twenty (20) feet wide according to the deed. Brackett said he was trying to figure out if they could keep the setback from the right of way twenty-five (25) feet. He thought they might be able to. He told Campbell he might have to move the stairwell, a little. Campbell said he could flip the stairwell over; however, it would get the project closer to the water. Brackett said but it would not get you out beyond the building, and Campbell agreed.

Brackett: "It is closer to water but by the way the building is construed on the property, according to this GIS program, as you go back, you are getting further away from the water, so that is something that we try to do; but let Anne continue."

Chair Cox said even though the building itself was probably closer to the property, this violated the setbacks. Campbell said the whole thing was in violation and Brackett agreed. Hewlett said there were side setbacks, so the question was, what are the side setbacks, here? Chair Cox said they did not want to add anything, if it was at all possible, that would be nonconforming. Campbell said the shed was within the setback because the shed was only about three (3) feet from the driveway. Brackett said he was trying to get it twenty-five (25) feet from the right of way. Chair Cox asked him to explain the right of way.

Brackett said there were two different views – the GIS and the town tax map. According to one, the right way is within their property; according to the other, the right of way is not on their property. Campbell, pointed out the problem and said the GIS needed to be shifted. Brackett said according to that deed, the right of way was on that property. Campbell said okay, so the town map may be more accurate than the GIS, in this case.

Brackett said the setback from the right of way should be twenty-five (25) feet and he thought they could just about get it in- he may have to slid it over this way. Hewlett said, you are not going to get the side setback. Brackett said because this building is set here, this is the side setback now. He can maintain that distance but eventually this line intersects with that property line, somewhere. Brackett said if they could come this way, I would draw a line up here and say he could not come beyond that line. Hewlett said the problem is, we do not know whether any of these lines are right. Chair Cox said we know the building is there. Hewlett said, even the side setback line to the property is the existing building. Brackett said we are never going to get twenty (20) feet to the property line. Hewlett said right now we have six (6) feet. Chair Cox said you are going to get nowhere near twenty (20) feet. The addition is about fifteen (15) feet and the building itself is more like six (6) feet. She said if it needed to be 25', it looked like it needed to be shifted about five (5) feet, over. Campbell said he could not just shift it five (5) feet, he would need to flip the whole thing over. He could do that. Hewlett, said they were trying to make it as less conforming as possible. Campbell understood. Hewlett, "we are pushing now closer to the water, in my opinion." She said it also messes up the second-floor plan, because all of a sudden, you have the hallway in a bedroom. Jordan agreed. Cox thought it was a well-done plan, maximizing the space.

Campbell said the actual square footage that we are adding for the cottage that was over here, we are actually getting it farther away from the right of way than it is right now. Cox said that is true. Hewlett said we are also putting closer to the property line, too, though, the side setback to the property line. Campbell said we have to pick our poison.

Jordan suggested, "If you look at this way, the proposed addition, is in a way, less nonconforming because it is farther away from the property line and from the road than the existing shed is from the road. It is also farther away from the property than the side wall of the existing house. So, when you are interpreting the ordinance requirement to say you can't increase the nonconformity, clearly you couldn't build the thing on the right side of the house next to the property line because it is already nonconforming. But, if you build it further back, does that make it less nonconforming? It seems to me that is the argument. I mean, not - does it make it less nonconforming, but does it not make it more conforming. Does it not increase the nonconformity?"

Brackett: "To me it helps with the nonconforming being that you have the setback from the right of way and you are not out beyond the building on that side. That is the side that is as you go back, it is getting further away from the water, anyway."

Cox: "He is more conforming by moving it further away from the right of way; and, it is almost parallel the water. He is getting it away from the right of way."

Hewlett said it would be visually more appealing and removing the spiral staircase and putting in a better staircase would help with the safety issue.

The Board reviewed, corrected and updated information on page one of the application. The applicant's name is Chuck Campbell. The Board received a letter saying he could act on the property owner's behalf. The contractor would be David Miller. Brackett noted the setbacks as front setback is less than 75' from the water; side setback is less than 75' from the water. Brackett could not scale the side property line because it was so close. It maybe 7' about twice what it really is. Right of way to the house is 20'. Septic System was designed as a three-bedroom house which is there now, but with the proposed changes, it would be a two-bedroom structure.

On a motion by Jordan, seconded by Chase, it was voted 5-0, to accept the application as complete.

A motion was made by Brown, seconded by Jordan to approve the application, 5-0, for the following reasons: Removing the shed will remove a nonconforming structure in its closeness to the right of way. The addition to the house will not be any closer to the side setback than the house. In terms of distance from the water, the proposed addition would be no closer than the shed being removed and farther from the water than most of the existing house.

b. Jessica D. Thompson – 875 Port Clyde Road / Map 102, Lot 077

The applicant was present, as well as the contractor, Cecil White and Vernon Thompson. The application to renovate the interior of the ice cream shop and outbuilding restoration. The property owner is Vernon L. Thompson, Port Clyde, ME. The contractor is Cecil White. Shoreland Zone District is commercial.

Ms. Thompson said the plan is to do renovations inside by moving the counter back as customers entering had no place to go and customer lines were extending out into the street. The plan is to open an old door and close up an existing door in order to put the counter back. They had to remove the old mailboxes/the chalkboard wall area and install a reconfigured counter space. She plans to put some lights up and paint it out.

Cox asked if she was doing something to the outhouse? White said if time and finances allowed it. There would be no growing or changing it over; just rebuilding of the structure. Cox asked if it was being used as an outhouse? Thompson said no. It had been changed into storage. White said one drawing was just the footprint of where the stairs were and showed the proximity to the road. He included outside dimensions, so the Board could get the square footage.

White said the only existing wall in there was between the middle of the building, the bathroom area and a small section, as shown on the drawing. He said they removed everything except for a small section of a wall, took away the angle part and just extended, so it was square. He pointed out the cooler space (on the drawing), said he built a little bit of framing to put a pie safe in, and that was it. Cox asked if he reopened a door opening? Thompson, yes. White, there was an existing door opening, and we just pulled the studs out of it and closed back the wall, which was another door opening here. He said there was an opening that would be closed back in.

Cox: "The purpose for doing this is to simply for the ice cream shop give you more customer retail and customer space, and to get them out of the road."

Brackett: "You are not doing anything to the porch, are you?"

White said no. "We removed the railing off one side and one seat to allow the people to come through that crushed stone area and to come in."

Brackett: "You are going to put the stairs on that end?"

White: "No. It is just flat. So, instead of being in the road walking down through, they can now walk along aside the building and come through the porch and into the ice cream shop."

Brackett: "There won't be any access from the road side?"

White: "We are going to leave that one there, also, the existing one."

Brackett: "Would you consider taking it off?"

Thompson: "No." White said unless they could get the stairs off the other side.

Thompson: "Then I lose a parking space."

Brackett: "Why does the ice cream shop need a $\frac{3}{4}$ bathroom?" White said because it had always been there. Cox noted the bathroom was not changing. Gill asked if this area was getting bigger?

White: "Yes, inside. Basically, the counter space that was there, was only 5' away from the door and it is a 3' door, so every time it opened up, it pushed people in both directions. That is the new existing counter. I just basically put this counter where that one is and moved that one to there so basically shifted everything back to get more space."

Hewlett, how about the furnace and White said that was gone; it was dead long ago, so it was just removed.

Cox asked to have White show her on the plan on how he was re-doing the porch. White said it was not being redone. He removed the seat and the rail from one section. Everything else still existed. This changed the way customer can enter onto the porch. White told Cox, steps are not needed because it was flat; it was level with the porch. Thompson said the flower beds would be removed.

Hewlett: "Why wouldn't you just go across that entrance? Because, you would have more seating."

Thompson: "You would, but when you get into more seating, you get into other issues. Also, it is a good spot for deliveries, and because the delivery trucks would be covering up the parking lot area."

Thompson told Hewlett deliveries are made in the front not in the back.

Hewlett: "The good news is people parking in your lot, will probably go in that side and won't be walking in the road."

Chase asked if the out building was being finished a little better than it was, now. White said no it was dead. He said there is no way to fix it. Chase asked what was the proposal for that? White said it would be exactly the same footprint. Bring it down and put it back. Gill asked if he was repairing it but Cox said he would, if it were possible, but it was not.

Brackett: "When you said put a pad, what is a pad?"

White: "I was thinking pad, but I don't think that is going to be in the cards right now because of a lot issues."

Brackett: "Is it going to have a wood floor?"

White: "Yes. I was just going to remove what was there and fill it in with crushed stone and build off cement pads and then put it back exactly the way it was."

Brackett said it would not have a floor in it? White said it would have a floor. Cox said it would be crushed stone and White said the crushed stone would be under the floor. Cox and Brackett said okay. Brackett said to White, you are putting a wood floor in? Okay.

Cox asked where the septic on the current site was. Thompson said it was located almost behind the outhouses. Hewlett asked what was upstairs. Thompson said an apartment. Hewlett asked if there would be any changes upstairs? Thompson said no. There was not further discussion.

A motion was made by Brown, seconded by Hewlett, to accept the application as complete. The vote was 5-0. Motion carried.

Chair Cox said this is not a change of use; it is a change of dimensions. The proposed renovations are to the interior of the building. Hewlett said except for the outhouse and the outbuildings, everything is the inside. As long as the outhouses are not going to be any taller than they are existing, the applicant is beautifying it more than anything else and making it safer.

A motion was made by Hewlett, seconded by Brown, to waive the on-site visit for Village Ice Cream as the majority of the work will be done to the interior, and the existing outbuildings will be replaced in the exact same location, at the same height and the project will enhance the property. All Board members were familiar with the property. The vote was 5-0. The motion carried. The Planning Board began the Site Plan Review.

Performance Standards:

1. Preserve and Enhance the Landscape – On a motion by Jordan, seconded by Brown, standard has been met 5-0. There will be no change to the existing landscape and features. Parking will not be affected.
2. Relationship of the Proposed Buildings/Structure to the Environment - On a motion by Hewlett, seconded by Jordan, standard is not applicable 5-0. This is an existing structure and there are no additional buildings proposed.
3. Vehicular Access - On a motion by Chase, seconded by Jordan, standard is not applicable 5-0. The vehicular access is not changing.
4. Parking and Pedestrian Circulation - On a motion by Hewlett, seconded by Brown, standard has been met 5-0. The new porch entrance and the laying of gravel will improve pedestrian and parking circulation.
5. Surface Water Drainage – On a motion by Jordan, seconded by Chase, standard has been met 5-0. There is no change to the existing structure or surface water drainage
6. Existing Utilities – On a motion by Jordan, seconded by Chase, standard has been met 5-0. There is no change.
7. Advertising Features – On a motion by Hewlett, seconded by Brown, standard has been met 5-0. There are no proposed changes to advertising features.
8. Special Features – On a motion by Brown, seconded by Hewlett, standard has been met 5-0. The rebuilt storage area will be enclosed and there will be no changes in the hours of operation.
9. Exterior Lighting – On a motion by Chase, seconded by Hewlett, standard has been met 5-0. There is no new exterior lighting proposed.
10. Emergency Vehicle Access - On a motion by Jordan, seconded by Brown, standard has been met 5-0. There will be no change in the emergency vehicle access.

11. Municipal Services - On a motion by Jordan, seconded by Brown, standard has been met 5-0. There will be no change.
12. Water/Air Protection - On a motion by Brown, seconded by Chase, standard has been met. There is no change. The project will not cause any undue water or air pollution.
13. Water Supply - On a motion by Chase, seconded by Brown, standard has been met 5-0. There is no change. There will be no unreasonable burden on the Port Clyde Water District.
14. Soil Erosion - On a motion by Jordan, seconded by Chase, standard has been met 5-0. This project will not have any effect on soil erosion.
15. Sewage Waste Disposal - On a motion by Hewlett, seconded by Jordan, standard has been met 5-0. The applicant indicates there are no issues with the septic system.
16. Hazardous, Special and Radioactive Materials - On a motion Jordan, seconded by Brown, standard is not applicable 5-0.
17. Financial/Technical Capacity - On a motion by Chase, seconded by Brown, standard has been met 5-0. The applicant says she has the financial/technical capacity to complete the project.
18. Shoreland Zone - On a motion by Brown, seconded by Hewlett, standard is not applicable 5-0.
19. Flood Plain - On a motion by Jordan, seconded by Brown, standard is not applicable 5-0.
20. Lot Standards: On a motion by Hewlett, seconded by Brown, standard has been met 5-0. There are no additional changes to this nonconforming lot.

On a motion by Hewlett, seconded by Brown, it was voted 5-0, to approve the application pursuant to the Performance Standards Review.

8. Subdivision Application

a. Long Property Management, LLC – 162 Seal Harbor Road / Map 232, Lot 019

Will Gartley of Gartley & Dorsky represented the applicant and a Public Hearing was held at 6:30 p.m. on February 13, 2018. Gartley, Previously, the road came in down here. Right there. So, we have moved it over in front of the existing house to improve the sight distance. The other benefit piece of that is it does move it quite a bit further from the Brook and more of it is outside the Resource Protection line.

Chair Cox: the question with this proposal becomes the requirement in their ordinance for a 200' radius that you can't get on the road coming in.

Gartley: Right, because DOT wants the first section paved and they want a 20' straight section before we go into a radius. That is where we create the 50' and on the. On the handout I gave you, what I was trying to show is that the actual 200' radius, so you can maneuver along a 200' radius within that section. It is hard to make the DOT requirements and that requirement, match. I must say 200' is excessive. I am surprised that it was in there, but it is.

Hewlett: Well, keep in mind, too, we are asked to put...if it is going to have a fire pond which it is required to have. To be honest with you, the fire truck can't go on the gravel unless you are really going to beef it up and everything.

Gartley: No, that is going to be like the road. It is going to be built just like the rest of road which is all gravel.

Hewlett: Yes. Now, and your 250', is that the Resource Protection line. Is that the line that you are wanting us to change or is that the existing line that...?

Gartley: That is the existing line as best we can try to locate it. Again, when you look at your Resource Protection map, it is just a big green line. Hewlett said yes.

Gartley: There is no real definition of exactly where it is, other than the IF&W Habitat map which is where it came from. Hewlett said alright.

Brackett: There is a clause in our ordinance that allows a road to be built in that zone.

Hewlett: Right. Did it mention anything about the drop off on?

Brackett: Is pretty minor.

Gartley: It is. I mean the one thing Justin likes about this location, is that it is going to be much easier to build. The steepest part of the land between this road and the brook, is this section where we had previously proposed a road which is you could see when walked along the edge. There is a drop off there, but then after that, it goes pretty gently down towards the brook. In fact, there is a little plateau that is relatively flat and it is kind of about mid-way. Then it goes pretty gradual. I actually think I have on my previous submission the topo.

Hewlett: The topo is on here? Yes, but it goes from 55' to 30'.

Gartley: That is over 250'. Hewlett said right.

Gartley: So, there is a steep spot right here. Then you can see these contours are relatively consistent all the way down there. It is a lot steeper back in here. The closer those are, the steeper it is.

Chair Cox: And, you will have a little banking, steepness, coming off the road to build it up.

Gartley: Yes, right there when you make that turn is really the biggest amount of fill. We have the 1,2,3. That is really the only fill slope. That and then right along where the pond is.

Chair Cox: And, right along where the pond is.

Gartley: You can see where the profile and where the pond is. Is right about here. So, there is a little hump.

Chair Cox: So, that is the vertical profile (unintelligible) road?

Gartley: Yes, the blue dash line is the center line existing ground. The red is how we are going to fill and cut through there to smooth it out.

Gill: From here, you are going, down. Okay.

Gartley: Yes. It is lower back here. It seemed like it was pretty flat, but it actually gradually drops. It is not drastic, but it is probably 15', twelve to fifteen feet, total. This scale is below in scale. One-inch equals 4 feet vertical. One-inch equals 40 feet horizontally.

Hewlett: Forty. I was going to say 40' is, whew.

Gartley: So, you can see that 2.4%, 3%; that is really pretty flat. Five percent, the steepest is towards the end, here where we get to 6 ½%. I think the ordinance says 10% or 12%.

Brackett: Yes, I think it was quite steep.

Chair Cox: Yes, I think it was ten.

Gartley: Is the maximum? (Cox, yes.) So, this is pretty easy road, and like I said, this part got a lot easier because we avoided that steep spot, right there.

Brackett: Do you have a reference point that is marked over there?

Gartley: As far as where this center line is?

Brackett: Where the road elevation is.

Gartley: Yes, we do have benchmarks out there for the topo. Yes, and we actually are going to stake more accurately center line for Justin to put the finish grade in.

Brackett: Well, according to our ordinance, it has to be staked every 50'.

Gartley: Oh, before he builds it?

Brackett: Yes.

Gartley: I didn't realize that. We will certainly do it. That is what we did on the driveway before he put it in.

Brackett: Is he using an 18" base or a 12" base.

Gartley: I have a detail I provided you last time. It is whatever the ordinance says.

Brackett: Well, it's on private; it is 12", I believe. On public, it is 18".

Gartley: I don't think we would have gone 12" unless we included geotextile fabric. Sometimes we go to 12" if we put fabrics.

Hewlett: And, it looks like he is doing underground utilities?

Gartley, Yes. He wants to, but we laid it so that he could price it that way. But, I do have a note on the subdivision plan that says base pending coordination with CMP. It could still go overhead. (He looked up information in reference to the 12 or 18" base). Yes, we had 12" of sub base and 6" of base gravel, so a total of 18".

Gill: Those are the minimums, right?

Gartley: Yes. A total of 18". Actually, I think that is a total of more than what he needs for a private road.

Jordan: A private road is 12" plus 6".

Gartley: Okay, so then that is what we did it for.

Chair Cox: Your solution to the entrance and the 200' radius, I mean, it certainly shows the safety concern of a fire truck getting in there would work. I am not sure. Do we have the leeway to say we can't...?

Brackett: The way I read the ordinance, you don't have that leeway (unintelligible -to read that, too) but if that was say reclaim in there, something like that. One of my concerns is if it stays, well I guess you are showing it grassed over, now.

Gartley: Yes. We were just thinking it would look a lot nicer not to...And, we want everyday traffic to follow that section and that is why DOT wants us to pave that because that is the best spot to come out of. My issue is coming out.

Brackett: My concern is if that is grassed, is it going to get plowed in the winter?

Chair Cox: Yes. That is a good...that would be a great place to plow things up on, but...

Hewlett: Well, then you would screw up the sight line. Especially in the wintertime, if you can't get the truck around that.

Brackett: That is more likely when you are going to have a fire.

Hewlett: Exactly.

Gartley: The good thing for us is the fire station is like right here.

Hewlett: Except, it is not manned.

Gartley: Well, it is still there. You get trucks coming from that direction, too.

Hewlett: Well, not trucks that you would use. Gartley answered, right.

Hewlett: No, the trucks are going to end up coming from Tenants Harbor. Yes. They are definitely going to be coming to make that turn.

Chair Cox: Yes, I guess it does worry me. If you think about the future. And, you think, okay, right now, we all know that this is very important that it be kept clear and Justin is going to plow it, or whoever plows it, is going to make sure it happens but he stops plowing and somebody else comes and I know that things grow up in through gravel.

Hewlett: Rapidly, actually.

Chair Cox: All of a sudden, we've got some alders sticking their heads up or whatever.

Gartley: Well, that can't happen because it is all within the DOT right of way, right there. So, that is going to get. I mean, you would have no sight distance at all if that happened. Right there are the entrance, they have to keep that...

Chair Cox: So, they would keep that down, that clear.

Chase: The thick blue line is the DOT right of way?

Gartley: Yes, so you have mailboxes, and utility poles and everything right in there.

Hewlett: Which doesn't help the (unintelligible) truck.

Gill: This is a state road, right?

Cox and Gartley: Yes.

Gill: State owned. Do they plow right up to that (unintelligible)?

Cox and Gartley: No, not necessarily.

Brackett: In fact, I think Jim Kalloch plows that because the state does not plow it but it is a state road.

Hewlett: I mean, I guess there is a reason why there is 300' turning radius.

Brackett, Gartley, Cox said 200'.

Gartley: Well, the 200'...The fire truck can follow that 200' turning radius, on there. It fits, and the road is still 20' wide and DOT never allows you to have turning radius at the entrance more than 10'. So, we are just trying to add some things here to make it better because of the fact that you have the 200' turning radius but a 50' turning radius, is plenty for a fire truck. Especially when they are going slow, coming in at an entrance. That is why I put that magenta line on there, so you could see that they can follow that road. Now, I didn't transition back into the next curve but that goes pretty straight and smooth. It is just at the entrance that I was trying to show that you could come right in the center of that road and be at 200'.

Hewlett: Well, you are not in the center, you are going through all the green to make the turn in... (unintelligible) abuts this in the city bus. Is having to go right on that edge. As you said, it would be a lot easier if they were coming from the Rt. 73 station, but they won't be.

Chair Cox: Is there any other way of doing this? To get that?

Gartley: No.

Hewlett: Eliminate Lot 4.

Jordan: Lot 4 has a house on it. Hewlett, Well. Jordan: Tear down the house?

Hewlett: Well, but it can be moved.

Chair Cox: It is a mobile home, house. Is it?

Jordan: No. That's lot 3.

Hewlett: No, I think it is on a foundation.

Chair Cox: I mean, not Lot 4, Lot 3.

Gartley: Yes, Lot 3 is. But this is the only location we can come in regardless of where the houses are.

Hewlett: Well, if you did not have the house, you would not have to go around it.

Gartley: We wouldn't have to go around it, no. But even if I came in straight and I had a 20' drive, that turn doesn't get much easier. I would still have to have a wide shoulder, there, which what I was trying to show. The way we have laid this on there. If I had slid this over, you could see that you could make it a little easier but that is a tough turn. You have to swing wide to make that turn.

Hewlett: But if you were turning up, right towards the house.

Gartley: It would be easier. Right.

Hewlett: It would be a lot easier.

Gartley: Yes, if you did not have to continue to turn.

Hewlett: Yes, if you adjust the widths, coming right in, using Lot 4.

Chair Cox: I think putting out the snowplow issue is key in terms of, okay, we have essentially made the road very wide, very wide shoulders. We have made the road at the entrance to deal with our turning radius issue but when you get to the vagaries of snowplowing when you've got a paved travel way.

Hewlett: The other problem, too, if you are coming in here with a tanker that is loaded with water and even a slight difference between the gravel and the paved road, you could, you could go over. I mean, that is another issue, especially if it is going to be partially paved and partially graveled. We need a level surface to come onto. Especially, if we have a lot of water onboard, which we better.

Gartley: The intent there, is for that all to be the same elevation.

Hewlett: Grade. I know the intent but as soon as you start plowing the gravel, it is going to be gone.

Chair Cox: Also, the difference between, what is in gray is going to be paved.

Hewlett: Right.

Gartley: Right. That was what we were proposing, yes.

Hewlett: Right.

Chair Cox: This is a paved apron and then, so you yet invariably you are going to get elevation changes on the shoulders.

Hewlett: On most cars it does not matter, but as soon as you get a fire engine tanker on there, and even the slightest variance, it could just tip over.

Gill: Would it be an option to pave all that instead of grass?

Gartley: We could pave the shoulder portion that is in the right of way.

Gill: I think grass looks nicer but...

Gartley: Yes, but we were just trying to minimize the paving at the end of (unintelligible)

Chase: I thought that was what the DOT aspect of not, seeing that cars don't go in too quickly, is the angle aspect of (unintelligible).

Gartley: The other thing we are trying to do, is to direct people to the spot that gave you the absolute best sight distance, but by us lifting this elevation, here, that is going to make that sight distance... The reason why the sight distance gets worse, is because the elevation drops.

Chair Cox: Right, but DOT wants you to have head on, a right angle. Gartley answered, right.

Chase: Which is why you had the grass level or?

Gartley: Actually, DOT allows up to a 60 degree; a 30 degree off of 90, so they would allow a 60-degree entrance. I am not a big fan because people that, and in this case since we know the fire trucks are probably coming from Tenants Harbor, if I had that at more of an angle, then it would make it harder to make that turn coming from the Tenants Harbor side. Is that what you were? So, right now, our entrance is **7 degrees** off of 90. I tried to keep that the least amount possible and the reason I went to the **7 degrees** is because that gave the 20' straight before we started the curve in, which DOT likes to have as much, they like to have 20' to 30' there, so a car can be lined up square when it wants to leave and make the turn. But they do allow more than that, but in the case it didn't...

Chair Cox: If the green were paved, then normal drivers would, you would be cutting that corner.

Gartley: Exactly. So, the intent is to just have a wider entrance to make it easier for the larger vehicles to get out but to pave the section where you want everyday traffic to come and go.

Brackett: Clark Island is pretty wide. You have the stop there. You have to stop here.

Hewlett: The other point of view, too. The training building is going to be going on Rt. 73 up here, and there is no fire pond there. We are not allowed to put a fire pond up there. So, this is going to be the fire pond for all of training exercises.

Gartley: Yes, right. I think we are actually working on that.

Hewlett: Yes, but we are not allowed to have a fire pond. The company that we have the loan with. Seems ironic, doesn't it? Gartley answered, yes.

Hewlett: So, this might become the main fire pond for all training exercises.

Gartley: Do you draw from the brook?

Hewlett: No. There's not...; Gartley asked, no?

Gill: So, you would be going in to pull water out of that pond?

Hewlett: There is nowhere to park. No place to park.

Gartley: Oh, on Jones Brook, yeah.

Gill: So, you might be going into this pond to take water for the training?

Hewlett: The nearest source.

Gill: When you draw out of that, how much do you..?

Hewlett: 1,000 gallons per truck. You draw fast.

Gill: What if you need that water for an event?

Brackett: Fire suppression for the development, yes.

Hewlett: Fire training.

Chair Cox, No. But what if you've pulled 1,000 gallons out of here, and then there is a fire.

Gill: What happens to be a fire in here, somewhere?

Hewlett: Oh, no. There will be more than...It will refill, itself.

Cox and Gill: That day?

Hewlett: Well, this has 120,000 gallons.

Gartley: 120,000, yes.

Chair Cox: Actually, that is a question I have. The pond is on the edge of the wetland. We are assuming there is going to be ground water but there is no stream. It is rain fed.

Brackett: Has Justin made any arrangements to have an association to take care of this stuff while he's gone?

Gartley: He will be, definitely. Because he has to maintain the road and the pond. Yes.

Brackett: And that should be an association of the development.

Gartley: Of the development, right.

Chase: I don't think we have any clarity on the snow aspect in the winter, at this point. I would definitely be concerned with that. I know how easy it is to keep piling up, storm after storm. The first one gets a little crusty, then the next storm gets pushed back and pushed back, Eventually, you will just have the roadway that is available. Then you lose the whole turning radius. I don't know how long the largest tanker is, but it is smaller than this bus, but even still, this bus is taking most of that...

Hewlett: Believe it or not, with the new engine, it is probably...Do you know the length of the new engine, by any chance?

Bates: Forty-five?

Hewlett: It is long. I think it is as big as this city bus, which is 45. It just fits in the fire house.

Chase: All right, so yes. So that is inaccurate.

Hewlett: Yes. I mean, it says city bus, but it could say Engine 4 on it. I just want these people here to be totally safe. I don't all of a sudden want, you know...If we roll a tanker at the entrance, we can't get in because we are going to be across the...

Chair Cox: So, could a solution be, going back to, could it be paved?

Gill: Can this move back? Oh, all right, I was going for something else.

Gartley: Pave more of the apron.

Chair Cox: And what were you thinking?

Gill: This was down here, before. Seems like coming this way just a little bit would make it easier.

Gartley: The elevation drops and what happens is you can't see back this distance. They want 450' and that they are not willing to bend on because of the speed.

Hewlett: Because this is kind of. This is just starting the downhill. So, as you go this way, you start losing it pretty fast. When you stand there and measure it and look...

Jordan: I noticed that when I drove by it after the site visit and saw that was where it was going to be. Well, you can't see down there.

Gartley: You can't see down there. It made a significant difference.

Hewlett: Your point is well taken, no one goes 40 mph. 55 mph.

Gartley: What is interesting is you come this way, and you start to lose it again, too. Because we did look at coming in along the line of Lot 3 and swinging this way, but we couldn't get the sight distance there either because we started losing it going the other way. This was really the only option we had to come in.

Chair Cox: So, it couldn't happen up here. That was the first thing I tried once we realized the sight distance was (unintelligible) bad.

Jordan: The eastbound traffic can't see it there until...

Gartley: The combination of the curve and the change in elevation, gives us really one shot.

Chair Cox: It gets back to, we need a lower speed limit here, and then you could do it.

Paulsen: It probably is going to be iffy, either way.

Chair Cox: Yes. Would it work? We have talked about paving that whole green area. That means that it will look like a huge entrance.

Gartley: Yes, the only thought I had was, we could stripe that. I mean, somebody would have to keep doing it, but it could be a condition.

Jordan: (unintelligible) will drive over it and wear it down.

Gartley: It is like the town painting, you have to do it, relatively often.

Hewlett: Besides fire trucks, we have to keep in mind, too, people are going to live so we want them to have a safe entrance to that road.

Gartley: That part, I think, is going to work fine. I think it is really the larger vehicles, and the emergency vehicles. We have 20', there is plenty of feet to square up and that is the best sight distance. It is better than the drive ways that are along there.

Hewlett: Yes, keep in mind too, we just had a tanker in town roll over. A fuel truck, so it is unbelievable. All the guy did was take front tire off the edge of the pavement and his truck rolled. Just the front tire. The other three were still on the driveway.

Gartley: That was a driveway, too, though, not a 20' road with 2' shoulders and 3:1 side slopes. That was a narrow driveway with a ditch line. Brackett, Hewlett and Cox said, right.

Chair Cox: The whole snow issue. I am wondering if we could say our ordinance says the 200' radius but because we would get it with these paved shoulders, then we could allow it, possibly but that is also a huge.

Gill: Can we make it a condition that it stays plowed. And whoever is plowing the road every year, just has to be made away, he has to keep that plowed.

Chase: I think, exactly. I don't know if paving it is going to make a person plow it anymore than gravel, just because it is paved.

Brackett: As Kate says, it would be safer for vehicles carrying liquids.

Chair Cox: Your first plow and the ground is soft, so gravel gets "chowdered" up and then all of a sudden there is an uneven between the paved apron and that.

Hewlett: There is definitely no way that the fire truck could stay on the pavement section. It would be impossible to turn in there.

Gill: Could you pave where his lines are for the bus, pave that?

Gartley: The irony is that, even if you were going straight, that 20' with 10' radiuses is not an easy turn for a fire truck, anyway. They would be on the shoulder.

Hewlett: The thing is you can't. We can't enter on a shoulder, we will roll for sure. Once you have, think about all the weight is up on top. As soon as it starts sloshing, it just oooow, flips. That is the problem.

Gill: Now where the fire pond it, why is the tank truck going in there?

Gartley: You want to have that water, quick.

Hewlett: Exactly. We need the closest water source.

Gill: You would be using both, the fire pond and the tank truck.

Hewlett: We have to shovel water because we do not have fire extinguishers to get water off of. We have to shovel water, so we have to fill up a truck with water.

Gill: Oh, fill it from the pond? And bring it to the house.

Hewlett: Then what you do, is dump it into (unintelligible) that is set up at the house and then you right back to the pond and fill it up again, keeping do it.

Gill: This isn't necessarily just for the houses in this development. It could be a house down the road.

Hewlett: Exactly. As soon as there is a fire pond, it actually reduces the insurance rates for anybody that is close by. In essence, you have a hydrant.

Chair Cox: I think we are not clear.

Gartley: Yes, now part of me is thinking it might be better not to have that pavement there, at all, so there is not a distinguishing between...So the whole thing is just kept as the entrance. I don't know.

Chair Cox: That could work. I think the problem with different materials becomes a problem, but if it is all the same material, it will all get degraded at the same rate.

Hewlett: i.e., plow it.

Gartley: I know, I think that part of it is not...At the Snow Bowl, we did an entire one parking strip along a curb line and then transitioned the rest of the parking lot, all of it is gravel. We don't have a problem with the difference in elevation there. It gets plowed every single storm.

Chase: I think if you use a good enough base.

Gartley: The good think about when Justin builds roads, if you have seen that material that blasted material that he uses. It really works well. That is what he is going to use for a base here, too. He put quite a bit of it going across this line. There are about 4-6" blasted material in that spot.

Brackett: He didn't put much over it, though.

Gartley: He still needs to put more over it. He has to lift it more. In fact, that is where we went after the site walk, was to talk about how to bring that elevation up a little more. I am not as concerned about this as far as how it is going to wear. I think it is just how do we make sure it gets plowed and maintained as a wide enough entrance to easily get in and out of there.

Chair Cox: I think, yes, we could make that be a condition. Who is going to enforce it? And all of that. It becomes an issue. What do I think? I feel caught by the 200' radius issue, so I can't shake that. It feels like our hands are tied. Our ordinance says roads must have the 200' radius. I feel like this...

Gartley: Right.

Hewlett: It is for safety of vehicles.

Chair Cox: If we have a solution that allows emergency vehicles in, then that addresses the concern that that has. The question is, do we believe that the solution actually works.

Gartley: Terry, I do think the waiver section at the very end of the Subdivision Ordinance does give the Board that flexibility. I am looking at page 28, A, B, C – Waivers of Submission requirements which this isn't a submission requirement, so that one doesn't apply. But then Waiver due to Special Circumstances and Waivers Conditionally granted.

Chair Cox read from the Subdivision Ordinance, page 28, Section IX: Waivers, B. Waivers Due to Special Circumstances, and C. Waivers Conditionally Granted.

Chase: That still begs the question of enforcement. If the issue is the snow, and we give a waiver, how do we enforce that? It is super tight through there with the 200' radius, with the 45' bus going through there. Again, any kind of snow such as February 2014, was brutal and if there is a lot snow that piles up, that will cut the radius substantially, in this case.

Hewlett: Even if the truck came up and backed in, you are asking it to do an s-turn, right away. They just don't have that flexibility to be honest with you. Like one big yard stick that is 45' long.

Chair Cox: We have this about the waivers, so Terry is also pointing out under the Subdivision ordinance, page 9, Section IV, subsection H.(1)(c). Chair Cox read this section. She reviewed page 11, Section IV, subsection H (2)(d).

Chair Cox: That is where the specifications are about center line radius. We have something that specifically says we shall not approve any subdivision plan unless the roads are designed in accordance the specifications. Can we do a waiver to assure that the objective in this case safety, is met.

Brackett: What waiver are you doing? B.? (page 28)

Hewlett: I do not see how any of us would approve that?

Brackett: B. is talking about a particular lot.

Chair Cox: So, it would be C. (page 28)

Jordan: No, B. applies. The lot is the whole lot that is being subdivided. And, this particular lot which is being subdivided as conditions that make a waiver appropriate or doesn't. I have no doubt that page 28, Section IX: Waivers, B., lets us waive the particular requirements because that what it says.

Hewlett: Then you also have to realize...

Jordan: Hold on. It may waive the requirement for lot improvements. Sure, the road is an improvement.

Chair Cox: Provided that the public health, safety, and welfare are adequately considered.

Jordan: Of course. But if the question is, are we unable to waive the requirements back on page 9-11 because they are specific, I think that is exactly what Section IX: Waivers, B. allows us to do if we meet the standard.

Chair Cox: This would allow us to waive the center line radius standard.

Jordan: If we think it is still safe.

Chair Cox: If we think it is still safe with the solution that we are trying to work out, right here.

Brown said, yes.

Chair Cox: Does everyone agree that is a possibility?

Hewlett: I also think that there is a reason why they do have these standards. Jordan and Cox agreed.

Hewlett: For emergency vehicles, being one; oil trucks being two.

Chase: The waiver that would be proposed then is to allow the gradient on the left side of the driveway to count towards the 200' radius? Is that what you are saying? Brown said, yes.

Chase: So, the standard would technically not be met now because, unless we waived it because it is not paved on both sides.

Chair Cox: And, because the road, itself, does not have that 200' radius at that curve. It is tighter.

Jordan: But if you count as part of the road, the green area, and you pave it, do we meet the 200' or do we (unintelligible)?

Chase: Yes, it is because I think that is what you have put in here is the 200' radius.

Gartley: I put that in there just as a visual so you could see.

Chair Cox: So, the green area is what would give us the 200'?

Gartley: The green area is above and beyond what the 200' would give you. I went beyond to make it even easier. You can see, when you put the 200', you do not need all the green area.

Chase: It seems like it is met. That's what you have designed it for. Correct or engineered it for, at this point?

Gartley: It is to get the emergency vehicles in. Yes. I did two things. I looked at the 200' radius then I also went back and looked at what it took to turn a larger vehicle in there and realized even if this was straight, it would be a lot easier with these big shoulders on it, to get it in there. I added the additional shoulders for that reason.

Chair Cox: I think we could probably make this work with these additional shoulders. I guess I am worried about...

Jordan: Paved and part of the road?

Chair Cox, Yes, paved and part of the road. Or to be of the same material of the entrance of the road.

Gartley: Could we do those out of reclaim? The shoulders. Could we put additional reclaim on the shoulders?

Chair Cox: Pavement on the road?

Gartley: The only reason I say it, I just think it is going to be better to try to keep the everyday people coming and going right at the best spot.

Jordan: What affect does doing that?

Gartley: These shoulders are more for large vehicles turning in than anything else. I am afraid if we pave this, you will have people that are going to sneak down here.

Brown: Cut the corner. Cox: Totally.

Gartley: And they are not going to be able to see very well because, 1) they are going to have to turn further to look. That is why you would never normally have them be able to sit way over here.

Chase: That changes the 400' mark? Brown said yes.

Gartley: The emergency vehicle thing. We have to be prepared for but that is not going to happen very frequently. What is going to happen every day, though, people coming and going. I am them to be as safe as they can be and not have the tendency to want to come way over here, all the time. I think if it is paved, people tend to stay on the pavement. Whereas if the whole thing was paved, I think people would come out and they would sneak down tight to this curve and then they would be looking more than 90 degrees back, plus they would have shorter sight distance. That makes me nervous.

Hewlett: I think the truck is going to flip, personally. I really do.

Gartley: I don't see that at all.

Hewlett: It is so. You would not believe. If you don't have all the tires on the same surface.

Gartley: You must have a lot of roads in St. George, you can't go on.

Hewlett: No, we actually are pretty stringent this.

Gartley: I don't see this as being a differential, at all.

Chase: I don't see...there is no gradient to the left of it, either. If that is graveled, it is not like that eventually erode. It seems like it would stay pretty well. My issue would be the snow.

Hewlett: Keep in mind, the wing when Kalloch plows Rt. 73, it is the wing that is going right into that green area. It is not even Justin.

Gartley: Right. But he won't be going into that green area very much because he has a mailbox right there that he has to avoid.

Chair Cox: However, got different plowing styles and all like that.

Hewlett: It is just it is a bad turn.

Putansu: Mailboxes don't slow them down, they clipped mine on Saturday. Even with the big triangle, there are three mailboxes, they took out. They missed the first one. They are right next to each other. Then ours, and knocked the third one all the way off.

Hewlett: I would feel uncomfortable waiving this.

Chair Cox: Can we get more experience, some more people to look at this.

Hewlett: How about getting the Road Commissioner, Tim Polky? Former Fire chief.

Chair Cox: To have him look at it.

Hewlett: If he signed off on it and Mike Smith signed off on it. They would be the people in charge of getting the fire truck down there.

Chair Cox: Maybe that is a route to go is to have a conversation with them.

Gartley: Makes sense. I want it to work, too.

Hewlett: Absolutely. I understand this is better than the first proposal. I think we all feel better about this one than the first one. We are getting there.

Chair Cox: Can I mention one concern that is not related particularly to this? Gartley said yes.

Chair Cox: I really worry about these people in this house and their front yard is going to be taken up. Not that this is going to be Grand Central. It is not a major thoroughfare but there are going to be five houses down there and you are going to be coming in, and headlights. I am wondering if part of this and maybe this isn't anything we get involved with but, it sure might be nice to do some screening.

Gartley: We did talk about that right off as soon we realized that was the best place it had to go, we talked about we should probably put some screening there.

Hewlett: Especially, because you are going to have to dig the septic up, anyhow.

Gartley: We talked about it, but we never got very far because we were so worried about everything else.

Gill: How owns that house?

Gartley: Justin does. Both houses are rented. That is probably going to stay that way for a while, anyway.

Chair Cox: I also appreciated that Justin said it sounds like he does not want to be bothered with taking down any more trees than he has to.

Gartley: There are a lot of trees out there and he is not interested in cutting the trees. The only thing he talked about doing, is picking where some of the house lots might want to be and thinning it out a little bit. The under stuff.

Hewlett: So, people could visualize.

Gartley: Otherwise, he likes the privacy that this is going to give people.

Chair Cox: That seems key because there were some nice big white pines.

Gartley: Justin is going to try to do this himself and he sees this as work.

Chair Cox: That what I gathered.

Hewlett: There is just no other place to put this entry.

Chair Cox: This is still part of the preliminary, getting this all worked out. Let's talk to Tim and Mike and get their read on it, and take on if this would work, what materials would work the best.

Hewlett: Would be the safest. Would they put that in writing, too? Then we could refer to it when we waive it.

Chair Cox: We will see if we can get something from them.

Hewlett: If we are going down that route.

Chair Cox: Then that can we put into the plan. We can work on that soon. These are big issues. Are there any other points that people have been aware of, questions, are we ignoring something by only focusing on what is happening here?

Gartley: We went through all of the standards, last time and everything seemed pretty straight forward. I think the entrance has always been the issue.

Hewlett: Yes, I know it has been the issue from the beginning.

Gartley: Under Final Plan, there really isn't much else in there. There is not a lot. All the conditions and standards are under Preliminary Plan.

Brackett: Right.

Chair Cox: We will work on this getting this issue solved, letting you know, so we can move forward on the next meeting, I hope.

Gartley: Thank you, folks. I know this hasn't been as straightforward as I would have liked.

Hewlett: We appreciate you to (unintelligible) us to figure it out.

9. Ordinance Amendments:

a. Cable Ordinance – The Planning Board reviewed the revised draft to amend the Shoreland Zoning Ordinance (SZO) for the Town of St. George, Maine. The Site Plan Review Ordinance was also amended to include a number of sections from the Shoreland Zoning Ordinance.

Hewlett asked if they should require color photographs vs. black and white photographs, and did they want to specify a size?

Jordan said he and Anne thought was one of those provisions that was good for the cable projects but also good for other things. He said it would apply to everything and it would differ according to project. A statement was included in part of that section that says, "the following if the Board wants it." The Board believed obtaining before and after photographs for larger projects would be a reasonable request. Regarding color vs black and white photographs will be at the discretion of the Planning Board.

Hewlett asked if the ordinance would include a private land owner lease and would the Board have a right to request that? Jordan said that a good point and the Board does ask for proof of ownership all the time

and if they are planning to do development on leased property, a right of way or easement, he did not see an issue.

Chair Cox researched industrial noise control and learned that quiet suburb, conversation at home, and large electrical transformers at 100 feet was 50 decibels and 40 decibels were equivalent to a library. She noted that in the Site Plan Review, under Section 4, #2, EMF Radiation and Noise, she recommended the noise level not exceed 50 decibels.

Jordan asked Bates: "I shifted a lot it to changing the Site Plan Review. I did it in two separate ordinances, two separate amendments. One amends the Site Plan Review and the other one amends the Shoreland Zoning ordinance. It could be done in a single ordinance. I did it in two to simply the DEP's review." He asked Bates if he had any reservations about putting two separate ordinances to a vote? Bates said there was going to be a lot on the ballot. Hewlett said they do want the verbiage in both of them. Bates thought it the way Jordan divided it was easy to understand. Bates also said a public hearing would be held.

Chair Cox said the draft ordinance would be sent to Attorney William Kelley, for review.

There was no further business. At 9:03 p.m., a motion was made and seconded to adjourn the meeting. The motion carried.

Respectfully submitted,

Marguerite R. Wilson
Planning Board Recording Secretary