

**St. George Planning Board
St. George Town Office
November 13, 2018 – 6:30 p.m.**

Public Hearing – Andrew MacCaffrey/Clark Island Boat:

The Public Hearing was called to order at 6:30 p.m. Members present were: Anne Cox, Chair; Jane Brown, Brendan Chase, Ray Emerson, Mary K. Hewlett, Michael Jordan and Alan Letourneau. Also present: CEO Terry Brackett, Richard Bates and Andrew MacCaffrey.

Chair Anne Cox declared the Public Hearing open. There were no members from the public present for the hearing. Hearing no public comments, Chair Cox closed the public hearing at 6:35 p.m.

**Planning Board Meeting
St. George Town Office
November 13, 2018**

The Planning Board meeting was called to order at 6:36 p.m. Members present were: Anne Cox, Chair; Jane Brown, Brendan Chase, Ray Emerson, Mary K. Hewlett, Michael Jordan and Alan Letourneau. Also present: CEO Terry Brackett and Richard Bates. Arrived at 7 pm: Will Gartley, Amy and Andrew Barstow.

Quorum: A quorum was present.

Conflict of Interest: None.

Adjustments to Agenda: None.

Review of the Minutes:

Planning Board Meeting — October 23, 2018 - A motion was made by Jordan, seconded by Brown, to approve the minutes of October 23, 2018, as written. The vote was 3-0-1 (Hewlett abstained). The motion carried.

On-site Inspection: Andrew MacCaffrey/Clark Island Boat – A motion was made by Brown, seconded by Jordan, to approve the on-site inspection minutes, as written. The vote was 3-0. The motion carried.

Public Comments: None.

Building Permits:

a. Andrew MacCaffrey/Clark Island Boat – 13 Rein Road, Map 232 / Lot 058

The applicant, Andrew MacCaffrey was present. The application is to build a new 40' x 60' fabrication shop. An on-site inspection was held on November 12, 2018 at 4 p.m. and a Public Hearing was held on November 13, 2018 at 6:30 p.m. Mr. MacCaffrey said he currently uses a 25' x 25' garage for welding fabrication work. He states his business has grown and he would like to build a larger fabrication shop. He said he currently employs two full-time welding fabricators and may hire a third person.

MacCaffrey said the foundation will have a 4" frost wall that will project about 6" above grade. Chair Cox asked about the 25' setback. CEO Brackett said the proposed site location is 25' from MacCaffrey's property line. MacCaffrey asked who owns the road next to his property. Brackett said the road was part of Craig Rackliff's property. CEO Brackett asked MacCaffrey to provide an engineer drawing of the building's roof from Lajoie Brothers. MacCaffrey said will need a drawing for the foundation, so he will provide a copy of that to Brackett when the drawings are complete. When received, this will be placed on file in the application packet. Letourneau asked if the building would have bathrooms. MacCaffrey said this building will not have bathrooms, though the larger building does. Hewlett asked if there will be a floor drain in the slab. MacCaffrey said there will be no need for a floor drain. No boats will be going into the proposed building. The building will be used strictly for metal fabrication. Chase asked about the height of the building. MacCaffrey said it will be approximately 14' in height on the inside of the building. He said the building will not have open rafters; but it will need some type of overhead in the building.

Chair Cox amended the application and drawing to: 14' high walls and 4' - 5' to the peak of the roof, depending on the pitch. Chair Cox asked the Board if the application was complete. There was no further discussion.

On a motion by Jordan, seconded by Hewlett, it was voted 5-0 to accept the application as complete. The Planning Board began Site Plan Review.

Performance Standards:

1. Preserve and Enhance the Landscape – On a motion by Brown, seconded by Hewlett, standard has been met, 5-0. There will be no tree removal and there will be minimum disturbance of soil.
2. Relationship of the Proposed Buildings/Structure to the Environment - On a motion by Hewlett, seconded by Brown, standard has been met, 5-0. The proposed structure is similar in design to existing buildings on the property and will relate harmoniously to the terrain.
3. Vehicular Access - On a motion by Brown, seconded by Jordan, standard has been met, 5-0. Vehicular access is not changing; the road is wide enough to provide safe access and egress to the business and will not impinge on the traffic.
4. Parking and Pedestrian Circulation - On a motion by Brown, seconded by Jordan, standard has been met, 5-0. The layout and design of the parking area is more than sufficient to provide for parking and pedestrian circulation.
5. Surface Water Drainage - On a motion by Brown, seconded by Hewlett, standard has been met, 5-0. The applicant is making an effort to control surface water drainage and run-off waters and will use Best Management Practices.
6. Existing Utilities - On a motion by Hewlett, seconded by Brown, standard is not applicable, 5-0. No water or sewer utilities are being proposed.
7. Advertising Features - On a motion by Hewlett, seconded by Brown, standard is not applicable, 5-0. No advertising features or signage is proposed.
8. Special Features - On a motion by Chase, seconded by Jordan, standard has been met, 5-0. Machinery and equipment will be stored in the proposed structure and there is no change in the hours of operation. His current business hours will remain the same.
9. Exterior Lighting - On a motion by Brown, seconded by Jordan, standard has been met, 5-0. The applicant has indicated that on the side of the building away from Rt. 73, the exterior lighting will be down shielded.

10. Emergency Vehicle Access - On a motion by Hewlett, seconded by Jordan, standard has been met, 5-0. The property site is designed for the traffic of large vehicles and it will provide safe emergency vehicle access to all buildings and structures.
11. Municipal Services - On a motion by Jordan, seconded by Chase, standard has been met, 5-0. The proposed structure will not increase the burden on municipal services.
12. Water/Air Protection - On a motion by Brown, seconded by Hewlett, standard has been met, 5-0. The applicant will use Best Management Practices. The proposed structure will not result in any undue water or air pollution.
13. Water Supply - On a motion by Hewlett, seconded by Chase, standard is not applicable, 5-0. There is no water supply proposed for this building.
14. Soil Erosion - On a motion by Brown, seconded by Chase, standard has been met, 5-0. The applicant will use Best Management Practices to minimize soil erosion.
15. Sewage Waste Disposal - On a motion by Hewlett, seconded by Jordan, standard is not applicable, 5-0. None proposed.
16. Hazardous, Special and Radioactive Materials - On a motion by Brown, seconded by Jordan, standard is not applicable, 5-0. No hazardous, flammable or explosive materials will be used for this project.
17. Financial/Technical Capacity - On a motion by Chase, seconded by Hewlett, standard has been met, 5-0. The applicant states he has the financial and technical capacity to complete the proposed project.
18. Shoreland Zone - On a motion by Hewlett, seconded by Jordan, standard is not applicable, 5-0. This project is not in the shoreland zone.
19. Flood Plain - On a motion by Brown, seconded by Jordan, standard is not applicable, 5-0. This project is not in the flood plain.
20. Lot Standards: On a motion by Brown, seconded by Jordan, standard has been met, 5-0. This proposed project complies with all lot standards.

The Planning Board has reviewed the 20 Performance Standards and they have been met. On a motion by Brown, seconded by Hewlett, it was voted 5-0 to approve the application based on the Site Plan Review Performance Standards.

b. Andrew and Amy Barstow – 880 Port Clyde Road, Map 102/Lot 088

Will Gartley from Gartley & Dorsky and the applicants were present. This is a pre-application meeting. The proposed project is to repair the Monhegan Boat Line pier, pier structure and sea wall located 880 Port Clyde Road. The Barstows' plan is to include the store and storage facility as part of the application. The property owner is A & B Rentals, LLC. Gartley said they have been working with Barstow for a while on some potential upgrades to the existing wooden pier, the access, the building and looking at how they are going to phase those things together. He said they are working with 2A architects, LLC out of Rockport on the building and on some of the flood plain issues.

Gartley said the building located by the pier is actually lower than the ground elevation. There is a drainage and water problem issues and there are a lot of rotten sills. Gartley said part of this building is on the ground and there's a slab on part of it. Some of it is over piles and some of it is over a wall. It moves in many different ways and directions, depending on what is happening and what time of year it is. Gartley said they are looking to get this sitting on a good foundation permanently but first need move forward on the wharf.

Gartley explained they want to work on the first section of the wharf itself, re-supporting it. He said there is some material underneath the wharf that does need to be replaced. This is a high traffic area in the summer. They have started the process with DEP and will be having a pre-application meeting with them on Thursday, November 15, 2018.

Gartley described the drawing and plans as shown on sheet C-1. He pointed out the outlined area in red as where they want to fill in and where there is an existing wall. He pointed out the existing seawall that goes diagonally under the building and pointed out the area that actually hangs out over piles and noted what is on grade and what is sitting on that wall. Gartley said it creates a strange framing situation for this section of the wharf because every member is a different varying condition and a different length; every piece is different.

Gartley said he has had a structural engineering team under the area working with Barstow on trying to figure what can be done. He said the bearing conditions are not great and they are proposing to put a bulk head wall on the outboard area (the red line area). Then they can put all of that portion on a solid support system. The rest of the wharf can continue to be just totally piled supported wood piles, wood beams and caps. He felt that can be upgraded easily. He said the really difficult area (because of the way the wall comes at such strange angles) is the part they want DEP approval for as quickly as possible, so they can start making those changes. Gartley said they will then follow up with the details on what the building is going to look like.

Jordan asked if they were going to replace the building. Gartley said ultimately, they do want to replace the building. Hewlett said you go (step) down into the building. Barstow said it floods on the real high tides like they had last winter. He said when he went to clean the building in the spring, there was seaweed in there and you could see the stuff that had floated around. Brackett asked what he meant by replace? "Are you talking literally removing it and putting in a new building?"

Gartley said, "That is the part that we are working on. Are we lifting it? Are we taking it down completely? What height are we at? How are we going to deal with the flood plain issues? That is why we have 2A architects working with our structural team to figure that out. That is why we are separating the permitting process because that part is a little more complicated and we are still working on it. But this piece we know what we want to do and it is pretty critical for them to try to get these repairs done as soon as they can."

Barstow said they are at the point where the infrastructure has to be repaired. He has to move forward and needs help with it. He said the company is growing and it has been growing. He said they need to make these improvements. He said he needs help negotiating the rules.

Chair Cox said DEP is particularly involved because this is filling in part of the port. Gartley said yes and they are going to have a little over 1,300 square feet of permanent impact, directed fill. He said it is going to be somewhat costly but they knew that going in. He said there is a lot of stone and rubble that has been put in (under) there in the past. Brackett asked if there was any fill put in when the original seawall was put in. Andy said there was a little bit. Brackett said he had been looking for permits but did not find any. Barstow thought it was three hundred sq. ft. at the most. Gartley said this area is shallow to bedrock. The piles don't go very deep in this area

but pile depth starts to get better as you go out; but that makes it really difficult to have this portion be supported on piles. He said it needs to be done to do it right. It becomes a real expense having to drill and socket every one of those and then there is a maintenance issue.

Gartley said since there is going to be a building partially on pier and partially on land, having this be a solid concrete wall will make it much better. Hewlett noted with all the vehicles and vehicle loads that drive across it, there is a lot of weight going across that section. Gartley said the transition where they go from land to the pier, gets a little bit of a dynamic load there, too. Gartley said it is a tough situation trying to fix something that has been put together in phases like this over a long period of time.

Chair Cox asked if Barstow had considered reconfiguring the parking and moving the building. Barstow thought the Port Clyde General Store would have quite a problem with them doing that because of the way the line runs. "It's at a very sharp angle." He said he did consider going back 5 feet to the north. Gartley thought moving the whole building back would really have an impact on the store. Barstow noted the store has an entryway through there.

Hewlett thought it is good to have the building where it is for safety purposes for people on the pier. Barstow said it did make the traffic go one way. Hewlett said she knew that Port Clyde citizens are very concerned about safety in that area. Barstow said he would like to have some of the foot traffic go through the building and down the dock.

Hewlett said, "Instead of having to walk all the around the building, if you can get them in the front and then go through, that would alleviate people trying to find the entrance to begin with. I think that we also have to consider this as a safety issue because there has been a lot of traffic studies and letters, etc., done about this."

Gartley said they will be going over the application with DEP on Thursday. They will do a lot of negotiating and hopefully will have a sense of what DEP is willing to give them for a permit. He said, "But either way, we are going to get a permit for something because it needs to happen."

Chair Cox asked the Board if an on-site visit was needed. Hewlett asked Gartley if the footprint was increasing and he said no. Hewlett noted that the underside is going to be drastically changed. Brown noted it is the part you can't see and Cox said which might be difficult to see unless they went at low tide. The Board reviewed the photos Gartley had. Hewlett thought the pictures would suffice and an on-site was not needed. Emerson agreed and felt for safety issues it would be better not to have people crawling around in the rubble under the wharf. Hewlett was concerned about people slipping and falling if there was an on-site visit. Emerson asked if this repair will affect Linda Bean's Dip Net. Barstow said it will not affect them at all.

The Planning Board waived the on-site visit based on the following. There will be an informational meeting for the Monhegan Boat Line wharf repair and new bulkhead construction. There will be a question and answer period, Gartley will enlarge photos and have them available, and Board members are concerned about public safety, as previously stated in the minutes.

Jordan asked if they could do the work without moving the building. Brackett thought they would have to do something with the building to get it up out of the way.

Barstow said he would really like to take the building down. Rip the slab up and cut it off to a certain point. Have a concrete wall built. Put in backfill and build a building. Cox asked if the building was torn down, how would that impact the building application. Hewlett asked about the setbacks. Barstow said he was only thinking about this and knew there were ordinances and he would need approval first. Chair Cox and Hewlett noted that if the building was torn down, there was no guarantee a building could go back on the wharf because of setback requirements.

Chase said, "But for this application, we don't need to know what he is doing with the building or not doing with the building. For this application, it is just simply for the bulkhead structure." Emerson thought the building might be grandfathered in but Brackett said they would have to meet the flood plain ordinance and thought this was a non-water dependent use. Gartley felt the ticket sales in the ticket office for the ferry constituted water dependent use. Brackett again asked about the elevation. "This building is below grade in back and I think it is barely above grade at the front. Are you going to have room to build your forms and do your filling without disturbing this building?" Gartley said probably not. That it would be a lot better to remove the building. Hewlett asked if they remove the building, did it have to go back 75' from the water? Chase said they did not need to get into that because they need to move forward with approval from the DEP. He said they are only approving the application as complete then having a public hearing set for two weeks from now.

Gartley: "The only reason we are separating this is because the DEP isn't going make the decision on the building. That is the Planning Board. DEP's issue is us filling below high water and that is the part we really want to start the process on." Gartley said he would like to get back to the Planning Board within a month with information on the building. Emerson did not want the Barstows to start the process of tearing down the building only to find they could not put the building back there.

Chair Cox asked Barstow what would happen if the wharf got totally approved all the way around but there just seemed to be no way the building could be put back in that spot? She asked if he would still do the wharf? Barstow said they have to do the wharf. They have to do something. They don't have the luxury of not doing anything as they are running a business.

Gartley said he has talked with 2A architects, gone through the ordinance and thought about what the building presentation would look like.

1. That there is a water dependent use and there is a lot of good reasons for having it close. Even the safety equipment they keep in there for the operations that are happening on the dock. You want those as close as you can.
2. The tickets, we want those as close as we can. I think we can make an argument to that but there is also the requirement to move it back to the greatest practical extent.

Gartley said their challenge is to bring the Planning Board a good case. Gartley said they are expecting to have the answers to the Planning Board's questions before they (Barstows) demolish the building.

Gartley said before DEP will accept their application as complete, they need to hold a public information meeting. CEO Brackett, the Board, Gartley and the applicant discussed holding a public meeting. Gartley said DEP would not be at the meeting but they would need proof one was held.

Chair Cox felt it made sense to hold the meeting in town at the town office since this is a community issue. Chair Cox said she wants to make the public aware that no decisions will be made at this meeting; it is purely informational.

An Informational Public Hearing is scheduled for November 29, 2018 at 7 p.m. at the town office. This meeting will be advertised and the abutters will be notified. Brackett will contact Gartley to discuss final wording of the notice and send Gartley a list of abutters for DEP to contact.

Discussion on Consultant for the Planning Board: CEO Brackett distributed a handout which listed consultants and facilitators from the Municipal Planning Assistance Program, Land Use Planning Consultants. Emerson asked if the Select Board discussed allowing the Planning Board to hire or not hire a consultant? Chair Cox said a formal request had not been made to the Select Board. Jordan said they heard that the Town Manager was not in favor of hiring a consultant. Chair Bates wondered if hiring a consultant would speed up the process and get the Planning Board what they needed. He said that was not clear.

Emerson said they had discussed that Jordan might be willing to do a lot of the work on the ordinances and wondered if he had changed his mind. Jordan said he would work on the ordinances but felt they would need help from someone who had been through the process to suggest alternatives they might not have considered. Letourneau suggested inviting someone from Rockport. Hewlett suggested they call Rockport or talk with Will Gartley. Emerson said it sounded like the Planning Board did not need a consultant just yet and Chair Cox agreed.

CEO Brackett found a book on Site Plan Review; A Guide to Developing a Site Plan System, written by the Maine State Planning Office. He had reviewed some of the information and it was good. He said the town does not have a lot of zoning so that is the reason St. George has a Site Plan Review ordinance. It was a basic trade off with the state.

There was no further business to come before the Board. At 7:56 p.m., a motion was made by Chase, seconded by Brown to adjourn the meeting and go into the sign ordinance workshop, 5-0.

Respectfully submitted,

Marguerite R. Wilson
Planning Board Recording Secretary

