

**St. George Planning Board
On-site Inspection
The Happy Clam
13 River Road
April 16, 2022– 9:00 a.m.**

The on-site visitation inspection began at 9:00 a.m. Planning Board members present were: Anne Cox, Chair; Mary K. Hewlett, Anne Cogger, Van Thompson, and Richard Moskowitz. (Jane Brown and Michael Jordan were absent.) Also present were: CEO Terry Brackett, Richard Bates, Greg Howland, William Reinhardt, Kristin and Dan Falla, Ben and Megan Falla, Michelle Gee, Barbara Saunders, Diane Speranza, Barbara Aras, Stephanie Smith, Jake Fongemie, Suzy Kane, Gayle Elfast, Joss Coggeshall, Mary Beth Dolan, Peggy Gillespie, David and Bonnie Percival, Carol and Marc Sanidas, Fred Morrill, Stephanie Smith, Arlene Sloat-Davis, Meg Rasmussen, Brian Higley, Ben and Judy Norton, Becky Delaney, Nancy Blake, Chris Caffrey, Ms. Capilano, Rick Smith, and several other attendees.

The applicant, Greg L. Howland d/b/a The Happy Clam, was present. Bill Reinhardt was present to assist in answering any technical questions. The application is to have an 8' x 24' food prep trailer on-site, add a 12' x 45' open deck onto the Outback Saloon, and add an attached 12' x 24' storage and sales building to The Happy Clam restaurant, and construct a 0.5-acre gravel parking area across Rt. 131 (M105-002).

Chair Cox: The purpose of this on-site visitation is to see the physical layout and conditions at The Happy Clam. There will be a Public Hearing at the Town Office on Tuesday, April 26, 2022, at 7 p.m. That will be the time to raise your questions and concerns. The Public Hearing will also be held by Zoom.

Greg Howland and Bill Reinhardt showed and explained where the additions would be done. Howland had staked out and flagged the location for the 12' x 24' storage and t-shirt sales building area, immediately on the side of The Happy Clam Restaurant.

Chair Cox: Tell us where the doors will be, and will the structure be connected to what is here?
Howland: Just a door in the back, a door in the front, and up off the ground a little bit.

An attendee asked if the building would match the sloped roofline of the restaurant. Howland stated yes. An attendee asked what kind of doors it would have and what was his exact plan for the structure. Howland stated the front door would be a double door with a ledge so people could go in and out, and the back door would "just be a door." Cox asked if there would be windows on the Outback Saloon side and Howland stated no, just in the doors. Cox asked if he would have electricity in the building and Howland stated yes, but not much just a couple of lights. Cox asked Howland to provide the Planning Board with a sketch of the elevations and to include what the elevation looked like, and how high the structure was going to be. Howland stated he could do that.

Attendee: Is that for storage?

Howland: Yes. It is just really storage. I need a place for my t-shirts, food, etc. There will be a room that people can walk in.

Attendee: So, it is more than storage. It is a store.

Howland: The storage is in the back. The whole place is a store, but the storage will be in the back for dry goods and the front will be for storage and t-shirt sales. The counter will be here in the front.

Attendee: There will be commerce. Somebody checking people out with t-shirts. (Howland: Yes.) Okay, so commerce is happening here, not storage.

Howland: They will be checking people out here or in the restaurant.

Cox: On his plan, he says t-shirt sales and storage and storage in the back, but it would be helpful to have the elevation height.

Chair Cox pointed out an area she believed to have elevation differences and asked if Howland would have steps going up to the building or would the structure be on grade. Howland stated it would be a step up and would match it to the restaurant's steps. An attendee asked if the structure would connect to the restaurant or would there be a pathway from the restaurant steps to the t-shirt building. Howland stated the structures would not be connected, and he would not be building a pathway.

Attendee: Are there any requirements for a propane tank being that close to a building?

Howland: Yes. It has to be 10 feet. You're right.

Hewlett: And that is on your plan?

Chair Cox: Not shown yet. Where the tank will eventually go is another issue.

Attendee: Any heating or cooling in this structure?

Howland: No, probably not other than a ceiling fan.

Attendee: Is that a cooling system that is coming out?

Howland: That is for the walk-in cooler. That whole building is a walk-in cooler.

The attendees and Board members observed the 8' x 24' food prep trailer and location.

Chair Cox: This is where you plan to have your food trailer and that is the food trailer?

(Howland: Yes.) What is your plan for the surface under it?

Howland: I have some gravel to put there.

Chair Cox: So, you are planning to have gravel coming down underneath. And on your plan, it is 20' from the property line?

Howland: It wouldn't have to be. It is a temporary structure. It is a mobile unit.

Chair Cox asked Howland to locate the property line, and she explained to the attendees that the blue rope represented the property line. An Attendee asked twice if the green trailer was permitted. Howland stated it for storage, it was a trailer, and it was supposed to be, it was on wheels. The Attendee thought it was right on the property line, and Howland stated it was pretty close. Chair Cox noted that the Planning Board would be looking into that, and requested it be marked as a trailer on the Site Plan. Cox stated the trailer had been there for a while. Hewlett stated the Board had never seen it. Cox stated that the Planning Board wanted to know what the plan was for the trailer and to document where the fuel tanks would be in relation to the trailer on the site plan.

Chair Cox: This food trailer is going to connect to the deck? (Howland: No.) Explain the plan for the deck. Howland pointed out where the deck would be built. Chair Cox noted it would be a 12' x 45' deck attached to the Outback Saloon structure. She asked what the triangular area on the sketch was. Howland pointed out what it was, and Chair Cox stated, "So, this plan is not

what you have laid out here. Okay. This plan shows an angled food trailer. You've got this shown at right angles."

Howland stated okay, he had staked it out, and he could move it.

Reinhardt: Originally, we understood the food trailer had to be 20' from the property line but it doesn't have to be, so we staked it out where he wants it. Originally, it was going to be set closer to the Outback Saloon and then have a little connecting deck, so that would incorporate the steps but that might change now because we've been told that he doesn't have to have a 20' setback on the food trailer.

Attendee: Why is that?

Reinhardt: Because it is mobile.

Attendee: Is it hooked up to the plumbing and sewage? (Reinhardt: Yes. Howland: Of course.)

Attendee: So, wouldn't that be part of the property?

Reinhardt: It is registered as a mobile vehicle and if he wanted to move it (he could).

Attendee: So, is it going to be moved in the winter, if it is mobile?

Reinhardt: It's mobile.

Chair Cox: How high will the deck be?

Howland: It will match that grade.

Chair Cox requested an elevation on the height of the deck, how people would access the deck, where the steps would be, and would there be a railing? She stated the plan should include the exact height of the deck, would it have railings, and a description of the railings. Howland stated okay.

Hewlett stated the Board needed the number of tables that would be on the deck, and Chair Cox asked if he planned to put all the picnic tables on the deck. Cox asked for a seating plan that included the number of seats. An attendee asked if the tables were out there last summer, and Howland stated yes. The attendee asked if that was where he served people last summer, and Howland stated, "Everywhere." Attendee's response, "Everywhere? Okay."

Chair Cox asked if people would be accessing the deck and the picnic tables from inside the building or from the outside (The Outback Saloon)? Howland stated, "From here (the door).

Chair Cox, "Just from here. They will be coming and going right here?" Howland stated yes.

Chair Cox, "Will there be steps on that end (parking lot side), and Howland stated no.

Moskowitz: Are you thinking about having an awning or anything similar to cover the top?

Howland: Some umbrellas.

Chair Cox: So, it will be just an open deck? (Howland: Um, hum.)

Attendee: What will the total seating capacity be?

Howland: We will have a total of 200 seats. (Chair Cox requested that be put on the site plan.)

Attendee: Will there be any music played out here?

Chair Cox: We are not getting into that.

Attendee: Did you say 200 seats or feet?

Chair Cox: 200 seats total.

Howland: Total. Not just out here. Total.

Chair Cox asked Howland to show the trees he had planted along the property line.

Chair Cox: They were to be evergreens. Attendee: And mature.

Howland: A lot of it changed when I put in Aussie trees. See that tree budding there? Those are bushy trees that grow really fast. I got a lot of trees that I have put in that have floated (are dead).

Chair Cox: Most of them have died.

Attendee: Were they replaced?

Attendee: This is a mosquito breeding ground.

Chair Cox: There are five and one-half living trees.

Howland pointed out several other trees he planted. Chair Cox explained that they were not evergreens. Howland, "Were they supposed to be?"

Chair Cox: Yes. Do you have trees on the other property line, too? (Howland: Yes.)

Chair Cox: Did you plant these pines?

Howland: Yes. I planted all of these.

Chair Cox: Alright. So, it looks like we've got two living trees.

Howland: You want evergreen trees or is that what you are talking about? Is that the type that you want?

Chair Cox: Arborvitae. I think they are readily available and do well in wet areas.

Attendee: You have put some trees here. Some of these are dead trees.

Howland: I put in a lot of trees, but the winter killed them. I'll put in more.

Attendee: How many more?

Chair Cox requested the plan include where Howland would be planting the trees because that was going to be very important; the Planning Board would need to see that. Howland stated okay.

Attendee: Are there bathroom facilities in the Outback Saloon?

Chair Cox: There are two restrooms in there. Correct? (Howland: Yes.) An Attendee: And that is all?

Attendee: Where does that all go? Into the septic, no doubt.

Chair Cox asked Howland to point out where the septic system was located.

Howland: That is the septic system up there and that is a pump station that goes up on a leach field on the hill. It's a huge system because it was once a laundromat.

Howland: There is a pump station that comes to here.

Chair Cox: To here and then from here it goes.

Howland: There is a holding tank.

Attendee: The leach field is behind that white building on the hill?

Howland: To the left of the building. There is a little ridge there. The pipe goes into that ridge and goes up that way and then cuts to the left and there is a big field up there.

Attendee: Where does your line go into your septic tank? Underground?

Howland: Yes. A 2" line to the pump. It is running during the pump.

Attendee: Because you have a pump in the tank, too?

Howland: Well, I do for the leach field.

Attendee: So, that goes up there in a 2" line?

Howland: The 2" goes to the first tank. There are actually three tanks up there. Then it goes to the second tank and then it goes to the third tank. There is a pump there and then a leach field up there for the water.

Attendee: That was installed for the laundromat? (Howland: Yes.)

Attendee: Or did you install that?

Howland: No. We installed this here.

Attendee: You are on town water, I am assuming. (Howland: Yes.)

Hewlett: Does the food prep trailer have an exhaust on it? Will it run 24/7 or just while you are cooking?

Howland: Just while cooking. They asked me for a decibel rating on it. I looked it up online and most of them run 65 to 75 decibels. I have a dB meter on my phone, and I hooked it up and it is 65 to 75 dB when you are 10' away from it.

Attendee: How high is that to the top of the exhaust?

Chair Cox: It looks about 8 feet to 10 feet off the ground. (Howland: Yes.)

Howland ran the exhaust fan so the attendees and Planning Board members could hear the decibel level of the exhaust fan.

Chair Cox: What is that to the left of the exhaust fan?

Howland: Air conditioner.

Chair Cox: The air conditioner will also emit noise as well.

Howland: It has a case around it, but it is just a camper air conditioner. Howland could not turn the air conditioner on as it was not hooked up.

Attendee: How old is this unit?

Howland: It is 1999. Well, the trailer is a 1999. I believe it was built in 2004.

Attendee: Back to the septic system. When you had to expand the plans to accommodate the changes you've made here, I assume those plans are on file or had to be passed by a Plumbing Inspector.

Howland: Absolutely.

Attendee: Who did the plumbing?

Reinhardt: Who did the plumbing for what?

Howland: Out of Union. I can't remember his name.

Attendee: He came here and gave you the certificate, but you worked on it too, didn't you?

Howland: Terry Brackett was the one who actually signed off on it.

The attendees and Planning Board then viewed the 0.5 acres for the proposed gravel parking lot located diagonally from The Happy Clam across Rt. 131.

Chair Cox to Howland: Explain the parking boundary areas on this lot.

Howland: Basically, the tree line.

Chair Cox: The whole cleared area? Up to the trees, on the other side of the debris and pine trees, then running along just this side of these standing trees?

Howland: It will run up to about that tree right there.

Chair Cox: Will there be parking on the other side of the lot?

Howland: Yes. Right now, there is a road over there by the property line.

Attendee: Is it measured with pins? (Reinhardt stated yes and pointed to the pins.)

Chair Cox: How many parking spaces?

Howland: Forty parking spaces.

Chair Cox: We just received this plan, and it will be part of the packet, but he has 20 parking spaces.

Attendee: Is the parking for passenger cars and trucks and not campers and RVs?

Reinhardt: This is for overflow parking.

Chair Cox: It looks like a standard, 10' x 20' passenger car space.

Chair Cox: Then you are planning to plant some trees along the property line?

Howland: Yes.

Attendee: Will this be paved?

Howland: No.

Chair Cox: What surface are you planning to have?

Howland: Gravel. (Chair Cox: Similar to what you have at The Clam.)

Attendee: These will not be marked parking spaces?

Howland: It will just be an open area.

Chair Cox: So, you don't know if people are going to park the way you have lined it up here?

Brackett: They could mark them because we have parking areas in town that are gravel and have lines have been painted on. So, he could mark them.

Howland: I just don't want anybody parking on the street, so this is what I am trying to do to eliminate the problem.

Attendee: Do you have to do anything to the water run-off on this site?

Howland: Not that I know of. That hole over there (pointing to the area) is the drainage for this property.

Attendee: In theory that would be more water going across the street. (Howland: Maybe.)

Attendee: There is a lot of ledge if you live over here.

Howland: Yes, this is all ledge. You put your foot in that water and you will hit ledge.

Attendee: Is this project commercial or is it residential?

Chair Cox: We don't have zoning in St. George other than Shoreland Zoning and this is not in the Shoreland Zone.

Attendee: Is there a grading plan? What is the grading?

Reinhardt: We will match what is here. Once you get the stumps out and the organic debris, the plan doesn't need a grading plan.

Chair Cox: Your plan will be then to cant the surface?

Reinhardt: Yes, towards his house. That drainage catch basin is state-owned and maintained. He has a culvert across the entrance which has an MDOT permit.

Attendee: Have any of the properties been delineated for wetlands?

Howland stated no. Chair Cox stated no. Hewlett stated not this property; the property across Rt. 131 had been.

Attendee: It's not delineated because we know it is not wetlands or it doesn't have to be delineated?

Chair Cox: It hasn't been delineated as a wetland. His property (The Happy Clam) across Rt. 131 has been.

Attendee: Has the work been done to see if it is a wetland or not? No? Okay.

Hewlett noted that Howland said he was going to plant trees and asked if he was planning to do a headlight buffer of some sort and also for the property across the road.

Attendee: Does this plan show pedestrian circulation?

Chair Cox: We have nothing yet on that, but we will be asking what the pedestrian flow will be.

Howland: I don't know whether DOT would have that information or require a permit. They sent me a permit for the parking lot.

Attendee: Did you file that permit with the town? They ask for it within five days.

Howland: I haven't gotten it yet in the mail, but I will.

An attendee asked if there would be a site visit when flags were staked so people could see the parking area and Chair Cox stated no (no other site visit).

Attendee: So, can the owner then walk it and show us where it would be?

Reinhardt: Where what would be? The parking lot?

Howland: The tree line.

Reinhardt: Twenty feet from this property line, which is roped, and everything all the way over to those trees.

Chair Cox: It is pretty much what has been cleared but some trees are staying.

Attendee: How many (vehicle) spaces?

Chair Cox: 40.

Attendee: Is the parking for four-wheel vehicles, like a car?

Chair Cox: These are spaces that are 10' x 20' for automobiles.

Attendee: And it would be limited to automobiles or trucks?

Attendee: But no campers are going to be allowed overnight?

Howland: We're not for campers. Maybe if somebody is in an RV.

Reinhardt: If someone wants to drive in an RV and wants to park here to go to a restaurant, they would be allowed to.

Attendee: Will there be lighting? (Howland: No.)

Hewlett: Have you thought about putting a porta-potty over here?

Attendee: Will an RV stay overnight?

Reinhardt: No, he said if an RV drove in and wanted to go to the restaurant or the Outback.

Attendee: But then they would leave that night?

Reinhardt: He doesn't plan any overnight parking.

Attendee: So, no overnight parking. It's prohibited.

Reinhardt: No. No.

Chair Cox: That is not an issue we are going to be dealing with right now, but he said that was his intent.

Reinhardt: It's his parking lot. If he wants to park somebody here overnight, I don't see any reason why he couldn't.

Chair Cox: I have a question about the road in.

Reinhardt: This is going to be sloped down.

Chair Cox: So, this area will be graded down? Are you planning to do anything to keep people from "booming" in and out?

Reinhardt: You have to have 20'-21' feet wide so the flare out will go to the power pole.

Chair Cox requested the site plan include information about the route in, the grading, and the flare.

Chair Cox asked how The Happy Clam customers/people would be accessing the restaurant and saloon from the parking area. Cox, "Are they going to come out here (end of the driveway) and wander diagonally across?" Howland stated people would walk across the street, as he didn't know how else they would do it. Chair Cox noted there were ways to direct people, and she asked, "They will just go however they want to go?"

Howland: Well, it is a 25 mph zone. I assume that everybody is going to be doing 25 mph like they always do, right?

There was no further discussion. Chair Cox reminded people who planned to attend by Zoom, to contact the town office and request the Zoom link. The on-site inspection ended at 9:50 a.m.

Respectfully submitted,

Marguerite R. Wilson
Planning Board Recording Secretary