

**St. George Planning Board Meeting
7PM at Town Office and via Zoom
May 23, 2023
Minutes**

The Planning Board Meeting was called to order at 7:02pm. Planning Board Members present were Chair Anne Cox, Richard Moskowitz, Michael B. Jordan, Jane Brown, Alison Briggs and Mary K. Hewlett. Also present was CEO Terry Brackett, Mike Felton, Jason Merriam, Evan Myers, Michelle Cyaing, Regan Myers, Amy Myers, Steve Smith, Kristin Falla, Gregg King, Kerri King, Will Gartley, Lauren Soutiea, and Wendy Carr.

Quorum:

A quorum was present. Cogger was absent and Briggs was elevated in her place.

Conflict of Interest:

There were no conflicts of interest.

Adjustments to the Agenda

Three items are added to the agenda:

1. Addition of minutes for the Site Plan Review for 261 Otis Point Rd., St. George
2. New Select Board liaison
3. Timing of next meeting

New Select Board Liaison

Chair Cox

Wendy Carr is our new liaison from the Select Board to the Planning Board. Good to see you here.

Timing of Next Meeting

Our next meeting is scheduled for June 13, 2023 but it's also a town election. Let's plan on rescheduling the meeting for Thursday the 15th.

Minutes

Hewlett moved to approve the April 25, 2023 Planning Board Meeting Minutes, as corrected, seconded by Briggs, and by a unanimous vote, the minutes were approved.

Jordan moved to approve the April 10, 2023 Public Hearing and On-Site Inspection, for 261 Otis Point Rd. Minutes, as written, seconded by Cogger, and by a 3-0 vote, the minutes were approved (only Chair Cox, Jordan and Briggs were present at the site visit).

Public Comments

There were no public comments.

The Gregg and Kerri King Trust – Piers and Shoreland Stabilization

Chair Cox

Has anything changed?

Will Gartley

Nothing has changed since we last met with the Planning Board or had the site walk. They are proposing three small sections of shoreline stabilization and a new 60' permanent fixed pier with an aluminum gangway and float.

Chair Cox

Does anybody have questions on the application?

Jordan

I have only one question. There is no entry in the lot coverage portion of the application. I believe there will be some addition to lot coverage. That is the portion of the pier that's over the land.

Will Gartley

That is over ledge and ledge doesn't count for lot coverage.

On a motion by Hewlett, seconded by Briggs, the Board found, by a 3-0 vote, that the application was complete, and the motion carried.

Chair Cox

This is in the Shoreland Zone, so we are using our old ordinance. For those who do not know, we are in transition. We have just approved a new ordinance, but the Shoreland Zone part must wait for state approval before we can use it.

15C of the Shoreland Zoning Ordinance, Piers, Docks, Wharfs Bridges

The Board made the following findings of fact:

1. **No more than one pier, dock or wharf is allowed on a single lot.** On a motion by Jordan, seconded by Hewlett, the Board found by a unanimous vote that only one pier is proposed.
2. **Access from shore shall be developed on soils appropriate for such use and constructed so as to control erosion.** On a motion made by Jordan, seconded by Hewlett, the Board found by a unanimous vote that the access is over ledge and the applicant has detailed plans on how they will use best management practices.
3. **The location shall not interfere with existing developed or natural beach areas.** On a motion made by Hewlett, seconded by Jordan, the Board found by a unanimous vote that this is not a developed or natural beach area.
4. **The facility shall be located so as to minimize adverse effects on fisheries.** On a motion made by Jordan, seconded by Hewlett, the Board found by a unanimous vote that the DEP found no adverse effects regarding nearby fisheries.
5. **The facility shall be no larger in dimension than necessary to carry on the activity and be consistent with the surrounding character and uses of the area. A temporary pier, dock or wharf in non-tidal waters shall not be wider than six feet for non-commercial uses.** On a motion made by Jordan, seconded by Hewlett, the Board found by a unanimous vote that a number of other similar piers of approximately the same length are in the surrounding area, the size is necessary to manage the tidal and incline issues, and it does not have to meet the six feet width requirement as it is in tidal waters.
6. **No new structure shall be built on, over or abutting a pier, wharf, dock or other structure extending beyond the normal high-water line of a water body or within a wetland unless the structure requires direct access to the water body or wetland as an operational necessity.** On a motion by Jordan, seconded by Hewlett, the Board found by a unanimous vote that no structures exist, and no new structures are proposed.
7. **New permanent piers and docks on non-tidal waters shall not be permitted unless it is clearly demonstrated to the Planning Board that a temporary pier or dock is not feasible, and a permit has been obtained from the Department of Environmental Protection, pursuant to the *Natural Resources Protection Act*.** On a motion by Jordan, seconded by Briggs, the Board found by a unanimous vote that the pier is in tidal water.

8. **No existing structures built on, over or abutting a pier, dock, wharf or other structure extending beyond the normal high-water line of a water body or within a wetland shall be converted to residential dwelling units in any district.** On a motion by Jordan, seconded by Hewlett, the Board found by a unanimous vote that no such structures exist, and no new structures are proposed.
9. **Except in the General Development Districts and Commercial Fisheries/Maritime Activities District, structures built on, over or abutting a pier, wharf, dock or other structure extending beyond the normal high-water line of a water body or within a wetland shall not exceed twenty (20) feet in height above the pier, wharf, dock or other structure.** On a motion by Jordan, seconded by Hewlett, the Board found by a unanimous vote that no such structures exist, and no new structures are proposed.
10. **Vegetation may be removed in excess of the standards in Section 15(P) of this ordinance in order to conduct shoreline stabilization of an eroding shoreline, provided that a permit is obtained from the Planning Board. Construction equipment must access the shoreline by barge when feasible as determined by the Planning Board.** On a motion by Hewlett, seconded by Briggs, the Board found by a unanimous vote that there is no vegetation that will be removed except for one small spruce that will be replanted, additional native species will be planted in areas where they are not removing any, and access to the project will be by water to the extent feasible.

On a motion by Jordan, seconded by Briggs, based on the foregoing findings of fact, the Planning Board concluded by unanimous vote that each of the requirements of section 15C of the Shoreland Zoning Ordinance either has been satisfied or is not applicable and therefore the application was approved.

Jordan

For the shoreland stabilization part of the application, we don't have jurisdiction for the current ordinance. We are limited to tree removal issues, to see that they are replaced. I just want to point out that part of paragraph ten doesn't apply. We will have a shoreline stabilization provision in the new land use ordinance once it is effective.

St. George School

Mike Felton

We spoke to you about this time last year. This is for the CTE Makerspace building. We're partnering with the Midcoast School of Technology to create a pre-K to 12th grade Career Technical Education CTE program and construct the CTE Makerspace building next to the school. We went through the entire process of raising over \$1.5 million, went out to bid and then the bids came back much higher than anticipated. We spent the winter working with Jason, our architect with a firm out of Portland,

recommended by one of the contractors in town, to help us value engineer and redesign the project to get the price down, and what we ended up doing was coming up with a much more simplified design that is closer to the school, and we were able to gain some square footage. But you'll see from the design that it's a much simpler design and one of the biggest costs was running utilities to the new building. That dramatically reduced costs and cut over a half a million dollars off the price. In the new building we will still have a shop space for woodworking, boat building, metalwork, 3d printers, laser cutters, CNC routers, robotics and sewing machines. It still has a classroom area, and we will retain all of our programming areas. It will be located adjacent to the lower parking lot near the main entrance, so when you come to the school, there will be more visuals. It also makes it easier for the K through 5th grade teachers to get their kids into the buildings, with shorter walks. It has been a lot of work this winter by our working group and we have Chip Bauer and Chris Leavitt, both contractors, who have become really involved. We're still very committed and doing fundraising. We're now at over \$1.8 million and have some good prospects for the future. I will let Jason go into the details of the project, where the building is going to be located, and what it's going to look like.

Jason Merriam

First, I want to show the existing plans. This is the corner of the building and the main entrance of the school. The school is going to get rid of (inaudible) and repave this whole area. The new building will be built into the slope. You will be able to see one whole story and two thirds of the lower level with the windows toward the southeast.

Chair Cox

Just out of curiosity, what are these rectangles on the drawing?

Jason Merriam

They are raised beds. They are easily removable. (Inaudible) We were able to retain the parking lot lighting. I believe that it's LEDs. We'll have parking lot lighting, new pavement, and a new parking lot layout. I just wanted to review that, so you get an idea where it is, just to make it a little clearer. The CTE building is roughly 30' by 104' and then the lower floor is two thirds of that. The upper floor has shop space, classroom space, and an elevator that goes to the bottom level, which is the makerspace area. Mike's crew found the septic system records; they finally found the design. The state record wasn't there. They tracked it down which is helpful. There are existing septic tanks that were there before the 1997 renovation.

Jason Merriam

There have been plans in the past about possibly adding on to the school. We felt like this location wouldn't prevent that. The new building is very simple. It has 10' high wood stud walls, a couple of overhead doors, a triple beam roof with the capability of having solar on one side and premanufactured wood trusses all the way across. The building should go up quickly and efficiently. (Inaudible) With how the economy is and simple things like getting materials down to the site, we regrouped quickly and

came up with a plan that still meets our needs and also provides a reasonable building schedule. The plan is to bid it out this summer.

Mike Felton

The goal would be to complete our fundraising this summer and to begin construction in the spring of 2024. There's been a lot of attention to this project. We've talked to legislators in Augusta, the US Congressional Delegation is starting to pay attention to the work we're doing, and the governor visited on Friday, just to see what's happening with this project and to see the work the town is doing regarding sea level rise. The work that we're doing is catching a lot of people's attention and it is a partnership with the Midcoast School of Technology to have an integrated program pre-K through 12th grade. They see the work that we're doing. We engage kids in their learning and also prepare them for jobs that are available right now in our economy that we're desperate for. Part of the reason the cost of this was so much more than we anticipated is that there are so few subcontractors out there. There aren't enough people in the trades to do the work and that's driving up the cost. The problem we're trying to solve, we ran into for this project.

Briggs

Do you have a picture of what it would look like from the side elevation?

Hewlett

Yes. There is one.

Jason Merriam

You wouldn't see the full building unless you're in the library parking lot looking back toward the school. The rest of it looks like a one-story building.

Hewlett

Are we addressing only the building right now and not the parking lot changes?

Chair Cox

I don't quite understand why we have two applications because it seems like the parking lot is part and parcel of the whole project.

Terry Brackett

We are doing the parking lot this summer. The applications came to me at different times.

Mike Felton

We're sort of breaking them apart because the parking lot is something we need to do regardless, and that's an issue separate from the CTE building, so even if we weren't building it, the parking lot would have to get done.

Hewlett

For the timeframe, will there be differences?

Mike Felton

Yes. Our goal would be to get the parking lot paved at the beginning of July.

Chair Cox

I have a question about the parking lot. Are you changing the footprint of the existing lot?

Hewlett

They are taking out the islands.

Mike Felton

We are not expanding it. (Inaudible) Right now, we have twenty-seven spaces and with our staff and parent volunteers, they often don't have a place to park and must park on the side of the grass. With the new design, we will go from twenty-seven to forty-seven spaces, so that will solve the problem. In addition, the parking lot was in pretty rough shape. This proposal is going to make over the center of the parking lot, where all the spaces are. Then, once the CTE Makerspace building is done, we will do the roadway. We don't want to do the roadway until the construction on the building is done. They're going to pave this whole central part where all the spaces are. The actual roadway isn't going to be paved, but they are going to patch it up when they pave.

Hewlett

Will the buses be able to turn even though you have those spaces on the bottom going across?

Mike Felton

Yes, they will have the same space essentially that they have now.

Chair Cox

Right now, let's just deal with the paving project, and then we'll go to the building.

Hewlett

Regarding the school, are the leased modulars located here?

Jason Merriam

It is shown on the existing plans.

Briggs

Is the modular staying?

Mike Felton

It is staying long term but not forever.

Chair Cox

One new requirement in our new ordinance for elementary and junior high schools is one parking space for each adult employee and fifteen parking spaces for each hundred students or major fraction thereof. How many employees are there?

Mike Felton

There are fifty employees and there's a car park behind the school as well.

Chair Cox

How many students are there?

Mike Felton

In the school there are two hundred and ten students.

Chair Cox

With that standard, all totaled, it would require eighty spaces. Do you think you'd have that with these forty-seven spaces?

Mike Felton

I would have to look behind the school. I think we are close, at the very least.

Chair Cox

It is in our new site plan ordinance here. I believe we also have some discretion.

Jordan

If we were starting from scratch, that might be an issue, but you are actually improving it. I do not think that is an obstacle.

Hewlett

Will the parking lot be striped?

Mike Felton

Yes.

On a motion by Hewlett, seconded by Brown, the Board found, by a unanimous vote, that the application was complete, in regard to the parking schematic, and the motion carried.

Chair Cox

I feel we all know the site and a site visit is not required for parking.

The Board agreed.

Section 1106(a) of the Land Use Ordinance

Review Standards for Parking Lot

1. Effect on the existing landscape. On a motion by Jordan, seconded by Brown, the Board found by a unanimous vote, that the proposed project will not increase the footprint of the parking lot and based on the applicant's agreement to an approval condition that the applicant will plant one tree in the general area to replace each tree that will be removed from the parking lot, the project will have no material effect on the appearance of the site.

2. Relation to the environment. On a motion by Jordan, seconded by Brown, the Board found by a unanimous vote, that based on the approval condition described in paragraph one, the project will not alter the character of the environment.

3. Vehicular access. On a motion by Jordan, seconded by Brown, the Board found, by a unanimous vote, that the project will not affect vehicular access to the site.

4. Emergency access. On a motion by Jordan, seconded by Brown, the Board found by a unanimous vote, that the project will not affect emergency access to the site.

5. Parking and pedestrian circulation. On a motion by Jordan, seconded by Briggs, the Board found by a unanimous vote, that the project will not affect pedestrian circulation, the project will substantially increase the number of parking spaces at the school and while it is uncertain whether the total number of spaces will comply with the requirements of section 1106(a)(5) of the Land Use Ordinance, the Board has concluded that this is not required in these circumstances.

6. Utilities. On a motion by Jordan, seconded by Briggs, the Board found by a unanimous vote that the project will make no use of the utilities specified in section 1106(a)(6) of the Land Use Ordinance.

7. Municipal services. On a motion by Jordan, seconded by Briggs, the Board found by a unanimous vote that the project will make no use of any of the municipal services specified in section 1106(a)(7) of the Land Use Ordinance.

8. Soil suitability. On a motion by Jordan, seconded by Briggs, the Board found by a unanimous vote that the soil is suitable for being paved to create additional parking spaces.

9. Air quality protection. On a motion by Jordan, seconded by Briggs, the Board found by a unanimous vote that the project will not generate significant air pollution.

10. Water supply. On a motion by Jordan, seconded by Briggs, the Board found by a unanimous vote that the project will not increase water usage on the property.

11. Water quality. On a motion by Jordan, seconded by Briggs, the Board found by a unanimous vote that the project will not generate water pollution.

12. Sewage waste disposal. On a motion by Jordan, seconded by Briggs, the Board found by a unanimous vote that the project will not generate additional sewage.

13. Groundwater protection. On a motion by Jordan, seconded by Briggs, the Board found by a unanimous vote that the project will not adversely affect either the quality or quantity of groundwater available to properties in the vicinity or to the Tenants Harbor Water District.

14. Surface water and stormwater drainage. On a motion by Jordan, seconded by Briggs, the Board found by a unanimous vote that the project will not significantly alter surface water drainage.

15. Erosion and Sedimentation Control. On a motion by Jordan, seconded by Briggs, the Board found by a unanimous vote that the project does not involve filling, grading, excavation, or other similar activities that are likely to result in nonstable soil conditions.

16. Special features. On a motion by Jordan, seconded by Briggs, the Board found by a unanimous vote that none of the special features listed in section 1106(a)(16) of the Land Use Ordinance are proposed.

17. Hours of Operation. On a motion by Jordan, seconded by Hewlett, the Board found by a unanimous vote that the proposed hours of operation of 8:00 a.m. to 8 p.m., seven days a week will not significantly interfere with other land uses in the vicinity.

18. Advertising features (signs). On a motion by Jordan, seconded by Brown, the Board found by a unanimous vote that no signage that requires review under the Land Use Ordinance is proposed.

19. Exterior lighting. On a motion by Jordan, seconded by Brown, the Board found by a unanimous vote that no additional exterior lighting is proposed. One existing light pole in the area to be paved may be relocated to facilitate parking, and it will continue to be downshielded.

20. Hazardous and radioactive materials. On a motion by Jordan, seconded by Hewlett, the Board found by a unanimous vote that the project will not involve materials of the kinds specified in section 1106(a)(20) of the Land Use Ordinance.

21. Mineral extraction. On a motion by Jordan, seconded by Hewlett, the Board found by a unanimous vote that no mineral extraction is proposed.

22. Accommodation of persons with disabilities. On a motion by Jordan, seconded by Brown, the Board found by a unanimous vote that the applicant has advised the Planning Board that the number and configuration of handicapped parking spaces will be consistent with the laws specified in section 1106(a)(22) of the Land Use Ordinance.

23. Campgrounds. On a motion by Jordan, seconded by Brown, the Board found by a unanimous vote that no campground is proposed.

24. Mobile home parks. On a motion by Jordan, seconded by Brown, the Board found by a unanimous vote that no mobile home park is proposed.

25. Financial and technical capacity. On a motion by Jordan, seconded by Briggs, the Board found by a unanimous vote that based on the applicant's representation, the applicant has the financial and technical capacity to carry out the project.

26. Shoreland zone. On a motion by Jordan, seconded by Briggs, the Board found by a unanimous vote that the site plan reflects that a small portion of the existing parking lot is located within a resource protection district in the shoreland zone, and the parking lot is not being expanded further into the shoreland zone, and it is sufficiently distant that the project will not adversely affect the quality of Ripley Creek or its shoreline.

27. Floodplain compliance. On a motion by Jordan, seconded by Briggs, the Board found by a unanimous vote that the site is not located in a floodplain.

28. Lot standards. On a motion by Jordan, seconded by Briggs, the Board found by a unanimous vote that the project will not expand the parking lot further into the shoreland zone, and it otherwise complies with the setback, lot-coverage, and building-height requirements of the Land Use Ordinance and the Shoreland Zoning Ordinance.

On a motion by Jordan, seconded by Brown, the Board found by a unanimous vote to approve the parking lot application.

On a motion by Jordan, seconded by Briggs, the Board found, by a unanimous vote, that the application was complete, in regard to the CTE Makerspace building, and the motion carried.

Section 1106(a) of the Land Use Ordinance

Review Standards for CTE Makerspace Building

- 1. Effect on the existing landscape.** On a motion by Jordan, seconded by Hewlett, the Board found by a unanimous vote that the proposed project will require little or no removal of vegetation or additional landscaping.
- 2. Relation to the environment.** On a motion by Jordan, seconded by Hewlett, the Board found by a unanimous vote that the new building is consistent with the existing structures and will not alter the character of the environment.
- 3. Vehicular access.** On a motion by Jordan, seconded by Hewlett, the Board found by a unanimous vote that the project will not affect vehicular access to the site.
- 4. Emergency access.** On a motion by Jordan, seconded by Hewlett, the Board found by a unanimous vote that the project will not affect emergency access to the site.
- 5. Parking and pedestrian circulation.** On a motion by Jordan, seconded by Hewlett, the Board found by a unanimous vote that the project will result in little or no increase of vehicle traffic and parking requirements during school hours; at other times, the existing parking lot, as modified pursuant to a separate application approved by the Planning Board on May 23, 2023, will be sufficient, and the project will not affect pedestrian circulation.
- 6. Utilities.** On a motion by Jordan, seconded by Hewlett, the Board found by a unanimous vote that the project will not impose an unreasonable burden on the Tenants Harbor Water District.
- 7. Municipal services.** On a motion by Jordan, seconded by Hewlett, the Board found by a unanimous vote that the project may result in a minor increase in traffic outside of school hours but will not have an unreasonable adverse effect on any of the municipal services specified in section 1106(a)(7) of the Land Use Ordinance.
- 8. Soil suitability.** On a motion by Jordan, seconded by Brown, the Board found by a unanimous vote that the soil is suitable for the construction of the proposed building.
- 9. Air quality protection.** On a motion by Jordan, seconded by Hewlett, the Board found by a unanimous vote that the project will not generate significant air pollution.

10. Water supply. On a motion by Jordan, seconded by Hewlett, the Board found by a unanimous vote that the project will be able to satisfy its water needs from its existing connection without causing an unreasonable burden on the Tenants Harbor Water District.

11. Water quality. On a motion by Jordan, seconded by Hewlett, the Board found by a unanimous vote that the project will not generate significant water pollution.

12. Sewage waste disposal. On a motion by Jordan, seconded by Briggs, the Board found by a unanimous vote that the Local Plumbing Inspector has advised the Planning Board that it is likely the existing septic system has adequate capacity for the additional wastewater to be generated by the project, the Maine Department of Health and Human Services is reviewing the matter, and the applicant has agreed to a condition for approval of the application that the Local Plumbing Inspector shall have received written confirmation to that effect from the department.

13. Groundwater protection. On a motion by Jordan, seconded by Hewlett, the Board found by a unanimous vote that the project will not adversely affect either the quality or quantity of groundwater available to properties in the vicinity or to the Tenants Harbor Water District.

14. Surface water and stormwater drainage. On a motion by Jordan, seconded by Brown, the Board found by a unanimous vote that the project will not significantly alter surface water drainage.

15. Erosion and Sedimentation Control. On a motion by Jordan, seconded by Brown, the Board found by a unanimous vote that the project includes the installation of riprap on the steeper positions of the grade to the west of the new building sufficient to prevent significant erosion and sedimentation.

16. Special features. On a motion by Jordan, seconded by Hewlett, the Board found by a unanimous vote that none of the special features listed in section 1106(a)(16) of the Land Use Ordinance are proposed.

17. Hours of Operation. On a motion by Jordan, seconded by Hewlett, the Board found by a unanimous vote that the proposed hours of operation of 8am to 8 pm, seven days a week, will not significantly interfere with other land uses in the vicinity.

18. Advertising features (signs). On a motion by Jordan, seconded by Briggs, the Board found by a unanimous vote that no signage has been proposed, and the applicant has been advised that if it later decides to place signage, it may need a permit under chapter 17 of the Land Use Ordinance and should consult with the Code Enforcement Officer before placing signage.

19. Exterior lighting. On a motion by Jordan, seconded by Briggs, the Board found by a unanimous vote that no additional exterior lighting is proposed.

20. Hazardous and radioactive materials. On a motion by Jordan, seconded by Hewlett, the Board found by a unanimous vote that the project will not involve materials of the kinds specified in section 1106(a)(20) of the Land Use Ordinance.

21. Mineral extraction. On a motion by Jordan, seconded by Hewlett, the Board found by a unanimous vote that no mineral extraction is proposed.

22. Accommodation of persons with disabilities. On a motion by Jordan, seconded by Hewlett, the Board found by a unanimous vote that the applicant has advised the Planning Board that the building will be consistent with the laws specified in section 1106(a)(22) of the Land Use Ordinance.

23. Campgrounds. On a motion by Jordan, seconded by Hewlett, the Board found by a unanimous vote that no campground is proposed.

24. Mobile home parks. On a motion by Jordan, seconded by Hewlett, the Board found by a unanimous vote that no mobile home park is proposed.

25. Financial and technical capacity. On a motion by Jordan, seconded by Briggs, the Board found by a unanimous vote that based on the applicant's representation, the applicant has the financial capacity to carry out the project, and will engage a contractor with the technical capacity to do so.

26. Shoreland zone. On a motion by Jordan, seconded by Hewlett, the Board found by a unanimous vote that the construction site is not located in the Shoreland Zone.

27. Floodplain compliance. On a motion by Jordan, seconded by Hewlett, the Board found by a unanimous vote that the construction site is not located in a floodplain.

28. Lot standards. On a motion by Jordan, seconded by Hewlett, the Board found by a unanimous vote that the project complies with the setback, lot-coverage, and building-height requirements of the Land Use Ordinance.

On a motion by Jordan, seconded by Briggs, the Board found by a unanimous vote to approve the CTE Makerspace Building application with the conditional requirement to replace any vegetation removed and the final certainty about the adequacy of the septic system.

Smith Family – Pier Top Replacement - 19 Faraway Lane – Map 216 - 027

Steve Smith

I'm representing my family. The December storm destroyed the structure. It has a 60-foot walkway which has to be replaced.

Hewlett

The old pier shows that there is a light at the end of the pier. Are you going to put electricity out there?

Steve Smith

There has always been power.

Hewlett

It looks like because of the storm damage you are raising it from 9.4' to 11.5'.

Steve Smith

I'm not raising it. It's the existing elevation.

Terry Brackett

At one point you were going to raise it, but you changed your mind, I believe.

Steve Smith

Yes. Under this permit by rule, we cannot change the elevation. In a year or two, we will probably file a new application to jack up the walkway to an elevation to accommodate the storm surge information, but we're not doing that at this time.

Hewlett

Are you only going to level the existing granite cribbing, add concrete on top and fill the holes?

Steve Smith

Yes. Some granite was displaced during the storm, so we will fill that area.

Hewlett

Will that work be done via barge?

Steve Smith

With both a crane from the shore and a barge.

Chair Cox

Who owns the property. It is a little confusing.

Steve Smith

My family. There are fourteen owners, and we all have easements to the pier. We have eight cross easements across each other's property to get to the pier.

Jordan

Is the property that the pier is located on owned by Mr. Love?

Steve Smith

It's split between my cousin, Andrew, and his nephew, Bruce Robertson. The property line runs down the middle.

Jordan

We are sort of used to having the applicant be the owner of the property.

Steve Smith

I do own the pier. I have a fee simple interest in the ownership of the structure that we're replacing. You can think of this as a subdivision. It's no different than a subdivision.

Jordan

I don't think you want us to think of it as a subdivision.

Terry Brackett

The property tax records show the percentages of ownership.

Steve Smith

This is an interesting question. If a hurricane blows off the asphalt shingles on your roof, do you have to come to the Planning Board to replace your asphalt shingles if it's more than \$10,000? Basically, we've had a storm that destroyed our property, and now we're having to get permission to replace what we already owned and established. I find it interesting that you'd have to go through a Planning Board process to replace damage due to a storm.

Jordan

Under the old ordinances, you probably had to, but under the new ordinance, you do not. But if you are in the Shoreland Zone, which you are, that part of the new ordinance does not become effective for about another month and a half, because it is under review at the state level. Also, there are specific provisions about piers in the Shoreland Zoning Ordinance and those are mandatory.

Chair Cox

Also, you have to do a permit by rule for replacing the pier exactly as it was.

Steve Smith

If you're in the Shoreland Zone, and the shingles blow off your house, under the new ordinance, do you have to come to the Planning Board?

Jordan

Not once those provisions are effective; they will be effective in a little while, but they are under review at the State level at this point. Piers are different. That is a change we made in the new ordinance.

Chair Cox

Terry, can you do that on the official copy?

Brackett

I can.

Jordan

I have a question on the Corps of Engineers issue. There is an email from somebody there at the Corps of Engineers, and he wrote back and said we can entertain a proposal to replace the deck at a higher elevation. But you are not doing that now.

Steve Smith

We had a conflict between the Corps of Engineers and the DEP, and we were trying to get an agreement that instead of jacking up the walkway whenever we come up with a new plan to expedite that. The Corps of Engineers and the DEP were in agreement, and under the permit by rule, we have to maintain the exact footprint, so we are going to stay with the existing elevation and do that later.

Jordan

I do not know much about the Corps of Engineers. If they are not changing the elevation, do they not need approval? Do you just notify them?

Terry Brackett

I do not know that for sure.

Jordan

It looks to me from the email exchange that the only reason they were going to have to consider the application was because at that point it was going to be raised and now it is not going to be. I guess this is sufficient.

Terry Brackett

It would not affect navigation because nothing has changed.

Steve Smith

Technically we don't have to raise it. It's one-hundred years old, and obviously we're all dealing with the changes of the storm surge. It makes sense but it is not a requirement.

Hewlett

I would add to the project description that it will have electricity at the end of the pier.

Chair Cox

It already has it.

Hewlett

There is no pier there right now.

Steve Smith

We are just replacing exactly what was there.

Hewlett

Exactly. But most of the time we do not see electricity on piers.

Steve Smith

We use it for lighting up the ramp at night. It has motion detection. If someone is going in and out of a boat, it is just a safety issue.

Hewlett

I think it is a great idea. Will it be down shielded?

Steve Smith

Yes.

On a motion by Hewlett, seconded by Briggs, the Board found, by a unanimous vote, that the application was complete, and the motion carried.

Chair Cox

When we have permitted pier replacements, and there have been quite a few storm damaged piers that have come before us, we have not felt we needed to do a site visit because it is just replacing what is there. Do we need to go through all the requirements?

On a motion by Jordan, seconded by Briggs, the Board found by a unanimous vote to approve the pier application on the basis that there would be no change in the footprint, the size or other aspects.

Greg Soutiea – 10' x 10' Goat Enclosure, Caignar Inn – 5 3rd St., Map 106 – Lot 016

Lauren Soutiea

We are looking to build a 10' by 10' structure to house goats. We are having them for personal use because they are cute and last year, we stayed at a hotel that had goats on site for agritourism. We are also planning to entertain the guests. They will be leash trained.

Chair Cox

Looking at the application here, you have a drawing of where it is, but it is missing a few pieces. It is increasing your lot coverage a bit. On your application, you haven't said what your current lot coverage is, but we have information from previous applications.

Jordan

It is .3%. It's not really an issue but it should be correct.

Chair Cox

So maybe we just say +.3% is being proposed. What are you going to do about manure?

Lauren Soutiea

It will be cleaned every ten days. We're not going to use the method where you leave it there. We are going to clean it out all summer long.

Chair Cox

What will you do with it?

Lauren Soutiea

We will dispose of it.

Hewlett

Are you going to take it to the transfer station?

Lauren Soutiea

That is a good question.

Speaker?

We will talk to the gardener that comes to the property to see if we can compost it.

Lauren Soutiea

We could probably put it down on our compost.

Hewlett

Where is your compost?

Lauren Soutiea

We have a hand turned composter with pitchforks. It's about the structure though and not about the goats.

Chair Cox

It is about the structure, the waste, and all the attendant things because it is a change in the use that you have going on.

Hewlett

Do they make a lot of noise?

Lauren Soutiea

I have been told they will do that when they are being fed once or twice a day.

Alison Briggs

Is there a separate structure for water for them?

Lauren Soutiea

It's really close to one of our exterior spigots. The hose is really close to where the goat structure is going to be. We'll just hold the hose over and fill up the water.

Alison Briggs

In a trough?

Lauren Soutiea

Exactly.

Chair Cox

Is the fenced-in area you are showing where the goats are going to be?

Lauren Soutiea

Yes.

Chair Cox

They are not going to be free range goats?

Lauren Soutiea

They will not be. They will be fenced.

Speaker?

Do these goats have an odor?

Lauren Soutiea

Not too much of an odor and we've been told that we can put lime down. It shouldn't be an issue. They are small little pellets. When we went to visit the farm, we were on the ground and there was no odor and they had probably fifty goats.

Chair Cox

You should know that we have received a letter from somebody who is objecting.

Hewlett

Did you get a copy of it?

Lauren Soutiea

No.

Chair Cox

This was just handed out.

Jordan

We have not read it.

Chair Cox

I thought we would read it but before we do that, we need to determine if we have enough information to decide if the application is complete.

Jordan

There is one thing that is not covered in the application and that is the distance from the water.

Lauren Soutiea

It is where the employees park so it's parallel to the kitchen and restaurant.

Terry Brackett

There are two issues here. One is drainage water that runs immediately by this area in the fenced-in area. The other issue is the (inaudible) which was a couple of hundred feet away.

Jordan

More than seventy-five feet.

Terry Brackett

That is more than seventy-five feet, but the drainage area is right beside it.

Hewlett

It has not been delineated on this plan, but it is open drainage, and you can see water in it.

Terry Brackett

I tried to take some pictures of it but (inaudible).

Hewlett

I know when you walk to Clark Island, there is water always trickling down on their property, right down into the Cove.

Chair Cox

Right by the side of the property where the goats are. On the hand drawn plan, does the water come through the staff parking area?

Lauren Soutiea

It's coming all the way up from the neighborhood, underneath our parking lots.

Chair Cox

Does it come up to the ground at the fenced in area.

Speaker?

It goes underneath the property; there's nothing draining on the property. It is a culvert from the road. Do you have the water test results back. That would help with this conversation.

Chair Cox

What we are worried about is runoff and manure and the possible pollutants from that.

Lauren Soutiea

That's where this kind of comes in because we know that the water even before it hits our property is not to code. We've reported this and nobody has done anything.

Hewlett

Have we ever approved this staff parking area?

Jordan

It's always been there. They have not made any changes.

Chair Cox

Do we have other questions?

Jordan

Terry took some pictures, and you cannot tell much because there is a lot of vegetation, but these were taken in the area that is before the culvert. You saw water there.

Terry Brackett

No, I did not. I took some pictures but did not see water but that was when they were not issuing burn permits because it was so dry.

Jordan

It is not necessarily the case just because you're used to seeing water flowing down there. That is water that would originate with the goats or that would cross that area. You were asking about a site visit?

Chair Cox

Yes. Do we need to do a site visit just because of these questions about run off and drainage, and the fact that we have received this letter from a neighbor who is concerned? When we do a site visit, the neighbors are notified and they can attend. Then we have a public hearing so we can hear what their concerns are.

Jordan

I think we need to have a real plan about the disposal of goat waste.

Lauren Soutiea

We could do the method where you leave it and it composts itself, and then I wouldn't have to dispose of it anywhere.

Jordan

If you are going to leave it there, then we have to think about how that affects the rest of the area, including where it goes when there is rain.

Lauren Soutiea

That is only in the shed.

Jordan

That affects the rest of the area.

Chair Cox

A concern all the way around is the Shoreland Zone. Even if the water is already contaminated, we do not want to add more contaminants to it. If you have a very clear plan, and there are experts who say this is not going to be a problem and that this is the way to deal with your manure, show that to us.

Briggs

Currently, your property is being used as an inn and a restaurant, right?

Lauren Soutiea

Yes.

Briggs

And you currently don't have any livestock on your property?

Lauren Soutiea

No.

Hewlett

Where is your well on this diagram?

Lauren Soutiea

Our well is not on that diagram.

Hewlett

Is it out by the other structure?

Lauren Soutiea

It is. It is over by the vestry building.

Hewlett

We also need to know where the neighbor's well is located.

Chair Cox

We definitely need a site visit.

Hewlett

We need some details to confirm the number and whatever kind of goats they are.

Lauren Soutiea

They are Nigerian Dwarf goats.

Hewlett

We need to know how much waste they produce.

Chair Cox

We need a waste management plan including what research you have done. Talk to Noah. What do you all think about the possibility of a site visit on Tuesday, June 6th in the evening at five o'clock.

Terry Brackett

I think it is questionable if we can get a notice in the paper on time, because Monday is a holiday.

Chair Cox

Let's say five o'clock Thursday, June 8th.

Hewlett

If you can just mark the location of the shed with stakes that would be great and give us a general idea of where the fencing is going to go. That would be helpful.

Terry Brackett

Will the public hearing be on June 15th?

Chair Cox

Yes.

Regan Myers – Band of Buoys – 3 Juniper St., Map 104 – Lot 083

Chair Cox

You have been very patient. Come tell us about the band of buoys.

Regan Myers

We submitted an application to Terry. On our last visit, we discussed what the structure is. I think it was important for us to clarify how the display is viewed by us, which is really more of an art display, a display of our local fishermen's buoys, not to be seen as a monument to the MLA or the organization that we plan to have a fundraiser for, separate from this structure. I did fill out the application and thank Terry for being nice, and polite in his response that I did my best. We conferred with Nick Bower and Eben Meyers from Harbor Builders who helped us figure out the most important thing, which is fixing it, not in a permanent way, but in a semi-permanent way, so that the structure doesn't topple over from wind or weather. We have moved toward using a tent tie on the corner. It would go down about a foot and be affixed to the corners of the structure. We went through the site review requirement standards and some things that we hadn't really thought of, but we now have permission for, such as number three and number five for parking. We have discussed with St. George Holding, who has 47 Main Street.

They have a parking lot accessible from Juniper, and they've agreed to share it should people want to park to walk over and view it. I think it would be good for everybody to imagine it to be similar to the St. George dragon. It will draw attention if people are out walking by. If they happen to be in a car, they have the option of parking at 47 Main St. or here, at the town office or the town landing. There will be no signage. Obviously, nothing to do with the fundraiser or the MLA organization. It is only going to list the lobstermen whose buoys are displayed, the name of their boats, where they fish out of, and whether they're generational, and that's it. We don't really feel like a sign is needed. We think it will be pretty enough to investigate, and then once you investigate it, you'll be able to pick out the buoy and find whose it is. No signage and no lighting are needed, and we don't want to draw attention to it at night for people to vandalize. Hours of operation, we feel is not applicable either.

Chair Cox

Your property information shows that it is 80 square feet.

Regan Myers

I have absolutely no technical know-how nor any background in construction, so I don't know.

Chair Cox

If it is 6' by 6', that would be 36 sq ft.

Regan Myers

At that time, we really didn't know what it was going to look like. The size was dependent on the number of buoys and we think we are going to get enough to fill it.

Chair Cox

An important thing you are missing, but I think we can address it, are the setbacks from the road.

Regan Myers

We measured that. I made sure that we were no less than 50' from Main St. and we're more from Juniper St.

Speaker

I think it was 36' from the sidewalk and 50' from Juniper St.

Hewlett

We can add that to the application.

Hewlett

How about the neighbor?

Regan Myers

I didn't measure from her fence, but it is more than from Juniper St.

Chair Cox

More than 25'.

Hewlett

Has the town given you permission to put it up?

Regan Myers

The Select Board has.

Chair Cox

Are there any other questions we need for the application to deem it complete?

Jordan

My calculation for lot coverage is 3.5%.

On a motion by Hewlett, seconded by Jordan, the Board found, by a unanimous vote, that the application was complete, and the motion carried.

Hewlett

It is not commercial.

Jordan

It is nonresidential. It is subject to (inaudible).

Section 1106(a) of the Land Use Ordinance

Review Standards for Band of Buoys

1. Effect on the existing landscape. On a motion by Jordan, seconded by Hewlett, the Board found by a unanimous vote that the proposed project appears attractive and will not have an adverse effect on the visual environment.

2. Relation to the environment. On a motion by Jordan, seconded by Hewlett, the Board found by a unanimous vote that the proposed project appears attractive and will not have an adverse effect on the visual environment.

3. Vehicular access. On a motion by Jordan, seconded by Hewlett, the Board found by a unanimous vote that there is no reason to access the property by vehicle.

4. Emergency access. On a motion by Jordan, seconded by Hewlett, the Board found by a unanimous vote that emergency vehicles can work from the street and need not access the property.

5. Parking and pedestrian circulation. On a motion by Jordan, seconded by Hewlett, the Board found by a unanimous vote that the applicants have stated that parking in the 247-building parking lot will be allowed.

6. Utilities. On a motion by Jordan, seconded by Brown, the Board found by a unanimous vote that there will not be any use of the water district or the other listed municipal services.

7. Municipal services. On a motion by Jordan, seconded by Brown, the Board found by a unanimous vote that there will not be any use of the water district or the other listed municipal services.

8. Soil suitability. On a motion by Jordan, seconded by Briggs, the Board found by a unanimous vote that the structure is not going to have any effect on soil suitability.

9. Air quality protection. On a motion by Jordan, seconded by Briggs, the Board found by a unanimous vote that the structure is not going to have any effect on air quality protection.

10. Water supply. On a motion by Jordan, seconded by Briggs, the Board found by a unanimous vote that the structure is not going to have any effect on water supply.

11. Water quality. On a motion by Jordan, seconded by Briggs, the Board found by a unanimous vote that the structure is not going to have any effect on water quality.

12. Sewage waste disposal. On a motion by Jordan, seconded by Briggs, the Board found by a unanimous vote that the structure is not going to have any effect on sewage waste disposal.

13. Groundwater protection. On a motion by Jordan, seconded by Briggs, the Board found by a unanimous vote that the structure is not going to have any effect on groundwater protection.

14. Surface water and stormwater drainage. On a motion by Jordan, seconded by Briggs, the Board found by a unanimous vote that the structure is not going to have any effect on surface water and stormwater drainage.

15. Erosion and Sedimentation Control. On a motion by Jordan, seconded by Briggs, the Board found by a unanimous vote that the structure is not going to have any effect on erosion and sedimentation control.

16. Special features. On a motion by Jordan, seconded by Hewlett, the Board found by a unanimous vote that none of the special features listed in section 1106(a)(16) of the Land Use Ordinance are proposed.

17. Hours of Operation. On a motion by Jordan, seconded by Briggs, the Board found by a unanimous vote that no hours of operation are proposed.

18. Advertising features (signs). On a motion by Jordan, seconded by Briggs, the Board found by a unanimous vote that the standard is not applicable because no signs are proposed.

19. Exterior lighting. On a motion by Jordan, seconded by Briggs, the Board found by a unanimous vote that the standard is not applicable.

20. Hazardous and radioactive materials. On a motion by Jordan, seconded by Briggs, the Board found by a unanimous vote that the standard is not applicable.

21. Accommodation of persons with disabilities. On a motion by Jordan, seconded by Briggs, the Board found by a unanimous vote that no such facilities are proposed.

22. Mineral extraction. On a motion by Jordan, seconded by Hewlett, the Board found by a unanimous vote that no mineral extraction is proposed.

23. Campgrounds. On a motion by Jordan, seconded by Hewlett, the Board found by a unanimous vote that no campground is proposed.

24. Mobile home parks. On a motion by Jordan, seconded by Hewlett, the Board found by a unanimous vote that no mobile home park is proposed.

25. Financial and technical capacity. On a motion by Jordan, seconded by Hewlett, the Board found by a unanimous vote that the requirements have been met based on the applicant's representation.

26. Shoreland zone. On a motion by Jordan, seconded by Briggs, the Board found by a unanimous vote that the construction site is not located in the Shoreland Zone.

27. Floodplain compliance. On a motion by Jordan, seconded by Briggs, the Board found by a unanimous vote that the construction site is not located in a floodplain.

28. Lot standards. On a motion by Jordan, seconded by Hewlett, the Board found by a unanimous vote that the applicant has stated all setback requirements, lot-coverage, and building-height requirements of the Land Use Ordinance meet requirements.

On a motion by Hewlett, seconded by Brown, the Board found by a unanimous vote to approve the Band of Buoys application and authorized the Chair to sign on behalf of the Board.

Cooks Cove Port Clyde LLC – Foundation Under Structure 78 Horse Point Rd. Map 102, Lot 040

Will Gartley

The building use is residential, and it's basically sitting on a wall of riprap with stabilized rocks that are right at the water's edge. The support for it has deteriorated over the last few years, and so they're looking to put a foundation under the building. To do this, we need to get permits from the DEP and from the Army Corps to rebuild those retaining walls. We're going to need a floodplain permit from the town because the building is in an AE11 zone. The first floor right now is at 8.83' or something close to that, so it needs to be raised so that we get above that flood elevation. This isn't much of a lot, and clearly nonconforming. As a non-conforming structure, if we raise it and put a foundation under it, the Planning Board needs to determine that we moved it back to the greatest practical extent. With all that, I was trying to figure out what comes first, and figured I probably should start with making sure that you are in agreement that we can put a foundation under it, and then we'll move forward with going to the DEP. The final step would be to come back for the floodplain and provide the foundation design. Our intent is to not have what is going to be the new seawall, be the foundation for the building. I'd like to place a concrete footing cross wall. This already has a wood floor. I wanted to leave a crawlspace under the building, but that crawlspace will still be under the floodplain, so we need to have a way for water that gets in to get back out. That design is a little bit complicated, but it's not too bad. We've certainly done worse.

Hewlett

Are you going to do breakaway panels or something?

Will Gartley

We're not in a VE zone so we don't need breakaway panels. There is a certain square footage based on the area of volume that we will have under the building that we will need to provide louvers so the water can come back up. I'm hoping the Planning Board agrees this is back to the greatest practical extent. Then we'll start on the design of that frost wall and for the stone wall, I'm proposing that we're going to use granite there, removing those small rocks and setting granite just forward of the new footing. That'll be kind of a protection for the foundation, and it would give us just enough room to walk around and maybe wash the windows but still not much. I've moved it back such that the roof overhang is right at

the right of way line of Horse Point Road and rotated it slightly so that it gives the most amount of space back from the two existing sea walls.

Hewlett

Why not just move this to one of her other properties?

Will Gartley

That's a good question. I think part of it is the overhead power line that crosses Horse Point Road. It's not impossible but taking that down is not easy either. You'd have to remove that power line in order to move the house.

Chair Cox

Did you say this is used as a residence?

Will Gartley

There was somebody living there a couple of years ago.

Terry Brackett

It was not a legitimate residence. Who is the building going to be used by?

Will Gartley

I'm not sure what they plan to do with it. I can certainly find out.

Hewlett

Is it a rental?

Terry Brackett

She leased it to a lobsterman, for his buoys, I think. There cannot be a septic.

Chair Cox

It cannot be a residence.

Hewlett

I have a feeling they were squatting there. The rental right across the street is also hers.

Chair Cox

Yes, it is. They are painted the same color. I rode my bike by there and the slope behind there could not be powerlines.

Hewlett

No, but you could move it off the property, and put it somewhere else. You could put it down by the lobster pound.

Will Gartley

Right, but I don't think the ordinance goes there.

Chair Cox

The foundation is going to pull it up about three feet. How is that going to change in relation to Horse Point Rd?

Will Gartley

It improves that situation. Right now, there's a small set of steps and a ramp that goes down to it. The ground elevation between the building and Horse Point Rd. is about 8', but Horse Point Road directly above that is 11', putting it one foot above the road directly adjacent to it, which is a much better situation and better for emergency access.

Will Gartley

And much better than two feet below where all the water is running right at it.

Jordan

This seems like a lot of trouble.

Chair Cox

Is this something that NC Wyeth painted and is that why it's been preserved?

Will Gartley

I didn't ask to be honest. I spent most of my time looking at that stone wall and trying to think what the best solution is here.

Hewlett

It's almost like a little island to itself.

Jordan

I'm trying to think what the procedure is. You said you wanted to know about the greatest practical extent issue. Is the idea that you would come back to us later? Do we have anything to say about the retaining walls?

Chair Cox

No vegetation would be removed.

Jordan

Are we approving that now. It has not been designed, right?

Will Gartley

For the retaining walls, the intent there is for those to be stacked granite, granite blocks rather than small stone rubble. Directly behind that will be the new concrete foundation. There will only be about two feet between them, and we'll just fill that in.

Hewlett

Filled with stone or with dirt?

Will Gartley

Probably with stone because there is not much room there and we're going to want water that comes off the roof to be able to hit the building and go back out through the cracks and the granite.

Chair Cox

Do we have all the information we need?

Jordan

I have two questions on the application. The property information says that the proposed additional square footage is zero, but the lot coverage goes up by .7%. How did that happen?

Hewlett

Is it the overhangs?

Will Gartley

We're not changing that either. All that rock is there. I might have missed that. I'm not sure why we would have said that.

Jordan

Should we change that to zero?

Will Gartley

Yes, because we're not proposing to change anything.

Jordan

I didn't think you were. The other thing, which floodplain designation is it? All it says is AE.

Will Gartley

AE-11.

Terry Brackett

I'll put that on the official copy.

Will Gartley

Terry, does the floodplain application go through you? There are a couple of towns that have come to the Planning Board.

Jordan

I believe it goes to Terry, not to the Board.

On a motion by Jordan, seconded by Brown, the Board found, by a unanimous vote, that the application was complete, and the motion carried.

Terry Brackett

Noel was asking about putting the foundation under this, and if he would have to come back to the Planning Board.

Jordan

Aren't we supposed to approve that now?

Will Gartley

I am asking for approval for putting the foundation under it, and because we are doing that, to also find that we've moved it back sufficiently. I would think your approval today would be contingent upon the DEP permit.

Jordan

And the Corps of Engineers also?

Will Gartley

Yes, the Corps of Engineers, because the mean high water does come up to that wall.

Chair Cox

What we are looking at would be in the old Shoreland Zoning regarding foundations and relocation. Whenever a new or replacement foundation is constructed under a non-conforming use structure, the structure and new foundation must be placed such that the setback requirements match to the greatest practical extent.

On a motion by Hewlett, seconded by Brown, the Board found by a unanimous vote that the building is being moved to the greatest practical extent.

On a motion by Hewlett, seconded by Jordan, the Board found by a unanimous vote to approve the Cooks Cove Port Clyde LLC application, with the condition placed of approval by the Corps of Engineers and the DEP.

Subdivision Preapplication – CTL Management Services, Construction of four cabins on Atwoods Quarry Rd.

Will Gartley

Gavin McClain is a member of the CTL Land Management Services. I came before the Planning Board around 2015 for Craig Ratcliff and planned to build a house there but that changed, and he sold the parcel to Gavin. We have submitted a new pier application to the DEP and the Army Corps., and we're working through some details on that. I will come back to the board for that because the old one has expired. Right now, what Gavin wants to do on the upper portion of this parcel outside of the Shoreland Zone is put four seasonal rental cabins. The lower portion, for the pier, has a tree service that does a lot of work on the islands and struggles to find a place to offload timber from the islands when he brings it in. He tries to do it sometimes in Port Clyde, but we all know what it's like down there in the summer and it can be really difficult and not all that safe. He's been looking for a place that he could do this and it's not a real frequent thing that happens, but when it is, it would be very beneficial for him to have a place that is safe and out of the way of people, so that he could bring in his barge, back in a truck, and unload the timber. So that's what he purchased the waterfront for and now he's trying to find a use for the upper portion. We do have two locations for potential septic and one of the biggest challenges in the Subdivision Ordinance for property like this is the requirement for fires, a suppression water supply. This is all rock. The only soil is where the existing septic system is that Craig put in and the one other test pit that is right where the upper radius is. It's labeled as, "Pit One".

Terry Brackett

There is quite a pond across the road.

Will Gartley

There is but I'm not sure what there is for access to that. That's certainly a challenge for this property and to meet that standard, there are two options. We dig a big pond, or we provide sprinklers. We're looking into what it would take to sprinkle those buildings because I think otherwise it may not be feasible to do a subdivision on this property, just because of the water supply issue or fire suppression. I'll be curious to see what you do with that standard when you look at your Subdivision Ordinance. Another thing, his preference would have been to have access to these four cabins be a little more rural, less of a road and more like a driveway. We're not creating lots. It is a subdivision because we're creating more than three dwelling units on one parcel. Its frontage is Atwoods Quarry Road; that's an existing road and we're wondering if the access to these cabins needs to be called a road. Do we have to meet the subdivision road standards for that? We're going to have parking at each one of them. We're happy with the turnaround at the end but there's an existing kind of walking path through there. It's just a bummer to

have to clear and create an 18-foot-wide road. They would prefer to have it be more like a driveway. We've got access from Atwoods Quarry Road. We're not very far off the road. We could widen the gravel drive that's just below them. That was put in to construct the septic system and was potentially going to be the driveway to the house.

Hewlett

I think it is emergency access.

Terry Brackett

The other thing is with four units, there could be two cars each and a lot of traffic.

Hewlett

People like to be able to drive up to their front doors.

Will Gartley

Oh, I know. That's why we have pull-offs and some room for two parking spaces at each cabin.

Hewlett

Even then, they're going to have to back into the road to get out of their driveways.

Jordan

It is not like there's a lot of traffic.

Chair Cox

It's going to be a gravel road and grass creeps in.

Will Gartley

Otherwise, I think it's relatively straightforward. We have acreage. This section of Shoreland Zoning is Marine Residential, but then outside the Marine Residential, all of these units are outside the Shoreland Zone.

Hewlett

Are these going to be Airbnbs?

Will Gartley

Not nightly. I think the intent is to have a longer duration.

Hewlett

(Inaudible)

Will Gartley

I haven't asked him exactly how he plans to manage it.

Hewlett

Are they all going to have septic and kitchens?

Will Gartley

There's going to be two septic systems and so we'll probably go two and two and they'll have bathrooms and kitchens. They are full dwelling units. If they weren't dwelling units, it wouldn't trigger site (inaudible). They are 20' by 30' and will provide a place for a family to come for a week. They will probably provide them with access to the pier. The pier is not going to get used that frequently, but it receives heavy use when it is.

Jordan

Is there an existing pier and a new pier?

Will Gartley

Showing on that plan is the footprint of the proposed pier, and the boat ramp that's next to it is so that he can pull the barge in and offload.

Chair Cox

Looking at the subdivision ordinance, we need to set up a an onsite as the next step.

Hewlett

Having the cabin locations marked out.

Chair Cox

Do we have to do a public onsite visit for subdivisions?

Jordan

I think the Subdivision Ordinance makes newspaper ads mandatory at least for hearings.

Chair Cox

This is just for a site visit. What about Monday, June 12 at Five o'clock?

Will Gartley

(Inaudible) Shoreland Zone (Inaudible) the height measured from what needs to meet the flood elevation.

Jordan

I'm not sure. Colin didn't mention that.

Chair Cox

We decided to ignore that issue.

Will Gartley

It's weird because Colin Clark pushed to have this changed.

Chair Cox

He didn't point it out to us.

Will Gartley

They haven't updated it in chapter 1000, but this is the actual change to the law. He is telling me that it's in effect, regardless of whether you've adopted it, but it seems strange to me not to have it in the ordinance if it's in effect, because it creates confusion.

Jordan

There are a couple of other things that are not in the ordinance, like photographs but you have to do it.

Will Gartley

They tried to fix it so that if you are making changes, you're allowed to get out of the flood of elevation, and if it's more than 20', you're still allowed to do it. Right now, they conflict with each other. If you're making a major change within the flood zone, you have to be compliant regarding feet with the floodplain. But that can contradict with the height. They wrote this legislation, which I don't think they did very well, but they did it, attempting to fix it. My complaint is they measure from the sill, and I don't know what that is. Not every building has a sill, right? It could be on a slab.

Chair Cox

I was thinking that a work around is that it is an existing building.

Will Gartley

That change in the height definition would be a good thing to have.

Adjournment

On a motion by Brown, seconded by Jordan, the Board decided by a unanimous vote to adjourn the meeting and at 9:18 p.m. the meeting was adjourned.

Respectfully submitted,

Tammy Taylor
Recording Secretary
Town of St. George, Maine