

St. George Planning Board Meeting

7PM at Town Office and via Zoom

June 15, 2023

Minutes

The Planning Board Planning Board meeting was called to order at 7:00pm. Planning Board Members present were Chair Anne Cox, Anne Cogger, Richard Moskowitz, Michael B. Jordan, Jane Brown, Alison Briggs and Mary K. Hewlett. Also present were Wendy Carr, Mr. Stephen Mohr, and Will Gartley.

Quorum:

A quorum was present.

Conflict of Interest:

There were no conflicts of interest.

Adjustments to the Agenda

There were no adjustments to the agenda.

Minutes

Hewlett moved to approve the May 23, 2023 Planning Board Meeting Minutes, as corrected, seconded by Brown, and by a unanimous vote, the minutes were approved.

Brown moved to approve the Planning Board Findings of Fact and Conclusions of Law for the St. George Municipal School Unit Makerspace building application, as corrected, seconded by Cogger, and by a unanimous vote, it was approved.

Hewlett moved to approve the Planning Board Findings of Fact and Conclusions of Law for the St. George Municipal School Unit parking lot application, as written, seconded by Brown, and by a unanimous vote, it was approved.

Brown moved to approve the Planning Board Findings of Fact and Conclusions of Law for the Cooks Cove, LLC application, as written, seconded by Hewlett, and by a unanimous vote, it was approved.

Public Comments

There were no public comments.

Dan and Sheryl Tishman Pier Permit – Mohr & Seredin Landscape Architects

Mohr

As all of you know, they bought that house and two acres down on Factory Road that had that frontage on Teal Cove. When they bought it there was that Wharf in the building and a ramp and float there. They've been trying to deal with some of the lateral movement of that float because under the wrong conditions that float moves significantly to the southwest. They've been looking at how to be able to lift that ramp at times when they're not here, and there are storm events. And as you remember, we put those pilings in at their place down at Horse Point Rd. to get that ramp off that float. And then we put the pilings in their places out on Caldwell, so they've sort of become accustomed to that notion that the pilings help. We responded quickly to them to get this in play. We submitted it to the Army Corps and to the DEP, and this impact is fairly de minimis. It's really small, 3.6 feet. We submitted it to Natalie at the Army Corps, she reviewed it and when I checked with them as to where they are at today, she said it's in her stack to be processed. It is the same for Beth Callahan at the DEP. She has brought it in, deemed it accepted, and is processing it. Both of them felt this was pretty straightforward. The reason I asked Terry to come before you before we had those permits in hand was because there's an outside chance that Prock Marine may in fact, show up depending upon a bunch of issues, not the least of which is your Harbormaster, to do this sometime in July. So the question that I posed to Terry, which he asked me to pose to you was what your comfort level is for giving this a conditional approval, subject to Terry actually seeing the DEP, NRPA and the Army Corps approvals and then he could issue the building permit. That is the question that I'm posing to you. And again, I wouldn't typically do this except for the small nature of this and the timing.

Cogger

What was the issue with the Harbormaster?

Mohr

Prock Marine, in all these situations, has to coordinate with the Harbormaster because they bring their barge in and the Harbor Master then interacts primarily with the lobstermen and with the fishing community. It's that simpatico situation that Prock Marine tries to keep all up and down the coast, which I admire because all of us know that it's really not a good thing to get sideways with the fishing community in any regard.

Hewlett

If you can get them, they are so backed up.

Mohr

And that's exactly the driving reason for me sitting here tonight.

Hewlett

Tibbetts is out, so Prock Marine is the only one.

Mohr

These are 16-inch pilings. The 3.6 feet reflects it could be socketed because even though the existing pilings there are seven and a half feet down and there is a cobble area out in front, we believe we have that depth that we need to get them in but if we can't get them in, we will put the sockets in. If you did the math, the 16 inches gives you 3.4. I probably have spoken too much but thank you again.

Jordan

How tall are they?

Mohr

When they're done, they're going to be about 16 feet above the tide flats.

Chair Cox

Will they have a beam across?

Mohr

Yes, a pair of cross bars because that's what they hook the winch to. It shows on that one drawing; we did a cross section.

Jordan

Is anything being done from the land?

Mohr

It's entirely from the barge. We have to do that.

Jordan

Will there be any effect on vegetation?

Mohr

Nothing. It solves our impacts and really is the cleanest, most efficient way to get these installed.

Chair Cox

You have filed with the DEP and with the Army Corps, but we don't have the approval papers yet. Is this a complete application minus the approvals?

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

Chair Cox

It has been our habit of waiting for approvals but when I first joined, we did say “pending approval”. It does seem minimal.

Hewlett

I'm not feeling like we have to go visit this.

Chair Cox

I do not believe we need to do an onsite visit. It's just a minimal structural thing.

Hewlett

It's really a safety issue too, stabilization.

Chair Cox

St. George has an updated Land Use Ordinance, however, it's not yet been forty-five days since we finalized it, so we're still on our old system. Shall we go through this?

Jordan

I don't know that we need to go through every item. There will be no changes to the existing structure and no structures to be built on top of that structure.

On a motion by Jordan, seconded by Hewlett, the Board found by a unanimous vote, to summarily approve the application for the placement of the two new stabilization items, pending approval from the DEP and the Army Corps of Engineers.

Mohr

I understand that we're asking for a bit more than (Inaudible). You know us. We're not going to go ahead until Terry has everything in hand. Thank you. I really appreciate it.

Helen Burgess and Michael Doyle – Pier Permit - 3 Pine Brook Ln.

Will Gartley

Tonight, I'm here for Helen Burgess and Michael Doyle. They have a property at 3 Pine Brook Lane. If you're heading down to the Craignair, maybe a quarter of a mile before you get there, there is a tiny little dirt driveway that goes off down into the woods. We have some location maps and tax maps in our submission. It's a cool little piece of property. They just built a house with Dave Miller and are just finishing it up. They're here now for the summer. I met with them last year trying to figure out how to

get them access to the water. I submitted a fair amount of information because we've gone through a lot just to get to the point where we're at in figuring out a good location. Their shoreline is really heavily wooded and there's a lot of ledge bluffs, so they don't have much access to the water at all right now. They do have a nice little opening at this location and the big reason we picked it was the ledge outcrop was probably the easiest spot to put a structure where we could attach a gangway and float. It is going to ground out at low water, so it does drain out there. It was the minimal amount of structure that would work. The information that I included in the package that came from Ellen and Michael was provided because originally, we proposed to have this oriented differently. If you look through the option A and B that were part of the package, we had the narrowest part first and then the platform outboard which is kind of typical. We've done a lot of piers over the years where we have a little bump out at the end so they can have storage for supplies and materials. The DEP has gotten a lot stricter about the width of private piers and has decided that, even though it's not written anywhere in the ordinance but is written into the new guidelines, six feet is all they're going to permit out over the water. The negotiation was to flip it and to put in the platform. The reason for the platform is because it's so heavily wooded and all they have is a very narrow path, so to store anything that they're going to use on the water, whether it be kayaks life jackets, etc., and it's quite a distance from this location to the house, we were just trying to come up with a way for them to also be able to store the gangway in the wintertime. It's going to hang over but will still give them enough flat area to be able to maneuver. For our initial submission, we got pushed back. We looked at a whole bunch of options. This is what the DEP agreed to permit, so we now have a permit for the plan that you have in front of you.

Cogger

How far down the cove is this?

Will Gartley

We have an aerial photo of the entire cove.

Cogger

It doesn't appear to go out too far into Long Cove. It's not a problem for navigation for other people.

Will Gartley

No. The total off the high waterline is 38 feet. We just went far enough to get past the boulders that are that and get to the flat.

Chair Cox

You said that it grounds out and I'm recalling I saw somewhere in here that the DEP said there would be two feet of water under it.

Will Gartley

If they said that, it must be a cut and paste.

Cogger

That could be at some tide during the week.

Will Gartley

I think both were taken at low tide.

Chair Cox

The operative thing is that it will ground out at most low tides.

Hewlett

I do think the DEP cut and paste on page four of seven, second paragraph up from the bottom. It says, "The closest marine is located in the town of East Boothbay and is approximately 4.6 miles from the project site."

Will Gartley

It happens to everybody. They're struggling to keep up. We just got an email from them today. They have a five-month statutory deadline to review and approve these, and they're not making it so they send emails requesting extensions. What do we do? You can't say no, because their only option is to deny it.

Hewlett

I just wanted to double check.

Will Gartley

I noticed other places where that has happened. We've had to send some back for correction.

Chair Cox

On the front page of the project description A, midway through it states, "During periods of low tide the float will rest approximately two feet above the substrate."

Will Gartley

What they're talking about there is that we do have skids underneath.

Chair Cox

You show the proposed project will result in approximately 95 square feet of upland soil disturbance. What will that be?

Will Gartley

I'm not sure where they came up with 95 square feet of upland soil disturbance. What they're referencing is in the table on the bottom right, I list the amount of the structure that is above the highest annual tide, and that's 95 square feet, but it's over ledge and on piers and post so there's no soil impact.

Jordan

I guess that is one less thing you have to consider.

Chair Cox

Right, because it's over ledge.

Jordan

I have another question. Maybe I read this wrong but the width of the pier, not the landing, but the pier is 6 feet in our application. In the DEP application, it is 4 feet.

Will Gartley

The correct number is four. I brought a couple of extra plans because I realized we went through so many iterations trying to get this approved, that we actually sent you a revised plan that wasn't approved. It should have been this one and I brought extra copies to leave with you so you can substitute. It's four feet. It's exactly the same as what you're looking at except for that.

Jordan

We can make the appropriate marks on the application.

Hewlett

For the project description on the application page, the first page, can we put in the length. It's going to be a 12 feet by 10 feet landing.

Will Gartley

Yes. With a 4 feet by 10 feet pier.

Hewlett

And a seasonal 3 feet by 40 feet gangway and a 12 feet by 10 feet float.

Will Gartley

That's correct.

Chair Cox

Okay, thanks. Be sure Terry gets that. The question is, do we need to go see this, which would be a chance for neighbors to weigh in.

Jordan

I'd like to see it. Photos are useful, but it was a bit confusing to me.

Cogger

I think it's important for the neighbors to see it.

Chair Cox

I imagine that they'd like to move along as expeditiously as possible. We are not required to publish in the paper. If we ask Magan to get out the notices to the abutters tomorrow, put it on the town website and send it out to everybody who signed up, would that be sufficient?

Jordan

She may not be able to get it done tomorrow. Monday is a holiday so it might be Tuesday when she actually gets them out.

Chair Cox

Then I'm wondering if we could set Monday, the 26th of June as our onsite and that would mean we'd be able to deal with it at our Tuesday the 27th meeting.

Jordan

If she gets them out by Tuesday the 20th, that is a little bit less than a week but probably reasonable.

Cogger

Do the neighbors include people across the cove?

Chair Cox

It's a 300-foot radius, so if it reaches across the cove, then it does. Monday June 26th at 5:30pm. Then we'll be able to deal with it at our June 27th meeting.

Will Gartley

It is at 3 Pine Brook Lane. Their house is the last one on the road.

Other Business

Chair Cox

We'll go back and pick up the minutes from the public hearing for 261 Otis Point Rd. from May 23.

Jordan moved to approve the May 23, 2023 Planning Board Site Visit/Public Hearing for 261 Otis Point Rd. Minutes, as corrected, seconded by Cogger, and by a unanimous vote, the minutes were approved.

Adjournment

On a motion by Brown, seconded by Cogger, the Board decided by a unanimous vote to adjourn the meeting and at 8:36 p.m. the meeting was adjourned.

Respectfully submitted,

Tammy Taylor
Recording Secretary
Town of St. George, Maine