

**St. George Planning Board
St. George Town Office
March 26, 2019 - 7 p.m.**

The Planning Board meeting was called to order at 7:00 p.m. Members present were: Anne Cox, Chair; Jane Brown, Brendan Chase, Ray Emerson (alternate), Mary K. Hewlett, Michael Jordan and Alan Letourneau (alternate). Also present: CEO Terry Brackett, Will Gartley, Bryan Austin, Jim Barstow, Andy Barstow, and Amy Barstow.

Quorum: A quorum was present.

Conflict of Interest: None.

Adjustments to Agenda: None.

Review of the Minutes:

Planning Board Meeting — March 12, 2019 - The minutes were amended as follows: Page 1, #1, line 3, change word to striping.

A motion was made by Hewlett, seconded by Brown, to approve the minutes of March 12, 2019, as amended. The vote was 4-1 (Jordan abstained). The motion carried.

Alternate member, Ray Emerson, was elevated to voting status for the Cushman on-site minutes, the Public Hearing minutes, the Findings of Fact on Gerry Cushman and the Findings of Fact on the Town of St. George, 10 Cold Storage Road. Michael Jordan then assumed regular voting status for the remainder of the meeting.

Findings of Fact and Conclusions of Law:

- Gerry Cushman, 13 Rein Road, LLC – The Findings of Fact were amended as follows: Page 2, under St. George Planning Board, strike out Michael Jordan's name and replace it with the name Ray Emerson.

A motion was made by Brown, seconded by Hewlett to accept the amended Findings of Fact and Conclusions of Law for Gerry Cushman pursuant to the Performance Standards Review, Section V, A1-20 in the Site Plan Review contingent upon the (4) four bullet points. The vote was 5-0. The motion carried.

- Town of St. George, 10 Cold Storage Road – The Findings of Fact were amended as follows: Page 1, #1, line 3, correct word to striping; Page 2, under St. George Planning Board, strike Michael Jordan's name and replace it with the name Ray Emerson.

A motion was made by Chase, seconded by Brown to accept the amended Findings of Fact and Conclusions of Law for the Town of St. George, 10 Cold Storage Road pursuant to the Performance Standards Review, Section V, A1-20 in the Site Plan Review. The vote was 5-0. The motion carried.

Public Comments: None.

Site Plan Review:

a. Monhegan Boat Line – 880 Port Clyde Road / Map 102, Lot 088

Will Gartley of Gartley & Dorsky Engineering and Surveying and the applicants, Amy and Andrew Barstow, were present. The application is to rebuild the existing pier and pier structure including the sea wall and building located at Monhegan Boat Line, 880 Port Clyde Road. The property owner is A & B Rentals, LLC. Present and proposed use is year-round. Shoreland Zone District is CFMA. Flood Plain Designation is AE 11.

On November 13, 2018 a pre-application meeting was held. Gartley explained that since that time, Bryan Austin of 2A architects, LLC has been working with Amy and Andy Barstow on the design of the new building.

Gartley reviewed the site plan. He pointed out where the bulkhead is currently located and explained that the bulkhead is oddly shaped and cuts under the building. He said part of the building sits on pile supported pier, and part of the building is on the existing bulkhead and upland of the bulkhead. Gartley said the first floor is lower than the grade around the building and causes a lot of grading and drainage problems, even flooding issues. The goal is to square off the bulkhead. Gartley said the area underneath the pier is currently rubble and approximately 1,300 square feet of the area will be newly filled.

Gartley stated the permit applications have been submitted to the DEP and the Army Corps of Engineers, have met with both several times, and are currently working the with Army Corps of Engineers. Gartley said DEP is almost finished with their review. Gartley and Austin are waiting to see if the Army Corps of Engineers will require any changes and are also sending them additional information this week.

Gartley said Monhegan Boat Line will have to pay DEP a fee to the "In Lieu Fee" mitigation program for wetlands impact because the proposed project will require over 500 square feet of fill. Gartley explained DEP administers the program, the money goes into a fund, and DEP locates projects or sites which need to be cleaned up or need restoration.

Gartley reviewed the application for rebuilding the existing pier. The applicant proposes to build a new, cast-in-place concrete bulkhead, back fill behind it, and pour a new foundation for the building.

Gartley said they now have design plans for building. He noted the site plan includes the footprint of the building, and the height restrictions will be met. The building is in a flood plain. The plan is to raise the building up but the lowest floor will not be (1') one-foot above the flood plain. Gartley said they cannot change the grade on the Barstow property as it will impact the abutting property. Bryan Austin said currently the proposed slab is 18" below (1') one foot above the base flood elevations, so they would have to raise it up 18" higher than the proposed elevation. He noted the higher the building is lifted; the more ramps will be needed and ramping can get to be excessive. Austin said they can do the ADA accessibility by keeping the structure

lower and will just have to deal with the flood proofing requirements of the flood zone. Gartley said they can still meet the requirements of the flood zone and the flood plain ordinance; but they cannot get above it, so the issue is a little more difficult to deal with.

CEO Brackett said the proposed project will affect the Barstow's flood insurance. Gartley said it will, but the project will be constructed in accordance with the Coastal Flood Plain Manual. Hewlett asked if water will pass through it. Gartley said yes.

Chair Cox asked about the flood proof material. Austin explained the design is similar to building a bathtub. He said 18" has to be flood proofed on the outside and then some type of door openings/flood gates so water cannot pass through. Cox stated it will be wrapped in some type of rubber. Austin said, "The difficulty is that we are only talking about that 18" but it causes too many other difficulties, so we are limited with the drainage and the property lines."

Austin responded to Hewlett's question regarding ramping. Austin said the number of ramps including the landings needed for access to the building would be quite excessive and take up a larger footprint. But he stated, ramps can always be added. He thinks the more difficult issue is drainage because the applicant is pretty much on the property line.

Chase asked about setting the building on stilts. Gartley said the issue is not the support of the structure. They do not need to be on piles because the AE Zone allows them to build it this way. Gartley explained it is the ADA access requirements they need to meet. The plan is to get pedestrians going through the building rather than walking around. Gartley said they went through many exercises looking at every option. They could not come up with a different option, so they feel they are better off meeting the flood proofing guidelines.

Chair Cox noted the floor plan for the new building is significantly larger, has two stories and will be taller than the current building. Barstow said the building will be longer but not wider. It will be taller but it already has two stories.

Austin distributed 11" x 17" design plans to the Planning Board and reviewed the following:

The location of the wooden pier, parking for customer vehicles and the proximity of the Dip Net restaurant. The overall building is 31' wide x 65' long and will be fully ADA accessible. On the parking lot side, there is a vestibule with double doors and as well on the pier side. This will route the pedestrian circulation through the building and away from cross contamination with the vehicle traffic.

The core of the main floor is designed for central ticket sales, reception, and freight. The rest of the area will be open for customer circulation. The main floor plan is designed for a maximum occupancy load of 185 people, but they anticipate the occupancy capacity to be more in the range of 140 or 150, which coincides with the boat capacity of 149 passengers.

The second-floor design plan. The plan has stairs going up to the second-floor. Currently, part of the second floor is used for storage items such as life safety gear and general storage; the rest is open floor space. The plan is to serve the overflow of customers and have office support for

the function of the business. The plan includes designating an area for a main desk which will have a visual of the pier. The rest of the area will be open but allowing for future flexibility. The schematic section shows a 9' main floor and an 8' second floor. The building height will be approximately 27' to 28' which is 6' or 7' higher than the existing building. Austin noted the cupola does not count towards the building height.

Hewlett asked if there will be a merchandise area. Barstow said they are looking at both levels, but they have a serious problem when it rains with what to do with the luggage, passengers and freight. To help alleviate the problem, the plan is designed to dedicate more room inside on the first floor. Barstow said they will still have souvenir sales, but they will need to see what works best for mercantile and what's best for passengers. Emerson asked if the ticket booth will be on the second floor. Barstow said the ticket booth will be on the main floor.

Hewlett asked if the building will be heated. Barstow said he did not see the building being open in the winter unless business required it or if the business grew. For now, in the dead of winter, he said it makes more sense for customers to go through the main administrative office.

Barstow said the plan is to install a heat pump system for use in the spring and fall on cool days and air conditioning in the summer on hot days. Gartley said the heat pumps are small, mini splits and will be installed on the walls. Austin added there are other options, if the heat pumps cannot be wall mounted.

Hewlett asked if there are plans for a bathroom and septic system. Barstow explained it is rock from the gift shop to the office. Gartley said this has not been determined but his office has been doing research and calculating flows to try to see if there is a place that they can install a system. He said if they can put a pump in and pump up the hill somewhere, then that would be good. CEO Brackett noted there is a system on the top of that hill.

Gartley said the plan for the septic is pending. Chair Cox said if they cannot have a septic system that will change the layout of the plan. Gartley said that is why the plan is labeled as a bathroom or storage closet. Austin said it is all pending the feasibility. Barstow said they have always gone with the portables because it seemed like the best alternative, but if it is possible and it is within reason, then they are certainly for adding a bathroom. Barstow and Austin said the bathroom would still be supplemented with the portables.

Chair Cox asked if parking spaces will be lost. Barstow said they will lose a few spaces but he will shift cars to the upper lot and can shuttle customers back to the dock on the bus. He said he also has the A-Shop property which he uses for parking cars. The plan is to open up the dock for better traffic flow.

Gartley said he reviewed the ordinance and provided as much information as they thought would be helpful and wrote an opinion on why they think their plan meets the definition of Marine Dependent Use and the CFMA Zone. Gartley said he spoke and reviewed the narrative with Colin Clark at the Maine DEP. Clark got back to him and indicated that they were on solid ground with what they had put forward.

Gartley thinks there may be a conflict or two regarding the Shoreland Zone Ordinance and the Flood Plain Ordinance. Chair Cox and Hewlett agreed. Austin explained they will not need any variance, because they meet the flood plain ordinance. CEO Brackett said they will not be out of the flood plain. Austin said they will be in the flood plain zone, but they allow nonresidential to be below it; you just have to do the flood proofing.

Chair Cox stated the addition increases the nonconformity issue. Gartley said he did not address nonconformity as it is only the case if it is a nonconforming structure which it is not; it is allowed to be there in that zone. Gartley said there are no setbacks. Brackett noted that the 70% lot coverage includes parking, so they are probably close but it is a trade off between the building or parking. Gartley said, "Right."

Hewlett asked if they discussed having the vestibule in the center of the building to get people away from the downhill traffic to the pier. Barstow said the plan is to have customers enter the building in a straight path. He said they own several of the parking spaces next to the General Store. There is an understanding between them, since the parking spaces are close on the line. Barstow said he has the three spots across the top and everything from the corner of building down. Barstow said part of that property is theirs and part belongs to the General Store. Barstow said if you look at the area during the summer, the placement design for the vestibules is the most natural spot. Hewlett asked to review this at the on-site inspection.

Mr. Barstow indicated to the Planning Board that he is under time pressure because his business is entering their busy season and he will need to hire the contractors as soon as the permits are in. The Planning Board agreed to recess the meeting to allow the applicant and the architect time to complete a new application cover page. Chair Cox recessed the Planning Board meeting at 7:45 p.m.

During the recess, the Planning Board discussed Flood Plain Management Ordinance procedures with CEO Brackett.

Hewlett asked the Planning Board if the building is a water dependent use. Letourneau felt the argument made in the letter they submitted appeared to be sound, and the Planning Board agreed. Chair Cox noted that the Monhegan Boat Line is also an agent for the postal service.

The Planning Board discussed the March 12, 2019 draft Procedures and Practices of the Planning Board drawn up by Chair Cox.

The Planning Board resumed the Planning Board meeting at 8:02 p.m. to continue review of A & B Rentals LLC application.

The applicant provided the Planning Board with a newly written and signed cover sheet application on A & B Rentals, LLC. Chair Cox reviewed the information with the Planning Board. Chair Cox asked about the location of the right of way. Gartley said the right of way is from the road, there is a 25' CMFA setback, and CMP has an easement. Cox noted the present lot coverage is listed at 17.25% and the proposed coverage the same. Brackett asked if it is the

Shoreland Zone lot coverage, including the parking. Gartley thinks it is but will double check on his computer.

Chair Cox said the application states the number of bathrooms is, to be determined and noted the septic system design will be zero for now because they do not know. Jordan asked how is the side setback abutting the neighbor's property, okay? Brackett stated the building is right on the line and the property is grandfathered.

Chair Cox asked if the concrete bulkhead will affect the General Store and dock and in terms of water flow. Does it change anything? Gartley asked, "As far as whether or not it is going to have an impact on the abutter?" He explained that currently, directly adjacent to them is a bulkhead. The wall is at an angle. Any flow that comes in this way is pushing it towards the store. He thinks this design will protect the store structure. Cox asked if the barrier of concrete, will cause the water to flip around? Barstow said a southwest wind is worse for them, but otherwise they are in a very protected harbor.

Chair Cox asked if the application was complete. Hearing no further discussion, Chair Cox entertained a motion.

A motion was made by Jordan, seconded by Brown, to accept the application of A & B Rentals, LLC, as complete. The vote was 5-0. The motion carried.

An On-site inspection is scheduled for Monday, April 8, 2019 at 5 p.m.

A Public Hearing is scheduled for Tuesday, April 9, 2019 at 6:30 p.m., immediately followed by the regular Planning Board meeting.

There was no further business. At 8:13 p.m., a motion was made by Brown, seconded by Chase to adjourn the meeting, 5-0, and go directly into the sign ordinance workshop which concluded at 8:40 p.m.

Respectfully submitted,

Marguerite R. Wilson
Planning Board Recording Secretary