

## **St. George Planning Board Meeting**

**7PM at Town Office and via Zoom**

**July 11, 2023**

### **Minutes**

The Planning Board meeting was called to order at 7:00pm. Planning Board Members present were CEO Brackett, Chair Anne Cox, Anne Cogger, Richard Moskowitz, Michael B. Jordan, Jane Brown, Alison Briggs and Elaine Taylor. Also present were Wendy Carr and Joseph Baum.

#### **Quorum:**

A quorum was present.

#### **Election of Officers**

Jordan moved to reelect Anne Cox as Planning Board Chair for an additional term, seconded by Cogger, and by a unanimous vote, the motion carried.

Brown moved to reelect Michael B. Jordan as Planning Board Secretary for an additional term, seconded by Cogger, and by a unanimous vote, the motion carried.

#### **Conflict of Interest:**

There were no conflicts of interest.

#### **Adjustments to the Agenda**

The Kaylyn Thornal application was removed from the agenda as the onsite is not scheduled until Monday, July 17<sup>th</sup>.

The schedule for the next Planning Board meeting was added to the agenda.

#### **Minutes**

Cogger moved to approve the June 27, 2023 Planning Board Meeting Minutes, as corrected, seconded by Jordan, and by a unanimous vote, the minutes were approved.

Cogger moved to approve the June 26, 2023 Ellen Burgess and Michael Doyle Pier Onsite Visit, as written, seconded by Moskowitz, and by a unanimous vote, the minutes were approved.

### **Public Comments**

There were no public comments.

### **Application for Pier – Joseph Baum – 86 Patten Point Rd. – Map 234 – Lot 17**

#### **Chair Cox**

Tell us what it is you would like to do. I believe Terry just passed out some photographs of your site.

#### **Joseph Baum**

There was already a granite wharf on the property and I'm hoping to put a 50-foot ramp and a float extended out from the wall. There was one there about twenty years ago. It's been gone for a long time. I own the wharf. It's on my property.

#### **Chair Cox**

I had communications with Terry because normally when a pier, ramp and float system are done, there is a permit for that, and DEP is involved with the permitting. Terry, did you find any old permits?

#### **Brackett**

I didn't find any permits on file with the town. I have no idea when (Inaudible).

#### **Joseph Baum**

My father did a lot of work on it in 1964. He had it fixed up. I don't know when it was originally built.

#### **Brackett**

Most of our permits are pretty sketchy before the early seventies. I have been in contact with the DEP, and they are still looking into whether they have any jurisdiction over an extension, and ongoing changes. I emailed Colin again today and he said he is still looking at it and has sent it to several other staff members and thanked them for the pictures but (Inaudible).

#### **Chair Cox**

Typically, we deal with the construction of the wharf, the pier, the ramp and the float. This permutation has not come before us. Typically, in those situations, the DEP has reviewed it, and issued approval according to the standards.

#### **Brackett**

I do not know anything about the eel grass that is or is not there. According to the Harbormaster, it probably does not totally drain out there.

**Joseph Baum**

It is only on the lowest drain tide. There's no grass at all, just mud.

**Chair Cox**

Typically, we schedule a site visit where somebody wants to put a seasonal ramp and float in.

**Joseph Baum**

I would also be taking this in and out.

**Chair Cox**

Right. During the winter.

**Brackett**

The other issue that I have discovered in looking this up is that your house is on lot 17 I believe.

**Joseph Baum**

Okay, yeah.

**Brackett**

And you also own one lot 18 and 19.

**Joseph Baum**

It was three pieces. The wharf was a separate piece, and a piece to the right between us and we combined them all into one.

**Brackett**

What I found is that they were combined for tax purposes only. Were they combined by deed?

**Joseph Baum**

I did it so I wouldn't be getting three tax bills.

**Brackett**

Yes, it is for tax purposes only. I would say that it needs to be done by deed, otherwise, you have setback issues and lot 19.

**Joseph Baum**

It's in the middle.

**Chair Cox**

Correct me if I am wrong, but according to our ordinance to have a pier, dock and float, it has to be connected to your residence. You cannot have it on a piece of property that is not your residence. That is probably part of the issue here. They need to be combined so that your residence would be all one lot.

**Joseph Baum**

Which I thought we did. This pier is in the middle, as far as setbacks.

**Brackett**

If those three lots are combined legally by deed, I do not think you have an issue.

**Joseph Baum**

Yeah, I guess I hadn't really considered that.

**Chair Cox**

You need to look into what would be involved in doing that.

**Jordan**

Just so I understand, there are three lots, and the pier is on a lot that does not include the residence.

**Chair Cox**

Correct.

**Joseph Baum**

It's right in front of it.

**Chair Cox**

The last picture will show that.

**Joseph Baum**

The other two lots, the pier and other lot, were unbuildable.

**Brackett**

I agree.

**Chair Cox**

The pier is on lot 19.

**Jordan**

That is what I am wondering about.

**Brackett**

The pier is on lot 18.

**Jordan**

Lot 19 is the one below it and then is the one above it 17?

**Chair Cox**

The pier is on lot 18.

**Cogger**

It is a long thin lot.

**Joseph Baum**

Yes. They were never intended to be buildable.

**Brackett**

I'm sure you know (Inaudible) that we are looking at.

**Joseph Baum**

Yeah.

**Chair Cox**

So, the house is on lot 17.

**Jordan**

It is tricky. That also looks like it is 19, but it is really 18.

**Chair Cox**

We have that issue and are waiting to hear from the DEP as well. Do we need to go and visit the site?

**Cogger**

I have a question. It seems like there was a dock there before. Is this grandfathered at all? Was there a dock there a long time ago?

**Joseph Baum**

In the 90s, I think was the latest, maybe beginning of 2000s, my parents had a wooden float.

**Cogger**

I thought it was longer.

**Brackett**

He wants to take this earthen pier and add a ramp and a float. That is all he is asking.

**Jordan**

If I am not mistaken, the DEP's issue is he is not proposing to construct a permanent structure, because the permanent structure is already there, and the DEP does not do temporary structures in less than seven months.

**Brackett**

This could be an extension of a permanent pier. It is how they look at it.

**Jordan**

Right. That is the question the DEP is trying to decide.

**Chair Cox**

We need to hear that, and do we need to see it?

**Cogger**

We generally do.

**Chair Cox**

We are going to see a temporary floating pier next week, so to be consistent, we should go and see it.

**Moskowitz**

Just so I understand, there was a temporary one there before in the 90s.

**Joseph Baum**

Yeah, it could have been the late 90s; it was right in there somewhere. Since we've lived there, we've spent summers on a lake in Boothbay but now we're going to stay here. For the last twenty years, we rented the property out. Now, we're going to live there all year round. So that's why I'm doing it now. We've been here about 20 years.

**Jordan**

Just out of curiosity, the body of water right off there is called Baum.

**Joseph Baum**

I've seen that.

**Jordan**

Are you any relation?

**Jordan**

My father. Yes.

**Cogger**

Is he Everett?

**Jordan**

No, Joseph, Bud Joseph.

**Chair Cox**

Do you have any idea if it was the same size ramp and float that you are proposing?

**Joseph Baum**

What I'm proposing is slightly bigger.

**Chair Cox**

We need to hear back from the DEP, but we should schedule an onsite visit.

**Moskowitz**

With the consolidation of the lots, would it be appropriate if this essentially is a replacement?

**Jordan**

That is what our ordinance says.

**Chair Cox**

It was something that was there. It cannot be that difficult to consolidate the lots.

**Joseph Baum**

No, I guess we didn't. I did it for tax purposes. I thought that we combined them, but it would probably be easy for me to call up my lawyer and ask if we can combine these on a deed?

**Jordan**

I did not realize that restriction about how the dock has to be on the same lot as the residence. Can you point me there?

**Chair Cox**

It would be in the Shoreland Zone.

**Jordan**

It would be in the old ordinance and not the new one.

**Brackett**

I do not have the old ordinance with me.

**Jordan**

It probably has not changed.

**Chair Cox**

No, I do not think it has changed. The reason I remember this was the Craig Racliff pier, near Atwoods, and that he had to have his house under construction before he could build his pier. We have it in here somewhere.

**Jordan**

Piers is in Section 15C but I do not remember it being there.

**Chair Cox**

We will need to find out and verify that. We are going to need to do a little research on it before giving you an answer. You might, just for your own purposes, like to combine the lots anyway. We need to schedule an onsite visit. Terry, would there be any way to do it on Monday the 24<sup>th</sup>?

**Brackett**

I think we might be able to get it out. Yes. It is only going to be mailed to the abutters.

**Chair Cox**

Would Monday July 24th at 5:30p.m. work for you for a visit?

**Joseph Baum**

I think so. I'm pretty sure. Someone is renting it that will be in the home. We can just tell them. I live right across the road. We have a new house across the road that we're in, while it's being rented in the summer. This is the last summer for that. We could just let the people know. It would not be a problem.

**Chair Cox**

If it is a problem, just let Terry know right away.

**Joseph Baum**

I have no idea who will be there at that time. That's only a couple of weeks.

**Brackett**

We will be there no more than fifteen minutes.



**Chair Cox**

It is just to see it. The neighbors, the abutters, are notified and sometimes show up. So, we are scheduled for Monday July 24th. Then, we would be able to deal with it at the Tuesday meeting on July 25th. Hopefully, by that time we will have heard from Colin, and we also will have researched this vague recollection of ours.

**Joseph Baum**

Thank you.

**The Schedule for the Next Planning Board Meeting**

**Chair Cox**

This room will be used for the election on August 8<sup>th</sup>. The last time that happened, we moved our meeting to the following Thursday and that could again be a possibility, if that works.

**Chair Cox**

Terry, please check whether we can have the meeting here on August 10<sup>th</sup>.

**Adjournment**

On a motion by Cogger, seconded by Moskowitz, the Board decided by a unanimous vote to adjourn the meeting and at 7:28 p.m. the meeting was adjourned.

Respectfully submitted,

Tammy Taylor  
Recording Secretary  
Town of St. George, Maine