

## CAMDEN PLANNING BOARD

### Minutes of Meeting

July 6, 2011

**PRESENT:** Chair Chris MacLean; Members Richard Householder, Members Jan MacKinnon, Kerry Sabanty and Lowrie Sargent; Alternate Member Sid Lindsley and; CEO Steve Wilson

**ABSENT:** Alternate Member Nancy McConnel

The meeting was called to order at 5:00 pm

**1. PUBLIC COMMENT on NON-AGENDA ITEMS:** No-one from the Public or the Board had comments.

#### **5. REQUEST for a Letter of Support: Heart & Soul**

This agenda item was taken out of order to accommodate the project representative who had a previous commitment. Jane Lafleur, the Executive Director of the Friends of Mid-Coast Maine (FMCM), is working with CEDAC in developing a proposal for a \$100,000 community planning grant offered by The Orton Family Trust. The Orton family, founders of the Vermont Country Store, works through their Trust to fund community planning initiatives in New England and the Rocky Mountain States with the purpose of finding new ways to bring in new sources of community input and new voices – especially those of young people.

This is a reimbursable grant that the Town would be required to match in cash, time (labor provided by Town employees or volunteers) or other in-kind services (donated meeting space, e.g.). FMCM offered to serve as the required non-profit partner with Ms. Lafleur serving as the required grant coordinator. A Steering Committee will need to be formed, and Ms. Lafleur suggested it would be useful if someone from the Planning Board served on this committee. They will also asking someone from RIG to serve and participate. The Orton Trust provides training and workshops to all participants and helps them through-out the process.

Camden's grant proposal would fund two projects: the development of an affordable housing strategy with the goal of providing workforce housing; and the development of a Marketing Plan for the Town.

Ms. Lafleur explained the administrative process and deadlines to reach a start date of January 1, 2012. The Select Board unanimously endorsed the proposal at their meeting the night before, and endorsed CEDAC's recommendation that the Cell Tower Lease funds designated for planning purposes be used to fund a portion of the Town's share of this project. Ms. Lafleur is here looking for a letter of support from the Planning Board to submit with the grant proposal. The Board will discuss that request during the Discussion portion of this evening's meeting.

#### **2. MINUTES:**

June 1, 2011 Combined Partial Minutes Parts 1 (corrected per comments of 6/08) and Part 2:

Page 2:

Line 33: The word Districts should be singular

Line 39: "the Applicants read shows the definition..."

Page 3: Lines: 22 and 23: "and ~~if~~ is the commercial space ~~on~~ one large space or multiple..."

Page 10: Line 25: The word "cooperate" was changed to the word "corporate"

Page 13: Line 34: The sentence was completed as follows: “Mr. Wilson suggested that if there are enough businessmen present, and if there is time, perhaps the group could discuss this issue with the Board.”

**MOTION by Mr. MacLean seconded by Mr. Householder to approve the Part 1 and Part 2 of the Minutes of June 1, 2011 with corrections.**

**VOTE: 4-0-2 with Ms. MacKinnon and Mr. Sabanty abstaining due to their absence**

June 8, 2011

Page 1: Line 40: The letters I f were changed to the word “if”

Page 2: Line 24: The term “offer3ed” was changed to the word “offered”

Page 3: Line 2: “many ~~concerns~~ concerns about this draft.”

Page 4: Line 2: The word “owners” should be singular

Page 7: Line 26: Mr. Fowler’s name had been misspelled

**MOTION by Mr. MacLean seconded by Mr. Householder to approve the Minutes of June 8, 2011 with corrections.**

**VOTE: 5-0-1 with Mr. Sabanty abstaining due to his absence**

### **3. HISTORIC PRESERVATION: AMEND ARTICLE 13: PUBLIC HEARING**

The Chair outlined the procedure for Public Hearings and asked Mr. Householder to give a summation of the revisions made to the proposed amendment since the previous meeting. Mr. Householder began by providing a brief overview of how the amendment came to be proposed. He referenced the public’s interest in maintaining the character of the Town heard by the Board repeatedly during the 2010 hearings on the creation of Design Standards; this Historic Preservation Ordinance addresses those concerns -- preserving the historic character of the downtown. It does not require that everyone making changes to those historic buildings is covered by the ordinance, and it only addresses changes to the current configuration not the original building as it may have existed.

Changes made to the proposed amendment by the committee since June 8, consist of the following:

- The term “Certificate of Appropriateness” was changed to “Certificate of Compliance”, the same term used throughout Camden’s Zoning Ordinance;
- Information on changes to the color or texture of a building will no longer require review;
- There are no drawings required for minor revisions;
- The demolition process was shortened; and
- The time-line for review was drastically shortened: From a 60 day approval timeframe, there is now a maximum of 27 days with a minimum of 17 days allotted for the review and approval process.

The Chair called for comments from the Public:

Etienne Perret: Building owner: He had a discussion recently about grants with Rodney Lynch who was successful in obtaining many grants for Rockland’s downtown. Mr. Lynch gave his professional opinion that Camden didn’t need this Ordinance. Mr. Perret suggests that the Board talk to someone about the grants that would be available if this Ordinance is passed; someone who knows something about grants.

David Dickey: Building owner: He informed the Board that the Town of Rockport has thrown a similar ordinance out two or three times; they didn't think it was needed. He agrees; this Ordinance is unnecessary. This will create a burden on property owners; there is no need for it; and he suggests that the Board not even pass it on to the Select Board.

No one else came forward and the Chair closed the Public Hearing. The Chair confirmed with the CEO that all property owners had been noticed. Mr. Wilson also said that the newspaper advertisement had been confirmed as published, and there had been an article published in the paper as well.

Comments/Questions from the Board:

Mr. Lindsley: Asked for confirmation that the process of review to obtain a Certificate of Compliance would require that a building owner had to appear before only one committee. Mr. Householder and Mr. Sargent, who both worked to draft the amendment, assured him that the Planning Board had no role in that approval process, the Applicant would appear only before the Commission.

Mr. Householder: He presented members of the Board with copies of an article from the June 30, 2011 *Herald Gazette* concerning the establishment of a Historic District in Rockland for the purpose of being able to obtain grants. The article quoted Rodney Lynch as saying this would be a good thing for Rockland's downtown, and called into question his actual position on Historic Preservation grants. Mr. Householder had obtained information that \$138,000,000 in Historic Preservation Grants had been awarded by the Maine Historic Preservation Commission in the past ten years. In addition, the Historic Preservation Tax Credit had just been extended by the Maine Legislature and will be in effect until 2023.

Ms. MacKinnon: Asked if it was possible that the Public Hearing could be taken off the table as part of the Commission's review process. Mr. Sargent asked why, if it is necessary to hold a Public Hearing for a Site Plan Review, is it not necessary for this review as well? Ms. MacKinnon suggested that it would shorten the process even more. Mr. Wilson noted that there would be instances when some projects required both Site Plan Review and review by the Historic Preservation Commission. In those cases, the Planning Board would defer review of the historic features section of Site Plan Review to the Commission.

Mr. MacLean read from the newspaper article provided by Mr. Householder noting that the entire article did not copy and all lines were cut short, possibly affecting the overall interpretation. Because of Mr. Lynch's reputation as an effective and knowledgeable Economic Development Director, he would like a copy of the full article so he could try to sort through the different opinions: one offered in a conversation with Mr. Perret and one as quoted in the article.  
→ The CEO will contact the paper and forward a link to the article to members of the Board.

Mr. Sargent: He is torn about what to do with this proposal. He believes this is a well written ordinance and that the revisions made are good ones that respect the comments made at the last meeting. But, he is concerned that there is a lack of political will by the public to make this happen. This could be a positive step to take that would be good for the Town and open up access to new money. He believes that since the population of the Town is shrinking it is a sign that something isn't being done right and the Town needs to try something new. But sending the proposal forward to the voters could also have a negative result; he believes it is a divisive issue,

and after the moratorium and the recent Tannery Site upheaval, the Town does not need yet another divisive issue to be sent forward.

Mr. MacLean: He is also struggling whether or not to send this on to the Select Board. After all the comments made at the last Public Informational Meeting he was leaning against pushing forward, but he knows he needs to keep an open mind and now he has these reasons for moving forward:

1. The comments made at the last meeting in opposition to the amendment were good ones, very thoughtful and thorough. But, the work done to revise the Ordinance was good and the revisions address those concerns: the time frame was reduced and is no longer ambiguous; the ability of a building owner to choose color and texture without review was addressed when these were removed from review; plus there were other changes made designed to address the criticisms offered. He has to assume that since there were no opponents of the revised draft who appeared to speak this evening that the revisions addressed the concerns satisfactorily.

2. Providing limited oversight by a Commission is outweighed by being able to tap into new funds, and that may help to protect the character of the Town.

But, he does not support limiting property rights in general. Should the Board send the proposal on to the Select Board and the opportunity for more debate on whether or not this would be good for the Town? He believes the reasons for moving forward outweigh the reason not to, and warrant sending the matter forward.

Mr. Sabanty: He is troubled that the Planning Board is completely by-passed in this review process; it is their job to review these projects. He asked for an example of something that had happened in Town that would be prevented from happening in the future if this Ordinance was in place; Mr. Householder replied that nothing has happened yet that has destroyed the character of the Town. Mr. Householder did note that Camden's Historic Districts were created a few years ago when voters, including building owners, approved making those changes because they wanted to protect these same buildings from being impacted by construction to Route 1.

Mr. Lindsley: How can we assume that what we have at this point in time is the best we will ever have? What makes it worth protecting now? The Town doesn't need this Commission.

Mr. Sargent: Camden doesn't know if they will always be so lucky; the job of the Planning Board is to plan to make things better for the long term, and that is what this Ordinance could do.

Mr. Householder: He references the 2005 Comprehensive Plan that clearly stated that the Town should establish a Historic Preservation Ordinance to protect the historic character of the Town. Mr. Lindsley believes that if you go back to 2005 it was the same people driving the creation of this Ordinance that made sure that that language was included in the Comprehensive Plan. Camden is just not ready for this step.

Ms. MacKinnon: Remains concerned about the additional level of review resulting from the creation of a Commission. Mr. Householder reminded her that a Commission is a State requirement for a certified ordinance, but Ms. MacKinnon remains concerned about the impact.

Mr. Sargent: He heard nothing this evening that warrants additional revisions to the proposal. If they have no more revisions, the Board doesn't need another Public Hearing and they are ready

to decide whether or not to send the proposal forward. Mr. MacLean asked Mr. Householder and Mr. Sargent, members of the drafting Committee, if they were prepared for the Board to vote this evening; both preferred, as did the remainder of the Board, to wait until the next meeting so members can consider the comments made this evening. The amendment will be placed on the agenda for the July 20 meeting.

#### **4. SITE PLAN REVIEW**

TOWN of CAMDEN: Grading/Construction to create Multi-use Trail

Camden Snow Bowl: Map 227 Lot 67: Rural Residential District (RR): Barnestown Road

Jeff Kuller, Camden's Director of Parks and Recreation and Snow Bowl Manager, and Will Gartley, Gartley and Dorsky Engineering and Surveying, represented the Town which is seeking permission to construct 4.75 acres of multi-use trails at the Ragged Mountain Recreation Area. Mr. Kuller noted that the area is undergoing major renovations with the goal of making the facility more attractive, easier to maintain, and more economical to run. Several Town committees have been involved in the concept and design process, and one of the exercises in creating the development plan was looking for ways to increase the opportunities for year-round use. One popular theme was to increase access to the mountain and trails; the existing trails are already very popular and expanding the system, and providing more access to more trail activities seemed a logical step to take.

Mountain biking: One of the most popular year-round trail uses now is mountain biking, and it is growing in popularity throughout the northeast. The current trails are good for intermediate and advanced bikers who are challenged by the steep grades, but it is not a place that would attract beginning bikers who are looking for a grade of 10% or less.

Cross-country skiing: There is also a great deal of interest in this area in cross-country skiing – people are constantly inquiring at the Snow Bowl about trails. There is a system of trails nearby to refer these people to, but this multi-use trail would create the opportunity to provide this access on Town property; Nordic skiers happen to like the same kinds of trails as beginning mountain bikers.

Trail Design: The group working on the development plan hired Morton Trails, LLC, the pre-eminent Nordic Trail designers. The designers recommended a minimum trail length of two-miles – any shorter than that would reduce the number of users significantly. The designers provided the group with a rough design that has been tweaked as more and more became known about the actual location of the trails. In order to create two miles of trail the Town had to cross over a short section of land that belongs to Coastal Mountains Land Trust; the Trust is a willing partner in this proposal because it opens up the opportunity for their trail system on the mountain to connect, providing a loop 4 – 5 mile long of multi-use trails.

Will Gartley explained the design and engineering of the proposed trail system. He referenced Site Plan C-1 which showed the layout of the trails including topo lines to help members understand the significance of the topography on the design. They are proposing 16'-wide trails to handle two kinds of Nordic skiing at the same time. They originally started with 20' wide trails but the cost of construction proved to be far beyond the budget for the project. Mr. Gartley noted that a great deal of work has been done by Mr. Kuller and by Gartley and Dorsky's soils and wetland specialist who walked the mountain side looking for best way to connect the areas where the natural grade and vegetation would be least altered. The goal was to

minimize the tree cutting in these areas and care was given to work around the largest of the old trees in order to preserve the canopy as much as possible. They plan on minimizing the equipment needed in the cutting operation by leaving the slash on site and using it to create their own bark mulch fill along the sides of the trails; these areas of fill will be grassed over for soil stability, and excelsior will be used on sloping sides for further control. Adjustments to the exact location of the trail will be made constantly during this phase of the project as necessary to avoid more grading or to go around ledge; there will be no blasting.

They will have to cross the stream four times as they head up the mountain and are looking at bridge designs that are not only affordable, but that will offer the least impact to the stream bed. They will have to have some small culvert crossings, but the majority of the drainage goes to this stream and they are looking for cost-effective ways to cross.

Mr. Kuller advised the Board that the Town applied for, and received, a \$35,000 grant for trail work that must be used by this fall or forfeited. They would like to make a late summer start on the project.

The Chair confirmed with the CEO that all submissions had been received on time. Mr. Wilson informed the Board that tonight's meeting had been advertised as a Public Hearing and notices had been sent to abutters "just in case" it came to that. Mr. Kuller informed the Board that he had met with the Hosmer Pond Association a few weeks earlier and spoken with members and listened to their concerns. Even though many would not have received notice as an abutter, he is comfortable that he heard from many of the near-by residents at that meeting.

Questions from the Board:

Mr. Householder: He asked if he understood correctly that this is to be a 16'-wide trail going through a wooded hillside of mixed age with old oaks and white pines with the trails laid out to miss the old trees; Mr. Kuller confirmed this was true. Mr. Householder asked how it would be re-stabilized if the bikes tear up the trails – won't they cause ruts that will make erosion worse? Mr. Kuller replied that it is a misconception that the bikes tear up the trails; they do not *if* the trails are well-constructed. 75% of the use of the existing trails at the Recreation Area is by bikes; they are multi-use even in the winter, and there has been very little issue with conflicts by users. Mr. Kuller explained that the steepest part of the trail will be the area rising from the parking area to the top of the toboggan chute; it is much too steep for the uses they want. But, this is the area where the current mountain bike trails are located and that is where the experienced bikers will still ride. The trail needs to be 16' wide to accommodate a striding lane for the traditional Nordic skiers and a skate-skiing lane for those skiers – plus room for polling on both sides of both lanes. They have been advised that if they don't offer both the trail styles they will limit the number of users; sometimes there are both style of skiers in one family and they will go where everyone can be accommodated.

Mr. MacLean asked if Mr. Kuller had seen the letters that had come to the Board. He had seen the memo dated June 15, 2011, sent by Dorie Klein and Dana Strout to the Board, but not the letter to the Board from James Curtis dated July 5, 2011; the Chair read Mr. Curtis's list of concerns and asked Mr. Kuller to respond:

1. Is the Snow Bowl willing and able to provide the grooming, snowmaking, manpower, and additional costs to make the proposed trail successful?

Mr. Kuller responded that there will be no snowmaking; they have volunteers already lined up to handle the grooming. The High School is anxious to make use of the trails for the ski-team and has offered to help with these chores; they aren't the kinds of trails that need daily grooming in any case.

2. Is the destruction of the present forest and erosion caused by the construction and trail use, worth the effort and cost? Will there be enough use to justify such a large project?
3. The proposed trail weaves in a ribbon candy type of configuration. It seems very redundant and boring compared to the existing trails that already exist in these woods. Is this a type of trail that appeals to skier and snowshoers locally and from away?
4. The present narrow trail system is serving the needs of those who use it. The proposed wide trail does not make financial or ecological sense. He doubts it will benefit the town or Snow Bowl because of our marginal winter conditions and he doubts that the Snow Bowl will be able to successfully maintain such a massive trail.

Mr. Kuller replied that the season will not be limited to skiing and he thinks it will get a lot of use. Although it will be a wide trail he does not think that it will be seen from the parking lot. He also added that snowshoeing has become more and more popular at the facility as an affordable alternative for outdoor winter exercise.

The current on-site trails are too steep and too narrow for Nordic skiing, and the only places to skate-ski locally is the State Park where the trail is level and boring; this trail will be much more fun. (Mr. Kuller was provided with a copy of Mr. Curtis's letter.)

Questions/Comments from the Board:

Mr. Sargent:

- How much usage does Mr. Kuller anticipate the trails will see? Mr. Kuller replied he wasn't sure how to answer: he knows that there are a lot of people in the area who like Nordic skiing; and there are some other ski areas building similar trails. He assumes the interest is there.
- Mr. Sargent asked if the mountain bikers were charged a fee to use the trails and Mr. Kuller replied that they are not. The Snow Bowl does not plan to charge a trail fee initially; they may ask for a donation toward costs.
- Is there an estimate for the work? Mr. Gartley replied that it is hard to bid out because it is not yet known what the final product will look like; changes will be made as the work progresses. Mr. Sargent thinks the budget of \$80,000 is low.
- Mr. Sargent has a problem, as a tax-payer, paying for services that others are using for free; perhaps they should think about collecting fees from users. If there are a lot of users, those fees could add up and help cover expenses. Mr. Kuller replied that he anticipate anywhere from 20 – 100 people/day depending on the weather.
- Mr. Sargent asked Mr. Gartley about the parking lot – will they be taking these new uses into consideration in laying out the design? Mr. Gartley replied that they are taking advantage of every space available, and they are proposing to create a remote lot near the toboggan chute that users of these trails would be encouraged to use. The trail head is right behind the chute so that would be very handy parking. As an additional benefit, more space for vendors to use during the Toboggan Nationals would be created by leveling this area for

parking. Mr. Kuller added that thought has been given to closing the Nordic tracks during the Nationals to avoid any conflicts or unsafe conditions.

- Mr. Sargent remarked that last fall a young man made a presentation on proposed changes to the mountain bike trails, and it was noted that some of the work to the trails was in the path of other proposed work that would be done later in the over-all project. There was concern that some trail work would have to be redone, and perhaps the projects were being taken out of order. What is the status of these existing trails and that project? Mr. Kuller responded that if this trail project is approved, some of the existing mountain bike trails will have to be reconfigured. Mr. Anders, who made that presentation, is on the Land Use Committee for the redevelopment project and is aware of the proposed changes. It is true that some of the bikers are not too pleased their trails will be affected, but they have accepted the decision.

Mr. Householder: In the overall scheme of the redevelopment project, where does this project fit? Mr. Kuller replied that it is being done as a way to expand the year-round use of the property; trail development is an important component in push for year-round use of the entire facility. They have \$80,000 to spend; \$50,000 is fund-raised monies and \$30,000 is from the grant mentioned earlier.

Mr. Sabanty: Asked if the Friends of Ragged Mountain had commented on the proposal. Mr. Kuller said he had not heard from the organization formally, although he has spoken to several members.

Public Hearing:

The Board deliberated on whether or not to move forward with the Public Hearing that had been advertised.

Mr. MacLean: Because notices had been published and mailed, he was comfortable moving forward.

Ms. MacKinnon and Mr. Sabanty were also ready to move forward to Public Hearing.

Mr. Sargent: He agrees that since this meeting was advertised and people are attending hoping to speak, that they should have the hearing. But, members just got the plans this evening, and he is not prepared to proceed to a vote on Approval Criteria without time to review the submissions. Mr. Householder and Mr. Lindsley agreed with Mr. Sargent.

Mr. Sargent: Asks if Coastal Mountains Land Trust (CMLT) needs to be listed as a property owner since they own a piece of the land that is being reviewed. The Chair read the Ordinance aloud and believes that the "owner" intended by the Ordinance is the Town – the Applicant. There is a letter in the packet where CMLT gives the Town agency to make this application, and he believes that is sufficient.

The Chair convened the Public Hearing:

Dinorah Munoz: Abutter: In the end this project could turn out to be a wonderful project, and she is hopeful that will happen and is 100% in favor of the proposal. She is very worried where the storm water from the new trails directly above her shorefront property will go once the slopes are changed; she already gets much run-off and this is a major concern for her.

Andrea Young: Abutter: There is a stream that comes down the mountain and ends up on her property. The banks have already been overrun; the stream continually gets wider and the run-off continues to get worse every year. She loves the trails that are there already, and looks

forward to more. But, she is very worried that the run-off will get worse as they cut down more and more trees. Mr. Gartley clarified for Ms. Young that this is not the same stream that will be impacted by the work; the stream that comes toward her property drains a different area of the mountain.

Dorie Klein: Ms. Klein has property that abuts the area of the mountain near the lower two loops of the trail. She noted that the letter she had submitted was based on her preview of a previous plan and that some of her comments in that letter no longer apply to this revised trail design. She has not had time to review the new plan, but has some comments that are relevant to the proposal in general.

She supports increased use of the facility to increase revenues through the redevelopment project which includes a new lodge and this ten-mile ski loop to connect to the Georges Valley and Coastal Mountains Land Trusts' trails. But, she has concerns about the design of these trails. One of these concerns has to do with trail maintenance: There was a new three-mile trail that opened on the mountain in February and it received no maintenance after the opening; and the facility's snowboarding course washed out and has not been repaired or replaced. If basic maintenance is not being done to the trails that already exist, how will these new trails – and the other projects they will propose – be maintained? She gave another example of lack of facility property that isn't being maintained: the boat ramp on Hosmer Pond is impossible to use it is in such bad repair, and two ramps near the Toboggan Run were left in the water to rot.

She wants to see improvements that would increase the area's property values, but she is worried that these improvements, if they are not very well done and then well-maintained, will hurt property values instead.

Specific to the trail design she commented:

- Many of the trees on the slope to be cut are red oaks about 60' tall. It is known that when one tall tree is taken down the remaining trees can suffer and others are lost.
- Her primary concern is run-off: even with the current established vegetation in place Rollins Road still washes out in heavy spring rains – even where it is paved. She has no idea what will happen when the construction of all the loops is completed and the vegetation has been removed.
- She knows that the water table at her well is 14' below the surface; she wonders how close to this water table they will come as they cut into the hillside at the same elevation to level the slope for the trails.
- She is concerned there will not be enough soil left between the loops for the remaining trees to survive. She also wonders how many trees that are intended to be left in these areas will die because their roots have been disturbed during the construction.

In summary she asks: Will the development improve the area? Can the Snow Bowl maintain these new trails in addition to everything else they must do? Can the group afford this project – their budget seems awfully low for the undertaking, especially when three bridges must be included in the costs. The Snow Bowl has always suffered from economic problems and this will just add to their costs.

Scott Dickerson: Executive Director, Coastal Mountains Land Trust (CMLT): He is in attendance this evening to answer any questions the Board might have about Coastal Mountains' involvement with the project. The section of the trail that crosses CMLT land is low gradient where there will be no problems with construction erosion or resulting run-off. This new trail

will be an important linkage for the public to access the existing trail system. CMLT has been in a long campaign to protect the Mountain and thinks that this agreement allowing the Town to cross their property can be a mutually beneficial cooperative effort.

Managing the topography and the vegetation for this trail proposal is a big hurdle, but they are trusting in Gartley and Dorsky's expertise to make this a successful project; their land poses no obstacles in this regard.

Regarding the discussion about whether or not CMLT should be considered an applicant, he is of the opinion that they are not an applicant, but simply the holder of fee title ownership of the land the trail will cross. He believes the Trust's written agreement with the Town makes that clear; the goal is that Camden will always have access to other trails across this land. The Trust will put in place their standard maintenance agreement and continued access will be based on Camden's performance in maintaining the trail.

Mr. MacLean: The Chair was concerned that, as a co-applicant, the Trust could be put in a situation of being liable for the entire project, and not just the portion where the trail crosses their land. Mr. Dickerson noted that the agreement is written so that CMLT is not surrendering any rights of ownership.

No one else came forward to speak and the Public Hearing was closed.

The Chair stated that although the Board has heard many comments regarding maintenance and funding of this project, he does not believe these issues are in the Board's purview. Those questions are part of a political process that is the jurisdiction of the Select Board – they will hear concerns about public money and Town property.

The Application packet consists of the following submissions dated June 22, 2011:

Application for Site Plan Review

Narratives: Site Plan Content and Site Plan Approval Criteria

Location Map

Plan C-1: Site Plan

Plan C-2: Site Details

List of Abutters (not dated)

Article 12.

Section 3. Site Plan Content

→ Camden had been misspelled

→ There are several possible future septic sites shown on the Plans that are not relevant to this Application; they will be removed.

(a) *Owner's name and address*

Incomplete: A Plan Note will be added referencing the June 27, 2011 letter from Coastal Mountains Land Trust outlining the agreement with the Town of Camden regarding the multi-use trail.

(b) *Names and addresses of all abutting property owners*

Incomplete: Because her property and buildings are shown on the Plan, abutter Dinorah Munoz' name and address needs to be added to her lot to identify the property.

(c) *Sketch map showing general location of the site within the Town*

**Complete:** Inset on C-1 as “Overall Map” and separately as a “Location Map”.

(d) *Boundaries of all contiguous property under the control of the owner or applicant regardless of whether all or part is being developed at this time.*

**Complete:** Shown on the Location Map on C-1.

(e) *Zoning classification(s) of the property lines of the property to be developed and the source of this information.*

**Complete:** Shown on C-1 as General Site Information.

(f) *The bearing and distances of all property lines of the property to be developed and the source of this information. The Board may require a formal boundary survey when sufficient information is not available to establish on the ground, all property boundaries.*

**Complete:** Shown on the Location Map on C-1. Mr. noted that this information was taken from the Town Tax Maps and not a survey.

(g) *The location of all building setbacks required by this Ordinance.*

**Complete:** Shown on C-1

(h) *The location, dimensions, front view, and ground floor elevations of all existing and proposed buildings in the site.*

**Complete:** No new buildings are proposed for this project.

(i) *The location and dimensions of driveways, parking and loading areas, and walkways.*

**Complete:** Shown on C-1.

(j) *Location of intersecting roads or driveways within 200 feet of the site.*

**Complete:** Shown on Location Map on C-1.

(k) *The location and dimensions of all provisions for water supply and wastewater disposal*

**Complete:** There are no provisions for water or wastewater disposal. There will be no provisions for snowmaking here.

(l) *The location of open drainage courses, wetlands, stands of trees, and other important natural features, with a description of such features to be retained and of any new landscaping planned.*

**Complete:** Shown on C-1 and C-2.

(m) *Location and dimensions of any existing easements and copies of existing covenants or deed restrictions.*

**Complete:** The Site Plan shows the access across CMLT land and there is a Letter of Agreement in the packet.

(n) *Location, front view, and dimensions of existing and proposed signs.*

**Incomplete:** There will be typical trail signs and directional signs similar to those used elsewhere on the mountain. A Plan Note will be added to include an illustration with the dimensions and a description.

(o) *Location and type of exterior lighting.*

**Complete: There will be no exterior lighting for night-skiing here.**

*(p) Copies of applicable State and Federal approvals and permits, provided, however, that the Board may approve site plans subject to the issuance of specified State approvals and permits where it determines that it is not feasible for the applicant to obtain them at the time of site plan review.*

**Incomplete: A Natural Resources Protection Act Permit-by-Rule (NRPA) is required by DEP of this project because of the proposed stream crossings – the application has not yet been submitted.**

*(q) A signature block on the site plan, including space to record a reference to the order by which the plan is approved.*

**Complete: Included on C-1.**

#### Section 4. Supplemental Information

The Planning Board may require any or all of the following submissions where it determines that, due to the scale, nature of the proposed development or relationship to surrounding properties, such information is necessary to assure compliance with the intent and purposes of this Ordinance.

*(1) Existing and proposed topography of the site at two-foot contour intervals, or such other interval as the Board may determine, prepared and sealed by a surveyor licensed in the State of Maine.*

**Required and Submitted:** The Board agreed that the 5' intervals shown on C-1 were acceptable. The Plan was prepared and sealed by Will Gartley, a licensed engineer.

*(2) A storm water drainage and erosion control plan prepared by an engineer or landscape architect registered in the State of Maine, showing:*

*(a) The existing and proposed method of handling storm water runoff.*

*(b) The direction of flow of the runoff through the use of arrows.*

*(c) The location, elevation, and size of all catch basins, dry wells, drainage ditches, swales, retention basins, and storm sewers.*

*(d) Engineering calculations used to determine drainage requirements based upon a 25-year storm frequency, if the project will significantly alter the existing drainage pattern due to such factors as the amount of new impervious surfaces (such as paving and building area) being proposed.*

*(e) Methods of controlling erosion and sedimentation during and after construction.*

The Applicant addressed each of these requirements in the Site Plan Content Narrative that was part of the Application Packet.

#### Discussion:

Mr. Householder asked to hear Mr. Gartley's response to the comments made during the Public Hearing with regard to concerns with storm water run-off.

Mr. Gartley described various components of the design put in place to control run-off:

- Switchbacks: This design by its nature makes erosion control easier to control because there are no long runs of ditches to carry water.
- They are going to avoid ditching wherever possible
- They will create a turn-out at the end of the turns to let ditches widen out to send water back into the woods.

- They will avoid making cuts and adding fill whenever possible to achieve the least change to current drainage patterns as possible.
- The disturbed areas will be re-vegetated in the end with seeded bark mulch berms, stabilized when necessary with excelsior.

Mr. Gartley added that to provide the level of detail necessary for a Stormwater Plan would be very expensive. He acknowledged that there will be cleared areas on the mountain side, but the stream channel won't change; they are not diverting water toward the Striyt/Klein's property or the Curtis's. He realizes they have to be the most careful in the area above Dinorah Munoz's property; if something is wrong with the design, they can always come back and make corrections.

There were concerns that the actual design of the trail won't be known until it is actually completed. Mr. Wilson said that if he has an "as built" plan that shows the trail as actually constructed, he would have sufficient information to order changes based on Performance Standards.

Ms. MacKinnon: Thinks that the information shown is good; she has enough detail to move forward to a decision. She thinks it would be impractical, if not impossible, for the Applicant to provide more detail in this instance.

Mr. Sargent: Agrees that switchbacks will help with erosion control. The Applicant has an obligation to keep stormwater on their property, and there is enough of a buffer between the Munoz property and the proposed trail that there is sufficient room to add more controls if it becomes necessary.

Mr. MacLean: Sees no need for more engineering based on what he has heard this evening.

Mr. Householder: Supports the suggestion for an "as built" plan. Mr. Gartley also agreed to provide photos of the work in progress for the record.

→ Stormwater Plan not required; instead, an "as built" Plan and photos are to be submitted at completion of the project to document the work done to control stormwater.

*(3) A utility plan showing, in addition to provisions for water supply and wastewater disposal, the location and nature of electrical, telephone, and any other utility services to be installed on the site.*

**Not required.** There are no utilities.

*(4) A planting schedule keyed to the site plan and indicating the varieties and sizes of trees, shrubs, and other plants to be planted.*

**Required and submitted:** The plan for re-vegetation is shown on the Plan C-2.

The Public Hearing was closed.

## **5. REQUEST for a Letter of Support: Heart & Soul**

Mr. Sargent is the Board's Liaison to CEDAC, and he spoke of CEDAC's on-going discussions on how to take a diverse community and get it moving in the same direction into the

future. CEDAC has been working with Jane Lafleur and Heart & Soul on the grant application to the Orton Family Trust. The Trust's efforts to work on community building by finding common ground seemed like something that would be beneficial to Camden, so CEDAC agreed to come up with two proposals to present to Orton. CEDAC has long felt that Camden needs a "marketing plan" to bring new businesses, and new jobs, to Town. To accommodate the workers that will be needed to fill these jobs, the Town also needs to develop a workforce housing plan. These are the two components of the grant Ms. Lafleur explained earlier. CEDAC also recommended using the cell tower lease money they administer to pay a portion of the matching funds required by the Town. They feel the ability to make "in-kind" donations to supplement the cell tower monies will mean that tax-payers won't have to pay anything toward the required match.

Mr. Sargent added that the more letters Heart & Soul has in support to include with their application the better, and he hopes the Planning Board will agree to support the effort because he thinks it would be good for the Town.

Discussion:

Mr. MacLean: He is concerned whenever a need must be created in order to find a way to spend grant money. In addition, by using the cell tower lease money for these proposals, it means that money won't be available for actual needs. The in-kind donations of time to satisfy the Town's share also bother him when that time is being given by Town employees like Brian Hodges, the Economic Development Director, who is being paid to do the Town's business.

Mr. MacLean is philosophically opposed to voting to fund projects that weren't seen as a need before the opportunity for grant money came along. Based on past experience he knows how hard it is to get the community involved in issues; he questions whether it is worth spending \$100,000 to try to make this happen.

Mr. Sargent responded: He thinks that the Town should meet the Orton folks to see if the grant is something they want to pursue.

Mr. Householder: He is queasy thinking about spending the \$25,000 cell tower lease money on this project – if not more.

Mr. Lindsley: Agrees – he is also uncomfortable.

Mr. Sabanty: He agrees with the Board's comments.

The Board agreed they would not offer a letter of support to Heart & Soul.

## **6. DISCUSSION:**

1. *Minor Field Adjustments*: There were none

2. *Planning Board Committee Interest Form final* and 3. *Planning Board Attendance Policy final*: The amended versions of the drafts were distributed for final review – there were no further changes made.

4. *MUBEC update and amendments required*

This issue is not ready for discussion, but Mr. Wilson continues to work on necessary amendments to bring Camden into compliance with the new State building and energy codes.

5. *New Subdivision amendment required*

The State Subdivision Law set a new timeframe for submissions and Camden's Ordinance must comply.

6. *Report on Select Board review of Board and committee structures from June 28<sup>th</sup>:*

The Chair reported on the discussion between the Board of Selectmen and Committee Chairs concerning committee make-up, attendance, qualifications for members, etc. The Planning Board was used as a model of a Committee doing well in all regards. The recent adoption of an Attendance Policy and the Letter of Interest describing the job of serving on the Board were cited as work well done. The Select Board is working on a survey to be sent to all committees and boards in an effort to improve the entire committee structure in Town. The work done by these committees is very important to the Town, but some of the processes need improvement and attendance needs to be addressed.

7. *Other*

Mr. Sargent asked that the Board discuss how it happened that a Site Plan had come to them with the Applicants expecting that they would receive approval on the same evening the Board had received copies of the Plan. A Public Hearing had been scheduled before the Plan was even found complete: this runs contrary to the Board's past history of Site Plan review. The Applicant had submitted the Plans to the CEO in time to meet the submission deadlines, and the CEO had scheduled the Public Hearing "just in case" the Board was ready to proceed. Abutters had been notified of the hearing, but the Plans had not been sent out to Board members nor were they notified by email that the Plans were available to review. Mr. Wilson was asked to notify the Board members as soon as plans arrived in the future.

The Chair asked to be notified when the notices for hearings and meetings have gone to papers and abutters.

There being no further business before the Board they adjourned at 8:45

Respectfully submitted,

Jeanne Hollingsworth, Recording Secretary