

**Camden Select Board
Minutes of Meeting
March 16, 2010**

PRESENT: Chairperson Karen Grove, Vice Chairperson Deborah Dodge, John French, Anita Brosius-Scott, Morgan Laidlaw, and Town Manager Roberta Smith. Also present were members of the press and public.

ABSENT: Town Attorney William Kelly

Contents

1. Public input on non-agenda items.
2. Approval of Board Minutes from January 5, 2010 and January 19, 2010.
3. Further consideration of the request of Megunticook Rowing to use a portion of the Barrett's Cove town lot to operate their rowing program.
4. Discussion of needed repairs to Seabright Hydro to make it operational again.
5. Review of the Rawson Avenue Pump Station upgrade project and consideration of the amendment to the Professional Services contract with Wright-Pierce for bidding services.
6. Consideration of amendment to Administrative Procedures Appendix A to the Harbor & Waterways Ordinance as recommended by the Harbor Committee.
7. Consideration of the Opera House Maintenance Reserve withdrawal requests.
8. Public Hearings regarding the following liquor and special amusement permits:
 - a. Application of Atlantica Restaurant at 1 Bay View Landing for a Class I Restaurant Malt, Spirituous, and Vinous Liquor License.
 - b. Application of Atlantica Restaurant at 1 Bay View Landing for a Special Amusement Permit.
 - c. Application of Jinming Corporation, d/b/a Asian Gourmet at 133 Elm Street for a Class I Restaurant Malt, Spirituous, and Vinous Liquor License.
 - d. Application of Joshua Hixson, d/b/a Brevetto Kitchen & Wine Bar at 43 Mechanic Street for a Class 1 Restaurant Malt, Spirituous, and Vinous Liquor License.
9. Consideration of the following victualer and lodging license applications:
 - a. Application of Soldatos Zafiris, d/b/a Express House of Pizza at 12 Mechanic Street for a renewal victualer license
 - b. Application of Joshua Hixson, d/b/a Brevetto, LLC at 43 Mechanic Street for a renewal victualer license
 - c. Application of Anita Zeno d/b/a Belmont Inn at 6 Belmont Street for a renewal victualer and lodging license
10. Consideration of a renewal Taxicab Business license for Matthew Lewis, d/b/a Rockland Yellow Cab
11. Committee Reports

12. Manager's Report

Minutes of Meeting

1. There was no public input on non-agenda items.
2. Board member Brosius-Scott stressed that she would like minutes available within month of meeting so that citizens have a summary to read quickly rather than have to sit and listen through a tape or DVD because the Board meetings tend to run three to four hours. Her preference would be to have the minutes available shortly after the Board meeting.

Board member Brosius-Scott made a motion to have the Board minutes available within one month of the Board meeting. The motion failed due to lack of a second.

Manager Smith commented that it is our goal to have the minutes done as soon as possible however two years ago it was recommended to reduce the office staff in the front office and one full time position was eliminated. Also in the past two months we have been working on the TIF proposals, put together a special town meeting, working budgets, working on putting town report together, and working building a new town website along with the fact that we had two people out on extended medical leave so something had to give. As far as the Planning Board minutes those are prepared by a private person. They have a home business and they are not a full time town employee with other duties to perform.

Anita Brosius-Scott made a motion to approve the Board minutes from January 5th & January 19th, 2010 with minor edits as suggested. Deborah Dodge seconded this motion. The motion passed on a 5-0-0 vote.

3. Ry Hills of Megunticook Rowing addressed the Camden Select Board again for consideration of a request to use a portion of the Barrett's Cove town lot to operate its rowing program. The Board voted unanimously last spring to allow Megunticook Rowing to use Barrett's Cove to store their boat trailer and to row off the beach. Since that time they have learned that kind of launching is difficult. They have requested approval from the Select Board to install a float, create a small clearing for boat storage, and path to access both. This was discussed at the February 16th Select Board meeting and the Board was not ready to make a recommendation until after Ms. Hills presented her proposal to the Camden Conservation Commission. Two Board members Grove and French also remarked that they had complaints from the fisherman and waterfront residents about the noise in the early morning and that the rowers were harassing fishermen on the lake. Since that meeting Ry Hills has met with Lake Warden Ken Bailey, the Conservation Commission, and Bill Dickey (lakefront owner) to discuss the future plans of Megunticook Rowing and to discuss any concerns they might have regarding the further development of the rowing program at Megunticook Lake, specifically out of Barrett's Cove. Additionally, a letter was sent out to the property owners along Barrett's Cove out as far as Proctor's Point, as requested by the Board. The Board also received a letter of support for the program from Jeff Kuller, Director of Parks & Recreation, and a memo from Karin Rector, Chair of the Conservation Commission. Karin Rector was unavailable to attend tonight's meeting but her memo indicates, the Commission has not met to discuss a recommendation since the initial presentation but site visits have been done and they hope to vote and make a recommendation at their March 31st meeting.

Manager Smith commented that while the long term goal of the group is to obtain a lease and construct a facility on the Barrett's Cove site, what is currently being proposed is more of an interim use of the property. Attorney Kelly feels this use can easily be addressed with a Revocable License Agreement. This will give Megunticook Rowing an opportunity to see if the development of the program is successful before investing in a facility, and give the Town an opportunity to assess the compatibility of the program with the site prior to being asked for a permanent lease which would require a town wide ballot vote. In addition to numerous emails the town office received both in support and opposed several people came forward to voice concerns.

Positive comments received were:

- wonderful life long recreational activity for both young people and seniors.
- rowing is considered a "green sport" does not contribute to pollution or environmental issues,
- it's low impact, and relatively quiet
- town should support any effort that encourages exercise and fitness
- town should not allow blocking to others of lawful use of the lake
- disciplined sport that requires teamwork and concentration.
- program has the potential to attract people from throughout the region who will spend time in Camden, stay in local inns, and eat and shop while here.

The negative comments received were:

- early morning noise from instructors using megaphones
- motorboats already limited to within 200 feet of the shore and this side of the lake is already narrow
- additional pressure on limited parking at Barrett's Cove, for children and families for swimming & picnics
- it would be an eyesore to have a float 30 feet out when the water levels are down
- danger to children swimming no way to control teenagers or vandalism
- this proposal would be setting a precedent for other entities to use and develop other town properties, have other alternatives been explored
- what about shoreland zoning permits are they required
- is a site plan review process in place

After Board deliberation,

Morgan Laidlaw made a motion to approve the interim plans outlined by Megunticook Rowing. Deborah Dodge seconded this motion. The motion failed on a 2-3-0 vote. (Grove, French, & Dodge opposed)

A new motion was made,

John French made a motion to approve the concept of the interim plans submitted by Megunticook Rowing contingent on a draft 1 year revocable license, no impermeable material used in construction of the path, Megunticook Rowing must revegetate the path if they decide not to continue the rowing program and/or if the town does not want the path, Megunticook Rowing needs to find out what their permitting requirements are (what they can and cannot do), and wait for final Camden Conservation Commission review. Deborah Dodge seconded this motion. The motion passed on a 5-0-0 vote.

4. The Board reviewed the proposal and repair cost estimates for Seabright Hydro with Wastewater Superintendent Ross Parker. The repairs will only make one of the two turbines operational although the proposed control work will serve both turbines.

Deborah Dodge made a motion to approve the repairs to Seabright Hydro as discussed and withdraw \$23,000 from the general fund contingency. Morgan Laidlaw seconded this motion. The motion passed on a 5-0-0 vote.

5. The Rawson Avenue Pump Station project has been advertised for bid, with bids due April 7th. It is anticipated that the Board will include a bond question on the project financing on the June Town Warrant, and that the project will be completed in 2010. The proposed amendment to the town's current Agreement with Wright Pierce is for oversight of the bidding process

Anita Brosius-Scott made a motion to approve the amendment to the Wright-Pierce Agreement for Bidding Services not to exceed \$9,000. John French seconded this motion. The motion passed on a 5-0-0 vote.

6. Harbormaster Steve Pixley presented a change to the Administrative Procedures to the Harbor & Waterway Ordinance. Steve stated that we have been having a problem with boats having too much swing around. He never realized why in the shallow areas like Laite Beach area it seemed to be more of a problem. It was pointed out to him it's because it's the way the ordinance is worded. He is suggesting the following change which the Harbor Committee unanimously approved.

The bottom chain length shall be 5' more than at least the depth of the water at mean low water (MLW) and the top chain length shall be to the depth at mean high water (MHW). the combined chain length shall be two (2) times the total depth at mean high water (MHW). When a mooring site is at deeper water than 15' mean low water (MLW), the length of bottom chain shall be at least 20' and the combined chain length will equal the depth of mean low water (MLW) plus depth of mean high water (MHW).

John French made a motion to approve the amendment to Administrative Procedures Appendix A to the Harbor & Waterways Ordinance contingent upon the Town Attorney's approval. Anita Brosius-Scott seconded this motion. The motion passed on a 5-0-0 vote.

7. Opera House Manager Kerry Hadley presented a list of withdrawal requests from the Opera House Reserve Fund. Ms. Hadley's listed included the following expenditures:
 - (1) Clean and fireproof gold curtain
 - (2) Re-wallpaper the Tucker Rom
 - (3) Purchase Camden Civic Theater Stage Lights for \$9,000 plus spend approximately \$20,000 for new dimmer packs, new controls, electrician, and other accessories (new gels, lamps, cables, adjustable stands, barn doors, etc. These other items Kerry Hadley and Dave Morrison were able to negotiate at deep discounts.
 - (4) Stage rigging inspection repairs
 - (5) Purchase digital projector
 - (6) Purchase refrigerator and cabinetry for Green Room
 - (7) Install auditorium camera and switching system

Board member Brosius-Scott asked if they vote tonight for these items that would potentially cause an increase in fees and therefore generate more revenue will they be able to make an adjustment in the budget for fiscal year 2011.

Manager Smith stated the answer is no because buying new stage lights will generate more revenue but she does not think it will impact the budget because it has to do with estimating all the revenues not just the ones being generated for this new equipment. Buying the new stage lights is not going to change her recommendation because she wants to see what the activity is really going to be. We have made a lot of improvements and there is some outstanding accounting that needs to be sorted out in terms of Opera House productions. She is not comfortable estimating revenues as high as possible because if we fall short then we have a problem.

Because we have some outstanding accounting to sort out she recommends that you hold off on some of the requests and only approve items #1 & #4, and \$9,000 to purchase the Camden Civic Theater stage lights.

After further Board discussion,

John French made a motion to approve items #1 & 4 from the Opera House Manager's requests and \$9,000 for purchase of the Camden Civic Theater stage lights. Deborah Dodge seconded this motion. The motion passed on a 4-1-0 vote. (Grove voted opposed she was in favor of supporting the Opera House Manager's requests)

Chairperson Grove read the rules and regulations for conducting public hearings in preparation of the public hearings to be held this evening.

8. Public hearings were held regarding several liquor and special amusement permits. Manager Smith noted all liquor license applications have been approved and reviewed by the Camden Police Chief and the special amusement permit applications have all had life safety inspections completed by the Camden Fire Department.

Chairperson Grove asked to hear from any proponents. There were none.

Chairperson Grove asked to hear from any opponents. There were none

Chairperson Grove closed the public portion of the hearing, and no Board discussion followed.

John French made a motion to approve:

- a. **Application of Atlantica Restaurant at 1 Bay View Landing for a Class I Restaurant Malt, Spirituous, and Vinous Liquor License.**
- b. **Application of Atlantica Restaurant at 1 Bay View Landing for a Special Amusement Permit.**
- c. **Application of Jinming Corporation, d/b/a Asian Gourmet at 133 Elm Street for a Class I Restaurant Malt, Spirituous, and Vinous Liquor License.**
- d. **Application of Joshua Hixson, d/b/a Brevetto Kitchen & Wine Bar at 43 Mechanic Street for a Class 1 Restaurant Malt, Spirituous, and Vinous Liquor License.**

Morgan Laidlaw seconded this motion. The motion passed on a 5-0-0 vote.

9. The Board considered renewal victualer and lodging license applications. Manager Smith noted all applications have been reviewed and approved by the Codes Officer and the Fire Department.

John French made a motion to approve:

- a. **Application of Soldatos Zafiris, d/b/a Express House of Pizza at 12 Mechanic Street for a renewal victualer license**
- b. **Application of Joshua Hixson, d/b/a Brevetto, LLC at 43 Mechanic Street for a renewal victualer license**
- c. **Application of Anita Zeno d/b/a Belmont Inn at 6 Belmont Street for a renewal victualer and lodging license.**

Morgan Laidlaw seconded this motion. The motion passed on a 5-0-0 vote.

10. **John French made a motion to approve the renewal Taxicab Business License for Matthew Lewis, d/b/a Rockland Yellow Cab. Morgan Laidlaw seconded this motion. The motion passed on a 5-0-0 vote.**

11. Committee Reports:

Parking Committee: Anita Brosius-Scott reported they discussed the reconfiguration of the loading and unloading zone for school buses at the Middle School on Knowlton Street. Ben Ellison of the Harbor Committee presented a proposal for increased parking at the Cove Road parking lot.

12. Manager's Report:

- a. Manager Smith reported that we received a letter from the DECD that they reviewed the Letter of Intent to apply for a 2010 Community Development Block Grant Housing Assistance program for the Lupine Terrace subdivision and their review showed that we have met the requirements and we are therefore eligible to submit a 2010 Housing Assistance program application.

John French made a motion to adjourn at 10:30 pm. Morgan Laidlaw seconded this motion. The motion passed on a 5-0-0 vote.

Respectfully submitted,

Janice L. Esancy
Recording Secretary