



**Town of Camden  
Select Board Meeting  
July 22, 2014 – 6:30 PM**

**PRESENT:** Chairperson Martin Cates, John French, Jr., James Heard, Leonard Lookner, Donald White, and Town Manager Finnigan. Also present were members of the press and public.

**A. Call to Order**

The meeting was called to order at 6:30pm.

**B. Report of the Planning Board's action regarding the proposed amendment to Article VI, Section 2 (2)(c) of the Zoning Ordinance**

Lowrie Sargent, Chair of the Planning Board, said that at its July 2 meeting the Planning Board held a public hearing on a proposal to modify the language of Article VI, Section 2 (2)(c) of the Zoning Ordinance by adding the following language: "except an Inn abutting High Street and within 500' of a zone where restaurants are an allowed use may be granted a Special Exception to be allowed to serve meals to overnight guests only, subject to meeting the standards of a Low Impact Use as determined by the Zoning Board of Appeals." He reported that the Planning Board had voted 4 - 1 vote to send the proposal to the Select Board for consideration to be placed on the November Town ballot.

Select Board members commented on this matter. Lookner expressed reservations but agreed that it should go through the democratic process as far as putting it on the ballot. He said he would like to see a limitation of signage regarding serving meals.

*John French made a motion to set a Public Hearing for August 12<sup>th</sup> to consider whether this item should be sent to the voters in November. Don White seconded the motion.*

Discussion: John French noted that any written correspondence from those unable to attend the public hearing should be received by the Town Office by August 8th at noon.

*The motion was unanimously approved.*

**C. Citizen Comments**

Parker Laite of Camden suggested moving Section H of the agenda to between items C & D. *Don White made a motion to make the change to the agenda as suggested. John French seconded the motion. It was unanimously approved.*

**H. Licenses (Liquor, Victualers, Lodging, Taxis)**

**1) Request to approve application of Vernon Lee Thompson for a renewal taxicab operator's license driving for Schooner Bay Taxi**

*John French made a motion to approve the application of Vernon Lee Thompson for a renewal taxicab operator's license driving for Schooner Bay Taxi. Don White seconded the motion. It was unanimously approved.*

**2) Request to approve the following Victualer License renewals:**

- a) James & Cynthia Ostrowski, d/b/a Blackberry Inn at 82 Elm Street for a victualer and lodging license
- b) Christopher Cousins d/b/a Cuzzy's located at 21 Bay View Street for a victualer license
- c) Anna Sideris d/b/a High Mountain Hall at 5 Mountain Street for a victualer license
- d) Gerald and Gabriele d/b/a Marriners Restaurant at 35 Main Street for a victualer license
- e) Maria Anderson and Erin Donovan d/b/a/ Spoon at 44 Bay View Street for a victualer license
- f) James & Cynthia Ostrowski d/b/a The Elms B&B at 84 Elm Street for a victualer and lodging license
- g) Sondra and James Hamilton d/b/a Zoot Coffee at 31 Elm Street for a victualer license

*Leonard Lookner made a motion to approve the Victualer License renewals of Blackberry Inn, Cuzzy's, High Mountain Hall, Marriners Restaurant, Spoon, The Elms B&B, and Zoot Coffee. John French seconded the motion. It was unanimously approved.*

**3. Public hearings: Special Amusement and Liquor Licenses**

Martin Cates opened a Public Hearing to consider the following:

- a) Blue Harbor House Inn at 67 Elm Street for a Class V Bed & Breakfast Liquor License
- b) Cuzzy's at 21 Bay View Street for a Class XI Restaurant/Lounge Liquor License
- c) Cuzzy's at 21 Bay View Street for a Special Amusement Permit
- d) Grand Harbor House at 14 Bay View Landing for a Class V Bed & Breakfast Liquor License
- e) High Mountain Hall, LLC at 5 Mountain Street for a Class I Restaurant/Lounge Liquor License (previous license was for Class II Spirituous & Class IV Malt Liquor License)
- f) High Mountain Hall, LLC at 5 Mountain Street for a Special Amusement Permit

Chris Cousins, owner of Cuzzy's, spoke to the Board about a noise issue that had come to his attention with regard to the back deck of his establishment. He described measures he had taken to fix the problem and answered questions from the Board.

Public Comments:

Joan Mullaney who lives nearby said that she had complained to police about the noise, and that she also was concerned with regard to the safety issue of people leaving the bar.

Parker Laite spoke in favor of closing the back deck of Cuzzy's.

Morgan Laidlaw spoke in favor of keeping the back deck open, emphasizing that Cousins had immediately taken steps to improve the situation.

Board members commented about the noise situation and discussed limiting the hours of deck operation to 11pm.

*Don White made a motion to approve the special amusement permit for Cuzzy's with the condition that the back deck be closed at 11:00pm, with the condition to be considered again after three months. John French seconded the motion. It was approved by a vote of 4-1 (Cates opposed).*

*John French made a motion to approve the liquor licenses for Blue Harbor House Inn, Grand Harbor House, and the liquor licenses and special amusement permit High Mountain Hall. Don White seconded the motion. It was unanimously approved.*

### **C. Citizen Comments**

There were no further citizen comments.

### **Board Comments**

Don White noted that the Harbor Arts Show had been successful, and that the celebration on the Village Green for the 120<sup>th</sup> anniversary of the Opera House had also been a success.

### **D. Approval of Select Board Minutes of July 8, 2014**

*John French made a motion to approve the minutes of the July 8, 2014 meeting. James Heard seconded the motion. It was unanimously approved.*

### **F. Town Manager Report**

#### **1. Ragged Mountain Recreation Area Update**

Pat Finnigan reported that Tom Wells of Royal Trail Works and his crew had begun their work on the Snow Bowl trails. She said that the DEP had been on site the previous week and had been pleased with the quality of the erosion measures they'd seen. The Town Manager pointed out that the region had experienced significant rainfall the past week and that the Town Office had had no phone calls with concerns following the rainfall, which had been the heaviest since the project started. She noted that the turbidity curtain had been effective in capturing silt before it entered the pond combined with the other erosion control measures. The Town Manager reported the group is still working on the punch list but that it is close to complete, and DEP continues to monitor the work.

Finnigan reported that trail construction is going well and that grass is growing where it has been seeded. She said that an access road for heavy equipment is being completed. Some ledge needs to be blasted and rocks from the blasting will be repurposed to build the road. Lift construction is also underway and snowmaking pipes are being assembled, she said. Shortly the Planning Board will take a look at lighting options.

Bill Fitzcharles, Snow Bowl Operations Manager, spoke to the Board about non-destructive testing (NDT) that is underway on lift elements.

Finnigan reported that during the previous week's heavy rainfall, Shirttail Point and

Barretts Cove had to be closed but Hosmer Pond did not. She said the health of Hosmer Pond is good, and that there had been no change resulting from the heavy rain recently.

James Heard asked about finances of the project, and Finnigan said they are on track.

## **G. New Business**

### **1. Authorize the Town Manager to enter into an agreement with Ledgewood Construction of South Portland as the Construction Manager for the Snow Bowl lodge building and site improvements**

Pat Finnigan said that Construction Manager proposals for the construction of the Snow Bowl lodge and site/infrastructure improvements had been received from twelve firms. Six had been selected to be interviewed. The interview team of Peter Gross, Rick Knowlton, Stephen Blatt, Will Gartley, and Landon Fake recommended Ledgewood Construction of South Portland as the Construction Manager. The firm will be conducting value-engineering, she said, with the goal of meeting the needs of the owner as cost-efficiently as possible.

Rick Knowlton, Chair of the Redevelopment Committee, spoke about the selection process and answered questions from the Board. Peter Gross, Chair of the Building Committee, said he had been very impressed with the team from Ledgewood.

*John French made a motion to authorize the Town Manager to enter into a contract with Ledgewood Construction of South Portland as the Construction Manager for the Snow Bowl lodge building and site improvements. Don White seconded the motion. It was unanimously approved.*

Mike White, outgoing president of the Ragged Mountain Ski Club, spoke to the Board about the progress at the Snow Bowl and impressive work on the trails. Bill Fitzcharles thanked Viking Lumber for a significant donation of lumber to the Snow Bowl. Camden resident Brian Robinson and ski patrol member spoke about the views from the top of the mountain and commended the Snow Bowl staff, contractors and the committee for their hard work.

Pat Finnigan said that at some point the mountain will host an open house, but that it remains closed to the public while construction is underway.

### **2. Consideration of proposed changes to building, land use, and zoning permit fees**

Pat Finnigan spoke about updating the fees for building permits, Planning Board fees, and fill and excavation fees. She said that currently the building permit fees are based on the value of the building rather than its size, but that the proposed fees would be base the fees on the size of the building (square feet).

*Don White made a motion to approve the proposed permit fees effective August 1. James Heard seconded the motion. It was unanimously approved.*

### **3. Consideration of amendments to the Town's Investment Policy**

Finnigan thanked Lowrie Sargent for bringing to the Town's attention that investment policies should be updated. Lookner and Heard had worked on this project along with RM Davis, the Town's investment advisor, she said.

*John French made a motion to adopt the proposed Investment Policy. Don White seconded the motion. It was unanimously approved.*

Finnigan said that implicit in this approval would be splitting up the investment committee into two parts: (1) an Endowment Investment Committee (Lookner and Heard) and (2) an Endowment Trust Fund Committee that responds to people in need (French and Lookner).

*Leonard Lookner made a motion that these individuals serve on the committees. Don White seconded the motion. It was unanimously approved.*

**4. Authorize a Tax Anticipation Note in the amount of \$1.5 million at an interest rate of 0.77% through Camden National Bank**

Finnigan said that a Tax Anticipation Note (TAN) assists with cash flow between the start of the fiscal year and when tax payments are received in November. This year, the TAN is being offered at an interest rate of 0.77%, she said.

*Don White made a motion to authorize a Tax Anticipation Note (TAN) up to \$1.5 million at an interest rate of 0.77% through Camden National Bank. Leonard Lookner seconded the motion. It was unanimously approved.*

**5. Consideration of request to carry forward funds and allocation of funds**

*John French made a motion to table this item. James Heard seconded the motion. It was unanimously approved.*

**6. Consideration of recommendation of the Tax Collector to abate personal property taxes in the amount of \$12.86 as uncollectible (Midcoast Adventure Rental 46 Elm St.)**

Finnigan reported that Midcoast Adventure Rental (formerly located at 46 Elm St.) has closed and is out of business.

*James Heard made a motion to abate \$12.86 in personal property taxes owed by Midcoast Adventure Rental. Don White seconded the motion. It was unanimously approved.*

**7. Approval of an amendment to the General Assistance Ordinance to update the allowed maximum amount of assistance for FY 2015 (Public Hearing)**

Cates opened a public hearing.

Finnigan explained the General Assistance "safety net" program established to help people in need with basic necessities (food, housing, fuel, etc). She said that eligibility is based on a household's income based on the "maximum levels of assistance" established by the State.

*John French made a motion to approve the FY 2015 General Assistance allowed maximum levels of assistance for FY 2015. Don White seconded the motion. It was unanimously approved.*

## **8. Appointments to Town Committees**

*John French made a motion to appoint and reappoint citizens to the following Town Committees:*

Board of Assessment Review: Robert Armstrong as a regular member (regular member/RM) with a term expiring in 2017

Camden Conservation Commission: Carla Ferguson and Kristin Lindquist (both RM) with terms expiring in 2016

Camden Rockport Pathways Committee: Geoff Scott (RM) 2017, and Jane Self (alternate/ALT) 2015

Cemetery Association: Patricia Ayers, Larry Gross, and Kristine Lerner (all regular members with terms expiring in 2017)

Community Economic Development Advisory Committee (CEDAC): Robin McIntosh (RM) 2017, and John Arnold (ALT) 2015

Harbor Committee: Gene McKeever (RM) 2017, Raymond Williamson (ALT) 2017, Ben Cashen and Stephen Gold (both ALT with terms expiring in 2015)

Historic Resources Committee: Elinor Klivans (RM) 2017, Susan Neves (ALT) 2015, Kristin Mikkelsen (ALT) 2015

Megunticook Dams Committee: Richard Stetson (RM) 2015,

Opera House Committee: Kate Bates (RM) 2017, Marc Ratner (RM) 2016, Nora Rayes Eldridge (RM) 2015, Suzanne Lufkin Weiss (RM) 2015

Parks and Recreation Committee: David Olivas and Casey Heard (RM) terms expiring in 2017, and Emily McDevitt and Maureen Gordon (both alternate members) with terms expiring in 2015

Planning Board: Richard Householder and John Scholz, (both RM) with terms expiring in 2019

Zoning Board of Appeals: Frank Toole and Thomas Laurent (both RM) with terms expiring in 2017, and Jon Kuhl (ALT) 2015.

*Don White seconded the motion. The motion was unanimously approved.*

Two additional alternates had been nominated for CEDAC.

*John French made a motion to appoint Jamie Weymouth and Paul Cavalli as alternates to CEDAC with terms expiring in 2015. Leonard Lookner seconded the motion. It was unanimously approved.*

#### **E. Select Board Member Reports**

Don White reported that the Cemetery Association had met and had voted to spend \$9000 to repair the iron fencing. Also he said that the Planning Board had voted to recommend that a new Business Opportunity Zone be established. White noted that a public information session regarding the new zone would be held on July 31<sup>st</sup>. He noted that no fast food restaurants or hospitals would be allowed in the zone.

#### **Adjourn**

*John French made a motion to adjourn the meeting. Don White seconded the motion. The motion passed unanimously and the Board adjourned at 8:30pm.*

Respectfully submitted,

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Karen Brace  
Recording Secretary