



**Town of Camden**  
**Select Board Meeting**  
**December 15, 2015 – 6:30 PM**  
**Washington Street Conference Room**

Select Board meetings are broadcast live on Time Warner Channel 22  
Select Board meetings are web streamed at [www.townhallstreams.com/locations/camden-me](http://www.townhallstreams.com/locations/camden-me)

1. **Call to Order**
2. **Citizen Comments (for items *not* on the agenda)**
3. **Approval of Select Board Minutes of December 8, 2015**
4. **New Business**

A. Approval of Curtis Island Caretaker Agreement

*Background:* The Town acquired Curtis Island as a public park in 1973. The Town has been fortunate to have volunteer caretakers who provide caretaking services from April 15 to October 31 each year. The caretakers are responsible for maintaining trails on the Island, removing dead wood which obstructs the use of the Island, mowing grass, removing rubbish, and keeping the buildings and premises in good repair and condition. For more than 35 years, the Conover family have been the volunteer caretakers of Curtis Island. The purpose of this item is to renew the 3-year Caretaker Agreement with the Conovers through 2018.

B. Sale of Tax Acquired Property located at 6 Gosses Hill Road to Midcoast Habitat for Humanity

*Background:* This property was acquired by the Town due to non-payment of taxes. The Select Board discussed selling this parcel at meetings on October 6 and October 27. The Board discussed whether this property could be an opportunity to build an affordable home for a family. The Board decided to contact Midcoast Habitat for Humanity to see if they would be interested in building a home on this property. After doing their due diligence on the property, Midcoast Habitat has expressed an interest in acquiring the property, removing the dilapidated building, and building a home for an eligible family.

C. Public Hearing on application of Stuart Smith, d/b/a Bay View Street Inn at 16 Bay View Street for a Special Amusement Permit

D. Approval of application from Dante Murray to use the Village Green on December 23<sup>rd</sup> from 5pm – 6pm for Christmas caroling

E. Approval of 2016 Select Board Meeting Calendar

5. **Communications, Presentations, and Recognitions**

A. Presentation of Work Group report regarding a noise ordinance  
(*Informational only – no action*)

Background: A Work Group comprised of Planning Board member John Scholz, Police Chief Randy Gagne, and Dennis McGuirk has researched noise ordinances, existing conditions, and issues related to noise. John Scholz will officially deliver the Work Group's report to the Select Board for discussion at a future meeting.

## 6. Select Board Member Reports

## 7. Town Manager Report

### Adjourn

\*\*\* *Break* \*\*\*

### Workshop

Meet with the Town Attorney to discuss several items including:

- A. Secret Ballot Questions (information allowed on the ballot)
- B. Paper Streets
- C. Personal property taxes
- D. Requirements regarding the Americans with Disability Act (ADA)

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### Upcoming meetings:

Mon. Jan, 4: Workshop with the Lincolnville Select Board (Lincolnville)

Tues. Jan. 5: Select Board Meeting

Tues. Jan. 19: Workshop with Rockport Select Board (Rockport)

Tues. Jan. 19: Select Board Meeting

**Happy Holidays!**



**Town of Camden  
Select Board Meeting  
December 8, 2015**

**Minutes**

**Present:** Select Board Chair John French and Select Board Members Don White, Leonard Lookner, Martin Cates and James Heard, and Town Manager, Pat Finnigan. Also present were members of the public.

**1. Call to Order**

Chair John French opened the meeting at 6:30 p.m. and called upon the Town Manager. The Manager noted the sudden passing of William “Fitzy” Fitzcharles on Thanksgiving evening. She said that Fitzy had served the Town well for 10 years; he was a dedicated employee and his work had made Camden a better community for which we all should be grateful. The Board then held a moment of silence for Fitzy and his family.

**2. Communications, Presentations, and Recognitions**

Geoff Scott, Chair of the Pathways Committee, reported on the completion of the second section of the Riverwalk which stretches along the River from Mt. Battie St. to the Seabright Dam. Geoff commended all the people who worked on the project including the Maine Conservation Corps, Parks & Recreation Department, the Public Works crew, the Pathways Committee and other volunteers, and the Select Board.

Mr. Lookner commended the Pathways Committee, with special recognition to Geoff Scott and Anita Brosius Scott, for their persistence and years of work to make the Riverwalk a reality. He and Jim Heard said they had walked along the newest section of the path and were very pleased with how it had turned out. They said it was a real community asset.

Mr. Scott said the next phase of the project would be from Knowlton St to the Wastewater Treatment Plant. He asked the Select Board to support applying for a grant to fund the next section of the Riverwalk and to authorize the staff to submit a grant application. The Board said they had authorized the grant previously, but would reaffirm their support. Don White made a motion, seconded by James Heard to reaffirm the Board’s prior support and authorization to apply for a grant to help fund the next phase of the Riverwalk. The motion passed unanimously.

**3. Citizen Comments**

No citizens wished to make any statements.

Select Board member Don White had several comments including:

- Thanked and complimented the volunteers and participants of the Christmas by the Sea holiday celebration on Dec. 4 through 5;
- Reminded people that there is a winter parking ban in effect until April
- Requested that people be considerate of other walkers and scoop up after their pets;
- Encouraged drivers to be aware of pedestrians after it gets dark, in order to keep everyone safe.

Chair John French said that he had been contacted by the Pathways Committee regarding a list of sidewalks that need maintenance and repair. He wanted the Select Board to know that he had told Geoff Scott, Chair of the Pathways Committee, that he would support funding for those sidewalks in the FY17 budget.

#### **4. Approval of Select Board Minutes of November 10, 2015**

Martin Cates made a motion to approve the Minutes. The motion was seconded by Don White. The motion passed 5-0.

#### **5. Select Board Member Reports**

Donald White reported on the following:

- The Tannery Committee had met earlier that day. The group had elected Roger Moody as the group leader;
- The Historic Resources Committees is working on establishing an historic district on Bayview St
- The Opera House is in the midst of its annual fundraising appeal. There will be a Family Film series starting in January

Leonard Lookner said that he heard from people concerns about litter in the downtown and the lack of trash cans. He requested having trash cans in appropriate locations. He also said that Laite Beach needed trash cans to help pet owners.

Martin Cates reported that he had met with Rockport Select Board member Owen Cassas to discuss joint efforts regarding parks and recreation facilities and programs. He said this was in response to the charge they received form the Joint Select Board meeting in November to explore ways promote recreational opportunities, fully use the facilities we have, and inventory existing facilities and programs, and identify additional; programming or facilities that would benefit the community. He said they are working on as joint committee modeled similar to the Pathways Committee.

#### **6. Town Manager Report**

The Town Manager thanked everyone who worked to make the Christmas by the Sea weekend such a success. She noted that Parker Laite had the idea of having a banner hung on a fire truck that was a simple message of “Thank you” to Charles Cawley who had recently died. She said Mr. Cawley had made many contributions to our community but never wanted any recognition, but she didn’t think he would object to this simple expression of thanks.

#### **7. New Business**

##### **A. Consideration of the 2016 Harbor Fees recommended by the Harbor Committee (Harbor Ordinance Article IV Section 1)**

Harbor Master Steve Pixley said the Harbor Committee had recommended the 2016 Harbor fees unanimously. He said the fees remained the same except for an increase in the non-resident mooring fee for boats over 30’.

James Heard made a motion to approve the 2016 Harbor Fees recommended by the Harbor Committee. The motion was seconded by Donald White. The motion passed 5-0.

**B. Consideration of 2016 Commercial Fishermen's Float Permit Applications (Harbor Ordinance Article V Section 2)**

Harbor Master Steve Pixley reported that the Town had received 11 applications from commercial fishermen: 10 renewals and 1 new applicant.

James Heard made a motion to approve the 2016 Commercial Fishermen's Float Permit Applications. Leonard Lookner seconded the motion. The motion passed 5-0.

**C. Consideration of the 2016 Daysailer Licenses (Harbor Ordinance Article V Section**

Harbor Master Steve Pixley reported that the Town had received application renewals from 4 Daysailer Captains to dock 5 boats at the Camden public dock. He said the Captains had all worked together and agreed to the schedule for 2016.

Donald White made a motion to approve the 2016 Daysailer Licenses. James Heard seconded the motion. The motion passed 5-0.

**D. Bid Award: Wastewater Department 2500 HD Truck**

Town Manager Finnigan reported that the Town had received two bids. One from O'Conner GMC and one from Quirk Chevrolet. She said the bids were very close with only a \$2 difference, however, the low bid did not meet all specifications. Therefore, staff recommended awarding the bid to O'Connor GMC for a 2016 GMC/Chevrolet 2500HD

Donald White made a motion to award the bid for a 2016 GMC/Chevrolet 2500HD to O'Connor GMC in the amount of \$34,300. James Heard seconded the motion. The motion passed 5-0.

**E. Bid Award Parks & Recreation/Snow Bowl Utility Terrain Vehicle**

Parks and Recreation Director/Snow Bowl General Manager Landon Fake reported that the Town had received two bids for this 4-season, all terrain utility vehicle which can be operated on land and in the snow. Staff recommended awarding the bid to Power Equipment Plus of Sidney bid in the amount of \$21,740. Which included parts to meet the manufacturer's warranty and power steering.

Donald White made a motion to award the bid for a 2015 Polaris XP 900 UTV to Power Equipment Plus of Sidney in the amount of \$21,740. James Heard seconded the motion. The motion passed 5-0.

**F. Vote to nominate one member to the Municipal Review Committee (MRC) Board**

The Town Manager reported that MRC, the organization that represents 187 municipalities including Camden, Rockport, Hope and Lincolnville regarding solid waste management and disposal, has a nine member Board. Each member town is allowed to cast one vote to elect the Board Members. She said that Jim Guerra, Manager of Mid-Coast Solid Waste, suggested supporting the re-election of Karen Fussell (the Finance Director of Brewer and Chair of the MRC's Communications Committee).

James Heard made a motion to cast a vote for Karen Fussell of Brewer to the MRC Board. Martin Cates seconded the motion. The motion passed 5-0.

**G. Consideration of renewal victualers licenses for the following:**

1) Francine Bistro at 55 Chestnut Street for a victualers license

Leonard Lookner recused himself from this vote because he owns the property.

Donald White made a motion to approve the victualers licenses for Francine Bistro and Mike's Catering. Martin Cates seconded the motion. The motion passed 4-0-1

2) French & Brawn, d/b/a Mikes Catering at the Camden Snow Bowl for a victualers license

Don White made a motion to approve the victualers licenses for Francine Bistro and Mike's Catering. James Heard seconded the motion. The motion passed 5-0

**Adjournment.** Martin Cates made a motion to adjourn as the Select Board and convene as the Board of Assessors. The motion was seconded by James Hears. The motion passed 5-0.

**Board of Assessors.** The Board convened as the Board of Assessors considered the following abatement requests for the year 2015-2016 in the amount of \$2,992.71.

RE 3323 Neillehaven \$727.75  
Assessment Error – development Restrictions

RE 3281 107 Start Road \$340.43  
Assessment Error – deed restrictions

RE 1918 Millay Road \$1,519.05  
Assessment Error – development restrictions

RE 3237 2 Lupine Lane \$405.48  
Assessment Error – unrecognized AHP

Don White made a motion to approve property tax abatements as recommended by the Assessors Agent. James Heard seconded the motion. The motion passed 5-0.

The Board considered the following requests for a Supplemental Tax Warrant for personal property taxes for the year 2015-2016 in the amount of \$160.38:

PP 472 – Townhouse Estates I - \$95.32  
Assessment Error: mistakenly removed

PP 473 – Townhouse Estates II - \$65.06  
Assessment Error: mistakenly removed

Martin Cates made a motion to approve personal property tax abatements as recommended by the Assessors Agent. James Heard seconded the motion. The motion passed 5-0.

**Adjourn.** The Board then made a motion to go adjourn and go into Executive Session as the Select Board pursuant to Title 1 MRSA section 405.6.E. The motion was made by James Heard and seconded by Martin Cates. The motion passed 5-0.

## **Curtis Island Caretaker Agreement**

*This Agreement* made and entered into this 15th day of December, 2015, by and between the *Town of Camden*, a municipal corporation with principal offices in Camden, Knox County, Maine (hereinafter "the Town"), and *Dianne Conover and David G. Conover*, of Knox County, Maine (hereinafter the "Caretaker").

*WHEREAS*, the Caretaker is willing to provide basic caretaking services with regard to the maintenance of Curtis Island (hereinafter the "Island"), from April 15 to October 31 for the term of this Agreement; and

*WHEREAS*, the Town is willing to permit the Caretaker to have the exclusive use of the buildings on the premises of the Island from April 15 to October 31 for the term of this Agreement, as consideration for the provision of caretaking services; and

*WHEREAS*, both the Caretaker and the Town have mutually agreed that the use of the Island for the duration of the term of this Agreement shall conform to the purposes and restrictions contained in the Application for Federal Surplus Property for Public Park or Recreational Purposes by which the Town acquired the Island; and

*WHEREAS*, both parties to this Agreement understand that the Caretaker will be acting as an Agent of the Town in the provision of caretaking services on the Island;

*NOW, THEREFORE*, in consideration of the mutual covenants and agreements contained herein, and pursuant to the provisions set forth herein, the parties hereto agree as follows:

The Caretaker shall provide caretaking services for the maintenance and upkeep of the buildings and premises on Curtis Island, Camden Harbor, Maine, which said Curtis Island consists of approximately 5.94 acres of land with a 1½ story building and a 1½ story storage building, both of which are wooden framed, together with a brick oil storage building. The Caretaker agrees to provide the following caretaking services from April 15 to October 31 for the term of this Agreement:

1. Mowing of grass on the Island;
2. Removal of rubbish;
3. Protection of the buildings on the Island;
4. Provision of renovations necessary to maintain the premises on the Island in good repair and condition;
5. Maintenance of trails on the Island;
6. Removal of dead wood which would obstruct the use of the trails or other facilities on the Island; and
7. Enforcement of Town rules and regulations, and prompt notification to the Town Manager of any problems which occur with reference to such rules and regulations.

*IN CONSIDERATION*, of the provision of caretaking services by the Caretaker, the Town agrees to permit the Caretaker to have exclusive use of any buildings presently existing on the Island. It is expressly agreed by and between the parties hereto that the general public shall not have access to any building on the Island during the term of this Agreement. The general public shall, however, be permitted to use any portion of the Island, except for the buildings on the Island, from dawn to sunset of each day during the term of this Agreement.

*THE TERM* of this Agreement shall be for three (3) years, from December 1, 2015 through November 30, 2018.

*THIS AGREEMENT* is expressly made subject to the terms, conditions and requirements set forth in deeds from the United States of America to the Inhabitants of the Town of Camden, Maine dated September 18, 1973 recorded in the Knox County Registry of Deeds Book 553, Page 40 and dated July 9, 1998 recorded in the Knox County Registry of Deeds Book 2259, Page 288, a copy of which has been provided to the Caretaker.

*THIS AGREEMENT* between the Town and the Caretaker is expressly made subject to any restrictions and limitations contained in an Application for Federal Surplus Property for Public Park or Recreational Purposes. It is expressly understood between the parties hereto that nothing contained in this Agreement shall, in any way, conflict with the conditions and restrictions in said Application. To the extent that there is any conflict between the provisions

of this Agreement and the conditions and restrictions in said Application, the provisions of this Agreement which are in such conflict shall be null and void, but invalidation of any provision of this Agreement in consequence of such a conflict shall, in no way, invalidate any other provision of this Agreement in consequence of such a conflict shall, in no way, invalidate any other provisions of this Agreement which do not conflict with the conditions and restrictions in said Application.

*BOTH PARTIES* to this Agreement expressly agree that any removable improvements or additions placed on the Island by the Caretaker during the term of this Agreement shall be removable at the expiration or termination of this Agreement. At such expiration or termination, the Caretaker shall, at his sole discretion, either remove any removable improvements or additions or receive reimbursement from the Town for the value of such removable improvements or additions.

*THIS AGREEMENT* may be terminated by either party for cause, upon written notice given at least thirty (30) days prior to the effective date of such termination. Said written notice shall be given by certified mail, return receipt requested, postage prepaid, to each party at the following address:

Town of Camden  
Municipal Offices  
PO Box 1207  
Camden, Maine 04843

Dianne Conover  
David G. Conover  
26 Sea Street, PO Box 814  
Camden, Maine 04843

Said written notice shall state the specific reason or reasons for such termination.

*THE TOWN* agrees to maintain the same liability insurance coverage on property located on the Island as presently exists. The Caretaker agrees to maintain insurance coverage for the contents of any building on the Island used by the Caretaker as a residence.

*IT IS EXPRESSLY AGREED* by and between the parties hereto that the Town Manager of the Town of Camden shall have the right, at any time during the term of this Agreement, to inspect the premises subject to this Agreement.

*THE CARETAKER* agrees to make minor repairs to the dock and wooden walk leading from the dock on the Island as may be occasioned by damage which would be dangerous to members of the public in the absence of such immediate repair. Upon discovery of such conditions, the Caretaker agrees to make said minor repairs, or to notify the Town concerning the need for such repairs in the event that rectification of such conditions requires major repairs.

*THIS AGREEMENT* shall constitute the entire agreement between the parties hereto. It is expressly understood by the Town and by the Caretaker that this Agreement does not constitute a lease of the premises to the Caretaker. It is understood by the parties hereto that the description of the property set forth above is believed to be correct. Any error or omission in said description shall not constitute grounds or reason for the non-performance of this Agreement.

*IN WITNESS WHEREOF*, the parties have executed this Agreement on December 15, 2015.

Town of Camden, by its Select Board

\_\_\_\_\_  
John R. French, Jr., Chairperson  
Camden Select Board

\_\_\_\_\_  
Donald White, Vice-Chairperson

\_\_\_\_\_  
Martin Cates

\_\_\_\_\_  
James Heard

\_\_\_\_\_  
Leonard Lookner

*Caretaker*

\_\_\_\_\_  
Dianne Conover

\_\_\_\_\_  
David G. Conover

STATE OF MAINE  
COUNTY OF KNOX, ss.

Date: \_\_\_\_\_

Then personally appeared before me the above named John R. French, Jr., Donald White, Martin Cates, James Heard, and Leonard Lookner and acknowledged the foregoing instrument to be their free act and deed in said capacity as Select Board members, and the free act and deed of the body corporate.

Commission Expires:

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Printed Name of Notary

STATE OF MAINE  
COUNTY OF KNOX, ss.

Date: \_\_\_\_\_

\_\_\_\_\_

Then personally appeared before me the above named Dianne Conover and David G. Conover and acknowledged the foregoing instrument to be their free act and deed.

Commission Expires:

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Printed Name of Notary

## CURTIS ISLAND REPORT 2015

ISLAND OPEN. After completing winter repair and maintenance to the whaler and rowboat, we opened the island late May with the help of family and several friends from town. There were a few downed trees; one huge tree and a few small ones. All winter branch debris was cut up into small sections or picked up and distributed in the woods and in composting areas. The usual island open chores were performed; window boards removed, outhaul platform installed, beach stairs installed, welcome kiosk and island trail signs put in place, chairs repaired and placed, benches in place, winter tower doors swapped out, batteries charged and installed, bottled gas swapped out, rain barrels installed, moorings and outhauls replaced with new ground gear and installed, house screens installed, picnic tables put in place.

ANIMALS. Very few animals in residence this year, only three families of geese and a few ducks. There were no deer or turkeys. As a result, there were no ticks.

IN SEASON REPAIRS and MAINTENANCE. The paint peeled from the lower part of the north and east side of the house. Steve Caron and crew returned to sand and paint where needed. Steve did not charge the town.

-The light in the tower went out. The coast guard came by to check it out and replace the light bulbs. New locks were replaced on the tower door.

-We transported men hired by the town to take care of the large fallen birch tree, which had landed across the trail.

-We transported equipment and 5 men from Maine Sport who did two volunteer days, one in the spring and one in the late summer. A big thank-you to these volunteers. They were a great help....bittersweet was pulled up by the roots, bagged and removed from island (this will be an ongoing project in the spring as it is very invasive). The beach was cleared for boats to come in. Additional dead trees were cut down and stacked. Old rotten, broken outdoor chairs were sawed up. The southern bank near the house and the area next to the barn were weed-whacked. Two window panes in the lighthouse were replaced up stairs. Compost was removed from compost pile and brought to the gardens.

-We replaced the cement base at the bottom of the flag pole which was destroyed by a lightening storm. We also re-worked and repaired the flag halyard.

-A new 55 watt solar panel was fitted close to the house, replacing the previous one that was located on the other side of the house. Reliable contact with the mainland is improved as a result, with more reliable cell phone charging.

LIGHTHOUSE DAY. This day is celebrated every year and is part of a coastwide event sponsored, organized, and advertised by the Lighthouse Society. The purpose is to set up an opportunity for people interested in lighthouses to visit them. We have always participated and supported this group with transport and onsite docent presence. Most years, this day involves no more than 6 visitors at a time. This year, there were 4 visitors.

CURTIS ISLAND DAY. This was quite the success for those who made it out to the island. The flowers were all in bloom. We estimated about 60 visitors. They enjoyed the lighthouse exhibit in the tower, and visiting the tower. We talked to many people. Town of Camden boats and Harbor Master support was marshaled for the transport to and from the island. Even though a float and ramp was put into position and a couple of extra hands were in position to assist the number of visitors, the landing and re-boarding operations did prove to be a challenge for some

of the visitors with poor balance...getting off the float, across the beach stones and up the beach stairs and down the island. The number of visitors transported and unloaded on the makeshift float did exceed the island guideline cap of thirty people on island at any one time.

**AFTER HOUR ENFORCEMENT.** In late August a group of four late night revelers rowed out to the island and climbed around the tower and platform, singing loudly in French. We informed them that no one was allowed on the island after dark. They rowed back to town. It was not necessary to call the police, but this would have been the next step.

**OTHER VISITING GROUPS.** We have many repeat visitors each summer: kayak tours from Maine Sport, Overland Adventure Travel, Fairy House day, CAYSP sailing program, Rockport sailing program.

In addition, we see groups of swimmers, sunset viewers, preschool groups, and campers. There are numerous visiting yachts people. We talked with hundreds this year and enjoyed meeting every one of them.

**ISLAND CLOSE.** We began the process of closing the island in October and finished on November 1. Mostly this decommissioning process is the reverse of the open up process described above.

**VISITOR NUMBERS.** As in years past, a visitor log is kept both at the welcome kiosk and at the lighthouse exhibit. Visitors are encouraged to sign at least one of these logs, but the process is completely voluntary and self-selected. Many choose this opportunity to share a highlight of their trip to Curtis Island. We estimate that about half (or less?) the people who visit the island sign one of these logs. We also do periodic people counts on heavy traffic days. We estimate that over 1400 people visited the island this summer, with heaviest traffic in August.

**ISLAND VISITOR LIMITS.** We continue to work with the guideline that no more than 30 people should be on the island at any one time. This guideline came about with an assessment of the island systems in mind (no rest rooms, beach landing, some caretaker flexibility in terms of hours on island, etc.), such that we had a reasoned response to groups inquiring about high impact use like weddings. The other influence behind this guideline is the actual impact and carrying capacity of the island ecology itself, which is described as "fragile" in the original assessment of the island by State of Maine ecologists, as well as representatives from the Island Institute. Our recommendation to the town is that this number of 30 visitors at one time is a sound guideline, with the exception of one or two special days like Curtis Island Day, which clearly met a need and purpose.

Thank-you for this opportunity to serve the town!

Report written and respectfully submitted by Deedee Conover, David Conover, and family

  
and family

Enclosed are a couple of pages from the guest book.

Signed in at  
Kiosk

7/15  
The Greenmans of Camden and  
Mrs Nielsen of Chicago &  
Funnelstrand, Sweden had a  
picnic here and swung -

7/17/15 -

Can't believe I've  
never been out here.!!!

The Hendersons  
Lincolnville, ME

Happy Birthday to  
Me! 60<sup>th</sup>. 7.18.15 -  
mom's 100<sup>th</sup> anniv. of birth  
yesterday - Deering H.S. Alum &  
instit'd in Me love of Maine.  
Renaissance Juliana Keenan



June 29, 2015

Back again to start  
summer - always a treat  
Richard & Martha

Another beautiful day on Curtis Island...  
many more to come!

The Showlin Family

6-29-15

Brian, Hope, Kathleen + Tessa

Our favorite place in

Maine ☺

All the best,

The Zimmermans

6/30/15

Charlottesville, Va.

July 3, 2015

One of our most favorite  
places in the world. Truly  
magical! Laura & James  
Bubaker-Wittman

Happy 4th of July!!

Back again, and this time  
with our momma, Missy,  
on her 60th bday!! Yay!  
We love you!

Laura, James, Missy, Bob,  
Gracie & Dave

My birthday!

so happy

Missy from  
San Antonio Texas

14 June 2015  
Arrived by kayak just at dawn...  
lovely pastel color washed skies  
Brisks invigorating winds  
Blooming Chuncherry, Canadian mayflower  
maple leaved nicotiana, daisies,  
lupines, roses, hawkweed oh my  
A swimmy after a delightful 40th  
wedding anniversary picnic breakfast.  
J+S

Sunday 14th

What a beautiful sight  
looking down from the lighthouse  
into the lupine, daisy and  
roses and then turning to see  
the sailboats under full sail -  
a treasure the Condor name!  
N.G.

17th June \_\_\_\_\_

Hi Dee Dee \_\_\_\_\_

Squid & Raven were here  
with the Walkers - missed 'em!!  
(Dear)

Signed in  
at Tower

# LOG

ERIC	Atlanta, GA	JUNE 25, 2015
ERIC	ATL!	june 26 2015
	Camden, ME	June 26, 2015
Joe Morin	ME/VT	June 26, 2015
Wesley + Suzanne Scott	Texas, Itasca	June 29-2015
JENNIFER	DALLAS, TX	JUNE 29, 2015
Kendra Foria Metuo	Colima Dello, TX	June 29, 2015
Drumheller	Cedar Crest, NM	June 29, 2015
Daniel Thomas	"	June 29, 2015
Hope Yusem + Brian Shovlin	Philadelphia, PA	"
Kathleen + Shovlin + TESSA Shovlin	"	June 29, 2015
ALAN TALBOT DONNA HALL + CALER SWEET	"	"
Rowena, Jackson, Elizabeth, Catherine + Julia Zimmerman	Charlotteville, VA	JUNE 30, 2015
Pat G.	Portland, OR	June 30, 2015
BARRY VALENTINE	CAMDEN	June 30, 2015
Tom Kelly Coeseth	Alpharetta, GA	July 2, 2015
Robert + Cindy Taylor	Belmont, MA	July 2, 2015
Maulfair Family:	Round Hill, VA	July 2, 2015
Jim, Jenn, Ella + Patricia	"	July 2, 2015
Oliver + Didi	Carson CT	July 2, 2015
Mike Denning USCG LT TECH	SW Harbor, ME (Service)	July 2, 2015
Eric Tacke USCP	"	July 2, 2015
Meg Bradley + Moss Berns	Brooklyn, NY	July 3, 2015
James + Laura Brubaker-Wilman	Langport, CO	July 3, 2015
Cheryl + Dave Anna Emma + Kate Hegermiller	Wading River, NY	July 4, 2015
Race Albertson + Doug NATALUK	Winston-Salem NC	July 5, 2015
Dylan Giustra	Middleton MA	July 5, 2015
Wesley Steete, Kent + Logan Jackson	Charlotte, NC	7/5/15
Drew McIlmon	Columbus, OH	7/5/15
The Bean Family	Edenton, NC	7/6/15

# LOG

Camden 4:		6-20-15
Camden ME		6/20/15
SANTA RITA, GUAM		6/20/15
Windham, ME		6/20/15
Camden, ME		6-20-15
Cushing, ME		6-20-15
Lincolnville		6-20-15
Jay, ME		6-20-15
Lincolnville, ME		6-20-15
Rockport, ME		6-20-15
Wells, ME		6/20/15
CAMDEN, ME		6/20/15
Rockport, ME		6/20/2015
Rockport, ME		6/20-2015
Camden, ME 04843	7 Quarry Hill Rd.	6-20-15
Rockport, Me.		6-20-15
Hope, ME		
Lincolnville, ME		6/20/15
Lincolnville, Me.		6/20/15
Toronto Vermont		6/20/15
Lincolnville ME		6/20/15
Quincy, MA		6/20/15
Ft. Myers FL		6.20.15
Belfast		6 20 15
Bergen, Norway		6.22.15
Bergen, Norway		6.22.15
So. CHWA, ME		6/23/15
Boca Raton, FL		6/24/15
(Thanks!)		6/25/15

Property Location: 6 GOSSES HILL RD

Vision ID: 2624

Account # 2644

MAP ID: 218/ 063/ 000/ 000/

Bldg #: 1 of 1

Bldg Name:

Sec #: 1 of 1 Card 1 of 1

State Use: 903R

Print Date: 09/25/2015 08:19

CURRENT OWNER		TOPO.	UTILITIES	STRT./ROAD	LOCATION	CURRENT ASSESSMENT					
CAMDEN, TOWN OF		1 Level	5 Well	3 Unpaved	3 Rural	Description	Code	Appraised Value	Assessed Value		
PO BOX 1207		4 Rolling	6 Septic			EXM LAND	9030	66,200	66,200		
CAMDEN, ME 04843		SUPPLEMENTAL DATA									
Additional Owners:											
Other ID: REVIEW TIF: SUBDIVISION		(not used)									
GIS ID: 218063000000		ASSOC PID#		Total						66,200	66,200

3602  
CAMDEN, ME

**VISION**

RECORD OF OWNERSHIP		BK-VOL/PAGE	SALE DATE	q/u	v/i	SALE PRICE	V.C.	PREVIOUS ASSESSMENTS (HISTORY)								
CAMDEN, TOWN OF		0/ 0	03/31/2012	U	V		1L	Yr.	Code	Assessed Value	Yr.	Code	Assessed Value	Yr.	Code	Assessed Value
ALDERSON, ROSALIE		1366/ 185		U	V		1N	2015	9030	66,200	2014	9030	66,200	2013	9030	66,200
Total:								66,200		66,200		66,200		66,200		

EXEMPTIONS			OTHER ASSESSMENTS					
Year	Type	Description	Amount	Code	Description	Number	Amount	Comm. Int.
0	11	MUNICIPAL	66,200.00					
Total:			66,200.00					

This signature acknowledges a visit by a Data Collector or Assessor

ASSESSING NEIGHBORHOOD				
NBHD/SUB	NBHD Name	Street Index Name	Tracing	Batch
0001/A				

APPRAISED VALUE SUMMARY	
Appraised Bldg. Value (Card)	0
Appraised XF (B) Value (Bldg)	0
Appraised OB (L) Value (Bldg)	0
Appraised Land Value (Bldg)	66,200
Special Land Value	0
Total Appraised Parcel Value	66,200
Valuation Method:	C
Exemptions	66,200
Adjustment:	0
Net Total Appraised Parcel Value	0

BLUE + WHITE IF  
BLDG MADE OF 3 MOBILE  
HOMES

FORECLOSED 2/2/2012

BUILDING PERMIT RECORD								
Permit ID	Issue Date	Type	Description	Amount	Insp. Date	% Comp.	Date Comp.	Comments

VISIT/CHANGE HISTORY					
Date	Type	IS	ID	Cd.	Purpose/Result
04/09/2012			WR	25	Re-check
09/17/2003			FD	00	M/L w/Entry

LAND LINE VALUATION SECTION																			
B #	Use Code	Use Description	Zone	D	Front	Depth	Units	Unit Price	I Factor	S.A.	Acre Disc	C Factor	ST. Idx	Adj.	Notes- Adj	Special Pricing	S Adj Fact	Adj. Unit Price	Land Value
1	903R	Town of Camden	RU-2	2			43,560	1.45	1.0000	5	1.0000	1.00		0.00		Spec Use	1.00	1.45	63,200
1	903R	Town of Camden	R2				0.60	5,000.00	1.0000	5	1.0000	1.00		0.00		Spec Calc	1.00	5,000.00	3,000
Total Card Land Units:							1.60	AC	Parcel Total Land Area: 1.6 AC							Total Land Value: 66,200			

Property Location: 6 GOSSES HILL RD  
 Assessor's Parcel ID: 2624

Account #2644  
 MAP ID: 218/ 063/ 000/ 000/

Bldg Name:  
 Bldg #: 1 of 1 Sec #: 1 of 1 Card 1 of 1

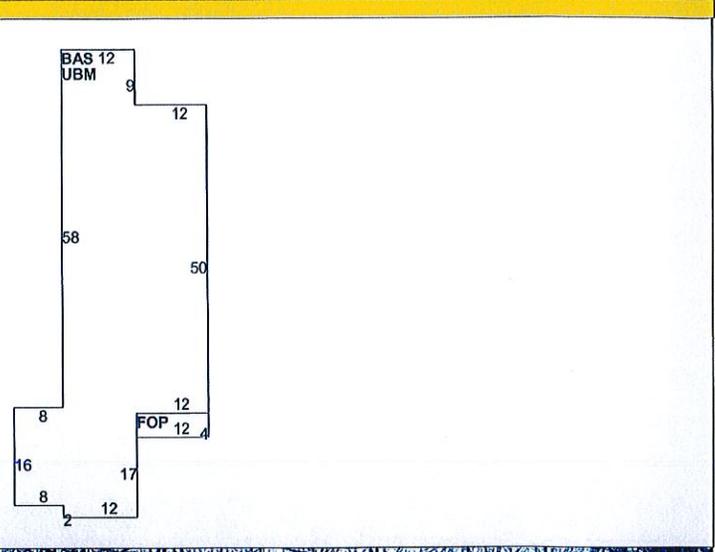
State Use: 903R  
 Print Date: 09/25/2015 08:19

CONSTRUCTION DETAIL			CONSTRUCTION DETAIL (CONTINUED)		
Element	Cd.	Description	Element	Cd.	Description
Model	20	Mobile Home			
Grade	02	Mobile Home			
Quality	02	Below Average			
Occupancy	1				
Interior Wall 1	26	Aluminum Siding			
Interior Wall 2	01	Flat			
Roof Structure	01	Metal/Tin			
Roof Cover	02	Wall Brd/Wood			
Interior Wall 1	01				
Interior Wall 2	01				
Interior Flr 1	14	Carpet			
Interior Flr 2	02	Minimum/Plywd			
Heat Fuel	02				
Heat Type	04	Hot Air-Duc			
Water Type	01	None			
Total Bedrooms	03	3 Bedrooms			
Total Bathrms	1				
Total Half Baths					
Total Xtra Fixtrs					
Total Rooms	5				
Arch Style	01	Old Style			
Interior Style	01	Old Style			

MIXED USE		
Code	Description	Percentage
903R	Town of Camden	100

COST/MARKET VALUATION	
Adj. Base Rate:	24.36
Apprais Val	40,199
Net Other Adj:	2,700.00
Oil	Replace Cost
	42,899
AYB	1971
EYB	1924
Dep Code	P
Remodel Rating	
Year Remodeled	
Dep %	70
Functional Obslnc	50
External Obslnc	
Cost Trend Factor	1
Condition	AP
% Complete	
Overall % Cond	
Apprais Val	
Dep % Ovr	0
Dep Ovr Comment	
Misc Imp Ovr	0
Misc Imp Ovr Comment	
Cost to Cure Ovr	0
Cost to Cure Ovr Comment	



**OB-OUTBUILDING & YARD ITEMS(L) /XF-BUILDING EXTRA FEATURES(B)**

Code	Description	Sub	Sub Descript	L/B	Units	Unit Price	Yr	Gde	Dp Rt	Cnd	%Cnd	Apr Value

**BUILDING SUB-AREA SUMMARY SECTION**

Code	Description	Living Area	Gross Area	Eff. Area	Unit Cost	Undeprec. Value
1S	First Floor	1,640	1,640	1,640	24.36	39,955
2P	Porch, Open, Finished	0	48	10	5.08	244
3M	Basement, Unfinished	0	1,640	0	0.00	0
<b>Ttl Gross Liv/Enc Area</b>		<b>1,640</b>	<b>3,328</b>	<b>1,650</b>		<b>42,899</b>



**TOWN OF CAMDEN**  
**APPLICATION FOR SPECIAL AMUSEMENT PERMIT**  
**FOR DANCING AND ENTERTAINMENT**  
(Pursuant to Camden Code, Police Ordinance, Chapter VIII, Part IIA)

\$20.00 paid on: _____	New Application: <u>X</u>	Renewal Application: _____
------------------------	---------------------------	----------------------------

1. a. Name of Applicant STUART SMITH Telephone #: 236-2470  
b. Street Address 16 BAY VIEW ST. CAMDEN, ME 04843  
c. Mailing address PO Box 812, CAMDEN, ME 04843

2. a. Firm/Name of Business BAY VIEW STREET INN, LLC (DBA. 16 BAY VIEW)  
b. Street Address 16 BAY VIEW ST. CAMDEN, ME 04843  
c. Nature of Business: (Please check appropriate line)

Restaurant \_\_\_\_\_ Video/Pool/Billiards \_\_\_\_\_  
Other (please explain) HOTEL / CONFERENCE & EVENT SPACE

3. Do you intend to have any music other than radio or other mechanical devices and/or any dancing or entertainment of any sort on the licensed premises? YES X NO \_\_\_\_\_

4. If the answer to #3 above is YES, describe in detail kind and nature of entertainment:  
a. By professional entertainers: DJ'S & SMALL BANDS/SINGERS DURING WEDDING RECEPTIONS & OTHER EVENTS  
b. By full-time or part-time employees: \_\_\_\_\_  
c. Other: \_\_\_\_\_

5. Will any of the music be amplified? YES X NO \_\_\_\_\_. If YES, describe in detail: \_\_\_\_\_  
ELECTRIC SPEAKER SYSTEM IN DOWNSTAIRS CONFERENCE/EVENT SPACE

6. Describe in detail room or rooms to be used under this permit:  
a. Eating areas \_\_\_\_\_  
b. Lounge: \_\_\_\_\_  
c. Video/Pool/Billiards Room: \_\_\_\_\_  
d. Other: CONFERENCE ROOM BASEMENT LEVEL / ROOF-TOP TERRACE

over, please . . . . .

7. Have you ever been denied a special amusement permit or had a permit revoked? YES \_\_\_\_\_ NO X

If YES, describe circumstances: \_\_\_\_\_  
\_\_\_\_\_

8. Have you or any partner or corporate members been convicted of a felony? YES \_\_\_\_\_ NO X. If

YES, describe circumstances: \_\_\_\_\_

**The applicant shall contact the Camden Fire Department (236-7950) prior to submitting this application to schedule a Life Safety Code inspection as referenced in the Camden Fire Prevention and Protection Ordinance. This facility complies with the Camden Fire Prevention and Protection Ordinance.**

[Signature]  
Signature of Camden Fire Department Inspector

11-25-2015  
Date

\*\*\*\*\*

This permit includes all types of entertainment. Dancing is included only if you have a dancing license issued by the State Fire Marshall's Office. License No. \_\_\_\_\_

[Signature]  
Signature of Applicant

11/25/15

If partnership, by members of partnership

BAY VIEW STREET INN, LLC  
Name of Corporation

By its duly authorized corporate officer

**TOWN OF CAMDEN**

Dated at Camden, Maine on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. The undersigned Municipal Officers of the Town of Camden, Maine, hereby approve the application set forth above.

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_

**Town of Camden**  
**Village Green Application for Permission to Use**

The purpose of this application form is to aid in the application and review process. However, it is not designed to cover every possible circumstance. The Select Board may require additional information in order to approve an application.

Application Date 12-15-2015 (must be filed at least 15 calendar days prior to the event)  
Name of Entity requesting permission Dante J L Murray  
Type of Entity (non-profit, political, etc.) Non-profit  
Contact Person Dante Murray Connection with the event Planner  
Address 34 Mountain St  
Phone 207-710-7822 Email ~~Quoted data~~ j.l-murray@yahoo.com  
Event Date 12-23-15 Event Time and Duration 5-6pm 1 hour  
Event Purpose Christmas Carols for the Community.

1. Will there be entertainment or a speaker?  YES  NO. If so, describe: Meg Gardiner. Simple Welcome intro- and Thank you- ending
2. Will food and/or beverages be served?  YES  NO. If so, describe: \_\_\_\_\_
3. Please describe any other activities taking place during the event: Singing only!
4. Will there be supplemental illumination or other electrical equipment?  YES  NO. If so, describe the items and power source: BOSE sound THAT IS OPERATED BY PHONE VIA BLUE TOOTH one Keyboard.
5. Will there be signage?  YES  NO. If so, describe form and content: \_\_\_\_\_
6. What provisions will be made to handle litter or refuse from the event? I will personally Clean- Along with at least 10 others.
7. What, if any, liability insurance will the requesting entity be carrying for the event? \_\_\_\_\_
8. Are there any structures, tents, booths, tables, or other large objects planned as part of the event? YES  NO . If so, describe the size, material, location, use, and method (if any) by which they are fixed in place and how long they will be in place before and after the event. \_\_\_\_\_

**Draw your plan on the map on the Letter of Agreement page.**

The Select Board grants permission for the above named Entity to hold the above named Event on the Town of Camden Village Green on the above named Date.

Select Board Chair Signature \_\_\_\_\_ Date \_\_\_\_\_  
Printed Name : \_\_\_\_\_  
Entity Representative Signature \_\_\_\_\_ Date \_\_\_\_\_  
Printed Name \_\_\_\_\_

Town of Camden Village Green  
Letter of Agreement

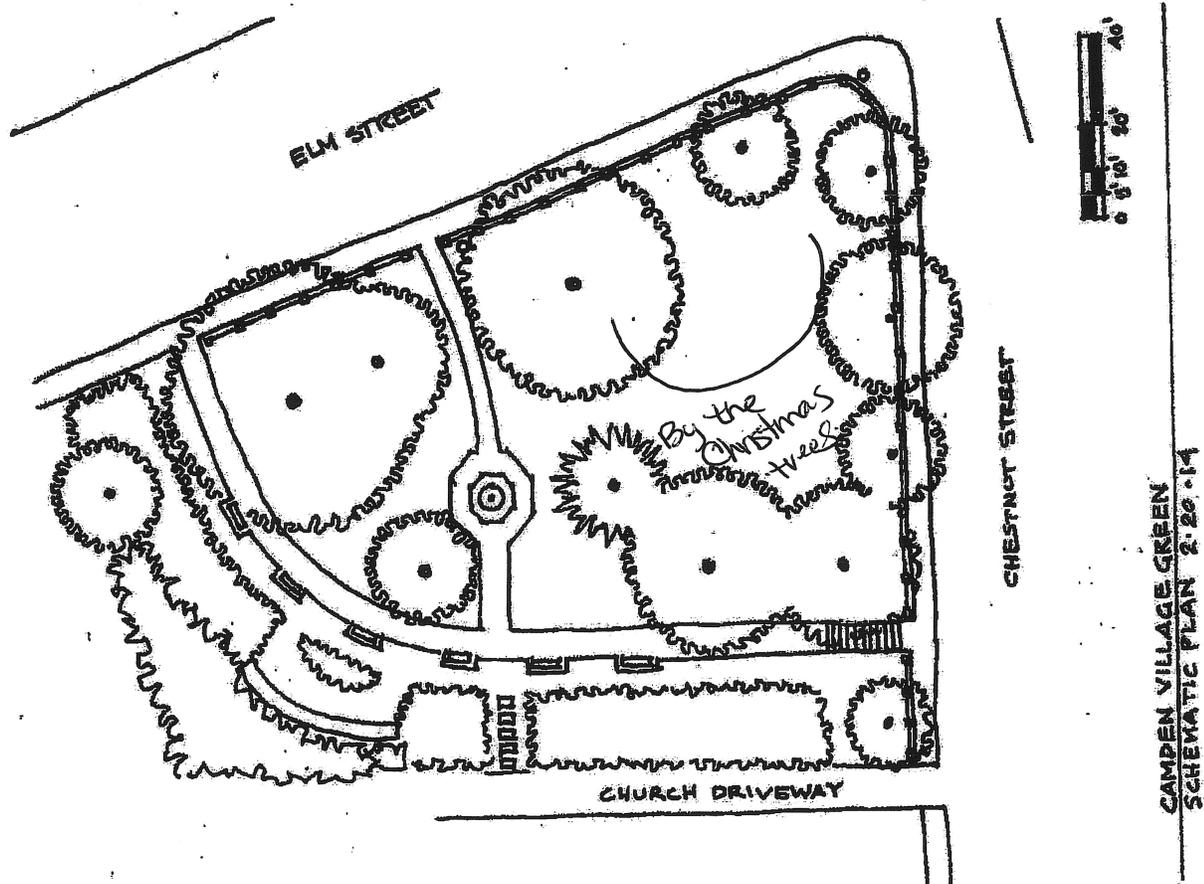
This letter must be signed by the requesting Entity's representative for a complete application.

The undersigned, as organizer of an event to be held on \_\_\_\_\_ (insert date) on the Town of Camden Village Green, agrees to be responsible for assuring:

1. That the Village Green remains open to the public at all times during the event;
2. That no commercial activity takes place during the event;
3. That the Town is reimbursed for the cost of repairing damage to the grounds and plantings and/or the cost of cleanup due to the event;
4. That all other requirements stipulated in the "Town of Camden Village Green Policy and Use Guidelines" are honored.

Signed \_\_\_\_\_ Date \_\_\_\_\_

Printed Name \_\_\_\_\_



This is just for the Love of Christmas  
and Hear amazing Christmas Carols.

# 2016

## CAMDEN SELECT BOARD SCHEDULE OF MEETINGS

JANUARY						
S	M	T	W	T	F	S
					X	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	X	19	20	21	22	23
24	25	26	27	28	29	30
31						

FEBRUARY						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	X	16	17	18	19	20
21	22	23	24	25	26	27
28	29					

MARCH						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

APRIL						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	X	19	20	21	22	23
24	25	26	27	28	29	30

MAY						
S	M	T	W	T	F	S
		3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	X	31				

JUNE						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

JULY						
S	M	T	W	T	F	S
					1	2
3	X	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

AUGUST						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

SEPTEMBER						
S	M	T	W	T	F	S
				1	2	3
4	X	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

OCTOBER						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	X	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

NOVEMBER						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	X	12
13	14	15	16	17	18	19
20	21	22	23	X	X	26
27	28	29	30			

DECEMBER						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	X	27	28	29	30	

= Select Board Meetings

Annual Town Meeting: June 14-15-2016

Special Town Meeting: November 8, 2016

**X = Holidays (Town Offices Closed)**

January 1	New Year's Day	September 5	Labor Day
January 18	Martin Luther King Jr. Day	October 10	Columbus Day
February 15	President's Day	November 11	Veterans Day
April 18	Patriots Day	November 24	Thanksgiving Day
May 30	Memorial Day	November 25	Thanksgiving Friday
July 4	Independence Day	December 26	Christmas Day

# Noise Ordinance Research Summary

## 12/01/15

The materials provided in this binder represent a summary of the research compiled from December 2014 through September 2015 for the purpose of studying the need for a new town noise ordinance, or revisions to the existing Police Department Public Noise and Conduct Ordinance. The remainder of the research materials is in the CEO's files, Planning Board files, and the "working group's" files (Police Chief Randy Gagne, John Scholz, & Dennis McGuirk).

### Index of Contents

- List of Summary Points for guidance in understanding the issues of excessive or disruptive noise in Camden
- List of permitted dBA levels for Maine Towns and other US Cities
- Text summary of measurements taken summer 2015 in Camden
- Charts showing cumulative results for sound level measurements taken at Cuzzy's and Smokestack Grill during summer 2015
- Town map with locations for Cuzzy's and Smokestack Grill
- Three charts providing dBA levels and impact/effect on human activity
- List of court cases with descriptions for noise ordinance decisions
- Three pages Public Noise and Conduct Ordinance presently in effect in Camden
  
- 5/10/15 Draft Noise Ordinance prepared by the Working Group and reviewed by the Planning Board with majority decision not to recommend it to the Select Board.
- Newspaper articles from 1994 Bangor Daily News and 1999 Village Soup referencing previous Camden Select Board noise ordinance discussions.

## Summary Points

- There is a need to supplement the current public nuisance police ordinance to better deal with noise issues in Camden
  - The Current ordinance does not cover the whole town
  - Proprietors have asked for objective guidance so they can take appropriate measures to reduce the noise from their facilities to acceptable levels.
- The summer of 2015 Chief Gagne had more than 500 noise level measurements made in Camden each night covering 6 locations in Camden at 9:30PM, 11:30 PM and 1:30 AM.
- Current levels of nightly noise from these establishments are regularly 4 to 8 times as loud as what most towns consider acceptable (see Table 1 of towns and their allowed levels) and those recommended by the State of Maine (see Table 2).
- The standard way of measuring noise is the dBA value. This value mimics the sensitivity of the human ear to the full range of frequencies from bass to high treble.
  - A table of typical noise levels from various sources is provided.
  - Note that 10 dBA increase in noise measured by an instrument is heard as twice as loud by a person
  - The noise level decreases with distance from the source so that the perceived loudness is halved for each tripling of the distance.
- Public complaints are an important, but insufficient indicator of the magnitude of the town's noise problem, since most residents don't want to be (or be seen as) constant complainers and they do want local businesses to thrive.
- A noise ordinance supplement should address the regular generation of noise from properties, not the occasional event that is not replicated night after night.
- It is possible to reach good compromise levels that properly balance the interests of businesses and residents alike.
- Maximum noise levels can be allowed to be exceeded on special occasions (Schooner Days, Toboggan Nationals, Weddings, Amphitheater Events, etc.) via the permit process.
- The courts have upheld the validity of dBA based noise ordinances that are based on local conditions and not just generic. Subjective standards (e.g. "levels that are annoying," are often struck down by the courts.

AVERAGE DAYTIME MAXIMUMS			AVERAGE NIGHT TIME MAXIMUMS		
58	64	68	50	55	59
RESIDENTIAL	COMMERCIAL	INDUSTRIAL	RESIDENTIAL	COMMERCIAL	INDUSTRIAL



SOME PLACES ALLOW LEVELS UP TO 10dB HIGHER FOR ONE 10 TO 15 MINUTE PERIOD IN 24 HOURS

**MAXIMUM ALLOWED NOISE LEVELS**

LOCATIONS	DAYTIME			NIGHT TIME		
	NOISE IN RESIDENTIAL ZONES	NOISE IN COMMERCIAL ZONES	NOISE IN INDUSTRIAL ZONES	NOISE IN RESIDENTIAL ZONES	NOISE IN COMMERCIAL ZONES	NOISE IN INDUSTRIAL ZONES
	SUBJECTIVE STANDARD BASED ON DISTANCE AND AUDIBILITY					
<b>MAINE TOWNS</b>						
AUBURN						
AUGUSTA	60					
BANGOR						
BATH	60	60	60	50	50	50
BELFAST	75	75	75	75	75	75
BRUNSWICK	55	60	70	45	50	60
BIDDEFORD						
BUXTON	55	60	60	45	50	50
CASTINE	60	60	60	50	50	50
LEWISTON	50	60	70	50	60	70
NEW GLOUCESTER	60	60	60	50	50	50
OGUNQUIT	55	60	60	45	50	50
ORONO	50	60	70	40-45	50	55
ROCKPORT	55	75	85	45	55	60
SACO	55	60	65	45	50	60
SANFORD	55	60	65	45	50	60
SEARSPORT	60	70	70	50	60	60
SKOWHEGAN	55	65	70	45	55	60
WINDHAM	60	60	60	50	50	50
YORK	55	60	68	45	50	55
<b>OTHER U.S. CITIES</b>						
ANCHORAGE	60	70	80	50	60	80
AUSTIN, TX		85			80	
BELLEVUE, WA	55	60	70	45	50	60
BOSTON, MC	70	70	70	55	55	55
CHARLOTTE, NC	55	65		50	50	
TUKWILA, WA	55	60	70	45	60	70
JUNIPER ISLE, FLA	65	65	65	65	65	65
SACRAMENTO, CA	55			50		
SEATTLE, WA	60	65	70	50	55	60
KENT, WA	60	65	70			
SPOKANE, WA	60	65	70	50	55	60

## SUMMARY OF CAMDEN NOISE MEASUREMENT RESULTS

The maximum noise level most towns consider allowable at night, even in industrial zones is 60 dBA at the property line.

(See table of noise standards in Maine towns and the State of Maine recommended levels)

Nearly 500 nightly noise measurements were made in Camden the summer of 2015 (9:30 PM, 11:30 PM and 1:30 AM). The measurements were taken downtown in the vicinity of Cuzzy's and the Smokestack Grill as well as at the Snow Bowl. The measurements taken at the Snow Bowl were inconclusive as construction on the redevelopment project continued through the summer with only one evening wedding event scheduled at the lodge.

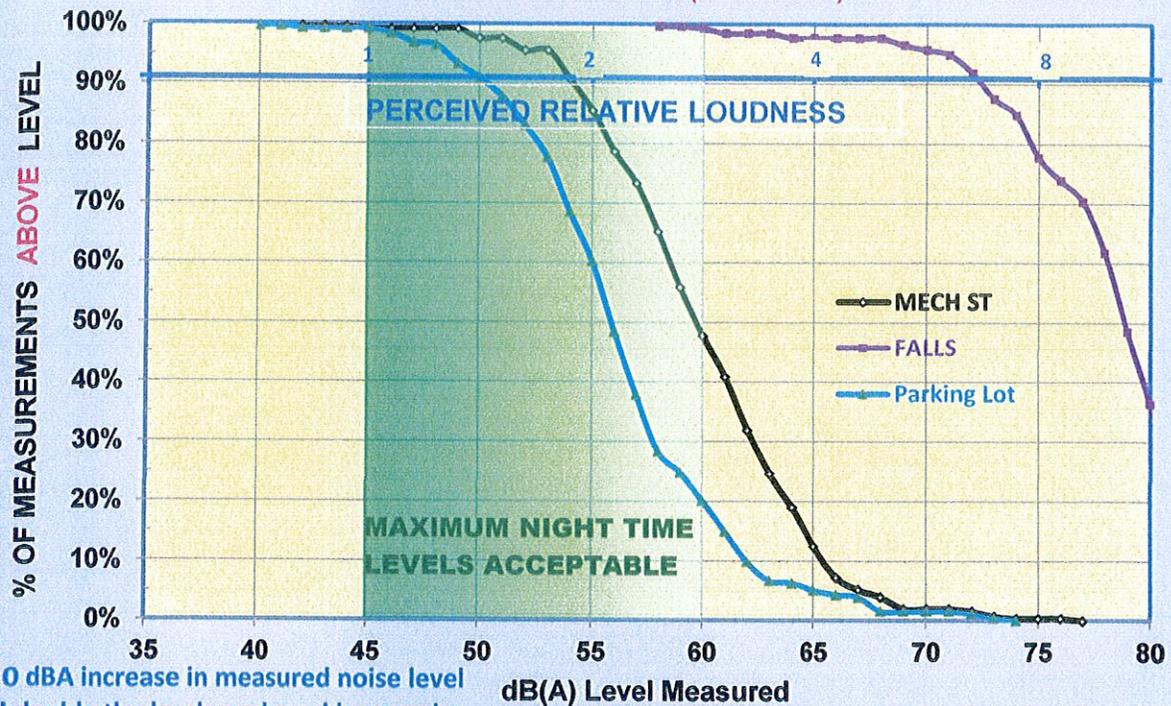
The downtown measurements show that:

- There is no difference in noise the levels measured at 9:30 PM and 11:30 PM
- Near Cuzzy's
  1. Nightly noise levels are louder than this standard **60%** of the time.
  2. These noise levels are regularly *twice as loud* as this maximum standard.
  3. Some of the measured noise levels are *4 times louder* than recommended for Commercial zones in Maine towns.
- Near the Smokestack Grill
  1. Nightly noise levels are louder than this standard **50%** of the time.
  2. These noise levels are regularly *twice as loud* as this maximum standard.
  3. Some of the measured noise levels are *4 times louder* than recommended for Commercial zones in Maine towns.

Practical corrective actions can reduce the nightly noise to the level recommended by the State.

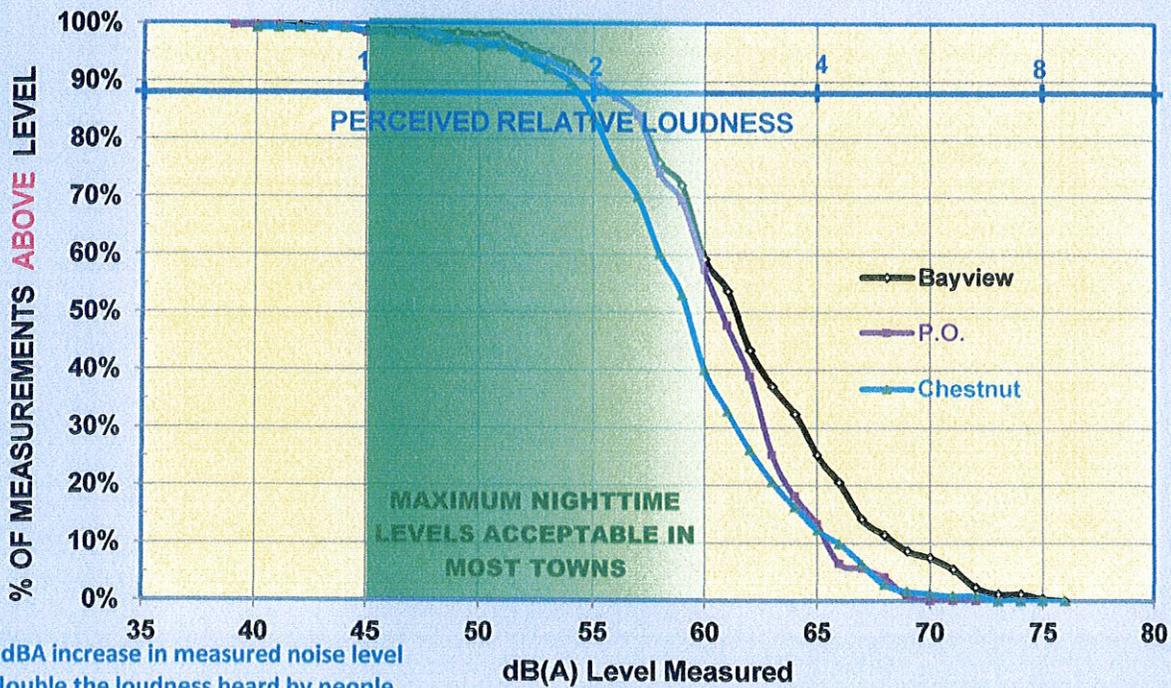
**NOTE:** A 10 dBA increase in measured noise level will double the loudness heard by people.

**NEAR Smokestack Grill (all 3 times)**

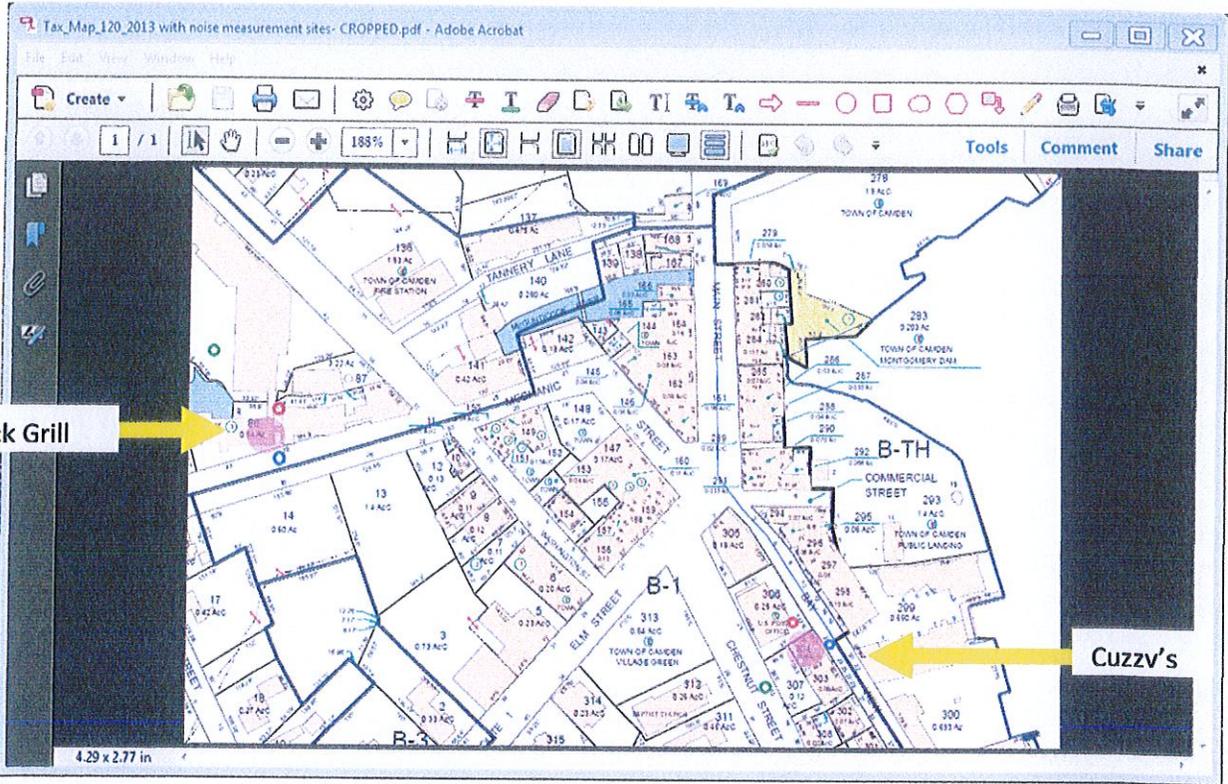


A 10 dBA increase in measured noise level will double the loudness heard by people

**NEAR CUZZY'S ( all 3 times)**



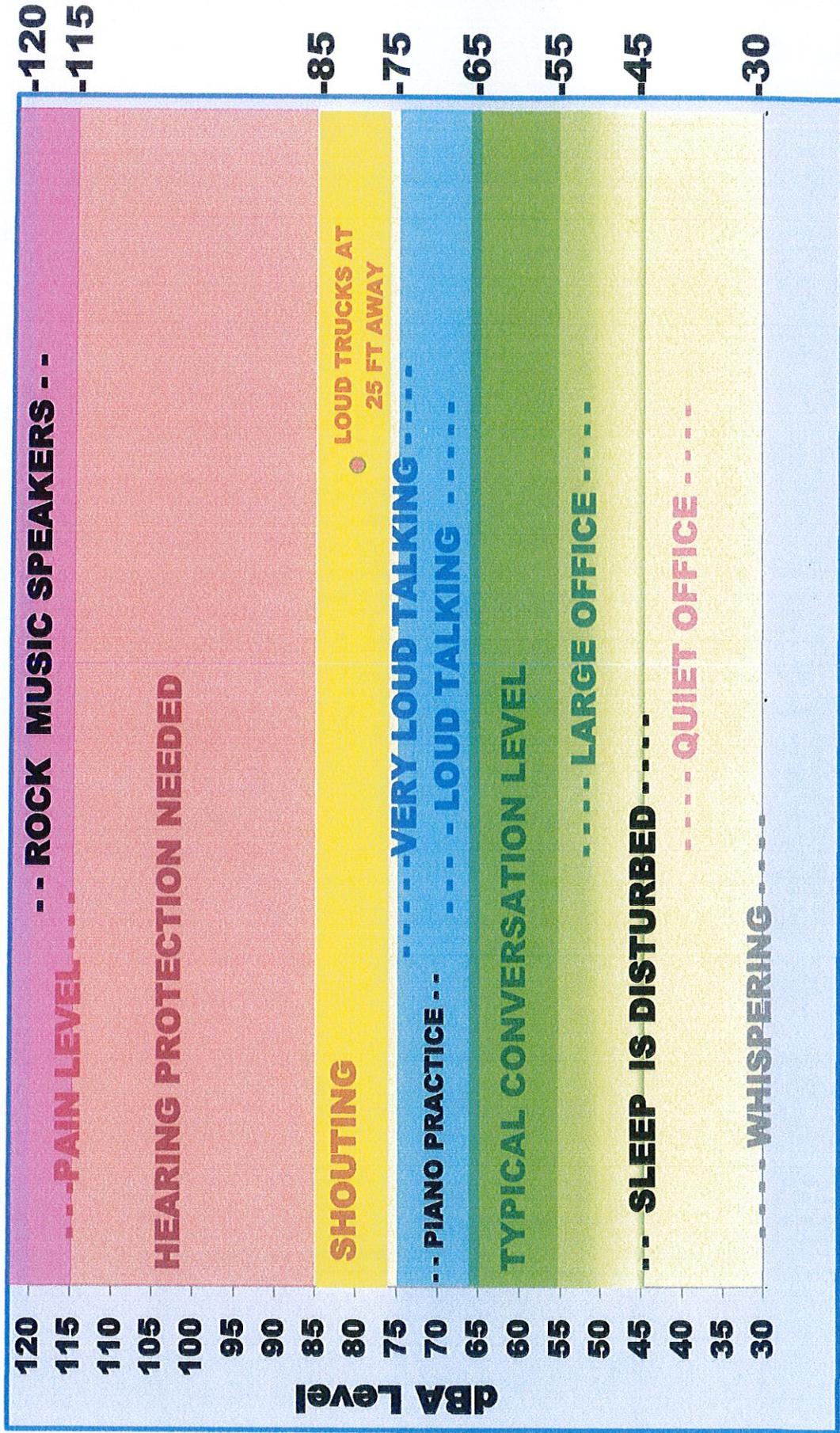
A 10 dBA increase in measured noise level will double the loudness heard by people



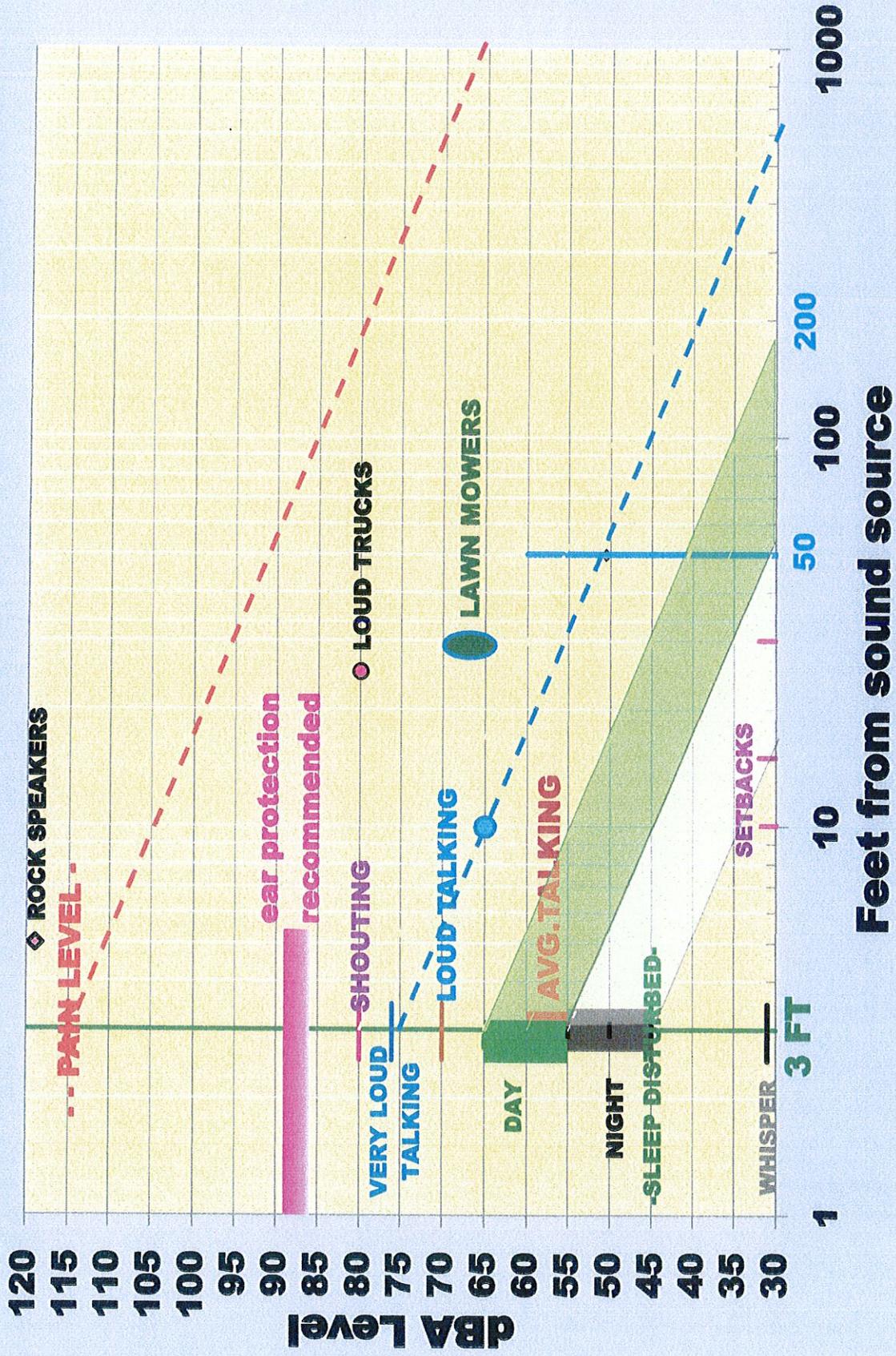
Smokestack Grill

Cuzzv's

# What dBA Levels Mean (at 3 ft. from source)



# How Sound Levels Drop With Distance



**Table of sound levels  $L$  (loudness of noise) with corresponding sound pressure and sound intensity**

Sound sources (noise) Examples with distance	Sound pressure Level $L_p$ dB SPL
Jet aircraft, 50 m away	140
Threshold of pain	130
Threshold of discomfort	120
- Chainsaw, 1 m distance	110
Disco, 1 m from speaker	100
Diesel truck, 10 m away	90
Kerbside of busy road, 5 m	80
Vacuum cleaner, distance 1 m	70
Conversational speech, 1 m	60
Average home	50
Quiet library	40
Quiet bedroom at night	30
Background in TV studio	20
Rustling leaves in the distance	10
<b>Hearing threshold</b>	<b>0</b>

PLACE	YEAR	NOISE STANDARD TYPE	Noise Standard Content	COURT CHALLENGE RESULT	RATIONALE
VIRGINIA BEACH (VA Supreme Court)	2008	NOT quantitative	Prohibited "any unreasonably loud, disturbing and unnecessary noise in the city" that "disturb[s] or annoy[s] the quiet, comfort or repose of reasonable persons."	OVERTURNED	Unconstitutionally vague
TALLAHASSEE (Fla. Supreme Court)	2012	NOT quantitative	Banned operating radios loud enough to be heard 25 ft away	OVERTURNED	Unconstitutionally vague
ASPEN, Co.	2014	Quantitative	65 dBA before 7 PM & 60 dBA after 7 PM (Challenged as too restrictive for businesses on Restaurant Row)	ORDINANCE UPHELD	Standard was declared reasonable
Kilgore, Tx	2014	Quantitative	85 dBA	dismissed	complainant didn't show noise exceeded standard
HOUSTON, Tx	2014			OVERTURNED	Houston has no zoning, so any noise standard is <b>too broad</b>
CAROLINA	2006			OVERTURNED	NO CRITERIA FOR GRANTING EXCEPTIONS
OHIO RACETRCK	2006	MIXED	Bans excessive noise which causes a substantial and unreasonable interference with the following Plaintiffs' use and enjoyment of their property, all of which would be offensive or inconvenient to any person of ordinary tastes and sensibilities	ORDINANCE UPHELD	MEASURED NOISES WERE IN 75 dBA TO 94 dBA & these were judged unreasonable
ATHENS, Ga	2008	NOT quantitative	Banned sounds that are audible at various distances (up to 300 ft)	ORDINANCE UPHELD	Rejected challenge claim that using same standard multiple zone types restricts free speech
SARASOTA, Fla	2009	NOT quantitative	Banned playing radio loud enough to be heard 25 ft away	OVERTURNED	opens door to selective enforcement
BOONE, NC	2015	Quantitative	Nov 2015:In response to challenges, the council changed the town's noise ordinance of February 2012. It now restricts sound measured at or within 10 feet of a venue's property line to 70 dBA from 10 p.m. to midnight Friday and Saturday evenings and to 60 dBA from midnight to 2 a.m. Saturday and Sunday mornings. On weeknights, the standards are 70 dBA until 11 p.m. and 60 dBA after that.	ORDINANCE UPHELD	ordinance modified based on complaints

CHAPTER VIII TOWN OF CAMDEN  
POLICE ORDINANCE

PART XII

PUBLIC NOISE AND CONDUCT ORDINANCE

**Section 1 - Preamble**

In accordance with the provisions of Title 30-A, Section 3001 of the Maine Revised Statutes, and by the authority granted therein under Section 3001, for the purpose of promoting the general welfare and providing for public safety and convenience, the Inhabitants of the Town of Camden adopt this Noise Ordinance.

The Town of Camden has determined by virtue of complaints to the Police Department and the Board of Selectmen from citizens, downtown merchants, and visitors to the Town, that certain conduct within portions of the Town designated in this ordinance, is preventing persons residing within those areas from fully enjoying their property and having a reasonable degree of quiet, particularly during nighttime hours, and is also preventing members of the public from enjoying public parks and other public spaces.

The Town further finds that reasonable regulations concerning noise are necessary in order to preserve a downtown area which is attractive to customers, visitors and residents and maintains a non-threatening environment within the downtown area, including public parks and public spaces.

The Town further finds that existing state laws and regulations do not fully and adequately address the difficulties experienced within the Town of Camden which are sought to be addressed by this ordinance, and that enforcement of such laws and regulations, when brought by officials not associated with the Town of Camden, is not sufficiently vigorous or timely in order to resolve the difficulties experienced in the Town.

Accordingly, exercising the home-rule powers conferred upon the Town, the Town does hereby adopt the following ordinance, which shall be referred to as the "Public Noise and Conduct Ordinance".

**Section 2 - Prohibited Conduct and Acts**

The following acts undertaken within the designated area of the Town of Camden as set forth in Section 4.0 (Exhibit A), are hereby declared to be a violation of this ordinance:

2.1 - Unreasonable, Loud and Raucous Noise

Yelling, shouting, hooting, whistling, singing, or the production of any other noise, in a loud and raucous manner, between the

hours of 11:00 PM and 7:00 AM on the following morning within the area set forth in Section 4.0 (Exhibit A), so as to unreasonably annoy or disturb the quiet, comfort, or repose of any persons located more than fifty feet (50') from the source

of that noise shall be prohibited.

#### 2.2 - Obstructions of a Public Way

Knowingly and intentionally causing an unreasonable obstruction of a public way, road, street, sidewalk or walkway in a public park shall be prohibited within the designated area of the Town of Camden as set forth in Section 4.0 (Exhibit A).

#### 2.3 - Unreasonably Loud Sound Production

The playing, using or operating of any radio, receiving set, musical instrument, or other machine or device for the production or reproduction of sound in such a manner as to unreasonably annoy or disturb the peace, quiet, comfort or repose of any other person located more than fifty feet (50') from the source of that sound shall be prohibited between the hours of 11:00 PM and 7:00 AM the following morning within the area set forth in Section 4.0 (Exhibit A).

#### 2.4 - Unreasonable Sounds from Horns or Signaling Devices

The sounding of any horn or signaling device for an unnecessary or unreasonable length of time or for a purpose not associated with the proper and legitimate signaling activity undertaken in conjunction with the operation of a motor vehicle shall be prohibited within the areas set forth in Section 4.0 (Exhibit A).

### **Section 3 - Enforcement Procedure**

3.1 Any violations of this ordinance shall be a civil violation, which shall be prosecuted through the issuance of a civil summons by the Camden Police Department in the same form and in the same manner of prosecution as would be the case with a parking violation. The regulations governing prosecution of parking violations are set forth in the Camden Code, Chapter VIII, Section 15-A, sub-section 1. Actions shall be prosecuted by the Camden Police Officers or by the Town Attorney in the District Court for Knox County, located in Rockland, Maine.

3.2 For any first violation of this ordinance, there shall be a civil fine or penalty imposed in an amount not less than Fifty Dollars (\$50.00) and not more than One Hundred Dollars (\$100.00). Each subsequent violation of this ordinance within a period of two (2) years from the date of the first violation, shall result in the imposition of a minimum civil fine or penalty of One Hundred Dollars (\$100.00) and a maximum fine or penalty of Two Hundred Fifty Dollars (\$250.00).

3.3 In addition to civil penalties for any violation of this ordinance, the Court shall require the violator to pay the Town reasonable attorney's fees incurred in connection with the prosecution of the violation, together with costs and filing fees incurred by the Town in

connection with that prosecution.

#### **Section 4 - Designated Area**

The provisions of this ordinance shall apply to areas of the Town of Camden set forth in Exhibit A, attached to this ordinance and incorporated by reference herein.

#### **Section 5 - Separability**

In the event that any provision of this ordinance shall be held illegal, it is intent that all remaining provisions of this ordinance, which are not declared illegal, shall remain in full force and effect.

### **EXHIBIT A**

#### **Designated Area**

The designated area of this ordinance shall be:

1. the following streets and ways or portions of streets and ways:

Atlantic Avenue

Bayview Street: portion from Main to Frye Street

Chestnut Street: portion from Elm Street to Frye Street

Commercial Street

Elm Street: portion from Main Street to School Street

Free Street

Main Street: portion from Elm Street to Mountain Street

Mechanic Street: portion from Main Street to Knowlton Street

Tannery Lane; and

2. All public sidewalks, public ways, public walkways, public parks, and real property owned by the Town of Camden or other public entity which abut such streets or ways. "Public parks" shall include, without limitation, Harbor Park and the dam site, the Camden Public Library grounds and Amphitheater, the Village Green, and the Public Landing.

Historical Note: Adopted June 13, 1995 at Town Meeting

**DRAFT NOISE ORDINANCE - revised 5/10/2015**

**Section 1. General**

This ordinance sets standards for maximum acceptable sound levels to preserve the quality of living in Camden. These standards are consistent with the limitations used in other municipalities. The Select Board may grant temporary permits or exceptions for special circumstances or planned events.

In enforcing these provisions, it is not necessary for persons affected by the excessive noise to make a complaint or be identified as a complainant. It is sufficient that once a valid measurement of the excessive noise level is made by a police officer, a violation has occurred.

Under Title 17-A: Maine Criminal Code, Chapter 2: Offenses against Public Order, 501-A. Disorderly Conduct, the local authorities are responsible for enforcing the provisions of this statute in public places and on private property. Disorderly conduct constitutes "...making loud and unreasonable..." noises.

**Section 2. Definitions**

**ADMINISTRATOR:** The term "Administrator" means the Camden Town Manager, Camden Chief of Police, or their designee.

**SOUND LEVEL, dB(A):** Means the A-weighted sound pressure level measured by the use of a sound level meter (either Type I or Type II, as defined by American National Standards Institute Specifications, ANSI S1.4-1983) with the characteristics specified in ANSI Specifications, Section 1.4-1971.

**DISTRICTS:** For the purposes of this ordinance:

- (1) Residential District includes the zones designated as V, VE, CR
- (2) Commercial District includes the zones designated as B-1, B-2, B-3, B-4, B-H, B-TH, B-R, B-TR
- (3) Industrial District includes the zone designated as I
- (4) Rural District includes the zones designated as RU-1, RU-2, RR, RP

**Section 3. Determination of Compliance with Permitted Sound Levels**

- (1) The measurement of sound/noise levels shall be done at the property line of the property where the sound originates. Sounds originating in a public

space (e.g. public park, beach or other public facility), shall not exceed 65 dB for longer than 15 minutes when measured 10 feet from the source.

#### Section 4. Maximum Permissible Sound Levels

Unless granted permission by Camden's Select Board, sounds that persist for 30 minutes or longer may not exceed the levels defined below:

##### (1) In Residential & Rural Districts

Received in a Residential or Rural Zone	Received in a Commercial Zone	Received in an Industrial Zone
55 dBA (7AM-11PM) 45 dBA otherwise	60 dBA (7AM-11PM) 55 dBA otherwise	60 dBA (7AM-11PM) 55 dBA otherwise

##### (2) In Commercial Districts

Received in a Residential or Rural Zone	Received in a Commercial Zone	Received in an Industrial Zone
60 dBA (7AM-11PM) 50dBA otherwise	65 dBA (7AM-11PM) 55 dBA otherwise	70 dBA (7AM-11PM) 60 dBA otherwise

##### (3) In an Industrial District

Received in a Residential or Rural Zone	Received in a Commercial Zone	Received in an Industrial Zone
65 dBA (7AM-11PM) 55 dBA otherwise	70 dBA (7AM-11PM) 60 dBA otherwise	70 dBA (7AM-11PM) 60 dBA otherwise

The maximum noise levels defined above may be exceeded by no more than:

- (1) 5 dB(A) for a total of 15 minutes in any one hour period;
- (2) 10 dB(A) for a total of 10 minutes in any one hour period; or
- (3) 15 dB(A) for a total of 5 minutes in any one hour period.

76 **Section 5. Prohibited Activities**

77  
78 The idling of trucks with gross weight over 10,000 lbs. for longer than 30  
79 minutes is prohibited, except when it is the result of traffic congestion, the use of  
80 a refrigeration vehicle in a commercial or industrial district, or when specifically  
81 authorized by the Administrator.

82  
83 Operating equipment for the clearing of snow or sweeping debris from parking  
84 lots after 10PM is prohibited unless specifically authorized by the Administrator.

85  
86 Construction activities between the hours of 10 PM and 7AM unless specifically  
87 authorized in advance by the Administrator.

88  
89

90 **Section 6. Sounds Exempted**

91  
92 The following sound sources are exempted from the foregoing maximum  
93 allowed levels:

94  
95 (1) Sounds produced by domestic tools including, but not restricted to,  
96 lawn mowers, leaf blowers, snow blowers, chain saws, pneumatic  
97 hammers and other common construction tools between the hours of  
98 7AM and 10PM;

99  
100 (2) Sounds originating from Town-sanctioned events.

101  
102 (3) Sounds created by the installation or repair of essential utility  
103 services.

104  
105 (4) Sounds created in response to emergencies and testing of emergency  
106 equipment.

107  
108 (5) Sounds produced by equipment operated by, or contracted for, by  
109 the Town to restore or repair essential services.

110  
111 (6) Snow removal equipment during snowstorms, and up to 24 hours  
112 following a snowstorm.

113  
114 Nothing in these exemptions is intended to preclude the Administrator from  
115 requiring installation of the best available noise abatement technology consistent  
116 with economic feasibility.

117

## 118 Section 7. Temporary Permits and Exceptions

119  
120 For circumstances where it is anticipated that sounds will be created that exceed  
121 the levels otherwise permitted, permission may be granted by the Administrator  
122 for a temporary permit or exception.

123  
124 In evaluating applications for temporary permits or exceptions, the  
125 Administrator shall consider the inputs from the Code Enforcement Officer, the  
126 Chief of Police, as well as the general public.

127  
128 Applications for an exception or temporary permit shall supply all the  
129 information identified in Appendix A.

130  
131 In authorizing an exception, the Administrator shall:

- 132
- 133 a. Require that written notice by certified mail be given to all properties  
134 within 100 feet of the property seeking the exception or temporary permit.  
135 Such written notice must be delivered at least 10 days in advance of the  
136 event of interest.
  - 137
  - 138 b. Specify any additional mitigation measures or public notice requirements  
139 deemed necessary;
  - 140
  - 141 c. The Administrator shall consider any comments regarding the application  
142 and/or similar events which have occurred in the past. In general, it is  
143 recommended that no applicant be granted more than two (2) permits for a  
144 given property within a 28 day period.

145  
146 The temporary permit or exception may be revoked by the Administrator and  
147 the issuance of future permits withheld, if there is:

- 148
- 149 (a) Violation of one or more conditions of the permit;
  - 150
  - 151 (b) Material misrepresentation of fact in the application; or
  - 152
  - 153 (c) Material change in any of the circumstances relied upon by  
154 the Administrator in granting the permit or exception.

## 155 Section 8. Enforcement

156  
157  
158  
159 Any violation of this ordinance shall be a civil violation which shall be  
160 prosecuted through the issuance of a civil summons by the Camden Police  
161 Department in the same form and manner as prosecution would be the case with

162 a parking violation. Actions shall be prosecuted by the Town Attorney in the  
163 county district court.

164  
165 For the first instance of a violation of these noise standards, a civil fine of \$100  
166 may be imposed. If a second violation occurs within a 2 month period from the  
167 first violation, a fine of \$200 will be imposed. For all subsequent violations  
168 within a 2 year period, the fine will be increased by an additional \$100 for each  
169 occurrence.

170  
171 In addition to civil penalties for any violation of this ordinance, the Court shall  
172 require the violator to pay the Town reasonable attorney's fees incurred in  
173 connection with the prosecution of the violation, together with costs and filing  
174 fees incurred by the Town.

175  
176

177 **Section 9. Separability**

178  
179 In the event that any provision of this ordinance shall be held illegal, it is the  
180 intent that all remaining provisions of this ordinance, which are not declared  
181 illegal, shall remain in full force and effect.

182  
183

184 **Section 10. Appendix A**

185  
186 The following information is required for any application for a temporary permit  
187 or exception to the noise level standards contained in Section 4 of this ordinance.

188  
189

- 189 (1) the nature, source, intensity and location of the sound;
- 190 (2) the period(s) of time the louder sound levels will occur;
- 191 (3) the reason(s) for which the normally permitted levels cannot be  
192 met;
- 193 (4) any mitigating conditions the applicant will implement to  
194 minimize the sound level violations;
- 195 (5) the name, address and means of contacting a responsible party  
196 during the hours of operation for which the permit or exception is  
197 requested;
- 198
- 199
- 200
- 201
- 202

203 A temporary permit or exception may also be granted if the Administrator  
204 finds that all of the following conditions exist:

205  
206 (a) There are exceptional or extraordinary circumstances or  
207 conditions applying to the applicant's property or as to the  
208 intended use thereof that do not apply generally to other  
209 properties in the same zone;

210  
211 (b) Such exception is necessary for the preservation and  
212 enjoyment of a substantial personal or property right of the  
213 applicant, such right being possessed by the owners of other  
214 properties in the zone;

215  
216 (c) The authorization of such exception does not endanger public  
217 health or safety.

# Camden debates ordinance for noise

By Bruce Kyle  
Of the NEWS Staff

CAMDEN — The Camden Selectmen decided Monday to consider adding a chapter on noise to their growing book of ordinances, although there was some discord over whether the town has gotten too loud or some of its residents just too touchy.

After hearing complaints throughout the summer about rock music in the park, bank air conditioners and Sunday morning lawn mowers, the board agreed to have selectmen Jim Elliott and Barbara Dyer put together a draft ordinance for public comment this fall.

The first outcry came early this summer, when a dance at the Village Green had downtown businesses rocking against their will. At a meeting a month ago, the selectmen asked residents for comments on how to regulate use of the park, but instead got an earful about MBNA bank's whirring air conditioners, with a few choice words thrown in for those who fire up the Toro on a Sabbath dawn.

Since then, a sampling of noise ordinances gathered from other towns in Maine and beyond shows two basic approaches — arming police with decibel meters or limiting specific activities, such as lawn mowing, to specific times, such as after sunup. Elliott suggested that the latter may be the most affordable and reasonable tactic for Camden.

Before Camden passes an ordinance to control noise, however, it must first decide whether it's a problem best solved by a law or by good manners.

It's the law for Selectman Nancy Meisle, who said she has received "more calls on this than on any other issue since I've been on this board. That Bangor, Bath, Orono and Old Orchard Beach have passed ordinances in the last year and a half tells us something about our lives."

Dyer wasn't so sure. "This seems like much ado about nothing for Camden," she said. "I hope we don't go into another big ordinance on noise. I don't think Camden needs it. I think we can get along with each other better than that."

MBNA President Charles Cawley asked the board to hold another public forum on noise before it makes any decisions, suggesting that the anti-air conditioning comments heard last month may not reflect the views of most Camdenites. "I've heard of the foolishness of the last meeting," he said. "You don't have a very balanced view so far."

\*

Shane Flynn of MBNA also called for a more thorough canvassing of residents before anything is written, noting that the road to litigation is paved with bad ordinances.

Meisle responded that many of the calls she has received had nothing to do with MBNA's cooling system, but with noise from the harbor, restaurants, lakes and the park next to the library.

## Selectmen to consider noise ordinance re-write

By Gretchen Piston Ogden | Aug 13, 1999

Camden — In response to complaints from a local bed and breakfast owner, Camden selectmen discussed Monday whether the town's existing noise ordinance needs to be revised to cover construction activities in town.

The item was on the agenda at the request of Dennis Hayden, owner of Camden's Blue Harbor House, who spoke last week during the public input section of the selectmen's regular meeting, saying that his business has been adversely affected on several occasions by construction noise in the area.

"I've called the police, but they can't help because there's no ordinance to enforce," Hayden said.

Camden does have a noise ordinance, but according to Police Chief Terry Burgess, it's geared toward problems like loud bands performing on town property or loud noise in public parks, not at construction crews who often begin work early in the morning.

**"You'd be hard-pressed to craft an ordinance that could deal with every loud noise,"** said Burgess.

Hayden enumerated several instances where he and his guests have been awakened by construction-related noise, beginning in mid-June when concrete trucks arrived at 6 a.m. to pour a foundation next door.

"They were done by 9," Hayden said, adding that it seemed to him that the pour could have begun later and still been done early in the day. He also brought up ditch repair on Route 1 during the week of July 1 from 7 to 8 a.m.

Then on Saturday, July 10, Bumblebee Construction began to jackhammer asphalt at 6 a.m. After some "heated discussion," they agreed to wait until 7 a.m., Hayden said, and were done by 8:30.

"I've had guests leaving early, and of course they tell their friends about their bad experience, then the friends don't come at all," Hayden said. "I realize that it's not reasonable or practical to de-noise Elm Street. My concern is that there should be some mechanism so when there's an unreasonable problem, residents can say 'stop it!'"

Sid Lindsley, the chairman of the board of selectmen, said, "I sympathize with your problem, but I'd hope that common courtesy could come into play here, and that two neighbors could talk about these kinds of problems."

"I plow snow at 2 or 3 a.m.," said selectman John French. "If you go too far with this, I'll have to wait to clear your streets until after 7 a.m."

"You're talking about criminalizing a person's work habits," said Burgess. "It would be impossible to enforce."

The board had some questions about whether the existing ordinance could be construed to cover construction noise, and decided to have the town attorney review it and suggest any changes at the next regular selectmen's meeting.

Most provisions of the Public Noise and Conduct Ordinance cover the 11 p.m. to 7 a.m. timeframe.

The ordinance covers Atlantic Avenue, Bayview Street from Main to Frye streets, Chestnut Street from Elm to Frye streets, Commercial Street, Elm Street from Main to School streets, Free Street, Main Street from Elm to Mountain streets, Mechanic Street from Main to Knowlton streets, and Tannery Lane.

Hayden's bed and breakfast, located at 67 Elm St., is outside these areas.