



**Town of Camden  
Select Board Meeting  
October 7, 2014 – 6:30 pm  
Washington Street Conference Room**

**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.

**1. Call to Order**

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

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

**A. The Community Institute – Jane LaFleur**

Jane LaFleur, Executive Director of Friends of Midcoast Maine, spoke to the Board about her organization's "Community Institute", an instructional program on community planning. She said that the first session called "Streets, Places and People" would be held in Camden at the Opera House on October 30-31. LaFleur asked the Select Board for permission to use/close a portion of the Public Landing for a class project based on the concepts in the Public Landing Master Plan. She said she'd spoken about the project to the Planning Board, Harbor Committee, CEDAC and the Downtown Network Board.

*White made a motion to allow the Community Institute to close a portion of the Public Landing on Friday, October 31 for a class project from 9:00 a.m. until 2:00 p.m. provided the public has access to the harbor at all time. The motion was seconded by Heard. It was unanimously approved.*

**B. Fire Department Update – Chief Chris Farley**

Fire Chief Farley told the Board it was National Fire Prevention Week and provided an update on department activities. The department had had 351 calls since Jan. 1, he said. Farley described an upcoming training to be held October 27 and said they are still needing to recruit firefighters for the department.

**C. Ragged Mountain Redevelopment Update – Landon Fake**

Parks and Recreation Director Landon Fake updated the Board on the Snow Bowl Redevelopment and introduced Tom Wells of Royal Trail Works. Fake said that the trail work led by Wells' crew was 99.9% complete and that tower work was also making good progress. Expansion of the pump house was underway, he said.

Fake said that the Planning Board had recently approved the proposed lighting plan. Lighting costs had been under-budgeted, he explained, noting that bids had come in at around \$400,000 for the lighting, which was four times the budgeted amount. The erosion issues (engineering and related trail work) had accounted for increased expenditures as well, Fake told the Board, contributing to a \$500,000 cost overrun. He said that the fundraising committee has been aware of this and is committed to raising the additional funds. He said

that due to costs, a decision had been made not to light the Northeaster trail which would have added \$180,000 to the costs.

Finnigan told the group that an incredible team effort has made the current progress possible. She thanked Tom Wells and his crew for all their efforts, as well as the entire Snow Bowl staff for their dedication in managing a very complex project.

### **3. Citizen Comments**

Dorie Klein read a letter written by her husband Dana Strout, President of the Hosmer Pond Association. She then spoke about safety on the 22 Tacks Trail at the Snow Bowl.

John Scholz, VP of the Hosmer Pond Association, spoke to the Board to express his disagreement with some of the points in Strout's letter.

#### **Board Comments**

James Heard said it would be a good idea to discuss events held at the Snow Bowl that could cause concern in the neighborhood. He also told the Board that he would like to revisit the need for a public hearing on the Harbor Committee recommendation regarding limiting the construction of new piers. Previous events around the scheduling of a public hearing were reviewed. Heard asked that this discussion be put on the next agenda.

French said that as part of the discussion he would like to look at the question of the rights of landowners, adding that specific information would need to be gathered prior to a public hearing so that the public can be properly informed. Finnigan said the information would be available by the end of October.

Lookner reviewed a section of the minutes from a Board meeting in May regarding the hearing issue, where the Board had voted to hold a public hearing on July 15. White clarified that during a workshop the Board had decided to postpone the public hearing until information could be gathered on the potential impact that the recommendation could have on property valuations and property taxes collected. French noted there may have been a procedural error in that the Board should have voted at the following Select Board meeting to postpone the hearing as had been decided by the Board during the workshop.

Cates said that the item could be included on the next Board agenda for discussion and added that a valuation study would be initiated so that the community understands the issues.

### **4. Town Manager Report**

Finnigan clarified previous comments regarding the Ragged Mountain Redevelopment Project raised by Strout's letter. She said that Town staff are all aware of and sensitive to the situation of neighbors living near the Snow Bowl with regard to lighting, and that the group had done exhaustive research on the fixtures to be installed. Finnigan also responded to comments about a manure smell and clarified that they are spreading hay on the mountain, not manure.

The Town Manager said that they had had a successful visit by the DEP who were pleased with what they saw at the Snow Bowl.

Regarding the proposed Harbor Committee public hearing, the Town Manager reminded everyone that people are acting with good will and that the Select Board Chair had told the Chair of the Harbor Committee that the Board decided they needed additional information before proceeding with a public hearing to amend the Harbor Ordinance.

## **5. Approval of Select Board Minutes dated September 23, 2014**

*White made a motion to approve the minutes of the September 23, 2014 meeting. The motion was seconded by French. It was unanimously approved.*

## **6. Select Board Member Reports**

White reported on Planning Board activities. He said that a decision on the installation of the wireless communication system on the smokestack had been postponed. He also spoke about the Business Opportunity Zone and the recent art show/book sale event held at the Library.

Lookner noted that absentee voting had begun and spoke about the Tannery vote.

Heard reviewed the recent election of Harbor Committee officers.

Cates told the group that CEDAC had held a special meeting to talk about the upcoming Tannery vote and had voted to submit a letter from the Committee. He read the letter drafted by Robin McIntosh on behalf of CEDAC, encouraging voters to keep options open for a balanced approach to the Tannery site that could include putting it back on the tax roles.

Tom Resek spoke in favor of park/open space in reference to the Tannery vote.

Steve Gold talked about the Harbor Committee recommendation and its effect on property values. He also commented on the ambulance proposal with regard to the Millville neighborhood.

## **8. New Business**

### **A. Public Hearings**

#### **1) Robert & Karen Brace, Trustees of the Harbor Edge at 25 Harbor Road to construct a residential pier in the Coastal Residential Zone**

Will Gartley of Gartley & Dorsky described details of the proposed pier on Harbor Road, saying it met all standards in the ordinance. There were questions from the Board on the depth of the water in that location and whether it could be a hazard to navigation.

Sandy Welte of the Harbor Committee told the Board that the proposal had not been recommended the Harbor Committee. He also said that the Harbor Committee had not been informed about the postponement of the public hearing to address the issue.

There was discussion about a moratorium on piers in Sherman's Cove. Steve Gold said that the Harbor Committee had opposed the current pier proposal not because they don't want piers but because of existing sections in the ordinance.

Comments were closed to the floor and opened to the Board.

French said that he was in favor of the proposal moving forward because it meets the ordinance requirements.

The Select Board went through a finding of fact to review the criteria in the Harbor Ordinance, Article VI, Section 7 subsection F.2 "Outer Harbor and Coastal Harbor" as follows:

*A) French made a motion that the Select Board finds that the proposed pier does not interfere with, or pose a hazard to, the navigational channels between the Inner Harbor and the bay and from the public vessel ramp to the main channel. The motion was seconded by White. It was approved by a vote of 3-2, (Heard and Lookner opposed).*

*B) French made a motion that the Select Board finds that the proposed pier does not eliminate or interfere with existing and designated mooring and anchorage areas and access thereto. The motion was seconded by White. It was approved by a vote of 3-2, (Heard and Lookner opposed).*

*C) French made a motion that the Select Board finds that the proposed pier does not reduce or interfere with existing shell fishing and clamming areas, and access thereto. The motion was seconded by White. It was approved by a vote of 3-2, (Heard and Lookner opposed).*

*D) French made a motion that the Select Board finds that the proposed pier does not interfere with public vessel launching and pier facilities. The motion was seconded by White. It was approved by a vote of 3-2, (Heard and Lookner opposed).*

*E) French made a motion that the Select Board finds that the proposed pier does not block or interfere with public rights of passage and uses of the shores and flats. The motion was seconded by White. It was approved by a vote of 3-2, (Heard and Lookner opposed).*

*F) French made a motion that the Select Board finds that the proposed pier does not adversely affect small recreational boating activities. The motion was seconded by White. It was approved by a vote of 3-2, (Heard and Lookner opposed).*

*French made a motion that the Select Board finds that the applicant meets the requirements of the Harbor Ordinance and that the Board approves the application to construct a pier. The motion was seconded by White.*

Discussion: Lookner asked if there had been testimony that the clam flats and small boat traffic would not be affected. Gartley said they had submitted pictures to the necessary agencies for their review and that site visits had been conducted. He also noted that Steve Pixley had been asked about the affect on navigation and had said that the pier would not impede the operation of small crafts in the harbor.

John Scholz also spoke on a matter related to the pier.

*The motion was approved by a vote of 3-2, (Heard and Lookner opposed).*

- 2) **Peter Ott's at 16 Bay View Landing for a Class XI Malt, Spirituous, and Vinous Liquor License**
- 3) **Peter Ott's at 16 Bay View Landing for a Special Amusement Permit**

*French made a motion to approve the liquor license and special amusement permit for Peter Ott's at 16 Bay View Landing. The motion was seconded by White. It was unanimously approved.*

**B. Consideration of whether to rent or lease any of the commercial passenger vessel float space or berthing slips for the upcoming year (Harbor Ordinance Article V Section 3)**

*French made a motion to seek applications to lease commercial passenger vessel float space for the 2015 season. The motion was seconded by White. It was unanimously approved.*

**C. Confirmation of new Camden Public Library Trustees, Lyle Rigg and Jean White, both of Camden**

*White made a motion to confirm the appointment of Lyle Rigg and Jean White to the Camden Public Library Trustees. The motion was seconded by French. It was unanimously approved.*

**D. Appointment of the Town Manager to the Mid-Coast Economic Development District (MCEDD) General Assembly**

*White made a motion to appoint the Town Manager to the Mid-Coast Economic Development District General Assembly. The motion was seconded by French. It was unanimously approved.*

**E. Set date for second meeting in October: October 28**

The Town Manager said that PopTech would be using the Select Board's meeting room the week of October 20<sup>th</sup> so the next meeting would have to be postponed a week.

*French made a motion to set the next Select Board meeting for October 28. The motion was seconded by White. It was unanimously approved.*

*French made a motion to hold only one Select Board meeting during November, on the 18<sup>th</sup>. The motion was seconded by Lookner. It was unanimously approved.*

**Adjourn**

*White made a motion to adjourn the meeting. The motion was seconded by French. It was unanimously approved and the Board adjourned at 8:30pm.*

Respectfully submitted,

---

Karen Brace, Recording Secretary