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CAMDEN PLANNING BOARD
MINUTES OF MEETING
June 16, 2016

PRESENT: Chair Lowrie Sargent; Members Richard Bernhard, Richard Householder and John Scholz; Alternate Members Mark Siegenthaler; and CEO Bill O'Donnell

ABSENT: Member Jim Elliott and Alternate Member Jeff Senders

Mr. Siegenthaler will sit as a voting member for the evening's business.

The meeting of the Planning Board convened at 5:00 pm. These minutes are a summary of the Board's discussions. There is no video record of this meeting; a digital audio recording is on file in the Codes Office.

1. Public Input on Non-Agenda Items: No one came forward

2. MINUTES: There were no Minutes to review.

3. SITE PLAN REVIEW: NEW RESIDENTIAL PIER

144 Bay View; LLC: Tax Map 126 Lot 51: 164 Bay View Street: Coastal Residential District (CR): Coastal Harbor District

Will Gartley of Gartley and Dorsky Engineering and Surveying was present to represent the Applicant; he provided a brief summary of the project:

- The proposed pier is in the Coastal Harbor area of Camden Harbor
- Piers here can be longer and higher off the water than in the Inner and Outer Harbors.
- Five Pictures submitted: #1 taken from top of slope showing 5' drop to shore and others showing approximate location and relationship to Curtis Island
- This area of the shoreline was re-classified by the State on June 15, 2016, from "unstable coastal" bluff to "stable-armored" based on the showing by Gartley and Dorsky that the rip-rap installed by a previous owner satisfies the engineering criteria for reclassification. This change is needed if a pier is to be constructed on this site (Copy of email dated June 15, 2016, granting approval, was provided by the Applicant.)
- The depth of water at the end of the float will be 5 ½' deep at low water

← The Applicant is waiting for Prock Marine to supply the details for how the ramp and float will be lifted to the pier as needed

- Lights will be installed on every fourth railing post on each side staggered down the pier

← A Note is to be added to the Plan regarding the total number of lights to be installed

- The owner's intention is to limit lighting of the pier to the times when it is in use

← A Note is to be added to the Plan stating that the lights are to be on only when the pier is in use making it clear that "in use" means when a boat is loading or unloading at the pier

- 4" x 4" wooden post and wooden railings (2" x 4") 3' tall run the 180' from steps to ramp (CEO confirmed there is no building code covering height of railings on piers.)
- The Harbor Committee conducted their review of the pier on June 2 and voted unanimously that all six standards by which they review Coastal Harbor piers were satisfied. A copy of those findings has been provided to the Planning Board.

ARTICLE XII: SITE PLAN REVIEW

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The Application under review consists of the following as outlined in the Site Plan Application Packet dated June 1, 2016:

1. Site Plan Review Application/Fee & Agent Authorization letter dated May 20, 2016
2. Site Plan Review Submission Letter dated June 1, 2016
3. Camden Tax Map 126
4. Warranty Deed
5. Flood Insurance Rate Map dated May 4, 1988
6. Five Photographs taken in April and May of 2016
7. Aerial Photo dated May 31, 2016
8. Lighting Cut Sheets
9. Survey Plan, V2 dated May 2, 2016
10. Proposed Pier Plan, C1 dated May 31, 2016

The Board reviewed the Application for completeness (see Attachment #1) and requested that the Applicant:

- 1) Correct the Site Plan Application and indicate that the project is a Pier;
- 2) Correct the letter dated June 1 and address it to Bill O’Donnell the current CEO;
- 3) Clarify and correct the information on exterior lighting (both numbers of lights and describing the term “when in use”;
- (4) Provide information on the hoist system for the ramp and float;
- (5) Correct the Abutters List on Sheet C1; and
- (6) Change the spelling of the word “steal” on Sheet C1 to the word “steel”.

The Board did find that the submissions provided sufficient information to continue on to review of the Approval Criteria.

The Chair opened the floor to comments from the public:

Barbara Spaulding: Abutter: She spoke of the possibility that this pier will block access by the public to the shore between the public access points at Laite Beach and at the Curtis Island Overlook off Bay View Street at low water. She observes many parties walking that loop several times a week.

This pier is directly in the line of sight from the family’s long-time cottage on Dillingham Point Road out to Curtis Island; they are the only property to be impacted to this degree. She would like to be able to stop this pier from being constructed, and believes that this question of access may be her only hope.

The Board discussed how the first pier section would have no head room at all but that this portion of the pier is above Mean High Water (MHW) and the public does not have access in the area without permission in any case. The other sections of the pier will have between 8' and 10' of head room for people to walk under. Members familiar with the area noted that there are other obstacles to those who would walk the loop such as the rocks that jut out from #10 Dillingham Point for a good distance. Ms. Spaulding said that the rocky shore is what people find on the coast of Maine and walkers are not deterred by what they find. Ms. Spaulding noted that the Department of Conservation Submerged Lands Lease looks at access issues among the

98 other impacts a pier might have before issuing their Lease; she intends to be in touch with the
99 Department to offer her comments with regard to access.

100
101 Ms. Spaulding did ask that the Applicant consider doing what the owner at 10 Dillingham
102 Point did when abutters objected to the lights and the scale of the design – he removed lights
103 from the plan all together and went to cable railings instead of wood. She and her family would
104 appreciate whatever could be done to minimize the appearance of this pier and hopes that Mr.
105 Gartley will pass along these concerns to the owner.

106
107 Note: Another abutter spoke after the Public Comment period had been closed: Although he has
108 only a seasonal view over the water, he also hoped that the Applicant would consider minimizing
109 the visual impact of the pier.

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111 **MOTION by Mr. Scholz seconded by Mr. Siegenthaler to Find the Application complete**
112 **with the exception of the information listed.**

113 **VOTE: 5-0-0**

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115 A Site Visit was set for 7:30 am on July 7, 2016. A Public Hearing has been advertised for the
116 same date at 5pm.

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118 **4. POSSIBLE ORDINANCE AMENDMENTS for NOVEMBER:**

- 119 1) The Laite property proposal has been re-scheduled for the next meeting.
120 2) Policy Regarding Requests for Ordinance Amendments: The Board made changes to the
121 draft – those revisions will be reviewed at the next meeting.
122 3) Sign Ordinance Revisions to the B-3 District: The discussion was Tabled until someone
123 from the property owner making the request was in attendance.

124
125 **5. DISCUSSION:**

126 1) Old Business: Route 1 DOT Project requests: Two emails had been received asking the
127 Board to become formally involved in requesting that a committee be formed to review and
128 participate in the re-construction project proposed from the State Park to the Town Line. The
129 Chair reminded members that the Board had not been officially asked to become involved in
130 the project. Many of the members are very interested in the project and believe they have a
131 great deal of relevant experience to offer any committee that may be formed. Until that
132 request is made, members may participate on an individual basis being aware they may have
133 to recuse themselves from any review of the project that might come before them in the
134 future. Individual participation was encouraged.

135 2) There were no Minor Field Adjustments

136 3) Future Agenda Items: July 7: Election of Officers; Laite Property – Initial Discussion

137 144 Bay View, LLC Site Walk 7:30am; Public Hearing/Continuation of Review: 5:30pm

138 4) Pending Applications: None

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140 There being no further business before the Board they adjourned at 6:50pm

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142 Respectfully Submitted,

143
144 Jeanne Hollingsworth, Recording Secretary

Article XII: Section 3:

(a) *Owner's name and address*

Provided on Sheet C1

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

Provided on Sheet C1

← The errors listing abutters and their addresses on C1 will be corrected for the final review

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

Tax Map provided and Location Map incorporated into Sheet C1

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

Shown on Sheet V2.

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

Shown on C-1

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

Shown on survey provided as Sheet V2.

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

Setback from nearest property line shown on C1. The Applicant's Agent confirmed that the pier to pier set back is met.

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

Provided for the area near the proposed pier on Sheet C1.

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

The Applicant stated there are no known easements or covenants and has provided a copy of the deed.

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

← The Applicant was asked to modify the language on Page 3 of the Application Packet to clarify the term "will be on only when in use."

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

DEP NRPA was submitted just prior to the meeting. The Army Corps permit is required and have

been applied for but not yet in hand. Camden Flood Hazard Minor Development permit will be submitted to CEO.

← The Applicant was informed that any approval would be contingent upon receipt of the Army Corps Permit.

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

Provided on C1.

ARTICLE XII: Section 4: Supplemental Information

The Planning Board may require any or all of the following submissions...

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

Contour intervals are shown on V2 and C1.

Items (2) – (4) are not applicable to this project.

(5): Additional Information for Piers. Applications for Piers, Wharves, Breakwaters and Boat Ramps shall include: (*Amended - 11/2/10*)

(a) A site plan stamped and sealed by an engineer registered in the State of Maine.
C-1 is stamped and sealed by Will Gartley, PE

(b) An elevation showing the height of the pier in relation to normal high water.
Shown on C-1

(c) A pier section.
Shown on C-1

(d) A detailed erosion control plan, including a schedule of construction. The schedule shall include the kind of motorized equipment, how and when it will be used below high or low water.

Best Management Practices will be followed for the land side portion of the work. Most work will be done from a barge. Because this is a granite pier the DEP's limits of work times do not apply; it is anticipated work will begin in early fall.

(e) A detailed plan showing how oils, greases or other contaminants will be separated and handled.
Not Applicable

(f) Copies of required Maine Department of Conservation submerged lands lease, Maine Department of Environmental Protection and United States Army Corps of Engineers permits, provided, however, that the Board may approve site plans subject to the issuance of specified State and Federal approvals and permits where it determines that it is not feasible for the applicant to obtain them at the time of site plan review.

Applications for permits have been submitted. A Submerged Land Lease is required from Department of Conservation.