

1 **CAMDEN PLANNING BOARD**

2 **Minutes of Meeting**

3 **August 3, 2011**

4
5 **PRESENT:** Chair Chris MacLean; Members Richard Householder, Members Jan MacKinnon,
6 and Lowrie Sargent; Alternate Members Sid Lindsley and Nancy McConnel; and CEO Steve
7 Wilson

8 **ABSENT:** Member Kerry Sabanty and Alternate Member Sid Lindsley

9 The meeting was called to order at 5:00 pm

10
11 **1. PUBLIC COMMENT on NON-AGENDA ITEMS:**

12 No-one came forward to speak.

13
14 **2. MINUTES:**

15 July 6, 2011:

16 Page 3: Line 30: End the sentence with a question mark, not a period.

17 Page 4: Line 24: The word “trouble” was replaced with the word “troubled”.

18 Page 7: Line 49 and Page 8: Line 1: The word “shute” was replaced by the word “chute”.

19 Page 8: Line 2: The phrase “Toboggan Nationals” was capitalized.

20 Page 9: Line 15: The word “us” was replaced with the word “use”.

21 Page 10: Line 42 now reads “Camden had been misspelled.”

22 Page 13:

23 Line 12: The word “area” was replaced by the word “areas”.

24 Line 13 now reads: “...toward the Strout/Klein property or the Curtis’s.”

25 Jeff Kuller, Camden’s Director of Parks and Recreation and Snow Bowl Manager, offered the
26 following further corrections:

27 Page 5:

28 Line 33: “...hired Morton Trails, LLC, the pre-eminent Nordic Trail designers.”

29 Line 40: “...4-5 miles long of ski multi-use trails.”

30 Line 46: “~~the cost of the specialized grooming equipment~~”

31 Page 6:

32 Line 1: “vegetation would ~~not have to~~ be least altered.”

33 Line 10: The sentence now reads: “They will have to cross the stream four times as they head
34 up the mountain and are looking at...”

35 Line 15: The grant for the trail work was for \$35,000 not \$10,000.

36 Line 38: The word “poling” was replaced by the word “polling”.

37 Page 7: Lines 22 and 23: “~~but the trails are too steep. They plan on introducing snowshoes to
38 this trail as well; the grade will be a good one for this sport.~~”

39 Page 8: Line 19: On August 3 Mr. Kuller noted that the figures for the project are actually as
40 follows: A total budget of \$85,000 is available with \$35,000 from a grant and the balance
41 (\$50,000) having been raised in private funding by the Redevelopment Committee. The minutes
42 of July 6 will not be changed because Board members agreed that a total budget of \$80,000, with
43 \$50,000 raised by donation, were the figures quoted at that time.

44 **MOTION by Mr. MacLean seconded by Mr. Householder to approve the Minutes of July
45 6, 2011 with all the corrections discussed.**

46 **VOTE: 4-0-1 with Ms. McConnel abstaining due to her absence.**

47
48 July 20, 2011: These minutes will be reviewed at a later time.

1 **3. SITE PLAN REVIEW**

2 TOWN of CAMDEN: Grading/Construction to create Multi-use Trail
3 Camden Snow Bowl: Map 227 Lot 67: Rural Residential District (RR): Barnestown Road

4
5 Jeff Kuller, Camden’s Director of Parks and Recreation and Snow Bowl Manager, and Will
6 Gartley, Gartley and Dorsky Engineering and Surveying, represented the Town seeking
7 permission to construct 4.75 acres of multi-use trails at the Ragged Mountain Recreation Area.

8
9 A new Site Plan (C-1) dated July 11, 2011, was submitted for review. The following changes
10 had been made:

- 11 • Denorah Munoz’s house had been added to her lot.
- 12 • The spelling of “Camden” had been corrected.
- 13 • The proposed septic locations to serve a new lodge had been labeled.
- 14 • A Plan Note had been added referencing the installation of 12” x 12” wooden trail signs.
- 15 • A Plan Noted had been added referencing the June 27, 2011 agreement between the
16 Town of Camden and Coastal Mountains Land Trust authorizing the crossing of CMLT’s
17 lands by the trail.

18
19 Mr. Gartley showed the Board an overall Site Plan for the entire redevelopment that had been
20 introduced to the public at a Select Board meeting the previous week; it shows the trails project
21 in context with the entire proposal.

22
23 The Chair asked if there had been any new updates or any further discussion with abutters.
24 Mr. Gartley replied that the approved DEP Permit-by-Rule for the stream crossings has been
25 received; and Mr. Kuller informed the Board that he and Ms. Klein have spoken about the July
26 14, 2011 document she submitted to the Board, and that he had written to her in response to her
27 concerns.

28
29 The Chair recognized those in attendance in the audience and asked if anyone had come
30 hoping to offer comments prior to the review. Although it was not a Public Hearing, Mr.
31 MacLean asked members of the Board if anyone objected to hearing brief comments from those
32 who had indicated they wished to speak; no-one did.

33
34 Bob Gassett, recently appointed Chair of the Camden Conservation Commission, had
35 distributed a letter before the meeting began. He explained that he and other members of the
36 Commission had been asked how the Commission stood on the proposed ski-skate trail system.
37 Some of the members walked the proposed trails and had immediate concerns about the
38 environmental impact and the possibility of erosion, etc.

39
40 Mr. Gassett referenced the attachments to his letter and cited the Comprehensive Plan as it
41 outlines the Commission’s responsibility for the protection of the Town’s natural resources in the
42 area: the Goose River Watershed, the Hosmer Pond Watershed and the Ragged Mountain
43 Recreational Area. The members of the Commission are concerned about the impact of this
44 project on the Goose River Watershed in particular. Mr. Gassett had also provided a copy of the
45 Ragged Mountain Focus Area overview prepared by the Maine Natural Areas Program that calls
46 for limited development and provides management guidelines for protection of the resource.

47
48 Mr. Gassett has two concerns:

1 #1. The Conservation Commission should play an active role when this kind of application
2 comes forward and be involved with the Planning Board or consulted by the Planning Board;
3 they have been left out of the loop and shouldn't be. The Chair noted that the Town has done a
4 poor job of coordinating committees in the past, but this Select Board has created a committee
5 survey, and is reviewing committee interactions and trying to create a cohesive policy for
6 interaction.

7
8 The Chair informed Mr. Gassett that that Board is required to notice Public Hearings, but
9 they have not farmed out applications to various affected Boards for their comment and review;
10 perhaps, as a courtesy, they should. Mr. MacLean does agree that the Conservation Commission
11 has a direct involvement in what is happening with this project, and informed Mr. Gassett that
12 the Commission should be aware that this project is just one aspect of a large redevelopment
13 project that has been on-going for some time with much more to come.

14
15 #2. The Commission is looking for affirmation that the Board is looking closely at the
16 environmental impacts. They have not taken a position on the proposal, but they want to stay in
17 the loop now that they are aware.

18
19 Doug Johnson: Conservation Commission member: He walked the proposed trail and has
20 spoken with Mr. Kuller. He understands that in some of the steeper places the clearing made for
21 the trail will be much wider than at others. He is an arborist by trade and is concerned about the
22 loss of canopy; there are many beautiful trees here, some of which are about 100 years old. He
23 did notice many boulders along the proposed trail and wonders why they can't be used to fill the
24 downhill slope so the amount of fill needed over the roots of remaining trees adjacent to the cut
25 is lessened, and the compaction to the roots is avoided. Perhaps where there are 100-year old
26 oaks, boulders could be used to protect them so grading near them can be avoided all together.
27 He asks the Board to look carefully at the plan and add some guidelines to control the cutting;
28 Best Management Practices should be required and monitored for effectiveness. There are many
29 ways to protect the old trees, and he is happy to work with the contractors.

30
31 Mr. Householder notified the Board that the Town's Tree Warden, Bart Wood, had viewed
32 the presentation to the Select Board and hoped they would rule against the proposal because of
33 the significant loss of canopy and the potential for erosion.

34
35 Dorie Klein: In her research she has learned that erosion on slopes this steep will be very hard to
36 overcome, and to deal with if it occurs. She is concerned that the pond could be silted if
37 problems should occur; if that happens it won't be available for snow-making. She is most
38 concerned about the loss of trees other than those cut for the trails and the erosion that will result
39 when that occurs. She has questions about crossing the wetlands; how is that to be done? How
40 will they cross the stream without doing damage that could end up damaging the pond? She
41 does not believe the budge is sufficient (the Chair reminded her that this is not in the Board's
42 purview). This will be eighteen terraces on a hillside that is not very big but is very steep; she is
43 afraid that the project will affect the quality of the pond.

44
45 Mr. Gartley and Mr. Kuller responded:

- 46 • The contractor hired to do the job must have a licensed arborist and a licensed forester on
- 47 staff for the project; everyone has been informed about the importance of erosion control.
- 48 • They will use temporary mat bridges to cross the lowest end of the stream – this spreads
- 49 out the weight of heavy equipment, and helps prevent rutting of the banks.

- 1 • The stream will be crossed with 8' timber bridges that will span the entire stream bed to
2 prevent damage to the banks.
- 3 • The streams on the mountain are rocky channels that get wider as they get full; they do
4 not cut deeper and there should be no siltation resulting from the work.
- 5 • The project will be done in sections that will be re-stabilized before moving on to the
6 next section; there will not be one big wide raw to be re-vegetated at the end of the
7 project.
- 8 • Because there are trails here already, there are places to direct the water that are
9 stabilized.
- 10 • The trail will narrow down when necessary to miss certain trees; their goal is the same as
11 the Conservation Commissions.
- 12 • They will use natural fill to make the wetlands crossing; perhaps a wooden corduroy trail
13 with multiple culverts so the flow of water is not impeded.
14

15 Ms. McConnell ran a cross-country ski area in Vermont for many years and knows that trails
16 can go downhill fast with lack of maintenance; removing fallen limbs and trees is a constant. It
17 seems to her that a great portion of the trails are very wide and will be a lot of work to keep
18 clear; she wonders if there really is a need that so much of the trail needs to be so wide. Mr.
19 Kuller responded that skate skiing has grown so in popularity that it is about half of the sport
20 now. If there are not both kinds of trails available you lose about half of the business, if not
21 more, since skiers will go someplace that offers both. If you have just one trail it has to be
22 groomed for skate skiers, and stride skiers don't fare well without the traditional track grooming;
23 it is hard to share a trail – neither skier is happy. Tracks for the stride skiers will be set with a 7'-
24 8' wide track setter; the stride skiing lane will be groomed with a pull-hind groomer that is used
25 elsewhere on the mountain. Ms. McConnell asked how much of the trail will be narrower than
26 the proposed 16' and Mr. Kuller replied that they just don't know at this time exactly where
27 adjustments to the width will be necessary. Mr. Gartley did say that the lower portion of the trail
28 where it is steep will probably be narrower, with the widest portion where the trail levels off.
29

30 Mr. Gartley produced five pictures dated July 25, 2011 that were submitted with the Permit-
31 by-Rule application showing the terrain and vegetation.
32

33 Mr. Sargent noted that there has been progress recently in creating environmentally friendly
34 woods working materials; the portable bridge panels that will be employed here is one example.
35

36 SITE PLAN APPROVAL CRITERIA:

37 Ms. McConnell will not be voting because she was absent for the previous meetings when the
38 application was discussed.
39

40 (1) *Preserve and Enhance the Landscape*

41
42 **MOTION by Ms. MacKinnon seconded by Mr. Sargent that #1, Preserve and Enhance the**
43 **Landscape has been satisfied by the explanation of berms, run-off prevention, erosion**
44 **controls, narrowing of the trail to sometimes 8'especially in the difficult areas, and with the**
45 **additional information provided this evening on saving trees with large boulders. The**
46 **Applicant told us they will walk the trail again before the actual start of construction to see**
47 **if there are ways to avoid removing important trees and further reduce the environmental**
48 **impact.**
49

1 Discussion:

2 Mr. Sargent said that it is clear that this design, which is not laid out with engineering
3 analysis, is laid out to fit within the environment with the least impact. It is intended to have
4 irregularities to go around important features they want to preserve, and to reduce the
5 environmental impact as much as possible. Mr. Kuller noted that they speak with contractors as
6 they walk the trail about the importance of protecting certain trees, and they will be using
7 boulders just as Mr. Johnson described earlier.

8
9 Mr. Sargent asked if they will be able to keep snowmobiles off the trails. Mr. Kuller stated
10 that they currently use signage on existing trails and that works. There will be a sign near the
11 beginning of the trail stating no motorized vehicles and they think that will be sufficient.

12
13 Mr. MacLean confirmed with the Applicants that they will be following Best Management
14 Practices; and that any changes to the location of the trails and changes made involving drainage
15 structures will be shown on an As Built Plan to be submitted at the completion of the project.

16
17 Ms. McConnel asked if they would consider asking someone from the Conservation Commission
18 to come to walk the areas before they are worked, and asked if the Commission and the Tree
19 Warden could somehow be kept in the loop. Mr. Wilson asked that anyone from the
20 Conservation Commission wanting to visit the site go through Mr. Kuller to ensure that they are
21 wearing the proper safety equipment when contractors are on site in order to avoid any problems
22 with liability on the part of the Town. Mr. Johnson offered to mark significant trees and flag
23 them for protection before construction actually begins.

24
25 Although it is not the Board's usual practice to allow public comments at this point in the review
26 process, abutter Dorie Klein was granted permission to speak: She drew the Board's attention to
27 the left bottom section of the lower trail: this portion of the trail abuts her property and the trail
28 itself is only 40' from her doorway. She asked that some of the line of existing trees be
29 maintained as a buffer within the setback to her property line. Mr. Kuller replied that they have
30 agreed to set the trail back 40' instead of the required 25' (commercial abutting residential), and
31 they are committing to respect the buffer. He did note that this area is primarily hardwood trees
32 that won't offer much screening in the winter; they do not have the budget to plant coniferous
33 trees in this buffer area, but Ms. Klein can do so on her side of the line if she wants additional
34 privacy.

35
36 **VOTE: 4-0-0**

- 37
38 (2) *Erosion Control*
39 (a) preservation and protection of natural vegetation where possible
40 (b) keeping duration of exposure of disturbed soils to as short a period as possible and stabilizing
41 the disturbed soils as quickly as practicable.
42 (c) Use of temporary vegetation or mulching to protect exposed critical areas during
43 development.
44 (d) Use of debris basins, sediment basins, silt traps or other acceptable methods to trap the
45 sediment from storm water runoff.
46 (e) No storage of fill materials within 50 feet of the banks of any stream, intermittent or
47 perennial, or water body.
48 (f) No removal of topsoil from any lot, except for that removed from areas to be occupied by
49 buildings, paving, or other surfaces that will not be re-vegetated.

1 Questions:

2 Mr. Householder:

- 3 • When will tree cutting begin? Mr. Kuller said if the Select Board awards the contract at
4 their meeting on August 16, work would begin the end of that month.
- 5 • What will be done to stabilize the areas, especially the steep slopes, where the logging
6 equipment will travel and during the time skidders will be taking out the logs? There will
7 be a lot of dirt being exposed; what will they do to prevent erosion if it rains during this
8 part of the process? Mr. Gartley and Mr. Kuller replied that there are plans to minimize
9 the heavy traffic in and out and to limit exposing dirt: stumps will be buried on site; only
10 commercial grade logs will be taken off site; most of the logs will be cut and stacked trail
11 side and removed once the trail is built; and brush and branches will be chipped on site
12 for use as erosion control mulch. A chipper will travel with the cutters, but no-one
13 bidding on the contract has said that they would be bringing in a skidder.
- 14 • Mr. Householder is very concerned about soil disturbance caused by cutting the trees and
15 trucks bringing in gravel. Mr. Kuller said they won't be bringing in gravel. Mr.
16 Householder noted that the Details Sheet shows gravel being used as the base for the
17 trail. Mr. Gartley replied that Sheet C-2 shows a detail for a standard drive, and that is not
18 what they are building, and Mr. Householder asked why the Plan shows gravel being
19 used if it is not. Mr. Gartley explained that C-2 contains standard details - generic
20 information, and not all of it applies to this project. Ms. McConnel asked how the trails
21 will be made level if they don't bring in gravel. Mr. Kuller and Mr. Gartley replied that
22 they will use as much existing material from the cuts to fill and level the trails as
23 possible; they do not anticipate having to bring in gravel.
- 24 • Mr. Householder believes it is confusing to include information with the application that
25 doesn't apply -- what about the erosion controls shown on the Details sheet, are they
26 accurate? Mr. Gartley explained that all of the DEP's Best Management Practices are
27 listed, but not all of them are being used. The Plan Notes on C-1 addressing erosion
28 control are correct as are the locations shown for those controls, and the details for those
29 methods shown on C-2 apply to this project.

30
31 **MOTION by Ms. MacKinnon seconded by Mr. Sargent that #2, Erosion Control, has been**
32 **met as per the Erosion and Sedimentation Control Notes on C-2, the explanation that they**
33 **will have a chipper on site for erosion control mulch berms, and because they have said**
34 **they will follow Best Management Practices.**

35 **VOTE: 4-0-0**

36
37 Discussion:

38 Ms. MacKinnon noted that Mr. Gartley had said this job would be dependent on the weather.
39 Does that mean they won't be working if it is raining? Mr. Gartley replied that was so, but in
40 addition to that they will keep an eye on the weather forecasts, and if heavy rain is predicted they
41 will go to the site ahead of time to make sure all weather-related precautions are being taken by
42 the contractor. They want to make sure that they are up to date with their erosion control and
43 that areas are stabilized *before* the weather hits.

44
45 Mr. Householder:

- 46 • Asked if the stones for the stone check dams shown on C-1 at the stream crossings will
47 have to be brought in. Mr. Gartley replied that they will come from the site. He won't
48 say that no materials will be brought in because he doesn't want to preclude a contractor
49 from being able to bring in fill, or any other materials, if it is necessary. They may find

1 that they aren't cutting enough trees to make sufficient mulch, or that it will be easier to
2 bring in stone than to move it around from on site. He noted that it will be cost
3 prohibitive and time consuming to bring in fill in any volume, and it is not typical of
4 construction practices in building trails like this to do so.

- 5 • Mr. Householder expressed his concerns about the continuing need to stabilize the site
6 depending on weather and before winter. Mr. Gartley replied that the Trail base will be
7 seeded to grass as soon as work is finished. They hope not to need any additional winter
8 stabilization; the plans now are to seed the trails by the middle of October with winter rye
9 in the mix and mulch them. Next spring the areas that need it will be re-seeded, and then
10 the trail will typically be mowed once or twice a year.
- 11 • Mr. Householder asked again about why gravel is shown on the trail section details on C-
12 2 if it is not going to be used. Mr. Gartley said that the trail section shown on C-2 is a
13 standard section and it is not how the trail will be constructed here – this is a very simple
14 construction method without a real profile. Mr. Householder stated that he has a real
15 problem with C-2 containing information that does not apply. Mr. Gartley replied that
16 the information on C-2 comes from DEP's Best Management Practices controls and Soil
17 and Water Conservation Services erosion and sedimentation controls best practices; it is
18 boilerplate language not tailored to every site, but all inclusive of controls that may be
19 employed. C-1, however, is specific to the job and the details of each control measure
20 can be found on C-2.
- 21 • Mr. Householder asked who would monitor the changes made because there are so many
22 unknowns in the construction of this project. Mr. Kuller replied he will monitor the site
23 daily and that Gartley and Dorsky will send someone to the site weekly unless questions
24 come up; both are only minutes away. The project was bid as a design-build not a bid-
25 build because the details of construction were not available. Mr. Gartley replied that they
26 wanted the project to be economical for the Town to do, and providing more details like
27 what kinds of erosion control measures to use in every instance, would have been very
28 expensive. He agrees that this is a unique way of presenting a project. Mr. Wilson added
29 that he checks into large projects like this on a regular basis, and has a good working
30 relationship with Mr. Kuller, who keeps him in the loop as work at Ragged Mountain
31 takes place. He added that he spent years as a contractor before becoming a CEO and
32 understands projects from both sides, and he knows what to look for.

33
34 Mr. MacLean believes that in this case it is not a question of whether everything on the Plan
35 is perfect, or whether or not they can accurately predict at this point everything that is going to
36 happen, but whether or not reasonable measures have been considered for when the unexpected
37 develops or could develop. He feels that has been provided for, and Best Management Practices
38 will be followed. He believes that they can adequately deal with different contingencies and
39 with all the uncertainties, and he is comfortable with their approach.

40
41 Mr. Sargent agrees. It is impossible to know exactly what is going to happen in every
42 instance, and that is why there are so many options for sediment control. When something
43 comes up, when weather comes up that isn't forecast and you get surprised, the controls needed
44 are there and the sediment can be caught and no more land is disturbed than necessary. He also
45 thinks that having all the information on the Plan regarding all available erosion and
46 sedimentation controls is acceptable, and it is common practice; it is better to include more detail
47 than not enough.

48
49 Ms. McConnel believes what Mr. Householder is getting to is that the Plan is so subjective

1 that the Board can only have confidence that things will go right; she agrees and believes they
2 have to have confidence in those in charge. She doesn't see any other way to accomplish this
3 project except to go step-by-step since they don't know what they will find – probably every day
4 something will come up that they must deal with. They have competent people working on this;
5 she knows Jeff and believes he will do the right thing for the Town. Mr. Sargent is not worried
6 that something that has gone wrong won't be caught in short order because there will be many
7 "Citizen Assistant CEO's" that will call if they suspect something is amiss. That happens in high
8 profile jobs that are very much in the public eye, and it helps to keep the project on the right
9 track.

10
11 Dorie Klein informed the Board that the soil in the area, which hasn't been disturbed for over
12 seventy years, is very thin and very soft. What will happen when they bulldoze these areas is
13 that they won't find topsoil in which to plant grass, but they will find they are on bedrock
14 instead. Grass won't grow, and when the weeds do come in they won't be able to mow because
15 you can't mow rock.

16
17 The Chair informed the Applicants that if there are erosion or storm water problems they
18 have been put on notice by the concerns that have been raised that this could be a problem. The
19 Town will be well advised to take precautionary steps to protect abutters; all of the concerns they
20 have raised are legitimate. The Applicants should listen very carefully and make sure they have
21 considered what these people have said. Mr. MacLean is convinced that the Applicants are
22 taking an approach that will ensure that the neighbors are protected, but it is a matter of record
23 that these are serious issues here.

24
25 **VOTE: 4-0-0**

26
27 *(3) Relationship of the Proposed Building to Environment and Neighboring Buildings*

28
29 **MOTION by Mr. MacLean that #3, Relationship of Proposed Buildings, is not applicable**
30 **because there are no buildings proposed.**

31 **VOTE: 4-0-0**

32
33 *(4) Vehicular Access, Parking, and Circulation*

34 The proposed site layout shall provide for safe access to and egress from public and private
35 roads:

36 (a) any exit driveway shall be so designed as to provide the following minimum sight distance
37 measured in each direction, as measured from the point at which the driveway meets the public
38 or private right-of-way.

39 (b) the street serving the site shall be adequate to carry the anticipated traffic, and the site plan
40 shall locate points of access to avoid hazardous conflicts with existing turning movements and
41 traffic flows.

42 (c) pedestrian ways shall be safely separated from vehicular traffic

43
44 **MOTION by Mr. MacLean seconded by Ms. MacKinnon that the Board understands from**
45 **testimony that there is nothing related to vehicular access that is being changed that is**
46 **applicable to this Plan.**

47 **VOTE: 4-0-0**

1 (5) *Surface Water Drainage*

2 Questions:

3 Mr. Householder addressed the fact that the Plan shows one proposed culvert on the lower
4 section of the trail above the abutting properties; is this culvert meant to catch all the storm water
5 coming down the mountain? Mr. Gartley replied that this is the only one labeled because it is in
6 somewhat of an obvious spot, but in reality, depending on what they find as they go, there could
7 be a multiple additional culverts, especially along that bottom stretch. Mr. Householder asked the
8 CEO if they will have a plan in the end that is correct. Mr. Wilson replied that the As Built Plan
9 that will be provided will have final locations of all check dams, culverts, etc. Mr. Wilson thinks
10 it is good practice to require these plans that involve the Town so there will be a record of what
11 is out there for maintenance purposes. Mr. Householder asked where the requirement for an As
12 Built Plan is. The Chair noted that after reviewing all the Approval Criteria they can condition
13 their final approval upon the submission of an As Built Plan when construction is completed.
14

15 Dorie Klein: There is an existing trail at the bottom of the slope that is a very popular biking and
16 hiking trail that isn't shown on the Plan. She wonders how the trail will be protected if all the
17 trees near it are removed. Mr. Kuller replied that this is referred to as the Chute Loop, and they
18 will do everything they can to protect it – if trees fall across it they will be removed. The trail
19 was built by volunteers, mostly mountain bikers, and they know that the existing trail system will
20 be impacted; they just don't know the details yet. However, he doubts that this trail will be one
21 of those that are affected because it is below the project.
22

23 Mr. MacLean asked Mr. Gartley to explain the narrative he used to support the Applicant's
24 argument that they had met this criterion. Mr. Gartley replied that he had used curve numbers to
25 support their argument that there will not be a great deal of additional storm water run-off down
26 the mountain caused by this project. Curve run-off numbers are assigned to different vegetation:
27 forested surfaces are assigned a 70, grassed surfaces a 74, and asphalt a 94. He used these
28 figures to show the range of difference in run-off in any given storm that can be anticipated once
29 the project is completed and stabilized; they argue there will be an insignificant increase in run-
30 off over the grassed trails than there was over the area when it was forested. Then they use the
31 25-year storm figures to determine that the controls they have put in place are adequate to
32 prevent any additional run-off that happens in a 25-year storm situation.
33

34 **MOTION by Mr. Sargent seconded by Ms. MacKinnon that based on discussion and the**
35 **supplemental information provided by the Applicant, that adequate provisions have been**
36 **made for surface drainage. The Applicant has also shown the current direction of off-site**
37 **flow and the finished direction of off-site flow and they are in the same place, so water is**
38 **not being diverted from its natural flow under natural circumstances.**

39 **VOTE: 4-0-0**
40

41 (6) *Public Utilities*

42 The development shall not impose an unreasonable burden on sewers and storm drains, water
43 lines or other public utilities. New utilities shall be sized and existing utilities upgraded to
44 adequately handle the demands of the development.
45

46 **MOTION by Ms. MacKinnon seconded by Mr. MacLean that #6, Public Utilities, is not**
47 **applicable because the proposed multi-use trails will not be using any public utilities.**
48

49 Questions:

1 Ms. McConnel asked if there were any plans for lighted trails down the road. Mr. Kuller said
2 they did not at this time. Ms. MacKinnon noted that if there were plans to do so in the future the
3 Applicant would have to come back to the Board for an amendment to the Plan.
4

5 Mr. MacLean asked why they stated in their narrative that the trails would not cause an
6 unreasonable burden. Mr. Gartley said the only reason he did not say there would be no burden
7 is because there could be some use of the facilities at the lodge by trail users, but it will be
8 minimal. But, he agreed that there were no public utilities directly associated with the trail
9 project itself, and members of the Board agreed that this criterion was not applicable and the
10 Motion stood as stated.

11
12 **VOTE: 4-0-0**

13
14 *(7) Special Features of Development*

15 Exposed storage areas, exposed machinery installation, service areas, truck loading areas, utility
16 buildings and similar structures shall have setbacks and screening to provide a buffer to sight and
17 sound sufficient to minimize their adverse impact on other land uses within the development area
18 and on surrounding properties.
19

20 Mr. MacLean noted that Mr. Gartley had stated in the narrative that they believed this
21 criterion did not apply. Mr. MacLean wonders if there won't be truck loading areas; or is he
22 misunderstanding the term? Mr. Gartley replied that during construction there would be, but that
23 he reads this to refer to the completed project and there will not be any special features. Mr.
24 Sargent suggested that he believes this has to do with permanent features.
25

26 **MOTION by Mr. Sargent seconded by Mr. Householder that #7 is not applicable because**
27 **the proposed Plan does not have any of the listed special features.**
28

29 Discussion:

30 Dorie Klein noted that with regard to sound to the surrounding properties, they will be
31 grooming the trails at night. She would request that this not take place after 10pm because her
32 property is 40' from the trail, and her house is very close to the property line. Mr. MacLean
33 responded that he is not sure that the Ordinance contemplates what she is describing, the use of
34 machinery to maintain a trail; is this covered by this Special Features of Development – does it
35 apply? Ms. MacKinnon does not believe it does, but thinks it is something that Jeff would be
36 willing to consider down the line given the proximity. Mr. MacLean wonders if it could be
37 construed that the grooming of the trails is a service area. Mr. Sargent believes it is a real stretch
38 to have this covered by this criterion, and the rest of the Board agrees it did not apply.
39

40 **VOTE: 4-0-0**

41
42 *(8) Exterior Lighting*

43 **MOTION by Mr. MacLean seconded by Ms. MacKinnon that the Board deem that #8,**
44 **Exterior Lighting, is not applicable because no exterior lighting is proposed.**

45 **VOTE: 4-0-0**

46
47 *(9) Emergency Vehicle Access*

48 Discussion:

1 Although there will be emergency vehicles accessing this site (snowmobiles in winter and
2 ATV's in summer), this criterion applies only to access to buildings or structures.

3
4 **MOTION by Mr. MacLean seconded by Mr. Householder that the Board deem that #9,
5 Emergency Vehicle Access, is not applicable because there are no buildings or structures
6 that are part of this Application.**

7 **VOTE: 4-0-0**

8
9 (10) Special criteria for Piers, Wharves, Breakwaters, Municipal Boat Ramps, Municipal
10 Piers, Consolidated Piers and other mariner related uses requiring site plan approval under the
11 terms of the Ordinance. In addition to the above approval criteria, the site must be demonstrated
12 to be suitable for the proposed use according to the following specials criteria. ...

13 **MOTION by Mr. MacLean seconded by Ms. MacKinnon that Item #10, Special Criteria
14 for Piers, Wharves does not apply because the Application does not involve Piers or
15 Wharves.**

16 **VOTE: 4-0-0**

17
18 **MOTION by Mr. MacLean seconded by Ms. MacKinnon that having previously found that
19 the Application was complete and that all the Approval Criteria have been approved by a
20 majority vote, and with the Condition that an As Built Plan be submitted to the Code
21 Enforcement Officer at the completion of the project, the Application is approved.**

22 **VOTE: 4-0-0**

23
24 Nancy Caudle came forward to ask the Board why the Plans they just approved not more
25 complete; she worked for 18 years for a Landscape Architect and has seen what plans should
26 look like. The Board just approved a project in a steep, environmentally sensitive area that is
27 community property at the bottom of which is a sensitive pond simply because they had
28 confidence in the engineer and in Jeff Kuller. She also knows the detail that goes into preparing
29 for tree protection during construction work; specs are prepared about what has to be done to
30 protect each tree because there is no one solution that works to protect the critical root zone. In
31 construction in a wooded area tree loss goes out and out around the area like a domino effect;
32 once the trees loose the support of a nearby tree to help break the wind they come down.

33
34 In her opinion the Planning Board should require more rigorous detail. The Chair notified
35 Ms. Caudle that the Ordinance is not specific in what it requires but only says minimum
36 evidence needs to be submitted. If there are problems resulting from the work done, that
37 becomes an enforcement issue.

38 **5. DISCUSSION:**

39 1. *Minor Field Adjustments:* There were none

40
41 2. *Sign Article Review*

42 Mr. Wilson updated the Board on the progress made in putting together a meeting: the
43 Chamber doesn't meet again until September and no-one has responded from the Downtown
44 Business Group (DTBG). Ms. MacKinnon noted that meeting was to discuss business signs, but
45 she wants to go forward to amend language regarding Town directional signage. They need to
46 talk about visibility and the second phase of directional signs as well. She thinks the DTBG
47 should be involved and go to the Select Board to discuss the visibility issues, some design
48

1 changes, and the lack of money to go forward. They need to get people in the business
2 community excited about this work.

3
4 Mr. MacLean commented that they might have better luck with this new Select Board: they
5 work well together; they are experienced, thoughtful, and they bring new ideas forward as
6 solutions. They seem to appreciate the need for economic development, and there may be a new
7 response from this Board regarding signage.

8
9 4. *Future agenda items & ideas:*

10 The CEO informed the Board that the MDOT's Megunticook Lake Boat Ramp Site Plan will
11 come before them at the next meeting. The Select Board will already have awarded the bid, and
12 Mr. Wilson had suggested to the Town Manager that the award be contingent upon Planning
13 Board approval. Any changes to the Site Plan required by the Planning Board could result in a
14 Change Order going out to the contractor which the Town would have to pay for. Mr. Wilson
15 noted that the Board could chose to have the Public Hearing on the Boat Ramp that same
16 evening, but members agreed they wanted to look at the Plan on the 17th before scheduling a
17 Public Hearing. In addition, if they decide to hold a Site Walk, that would need to take place
18 before they held a hearing. Mr. Sargent has some concerns about this project, especially where
19 trucks with trailers will stack while waiting to launch or haul. It would be very handy if the
20 Applicants would have a scale model to show how their plan will work. Mr. Wilson informed
21 the Board that they will be seeing new plans before their meeting on the 17th.

22
23 5. *Historic Ordinance Amendment:*

24 Mr. Householder informed the Board that the Select Board had decided to send the
25 amendment forward to a Public Hearing, but only after Mr. MacLean convinced them that it was
26 the right thing to do. Before that, it was obvious that Select Board members had been listening
27 to the DTBG; they were using the same language and same arguments made before the Planning
28 Board by members of this group; the creation of a Commission and the additional bureaucracy
29 were the same two stumbling blocks. They also kept saying that "We're doing OK. Why do we
30 need this?" In addition, the questions the Select Board posed to Mr. Householder were based on
31 the original ordinance, not the current version. Until Mr. MacLean spoke, it was obvious that
32 they came to the meeting with a mind-set even before they heard Mr. Householder's
33 presentation. They agreed to let the Public have another say and will hold the Hearing at the
34 Opera House on September 6. Mr. Sargent added that the hearing will simply measure the
35 Public Will – a measure of whether the community at large cares about this issue at all. One
36 suggestion to address concerns about the make-up of a Commission is to classify some of the
37 members as property owners – perhaps owners would feel more comfortable going before their
38 peers. But no matter how members are classified, the Select Board will make the decision on
39 whom to appoint, and they can ask questions if they need to be assured the person is suited to the
40 job. He believes the Select Board is unlikely to send the amendment forward to voters; the
41 balance is heavily weighted against the proposal and at least two members would have to change
42 their minds at the Public Hearing if it is to go forward.

43
44 6. *Community Survey Final*

45 The Board reviewed and corrected the draft of the Town Committee/Board Survey prepared
46 with the comments offered at their previous meeting; a copy is attached.

47
48 There being no further business before the Board they adjourned at 7:30pm
49 Respectfully submitted, Jeanne Hollingsworth, Recording Secretary

1 opinions on changes that they would like to see that would not have an impact on
2 public safety.

- 3 • The Sign Ordinance Review Committee will begin to review the Sign Ordinance
4 looking for changes that can be made, especially changes that would provide for more
5 and better opportunities for directional signage to business and to parking sites.

6 2nd: Continue work on an extensive list of priorities for ordinance amendments, including
7 bringing Camden’s ordinances into compliance with State Statutory requirements like
8 MUBEC (the Maine Universal Building and Energy Code) in time to meet the statutory
9 deadline.

10
11 6. Looking forward, please name 2 goals/projects that should be set as priorities for your
12 committee over the next 2-3 years.

13 1st: To work with CEDAC and other interested groups on a Downtown Business Plan; and to
14 continue work to enhance economic development by amending our ordinances (especially as
15 they apply to signage and parking).

16 2nd: To review and update the Comprehensive Plan
17

18 7. What support do you need from the Select Board to accomplish these goals/projects?

19 1st. Select Board Liaison: In the past the Board has been fortunate to have a knowledgeable
20 and interested member of the Select Board appointed as a Liaison to the Planning Board; we
21 hope that practice will continue. The position creates the opportunity to enhance
22 communications between the Boards, and promotes an understanding of the work being done
23 by the Planning Board so any concerns or questions the Select Board might have can be
24 addressed in a timely manner.

25
26 2nd. Support for, and an understanding of, the Planning Board’s proposals for amendments:

27 When the Planning Board brings a proposal for an amendment to the Select Board for
28 their consideration, it represents months and months of work which involved multiple
29 opportunities for the public to have made their concerns known to the Board. Yet, for years
30 the Select Board, on hearing from one single citizen speaking against the proposal when it
31 arrived before them, has rejected the Planning Board’s work in its entirety without giving
32 members the opportunity to meet together to discuss the matter in detail. Sometimes this
33 member of the public never made their concerns known to the Planning Board; oftentimes
34 the concerns were expressed to the Board and addressed in revisions, if not in full, then in
35 part. But, often these facts are either overlooked or they are not taken into consideration.

36 In order to accomplish our goals we need support from the Select Board and we ask that
37 you consider adopting a threshold question of those testifying against a proposed ordinance
38 amendment. That question should be: “Have you made these concerns known to the
39 Planning Board?” If the answer to that question is “Yes”, then the next question should be:
40 “What was the Planning Board’s response?” If the citizen has not addressed his or her
41 concerns to the Planning Board, the Planning Board asks that the Select Board give great
42 weight to that fact before making a decision to ignore the Planning Board’s recommendation
43 and reject the Planning Board’s work.

44 The entire ordinance amendment process could be facilitated if both the Select Board and
45 the Planning Board took full advantage of the Liaison position to improve communications.
46 We will welcome your comments on our work as they are brought back to us by your
47 Liaison, and will take advantage of the opportunity to respond back to you through the same

1 channel. When it is appropriate, we will provide you with summaries of our work sessions on
2 amendments when we present our proposals to you for consideration, but the Planning Board
3 needs the Select Board's active attention to our work to ensure that our time and efforts are
4 not wasted for the lack of communication.
5

6 8. How many members are appropriate for your committee?

7 The current make-up of five regular members and two alternates works well, and is the
8 membership required by the current town charter.
9

10 9. What terms of service are appropriate for your committee?

11 The current five-year term works well: A shorter time-frame would not be appropriate for
12 this committee because of the amount of time it takes a member to learn and understand the
13 ordinances, including the review and amendment processes, before they can participate
14 effectively. The staggered long terms provide for continuity of an experienced base of
15 members with a working knowledge of the ordinance and a history of ordinance
16 amendments. The terms of service are required by the current town charter.
17

18 10. How long should one be a "chair" for a committee?

19 In the case of the Planning Board, we do not feel term limits are necessary: We hold
20 elections annually so the positions of Chair and Vice-Chair are decided on a year-to-year
21 basis by the Committee.
22

23 11. Are your members full-time residents?

24 Yes: Due to the nature of the work and the issues that come before the Board, it is required
25 that members be year-round residents.
26

27 12. Are evening meetings a problem for you?

28 The Board revisits the question of meeting times on a regular basis and agrees that evening
29 meeting times are not a problem. We recently agreed to change our regular meetings from
30 the first and third Wednesdays each month, to the first and third Thursdays, to accommodate
31 the schedule of a member of the board. The meetings will still be at 5:00 P.M.
32

33 13. Do you have an attendance policy for your committee?

34 Yes: Please see the attached copy of the Planning Board Attendance Policy adopted by the
35 Board on June 8, 2011.
36

37 14. Would you serve on a committee if the terms were shorter?

38 As explained in #9 above, a longer term leads to a smoother transition when new members
39 are seated because the rest of the members are now up to speed on the ordinances and
40 processes.
41

42 15. Would you participate in a "work group" or "ad-hoc" work group for a defined amount of
43 time with a specific task?

44 It is part of the Planning Board's standing policy that members are expected to serve on
45 working sub-committees or in out-reach positions to other committees or organizations; this
46 requirement is described in the attached "Letter of Interest".
47

48 16. Would your committee consider it useful to merge or join with another committee?

1 No. It would not be permitted by Statute or Ordinance. However, we are always interested
2 in outreach and communication with other committees and groups, and we welcome others to
3 come to our meetings to share their thoughts and concerns.
4

5 17. Why are you interested in serving?

6 It is suspected that the pizza that is often a part of our work-sessions, and the rum cake that
7 has become a Planning Board tradition, are the primary reasons most members of the
8 Planning Board serve, and the reason why we have very little change in membership.
9 Beyond that, all members are motivated by the important work we do serving the citizens of
10 the town in all matters coming before the Board.
11

12 18. Does your committee understand the Town Meeting form of government, and would you or
13 your committee benefit from a discussion/presentation on this topic?

14 Yes. It is part of our mission to have an active role in the Town Meeting process.
15

16 19. Are you interested in process or would your involvement be to achieve something?

17 By definition, the Planning Board is involved in process; if a prospective member has a
18 political agenda to accomplish, this is not the committee for them. A Planning Board
19 member must be faithful to the Ordinance and not swayed by personal objectives; this
20 important requirement is outlined in our "Letter of Interest".
21