

**St. George Planning Board  
On Site Public Hearing  
Blueberry Cove Camp  
22 Blueberry Cove Road  
October 20, 2007**

The meeting was called to order at 8:00 a.m. Planning Board members in attendance were William Hickey, Steve Adams, Loa Lee Blake, Jim Graf and Marvon Hupper. Also present were CEO Chris Leavitt, Doug & Amy Barnett, Jane Bracy, LEEANNE COTE, Gayle Elfast, Paul Gibbons, Ann Goldsmith, Doris Harvill, Les Hyde, Steve Lindsey, Madonna Mooney, Chuck Paine, Geoff Scott, John Silverio, Steve Smith, Mark Stevens, Linda Tripp and Scott Yakovenko.

Les Hyde and John Silverio represented Blueberry Cove Camp. Hyde explained they were proposing to renovate Blueberry Cove Camp, i.e., parking area at the beginning of the entrance to the camp, move cabins to accommodate students and staff, new septic system, construct a washhouse, boathouse and shop and a ramp with floats.

Two years ago improvements were made to the cabin, "Periwinkle" which has become the office with a bathroom and a small residency. The building called the "Maine" is the dining hall which was improved last year with a new kitchen, deck, ramp and brought up to code. Hyde said, "As we did this, we were conscious of the history of this structure which was built in 1949 and we wanted to retain the original lines. Most of the buildings that are here are not on foundations and we want to move them into two residential clusters." He indicated on a map where the cabins would be moved into what would be Village B for the camp. Village A would be located by the blow down of trees, consisting mostly of spruce trees, which Hyde indicated on the map. Many of the cabins which could be seen were built in the 1970's and need to be renovated. The "Puffin" is a summer residential cabin. There are three other cabins which are very similar (the "Petrol", the "Lighthouse", and the "Boathouse" which is down in the field), and the thought is to bring these together, renovate them so they all look like the "Puffin" and then tuck them down into the blow down area of spruce trees. This would be the primary residential area where the summer campers would stay.

Hickey asked Hyde to explain the parking and how the access to the main road is being proposed. Hyde said most of the residents of Harts Neck Road are aware that the turn into Blueberry Cove is a bit precarious. You have to be really careful as to the flow of traffic. It is a bit of a blind turn as you come into Blueberry Cove. A new entrance is being proposed which would be around the turn which is about 150' beyond where you turn into the camp now and you would then turn into a new parking area. This would be a one-way loop back and you would exit out of the current Blueberry Cove entrance. He had a map to show what this would look like. Once you entered the camp, you would park in the new parking area and you would then follow a foot path that would lead to where the students would come to the "Maine" building to register for the camp. There would also be handicap access for people with disabilities which Hyde indicated on the map.

Graf asked if they would retain the existing entrance or would it be closed off? Hyde said the entrance would stay, as it is the entrance for the Barnetts, Ann Goldsmith and Doris Harvill. The existing parking area has created a number of conflicts and it is just not big enough.

Hickey asked Hyde to point out the two cluster areas and the approximate number of structures in each area. Hyde indicated Village B on the map which is east of the cabin called "Plumb Jam". The cabins which we could see would be moved together. There would be no plumbing in the cabins but they would be renovated. The theme of the entire camp would be barn boards and batten strips similar to the "Puffin" cabin with red trim.

Geoff Scott, a Blueberry Cove Board member, said they just wanted to set the cabins back and have it more like a village area.

Hickey asked where the proposed dock would be located. Hyde said the existing dock is only accessible during half tide so a new dock with a floating ramp is being proposed. The new dock and ramp will give them about 18" of water at low tide. They wanted about 2' of water at mean low tide but this will be a lot better than what they have now.

Hickey asked if there were any questions for the applicant. Graf asked about the property lines and how they appear to be crossing over into other people's property lines. Leavitt said this was being addressed.

Chuck Paine asked what the occupancy for the camp was. Hyde said approximately 75. Paine asked if they were residential, overnight campers. Hyde said with campers and staff it would be 75.

Jane Bracy said that would not include the day campers. Hyde said if you included the day campers you would have 90 campers. Stevens commented about the sailing school and Hyde thought this number would include the sailing school. Stevens said at the present time the sailing school has 2 classes of 15 students each which is 30 students per day. Scott commented these students go and then come back in a day. You should not count the number of students this way because it will vary with each class and you cannot count your classes to be full each day.

Stevens said if he has read the minutes from the camp's meeting correctly, Village A has 8 buildings and can house 8-12 people per building that would be 96 people right there. That is occupancy of 96 in Village A. Then you have Village B which has 1-5 people per building so that is a total of 26, then 30 people per day for the sailing/day school, you are getting over a hundred plus staff; you are well over 150. How many tent platforms are there going to be?

Hyde said they had to meet the American Camping Association standards. Right now the way the cabins are designed, they will only house 8 campers, which would be 6 campers and 2 staff per cabin. It may look like a lot of campers but unfortunately, the cabins are not big enough to house 8 campers and 2 staff. Stevens said he was only quoting what was stated at the Planning Board meeting and what was stated in the narrative for the plans. Stevens said, "The relative point is if you are putting in a new septic system, and

he indicated on the map where the new septic system is being proposed, the property line is incorrect. There is a well that is less than 200 feet away from this proposed septic system. This septic system, at 1,290 gallons per day, has to be 200 feet away from the well and the community well has to be 300 feet away. You do not meet the standards by the State Plumbing Code. If you look at the overall capacity of the buildings and the total activity of the camp serviced by this one septic system, you have a septic system that is approaching 2,000 gallons per day which it is not designed for and you have a neighboring well which is less than 200 feet away and if my calculations are correct, the system needs to be redesigned for a 2,000 gallon a day system. You also need to be 300 feet away from your own well. There are a lot of deficiencies in this plan especially if you have occupancy of 150 people per day.”

Hyde said they had no plans for a residential occupancy of 150 people. Stevens said, “But you have the capacity to do that. The State plumbing codes say if you are building a 4-bedroom house, you have to design your system for a 4-bedroom house. If you have all these buildings and you have a potential occupancy for all of the buildings, sailing school and tent platforms which you have on the map and these are the only public bathrooms on the facility, then you have to design for that occupancy.”

Scott said he was not an expert on water systems but they had contacted an expert, Doug Meservey, to come in and check out the septic system and the siting. Meservey said it was fine. It was a good place for the system to be put. He said between the current one and the proposed one, they would serve the capacity we are talking about and that they would be within code. Hickey asked if they had plans to put plumbing in each of the cabins. Hyde and Scott both said there would be no plumbing in the cabins. Hyde indicated the existing buildings that have plumbing, i.e., the “Maine”, the “Barnacle”, the “Hunky Dory” and a few others which were on the map. The current well for the camp is under the building called the “Periwinkle”. The original well which was built next to the dining hall is not used because it has gone dry in the summer time. Hickey said there should be a notation indicating that the original well is no longer being used and where the new well is located.

Hickey asked if there were any further questions or concerns for the applicant. Paul Gibbons, attorney representing Linda Tripp, said he had some handouts for the Board and asked if they would like them now or at the end of the hearing. Hickey said he could pass them out before the end of the hearing so the Board could review the notebook before the October 23<sup>rd</sup> meeting. Gibbons said he had looked at the septic system design. His client owns property next door and she has a well which she uses for drinking and for two other houses which she rents. The problem is when normally you have a septic system; the code says you have to have a well 100 feet away from the septic system. That’s a normal rule. But when the septic system gets to be a certain size, you have to be 200 feet away or 300. The code says if you have a septic system with a design flow of over 1,000 gallons a day, the septic system has to be 200 feet away from the well. Gibbons indicated on the map that the septic system is 90 feet too close to the well where Tripp gets her drinking water. Gibbons said, “If we weren’t here today and this application was approved, this system could pollute the well, we wouldn’t know it and people would get sick.”

Graf asked what the measurements were again. Gibbons said it was about 110 feet going by the map. It is difficult to go by the map because the scale is so bad. The problem is it has to be 200 feet away.

One other problem is right next to the septic system, there is another septic system that they are attaching to. The rule says when you put a new septic system in, you have to add in the other septic system's capacity and design flow within 100 feet. We looked at the application of Meservey and the well was not mentioned. He may not have even seen it. It was not calculated in the design flow into this new design. If you calculate the existing system and this new one and if it goes over 2,000 gallons per day, it has to be 300 feet away from the site. The other problem is another well, which he indicated on the map. If it serves more than 25 people, it is considered a public water supply and it has to be located 300 feet from the septic system. This application with respect to the septic system is inadequate. Not only that, the biggest problem of all is Meservey simply calculated the new system design flow which would be 1,290 gallons per day. What he didn't do, and what is necessary to do, is to determine the septic needs of the entire site based upon the existing system and the number of people who will be using it. That is what you need to meet the State plumbing code. There are three things wrong here:

1. The proposed septic system is too close to the well because it is less than 200 feet.
2. The calculations do not include for the "X" number of people, the cafeteria use and all the other uses required to meet the State plumbing codes. This was not done.
3. The survey presented is incorrect. It is not even close.

In the map done by Gartley & Dorsky for this applicant, there is a boundary line drawn across the property and it says "this is not a boundary survey, we do not know where the line is, we are just drawing this line". Gibbons said, "Why they did this, I do not know." Gibbons has a map and can show the correct lines which are in the notebooks. The boundary line is quite significant. In order to calculate what you need for space on this site, you need to know the acreage. You know your ordinance requires that you only can take up 30% occupancy. The application attempts to make this calculation based upon the faulty line which needs to be fixed in order to be accurate.

Gibbons had two engineers look at this application to determine whether it was possible for the Board to determine if this complies with the Site Plan Review ordinance. There are no topo lines. You cannot determine the water flow. If you look at the parking area, all you have is two rectangular pieces drawn on a piece of paper. If that is a standard, you will have a 40 car parking lot that applies to everybody but what you still have to have is the design of the parking lot and where the drainage is going to go. The design is incomplete. Gibbons continued with other concerns about the dock and ramp, the wetlands and their location. He then distributed his notebooks. Graf asked if all the points Gibbons has spoke about were in the notebooks and Gibbons said yes.

Gibbons also handed out a paper from Vernon Baker which is an addition to the letter that was sent to the Planning Board.

Gibbons asked the Board to open their notebooks and look at the first page of the septic system application which indicates the design flow to be 1,290 gallons per day. He then

asked the Board to go to the map which Gibbons has blown up. On the map there is a circle which indicates the approximate location of Tripp's well. The location of the septic system does not meet the set back requirements. The next page indicates in the rectangle the existing well on the site and the septic system which has to be 300 feet back which it isn't. If you are still not sure of what Gibbons is saying, he has included a table of the setback distances of septic systems on the next page. There is a letter from Albert Fricks who is a soil scientist and site evaluator and he has verified everything that Gibbons has said today. Gibbons feels that when Meservey came to the site and he didn't see a well next door. He (Gibbons) feels Meservey assumed he had to be 100 feet back, saw that the wrong line was 100 feet away and didn't worry about it. In fact, it had to be 200 feet away, the line was wrong, and the site distance was not there.

The next tab in the notebook was a boundary line map. Gibbons noted that you will see the boundary line is different from where it actually is and where the Gartley & Dorsky survey line is. The larger map is in the pocket file of the notebook. Gibbons said this is a survey and the map you have submitted with the application is not a true survey.

Ann Goldsmith said she knew how one of the posts on the survey, which she pointed out, got there. In the 70's, the people who built the house that the Barnetts are in now were going to build another house. They had a section of the land surveyed and put the post in there. This was supposedly 100 feet from the property line.

Gibbons said, "Obviously, you can have a campground here, but you have to determine its effect under your standards. This is a goose gander rule; what is good for one person, is good for the other. You would not allow a 40 car parking area just by putting squares on a map. You need to have the design, the water flow, site distance, and where the screening is going to be. With respect to the property and the new location of the cabins, you need to know how the flow of water is going to go. If you put this information on a topo map, you will be able to see it more clearly. You will be fooled by walking around. The information needs to be correct."

The DEP will be involved and they will ask for topo maps. This information should have been submitted with the application. The application needs to be revised showing the correct boundary lines and a new septic system design. Once this has been done, the Board can act upon the application.

Scott wanted to make sure everyone realizes that 90% of the cabins on this site are just sitting on top of the ground. They do not affect water flow. They are not on foundations and there is no plumbing.

Goldsmith commented that the "Maine" would not service any more than 75 people, maybe 80, if you had 2 shifts per meal. There is no way the property can house more than 75 to 80 people at the most. This business of the cabins housing all these people is not true.

Gibbons said one of the things that the application does not indicate is how many people will be housed here and how will it be restricted.

Hickey said the remainder of the meeting will be to walk to the areas where the buildings will be moved, the proposed parking area, the site distance to the road and where the new entrance will be and the new wharf location. He said, "If there is anything else anyone would like to view or ask, please ask me and I will ask the question to the applicant to show us the location of the proposal that we would be addressing." Hickey has a letter from Vernon Baker which he will read later.

The group walked down to the parking area. Hickey said the present road would remain, but what was going to happen to this road off to the side. Hyde said this was the current parking area and also the entrance to the driveway of the Barnetts. This has caused confusion as to where the parking area is and the entrance to the Barnetts' driveway. This old parking area would remain for overflow. The new parking area would be across the road from the old parking area. The new entrance would be around the corner of Harts Neck Road.

Hyde then walked to the road and down to where the proposed entrance to the parking area would be. The primary parking area would go in off the road a short ways and to the left. There will be a 20 car lot to the left and another 20 car lot to the right.

Hickey indicated where the new entrance is proposed and the parking areas to the right and the left; he then asked approximately how far in it was. Silverio said it begins at the closest point of the property line which is approximately 35-40 feet from the property; there is a stone wall which it lines up with. Steve Smith asked since they were doing all this construction, could the entrance to the camp be brought down some to facilitate a better turn into the camp. The people driving in would have a better line of site of those coming off the Harts Neck Road. There would be more line of site to turn into the camp. Hyde commented that when you exit the camp now you have really good visibility both ways.

Goldsmith said this road has been the way it is for many years and there has not been any screech of tires. People are careful. Tripp commented that she has screeched twice on the road and Stevens had to stop once because someone had pulled out in front of him. Both said it was a dangerous corner.

Tripp commented that the road is a 15 foot wide road, it is undersized. When a school bus passes you, the bus has to go over into the shoulder in order to get by.

Graf asked if they were going to leave as many of the trees as possible. Hyde said there intent was to cut a minimum amount of trees. There are a number of blow downs in this area and this would have less impact on the cutting of trees.

Stevens commented that you really need a drainage study to determine how this system is going to work. In the winter time the ditches freeze up and the water runs over the top of the ditch. Based on the current plan, there is no way to tell what's going to happen as far as storm water management. Hickey assured everyone that the Board would address each issue. The Board accepts each application as basic and then an on site public hearing is scheduled. We can request additional information. This on site is part of the beginning process of the application so we all have a visual of what is being proposed and we can physically see the impacts.

Tripp asked if the areas would be actually staked out so one could see what is actually being proposed and where it is going to be located. Hickey said the Board usually requests this. Tripp asked if this happens before the permit is issued. Hickey said anything the Board needs to better understand what is being proposed is asked for. We accept an application as a beginning process and we can ask for an engineering study if necessary. Whatever the Board needs to determine the impact and the following of the ordinance, we have the authority to ask for. Silverio asked if something was needed, was there a time limit to get it to the Board. Hickey said the Board would wait until it was received. The clock is stopped. The time factor is on the applicant.

The Board has requested that the cabins to the villages be staked out by the applicant so you could see the extremities. No buildings will go farther than where the stakes are placed. The number of buildings and how they will be positioned will be on the revised drawing. Distances from property lines and the main road need to be included so we can visualize what it will look like.

The group then walked to where the septic system will be located and where Village B will be. Village B will be located near the blow down and a new seasonal washroom will be constructed.

Tripp asked how many new cabins would be constructed. Hyde said there are 4 existing cabins to be moved to Village B and 4 new cabins. Tripp asked how many to each cabin. Hyde said 6 to 10 but Goldsmith said you could not put that many in the cabins. Scott said 8 and 2 staff could be in the cabins. Hickey said the applicant will stake out the village so everyone can gauge the location to the boundary lines.

The group then looked at the proposed site for the septic system. Adams asked if the washroom that was existing on this site was going to stay. Hyde said it was. Tripp asked how many bathrooms were in the building. Hyde said there were two. The new septic system would serve the "Hunky Dory", the "Maine", and the new washroom. Hickey said this should be detailed on the revised application.

The group then proceeded to the dock area. Hyde showed the Board the footpath that would lead to a wooden ramp and the dock which would be bolted into the ledge. The ramp would be connected to the dock which would go out to a series of floats which would get them to the water they need for the sailing part of their program.

Tripp asked if there was a buoy showing the outer edge where the floats would go. Hyde said no. Tripp asked if there would be rails on the floating dock. Hyde said no. The dock would be 6' wide with no rails. Tripp said, "So the kids would walk out on it with no rails on either side." Hickey said it was seasonal; the dock and floats would be taken up when the camp closed.

Tripp said the people who walk the beach would have to clamber over the top of the dock? Hyde said they could go under the ramp or at low tide you could climb over the dock.

Hickey asked what the sizes of the individual floats were. Hyde said he thought they were 6'x 30' each and a series of 5, it would be 150'. They would be fastened by anchors screwed into the mud and ropes that "X" across.

Gibbons asked how they were going to be taken out. Hyde said the plan was to take them out by the cove and drag them to the Boathouse.

Tripp asked if the old dock would be abandoned and torn down. Hyde said they did not have any plans to abandon the old dock. Tripp said, "Then, you would have two docks on the property." Hickey said that is what the applicant is asking for.

Adams asked if it was dead low tide, how far you would have to go on the present dock to access the water. Hyde said you would have to go 400'. Stevens asked if they had a topography map to show the actual mean high and low water. Hyde said yes they did. Hickey said this topography information should be submitted with the application at the next meeting.

The Boathouse will be set up 75' from mean high water. Hyde said this was going to be a boat storage house in the winter, but in the summer it will be a group meeting place for the children in the St. George Sailing program as well as other children in the Tanglewood summer programs to come for instruction. This will also be used for storage of life jackets, anchors, lines and navigational equipment. This would be a dry place to meet and there would be no plumbing or septic in this building.

Hickey said he would read the letter from Vernon Baker which was sent to the Planning Board at the next meeting. Basically, the letter states that the Bakers have concerns about this proposal.

Hyde pointed out that a year ago the camp submitted an application to rebuild the stairs with hand rails and he showed the Board the progress of this permit.

The boats that are stored on the racks by the shore belong to the St. George Sailing Foundation. The camp has an agreement with the Foundation to store these boats here over the winter.

Tripp said, "Traditionally, the camp, 20-25 years ago, worked around the tide. They weren't on the clock so it didn't really matter that they didn't have access to the water 24 hours a day. The Sailing School seems to have put that over the top. The camp could run without being able to get to the dock any time of the day. They did not have to wait for the tide."

Hyde said with a residential program, you have more flexibility in terms of when you do your boating program; but with the day programs, you are limited by the tide. Tripp asked how long the day programmers are here for. Hyde said right now they are here for 5 weeks, 8:00 a.m. to 4:00 p.m. daily. Tripp said if they would go through a high tide during that time. Hyde said they would go through a high tide and a low tide. Scott commented that Tripp and Hyde were talking about two different issues. Tripp said her point was, "That the camp ran very nicely for years as a sailing program with the present dock."

Hyde then showed the group where the tent platforms will be located. They are for the camp's Discovery program which is a boat based program. The campers would only stay on the tent platforms a night or two depending upon the weather. There will be no cutting of live trees to construct these platforms. Tripp asked if the platforms were allowed in the open space season. Hyde said they were allowed.

Hickey said the boundary line needs to be resolved before the application can go any further. The camp is on the agenda for Tuesday, October 23<sup>rd</sup> but this application could be postponed so check the agenda to be sure. The agenda is on the website or you can call the Town Office.

Tripp asked how many campers for the platform tents. Hyde said 12. Tripp asked how these campers would be serviced. Hyde said the plan was for solar outhouses in the adjacent field to service the campers on the boats or in the camp. This is not a water based system.

The present boathouse which we could see in between the trees will be moved to Village A. The camp's intent is to store the floats where the boathouse building is now. There is a cove and at high tide they can drag the floats in for storage.

Tripp asked if the floats had outriggers on them to stabilize them. Hyde said they did not have outriggers. Tripp said, "Really."

Hickey thanked everyone for coming and for their input. There being no further questions, the meeting was adjourned at 9:35 a.m.

Respectfully submitted,

Cherie A. Yattaw  
Planning Board Secretary

**St. George Planning Board  
On Site Public Hearing  
Erik Nelson/Dona Bergen  
617/621 Port Clyde Road  
October 20, 2007**

The meeting was called to order at 9:45 a.m. Planning Board members in attendance were William Hickey, Steve Adams, Loa Lee Blake, Jim Graf and Marvon Hupper. Also present were CEO Chris Leavitt, Paul Ackerman, Dona Bergen, and Erik Nelson.

Dona Bergen explained the application is for a 24'x24' addition to her existing art gallery with a tower at the end with a staircase going up to a balcony. The wall that is in the building now will not be removed but two openings will be added to the wall for access into the addition.

Hickey asked what the purpose for this addition was. Bergen said it was so she could have a one man show at the same time as she was having a group show. The artists that she represents are from Maine and they are full-time working artists. She said, "Because it is such a short season and there seems to be ten billion other artists from the rest of the world here grabbing money and running, I can't offer them a one man show because it would mean the rest of the artists go without eating. By doing this addition, I can give them a one man show alternating the shows in that room and keep the group showings in the present room."

Hickey asked if it was going to be a one story or two stories. Bergen said the addition would be the same size of the current gallery with a dustpan dormer on each side so that she has a balcony upstairs for storage or if she needs extra room to display paintings of the artist.

Hickey asked if there were any questions for the applicant. Graf asked how tall the balcony/tower was. Bergen said 28 feet.

The current building is 20 feet. Adams asked if Bergen was going to build the addition and she said yes.

Graf asked what was the foundation going to be. Bergen said sonar tubes. Paul Ackerman said, "Was the new addition going to be the same as the current building with no insulation or heat, no water, basically, a big open space." Bergen said yes.

Ackerman said his concern was the parking issue. He asked how many parking spaces were on the property. Bergen said she was not sure because she was so busy during her reception; she has never counted the cars. Ackerman said the whole issue here is the parking on both sides of Route 131 during the shows. He has no problem with the addition; it is the parking issue. Part of this problem he feels falls on the Town.

Adams commented that he did not know how much authority the Town has on a State road.

Hickey said what we can do is ask Bergen to delineate the parking area she has and indicate how many cars she can park on the property. The Board can then view and determine if there is sufficient parking here or not. We can request, as we did with Wildcat, if a car parks on the side of the road, she can send someone out to ask them not to park there but park in the parking area. Blake asked if Bergen could put no parking signs on both sides of the road. Hickey said she could put a sign out at the end of her driveway with an arrow indicating where there is parking. We could ask her to do this to facilitate the parking on her property.

Hickey asked Bergen to bring a modified site plan with the parking area delineated and approximately how many cars could be parked in this area.

Graf asked if this application was going to be before the Board on Tuesday so a decision can be made. Hickey said yes. The drawing will be an amendment to her application because that is a concern that came up during this hearing.

Hupper asked by doing this addition, will it increase traffic. Bergen said no, it would not. Her mailing list would always be the same. It will not change anything; she will still only have three receptions for the group shows.

Hickey thanked everyone for coming and for their input. There being no further questions, the meeting was adjourned at 9:57 a.m.

Respectfully submitted,

Cherie A. Yattaw  
Planning Board Secretary

**St. George Planning Board  
On Site Public Hearing  
Tenants Harbor Wharf, LLC  
10 Boat Yard Lane  
October 20, 2007**

The meeting was called to order at 10:15 a.m. Planning Board members in attendance were William Hickey, Steve Adams, Loa Lee Blake, Jim Graf and Marvon Hupper. Also present were CEO Chris Leavitt, Steve Ausplund and Richard Wall.

Steve Ausplund explained the application is to repair the existing wharf. The repairs that were done 35 years ago are coming apart. With every storm more of the wharf is taken away. There was some debris on the bottom which was part of the wharf and it looked like rip rap. The bottom logs are all rotten.

Ausplund said his neighbor, Bob Anderson, owns the first 6-8 feet of the property which is part of the repair. Ausplund said an agreement was being worked out so Anderson can use Ausplund's carport in the winter (which is all Anderson is asking for) so he has a place to put his car/cars while he is in Virginia. Hickey said the Board would need to see this agreement and it should be notarized.

Graf asked if the Board approves this application, how soon will the work be done. Ausplund said they have dragged their feet; he is not sure when it will be done but it has to be done as soon as possible. The wharf will probably not last the winter if it is not repaired.

Graf asked Hickey if the Board needed the agreement on the property. Hickey said yes, they can't authorize anything on property Ausplund does not own.

Graf asked if Ausplund did not have the agreement in hand on Tuesday night, could we still approve the application. Hickey said we could approve the application with a condition that the permit could not be issued until we have the agreement.

Adams asked if all the other permits were submitted and approved. Ausplund said all permits have been approved and as soon as the Town approves the application, the work can be done. Graf said this wharf is in bad shape.

Adams asked how the wall was going to be tied in. A wall could not stand alone. Ausplund said every 16 feet there will be a big chunk of granite with a rebar that runs through the middle of it and ties into the wall. Hickey said that this repair is very much needed.

Hickey asked if there were any further questions. There being no further questions, the meeting was adjourned at 10:23 a.m.

Respectfully submitted,

Cherie A. Yattaw  
Planning Board Secretary

**St. George Planning Board  
On Site Public Hearing  
Elaine Morse  
195 Otis Point Road  
October 20, 2007**

The meeting was called to order at 11:00 a.m. Planning Board members in attendance were William Hickey, Steve Adams, Loa Lee Blake, and Jim Graf. Also present were CEO Chris Leavitt, Warren & Evelyn Davis, Jeff Edwards, John Lyons and Keith Miller.

Jeff Edwards represented the applicant and he explained the application was for the construction of a 100'x6' wooden pier with attached 40'x3' aluminum ramp and 12'x20' float. Edwards said the wharf would be 4' high off the ledge.

Hickey asked where the farthest extremity of the float would be. Edwards said where the orange rope was in the water.

Hickey asked if there were any further questions or comments for the applicant. Lyons commented that he had purchased his piece of property back in 1972. It was bare bones then. It has been brought up to standard now. He did not buy it for the amenities; he bought it for the beautiful view. He understands there are three agencies involved, i.e., DEP, Army Corp of Engineers and the Planning Board. He directed his comments to the Planning Board. He said this construction will obstruct his view and it will lessen the value of his property. He realizes there is another wharf on the other side of him and at the time when it was being built, he misunderstood what the property owner was doing. It is there now, you can't take it away. He understands that beauty and view is an esoteric term. Beauty is in the eye of the beholder, and in this case, it is his. His view is somewhat obstructed now and will be more obstructed with Morse's wharf. He is very concerned about this construction.

Hickey asked where Lyons' boundary lines were. Lyons indicated where the line was which was by the red flag. Hickey then asked if he had determined where his riparian right lines are. Lyons said he had only gone by the map that he got from the Town.

Hickey told Lyons that even if it was permitted, it would have to be 25' from his riparian right lines.

Hickey understands Lyons' feelings about the view. The Board will be sensitive to this issue but by the same token, private ownership and the ability of a person to do what is permitted on their own land have to be considered. Yes, Morse should be considerate of the neighbors, he has to comply by the law, but he still has the right to do what is permitted. We, as a Board, operate under ordinances. We look at the ordinances, we interpret them and if it falls into every category of compliance, then we cannot deny it.

Lyons said this was a want for Morse, not a need. It is not a necessity. He thinks the piers will give this area a semi-commercial appearance. Hickey said it could hurt the value of all these properties or increase it depending upon if people are here for a view, it

is going to hurt it; if they are here for boating purposes, then it will increase it. Lyons said for boating purposes, we all have moorings.

Hickey told Lyons he was glad that he came and voiced his opinion. It is going to have an impact because the Board will scrutinize the riparian rights which are yours and they will be enforced. We will do everything by the book. Hickey said he was sure there were members of the Board who sympathizes with him, some members who believe like he does. But we, as a Board, are obligated to follow the ordinances and we will review it from that perspective.

Lyons asked how much advance notice he could get so he could appear before the Board concerning this application. Leavitt said the public hearing is the only time someone is notified about an application. The agenda is posted on the website the Thursday before the scheduled Tuesday meeting.

Hickey said Tuesday, October 23<sup>rd</sup> this application will be before the Board. Unless there is a discrepancy with the survey, then what we would request is that the discrepancy be clarified. Lyons asked if the reports from the DEP and Army Corp of Engineers would be at this meeting. Hickey said the Board meets independently of them. If we do not have their reports on our desk when we meet, then we put a condition of approval that they approve this application also. All three organizations must approve this application. If one does not approve it, it will be denied. If we have the information we need to determine Lyons' riparian rights line, then we will go ahead and rule on it. If we need additional information and we are not sure where the lines are, then the application will be tabled until the information has been submitted. It will then be re-scheduled for a later date.

Hickey thanked Lyons for coming and expressing his concerns along with the rest of the people. There being no further questions, the meeting was adjourned at 11:17 a.m.

Respectfully submitted,

Cherie A. Yattaw  
Planning Board Secretary

**St. George Planning Board  
On Site Public Hearing  
Anthony Jeffery  
179 Otis Point Road  
October 20, 2007**

The meeting was called to order at 11:45 a.m. Planning Board members in attendance were William Hickey, Steve Adams, Loa Lee Blake, and Jim Graf. Also present were CEO Chris Leavitt, Warren & Evelyn Davis, Jeff Edwards, John & Ann Grogan, Anthony Jeffery, and Keith Miller.

Jeff Edwards represented the applicant and he explained the application is for the construction of a 130'x6' wooden pier with attached 32'x3' aluminum ramp and 12'x20' float. Edwards indicated where on the property the pier would be started which was away from the banking. There would be a set of short, low steps. There was a buoy in the water to indicate how far out the float would be.

Hickey asked if it was going to be pinned to the ledge. Edwards said it would be pinned all the way out, pinned and chained down.

J. Grogan asked about the property line. Edwards said the Board has the full survey and they would be able to view the properties and boundary lines.

Hickey asked Grogan if he had a copy of his riparian rights. He said all he has is what the Town has. Hickey said the Board does not delineate riparian rights but they do ask the applicant to submit a copy of the boundary lines. The ruling that we make will be based upon that the lines are correct. If there is any dispute, then we will ask for an independent person to do a survey so that we know the boundary line that we are making our ruling from is the correct boundary line. If there is an issue with riparian rights in this cove, then it should be dealt with before it comes before the Board.

Grogan just wants to make sure everything is legal in case some day he might sell his house.

Hickey asked if the Harbormaster had been down to see this at all. Leavitt said yes, he had. He has not given a ruling yet but he has reviewed it.

If anyone had concerns or questions concerning this application, Hickey encouraged people to come to the Planning Board meeting on Tuesday, October 23<sup>rd</sup> at 7:00 p.m. There being no further questions, the meeting was adjourned at 11:51 a.m.

Respectfully submitted,

Cherie A. Yattaw  
Planning Board Secretary