

Minutes of Town of Chebeague Planning board

Date: Thursday Nov. 1 7:15 at the Hall

Next Meeting: Workshop on Nov. 4th at 8:30 A.M. next regular meeting November 15 at 7:15

Members Present: Mabel Doughty, Tad Runge, Jane Frizzell, Beth Howe, Ernie Burgess, Sam Birkett

Absent: Tom Adams (excused),

Others present: Paul White (Code Enforcement Officer), Donna Damon, Donna Colbeth, Jane Scifres, Tom Calder, David Campbell, Susan Campbell, Doug Ross, Michael Porter, Malcolm Rice, John Ash, Claire Ross.

Handouts: Minutes of last meeting, Wharf Road Drainage and Parking Proposal: map of drainage, preliminary proposal, map of proposed new parking spaces.

- 1) . Mabel Doughty moved, Tad Runge seconded adoption of the minutes of the meeting of October 18, 2007. Approved unanimously.
- 2) Pre-application meeting for a site plan for drainage and parking improvements on Wharf Road. Wharf Road ROW and Assessor Map I04 lot 064, Limited Commercial District in the Shoreland Zone. Ron Grenier, Town Administrator, applicant; Town of Chebeague Island and Great Chebeague Golf Course, owners.

Beth Howe read an introduction to the pre application meeting, emphasizing that the purpose of this meeting is to allow discussion of the issues that need to be addressed. It is an informal meeting, and no substantial decisions will be made. Beth said that since it is a Town project, and the Town has such a small staff, two members of the Planning Board, herself and Tom Adams, were involved in developing the proposal itself. However, since this is informational meeting only, she does not feel it necessary to recuse herself.

She also said that this is not a meeting about balancing multiple uses at the Stone Wharf, but that the project is generally compatible with previous reports of various Stone Wharf Committees. Beth emphasized that this project is a stopgap measure, not a long term solution. She said that the 2002 Stone Wharf committee had noted the potential of negotiating with the Golf Club in order to create more parking. She also noted that while the Planning Board will be discussing the proposal and site plan, it is necessary for the Selectmen to negotiate with the Golf Club and to develop an agreement to work jointly. The role of the Planning Board is not to second-guess the Board of Selectmen. Rather their role is to review the site plan. At this meeting the review is purely for informational reasons. If a formal site plan application is submitted by the Town (and maybe the Golf Club), the Planning Board's review would focus on conformance with Zoning and Floodplain Management Ordinances. The proposal has already been submitted to the Department of Environmental Protection for a stormwater permit..

Donna Damon asked how the decision was made to submit an application to DEP. Paul White, the Code Enforcement Officer replied that he had been asked to do so by Ron Grenier, the Town Administrator.

Paul White, the Town's Code Enforcement Officer, who was presenting on behalf of Town Administrator Ron Grenier, said that under section 206 of the Zoning Ordinances any project needs to have both technical review and public input. In this case, where grading and creating a parking lot would increase impervious surface in the Shoreland Zone, issues about the quantity and quality of the stormwater draining off the land is a particular issue.

He gave a summary of the drainage and parking site. It is on the North side of Wharf Road, between the existing Stone Wharf perpendicular parking and the driveway to the Holmbom/Kendall house. Some of it is roped off, and that the other half is being used informally as a parking lot but is very rutted. Tom Adams developed a site plan which would create a ditch on the North (back from the road) side of the parking. It would run from the Holmbom driveway, parallel to the road, ending in a lower dip in the land. The stormwater would thus reach a vegetated buffer area where much of it would settle and soak into the ground rather than running down to coastal wetland. Paul said that the application he had sent to the Department of Environmental Protection is for a permit by rule. If the Town doesn't hear back from DEP in 14 days, the project can be considered approved. Tad Runge asked if any buffer for the runoff exists now. Paul replied that currently the water drains to the ocean.

John Ash asked about whether the existing ditch next to the road could be left the way it is and simply covered over with a grate for the winter, thereby creating a much smaller project.

Beth asked to switch meeting back at this time to a discussion of the current plan as described by Paul White.

Paul White elaborated that the Holmbom/Kendall property has driveway off of Wharf Road, and the Golf Course owns the surrounding land. This proposal would to change current the 4" drainage pipes under the Holmbom driveway to a 15 inch culvert, which would carry the runoff from the Golf Course, feed into the drainage ditch and exit into the wooded buffer. Paul White emphasized that any legal agreement between the Golf Course and Town is a matter for the Selectmen to work out. Beth Howe noted that discussions over an agreement are in process. However, if no agreement is reached, there will be no site plan application for the project.

Michael Porter voiced concern that the Code Enforcement Officer and not the Town administrator was proposing the plan at this meeting.

Mabel Doughty asked what information had been given out at the Selectmen's meeting and what input they had had. Beth Howe and Donna Damon said that the project was tabled at the last Selectmen's meeting pending more information. Donna Damon said that the meeting was the first time the Board of Selectmen had heard about the project.

Michael Porter voiced concern about non-transparency of these discussions that had lead up to the proposal, and hoped that such actions would not be repeated in the future. Mabel Doughty asked if Ron Grenier was directed by the Selectmen to start the process, and Beth replied that he was not.

Paul White noted that he did contact Mr. Holmbom, who is not happy with plan, but is kept well informed and is aware of what is going on.

Paul White said that tonight the meeting should determine what direction the proposal will take and what information will be required if an application is to be put before the Planning Board. Paul White noted that this is a minor project, and therefore has less stringent submission requirements, but that certain requirements do exist, and he recommended that these be examined.

Malcom Rice, a representative from the Great Chebeague Golf Club, asked a question about whether a gravel parking lot would actually be impervious to water. Paul White said that he is treating the gravel surface as more impervious than the present surface. Donna Damon questioned that, since the current surface could very well be considered impervious now, because of the presence of clay. She asked if more background studies would be needed to make sure that the gravel parking lot would work. Paul White explained that if there is clay present near the surface, the Town will dig out approximately 1 foot, replacing the clay dirt with gravel. This would create a stable surface for parking.

Paul White noted the ordinance application requirements for minor project. Section 206.7. B.3.H and I, list requirements which include mapping the location and direction of open drainage courses, wetlands, stone walls, graveyards, fences, stands of trees, floodplains, deer wintering areas, significant wildlife habitats, scenic areas, habitat for rare and endangered plants and animals, unique natural communities and natural areas, sand and gravel aquifers, and historic and/or archaeological resources, together with a description of such features. Paul White noted that providing all this information would be quite involved. However, under Section 207.6, the Board can consider waivers of these or any of the other elements of the requirements if the Board found that the information is not required to determine compliance with the standards and criteria. Some of these waivers could involve information about things from natural resources on the site to traffic generated by the new use, for example. Paul stated that the Board would have to decide if they wanted an engineer to do a formal stormwater management study including the phosphorus content of water going into the Bay.

Tad Runge asked if there was a difference in regulations between treating this as a new project or as an existing project. Paul said he thought that the parking would be a new lot because it had not formally been approved for parking before. .

Michael Porter asked if the time for the Planning Board to grant waivers would be at the time of application, and should the applicant ask for the waivers then. Beth Howe replied that that would be the ordinary process, but that the Planning Board is treating this also as an “educational moment”, since this is the first time the Board has had to deal with a project like this. Paul White noted that in section 206.6.D it is the Planning Board’s option to let applicant know what waivers can be requested. Michael Porter asked what the point is of doing this if the Selectmen may not go ahead with the project.. Beth noted previous concerns about transparency.

Beth suggested that the Planning Board consider what elements should be waived and what should not. Paul White noted that there is a tension between wanting to go ahead with what needs to be done immediately due to the oncoming winter, and the need for the issue to be examined thoroughly as a precedent for future plans. Donna Damon suggested that the Town hire an engineer/consultant. Beth Howe noted that she had suggested the Town have a regular relationship with an engineer before, and that this would have solved the problem of having two members of the Planning Board involved

in the development of the preliminary proposal. Donna Damon noted that the Town does have money in the budget for a consultant. Tom Calder asked if it would be useful to look at what Cumberland did in this type of situation, whether what Cumberland did would have any bearing for Chebeague.

John Ash noted that he thought the issue was to make short-term improvements in the drainage and parking, and that elaborate studies would be overkill for such a short term project. He suggested instead putting a grate across the existing ditch. Mabel Doughty asked whether John Ash's proposal would be on Golf Course land. Beth Howe replied that she thought it would be in the Town's right of way. There was some discussion of whether it would be on Golf Course land or in the right of way.

Malcolm Rice said that he came here to address concerns about the Golf Club's role in the project. He said that the plan is simply to take the existing gully and move it back, and that the Golf Course had no problem with the plan as long as it was indemnified from harm. Susan Campbell said that at the Selectmen's meeting the issue had been posed more as an exchange of land for reduced parking on the South side of Wharf Road. Michael Porter brought up the issue over transparency once again. Malcolm Rice stated that he didn't know why everyone thought that negotiations were going on behind closed doors, and that the Golf Club simply wanted to work with the Town to address an issue that was affecting everyone. Malcolm Rice emphasized that a letter from the Golf Club to the Town, which was still in draft form, said that the Golf Club would be amenable to this plan hopefully in return for restriction of parking along Wharf Road during golf season, but that this is for the Selectmen not the Planning Board to decide. Donna Colbeth said she thought that the issue is not with the Golf Course, but rather about poor communication with the Selectmen, but that tonight's meeting is a chance to really understand process.

Paul White noted that these problems with an application from the Town are not dissimilar to ones that developers face. They often look at environmental issues as not a big deal, and they wish they could just go in and do the work regardless. This is why ordinances have been created to balance environmental and development concerns. The Planning Board will have to make a decision within that framework. The Board could vote that there is not enough information to make a decision, and that the Board could vote to have a consultant work with them. Paul White stated that he believed that additional meetings would also afforded the Board another opportunity to have the public come in and have input, and that it was similar for the Board of Selectmen.

Donna Damon said she wished to back up to what Malcolm Rice had said earlier. She had been involved in negotiations between the Town and the Golf Club in 2002 and 2004. She stated that there was a long history of negotiations with the Golf Course trying to work out something that is only a band-aid. She stated that there had been discussion last time about leasing land from the Golf Course for about \$5000/year to develop more parking. She said that the Golf Course was approached by the Town and that everyone has the same issues and the same concerns, such as parking and golf balls smashing car windows. Beth said that this situation puts back on the table something that didn't work out in 2002-2004, to see if it could work this time. Donna brought up that parking is a political issue and not for a planning meeting. She stated that perhaps the public meeting was jumping the gun a little bit, since the boards are still figuring so much out. Beth stated that she felt the opposite, that a public discussion of this project was needed.

Jane Frizzell asked what the budget status of this project is. Paul White said that it would be low/no cost, because it would be done by public works, unless a consultant is hired. Donna Damon said that there is a cost, because even if the project is using existing resources they are being re-directed from elsewhere and will need to be replaced.

Ernie Burgess asked Paul White if it would be a mistake to make exemptions and waivers for this project because it could set standards for developers. Paul White noted that there is a section in the ordinances which talks about setting standards. He read from section 206.8: "The following criteria shall be used by the Planning Board in reviewing applications for site plan review and shall serve as the minimum requirements for approval of the application. The application shall be approved unless the Planning Board determines that the applicant has failed to meet one or more of these standards. In all instances the burden of proof shall be on the applicant..." . This section is followed by the criteria on which the Planning Board must base its decisions.

Jane Frizzell asked about status of DEP application. Paul White said that the application arrived there today. If DEP has concerns that cannot be answered by the initial review, it will move up to higher level of review. He said that the DEP is looking mostly at storm water and not all of the various elements that might concern the Town. Beth Howe stated that the stormwater management study is what would cost money for a consultant. She said that the reason that the plan has progressed this far is that Tom Adams is an engineer, knows about drainage, and has volunteered his time. Jane Frizzell asked if the application to DEP had to be submitted by someone with a license. Paul White replied that it was not necessary.

Mabel Doughty said that an important sentiment expressed tonight was that it was very important that the Planning Board not relax its standards no matter who brings a proposal to the Board. She said that she felt if it is worth doing it is worth doing right. She made a motion that much more information is needed on this issue and the Board of Selectman needs to be much more involved, and no action should be taken at this time. Ernie Burgess seconded.

. Tad Runge asked about doing the project in stages: the first stage involving drainage, and a parking stage later. Michael Porter said that he cannot see quick resolution because of the political issue of parking on the road, which is not a concern for the Planning Board. Paul White said that a decision on whether to do it in stages would lie with the Planning Board.

Beth Howe emphasized that major purpose of this meeting was to have Planning Board find out more about the project and for the Town representative to get ore some feedback from the Planning Board. She thinks we have gained good information and some new proposals: John's idea of having the drainage in the ROW and Tad's idea of doing the project in two phases. The Board has come to a point where it can pass on more information to the Board of Selectmen. Donna Damon said she was glad to learn more about what was going on, such as the filing of the application to DEP, but thought that too much is being considered before being certain that the Town will do a project. She said that any information is helpful.

Paul White left to catch the ferry.

Beth called for a vote on Mabel's motion. It was approved unanimously.

The Planning Board will hold a workshop in order that they may more fully understand the process for site plan reviews and what they will be required to address for this proposal. The workshop will be at 8:45 A.M. on Sunday morning at the Firehouse.

Respectfully Submitted,

Thea Youngs