

Minutes of the meeting of the Town of Chebeague Island Planning Board, December 13, 2007 at 7:15 at the Hall

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

Visitors: 5

Handouts: agenda, maps of Wharf Road project, stormwater runoff calculations for Wharf Road.

Beth Howe called the meeting to order at 7:25 (it was snowing hard).

1. Minutes: Jane Frizzell moved, seconded by Mabel Doughty to accept the minutes of the November 15 meeting. Approved unanimously

2. Public hearing: Minor Site Plan for Drainage Improvements and Parking on Wharf Road, Chebeague Island, Map I04 Lot 64 and Wharf Road ROW. Town of Chebeague Island, Applicant; Beth Howe and Tom Adams Representatives.

Beth Howe and Tom Adams recused themselves from acting on this application because they had been involved in developing the proposal. Tad Runge, Vice Chair, took the Chair.

Tad briefly explained the purpose and procedure for the hearing. He then asked the applicant if the Town wanted to make a presentation. Beth Howe said she would present the general case for the Town.

Project History

November 1, 2007: Pre-application meeting.

December 5, 2007: Application deemed complete.

Project Background

The subject area is located on the North side of Wharf Road, just to the East of the existing Stone Wharf parking. It is partially in the Town's Right of Way for Wharf Road, and partly on a parcel owned by the Great Chebeague Golf Club, Map I04 Lot 064. The western end is presently used for "informal" parking and the east end is roped off.

By a letter of agreement with the Town, the Golf Club has authorized the Town "to enter onto the Golf Club property to correct the drainage problem". The Golf Club has "also authorized and licensed the Town to create and maintain 26 perpendicular parking spaces on this portion of Golf Club property for such period as the Town might wish to maintain such parking spaces."

This project is classified as a minor site plan because it involves only the installation of impervious surfaces. Provision of new parking areas on the Shoreland Zone requires site plan review by the Planning Board.

Beth Howe summarized the project:

At present there are about 53 legal parking spaces at the Stone Wharf, with additional parallel parking up Wharf Road. The informal parking on the North side of the road has created gullies and drainage problems. This proposal will correct the drainage by moving it in from the road about 30 feet to a new drainage swale that will end in a shallow depression next to the edge of the bluff that defines the shore. The Golf Course is willing to have the Town enter onto its land to improve the drainage and to create 26 new parking spaces in the Town ROW and on Golf Club land North of Wharf Road. The new parking would end 40 feet from the Holmbom's driveway and landscaping would be planted between their yard and the new parking.

Two waivers are requested. One is not to require a survey of the Golf Course. The other is a waiver of a traffic study because this project will not generate any new traffic.

Beth turned the presentation over to Tom Adams who explained the stormwater runoff calculations. [The tape starts during his presentation.] The drainage would comply with the ordinance requirement that no more runoff should come off the site after development than did before. The Golf Course part of this watershed is at least 2.7 acres, producing runoff of 32 gallons per second in a 25 year storm. The parking area is relatively small compared with this so that making it more impervious has little effect on the overall amount of runoff. A new 15 inch culvert under the Holmbom's driveway will be sized to handle a 25-year storm with the ground frozen so that all the water runs off. Where the drainage swale ends, a 2 to 3 inch deep, 10 to 15 foot wide puddle will form. If the water accumulated to a depth greater than 3 inches it will run over the lip of the embankment into Casco Bay. Because the embankment is relatively level, this runoff will be dispersed along 10 to 15 foot of the embankment. If DEP required us to build a drainage system, this is what they would require.

Tom said that the drainage plan has also brought up two conditions that should be added to the approval of the plan. One is that an erosion and sediment control plan for the construction phase must be developed. The other is that the maps be stamped with his engineer's seal.

Tad asked if members of the Board had questions for the applicant.

Ernie Burgess pointed out that there is an area in the drainage ditch on the other side of Wharf Road, up toward the Golf Club driveway where a piece of ledge forces the water out of the ditch and across the road. Beth and Tom said this might be corrected when the drainage work is done, if the ledge can be chipped out.

Jane Frizzell asked whether the area where the water will puddle will be disturbed by the construction. Tom said it would be left as much as possible the way it is.

Tad asked why there is a 40 foot space between the parking and the Holmbom's driveway that has no parking. Beth said it was a matter of politeness. Sam said the agreement with the Golf Club had been for 26 spaces.

Tad asked whether parking on both sides of Wharf Road would leave less room for emergency vehicles. Beth said that the parking will be like the parking further down toward the Stone Wharf and there should be room for cars and emergency vehicles.

Tad asked whether there should be some lighting of the new parking since there will be more pedestrians walking in this area as well as cars pulling in and out in the dark. Beth said that the Town was trying to keep the cost of the project to a minimum. Donna Damon said that there is an electric pole there already. A light could be installed on it.

Tad asked if the water going into the existing culvert on the North side of Wharf Road would be less after the drainage improvements. Tom said there would probably be less. It would just handle runoff from the road itself.

Tad opened the public portion of the hearing:

Donna Damon asked whether the subsoil in the parking area was clay and would that reduce the infiltration of the storm water. Tom said that the water in the 2 to 3 inch deep puddle would percolate into the ground but it would also evaporate and evapo-transpire through the grass leaves. He said it would not run back into the parking area.

Donna asked whether the parking area would be muddy. Tom and Beth said it will have 12 inches of gravel and should not be muddy.

Donna asked that the catch-basin grate be checked while the work is being done to make sure that it is not possible to fall into it. Also it should be shielded from erosion sediment during construction.

Donna asked how will the Golf Course get access to their shed once the parking is built. Tom, representing the Golf Club, said that the shed is not used now and nothing is proposed for it at this point. With 30 feet between the edge of the road and the drainage swale, that would allow 6 feet along the road for pedestrians to walk in, 18 feet for parked cars and another six feet of grassed area. The Golf Club could drive a Cushman cart through there if they were using the shed.

Doug Ross said that he thought the Planning Board should be careful about recommending a light on the existing electric pole. It may shine in the Holmbom's windows all night. Also he said that the telephone wire for the pay phone on the Stone Wharf lies on the surface where the parking will be put. He did not know whether the phone works. When this project is done the Town should deal with whether to have the phone or not.

Mark Dyer asked whether the Holmboms were adequately aware of the project. Beth said that they had been sent the whole packet and she had hoped they would be at the hearing, but the snow may have deterred them. Mark asked if there was any plan to plant bushes between the parking and the Holmbom's lot. Beth said there is a landscape plan and that the Holmbom's would be consulted about the kind of bushes installed.

Mark asked if the culvert under the Holmbom's driveway would be replaced. Tom said the two 4 inch diameter pipes will be replaced by a 15 inch culvert. He also said that there will be a French drain on the Golf Course side of the culvert. This is a fabric and cobble lined drain that would direct the water into the culvert.

Mark asked whether the drainage swale would have netting with grass applied to it. Donna said she thought this would be a good idea. Mark said that he wanted the project to be as basic as possible in terms of cost. Tom said that he had planned on loam and seed.

Tad closed the public portion of the hearing, and asked if the Planning Board members had any more questions.

Ernie Burgess asked whether the project met the ordinance standards about having parking close to a well. Parked cars are likely to have leaky gas tanks. There is a dug well on the Golf Course property that used to serve the Holmbom's house. They now have a drilled well on their lot next to the front door. Beth said she didn't think that any ordinance provisions were violated and that there was about 200 feet between the drilled well and the area where the water would puddle and seep into the ground.

The Board reviewed the waivers requested:

Jane Frizzell moved to accept both of the waivers, seconded by Ernie Burgess. The waivers were accepted unanimously.

The Board reviewed the draft findings of fact:

Tad indicated that the Board could review each finding of fact separately or group some of them together. Board members are free to change or add to the draft findings of fact. Each criterion must be found to be met for the proposal to be accepted. Jane asked that each criterion be considered separately.

A. Utilization of the Site

The ROW and lot I04 064 are next to the most intensively used site on Chebeague. They are next to the Stone Wharf, which is zoned Commercial Fisheries/Maritime activities and is used for the CTC ferry, fishing, recreational boating, boat launching, barging, and in summer sale of lobsters, and the 7th tee of the Golf Course. These uses require parking and parking exists on the Wharf and Town land on Wharf Road. The parcels are at the edge of the 100-year floodplain. All the existing parking is in the floodplain. With the shore, the old wharf, a historic house and the golf course, the site is also scenic.

Tad thought there are no resources to protect. Jane thought that the parking would not make the site less scenic and moved to remove the last sentence. Ernie moved to adopt the finding of fact excluding the last sentence. The Board finds that the standards of this section have been met. Seconded by Mabel. Approved unanimously.

B. Traffic Access and Parking

This parking is accessed off of Wharf Road. There is no accessway to it.

C. Accessway Location and Spacing

This parking is accessed off of Wharf Road. There is no accessway to it.

Tad suggested taking these two criteria together. There is no accessway. Mabel moved to accept the findings of fact as stated, and that the Board finds that the standards of these two sections have been met. Jane seconded. Approved unanimously.

D. Internal Vehicular Circulation

This project involves constructing 26 parking spaces perpendicular to and accessed from Wharf Road. The filling and grading will be minimal and will correct the current haphazard drainage pattern to reduce soil erosion. Existing vegetation will be retained when possible during and after construction.

Tad added to the language that the discussion indicated that the proposal will not increase the amount of traffic and will allow safe movement for cars and emergency vehicles through the site. Mabel moved that the Board accept the findings of fact and find that the standards of this section have been met.

E. Parking Layout and Design

This is not “off-street” parking.

Tad said this is not off-street parking. This finding was accepted unanimously. The Board found that the standards of this section are not relevant.

F. Pedestrian Circulation

There are no sidewalks or designated pedestrian ways for any of the parking for the Stone Wharf. Pedestrians walk to the wharf in the Wharf Road right of way.

Tad asked for a show of hands on accepting the findings of fact and finding that the standards of this section have been met. The vote was unanimous.

G. Stormwater Management

The new drainage is not a closed system. It uses the existing topography of the site. The new pattern will handle “upstream” runoff from the Golf Course more adequately than the present pattern. It will keep the stormwater off of Wharf Road and away from the adjacent house lot. Presently the stormwater from this site runs to a drain and culvert and into the ocean. The new drainage pattern will direct the

stormwater to a natural, vegetated low area on the site where it will filter into the ground. This area serves as a vegetated buffer strip between the drainage/parking area and the edge of Casco Bay.

H. Erosion Control

The parking area will be sloped to direct the stormwater away from the road and toward the drainage ditch and vegetated buffer area. The filling and grading will be minimal and will correct the current haphazard drainage pattern to reduce soil erosion. Existing vegetation will be retained as much as possible both during and after construction. Best management practices will be used during the work.

I. Water Supply

Not applicable since the project creates no demand for water.

J. Sewage Disposal Provisions

Not applicable since the project creates no need for sewage disposal.

Sam moved taking these together. The first two were dealt with in detail by Tom's presentation and the second two are irrelevant. Tad called for a show of hands on accepting the findings of fact and finding that the standards of G. and H. have been met and I. And J are irrelevant. Seconded by Jane. The show of hands was unanimously in favor.

K. Utilities

The project creates no need for additional utilities. The utilities passing over and through the site will be maintained as they are.

Tad said the discussion had dealt with the telephone. He suggested accepting the stated findings of fact and finding that the standards of the section have been met. In addition, the Planning Board wants to suggest to the Town that the telephone either be upgraded or done away with. Mabel moved, seconded by Sam. A show of hands indicated that this was approved unanimously.

L. Groundwater Protection

The Holmbom's well is about 200 feet from the area where the stormwater will collect and seep into the ground.

Tad suggested making the find of fact conditional on additional research that the Holmbom's dug well would not be affected. Ernie said that it was unclear to him whether any of the Town's ordinances were being violated by the distance between the parking and the well. Beth said it is possible to find that the standards of the criterion have not been met. Then the proposal is carried over to the next meeting. At that meeting further research may indicate that the standard may be adequately addressed and a finding of fact can be adopted. Tom said that this would be an appropriate action if the issue is important to the Board. Ernie moved that the standards of this criterion are not met. Seconded by Mabel. The motion was approved unanimously.

M. Water Quality

There will be no storage of any toxic materials on the site. The drainage system will reduce the present discharge of untreated, unfiltered stormwater containing runoff from the parking area into Casco Bay. The runoff will be absorbed into the ground about 200 feet from the nearest well.

Tad said this raises the same issue as L. Jane moved that the standards of the criterion are not met. Seconded by Sam. The motion was approved unanimously. The applicant should bring back additional information about the impact of the drainage on the wells.

N. Capacity of the Applicant

The Town will use its existing equipment and public works staff to do the work. It will also use existing supplies of materials.

O. Historic and Archaeological Resources

The project will not make any modifications to the historic wharf and house adjacent to the site.

P. Floodplain management

All of the Stone Wharf and the existing parking are in the 100-year floodplain (Zone A2, FEMA Flood Insurance Rate Map 230162 0021D). Several spaces in the new parking will also be in the floodplain. The Town's *Floodplain Management Ordinance* covers only "structures". In the ordinance, "parking of vehicles" is allowed in areas of buildings that would be subject to flooding. There are no provisions related to parking not in buildings.

Tad suggested taking these together. Jane moved that the findings of fact be accepted and the Board find that the standards of these sections have been met.

Q. Exterior Lighting

There will be no additional lighting for the new parking.

The discussion at the hearing brought up the need for additional lighting. Jane said she thought the Town should consider having light(s) but that it should not be a qualifier for adopting the whole project. She thinks the criteria is met. Sam said the criterion says that there should be adequate exterior lighting. Mabel and Jane said the criterion also mentions adverse impact of the lighting on neighboring properties. Mark Dyer said that the Rec Center has very directional lighting so that might be a solution. Beth said that downward lighting on the existing pole would not light the parking. Mabel moved that the standards of this criterion have not been met. Seconded by Sam. Approved unanimously.

Tom said it would help the Town if it knew more clearly what the Board's concern was. Tad and Mabel said they thought the primary issue was safety, but with the hope that

undue glare for the Holmboms could be avoided. Perhaps the light could be put on a timer that would go off after the last boat.

Jane said that the criterion says that the development “must” have adequate exterior lighting. She asked whether the draft finding of fact could even be adopted by the Board. Tom said it is probably not absolutely required but that a concern about the lighting is legitimate.

R. Buffering of Adjacent Uses.

The site is buffered from the shore by natural vegetation. A landscaped buffer will be provided between the new parking area and the adjacent house in the area where there is no natural buffer.

S. Noise

The only noise created by the project will be the sound of cars being parked

Mabel said that the sound of cars might be a problem for the neighbors. Sam said it won't increase the parking a lot more than it is now and there would not be many people at night.

T. Storage of Materials

There will be no storage of any kind on the site. Parking of cars is limited to a 24 hour period.

Several people said that cars full of gas could be thought of as storage. Beth said that the new drainage pattern would be an improvement on the present drainage in terms of pollution of the Bay. Ernie said it was important to be sure that it would not be a threat to anyone's well. Beth pointed out that the application for a permit by rule had been accepted by DEP.

U. Landscaping

Landscaping acceptable to the abutting homeowner will be provided where natural vegetation does not exist to screen the parked cars.

Mabel said that the criteria is met.

V. Building and Parking Placement

No buildings will be built. To the North of the parking and drainage ditch the existing natural cover will be maintained. Landscaping will be provided between the parking and the adjacent house.

Tad called for a vote on R, S, T, U, and V. A show of hands indicated that the Board unanimously accepted the findings of fact and found that the standards of each of those criteria had been met.

W. Fire Protection

The Town of Chebeague Island Fire Protection Ordinance only covers new commercial properties larger than 4000 square feet and new residences in major subdivisions. There is a fire pond on the South Road edge of the Golf Course and Casco Bay is next to the site.

Sam said she thought the new grading and parking would make it easier for emergency vehicles to get through because cars could pull farther in. Tad has taken a fire engine down to the Stone Wharf.

X. Aquifer Protection

There will be no septic system on the site, nor will there be storage of any materials hazardous to the groundwater.

Beth said the whole island is in aquifer protection.

Tad called for a vote on W. and X. There was unanimous verbal assent to the findings of fact. The Board finds that the applicant has met the standards of the criteria.

Since several criteria were not met, Tad called for a motion to table the proposal until the Town can respond on those issues. Jane moved, seconded by Mabel. The motion was approved unanimously. Tad also noted that the conditions will be taken up at the next meeting.

Jane said it is 9:58 so there would still be time to take up the comprehensive plan. Beth said no and also said that Cart Road Acres will be tabled next time because it has to go before the Board of Appeals after Christmas for a frontage variance. So should we have the discussion about the Comprehensive Plan then. Tad and Sam asked if Wharf Road might be ready to come back. Beth said it might. Mabel asked whether the comp plan discussion would be a long one. It is a matter of deciding how the effort will be organized, and it is important to get it going. The quorum for a meeting is 4, so even if no everyone came the meeting could be held. It was agreed to meet next Thursday December 20.

Respectfully submitted,

Beth Howe