

Sunset Committee Meeting Minutes

Location: Island Hall
Date: 2/1/2016
Present: Donna Damon, Paul Belesca, Mary Holt (chair), Peter Pellerin, Thor Peterson, Carol Sabasteanski, Sam McLean
Absent: Carol White
Other: Marjorie Stratton, Town Administrator

Chair, Mary Holt, called the meeting to order at 5:37 PM

Minutes of Previous Meeting

A **MOTION** was made, seconded and unanimously voted to approve the minutes of the December 7, 2015 meeting.

Resignation of Susan Stranahan

Mary reported that Susan Stranahan has resigned from the committee.

A **MOTION** was made, seconded and unanimously voted to accept the resignation with regret and ask Marjorie to send a note of thanks to Susan on behalf of the Town of Chebeague Island.

Appointment of Carol Sabasteanski

Mary reported that the Board of Selectmen has appointed Carol Sabasteanski as a member of the committee.

MHPC Archeological Decision

Mary shared an email with the committee from Dr. Leith Smith of the Maine Historic Preservation Commission stating that the three sites identified in the archeological survey are eligible to be listed on the National Register of Historic Places. The MHPC recommends a buffer of 50 feet be maintained around the three sites. Cellars 1 and 2 are considered one site with cellar hole 3 a separate buffered site.

Dustin Roma's Role on the Sunset Project

Paul noted that the committee had not received word of Dustin's role in the Sunset project since the December meeting. Marjorie had contacted M&M and was told that John Adams is the project representative from M&M. Mary has been copying John on most emails to Dustin and John does not participate in the correspondence.

The Committee asked Marjorie to clarify with M&M that Dustin is still the project leader for our account on behalf of M&M and also to ask what the status of billing is – are there any charges outstanding at this time that have not been billed? Will payment be made to DM Roma, P.E. or M&M?

Project Budget

Marjorie distributed Phase II Project Costs as of 1/29/2016. The committee asked several questions regarding the report. For example why doesn't the "expended amount" (\$32,886.09) equal the total "Project Expenses" (\$35,731.59). Marjorie reported that it was due to a prior year expense being posted in the following year (\$2,475) and a legal bill being charged to Sunset by the Selectmen (\$370.50).

There was discussion about the \$8,000 matching funds (for the \$20,000 grant) which had not been requested from the town.

A **MOTION** was made and seconded to ask Mary to request that the Selectmen transfer \$8,000 from the grant matching fund to the committee. After much discussion, the consensus was that the funds would be needed for Phase 3 which has not been defined – so requesting them now is premature. No vote was taken.

Response on follow up Bathymetric Survey

Mary shared an email from Matt Nixon regarding the incomplete bathymetric survey. Matt reported that the state had ended its 2015 season and it would be impossible to use a smaller boat to survey the area near shore. (There is a gap of data between 200 feet wide and 350 feet wide along the shorefront.)

The committee discussed next steps. Mary reported that Dustin could help the committee apply for another grant in order to hire another firm to complete the bathymetric survey.

A **MOTION** was made and seconded to ask Mary to find out how much the cost would be for Dustin to help the committee apply for another grant (assuming Dustin is the official project leader for M&M). The motion passed by a vote of 5 to 1.

Review Notes (from Carol White) regarding Sea Level Rise Report

This item was tabled since Carol did not submit a report.

Dustin Roma's Sunset Landing Report 1/31/2016

The committee received copies of Dustin's report both prior to and at the meeting. The report summarized the findings of the numerous studies performed in Phases 1 and 2. It also provided recommendations for next steps if the site is going to be developed in any way.

A **MOTION** was made and seconded to accept Dustin's report. The motion passed by a vote of 4 to 2.

Existing Conditions Plan

The committee agreed that the plan presented addressed most of the questions raised at the last meeting and detailed in Paul's email to Dustin. (See attached email with Dustin's answers). The one area that Paul raised as an unresolved item is the answer to his last question in the email.

- *If one accepts the explanation of the location of Elizabeth Road in the M&M summary letter, then the presentation of that material does not match the display on the Existing Conditions Plan. They are not showing on the plan what they say the found in the deed research and plans. The 1907 Sunset Beach subdivision plan shows Elizabeth Road terminates at the intersection of Sunset Avenue (the one that runs along the shore). This is confirmed by the 1990 Titcomb survey of the Sunset Property done by the Town of Cumberland. For those who are trying to picture this, Elizabeth Road runs basically east to west, from the North Road towards the shore. Any depiction of another north south paper road at the termination of Elizabeth Road is inconsistent with Nadeau's findings and M&M's explanation. **The depiction of Elizabeth Road is as shown on the survey plan that was accepted by the Committee as Phase 1. This included the north south portion. We continue to advise the Town that any rights over the roads depicted on our plans should be reviewed by the Town's attorney for an opinion on any public rights of access.***

The attached existing condition plan (Exhibit 1) depicts the area in question.

A **MOTION** was made to approve the Existing Conditions Plan as presented. The motion was not seconded.

The committee agreed that the rest of the Existing Conditions Plan is acceptable, but it needs clarification regarding the terminus of Elizabeth Road on its west end – since this may impact access to the property.

The committee agreed that Paul would send a draft email to the committee that would be sent to Dustin by Mary asking for clarification of the issue above. Next steps in approving the Existing Conditions Plan will be determined after the answer is received. This may include calling a meeting on 2/4/16 and asking Dustin to attend.

A **MOTION** was made, seconded and unanimously voted to adjourn the meeting at 7:20 PM.

Respectfully submitted,



Secretary

BELESCA EMAIL TO DUSTIN WITH ANSWERS

The easterly property boundary line for the locus parcel is missing. **This has been corrected on the revised plan.**

- The property lines shown for the locus parcel do not meet two of the boundary markers/pins. Comparison with a progress print from Nadeau indicates the surveyor had the lines intersecting the points. **Two of the pins do not fall on the surveyed property corners based on the final survey prepared by Nadeau. A progress print may have shown the lines intersecting the points, but this was modified based on the complete research of the parcel to depict the location of the corners as shown on the final print.**

- The band of clear space or missing data just outside the locus parcel on the north, south, and east sides appears to be caused by the utilization of two different topographic standards. The contractor indicates the topography of the parcel was obtained by an on the ground survey by Nadeau (1ft contours) and the other land topography was obtained from Maine State Office GIS (2ft intervals). To avoid the confusion resulting from this situation, the plan should terminate the odd numbered elevations at the property boundaries and connect the even numbers that extend beyond, into the abutters. Leaving a wide blank space around three sides of the locus parcel creates a high level of confusion regarding the integrity of the data displayed on the document. **The band of clear space was left intentionally to delineate between the contours generated by on-the-ground survey and the Lidar downloaded from the State GIS, since one was generated by field work and the other was simply overlaid without ground checking. We have eliminated the odd-numbered contours within the surveyed portion of the property and connected the contours around the perimeter of the parcel to create a consistent presentation of data. We have also eliminated the odd-numbered contours in the bathymetry.**

- There are irregularities in the intertidal topography shown on the Existing Conditions Plan based on personal observations of this shoreline and a quick comparison with the Nadeau land survey. **The contours are based on connecting adjacent points recorded by survey instrument, and may not exactly replicate field conditions of complex surfaces based on how the software program connects the points.**

- The delineation of the CFMA zoning boundary extends outside the locus parcel into the land of Belesca. This is not correct. **We agree, and have adjusted the plan accordingly.**

- The delineation of the limited residential zone boundary extends outside the locus parcel into the land of Belesca. This is not correct. Both zoning definitions should terminate at the southerly property line of the locus parcel. **We agree, and have adjusted the plan accordingly.**

- Discussion by the committee indicates a desire to see the sites evaluated by Tetra Tech in their Archaeological Survey Report displayed on the Existing Conditions Plan. The plan has the wetland boundaries and test pits from Frick, eelgrass boundaries from Normandeau, bathymetric data from the Maine Coastal Program, etc. It should also have the three (not two as noted in the final report from Roma) cellar holes and any additional historic features described in pgs. 33-39 of the Tetra Tech report. **The cellar holes and associated 50-foot buffers have been added to the plan based on a field recording of their location by Tetra Tech. As suggested by Sarah, we have included cellar hole 1 & 2 as a single feature for purposes of establishing its location and setback requirements.**

- The legend displayed on the Existing Conditions Plan contains line styles and weights that do not appear to match the depiction of features on the drawing. **Modifications to the legend have been made.**

- According to the letter report from Roma, M&M kept Elizabeth Road on the plan because Nadeau completed adequate deed and plan research. The committee asked M&M to clarify if the location of the road was displayed based on Nadeau's field survey work. In short, did they survey the road and display it based on that effort? **Yes.**

- If one accepts the explanation of the location of Elizabeth Road in the M&M summary letter, then the presentation of that material does not match the display on the Existing Conditions Plan. They are not showing on the plan what they say they found in the deed research and plans. The 1907 Sunset Beach subdivision plan shows Elizabeth Road terminates at the intersection of Sunset Avenue (the one that runs along the shore). This is confirmed by the 1990 Titcomb survey of the Sunset Property done by the Town of Cumberland. For those who are trying to picture this, Elizabeth Road runs basically east to west, from the North Road towards the shore. Any depiction of another north south paper road at the termination of Elizabeth Road is inconsistent with Nadeau's findings and M&M's explanation. **The depiction of Elizabeth Road is as shown on the survey plan that was accepted by the Committee as Phase 1. This included the north south portion. We continue to advise the Town that any rights over the roads depicted on our plans should be reviewed by the Town's attorney for an opinion on any public rights of access.**