

- 00;00;05;27 [Speaker 1]: Good evening and welcome to the February 12th two 2020 planning board meeting for the town of Raymond. The playing board will come to order before it does happen. Requirement roll call Mike, dark Angelo, Bruce Sanford, Greg foster, Robert O'Neill at Krzanich, Kevin Wood Bree. This is a public proceeding and unless the board specifically votes to go into executive session, you have the right to hear everything that is being said and to look at all the exhibits that are presented. Please notify the chair if you are unable to see or hear the void works from a
- 00;00;39;02 publisher gender and we'll be considering tonight's items in the following order. We have a first aid tabled application from the port, a port Harbor holdings, and then a public hearing for proposed ordinance changes.
- 00;00;51;28 [Speaker 2]: Excuse me. Just for the record, you said February 12th so you might just want to say March 11
- 00;00;57;03 [Speaker 1]: thanks a update. It's actually March 11th, 2020. Um, and it says the burden is upon the applicant to demonstrate compliance with the provisions of the applicable ordinances or state law. Oh person speaking, including representatives of the applicant and members of the public are asked to stand at the microphone, state their name, address and affiliation with the application either for or neutral. All persons speaking shall address the chairman and any conversations must be held in
- 00;01;29;04 the dance until after the board has formally adjourned. After void votes on the merits of each application, it will prepare a written notice of decision because of the notice of decision. They substantially affect any appeals rights and also as a matter of courtesy, the board asks that those attending the meeting with regard to a specific application not leave until the board has completed its discussion. Appeals from adverse decision must be filed with the superior court or as otherwise provided by law within 45
- 00;01;58;06 days of this board's decision. Also to be certain that you preserve your individual right to file any such appeal, you must be certain that the board's record evidence is your appearance as evening in opposition and the basis of your opposition.
- 00;02;13;23 [Speaker 1]: Let's see. Our particular business meeting is the minutes of February 12th
- 00;02;20;03 [Speaker 2]: we approved them as submitted. Is there a second? Any discussion? All those in favor. All right, that's done.
- 00;02;36;26 [Speaker 1]: And on the next is they got an old business, the uh, port Harbor holdings application. We would first need a motion to remove it from the table. So moved. Second. Any discussion? All those in favor. All right. The application

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has been deemed complete at our last meeting in this move from the table. Um, before we started the introduction of the project. One more time. Oh, I know that there was some confusion on the addresses, um, or that went out to notifications. So we're going to, um, we've been

- 00;03;12;12 holding a modified public hearing to start, um, with, um, I would just like to, before we do that run through, um, what was done so far as far as specific concerns, our last public hearing, um, the public hearing then would be open to anybody that did not have an opportunity to speak at the last one due the notification. Um, and the board, if I've missed any, if you would please add in here. But
- 00;03;40;07 the specific, um, concerns that we took away from the last, um, public hearing was the impact to the beach area. Um, the possible impact to wildlife on the, uh, Rocky point. Um, the view of, uh, the, uh, what is being proposed from Indian point on the impact, the possible impact to property value, um, possible impact the safety, uh, due to the proximity of
- 00;04;12;20 the peer and the boats to the roped off beach area. Um, the possible impact of water quality, um, and what the boat traffic pattern would be based on those, um, comments like ms Annie that everybody feels we captured that based on those comments, uh, we, we decided it would be prudent to go onto
- 00;04;39;06 a sidewalk. Um, the board conducted the sidewalk on February 22nd of board members were present. Um, we looked at the pier area that was identified by the applicant as to where it was proposed construction. Um, we looked at the beach location with respect to the proposed peers, um, noted the wildlife areas that were, um, addressed at the first public hearing and also the proximity of the Rocky outcrop. That was also addressed as a
- 00;05;08;26 specific concern.
- 00;05;12;01 [Speaker 1]: So that's where we stood. Um, if there is any at all openly the public comment at this point, if there's anybody that would like to speak that has not had a chance to do so because of our notification problem. Could you, so now if you would stand to the podium, state your name and address affiliation with the project. Uh, good evening mr. Chair, my name is Keith Richard and I'm an attorney. I'm here on behalf of Indian
- 00;05;45;22 point owner's association. I would like to just begin first. This is a, there's some visuals that another person will be talking about after me. I'm just here on
- 00;05;58;00 [Speaker 2]: behalf of one of the owners, but her presentation uses these visuals. We asked the secretary before we're told that we get your permission about getting this audio.
- 00;06;11;04 [Speaker 3]: Oh yeah, you have to stay at that. Um, do we have permission? I just permission to give. Sure. Thank you. So as I said, my name is Keith Richard and

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you folks have before you a proposal to install what is a very large docking system in a pretty tight and sensitive spot. It's going to impact a pristine Lake. The people in

- 00;06;44;27 businesses nearby who use and love it and the very character of the area. It's my interpretation of the last public hearing that happened here was that the board believes that because DEP and other state state agencies are reviewing this proposal, that the scope of the board's responsibility and authority is limited. That besides issues such as parking in fire safety, it's really not your job to police what goes into the water. And let me be
- 00;07;14;15 very clear about that. That view is mistaken. In Maine, we operate under what's called home rule, meaning that local government decides matter of local concern and that's especially true of land use.
- 00;07;29;16 [Speaker 3]: Whatever the DEP or any other state agency decides, you always have the authority to vote something down, including this proposal. You shouldn't be looking to follow the state's lead instead. Uh, you have an independent obligation to apply your ordinances to protect the public interest and the people that you serve. And I want to begin by highlighting the mandatory standards that apply to this proposal. And this
- 00;07;59;22 application is a limited, or excuse me, a, uh, a site plan, uh, that has been submitted to the town and your site plan ordinance and article 10 AA States that the purpose of site plan review is to ensure a suitable development that will not harm the town or the environment. And it sets forth some objectives for what site plan review is about what you should be striving for and applying the ordinance to conserve natural natural beauty
- 00;08;32;08 that structures and development be harmonious with the surrounding areas that any proposal improved property values. Are you just going to read the ordinances to us now? Is that ms mr. Chair, I've prepared a presentation, uh, and I'd like to speak to the legal issues that this board is considering. Yeah, as long as you can do it in a rather succinct manner and not read us the ordinances well, well, respectfully, mr. Chair. I'm not reading directly from the ordinances. All right, go
- 00;09;00;08 ahead. Okay. Thank you. And to protect the environment for the health and wellbeing of residents. So port Harbor submitted a minor site plan review application, uh, but this, this planning board should consider this as a major site plan review article 10 B six States that this board has the authority by a vote for a minor site plan review application to be reviewed as a major site plan review application three three grounds in which that
- 00;09;29;23 might occur. If you have conflicting technical information, there is significant public interest in a proposal or when you have a high level of interest in the immediate vicinity.

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- 00;09;42;02 [Speaker 3]: I would submit to you members of the board that all three of those are present here and therefore you should consider this as a major site plan review. It's important that the major, one of the differences between major and minor site plan review is whether you're looking at only the proposal, the change in use and limiting your review of to that area or whether you look at a proposal as a whole. You look at the existing uses structures and the entirety of a site. Given that it's not
- 00;10;13;07 clear what review, if any was undertaken for the existing slips and Maria uses at this property. This board at the very least should vote to have the proposal undergo full major site plan review to get a full picture. And I want to emphasize that there are a number of issues for a board to consider even in minor site plan review. As the chair stated at the beginning of this meeting, the burden is on the applicant to prove that this project meets each and every standard. Uh, and
- 00;10;45;04 and that should be based on credible evidence. A failure of an applicant to prove they meet each standard is alone a basis to vote. A proposal down at the last meeting in February, this board was discussing section 16 D of your Shortland zoning ordinance. I want to emphasize that's not the only applicable uh, ordinance section that you can consider the concerns of the public on this proposal. You also have article 10 E and 10 F of your site
- 00;11;16;13 plan ordinance and your N it says that's applies to all site plan applications. So this application as a minor site plan application, uh, article 20 article 10 F both apply. You also have section 15 C of your Shoreland zoning ordinance and that sets forth a number of, of standards that I want to emphasize.
- 00;11;38;15 [Speaker 3]: A few of those here. Section 15 C has 12 sub sections for the board to consider when you're looking at a doc project. And I see the most relevant here as C3 the location shall not interfere with developed or natural beach areas. See for the facility shall be located so as to minimize adverse effects on fisheries section C5. The facility shall be no larger in dimension, the necessary to carry on the activity and be consistent with the surrounding character of the area.
- 00;12;11;06 Section C 11 that permanent structures undergo a review by the department of environmental protection, uh, and that C C 12 that vegetation if removed can only be removed or disturbed by a permit from the planning board. I have reviewed the January cover letter from Tobago technics to the application that they filed with your code enforcement office and I have to say I was pretty surprised to read the rather cursory and conclusory
- 00;12;41;26 application of your ordinance standards because one would think that the Marina was proposing a change of use that was so insignificant. There's really nothing to see here but based upon site plan and short Shoreland zoning ordinance. I see six areas that are deficient in this application. The first area is traffic and parking safety. This applicant has not provided credible evidence of traffic and parking impacts. We heard in

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- 00;13;12;06 February that they couldn't find a good traffic study for Marina and essentially made up assumptions based on what we can assume was questionable data. That's all guesswork and it's pretty unreliable and there's no plan for parking overflow which we know is a possibility.
- 00;13;29;29 [Speaker 3]: This board has authority pursuant to article ten three V minus site plan review submission requirements to require that this applicant commissioned a traffic study during the peak season for this site and even if this application is not voted down. Alright. If the application is not voted down, that study should be ordered and a review of this specific use at this specific location should be undertaken. The second deficiency is the impact on beach areas. Now in order to meet
- 00;14;03;00 section 15 C3 of your ordinance, this board would have to conclude that the docs shall not interfere with existing developed or natural beach areas. The applicant's January letter addresses beaches and States the location of the proposed dock expansion does not interfere with existing developed or natural beach areas. Members of the board, I would submit that as completely unsupported by the evidence. This proposal is directly on top of
- 00;14;32;03 the beach situated at Indian point. There's another beach at st Ebos across the channel, uh, that would necessarily be affected by boat traffic. You also have another beach, uh, the Raymond town beach further North. Uh, so there are three beaches potentially impacted by this proposal. Uh, the evidence establishes the proposal will interfere with a beach area and that failure to meet that standard by itself is a basis to vote this proposal down. Third, the impact
- 00;15;02;09 on health. You heard it from people and you'll hear it again from the folks that live right down there on the top of this Marina. They are in the best position to tell you what they've seen and they've seen trash, they've seen fuel waste pollution and that. Those are all things that impact public health. The most credible people that can speak to what impact the boats down there and have are the people who are right next door.
- 00;15;31;22 [Speaker 3]: Fourth, the impact on visual and scenic features. I understand that the planning board has visited this site and we have a graphic that depicts what the boats will look like from the Indian point beach which is in the packet of information that was just handed out. I'm not going to get into that packet but one of the depictions you will see is a rendering of the view of the docs based on the specifications of the proposal. Looking standing on the Indian point beach and looking outward,
- 00;16;03;27 there's no question that the views and the beach there will not be the same. There is a significant impact to the property owners, not just on the Indian point side but also to st Ebos on the other side and the fact that the docs here are constructed using wood cause the application States there are no anticipated impacts. The

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scenic area, the site is already used as a Marina and the improvements associated with this project will not greatly impact existing scenery or

- 00;16;33;16 natural beauty as most building materials are made of wood and are natural looking. You know, the fact that the docs are made of wood is, is irrelevant. You have to look both at the structure that's going in as well as how it's going to be used. How about the boats, canopies, gear coolers, uh, other visual impacts that this activity will bring, uh, directly in the view of the people on the beach. Fifth, the impact on fisheries, water
- 00;17;02;27 pollution, erosion and sedimentation. Yeah. This is a highly invasive project and proposal that's going to disturb the Lake bottom and pile driving will create a lot of sedimentation in that area. I, I actually spoke with a rep over at inland fisheries and wildlife and they had recommended that this pile driving not occur until after the spawning season had finished, which is, I understand it'd be sometime in late July towards the end of the summer. Uh, but my understanding is that port Harbor
- 00;17;34;08 wants to go ahead, uh, as soon as possible. And I th and my understanding is that they anticipate they want to start in April.
- 00;17;43;13 [Speaker 3]: The sixth consideration, and I think this one really sums up what this controversy is about, is the proposal be no larger than necessary to the use and that it be consistent with the surrounding area. A port Harbor already has a number of slips and this expansion is not necessary to their operation as a Marina or to do their business, but they want more. And the problem with that is that it goes too far and it puts one property owners use over the many. I've been on both sides of these
- 00;18;20;28 issues. I've represented in the Marina installing docs before. There are good projects and there are bad projects. It really depends where and why. For many reasons. This is simply a bad project. Sebago Lake is not Lakewood Masaki and each new use expansion or development takes things in a
- 00;18;43;17 direction and there's really no going back. I think we recognize that these are pretty modern times, but that doesn't mean we can't keep, give each proposal thorough and careful contemplation. We need to consider both the present uses and how new uses will impact future generations. This board is called upon all the time. It's a balance. The rights of competing interests owners and the public and this proposal if approved, would put the
- 00;19;14;00 interests of one above dozens and dozens of people that make reasonable use of their property and they've been doing so for decades in a manner that's respectful of others. I urge the board to vote this proposal down and to deny the site plan, application and requested permit. Thank you.
- 00;19;33;12 [Speaker 2]: Is there anything else that would like to speak that does not have a chance? Yes sir. Or a friend does. Either one.

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- 00;19;50;02 [Speaker 4]: Hi, I'm John Sallis. I'm a 13 flying hallway Indian point. Um, I oppose the, uh, the construction of this dock. Um, some of the imagery that you're gonna see in the, uh, the pamphlet and stuff that's been handed out to you has some of the stuff that I've worked on and looked at how this is really gonna impact the, not only the visual but the rest of the area around there. Uh, page two, you can actually see where a lot of
- 00;20;22;04 the, uh, new construction is going on. The current dock that you see in there and yellow that's closest to the land is stuff that's currently sitting on the, uh, just off off the shore. All the red docking is the new proposal.
- 00;20;38;09 [Speaker 2]: Mmm.
- 00;20;40;13 [Speaker 4]: And to give you the other indications, Indian point beach right there with the yellow lines, they have uh, uh, buoys already out there where the, the swim lines go to how they in case or encompass the swim area. You can also see the, the swim raft that's been out there for decades. And uh, as you can see where the red docks actually come into play, they're actually falling right on top of one of the buoys. That's indicated for the swim area. Um, so obviously that's not going to be an
- 00;21;13;27 area they're going to be on the drive a boat in and out of on the bottom half of the all these slips that you're seeing, the boats that they're talking about putting in their 20 to five to 30, 35 or 30 flip boats. If you look to the left in the bottom section, you can also see existing moorings for sailboats that have been there for decades as well. And that's again right in the path of anything that they were talking about putting in for their, their new proposed docks and the slips on that side. There's no
- 00;21;45;29 way you're gonna be able to get, uh, power boats in and out of there safely with swimmers, existing buoys, existing moorings and such.
- 00;21;55;09 [Speaker 5]: Mmm.
- 00;21;58;19 [Speaker 4]: Those are a couple of the majors things that I could see right off the bat when I see this. The, uh, the other things that I have, it's like more of the heartfelt aspect of it is the visuals. You're, you're going to see everybody that's been on this beach has been able to see the wide open expanse of the Lake over all the years that they've been able to come out here. Putting all these boats in here. If you go to the next page on there, which is page three, there's a visual of standing on
- 00;22;28;21 the beach just a few years ago with the addition of the current dock that they've set up. And then the, the proposed, I'll look at what the visual is going to be with all the new boats sitting out there. That is horrendous to look at it. Nobody's going to want to see that. It's going to devalue the properties across the board. Everybody in Indian point is going to lose valuation on their property.

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- 00;22;55;06 [Speaker 5]: Mmm.
- 00;22;57;11 [Speaker 4]: The next part is just talking about the, the impact of like the wash coming off of these boats. They'd have about a dozen bid, uh, outlets for washing each one of the boats. And not everybody comes through and has the, uh, the wherewithal on how to use the proper materials to wash off boats. They'll wash off with whatever they have. And we've, there's another study that shows the, that has been going on for years on Sebago Lake for as far as phosphorus, um, matter that gets into the water
- 00;23;29;17 and how it affects the, the fishery or cause met the fishery, but the, the, the water and the, the fish in the water, um, you add all of that right into this one small spot that's going to pollute this entire beach. All, all the oil and everything else, anything you wash off a boat, whether it's all the fish that you may have caught on this Lake and you basically washing fall the chum off the back of your boat into the waters.
- 00;23;55;15 [Speaker 4]: It's all going to land right on the beach here. Either side, there's no stopping that. There's no way to do it. And who's going to clean that up? We haven't seen anything on how they're going to take care of this, um, possibility and inevitability. It's going to be all over there. I've come up here for years and taking kayaks out from this very point right along the, uh, right along the shoreline. And just almost
- 00;24;25;20 to the peak of where they are with their proposed dock is where I've been, you know, watching balloons pop up in and out of the water, right in the same spot, in the same area. That's not going to be here. And if this goes through, you're going to lose that wildlife. You're going to lose the scene. And that the sense of why people want to come up here, those are, you know, heartfelt thinks that everybody here what most people are here to really stress why they don't want this to happen. And that's what I really
- 00;24;59;06 want you guys to really think about there. I know there's a lot of legal matters, um, why this shouldn't or, or should be looked at on. But as far as like the health heartfelt part of it, this is a majority of the people here.
- 00;25;13;20 [Speaker 5]: Thank you. Great. Thanks John. Yes ma'am.
- 00;25;33;19 [Speaker 6]: My name is Paul Cody and I'm the president of Sandy. Both our property abuts Jordan Bay Marina and this project, first of all, I want to thank the Raman council for the opportunity to address you. St has the following concerns, some of which have been reviewed with the owners of Jordan Bay and we look forward to working with them in the spirit of being good neighbors to both Sandy bows and our beloved big Sebago light pollution. We are concerned that having light fixtures on the new docs will be shining toward our property and eliminating illuminating those adjacent



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- 00;26;07;14 areas. Noise pollution. We are concerned that all these additional boats and owners will potentially make for very noisy evenings and nights. There's another Marina where a parties go well on into the night by the boat owners who utilize their dogs. That is a concern for us. Environmental concerns, additional boats and motors could definitely affect the quality of water at Jason adjacent to Sandy Bose, North beach, which directly abuts
- 00;26;35;06 Jordan Bay. While life could also be adversely effect such as loons and fish, I'm not sure what the solution is, but these concerns should be addressed by this council as it considers what is best for our beautiful big Sebago Lake.
- 00;26;49;24 [Speaker 5]: Thank you.
- 00;26;55;13 [Speaker 1]: Well, does your property go all the way up and up to the actually the Marina itself. The slip
- 00;27;02;20 [Speaker 5]: there was land between Sandy bows and the chow
- 00;27;09;19 [Speaker 1]: language actually totally abiding. Okay. Let's say we do all that. We do a boat, but there's property on the center, right?
- 00;27;26;27 [Speaker 7]: Hi, my name is bill Hartley. I own the property, uh, right next to the Marina. It's actually between Indian point and the Marina. It's approximately five acre, I'm sorry, seven acres and about 550 feet of frontage between Indian
- 00;27;42;11 [Speaker 1]: and uh, that. And who's, I'm sorry, my name's bill Hartley. Yeah, I didn't know who, who, where is your property? It's at 13. Uh, I got shit 1326 Roosevelt trail. It's white next to the Marina. It's pointed out to, with on the, uh, on the aerial view here. Well, here I brought pitches too, but I'll point it out to you. Thanks bill. This U shaped driveway, right? And so basically it goes down to this red line. I'm
- 00;28;11;21 assuming that's what that there's all my property. Yep. We got it.
- 00;28;18;17 [Speaker 7]: That's all right. Bullets. Bear. Okay. Now. All right. But anyway, now you know where I live, where the property is anyway. Um, I've lived there where I have owned that property. Oh, you're not going to get me to do that. I shake too bad for that. But anyway, I think we're okay. All right. Um, basically I've grown up there. I know the area and the Indian point area, uh, very well, uh, knew at the previous owners. Um, and
- 00;28;54;22 I was listening to the attorney, talked about the natural beaches and all that. That's all filled land spirit. Uh, a guy named Jervis fill that in back in the 60s, and it's a, it was a swamp. I got picture of it right here in front of me. Uh, the Marina had dots out into the water at that time. The, the town stopped this guy, Jervis from filling that in and all during
- 00;29;18;18 the 70s, it was never allowed to be used.

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- 00;29;20;21 [Speaker 7]: Indian point camp ground, couldn't even put a tent out there. Now, sometime when I, when the service, I came back and all of a sudden it was all these houses out there. I stuff changes. I don't care what I mean. Good. I'm glad these people found a nice little place that they can afford to have a nice sponsor, bagel Lake. But my point is Indian point, I mean, sorry. Oh port Harbor Marina employs a lot of people in the area. Um, there was docks there prior to Indian point, uh, condominiums or
- 00;29;50;23 whatever they call themselves before that. And if, if port Harbor Marine is willing to jump through whatever hoops legally they need to do, there's no reason to stop them from doing this. And I know my neighbors are all going to be upset with me and I know the, the lawyer here, the attorney was saying what a bunch of great people there and they probably are for the most part, but I know I had to pay \$3,500 to chase one of them off my property cause he had been known, he had been squatting on my property
- 00;30;23;28 without us knowing it because I own a pretty substantial chunk of land there. I don't walk it every day. So, you know, I don't think it's right that used to be able to stop them and they talk about the beach and the wetlands. Well, they didn't seem to care when they were putting their houses there that weren't there. It's, you know, as late as probably the early eighties. I'm not sure when the condominium thing showed up. Um, but like I said,
- 00;30;52;02 it's a damn shame that the economies don't look that people in the towns work here. All these people are just summer people. Um, and it'd be just wrong to allow that. And I would like to, I don't have a nice big portfolio like this, but I would like to let some people look at these pictures and see that there's, that was a swamp. So, and the other side, st Holbys Pierce Flint filled that in. That was all swamp. And we all know
- 00;31;20;29 that Raymond Beach, that was done when they put three Oh two through in around 54 55. I've lived here all my life. I know that I know the area pretty well and I don't think it's right that they should be not able to have this just because these people all think they own everything when they're just a bunch of summer people that come up here and they own little scraps of land and they pay their taxes, I'm sure, but they shouldn't control whole world. And I would like to admit that. Definitely. Can I do
- 00;31;55;21 it too?
- 00;31;59;14 [Speaker 7]: These are old pictures that I looked back. I'm like, okay. Yeah, we, we'll do that.
- 00;32;06;13 [Speaker 5]: Oh really? Old pictures. Sorry.
- 00;32;20;13 [Speaker 6]: Hi, I'm Alison Sarna. 13 flying holes way at um, Indian point. Um, and just to address a couple of the comments, um, I understand that you feel that a

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lot of people are out of towners, but a majority of the people up there at Indian point are Mainers. They may not live at Indian point. We're not going to go back and forth. Okay. But I just, so, but I did want to also make a point of overall that the benefit and profit to one should not impede upon the many Indian point is a group of 71 taxpayers that in total pay 72,000 in taxes, whereas port Harbor only

00;32;54;09 pays 34 annually in taxes in that. And so making a profit over that over the enjoyment, the space may have been a swamp in the 50s, but I have been coming here and swimming and sailing since I was 11 years old. And this is a place that's very important to a lot of us.

00;33;21;25 [Speaker 4]: hi, my name is Paul Del Niro. I'm at 13 flying whole sway and I've been looking over a lot of the things here and one of the thing things that I see with this whole Marina, um, like the way that the, the operations go is it seems as though I'm dealing with this item five on this large packet parking and traffic. And it seems as though there's not much concern for, um, how many vehicles really will or could possibly show

00;33;56;15 up there. Um, in on page nine, there's a thing that says that in there, in port Harbor, Marina's advertising, it lists over 700 boats stored on the property, quote with room for more. That's a lot of boats. That's dry storage, but those boats can come out of dry storage and people do drive in with their cars to use those boats. Um, back on page four, the calculations

00;34;28;14 which were being disputed, I think at the last meeting were of 0.6 cars, parking spots per slip.

00;34;36;22 [Speaker 4]: That's not just the slips that are available. There's also boats, 700 plus boats in that place. People can come and use those boats. Um, um, I added the 700 to the, I think 120 docs that I could kind of count, including the stuff that they're proposing in the Lake. Uh, 820 total. That's a big number. So I said, well, let's cut that by in, in a quarter, just, just a quarter. Um, and, and let's take that down to, um,

00;35;09;18 205 cars. That's a lot of cars. And I wanted to point out that one more. Back to the page two, there are 13 boats out of the existing slips net right at in that picture, 13 boats are out and there are 24 cars parked there. That's not 0.6 per boat. That seems like there's even this one

00;35;37;26 picture from it says it's a 2020 picture, but in that one picture there's twice as many cars as there are boats. And that's just the ones that are in the slips. That's not even counting the ones that could have possibly gone out from the 700 that are stored at, at that place. It just seems incredible that the parking and the traffic concerns would not be, um, outrageous with this. I'm, I'm, I'm not in favor of this. I'm against this

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- 00;36;09;09 project and the parking and traffic just seems totally out of control. You, you're welcome. Is there anyone else?
- 00;36;20;15 [Speaker 5]: Okay.
- 00;36;21;00 [Speaker 8]: I am going to close the public hearing and ask, ask will, if you would start us off with any changes that have occurred since the last time.
- 00;36;40;11 [Speaker 5]: Okay.
- 00;36;41;21 [Speaker 8]: Uh, well high school, uh, acting as a kind of interim town planner on this project. So we received the updated or revised application documents or I received them on March 3rd, I guess, I'm not sure when they came into the town, but uh, so I had basically prepared an update to the original technical memorandum, uh, kind of went down through the new information that they submitted. Uh, so I think, um, at the last
- 00;37;18;10 meeting we had some discussion around the parking generation rates and the, the use of 0.6 spaces for wet slip and 0.2 spaces and dry slip. Uh, the applicant is presented information based on their research in terms of they came up with those numbers, uh, based on, based on their research. Uh,
- 00;37;41;28 there really isn't a lot of published. Uh, again, typically we would go to like the Institute of transportation engineers, ITE parking generation manual for that information. The challenge with this is that for Marina use, they have one project that they've referenced in, there happens to be that the, the rate that they recommend based on that one is can be around 0.6. So it kind of confirms that number. The question is, is whether the 0.2 for the dry slips is a, is
- 00;38;16;01 a reasonable number or not. So we had a little bit of discussion around that. I think there was some discussion from board members about potentially wanting a traffic or a parking study done, but uh, so that's still kind of an outstanding item I think that needs to be discussed. Um, the new plan also, uh, updates the, uh, ADA parking spaces. So they've
- 00;38;43;03 added four additional parking spaces, uh, for uh, accessible use, um, down the driveway along the docks. They have one other existing space up by the store, so that equals a total of five, which based on their total number of parking spaces would be adequate.
- 00;39;03;12 [Speaker 8]: Um, there was some discussion about, um, the parking spaces and potential conflicts with boats being stored. And if you look at some of the aerial photos that are around there, there's a fair number of boats that are stored in the area that they're proposing. New parking spaces. Uh, the applicant has submitted information, uh, or a statement basically saying that a lot of their boats are stored on blocks rather than trailers. Uh, with the basically saying that there aren't going to be a lot

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- 00;39;38;18 of trailers sitting in that area during the peak season when, uh, people would be parking there most likely. And then they also say that they, uh, lease property over in Casco where they can actually store trailers when they're not being used. So, uh, basically, again, my understanding from the last meeting was that the applicant indicated that all the boats and uh,
- 00;40;05;12 equipment in that area would not be stored there during the PQ. So the, um, the boating season, um, they had updated their calculation or the, uh, the parking calculations from the, from the first submission. There was some, uh, discrepancies in terms of, uh, number of slips and that type of thing. So they've got an updated parking calculation in there. Uh, the, there was some discussion or I had some questions relative to, um,
- 00;40;41;07 whether there was going to be some additional grading necessary for some of the new parking spaces. Uh, they basically confirmed that there would not be, however, there would be some grading and potential clearing to, uh, run the fire service out to the new docs. Uh, off the end of the point there, there's the wooded area and they're going to be running a, a fire line out through that wooded area. Uh, they've added that to the plan. Uh, and
- 00;41;08;13 they've got some notations on the plan relative to that.
- 00;41;11;27 [Speaker 8]: Uh, my, my new comment on that is that, um, I think they, their note says that a disturbance would be minimized during construction in that area, uh, and it would be allowed to naturally revegetate, which I would just say that, you know, you'd be better off stating that area is going to be received at most and receded to, to fully stabilize that rather than letting it naturally be revegetate over time. Um, so, uh, let's see what else we got here. Uh, I think there was some
- 00;41;53;15 additional communications and no updates relative to fire department and adding some no parking signs to ensure that there's adequate, uh, emergency vehicle access down through the, the 24 foot access drive down through the parking area there. And I they've added sign in trail active to that. Um,
- 00;42;22;19 and then I think, uh, I've also provided some updates relative to the standards in section 16 D of the shore land zoning provisions. Uh, so they, they kind of went through each one of those provisions. Um, and I basically just tried to summarize in my, my memo, which I'm assuming you all have of
- 00;42;45;11 of what their, what their comments are. They are relative to the, uh, what is it, nine different standards there.
- 00;42;53;25 [Speaker 9]: Mmm.
- 00;42;56;07 [Speaker 8]: So there were a few other comments at the end of their application document. I'm just summarizing some other items that had come up at the last meeting and at the, at the sidewalk. So they, they provided some narrative relative to visual impacts. And I think you'll see they've got some plans that they're going

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to present here tonight as well on that. Um, they talked a little bit more about the concerns about overflow parking, uh, noting that they've never had a problem with overflow

00;43;29;15 parking, parking out on route three Oh two, and, um, reiterating that there isn't any kind of a public boat launch there. So it's, it's a little bit different than say the public launch up the road where sometimes there are cars that are parking out on the road there. So

00;43;50;04 [Speaker 9]: Mmm.

00;43;51;20 [Speaker 8]: And that all kind of ties back to that whole parking generation rate and that whole discussion. I think we still need to have some further discussion on.

00;44;00;19 [Speaker 9]: Mmm.

00;44;03;08 [Speaker 8]: They reiterated that the, you know, the DEP permitting that a is I believe currently on the way that they've submitted a DEP natural resource protection act permit. Uh, and the other component is that a lot of this site is already permitted by DEP through a multi-sector general permit, which is specific to Marina use. Uh, so a lot of the, the existing stormwater

00;44;32;07 [Speaker 10]: water and everything from, from the existing site,

00;44;35;26 [Speaker 8]: it was all, uh, permitted under the fat, uh, that multi-sector general permit for dip. Um, and they're really, again, aren't really proposing any new, um, land modifications is again, they've got that small little trench area that they're, they're gonna, they're gonna excavate for the new fire line, but, uh, they're not opening up new land, disturbing new land or paving new land for the parking areas and that type

00;45;09;16 of thing as part of this project. Um, I think that is pretty much the summary of the updates that have happened since the last time.

00;45;23;09 [Speaker 1]: Well, does the parking, um, is that in the shore land zoning? Is that a clickable in this case

00;45;31;21 [Speaker 10]: that may be a town attorney question. My understanding on that is that it's

00;45;37;12 [Speaker 8]: a, it's a water-related use. Uh, the primary use is a, is a, is a Marina and that the, the parking associated with that water dependent use is secondary to that primary use. And it's part of the, the Marina project. And given it, the Marina is, uh, uh, approved use within the shore land zone and that, that's been my interpretation of it. But, uh,

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- 00;46;06;28 [Speaker 1]: what about the specific design of that parking lot? Is that not applicable there? We went through, I think it was as a result of the last time we really looked at parking in the shoreline zoning and we were there was going to be cluster parking of 50. I think it's, I think it's like 50 spaces and uh, they're not, they're not making it right. They are not. So would not be applicable. The only thing in front of you is, is
- 00;46;38;12 the actual work they're doing. And even though there were some modifications to that parking, it does not get real. Is their modification to the lot or are they parking more spots in an existing lot where they've changed the ADA spots? It created ADA spots. Yeah. Let me think. You can go on long Island. Okay. Do you want, do you know where I am? Tell me you are 24. 74 70. Okay, sure. Atlanta, do you have any questions for will before
- 00;47;12;27 we go? I do about the, uh, about the parking brake. Right now we're adding 49 new slips, but the parking lot is the same. So, rather than trying to calculate based on
- 00;47;30;02 [Speaker 2]: a theoretical factor, it seems like we should look at what general, what will generate from 49 additional slips. I mean right now the parking lot I would assume is fairly well utilized during, during the season. Is it pretty full? I mean, is there room for a, theoretically there could be 40 more cars. 49.
- 00;47;59;16 [Speaker 8]: I mean, I think that's, that's really what a parking study is going to tell you because I mean, you know, we can, we can hear what the applicant has to say relative to their position in terms of what's currently parked on the site during a peak day with the number of slips. But we don't really have an existing condition to compare to other than, you know, what they're going to, what they tell us.
- 00;48;26;18 [Speaker 2]: It seems like a parking study should be done for this. Okay. Anything else? I guess happy damn man.
- 00;48;37;08 [Speaker 8]: okay, Rob, you're up.
- 00;48;38;28 [Speaker 1]: Thank you very much. Uh, robbing swirly with Sebago attack. Next. I am here representing drain a Marina, uh, expansion we've taken by Harbor Marine, uh, which is an employee on business by a couple of people, but all the people who work there, uh, the expansion, uh, proposing to go from 67 steps up to 116 snips, uh, by an additional 45 49 that, uh,
- 00;49;10;07 59 will be new and there'll be deleting 10 slips. Um, once again, we presented this project originally and T U on February 12th and all your original materials. And then we did have the site lock on February 22nd. And, uh, I'd like to go through the comments and how we have addressed them and then some of the issues that have been co come up and maybe address some of the stuff that has been put on it tonight if that's acceptable. Um,

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- 00;49;43;25 first of all, uh, we very methodically listed all the changes that we did in our response.
- 00;49;50;09 [Speaker 1]: Uh, first one was the fire department. Uh, we, uh, we hope that we have met the E the needs of the fire department relative to the deletion of those parking spaces. In the addition of these additional signage at the neck down spot there. Yeah, so I believe we're all taken care of there. Um, one of the other things that were brought up was whether or not we had addressed the section 16, uh, subsection D of procedure for
- 00;50;22;11 administering, uh, the permits in, uh, Shoreland zone that was of the original application. In fact, uh, the site plan 10 and 10 AF and the applicable sections in the Charlotte are all listed item by item on those applicable things, uh, and how we met them. So, but we did re iterate the uh, um, the 16 D conditions and uh, I'm just going to breeze through a
- 00;50;54;23 couple of those. Um, uh, the first one was beans maintains health safe and healthful conditions. Uh, we worked with the fire department religion, fire protection relative to additional, uh, uh, fire protection on the docks and access for the fire department. Uh, we also have a procedure right now for the clearance of wastewater from boats on the facility and that has been
- 00;51;23;18 ongoing, uh, for some time with the Marina. Um, will not result in water pollution erosion. And sedimentation to surface water. And we basically have stated in our package that we are not creating any additional impervious services on this project. We're utilizing what's there and we're minimizing the disturbance amount that we can. Really, the only disturbance land side is to provide for the additional fire protection that the town
- 00;51;54;20 wants on the docks. Um, very middle little disturbance, um, in relative to the disturbance through, uh, the existing area for the fire line. We proposed to do that between trees and not taking any tree sound and our plans is to put a conservation X back there. And that's what we mean by a natural recruitment. Uh, of course seeding it with the natural Macs and
- 00;52;22;10 letting it take, take back over.
- 00;52;26;02 [Speaker 1]: Um, also relative to, uh, pollution, erosion, sediment control, um, the Marina is covered right now under multi-sector general permit. They have to, uh, apply, uh, usually on a five year basis relative to coverage under the multi-sector general permit. And what that curtails is a notice of intent to DP, but they also have to have a written
- 00;52;56;06 plan relative to how to deal with things that cause pollution or could cause problems with the Lake or whatnot. And uh, they have hired Saint Germain Collins to do that and they have a current plan that's administered by Saint Germain Collins. They come out quarterly to the site and inspect the site yearly.



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They do a more comprehensive review and also on top of that they do training with the employees in, this is kind of,

00;53;34;05 well it's required of course because of the Marina is, but there are other uses that aren't a Marina per se, but have as many docs as our Marina, but they do not have that, that oversight from the DEP. But that is part of how we need, uh, the, the standard for water pollution

00;53;57;27 version, sediment control. Um, it has also been mentioned that, uh, we will be disserving the sub street, uh, for the bottom of the Lake when we do the piling. Uh, that has been noted by I F and w inland fisheries and wildlife. And they have asked us to put a floating turbidity barriers when we do that. It also that when we do that, if there are any fish within our

00;54;26;17 confines that we relocate them prior to doing any of the pie while driving. So, uh, we're doing a little bit more extra as part of our NDP approval.

00;54;41;07 [Speaker 2]: Mmm.

00;54;43;27 [Speaker 1]: We adequately provide for the, uh, elimination of wastewater as I stated above where before was, uh, there are, uh, how power procedure and that's handled as part of the MSGP, uh, for emptying a sewage from, uh, the boats that use the facility,

00;55;05;17 [Speaker 2]: Mmm.

00;55;06;26 [Speaker 1]: Will not have an adverse impact on spawning grounds, fish, aquatic, life, bird and wildlife habitat. One of the key parts of our submission to MDP is the overview or review by I F and w the inland fish wildlife, uh, department of the state of Maine and they have reviewed it and they have commented on the project and we are addressing those comments by the addition of flooding turbidity barriers during the construction of

00;55;38;18 the piles. Um, other than that, they have not noted any, any particular issues relative to that, uh, requirement within the Shoreland zone. Uh, well conserve a short cover and visual as well as actual points of access to anyone in water. There's no Shorelan that's public along this property. Uh, there was no prior access so we are not eliminating any access that was

00;56;11;11 there before as part of our profits.

00;56;16;04 [Speaker 2]: Uh,

00;56;17;18 [Speaker 1]: the protection of archeological and historical resources. Once again, it's part of the DEP submission and your submission. We do apply to a Maine state historical preservation commission and they look at the project, we have to send them photographs of adjacent areas. They have a database of uh, areas in, uh,

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artifact areas within towns and whatnot. And when we come upon those, they will let us know and know that

00;56;51;09 we have to do something. Typically they don't publish those cause they don't want people to go and start digging for artifacts that at different places. So when we apply, they do look at their database and say, Oh by the way, we do have an issue here. We need to address this before you move forward. And that's not the case on here. Not a lot. Adley is worse. Existing commercial fisheries aren't very time activities and the

00;57;17;28 commercial fisheries or time activities district doesn't apply. Pretty straight forward. We'll avoid problems associated with floodplain development in use. We aren't not doing any development within the flood plain. Uh, we're not building any houses or any improvements that, uh, flooding would affect. Uh, so we're in conformance with that, uh, relative to the, uh, section 15 land use standards. Uh, once again, we went through

00;57;51;25 those item by item and the original submission ugly. Uh, we'll had reviewed those and I think we addressed all outstanding issues relative to that.

00;58;08;21 [Speaker 1]: relative to the last meeting. Uh, there was some specific requests that were made of us and uh, first one was for a typical section for the fire line installation and the placement of the erosion control measures further fire line on the plants. And that has been added, uh, pretty, pretty straightforward on that. And uh, and then roll to to, we needed to address the adjacent uses and concerns rather relative divisional

00;58;42;22 impact. And that was kind of the basis also for the sidewalk that we had on the 22nd. And what I like to do is go go up to

00;58;52;17 [Speaker 3]: the board and rubbish. You take the mic with you. That's, Oh, your all your wires are wired. So once again, this is a Jordan baby arena. We're proposing some docs out in front of the existing Marina. Uh, a net 49 flips, uh, 40 59 total new 10, uh, existing flips will be

00;59;23;15 removed as part of our sidewalk. Uh, we had gone out there, uh, we had our surveyors go out there and we calculated the exact points to about the hundreds where these points were going to be relative to the extension of our property line out into Sebago Lake. And the setbacks are required by the, uh, flourish lands, department of department of agricultural

00;59;58;00 conservation forestry, and uh, those were, uh, reviewed, uh, at our, our meeting, uh, in the field relative to the impacts. Uh, kinda did an overall map here to begin with, uh, to show you where our Marina is relative to the other, uh, access points for boats coming into the way there is the Maine

01;00;23;05 state boat lodge, which is to the North of us and that's we're half a mile away on the Lake.

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- 01;00;30;20 [Speaker 3]: There is another, uh, he access period, uh, point here, which is the Panther run channel where the Panther atheroma Marina is. And also there are boats there from any impoint, uh, along there, their project. And so by that you can see that we're really not right on top of everything. You know, if we had two channels right next to each other, we had crisscross patterns, uh, that would definitely be a difficult, uh,
- 01;01;03;10 situation to navigate. But that's not what we had. You got at least 800 feet to the channel, uh, down at Panther run and over half a mile away, uh, to the state boat launch. And when we were out there, uh, on Saturday of the sidewalk, we were able to go and, uh, do a little, uh, look, see about what the view would be. I helped the, the board noted that we have
- 01;01;32;05 specifically stated in there, uh, relative to what you would be seeing. Well it's at a certain point on this map where you've shown you what part of the proposed Marina would be seen fully by the cottage used or units over on the Indian point, which cottages might see part of them. And then, uh, what, what cottage would really, would not have view of the, the
- 01;02;03;20 Marina. Now the interesting thing is that the distance, uh, from that viewpoint on the other side is about 800 feet away too. So when you look at what you're going to look for a doc in your view shed, if you held two Popsicle sticks together, dander your, your, your, your arm's length, that's the amount of your view that would be impeded. And that's kind of
- 01;02;35;20 what we've done here on this, this presentation, that white line, the thing white line is, if you were to hold this out like that at arms length, that's the amount of view this Marina dock expansion would take off.
- 01;02;55;08 [Speaker 3]: You would still see the Lake, you would still see the opposing shore. You still see the opposing treeline, there are no scenic vistas, uh, that are there in what you're looking at is what is common on a Lake in the state of Maine. Some docs and some boats. It's not something that's unheard of. Usually when you're looking at a scenic impacts, you're looking at a use that is any compatible in that setting. Like if we were to put a three story condo building right adjacent to the
- 01;03;29;02 shoreline and they would be looking at a condo that would not be in place with the bag of Lake then relative to uh, the beach we supplied here a picture that was actually taken by a member of any employment, um, in, if you were to stand on the nearest edge of beach, which is 125 to 130 feet
- 01;03;59;22 away, some people have mentioned that it's 25 feet or 45 feet. It's, it's more like 125 to 130 feet. You would basically be looking at, in the view shed ruler less than rule away. That's what's going to be impacting your view as far as Marina. The boats in the docks, you still see

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- 01;04;28;22 and you can see it in the picture here. You can see the Lake in front of it. You can see the Lake behind it. You see the shoreline, you see the tree line. There is no other scenic Vista behind it. There is a tree, a mountain view over here, I think it's Douglas mountain, but that will not be impeded by the proposed Marina.
- 01;05;05;06 [Speaker 3]: Once again, when we were out there, we had staked out a appoint on the property line opposite where we going to do the docs and the two outside corner of the docks and that was to give you a representation of where we were going to put the docs relative to the existing uh, scene and whatnot. There. What we show here is the requirements for summaries lands relative to the placement of structures. You have to be a minimum of 25 feet away from what's called this tutorial
- 01;05;43;05 sideline with Toral area is the area in front of your property which is usable by you. If you want to do this emerge land lease through the state of Maine for docs, worse, whatever, and those rules, they require you to maintain at least 25 feet off that lateral sideline. And what we have shown
- 01;06;07;24 here is basically the extension of our property lines in showing the offset of those 25 feet in the fact that we will meet that setback. Just to note that not only do we need to meet that butter, butter's need to meet that. And in the this merge land department fines structure is basically any buoy, any flow, any morning, any doc, any impediment to
- 01;06;44;14 navigation concluding rope lines. So that needs to be set back 25 feet from the luteal sideline for that property. And so we have indicated that line here on the Indian point side, we did take a from an Ariel and kind of try
- 01;07;07;15 to superimpose where we thought that the doc had been at one time, the floating, uh, or float and it is off the 25 feet. So not a problem with that, but it also applies to buoy floats, rope lines in any impediment to navigation.
- 01;07;47;21 [Speaker 3]: And relative to, uh, going back to this one teacher for just a second. Um, the state of Maine has a law, uh, I think it's titled 12 section 1900 that swim barriers in the state of Maine on inland waters are required to be permanent. They are through the same department of agriculture, conservation and forestry, but through the voting
- 01;08;23;06 facilities department. And it's a requirement whose law is very specific that for a person to construct or maintain or maintain a swim area, you need to get a permit from the department. We have contacted the department and they have no record relative to a permanent swim area adjacent to our
- 01;08;52;17 proposed expansion. This last map, uh, what we wanted to show you, um, typically when you're looking at REITs in front of a waterfront properties, there are several different methods that you go through to determine what, uh, your rights

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- 01;09;20;09 are and what your neighbor's rights are. Uh, we have highlighted three of them here. Uh, you know, the easiest point is called the extension method. Take your property line, set it out in the water, and, and, and that's your liturgical sideline. Uh, DCA F has another procedure which requires you to
- 01;09;49;02 go from your uh, one property corner to the next property corner draw line and that line go perpendicular out for both properties. Then if they do the, the converge is one procedure. When they diverged, you basically split
- 01;10;14;18 the middle of that divergence in that is Lou total sideline.
- 01;10;21;08 [Speaker 3]: The third method that we put here is the civil a method. It's called the colonial method. We've been around for awhile and it basically does the same thing but it typically follows the shoreline instead of going directly from property corner to property corner. Um, and if you look at the map that we provided, the red line here is a colonial method. Where are the total sideline would be if you use the DCF method? It
- 01;10;54;15 would be the yellow line, which is what we would need if we've got us merge Landlease for the ox. And what we're using is the green line, which is the most conservative of the three. And then we use that and we hold her 25
- 01;11;14;13 [Speaker 1]: feet back from that line. Instead of the DCA. I fly for the line created from the colonial method. So we believe that we pretty adequately addressed our surrounding
- 01;11;52;00 neighborhood and in what was in there. Um, and the other comments that, uh, we'll had discussed or alluded to, uh, we had heard a comment that this expansion is going to result in, uh, the storage of trailers and vehicles out on three Oh two. This isn't that type of facility. We don't have a, uh,
- 01;12;19;05 an access for individual people to bring their boats in. You do not have, uh, uh, that type of use. Only people who have their boat at the Marina, whether it's in a wet slip or on a dry slip, are who come to use the site. So we shouldn't have anybody parking out front. We never had a problem with
- 01;12;45;17 that. We do note that there has been a problem with the street at the state boat launch. Um, but there has not been one in front of our property.
- 01;13;00;14 [Speaker 1]: Um, there was a comment that the proposed expansion will affect the channel markers out in front of the Marina. Uh, those channel markers were put in by the Marina. Just make sure that boats didn't hit the rocks or ground out in that location. Uh, so it's not a state agency that plug them in. It's, it's the Marina that took care of them. Um,
- 01;13;32;09 the comment that the project is going to cause irreparable harm to the environment and Jason preserved. Um, once again, uh, we covered under an MSGP permit. Uh, they have to go through quite a bit to make sure they maintain

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the site and if there is spills or anything like that, they have things online booms and whatnot to take care of that their employees are

- 01;14;03;25 trained in different environmental areas, including hazmat. Um, there's been a lot said about the loon echo preserve. Um, there was a, a conservation easement over the adjacent wetland at one time, which is, uh, kinda just South of the Marina land. Uh, for some reason it was
- 01;14;35;05 determined that the prior owner didn't have the rights to convey that easement. So in 2005, I believe it was, uh, the loon eco preserve group released its claim on it back to the homeowners association and said it's not ours and it's not a conservation easement and there's no other
- 01;15;02;12 conservation easement of record right now. Uh, and as far as we know, it's, it's only a wetland now withstanding, we're not doing anything in the wetland, we're not doing anything to impact the wetland. So, um, there is no environmental impact from our project on that area.
- 01;15;26;18 [Speaker 1]: It was a question. Who polices the activities on a Lake? Uh, of course I main seat a warden service is a primary one. Uh, we believe there are other groups, uh, the municipalities have rights and have, uh, I think, uh, navigation vehicles to go out on the Lake and, and address issues and whatnot. And of course, Portland water district is the overseer of the water quality of the Lake. And, uh, they of course are
- 01;15;57;18 reviewing or reviewed our project as they do every, uh, planning board item within the Lake region. And, uh, so that's the people who kind of oversee, see those, the jurisdiction of the Lake. Um, once again, uh, it was discussed that we have all the boat storage on the site and there was a comment presented earlier that we have 700 boats stored on the site. Uh, I
- 01;16;29;01 think that was kind of taken out of context from our website information. That's all port Harbor facilities is 700 boats. We have a certain number of slips. We even came here at the first meeting and told you we have the ability for 100 dry dock and there was a discrepancy on the plans in between the parking. Do you remember we had put that we have a hundred
- 01;16;58;05 slips in our parking calculation and it only shows 80 in the building. That was cause we have another 20 pills potential in the front building. So we, we made sure that we took care of the parking required for all slips or uses on the site and relative to that, um, in parking, in how to address the parking. Um, once again, it is parking study did not have a sufficient
- 01;17;31;09 amount of information for this type of use. And that is typically who we go to. Lot of your municipal codes, whether it's your code or, uh, other planning codes that are typically drawn out of those, uh, in manipulated somewhat per the local feel of what a board may feel is adequate for their particular jurisdiction.

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- 01;17;55;06 [Speaker 1]: Looking at that overall, once again, the, it did not have a sufficient information. So we went to the experts. First of all, we talked to those guys, you know, because they're gonna run a Marina and they're not going to want to deal with clients who can't park their cars and use their boats. People paying a lot of money for that. Secondly, we reached out and looked at some of the main sources of data relative to
- 01;18;27;20 parking for Marina. And to tell you the truth, the main one is California. Lot of the countries, uh, or uses around the country basically referenced the state of California's parking information for marinas. Uh, we noted the several different sources in our response letter of what we use and we use
- 01;18;58;05 the higher end for what slips relative to 0.6, uh, spaces per what slip. We did use on the lower end of the uh, dry slip and that's once again based on experience. And once again, we're not going to shortchange yourself for
- 01;19;23;29 parking cause they depend upon their clients for their business. Um, I'm not sure that a parking study is really gonna prove fruitful at this point. No, we, we basically we went and we took a combination of both the resources that we found relative to marinas and the towns requirements
- 01;19;55;29 and use the conservative numbers from there and mesh them to come up with a rate of parking that's necessary for the entire site. And we have exceeded that. Now if we take a little bit higher number, uh, for the tryst dry storage boats, uh, we might be a couple short and we can produce a couple more parking spaces. We have some other places on site, but a parking study
- 01;20;23;24 is not going to be extremely fruitful at this time.
- 01;20;31;25 [Speaker 1]: once again, relative to uh, the standards. We did go through the site plan, application standards, uh, bleeds, those were all reviewed by a will and we responded to all comments and I believe we have affirmation back that everything has been uh, sufficient relative to that. Um, relative to the criteria, uh, that you will be using to vote on this
- 01;21;02;07 project. Um, the criteria and standards, a lot of them did not apply, uh, right off the bat, uh, because we weren't doing anything that would affect those areas like preservation of landscape, relation of proposed buildings to the environment and vehicular access. We already have vehicle access, all those areas. We did not comment on inner submission because they weren't applicable, but we did look at uh, those applicable items starting
- 01;21;36;22 with off street parking and we just had the discussion about the parking rates and how we have come up with determining what is appropriate for this site for parking. Well, it is a surface water drainage. Oh, once again, we're not changing the site and the site is as is. We also once again are covered on number a

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- 01;22;04;01 MSGP permit, which requires us to monitor what potential pollutants can get into the Lake, but there is no additional impervious areas that are causing or would cause a surface water drainage issue. Utilities, we showed a as requested the existing utilities, uh, for the site on the plans. Uh, we
- 01;22;37;24 will be, uh, once again, uh, installing some additional fire lines at the request of the town for the protection on the docks. We will be putting uh, some photo cell lights on the docks. Uh, I know that's a concern by the neighbors relative to the amount of lights and whatnot. They will be
- 01;23;01;00 shining down and low voltage.
- 01;23;10;24 [Speaker 1]: Once again, we do have a holding tank, uh, that we utilize when we, when tanks from boats have to be emptied that is emptied on a regular basis. There is a contract with a licensed waste hauler blow brothers to make sure that that is taken care of. Uh, relative special features on the site. There are no special features proposed. There's no special equipment or anything proposed on site as part of the project. So
- 01;23;44;05 that's really not applicable. Serial lighting I just mentioned a little bit. Uh, the parking lot currently has lighting. Uh, we have shown that on the plans. Uh, and we also have shown on the individual or the proposed to talk plans where we propose the dock lining, which once again will be the photo cells, low voltage that will will go down. Emergency vehicle access. We've worked with uh, the fire department, uh,
- 01;24;19;06 relative to the access as part of what we submitted originally. I did submit an auto turn analysis to show that we can turn around, uh, the town's, uh, vehicles at the end. We have added additional signage in that area to restrict parking down in that area so that we to not impact, uh,
- 01;24;50;01 the potential for the emergency vehicles to come in if necessary. Uh, landscaping. Uh, once again there's a section that's not applicable. We are going to do some disturbance. Uh, once again, we will Vaughn between trees to put in the proposed fire line and that will be seated with a
- 01;25;14;06 conservation X so that it naturally takes back over and grows to what it was was before.
- 01;25;23;26 [Speaker 1]: And that's mainly all of the items relative to that you need to address relative to your view of the project. Um, course info. Did your findings of fact I would like to address now some of the comments that were brought up? Uh, um, specifically, um, first of all relative to traffic and parking. Uh, I think it was originally stated that we kind of
- 01;25;57;15 fabricated a traffic numbers or whatnot, but it wasn't that we didn't trust traffic because 49 slips is really not gonna produce a lot of more traffic on your road. Uh, we looked at that very early on. It's kind of be 13 trips in a peak car that



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doesn't even come close to tripping any threshold relative to the state or town relative to traffic studies. That's 13 peak

01;26;30;24 trips in the worst worse condition, uh, relative to the parking. Once again, we didn't Willy nilly kind of throw things out there. We went and we sought information from experts on marinas to determine what we should have. Not only that, we have been conservative, we have slayed

01;26;56;21 the spaces out to be 10 feet wide, whereas code allows them to be nine feet. And we'd done that for two reasons to be conservative and also we're not going to go out there and spray a bunch of shell rock or, or gravel areas, but we were more conservative in the use of the area that we have for parking touch. Could we, we could go in there by DEP because that is impervious now and pay that we could pay that and it wouldn't be any

01;27;25;09 different than what it is now. And then we could Stripe it and then we could put nine foot spaces in there, but we don't think that is really necessary relative to the impact of them beach Harrier. Once again, uh, the planning board, uh, got to go out there and see the location of the beach relative to the docks. We are not on top of them. Uh, once again, they have

01;27;56;28 certain rights and we have certain rights that are dictated by meeting the setbacks within our respective Toro areas in front of our property. And we have tried to be conservative about what we use for our tutorial area in front of our site impact on health.

01;28;22;11 [Speaker 2]: Mmm.

01;28;25;01 [Speaker 1]: Kind of a nebulous statement, you know, uh, there could also be gas leaks from some other boats that are on docks on the other side of their property being their own docs. The good thing is our, our property, we have to be aware of that and take care of that immediately. And we have to report that to the PE.

01;28;50;03 [Speaker 2]: Mmm.

01;28;51;28 [Speaker 1]: I think it's a lot of her to throw it up a bunch of statements relative to, you know, there's going to be trash. It's going to be, I just don't think it's appropriate. You know, we've addressed, uh, what we needed to relative to health. We have votes that sometimes need to have their sewers pumped out. We have a facility for that. We have a licensed waste hauler for that and we have a procedure for that in our MSGP permit impact from visual impact. I tried to give you an idea of what you

01;29;28;21 would be seeing, uh, relative to where you standing on the shoreline opposite the docks or read on the beach, the Marina, the dock expansion is not going to obliterate your view of the Lake. You're going to be looking at something that is common, at least seeing on a Lake votes and docks on

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- 01;29;57;08 like go together in the view in what would be putting there is going to affect a small part of what you can see in front of you. It will impact a scenic Vista or impact the shoreline on impact treeline and so we believe
- 01;30;23;07 that this project has met the burden really to to visual impact.
- 01;30;32;02 [Speaker 1]: It was stated that we have not addressed impact on fisheries and erosion control. I beg to differ. That's why we go to DEP. That's why we address item w comments and I don't think there's much more that needs to be said about that. And then the comment that larger than necessary. Well the interesting thing is this Marina and other marinas on
- 01;31;07;15 Sebago Lake are getting inundated with requests for slips. We even at the sidewalk had people come up to us after the sidewalk and inquire about a slip. There are not a lot of slips on Sebago Lake. And once again, this is
- 01;31;32;10 not a corporation of a couple people who are out there trying to look in, make a fast buck. This is a company that is employee owned. It's owned by everybody in the company and they take pride in the facility up here. They take pride in the one in South Portland and the other three facilities that
- 01;31;57;16 they manage and run. Can I say their baby?
- 01;32;04;07 [Speaker 5]: No.
- 01;32;06;23 [Speaker 1]: So we aren't trying to make it any larger than necessary. We could actually buy you the smirch Landlease rules. You'll out to the next channel, which there is no challenge in front of us or halfway across the Lake. And there was another criteria we could go out further than we, we are seeking today, but we are not, we're going based upon what we think is appropriate. Um, there was a question or a comment that you slips were for 30 foot
- 01;32;46;13 boats? Uh, don't think so. I think they're going to be more towards the 20 foot size and not 30 foot boats. Um, maintenance. We have a full time maintenance staff. As I said before, we are covered dumber MSGP we have to
- 01;33;08;29 go through training relative to uh, pollution sources and whatnot. And we need to maintain the facility and we have to have it inspected every quarter and we have to do a yearly complete inspection. And not only that, the employees need to be trained and all of that needs to be documented in the Marina has been doing that and been paying for that.
- 01;33;40;16 [Speaker 1]: They already addressed the, uh, comment relative to the 700 boats. There's not 700 boats here. Once again, uh, parking versus the boats that are there. Once again, we have an agreement with a property owner in Casco to store trailers and boats from the site I developed for

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- 01;34;10;25 that is, it's actually the competitor Panther run. He leased land from them. So if they need to win, when all the boats are put in the water, all the trailers are transported up to the parcel line in Casco, which is owned by Panther room. Not much more to say. Once again, we will be putting a conservation mix so that the disturbed barrier through the trees, a re
- 01;34;44;24 vegetation in a natural sense. And we've talked to quite a bit about parking in a design. Uh, once again, we don't want to pay that. We don't want to go to nine foot spaces. We go to nine foot spaces and we probably have more than enough spaces for more than justice Marina. Uh, and there was a comment also about we haven't provided for overflow parking. I don't know any planning codes that require
- 01;35;11;20 you to meet overflow parking. There's a parking requirement, there's naughty, you need to meet this. Oh by the way, you need to have 10% warrant overflow. It's part of your ordinance that the required parking is submitted. And that's why when you go to the mall during the year, not Christmas, see a lot of parking spaces. So with that, I'd be more than
- 01;35;42;18 happy to answer any questions.
- 01;35;44;13 [Speaker 1]: Thanks rod. Rod. But just back to the lighting that you said, is there on page two of your, you're showing lighting on every slip or is that just not additionally? It's between the slips. Segmental dark. Okay. And, and the downcast light down. So you know, there's solar, the solar type lights that go down. Okay. Alrighty. Thank you.
- 01;36;15;29 [Speaker 4]: you ready? I am ready. Go ahead with the applicant as well. I'm a, my name is Leah. I'm an attorney for the applicant and I just had a couple of brief procedural questions or submissions if I might. Okay. Okay. Thank you. Um, the first point was, is that I noticed that there was a submission provided to you. Multipage is diagrams, et cetera, and I think it was from, um, perhaps the association. We have not seen that and we certainly don't want to spill any more ink that's unnecessary, but
- 01;36;47;04 just would like to a, have a copy and B have the opportunity to respond if anything new that we haven't done. Okay. Thank you. Um, I also heard a comment asking to convert this app. Thank you so much. I'm asking to convert the application from a minor to a major site plan review and we would submit that that's not necessary. In fact, and I think we've heard a theme this evening about conservatism and going beyond in fact, arguably under your own site plan review
- 01;37;19;10 standards that we don't have to be here in a sense that it clearly talks about how um, staff site plan review minor style site plan review applies to only new buildings. And I'm using finger quotes here because building is a defined term and it talks about any structure having a roof supported by columns or walls.

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Clearly that's not this, but yet the applicant in a port port Harbor, they want to be here, they want to do what's right. And that's

- 01;37;46;03 why we're here. Um, again, abundance of caution. The criteria under, uh, section 15 C, which I believe is called the docks wharves that provision. And you know, you may ask your April town attorney to weigh in on this, but we would submit again, we, we looked at those criteria, we gave you evidence to suggest that they are in fact met, but arguably they are not even applicable here because under your land use table you've got a specific criteria, excuse me, Landis' called Marina and you have another
- 01;38;19;00 called docs where you know wharves and so clearly if we look at what is being proposed here, this isn't a doc, this is a Marina, a doc is a part of a Marina.
- 01;38;30;02 [Speaker 4]: But so we would suggest to you that 15 C is not applicable in any event. We've met all of those criteria. Um, and one other comment, I heard comment that, you know, there was a compare and contrast about how much tax revenue is generated by the respective uses. I know this board knows well that that is an impermissible consideration and the only proper things are the criteria under the ordinance. And we would submit that we have more than met those. And we thank you for your time.
- 01;39;04;03 [Speaker 1]: I forgot to voltage one thing. Uh, there was an email sent to, uh, Scott earlier today from the DDP to give an update. Uh, if I could read it as the record, um, to whom it may concern, I am the D P project manager for par Harbor Marine expansion in the town of Raymond. I was told that there is a town meeting this evening where the project will be discussed. I thought it might be helpful to know where the D P is at in our review process at this point. The review from all from other agencies
- 01;39;37;04 like uh, MDI, FW Maine department of inland fisheries, army Corps, uh, and BLP are complete. Therefore, I am working on writing up a lysing thing decision. Uh, the statutory deadline for the department to make a decision is April 13th. However, we help to have a license thing decision before then. If you have any further questions regarding this information, please
- 01;40;04;22 let me know.
- 01;40;06;22 [Speaker 5]: Thanks, Rob. Did you ever go? Thanks. Um, first I want to acknowledge the heartfelt concerns many land owners have as well as the rather in depth. I think presentation that's, that's been going on on behalf of the Maria, one of the concerns I have is, um, our ordinance, uh, 15 C under, um, shoreline zoning, three locations shall not interfere with existing developed or
- 01;40;38;24 natural beach areas. And so some information has been presented about needing a permit for a swim area. But I'm curious what exactly under the state, um, code, what is a swim area? Um, I'm sorta thinking it's probably formalized with roped

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off areas and that sort of thing. Even without that, I'm not sure there's any authorization that would require the removal of

01;41;06;24 the float. And so I looked at it as best I could and I figured it's within about 50 or 60 feet from the end of the slips. And I have deep concerns about safety with, I know I've done some swimming in my day and maybe go out at night or maybe you don't, but you don't stay on either side of the float. So I'm real concerned about safety there. Um, additionally you just have a few other items regarding parking. Does the Marina have some inkling

01;41;42;13 of percent of parking in the past? On really busy weekends, like Memorial weekend or July 4th. If you do, I'd love to hear that. Um, regarding pollution and that sort of thing. I, and I understand it, I think it's, it's quite impressive that, that there's so much oversight and

01;42;11;08 every quarter sort of thing things are looked at, but in terms of pollution and that kind of thing and what people, what the staff is doing and staff's getting good training, but it's one thing to be trained and it's one thing to have staff well supervised. So at a prior meeting, uh, I think we learned that teenagers are hired, well, there's good teenagers and there's ones that aren't so careful. So I would be concerned about supervision of

01;42;38;13 things like gas fill ups and also the sewerage disposal from boats because that can go badly really quickly. And I think at this point that's all I have.

01;42;56;26 [Speaker 6]: okay. I've got a boatload of things. Or, uh, did you mean that some of them mirror things that Mike said? Some of them are my own. First of all, I'm going to slap a wrist on both sides of the, of, of the audience out here. There was, uh, uh, an amputation made in, uh, in this presentation here and it's a big oil engineering might be trying to load the dice to get a favorable, uh, opinion for the owner, uh, by somehow using their connections with the County engineer and any professional

01;43;30;11 associations on that side of the fence to, to kind of, you know, do something that might be less than and professional. Uh, and I take exception to that. I, I am a construction professional. I've dealt with Sebago techniques in my business for a quarter century and I have never found them to be anything other than engineering, um, uh, professionally, uh, correct and above board and the way they do business. That said, um, I think that with the town engineer being an employee of, of

01;44;02;29 Sebago, and if the Marina folks must have known that this was going to be a contentious issue to hire Sebago technics in the first place might have been something that in hindsight wasn't the best decision given the contentious nature. And the, the, the appearance of a possible impropriety. Uh, I also think that for Sebago to use a wildlife scientist on their own

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- 01;44;33;17 staff right down the hall to issue an opinion if it's contained in their application about impact to wildlife in the area might've been in height, you know, in hindsight better to use somebody outside the company to, to render that opinion. So I'm going to slap wrists on both sides on that. I was not aware until I looked at at uh, the second uh, photograph in this
- 01;45;02;23 that the historical usage of Indian point beach swimming area was obviously at such cross-purposes with where the literal line is of um, the Marina's extension of the land side property line out into the water.
- 01;45;21;21 [Speaker 6]: I think that the Indian point beach folks have kind of shot themselves in a foot. If there is a state requirement that you have a submitted and approved plan for a swimming area with the state, which must have, if you have that, it would also include, I think the boy lines shown on the water to show the definition of the area. You'd have a much stronger case to say, well, we have historical precedence here that may have a legal stance over the extension of the Marine is literal properly
- 01;45;53;12 line into the water. I don't know what the, uh, what the legal answer is to that. If there's precedents that supports either case, uh, in case law, that's not, that's not mine to say, but it's obvious just from looking at this photograph that these two sides, the literal line and the historical
- 01;46;19;02 Indian point beach swim area, boy align aren't going to work together. Uh, every, every community and every society on earth is, is run by some, uh, some local interpretation of the golden rule, which I guess could otherwise be stated as your rights stop where the other fellow, his nose begins. And I think that both sides seem to have lost that understanding a little bit here. Uh, I had my own idea before I came to the meeting tonight
- 01;46;56;22 of, gee, what if the Marina could create a boy line that floated several feet above the water, along their literal property line to create a channel whereby boats leaving the slip had to turn 90 degrees and head out into the middle of the Lake and open water and had to return to the slave to, you know, to the slips in the same direction. And if Indian point beach could be constrained to redraw their boy lines so that their boy lines
- 01;47;26;17 coincided with the literal property line of the Marina, that may be, that would be a way of, of getting both sides into more common agreement.
- 01;47;35;07 [Speaker 6]: But according to what the engineer has submitted, you can't actually create a boy line on top of the literal line because that flies in the face of creating a structure within the 25 foot setback. So that idea that I had in my head probably is not workable. Looking at the overlap of the historical Indian point beach swimming area and the literal line and where these docks are. Personally, I don't see any possible way,

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- 01;48;08;07 if there is no definition of a floating boy line along the top of the literal line to force boats to turn 90 degrees and go out and open water. I don't see any way on God's green earth that people aren't going to be doing 20, 30, 40, 50 miles an hour right across the face of the beach to get into their parking area on the slip. Uh, it just doesn't seem to me to be
- 01;48;34;19 workable from a public safety point of view. Uh, as far as the, the traffic issue out on three Oh two, the engineer has said that, Hey, there's no problem. We have folks from Indian point beeps that say, yeah, there is, uh, I think until a traffic study establishes where the overflow is, when it happens, where the people who park out on three Oh two that are creating the overflow, where are they go? Are they going to the state beach or are they turning around and going down in the
- 01;49;08;00 Marina? Until we have that answer? All we have is statements from both sides that are across purposes without a professional. Uh, a professional way of a certain, and what the truth is. And I, I disagree Rob, that a traffic study is, is not going to be of any use here. I think that's the only way we're going to come to any kind of a conclusion on that one.
- 01;49;31;09 [Speaker 6]: Um, as far as pollution, Mike has already talked about that the state approved plan is great and the quarterly inspections are great, the annual review is great, the employee training is great, but if the employees aren't constantly monitoring the folks who use the slips out on the water and making sure that they are acting in a, in confluence with the dictates of the safety program, the safety program isn't going to
- 01;50;01;10 be worth a lot out on the end of the water out there. Uh, that's a concern of mine. And that's something that I think for the Marina zone management, uh, you know, proper management of the situation that they would want to be astute about that and have some kind of a plan to police the people out on the water and make sure that they're acting in concert with the state approved plan that you're supposed to be abiding by them. I understand, you know, Rob your statements about holding a ruler up or
- 01;50;33;00 holding a Popsicle up and saying that's how much that's going to impinge review of the water. Uh, with all due respect, I think the photograph on page three of this presentation that shows the before and after review of what, uh, what it's going to look like from the beach is, is a much more, uh, reality based view of what's going to happen to the view from the
- 01;51;03;17 beach. What that may be, neither here nor there if you have the right to develop it on your side of the literal line. Uh, but again, the public safety of the boats zooming in and out straight out of their slips across the face of the beach. To me just, just, it does not seem to be a good, a good situation. And it, it's quite clear that, uh, even if you have the right to build the Marina on your side of the literal line over there, that

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- 01;51;31;12 it is going to have a major impact on the view of the beach and I think it's going to have a major impact on the public safety of the beach.
- 01;51;39;06 [Speaker 6]: Um, I think that pretty much touches what I wanted to throw out.
- 01;51;44;20 [Speaker 2]: Yeah.
- 01;51;49;09 [Speaker 7]: Oh, what do I say after that? I don't have a whole lot to say. I, I think the, uh, the applicant has covered the bases as you supposed to. I think he's pretty much in the frame a little the rules that he has to follow. Uh, I can have a little concern about the existing beach and the bolt traffic. Uh, it is tight quarters there and there is an issue there. I don't know how we address that or we even have
- 01;52;17;09 [Speaker 2]: that authority. Um, I think that's about all I have to say. Well, I stated earlier about my concern with the parking configuration and that's really all that I have. I agree though that it's going to be detrimental to the people using the beach just to see that. But I mean, we don't, I don't believe we have any, uh, no reason to be able to
- 01;52;48;14 address them.
- 01;52;50;22 [Speaker 8]: Kevin. Yeah, I had quite a few things, but they've mostly been addressed. Um, but the traffic study is definitely a must in my mind too. You know, you can't, every place is different and to apply both, I mean, it combined to see what's, you know, because that, you know, you get both of those together, um, to say California or something like that. That's just a totally different universe than what, you know, even a different Lake or pond in the state of Maine is a different universe. This is here and we need to know what's happening on the, on three Oh two and
- 01;53;23;21 what the parking capabilities are. I think, uh, before I could vote for it. Um, they definitely met all the technical requirements have done a great job on that. You know, other than the traffic in my mind. Um, and one of the things like I guess we can't address which I think we should be able to is the safety of having that many boats in such a small area, especially in near a beach
- 01;53;48;08 [Speaker 2]: like that. Um, I, I guess
- 01;53;51;10 [Speaker 8]: from a legal standpoint, is there anything that we can do about that or
- 01;53;56;13 [Speaker 5]: about the swim area? So the swim area habits concentrating so many boats in such a small area. Well, let me, I just, um,
- 01;54;03;27 [Speaker 9]: going to when you were finished, but since you ask, I did look up that section of the statute just so you have some information. Um, so this is, um, title 12, section 1900 and um, uh, developed swim area is an area delineated by line buoys in accordance with the AIDS navigation system. Um, a qualified entity. And this is important is a camping area, recreational camp or governmental



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entity or governmentally sponsored group. Um, and then the, um, it's saying it person

01;54;36;04 may not establish or maintain a swim line or develop swim area without a permit, but may only entities that can actually receive a permit for a swim area are the qualified entities. So you can only um, maintain and create a swim area if you are a camp or governmental entity and then you need to get a permit. But otherwise under this you can't even maintain a creator maintainers.

01;55;01;26 [Speaker 5]: I know you're looking at a statute and might not address it in here, but a designated swim area doesn't in my mind preclude people from going out swimming. Yeah. I'm just telling you what I'm sort of asking. So along with that concept is the float, is there any language in there that would preclude someone from putting a float out there? I don't

01;55;30;01 believe there is, but I don't know.

01;55;33;12 [Speaker 9]: Nope. Uh, there's nothing in here cause this wouldn't apply to floats. There are other provisions that apply to permitting floats, just like getting a more in permit or flow from it. Thanks.

01;55;44;29 [Speaker 8]: Of course the question I had there is even if you can put a flow, do you have a right to put a float over a literal property line of inhibitor? You're good. You're actually, you're taking part of their, their, their a usable water line based upon their liberal line, so they haven't done themselves any favors by that. Also, I had the same concerns over, you know, a gassing monitor who's going to monitor the gassing of the boats and the sewerage disposal. In my mind, I think a good

01;56;21;22 video surveillance system would help with that. Just even knowing that you're being monitored helps with that so that you know, that might be something you want to consider.

01;56;34;04 [Speaker 6]: Can I ask this question? Am I correct in that you guys would be precluded from building a float line along the top of your literal line to define a channel that boat's leaving the slip had to turn 90 degrees. You, you simply cannot do that by the definition of a structure.

01;56;51;08 [Speaker 1]: Correct. You can't output a structure within that 25 feet on either side so that you don't impede anybody's rights relative to access and whatnot.

01;57;04;19 [Speaker 2]: That's unfortunate.

01;57;06;13 [Speaker 8]: Yeah. Cause that would solve the problem. Do

01;57;09;15 [Speaker 2]: you mind if I add to the, under the submerge Lance program, you can um, go beyond the 25 feet if you have a concenter to your neighbor.

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- 01;57;19;11 [Speaker 8]: And is this structure defined as something that's permanent or a structure that just can, it can be seasonal if they took it down, you know, it's just put it up and down every year.
- 01;57;29;28 [Speaker 1]: Any impediment to them. Vacation. Okay. So if it's a rope line, if it's a buoy, if at the morning those are all considered structures, impediments to irrigation relative to the common relative to this. One area is in location, in boats zooming in at 30 miles an hour. The voting regulations for the state of Maine define an area that's 200 feet
- 01;58;02;19 from the shoreline and that is called the water safety zone. And then the water safety zone, a craft is not about to be propelled quicker or faster than necessary just to navigate it forward. And once again, our thing is basically totally within the 200 foot, uh, water safety zone. So we
- 01;58;29;02 shouldn't be seeing that occurring.
- 01;58;33;05 [Speaker 8]: Well your point's well taken. Uh, but you know, the speed limit on the turnpike is doesn't such, and everybody drives 15 miles or 20 miles it. So
- 01;58;42;13 [Speaker 2]: I, I understand your point, but in the real world people will be dealt with zooming in and out.
- 01;58;48;29 [Speaker 1]: And also, uh, I think we noted in our presentation or the recent rollback that the swim merrier for the States when they're up near the boat launch air here is 25 feet away, 40 feet away and you have that similar situation there. So you know, you have to assume that people are coming in at a safe speed at that location. I would, so I haven't heard
- 01;59;21;29 of any issues occurring. I've seen how people drive on the legs relatively recently.
- 01;59;33;15 [Speaker 8]: Also had a, just a personal comment on the view not being destructed that that uh, when you look out and you see something, just because you can see something beyond it doesn't mean that the view is not obstructed your eye immediately. Just seeing the big thing that's just sitting right in front of you. So I think you'd do more to hurt your case by saying the view is not obstructed. I mean, technically, technically you can see a certain percent of something, but that doesn't mean your view is not obstruction.
- 02;00;00;27 [Speaker 1]: It didn't say that the view was instructed. I took the view, the part of your.
- 02;00;05;28 [Speaker 8]: I walked on the beach and the second I walked out on that beach in that sidewalk, it was immediately, it's obstructed. There's just no, no question.
- 02;00;16;08 [Speaker 1]: Once again, when you're looking at views from a standpoint of impacts, you're looking at something that doesn't belong in that atmosphere.

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- 02;00;26;05 [Speaker 8]: Well that's your, that's your, that's your opinion. That's, that's a complete, and you know that that's not objective. That's very subjective.
- 02;00;44;09 [Speaker 2]: I think we need a traffic study. That's my opinion. I can see where this goes anywhere until we have resolution on that for parking. Right. I can't, I can't see where, what are we talking about? 14 additional slips are going to create traffic problems. 49 traffic, not necessarily a big traffic problem on three Oh two but I think parking, parking is, this is the issue as well. Yeah. If they're all pulling in at
- 02;01;17;16 the same time it creates a problem. and I think we also have to take into consideration the zone that we're in. I mean can we talk about view but where we are in the commercial zone and there is certain some expectations in a commercial zone that are just because you want it in a zone and yes we are also in a shorter line but we're not alone. You know, Panther where a
- 02;01;49;04 large peer is going to be considered a little bit differently. I would dissipate on in the community in that commercial zoning district. And I think that's, I think a parts of the wedding could be even as simple as a survey of marinas in the area, how many slopes they have, how many parking spaces they have that would provide us with some useful information they provide.
- 02;02;14;06 [Speaker 5]: Can I ask sort of a novel question? I have deep concerns about the beach area and I understand the laws and, but I, I lived on a Lake for many years in the summer and people it's getting much worse. People are speeding every, I mean there's no respect for that 200 foot. There should be, but there isn't, there's not anywhere near enough game wardens to, to keep things in order. So I have deep concerns about the beach area because I don't think there's any way we can regulate people not
- 02;02;47;27 swimming there. And I see a huge conflict with, with boats. But I'm curious, can the hope, and maybe the answer is no, but looking at the, at the view, it looked to me like perhaps the project could be moved over 40 feet and if it were I'd have a lot less concerns. I don't think so. Not
- 02;03;22;02 really. But go ahead. I'm sorry. I just wanted to ask. I mean any point was originally I can't print, she goes to the podium. Oh I'm sorry. Yeah, just speak in Ava.
- 02;03;36;16 [Speaker 4]: Cindy center, owner of a property on Indian point and also a client of port Harbor. Indian point was originally a camp crown. Are we grandfathered for that swimming area? I also have a young child. I'm very concerned about him swimming. And you can say all you want about how fast they're supposed to go. well, okay. My question is about grandfather. That's my question.
- 02;04;06;01 [Speaker 5]: Okay. Would there be the, I can't think of the legal term, but the easement that you gain by using something for, by using it outwardly so that

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people can see you're using it over a period of years is a legal term. Would they have that in the beach

02;04;22;20 [Speaker 2]: public water that's out there.

02;04;33;18 [Speaker 5]: Okay. So if I could summarize here who we are,

02;04;37;29 [Speaker 1]: um, what is I guess expressing some concern over if we are looking outward? Um, I don't know my Northwest here, but to the left side, those peers, I mean the only boats I think that we're thinking of are going to be zooming in here. Rob, could you come to the podium for me? I'm sorry. Um, so the uh, the boat slips better, the closest they stick out towards Indian point area. I think those are the votes that we would be

02;05;10;26 concerned with as far as the safety goes as far as speeding in. Is that correct? Am I interpreting this correctly? Um, and um, we still have an issue with parking. Is that correct? Now is the issue with accepting the 0.06 or the wet slips or is the issue the 0.02 for the dry slips? You know, the parking on the parking, I think it's just all, it's overall

02;05;43;18 complete parking. I mean it seems to me Marina, so we're, we're being asked to apply something for which there is no standard for which there is no traffic engineering study to back up what has been proposed by the engineer. That is standard. Right. So, um, so we're talking about the summer study cause we're not gonna get anything else. Is that your, can I

02;06;11;21 make a goes what? Talking about in terms of looking at other marinas, I thought Robin covered that well. Yeah. What's that solvent? What's is that I just want to get, the owner has no records overflow and people in the number of coming in and going East. He said himself, you know, I have no records of that. So are you going to substantiate what the reality is if

02;06;40;11 you don't have a date? Which for me is why I inquired about really hugely busy weekends, like July 4th, I would think you'd have some idea of how, what percent of parking was used up. We, we've never had a problem. Well, how many understand the resentment you had? 20% leftover. 50% leftover. Well, all right, so your standards article nine minimum standards. Uh,

02;07;16;05 let's see, the off street parking. So item I, I says for any structure or use not specifically enumerated above or viewing authority shall determine the number of off street parking spaces required to accommodate patrons

02;07;36;11 [Speaker 9]: and employees based on a parking analysis submitted by the app.

02;07;41;14 [Speaker 2]: Okay. So obviously the question becomes what is a parking analysis? So what to submit it?

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- 02;07;52;25 [Speaker 9]: Could it be considered a parking analysis? I guess it doesn't say parking study. I think there's a, there's, well, what does that terminology mean? So I think what would it, what this is saying is, so this follows where you have, you know, if you have an institution, it's one space for each four beds. It's the standards but you can't come up with a number for everything. So there is this catchall where this board has the ability to determine the number of required spaces for this particular use
- 02;08;23;27 pursuant to an analysis. If you are presented in analysis, which does not allow you to come up with a number because you don't feel like you have enough information, you have the ability to ask for that analysis. It's been provided to be um, some, you know, substantial and, and to provide some, some more information so you can, you can make the decision you're supposed to make under the standard.
- 02;08;49;26 [Speaker 2]: Okay. Thank you. So to you are, you are now you're up on your, yes. I thought that Rob had given us some information. You've got under Marina said to experience in terms of parking and circulation and that sort of thing.
- 02;09;14;01 [Speaker 1]: If it had more studies that we would get a better confidence level. They only have one study. Those studies that they typically have in these manuals are all over the country, not just from me. They're not just from new England. So they look at every area geographical in the country. That is what we have done. We have looked at the best
- 02;09;47;07 information available relative to what parking is required. And we tried to be conservative about it and say, okay, we're gonna assume that we're not going to park as many vehicles here. That as we could once again by ITP rule, we could go in there and pay that and it would be no different than the gravel that is there now. It's impervious. Now it'd be impervious in
- 02;10;14;00 the future. And then we could strike off nine nine foot parking spaces, which would give us a boatload Mark, excuse the phrase, but we believe that we've been conservative and using the guidance that we could find relative marinas and we ever, upon our client's knowledge, they maintain five marinas around the seat. Once again, they're not going to want to shortchange their customers on parking. They're not going to want to deal
- 02;10;47;22 with code enforcement, with people parking out on the roadway. And if there is a problem in the end they're going to create more parking. We did what we thought was appropriate. We used guidance from recognized sources relative to that parking and to go, you know, to go come parking spaces at a Marina arena. How do I know if they have enough parking spaces?
- 02;11;15;09 [Speaker 1]: See they may not have enough. They may have too many. So we tried to use and use reliable basis to come up with a parking and be conservative on it.

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- 02;11;28;22 [Speaker 5]: Okay.
- 02;11;30;19 [Speaker 9]: I mean for, for me, I think your point's well taken. For me, the only sensible parking study for me would be if someone could go around to similar marinas on settings on Sebago, on long Lake that have marinas and parking on July 4th well that's not possible. So your point, uh, hits me, hits home to me that, that if we do a study, how do we know they have enough? How do we know they don't have too many?
- 02;11;58;16 [Speaker 1]: Yeah. Just we didn't give you all the information that we ducked throughout. A lot of this was based upon round that critical timeframe. Whereas what's going to be your worst weekend up here? It's July 4th Memorial day and labor day. It's July 4th and that's what these numbers represent relative to the required parking. That's typically what it is doing to when they are looking at it. They don't give a an average
- 02;12;30;17 for shopping law. They give, Hey, what's going to happen at Christmas time and that's what we believe we used for this project to come up with a reasonable amount of parking for the project. Once again, you know, we can go count spaces at other marinas but it doesn't mean no one did.
- 02;12;57;09 [Speaker 9]: Can I just, one thing to just think about this sometimes when this type of um, subject comes up where you don't really have good information to create a standard but you think it's good information, you could have a monitoring condition for them to monitor going forward. I mean after,
- 02;13;19;04 [Speaker 5]: yeah,
- 02;13;22;12 [Speaker 9]: and that might work here where they have perhaps room for additional parking spots if really needed.
- 02;13;30;27 [Speaker 5]: Yes.
- 02;13;43;10 [Speaker 2]: we'd be more than welcoming of a condition that the project is monitoring after construction. And that if there is a deficiency parking that we create more parking.
- 02;13;55;16 [Speaker 5]: Okay.
- 02;14;10;00 [Speaker 2]: All right. So how about we look at the Mike to start with your concern? Um, other slips. Yeah. I think as Bruce pointed out, the, the Indian point beach roping off of the swim area, great impedes upon where the slips are going to be. Right. And crosses over the line. Right. So I mean, if we were to take, if that shifts right, if that holds beach
- 02;14;43;28 shift switches, we're only talking about those outboard or boats that has the possibility of going swimming, going and speeding by, because there's going to be ropes, their boats and ropes don't, don't go well. I'm sorry, say it again. Well, if

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we take a look at this picture. Yup. Right. And it is the, the yellow line here being a roped off beach area,

02;15;13;29 roped off swim area, that's obviously going to have to shift. It's going to have to move this way because it's not, it crosses over the crosses over. They are blind as it is now. Right? So I mean it goes well that's, I mean that's, if in fact it's, it's freshly rubbed off. I mean, well, okay, but it would have to be ripped off. Who's gonna, who's gonna, whatever. It's their BJ. I know. But they do now is they will go off. But what if they

02;15;44;10 don't? Well, what if they don't? Yeah, I mean, who's going to enforce that that they rub off their beach area? Yeah.

02;15;52;15 [Speaker 2]: Well I did want to rope. I mean I would do it now. Why would they not want to do it in the future? And that's probably true. And especially if there's a Marina next door. So I think I, I think I see a point is that if that area is roped off, then hopefully the votes are not going to go through. I roped off, I kind of go through it if they see it and they should see it during daytime. Sure. So I think it would be the unusual situation maybe at night. And I think that goes beyond reasonable

02;16;23;25 care. Right. So, but it would be really nice,

02;16;31;16 [Speaker 1]: we could get some sort of markers in along that line out. so Rob, if you were to come up, um, and if you were on your yellow on your green line there. Yeah, way at the end. I mean we can, you're not putting in the structure, but you can put it in a buoy or two that would, you know Pierre Walker, you write that in. The directions are that the votes have to come in on the massage to put in channel markers anymore.

02;17;03;19 Yeah, we can put it in. Correct. We could do that then that's one exception. Yeah, we can do that. Okay. Can you put in multiple channel markers? Yup. Down the line. Can we agree? We can contact state, they'll allow that. And of course we're going to instruct the boat owners that that's what that's for. Yup. Yup. All right. And most Bono's will stay inside the channel and channel Marcus ever color you gotta be on one side or the other. And if you

02;17;34;21 liked your propeller, you're going to be on the right side. Okay. Are we can do that. Alright, so we can do that. So that should take care of the concern on the speeding boats. I think so. Yeah. Great. Is that okay? Alright. Can I get jet? Can I get the, it's just general feeling on, um, the other areas that have been addressed a couple of times for now. Um,

02;18;06;09 let's hold off on section 16, but the, uh, the article 10, section eight, which is the Charlotte, um, land use ordinances.

02;18;20;16 [Speaker 1]: Is there, is there a concerns in any into here? Let me just run through them and you just yell at me if there is presentation of landscape, um, purpose of

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building the environment, vehicular access, parking and circulation is going to be, um, surface water, drainage, utilities, special features, exterior lighting, emergency vehicle access, landscaping or, um, site plan review. Besides the parking, are we fairly

02;18;56;01 comfortable with it? That information I've been presented? How did you guys get in there? Okay, so sparking, so let's hold off on pocket. If we go to, um, section 15, Charlene zoning, land use ordinance. Um, we run through those, um, lot standards and setbacks, right? Uh,

02;19;23;19 principal, principal or accessories structures or Donald clickable, um, the piers docks and warmups camp grounds, not applicable person campsites, not applicable. Commercial industrial uses none. Applicable parking area is once again up roads and driveways signs, stormwater runoff, septic waste disposal, central services, mural exploration, agriculture, timber,

02;19;50;28 harvester. That's it. Alright. We, besides again, besides parking, are we comfortable with what the African is presented for each of those addicts? Yes. Yes. Okay. If we go one more then two, what did I do with that? Um, section 16 D for short land zoning. Do we still have, we have, we'll maintain safe and healthy conditions. Um, are we okay with if we put in

02;20;24;09 buoys with the safety of the peer, did that become okay? Alright, now result in water pollution erosion at cemetery. The surface warriors will adequately provide for disposal of wastewater, will not have an adverse impact on sporting grounds.

02;20;39;15 [Speaker 1]: Fish aquatic life, uh, will conserve short cover and visual as well as actual points of access to in the mortars will protect archeological and historic resources will not adversely affect the existing commercial fishing or maritime activities. We'll avoid problems associated with the flood plain development and is conformance with the vision that fit section 15, which we looked at is, are we okay with those? I don't think I am in total. So which you are not with the safety half of

02;21;10;26 conditions, the wildlife habitat, I'm concerned if there's any nesting loons in around the beach area. Okay. And then regarding number five, will conserve short covering visuals around his actual points of access? I'm not sure the visual in there is really referring to, no, normally what we think of as a view. But I guess I'd like some

02;21;34;10 [Speaker 9]: clarification ma. Mary, what do you think, I mean the language, there seems to be talking specifically about points of access to inland waters, I. E like in and that sort of thing. But do you think that the visual really is a broader and referring to views in general? So generally these types of standards and the standards that DEP applies are talking about public viewpoints. So if you have, um, a place where the



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- 02;22;05;23 public will go to view the inland water, then that is something that should be preserved. It generally doesn't apply to every private property owners own view. It's generally if you have a, a public point of view and being preserved for the public,
- 02;22;26;15 [Speaker 5]: for the public. How about a large condominium? Selfless private land. Got you. Okay. Then I'm okay with number five, but wondering about loons I know they're very challenged in the state, so I'm just wondering if there's any evidence of loon nesting in and around the area that would be impacted by the new development. Okay.
- 02;22;56;22 [Speaker 1]: Once again, the project has been vetted by the main department of inland fisheries and wildlife and that's one of the specific things that they look at, whether there, especially the nesting areas. If you go to their website, they have certain areas shown where there might be deer wintering areas or in new insurer, uh, bird areas, waiting habitats, uh, in Lynn waterfowl locations. Did they look at all of that as part of
- 02;23;31;04 their review and nothing came back on that.
- 02;23;35;14 [Speaker 5]: Thanks. So we are down to the, is that because everything else according everything else that we have as far as the ordinance has go the project? Yes. Yes. Okay. Okay. So now it's the, yes. Right? Yep. Okay. There's
- 02;24;34;02 another one that we have split up in the back. I think he's got, I don't
- 02;25;02;08 know if Rob did it or not. Yeah. Did you already put a note on there about the sunset clause on the,
- 02;25;08;22 on your drawings? I believe we did. Okay, good. Alright, so the monitor of the parking lot to monitor parking, if it becomes an issue,
- 02;25;24;26 [Speaker 1]: what happens if it becomes an issue we developed, we find more sites, more parking.
- 02;25;30;08 [Speaker 9]: Well they have to be able to, I think they come back to you with their, with the results of their monitoring and if it turns out there are not enough parking spaces for the use, they either need to be able to demonstrate that they can create more parking under the ordinance or they need to eliminate some slips.
- 02;25;53;27 [Speaker 1]: What did you do? What made it slips and who
- 02;25;57;25 [Speaker 9]: typically though, and again, correct me if I'm wrong, Mary, but typically that's a, you would specify the depths for a season or a year. You'll have to specify the monitoring period and specify what will happen. Then if you know in the event that then that's still dead. And so what would trigger that? I mean would some sort of complaint or observation from a citizen be enough to trigger

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that? No, they're going to you, you would ask them for one suggestion I would have, so you don't

02;26;29;11 have to do it right now, is that you, um, you could have them draft a monitoring plan, right? And then bring it back to you and that monitoring plan will have what they propose they're going to do this summer or this summer and next summer if you want two summers, depending on the length and then you can review the plan and the plan then will, um, be

02;26;56;09 attached to the, to the approval. Okay.

02;27;00;18 [Speaker 1]: That's right. We will propose to monitor every weekend and holiday. Those are going to be the times that you're going to see the greatest parking and we will record those numbers and report those to the town on a monthly basis

02;27;20;09 [Speaker 9]: during CS

02;27;24;17 [Speaker 1]: starting in may and ending in November because November after November. Okay. So the last thing is we had not, um, well we have in the past, but we have not recently in the last year or so, um, gave final approval until after the DEP has, um, permit has been issued. Uh, so I don't see any reason for changing that. Um, you know, unless I want to speak for the board, but um, just to see what they are

02;27;59;10 going to come back and say. Okay. Um, and, and along with what Mary said, I think they probably getting that formal monitoring, what'd you intend to just put in writing is going to will take time anyway. Nope. Um, so that's, and we'll also address the channel and address the channel markers. Um, else we

02;28;22;18 [Speaker 2]: gotta gotcha that well everybody, so we will, um, I guess formally we'll move the project back to the table and feel that we're still meeting in public meetings. Come April. We will, uh, and will be here. So do I have a motion to put the, uh, put Harbor Marine project back

02;28;54;12 onto the table? So is there a second? Second. Any discussion? Just before we vote, you're okay with what we are, what the board is expecting. Two, three items that we just discussed. Okay. All right. Yep. All those in favor. Anyone opposed? Motion passes. What's the problem? What did we not do? Bruce, are you just being ordinary today or is there something that you just don't think that your workable project and public safety or, Oh, you

02;29;29;14 should. Okay.

02;29;32;28 [Speaker 2]: All right. Thank you, Mary. Thanks for, um, so do I

02;30;08;05 understand the total year? I don't have a schedule. He's got to get these things done. I don't think anyone's gonna stay. Thanks. Well, pick an easy

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- 02;31;05;09 one next time. All right, thanks. No change. Yeah, change of seats. Trip to
- 02;31;35;24 the board. I think that's probably where Kevin is. You want to do this, but
- 02;32;12;14 seeing what's coming. You can do this in one lump or we can kind of go
- 02;32;19;03 through it. Oh yeah. We're going to, we're not, we're not sticking around. It's kind of about getting there. That was enough for one night. We can do the fireworks. Okay. You want to,
- 02;32;39;28 do you want to do them separate? Do you want to, you want to go and get just the one? Just the one? Yeah, you could do a couple of new ones you've had to sign. And the business, the business, we just got it but that's not really, I mean that's not us and you're just in the motion. We're just straight and Mary's going to get dig out the sign right now. But it's when
- 02;33;07;10 we got there, there was a little input from the attorney on the business license. Some your journey. He, let's see. Just one aspect to discuss the definition of a business. We really have that in there. Raymond does already have some specific business waste ordinance. I'm just thinking of
- 02;33;36;09 two. One one option would be to combine them and no single business license ordinance if there would be one unified application and approval process, but each specific type of business would have their own performance and
- 02;34;04;26 pops possibility. You just wanted to know. We just see how the skills first start getting into every,
- 02;34;20;23 [Speaker 1]: all right, so, uh, for the record, I'm going to open the public hearing for the potential ordinance revisions for the 2020 town meeting and we will close public hearing as no one in his presence. So our, um, uh, tonight we will go through, um, we don't need to go through in detail. We've seen them all, but we do have to vote on each of them. Um, we can, uh, our vote is to send them to the select then recommending approval or just to send them to the selection. Um, obviously we turned them down. I
- 02;34;58;27 think we just may just stay here. Right? They don't go away. They would go without your recognition. Well, limit what we can recommend. You can recommend the positive or you can recommend negative. Oh, okay. All right. That's the way they're going to look where they go. Most likely they're going to look for your positive. Yeah. Right.
- 02;35;23;21 All right. So Mary has got this packet for us and she's got them in order. If you've been through them a couple of times. Um, not to drag this out. Um, but I'll just kind of go through this. And the first one is the, uh, Shortland, um, shoreline zoning section 16. It's an admin. It's still real change. It's a clarification basically, basically an administrative change. Um, if I'm wrong anywhere along the lines, Jim jumped in and told me I'm

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- 02;35;53;05 wrong. Um, so I would move that we approve and send to the board of select, then recommending approval.
- 02;36;01;08 [Speaker 1]: There's a second. Any discussion? The board, all those in favor. All right. Just went, goes the, uh, the second one is the fines for land use ordinance. This is again, real, no change. He's just making consistency of language. Um, within the ordinances. I already recommend that we send this to the selectmen, recommending approval. Second, I mean discussion. What was a favorite that's approved. Uh, the third one is the appeals for the land use ordinance. All this does is, uh,
- 02;36;35;09 change the meeting times for our zoning board of appeals. It doesn't really do anything else. I recommend that we send this to the website. I've been recommending approval. So I got favor pass. Um, our third one is the land use ordinance article 12. The only thing this does is add definitions, um,
- 02;36;58;28 to the ordinance. It does not make any significant changes. We recommend that we send this to the board of selectmen recommending approval. Second, all in favor goes, um, our next one, land used ordinance, article four, um, clarify density for a duplex and multifamily lot density and um, adding timber harvesting, um, for an allowed use. Uh, I don't think that there's anything other than that. It's in there. I recommend that we
- 02;37;34;15 send this to the board of selectmen recommending approval. And is there a question? There is a yes. Yes. It's actually not a permit. It's called the forest operations notice. I don't know. Can we change that now or we stood, I think at our performance standards it's considered timber harvesting. Is it? So we're going to do that. We've got to go wholesale and change everything. It's probably all candles. Do you know the thing is it's actually the main department of agricultural conservation and forestry. We
- 02;38;06;13 can definitely see the change. It's easy enough to just do that. Then permit thing is fine. Agricultural conservation and forestry? Yes.
- 02;38;26;24 [Speaker 1]: Okay. Um, so I recommend that we send the land use ordinance article four changes to the board of selectmen, recommending approval. Second one was in favor proof. There is one item on this next one that I've just kind of briefly want to add. Okay. We're up the miscellaneous. I don't think we're going to or this fire department. Yep. Okay. Go ahead. The one is, the article includes article eight and nine. Nine is the portion that deals with the sprinkler requirement if the go
- 02;39;01;19 over the threshold with an addition. Yep. And it's based on the assessed the amount of improvements, right. Similar to what you do in the shoreline zoning almost replacement structure. Okay. Which one are you on? We are on the fire ordinance fire protection ordinance. Okay. It's nine on our list. Okay. Is there a I remember that

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- 02;39;33;06 when you send this to the board of selectmen, recommending approval. Second man is there in favor? You're opposed. All right. I didn't want doves to be alone. Darn. Nice. Next is the land use land use ordinance, article 13
- 02;39;59;07 for open space subdivisions. This is kind of the, what we've been referring to as the loop road. It gives a half road called road connect to real connectivity. So it's a road connectivity gives a path for on the um, the developer to um, tweak your neck, connect projects, pave the roads and have the road connected by it and have the option of the town accepting the route. Whatever choice the board would be in favor. Is there a second? I
- 02;40;34;24 mean, you didn't say anything. We recommend that we send this to the board of selectmen recommending approval set. There was a second and you discussion, maybe visit the only one that really is out of the, you know, just kinda all those in favor.
- 02;40;50;24 [Speaker 1]: Uh, the pedal is ordinance miscellaneous ordinances. Uh, eight. Just add a mobile vendor, um, definition I think, and then revise the process for timeline for the license. I think this says, is there any discussion further? I recommend that we send this to the board of selectmen, recommending approval, second media and it will all those in favor. John peddlers. Oh, pedaler warning. That's poorly. You're right. I
- 02;41;34;25 don't know. It's should be apostrophe S right from left field. Oh, I just followed what was there. I just, no, I think you're right. There should be
- 02;41;51;09 peddler, right? Yes. Okay. Okay. You can go back to work now. Married. Oh, did we just, we did this one. It didn't, we did we just send this, just keeping notes? Yep. We didn't. Okay. Um, next one, subdivision regulation, article one, um, to add compliance of net density area. I don't think this does anything, but that didn't change. Yep. Um, I recommend we send this to the board of selectmen, recommending approval. All those in favor, John.
- 02;42;25;19 Uh, next is the business license ordinance. This is, did not come generate it from us. It came generated from the town. We really did not work on this at all, but this came, all of this did come from the town attorney, right? Correct. Um, so I guess, uh, I moved that we recommend we send this to the, where does likely recommending approval was a favor posed to. Great. First,
- 02;42;58;16 do we need to have discussion? We'd have discussion. Yeah, we went. Okay. Yeah. Can we maybe elbow foster that's too negative.
- 02;43;14;06 [Speaker 6]: Yeah, I know. Geez, you guys, you were worried, you said wanting to get married more time. That's the only,
- 02;43;22;14 [Speaker 1]: so, and going through this today, cause I just received today as well. Um, I think currently business licenses, they go through you. Yeah. They go

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through Scott, which may or may not be the best situation because it puts him in a terrible spot. I mean ultimately you can defer it to.

02;43;44;06 [Speaker 7]: Yeah. Well that was one of the things that they would like to do is at the board of selectmen would actually do the original business license and then the renewal would go through the town clerk and go through the process of going to enforcement and fire protection that they all meet every day.

02;44;00;12 [Speaker 1]: And those are renewed on an annual basis. And I think it also gives you some latitude as to why you can deny a license based on, um, performance. Yep. Um, that has to be determined by the board of selectmen. You have no say in that unfortunately, have no say about any fees. So yeah, it ultimately comes down to them to assess what the fee would be. And again, to, to Bob's point, this really, you're going through

02;44;35;00 the motions on this one. This is really the board of selectman's, right? Why are we even bread? Because it's just the process of the ordinances. All ordinances have to go through the board of planning board first. Um, you know, it's kinda like a couple of years ago we had the cemetery one, not really in our wheelhouse, but you know, so the way it is now in the Scott, he hadn't any enforcement

02;44;57;24 [Speaker 7]: not now the change that, well the wood, well really there isn't much I could enforce it. Yes. Uh, this gives it more definitely it gives it a definition, a little better process as to why it could be turned down or why it could be revolt. Um, a lot of these, some of these as far as not paying personal property taxes now we would be able to guess they serve alcohol. You could go after the tone that they tell the state. They would not give them their state license unless they paid the personal property tax. It just kinda gives us a little more little more leverage on

02;45;32;07 that.

02;45;33;29 [Speaker 6]: So even if a business is not required to have a license with the state, just because they're living Raymond, they're required to have a licensed earner living here in Raymond.

02;45;44;27 [Speaker 7]: Well, yes. Made sure then to be inspected every year that it's in, that it is secure. That is done is cold compliant with electrical and fire. Mostly it's fire protection to meet your who their exits are are always blocked, uh, to make sure that we're properly wired. We don't have extension cords running around and in uh, in this drop ceilings really isn't too much code wise, but it's more for life safety. Do any any business at all? Well, we are the one thing we wanted, except I've

02;46;18;26 been in business for 20, for over 25 years here. Home occupation would be exempt. So if you're running a small business out of your home, they don't claim personal property taxes are usually involved in any of that are licensed by the

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state. They would not be, they would, they would still go through me for the license. They would not go through the select board for the license. So I'm not really required. Now one, if you're running a business out of your home when you got a home occupation permit, you're

02;46;45;14 good. Yeah, that's what I do.

02;46;54;00 [Speaker 7]: I mean if some of these people do not have a license or food or whatever and they are a small business, it's not something, it's something that can be done. One of the things other towns do, we'll do a, they'll go basically go to small claims court for that if they have to. Um, but most of the time just having that ability to do that is enough to deter anybody from not claiming the personal property tax, which is one of the issues that they're dealing with. The other one is that we, Wayne and I have run through it when other businesses have gone in, there's been a

02;47;26;04 quite a delinquent upkeep of life safety and doing a yearly review. We'd help that. I can speak from an assessment standpoint, personal property, because if they don't pay person property they can not be licensed and they got to know that. I think that's really important. Where's the exemption? We'll have to throw that one in there. We didn't. It's kind of like I said,

02;47;56;04 this has been kind of the worst way to will and it's just that it would be something that we would have to throw in there yesterday are correct. That they would be exempt.

02;48;08;27 [Speaker 2]: What like the patients with me, you can add it in as a condition of a total addition of the condition that you'd like to see added as part of your recommendation. Telecommute falling up under that cause that's all home office if you tell him. Yup, that's true. That's

02;48;41;19 true. Except those people. Do you want to amend your vote?

02;49;03;13 [Speaker 7]: We haven't got to that again. Oh well yeah, we actually did. It did well we're too, so you might to extend that. Well no,

02;49;08;07 [Speaker 1]: we probably didn't. We didn't tell the problem and I was technically, I don't think you did. Right. We didn't ask for a. If you want the friendly amendment you need to. Alright. So we'll uh, cause my emotional tone, what we will add, I'll accept the friendly amendment to add language for exceptions for a home or home office for home offices, whole business or on business office, home business, whoever second it might have

02;49;41;29 been here. It doesn't matter for me. Any more discussion as to this. We're voting on the amendment. We're voting on the friendly amendment to change, uh, to add exceptions for home office. All those in favor. Alright, so we're back off now. We got to vote on that. Although you got street

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- 02;50;08;15 ordinance still. No, we did. We just did. We voted on the friendly amendment and next to the street or this general, I'm just going to ask you to run through this. I'm not sure. Yeah, we've got a couple things in here. We've got to, don't have to re vote on the whole ordinance. Now that we've added the amendment, we just did, we voted friendly. We voted on adding a friendly amendment to the ordinance and that suffices. Alright. Yes, that's okay. Forget it. Let's take under the script. We've got two
- 02;50;39;17 pieces that this one was, um, revising. Um, one is kind of dealing with some of the standards for pavement thicknesses, street design criteria that also included dead end streets and language for extension of right away still budding properties in sub divisions. The other piece of this deals more with, uh, kind of the construction standpoint of it. Um, standards for how we utilize LIDAR, satellite or aerial imagery, uh, survey cause we've
- 02;51;11;28 had some issues with that, making sure it's uh, field tested to be miserable against a field surveys and that we have benchmarks on plans and that we require, um, within street plans that uh, three of the coordinates are tied to in state grid so we can use the GIS. Um, that's essentially the bulk of that one.
- 02;51;36;23 [Speaker 1]: And we did a little widening up. Sorry. We did a little wide hips and shoulders on that one too. And we change construction standards. That's what I meant. The street standard pavement, gravel shoulders. So I um, I knew that we send the a street ordinance changes to the board of selectmen, recommending approval. Second. Is there any discussion? All those in favor signs was, I don't know if you have a copy
- 02;52;07;04 of it came down to fairly simple process actually what got us into the question about freedom of speech had to deal with, we had a section in there that dealt with political signs. Basically the recommendation is to strike that right out of the ordinance. Um, and then it shows up a couple of different places, uh, bolts and boards too. Um, we just struck that because anything you get into where you start to be opinionated about the
- 02;52;38;17 type of speech can get you into difficulties. Um, we did put in there a piece in there, um, as long as you talk about how the message is presented, the board or the electronic, the digital. So we did put a small piece in there about that. Other than that, that is all we did in that section. So we really only struck out two and we just made note that our jurisdiction includes electronic digital boards as well. All right. I move that we send a land use ordinance article in arrangement
- 02;53;08;02 minimum standards for signs to the board of selectmen. Recommending approval. Second. Any discussion? Yeah, let it go eliminated.
- 02;53;20;22 [Speaker 1]: You can't differentiate between, it's basically under the term temporary silence falls under the temporary signs. So there are term limits of how long they can keep them out there and the size that we just can't dictate the



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message on the board. Okay. All those in favor. done. We'll bundle those up. Scott and Wayne, thank you very much for

- 02;53;51;28 putting all these, doing this, getting this all together for us this quickly and it was a little rushed. There happens that time of year. It's like taxes going to happen about the same time. Thank you. Appreciate you getting it all through. We'll, we'll clean it up and send that off to the board of selectmen. That'll go away. April. We'll do that. Um, as far as plan of communication, uh, the only thing I have is we do have a sketch plan for next month. Um, obviously you'll have the return, it
- 02;54;20;28 sounds like of the one before this. Uh, we have a sketch plan for residential lot vision. Yes. Um, which was part of a subdivision off is that Whitney your presidential, uh, Whitney Whitney, uh, which was a consent order by the town. Uh, if they further divided any of the lots, it had to come back to the planning board. There is one lot on the end, which was the one that everybody figured at some point it would come back, it's coming back so they could do a little tiny configuration to the end of the
- 02;54;54;02 street. Um, but it's an amendment to the subdivision so it has to go back to you dissipating a problem. I haven't seen it yet.
- 02;55;01;14 [Speaker 1]: Um, we just got the packet so I haven't really had a chance to look at, they're just coming in for sketch plan at this point. So I don't think that they've done everything. I think they just kind of want to get a feel from the board, what they're going to be looking for. Okay. And what's that? That's the only sketch plan. Yup. Yup. So that's just one, one additional lots. What's going to, it should be pretty simple no matter what we'll get into with the rest of the subdivision. But it should be fairly simple. That one that we talked about and the other one that's
- 02;55;35;18 sounds like it may be coming into the future's aroma Joe's back again. Yeah. Yeah. It's always been the boy for a sketch plan. Yeah. Okay. Didn't we? Nope. Give Scott the authority to always a bill press. We did something on it cause you did it. So it's going to be back to us as staff. You correct. That's the only thing we will come back to us to staff review unless something blows out. I think we're waiting to see you back. The traffic,
- 02;56;07;22 traffic, traffic traffic. Right. So that's all I've got. Mary's doing. Mary's just giving you a final copy of that signed or this just ran for the board. I'm supposed to do leading in Florida on Saturday. I'm not sure I'm going, but probably not, but I may not be here for the next meeting and I
- 02;56;35;09 don't know. There's some scary stuff. It's ramped up a lot fast. They're shutting down the schools and colleges and everything else. Now, I was scared to go to South Carolina state. I don't think I'm going to there, but, all right, well thanks for everybody tonight. Motion is Jerry second. All those in favor. Yup.