

**Town of Arrowsic
Minutes of Planning Board Meeting
May 9, 2022 at ~ 7:00 PM
Video Conference via Zoom**

Attending: Jennifer Geiger (PB Chair); Matt Caras (PB Secretary); Roger Heard (PB); Vicky Stoneman (PB); Jim Davis (PB, joining at about 7:15 PM); Chris Wilcoxson (CEO); Mike Kreindler (Deputy CEO, joining at about 7:40 PM).

Cobb Conditional Use Permit Application for Temporary Dock

Consideration of Conditional Use Permit Application for Temporary Dock (the “Application”) by Atlantic Environmental, LLC c/o Tim Forrester (the “Applicant”) on property owned by Leslie Cobb (the “Property Owner”) and located at 80 Spinney Mill Road, Arrowsic, Maine (Arrowsic Tax Map/Lot Number 4/19) (the “Property”). The Property is in the Shoreland Zone and the Special Protection District. Tim Forrester was in attendance for this portion of the meeting.

A site walk was taken by the Planning Board on May 9, 2022. Reference is made to the 05-09-2022 Minutes of Cobb Site Walk.

The Planning Board reviewed the Application. Upon motion by Roger Heard, which was seconded by Vicky Stoneman, and it appearing that the Conditional Use Permit Application satisfies the provisions of Section 4.2.2 of the Ordinance, all Board members in attendance voted in favor of the motion approving the completeness of the Application.

Tim Forrester then presented the project as set forth in the Application. The proposed temporary structure consists of three separate components: a timber pinned with rods into the ledge of the upland edge, a ramp attached to the timber, and a float attached to the ramp (collectively, the “Dock”). All required permits or approvals from entities other than the Planning Board appear to have been obtained.

There was discussion regarding, among other things, the offseason storage of the Dock and the access to the Dock. With the exception of the timber pinned to ledge, during the offseason the Dock will be dismantled and moved by water to an offsite storage location. The timber will remain in-place year-round. There will not be any cutting or clearing in connection with the project, except that two cedars, each of which is about three inches in diameter at its base, will be cut (with stumps left in the ground). To enable safe access to the Dock, a meandering path will be made by leveling certain areas with erosion control mix and installing stepping stones. Only hand-operated equipment will be used for the project. At low tide the float will be in water, *i.e.*, will not rest on the river floor.

The Board then reviewed Section 4.2.3 of the Ordinance, which requires the Planning Board to find, based on the information provided by the Applicant, that the proposed temporary dock:

- *Will not result in unsafe or unhealthy conditions*—based upon information provided by the Applicant, including the way in which the Dock will be accessed and the way in which the Dock will be constructed, the Planning Board finds in the affirmative on this factor.
- *Will not result in erosion or sedimentation*—based upon information provided by the Applicant, including that the upland area where the timber is pinned will not be disturbed, that the access to the Dock will meander, include a series of stepping stones and utilize an erosion control mix where necessary to level the path and stabilize the stones, and that the project will not create any runoff, the Planning Board finds in the affirmative on this factor.

- *Will not result in water pollution*—based upon information provided by the Applicant, including that the upland area where the timber is pinned will not be disturbed and that the project will not create any runoff, the Planning Board finds in the affirmative on this factor.
- *Will not result in damage to spawning grounds, fish, aquatic life, bird and other wildlife habitat*—based upon information provided by the Applicant, including that the upland area where the timber is pinned will not be disturbed, that the timber will be attached to ledge, that the project will not create any runoff, and that the float will be in water at low tide, the Planning Board finds in the affirmative on this factor.
- *Will conserve shoreland vegetation*—based upon information provided by the Applicant, including the Applicant’s representation that there will be no clearing or cutting in connection with the project that is the subject of the Application, other than the cutting of two small cedars, the Planning Board finds in the affirmative on this factor.
- *Will conserve the visual points of access to waters as viewed from public facilities*— because the project contemplated by the Application does not involve visual points of access to waters as viewed from public facilities, the Planning Board finds in the affirmative on this factor.
- *Will conserve actual points of public access to the water*—because the project contemplated by the Application does not involve actual points of public access to the water, the Planning Board finds in the affirmative on this factor.
- *Will conserve natural beauty*—based upon information provided by the Applicant, because the project contemplated by the Application will not diminish the natural beauty of the environment around it, the Planning Board finds in the affirmative on this factor.
- *Will avoid problems associated with flood plain development and use*—based upon information provided by the Applicant, because the project contemplated by the Application will not create any problems associated with flood plain development and use, the Planning Board finds in the affirmative on this factor.
- *Is in conformance with the provisions of Section 3.0 Performance Standards*—based upon the information provided by the Applicant, the Planning Board finds in the affirmative on this factor because, among other things, the Dock complies with the provisions of Section 3.11 of the Ordinance, including Section 3.11.7.

By unanimous agreement of its members, the Board made a positive finding that the proposed use satisfies the requirements of 4.2.3, including the requirement that the proposed use is in conformance with the provisions of Section 3.0 Performance Standards. The Board, on its initiative, imposed three conditions on the Permit, to wit: (1) At all times during and after construction, provision shall be made to prevent soil erosion and sedimentation of surface water; (2) there will be no clearing or cutting in connection with the construction or use of the Dock, except that two small cedars will be cut with stumps left in the ground; and (3) the ramp and float will be stored offsite during the offseason, and will be transported to such offsite location by water. Motion was made by Matt Caras, which was seconded by Roger Heard, to approve the Application, subject to the three conditions described above. All Board members in attendance voted in favor of the motion.

Conservation Commission Discussion

Phine Ewing of the Town’s Conservation Commission joined this portion of the meeting to update the Planning Board on early discussions the Conservation Commission is having with the Conservation Commissions of Georgetown, Woolwich, Westport and Phippsburg regarding a collaboration to explore ways to reduce carbon emissions and to be resilient to upcoming climate changes. Phine said she is meeting with all Arrowsic committees

to inquire whether each has any specific topic(s) it would like to see the collaboration consider, and to inquire if there are committee members willing to work on this new project.

Approval of Minutes

The Board reviewed the draft Minutes of its April 3, 2022 Grill Site Walk. Upon motion made by Vicky Stoneman, which was seconded by Matt Caras, the Planning Board approved the Minutes of its April 3, 2022 Grill Site Walk (all voted in favor). The Board then reviewed the draft Minutes of its April 4, 2022 Meeting. Upon motion made by Matt Caras, which was seconded by Vicky Stoneman, the Planning Board approved the Minutes of its April 4, 2022 Meeting (all voted in favor).

LD 2003

There was substantial discussion regarding the sweeping provisions of LD 2003, particularly as they relate to accessory dwelling units ("ADUs"). The Planning Board Chair has initiated a discussion with the Town's attorney regarding LD 2003 and ADUs. The continued advice of counsel will be necessary in connection with any action taken by the Town in connection with LD 2003. The Town's attorney did note that restrictions on short term rentals, which are not prohibited by LD 2003, may depress interest in building ADUs.

There was discussion concerning options for approaching LD 2003's ADU provisions, including an option of defining an ADU under the Town's Ordinances.

Miscellaneous

The Planning Board Chair reminded Planning Board members that June's meeting will be held on June 13 (as opposed to June 6 as originally scheduled).

Adjourned at about 9:15 PM.