

FALMOUTH PLANNING BOARD MEETING MINUTES

TUESDAY, APRIL 1, 2008, 6:30 P.M.

FALMOUTH TOWN HALL, COUNCIL CHAMBERS

MEMBERS PRESENT: Tony Calcagni (Chair), Bill Lunt (Vice-Chair), Bernard Pender, Stan Bennett (Associate), Jay Moody (Associate)

ABSENT: David Fenderson, Hugh Coxe

STAFF PRESENT: Ethan Croce (Assistant Planner)

The meeting was called to order at 6:34 pm.

Stan Bennett and Jay Moody were appointed as voting members for the meeting.

1. Approval of March meeting minutes

Bill Lunt moved to approve the minutes; Bernard Pender seconded. Motion passed 5-0.

Administrative Items:

2. Woodlands Homeowners Association – Request for an amendment to the Woodlands Subdivision Declaration of Covenants. Tax Sheet 220; zoned Farm & Forest, MUC, & RCZ Overlay.

Stan Bennett moved to approve the item; Bill Lunt seconded. Motion passed 5-0.

Agenda Items:

3. Portland Yacht Club – Request for a shoreland zone permit relative to a lawn re-grading project involving 240 cubic yards of fill. Tax Sheet 162; Map-Lot U16-083; zoned RA, RCZ Overlay, & LR (Shoreland).

Bill Walsh of Mohr & Seredin, presented the application on behalf of the Yacht Club. The Club is proposing the re-grading of a portion of their site to make it more useable. The current grades are between 12-15 %. Part of the lawn is used for dinghy storage, but it is not very usable due to the slope. The grade from the dinghy storage racks runs downhill, which makes them hard to access.

The plan is to create a lawn terrace, about 52x28, with a gravel base walkway with loam on top; it will not be an impervious surface. The lawn terrace will grade at 2-5% at most, and will grade down toward the edge of a 25 foot buffer. Mr. Walsh showed a diagram which detailed the area and design of the proposed re-grading. In the dinghy storage area, the racks will run along where they are now, and they are planning on flattening the grade out to about 10%. There will be a slight rip rap slope here. Some plantings are planned to buffer the activities from one another i.e screening the dinghies from the lawn terrace and dining room areas. The project includes 240 yards of material to be brought in to level off the area. The applicants have applied for a Permit-By-Rule from the DEP, and have received their approval already. That is the only permit required from the state level.

Jay Moody asked if there was a cross section of the rip rap area.

Mr. Walsh said he had a detail, but maybe not a cross section.

Jay Moody observed that it seems they are filling all the way to the boat ramp road.
Mr. Walsh said that is correct. There will be a 2:1 slope.

Jay Moody asked what the increase of the elevation at the lower end of the dingy rack will be.
Mr. Walsh said the increase will be 2 1/2 to 3 feet from the existing.

Jay Moody asked what the use of the two areas near the new hedges will be; are they going to be used for miscellaneous boats like today?

Mr. Walsh said they will. The upper one is for the sailing program, the lower one for functions and overflow for dingy setup.

Jay Moody asked if they planned to setup tents for functions on the new lawn terrace.

Mr. Walsh said yes, possibly.

Jay Moody pointed out that the application stated that there would be no change of use for the area; if there will be tent space that would be a change of use

Ken Porter from the Portland Yacht Club said there are tents used on the property currently.

Jay Moody agreed, but they are not used in this area.

Bernard Pender said that this creates a whole level of field that creates more opportunity for use.

Jay Moody said that it looks like a function tent use area.

Gary Vogel from the Portland Yacht Club said that they are not looking for additional tent use, but rather to move existing tent use away from the current space, which is close to adjacent property owners. They are not intending to use both the old and new locations for tents at the same time. They are moving tent usage away from walkways and neighbors.

Jay Moody said that it was not indicated anywhere in the material given to the Board about moving tent usage from the old site to new site.

Mr. Walsh said that they didn't look at it as a change of use, just moving a current use

Stan Bennett asked how often tents are up in the summer.

Mr. Vogel said that tents are up for the big race events; there are typically four in a year. They usually set up a tent on a Wednesday, the party is on a Friday, and the tent is removed on Monday. The Club doesn't own the tent, it rents it. Typically tents are only there for a weekend.

Stan Bennett asked about the increase in pervious area and asked where they are taking out 500 sq feet of parking area.

Mr. Walsh indicated where the parking space was being removed.

Bernard Pender said it appeared to him that these were temporary fixes to the erosion problem. He asked if there was a long-range plan to prevent this from coming up again.

Mr. Walsh said that there are two issues that contribute to the erosion on the site: 1. traffic over it, and 2. slope. Grades over 4% with water running over it will wear out the soils. The idea is if they level it out the water won't run as fast over it, and that will prevent erosion. The proposed grade will allow water to run more slowly.

Public comment period opened: no public comment.

Jay Moody asked if the paved offshoot off the launch ramp will remain as it currently exists.

Mr. Walsh said it will to a point, and then it will disappear due to the re-grading.

Jay Moody asked why there are no contour lines at that point in the diagram.

Mr. Walsh said that it runs up at 10% grade from that offshoot through the dinghy area and to the walkway.

Jay Moody asked if that new grade comes from fill.

Mr. Walsh said yes it will.

Jay Moody wondered how they get from the level of the launch ramp offshoot to the level of the dinghy storage area.

Mr. Walsh explained that there is a sharper grade at the end of the walkway. There will be a little grade bump stretched over a 10-12 feet area, so it will be more like a ramp.

Mr. Vogel said that they will pull dinghies straight up the ramp and not over the lawn, to avoid erosion.

Bill Lunt asked why they don't just eliminate the offshoot.

Mr. Vogel explained the planned use pattern of the walkway and new ramp.

Bill Lunt asked if the Club is required to file any kind of plan with the town when they use a tent.

Mr. Vogel said that he didn't believe so.

Bill Lunt wondered if it would fall under the amusement rule.

Ethan Croce said that there may be a permit that needs to be issued, but there is a distinction between using tents for temporary use vs. permanent use. A permanent tent would be forbidden within 100 feet of the shoreland zone. He couldn't speak for any Codes requirements for temporary tent use.

Bill Lunt observed that they are allowing themselves to expand the usage of tents. He wanted to see if there was a way to prevent them from using tents in both places.

Anthony Calcagni asked what prevents them from using a tent there now, other than the grade. He thought they could do it now, if they wanted to.

Ethan Croce said, after further research, that the threshold for the town requiring a permit for tent usage is a week. As long as a tent is up for less than a week, it does not require a permit.

Ethan Croce summarized the proposed conditions of approval.

Anthony Calcagni stated that the applicants already have the DEP Permit-By-Rule and CCSWD approvals that they need.

Ethan Croce said that was correct.

Jay Moody said that he is okay with this. He wanted to point out that it appears to be less an erosion control project than it is about getting another multi-use area. He remarked that they seem to be developing steeper grades in some areas, which would appear to increase potential for erosion. Referring to a prior Yacht Club application, he asked if the neighbors have been notified of this.

Ethan Croce said that all the abutters received notice of the meeting.

Mr. Vogel said that, since the time of the Yacht Club's application for a junior yacht club, the Club has worked to improve the situation with their neighbors, keeping them involved.

Regarding the usage: erosion control is one goal, but the primary objective of this application is not to create a function area, but to create nice green space. This project will improve the way the club looks; they want to enhance the look for their members.

Stan Bennett moved to approve the application subject to the proposed conditions.

Bill Lunt seconded.

Motion carried 5-0.

Meeting adjourned 7:04 pm.

Respectfully submitted,
Melissa Tryon
Recording Secretary