

**TOWN OF TREMONT
PUBLIC HEARING
TREMONT COMMUNITY BUILDING
6:00 PM TUESDAY, FEBRUARY 22, 2005**

Planning Board Chairman George Urbanneck opened the Public Hearing at 6:00 PM for preliminary approval of a subdivision submitted by Douglas Gott on a 12.7 acre portion of Tax Map 7 Lot 15, to subdivide into 6 residential house lots on Alder Lane in the Residential-Business Zone.

Present were Planning Board Chairman George Urbanneck, Planning Board Members Galen Warman, Wayne Patton, Linda Graham, Mike Ryan, Jim Keene, Town Attorneys Chad Smith and James Collier, CEO Millard Billings, Recording Secretary Debbi Nickerson.

Members of the public present were Patti Wharton, Roger St Amanis, Tim Brochu, Ned Wharton, Mike Ross, Glenn Squires, Douglas Gott, N Wiesenberger, Jeff Crafts, Mike Avery, Saul Salsby, George Shee, Greg Johnston, Noel Musson, Mark Good with the Islander, Bill Trotter with the Bangor Daily News, and Laurie Schreiber with the Bar Harbor Times.

Doug Gott explained he would like to divide the lot into 6 house lots. There was no discussion.

Motion by Planning Board Member Jim Keene, with second by Planning Board Member Mike Ryan, to close the public hearing at 6:03 PM. Motion passed by a show of hands 6-0.

**TOWN OF TREMONT
REGULAR PLANNING BOARD MEETING
TREMONT COMMUNITY BUILDING
TUESDAY, FEBRUARY 22, 2005
6:00 PM**

1. CALL TO ORDER

The Planning Board Meeting of February 22, 2005 was called to order by Chairman George Urbanneck at 6:03 PM.

2. ROLL CALL

Present were Planning Board Chairman George Urbanneck, Planning Board Members Galen Warman, Wayne Patton, Linda Graham, Mike Ryan, Jim Keene, Town Attorneys Chad Smith and James Collier, CEO Millard Billings, Recording Secretary Debbi Nickerson.

Members of the public present were Patti Wharton, Roger St Amanis, Tim Brochu, Ned Wharton, Mike Ross, Glenn Squires, Douglas Gott, N Weisenberg, Jeff Crafts,

Mike Avery, Saul Salsby, George Shee, Greg Johnston, Noel Musson, Mark Good with the Islander, Bill Trotter with the Bangor Daily News, and Laurie Schreiber with the Bar Harbor Times.

3. ADJUSTMENTS/ADOPTION OF AGENDA

None

4. APPROVAL OF MINUTES

A. Minutes of February 8, 2005 Planning Board Meeting

Planning Board Member Linda Graham asked to have "Sense" in 6. A. 2. changed to "Since".

Motion made by Planning Board Member Wayne Patton, with second by Planning Board Member Linda Graham, to accept the revised minutes from the February 8, 2005 Planning Board Meeting. Motion passed by a show of hands 6-0.

5. SUBDIVISIONS

A. Preliminary Plan Approval – Doug Gott – Map 7 Lot 15 – Residential-Business Zone. A subdivision of a 12.7 acre portion of map 7 lot 15 into 6 residential house lots "Alder Lane Subdivision".

Planning Board Member Jim Keene requested that pg. 2 item III. E. Identify method of fire protection be changed from "None" to "Tremont Volunteer Fire Department" as well as the dry hydrants be changed on the application "because we have a dry hydrants right there in Seal Cove".

Motion by Planning Board Member Wayne Patton, with second by Planning Board Member Jim Keene, to accept the preliminary plan as complete for the updated plan for Map 7 Lot 15 dated 10/20/04. Motion passed by a show of hands 6-0. Final Plan Review scheduled for March 22, 2005.

B. Completeness of Application – CES representing Ralph Shapiro – Map 11 Lot 25 Rural-Residential Zone – a proposed six lot single family residential subdivision on 25 acres on the east side of Tremont Road and the northern end of Hodgdon Pond.

Tim Brochu, Engineer and Surveyor with CES, Inc., representing Ralph Shapiro explained that the subdivision would be 6 lots on 26 1/4 acres with an access road down the middle that would be 12' wide with shoulders of 2', "so emergency vehicles can get in. There will be quite a few restrictions on the lots, one being there can be no more subdividing, the intent of the developer is to have a very low impact subdivision." Mr. Brochu said, "There are very detailed lot restrictions in the application package." He also gave the Board copies of the Deed.

Chairman George Urbanneck asked if there would be an easement along the shore. Mr. Brochu explained that there would only be to the water not along the shore. Planning Board Member Jim Keene asked if that would be just a path. Mr. Brochu explained that it would be just a path – no vehicular access. Planning Board Member Jim Keene voiced his concerns about erosion along the path. Mr. Brochu offered to add restrictions to address erosion problems. Chairman George

Urbanneck felt the applicant would have to address Hodgdon Pond and Seal Cove Pond Phosphorus and the DEP Soil and Erosion Control Plan would apply to the path.

1. Planning Board Member Mike Ryan asked, "Who owns the property?" Mr. Brochu explained it was currently owned by someone other than Ralph Shapiro. Chairman Urbanneck asked to have that changed on the application – owner and applicant.
2. Chairman Urbanneck requested the proposed well sites be marked on the plan.
3. Planning Board Member Jim Keene asked to have the name of route 102 changed from Pretty Marsh Rd. to Tremont Rd.

Motion made by Planning Board Member Mike Ryan, with second by Planning Board Member Galen Warman, for completeness of the Ralph Shapiro Subdivision - Map 11 Lot 25 – submitted February 15, 2005. Motion passed by a show of hands 6-0. Preliminary Plan Review set for March 22, 2005.

Planning Board Member Wayne Patton asked about the "Existing fire pond" in III. E. Identify method of fire protection on the application. Mr. Brochu felt it should say purposed.

6. NEW BUSINESS

Motion made by Planning Board Member Linda Graham, with second by Planning Board Member Wayne Patton, in accordance with 1 MSMRSA Section 405 Section 6 Section E the Planning Board go into executive session to consult with the Town of Tremont's legal council regarding the Planning Board's rights and duties. Motion passed by a show of hands 6-0. The Planning Board went into Executive Session at 6:32 PM.

Motion made by Planning Board Member Linda Graham, with second by Planning Board Member Jim Keene, to come out of executive secession. Motion passed by a show of hands 6-0. The Planning Board came out of Executive Session at 7:30 PM.

A. CES, Inc. representing Rob Egbert – Map 8 Lot 9 – Limited Residential Shoreland Zone. To construct a pile supported residential pier to be used in common by multiple home owners. The pier will be 137 feet in fixed length and have a seasonal ramp 65 feet and two floats 40' x 20' connected by a 45 foot ramp. This pier will be located at the north end of the Algerine Coast on the Cape Road at Seal Cove.

Michael Ross, an Attorney in Trenton, presented the Board with a letter of authorization from Robert Egbert to represent him with the Planning Board.

Noel Musson of CES spoke to the Board about the missing items:

1. The abutters on the Cape Road are identified and book and page are included.
2. Mr. Musson gave the Board a clear copy of the Purchase and Sale Agreement signed by both parties.
3. The lights will be pointed down with a switch for as needed use.
4. The length of the pier is listed all the way through the application as 305'.

Greg Johnston of CES told the Board the Army Corp of Engineers has done the initial review, but needs the results of an archeologist survey. Chairman Urbanneck pointed out that a Plumbing Permit will be needed also. Chairman Urbanneck read to the Board two Archaeological Site Survey Records, one dated 4/13/83 the other dated 8/3/79, faxed to Greg Johnston of CES by Arthur Spiess, Archaeologist with the Maine Historic Preservation Commission (see attached). **Motion** made by Planning Board Member Jim Keene, with second by Planning Board Member Galen Warman, to accept the application as being complete for the Egbert pier application, with the Army Corp of Engineers archeologist survey to be turned into the Board three weeks prior to the Boards consideration of the application. Motion passed by a show of hands, 5-1. Planning Board Member Mike Ryan voted no. Chairman Urbanneck announced that the Planning Board will make all materials available to the public as soon as it is received and members of the public will be aloud to speak at the meeting at which the application would be discussed.

- B. Flood Hazard Development Permit Application – CES, Inc. for Rob Egbert – Map 8 Lot 9. To construct a pile supported residential pier to be used in common by multiple home owners. The pier will be 137 feet in fixed length and have a seasonal ramp 65 feet and two floats 40’ x 20’. This proposed pier will be located in Zone VE with a Flood Elevation of 15 feet.

Motion made by Planning Board Member Linda Graham, with second by Planning Board Member Galen Warman, to table the Flood Hazard Development Permit Application until the next regular meeting where the additional information for the application will be represented. Motion passed by a show of hands 6-0.

- C. Application submitted by Deborah Nickerson for a Home Occupation Permit to provide bookkeeping services for clients on land of Scott Grierson, Map 2 Lot 10, Residential-Business Zone.

Motion made by Planning Board Member Wayne Patton, with second by Planning Board Member Mike Ryan, to accept the application of Deborah Nickerson for a home occupation. Motion passed by a show of hands 6-0.

7. OLD BUSINESS

- A. Report of Land Use Ordinance Committee

Planning Board Member Mike Ryan suggested a Minor Subdivision should contain the statement, “4 lots or less or 4 dwelling units or less.”

8. CEO ISSUES

None

9. NOTICES

Chairman George Urbanneck asked about Murphy. CEO Millard Billings told the Board the 3rd notice on the trailer needs to be sent out.

CEO Billings handed out an application to the Board for a MMA training session in Ellsworth. Planning Board Member Mike Ryan would like to attend.

10. OTHER

None

11. SET DATE FOR NEXT MEETING

The next Planning Board Meeting will be held March 8, 2005

12. ADJOURN

Motion made by Planning Board Member Wayne Patton, with second by Planning Board Member Linda Graham, to adjourn. Motion passed by a show of hands 6-0. The meeting was adjourned as 8:44 PM.

Respectfully submitted,

Debbi Nickerson,
Recording Secretary

George Urbanneck