



MUNICIPAL OFFICES

23 SCHOOL STREET • P.O. BOX 875
OGUNQUIT, MAINE 03907-0875

(207) 646-5139 General Offices
(207) 646-9326 Land Use
(207) 646-9546 Town Clerk

E-mail: townofogt@maine.rr.com

**OGUNQUIT PLANNING BOARD
SITE VISIT
MARCH 13, 2017**

A. CALL TO ORDER – 9:00 A.M.

Mr. Wilkos called the Roll at 9:00 a.m.

Planning Board Members Present: Steve Wilkos, Chair
 Rusty Hayes, Vice Chair
 Muriel Freedman
 Mark MacLeod

Planning Board Members Excused: Jackie Bevins

Also Present: Scott Heyland, Code Enforcement Officer
 Fred Mayo, Harbor Master
 Everett Leach, Shellfish Warden
 Bill Baker, Conservation Commission Chair
 Bill Lee, Conservation Commission
 Timothy Forrester, Applicant's Representative
 Stephen Moore, Applicant's Representative
 Kirsten Ross, Resident

B. SITE INSPECTION –

10 and 12 BEACH PLUM LANE REALTY TRUSTS – 10 and 12 Beach Plum Lane – Map 9 Blocks 66A and 66B – R/RP. Site Plan Review Application for a post December 31, 1930 structure. Application to construct a 4'x190' fixed walkway and 5'x30' pier connected to a 3'x26' seasonal ramp and 10'x20' float for access to the Ogunquit River; to serve both residences.

Mr. Forrester began the site visit on the river side of the Applicant's houses at 10 and 12 Beach Plum Lane. He showed the group the Applicant's 21' tandem sea kayak. Mr. Forrester pointed out the flagged location at the start of the proposed fixed walkway and the beginning of the deck which will be four feet (4') above the substrate; and three feet (3') above the highest annual tide (HAT). He pointed out the marked locations of the

helix anchors as well as a sample anchor which he had placed in the ground. Mr. Forrester indicated how the Helix Anchor will be augured into the ground and how it works to hold the structure in place. Mr. Forrester estimated that this project will probably use Helix Anchors which may be eight feet +/- (8') into the ground. The anchors are made of galvanized metal.

Mr. Forrester stated that the pier elevation will be at four feet (4'). He stated that he does not believe winter ice will come anywhere near the boardwalk structure and that the pier and float will be removed during the winter months.

Mr. MacLeod suggested that the site will also be somewhat protected by the Footbridge Beach Parking Lot.

Mr. Forrester agreed.

The group moved out onto the salt marsh where Mr. Forrester pointed out the flagged stakes indicating the outline of the proposed pier and float. He noted that the boardwalk will be four feet in width and the pier will expand to five feet as indicated by the flagged stakes. This will be done to provide enough width for the winter storage of the ramp. He noted that there will be very little elevation change from the fixed walkway to the beginning of the ramp.

Mr. Forrester pointed out that the marked location of the proposed float is out of the navigational channel at low tide. The float will sit directly on its skids on the sand which reduces its impact on the mud flats.

Len Pierce added that the purpose is to get the float beyond the vegetation and out onto the sand.

Mr. Forrester noted that the angle of the ramp changes slightly so that the float will sit parallel to the shore and not askew.

Mr. Heyland asked if the entire project will be contained on the Applicant's property.

Mr. Forrester confirmed that the entire structure, including the far edge of the float, will be physically located within a single parcel.

Mr. Hayes stated that he was under the impression that the proposed pier would be directly on the lot line between the Applicants' two properties.

Mr. Forrester responded that the original application proposed the walkway, pier, ramp, and float to be all on one parcel. It will be fifteen feet (15') from the property line between the two parcels.

Fred Mayo the Ogunquit Harbor Master stated that some of the Applicant's assertions are flawed. He reminded everyone that in 1987 the footbridge floated away. He added that

the ice flows which come down the river can support a small adult. There was one event where kids actually jumped onto the ice floats and road them down the river. By building what amounts to a dam at this location it will hold everything back and the pressure will be enormous. Mr. Mayo stated that those little screw anchors won't hold. Mr. Mayo added that the Town had to raise everything up above the floodplain. He noted the Sewer District's Pumping Station and the raising of the new footbridge by 16 to 18 inches. Mr. Mayo reminded everyone that the past few years we have had several very nice winters but there is always the potential for ice damage and the proposed structure isn't high enough to avoid ice flows.

Everett Leach pointed out that the path from the Footbridge Beach Parking Lot, which travels along the sand flats to the Applicant's site, changes from year to year depending on the weather. He pointed out the current frozen ice and suggested that at high tide it would be dangerous for someone to walk around the float. He added that people dig clams two to three hours after low tide when the water will be up to the float and it would not be feasible to walk around it. He noted that when there is a lot of heavy snow and there are ice packs going down the river the clam diggers will walk through the site for safety reasons.

Bill Baker stated that he agreed with the Harbor Master and the Shellfish Warden. He agreed that for the last few years we have had warm winters with less ice. He is concerned about the view of the river from the footbridge and the beach. It is his opinion that the proposed pier structure will negatively impact the area.

Mr. Baker provided a hand measuring tool and visually demonstrated the 8 ½ foot distance from the ground surface to the bottom of the proposed structure.

Bill Lee, a Conservation Commission member asked about railings.

Mr. Forrester responded that they intentionally did not propose any railings. They plan to use 2"x4" foot stops. They chose these instead of railings to minimize the visual impact.

Stephen Moore, the Applicant's landscape architect added that the Applicant submitted additional information to the Board the previous week. This additional information contained a narrative regarding the context and the potential visual impact of the proposed project. The reason they chose the foot stops over the handrails was to keep the profile low, in keeping with the already existing docks in the area.

Mr. Forrester responded to the Shellfish Warden's comments. Mr. Forrester reminded everyone that the ramp and float will only be in place from early spring and out in the fall. They will not be in place during the shellfish harvesting season. It will not have any impact on access or use of the shellfish resource where clams are harvested. If people wish to traverse the marsh they have the legal right below mean high water, which is why they have elevated the dock to 8 ½ feet. This will provide ample space for people to pass by.

Mr. Forrester pointed out other structures in the area. He also pointed out the 4”x4” hand dug post which has been in place since 1964 and if there had been an ice issue that post wouldn’t still be there.

Mr. Wilkos asked if there were any comments from the public.

Kirsten Ross clarified the letters she has submitted to the Board. Her concern was not with the ice flowing up and down the river but rather the horizontal impact on the proposed structure. She noted that there are times when the entire estuary freezes and if there were to be a deep snow pack, if this is followed by an extreme high tide the ice and snow is thrust in a variety of directions. Ms. Ross noted the debris from the 2015 fires downstream and the damage which was done to the marsh and the dunes from materials dislodged and traveling through the estuary. Ms. Ross added that the Town lost a stretch of dune fencing from just such an event.

Mr. Wilkos asked if there was anyone else who wished to be heard. There being no one the Site Visit was adjourned at 9:19 a.m.

C. ADJOURNMENT –

The Site Visit was adjourned at 9:19 a.m.

Respectfully Submitted
Maryann L Stacy
Maryann Stacy
Recording Secretary

Approved on March 27, 2017