

Embden Planning Board – July 11, 2013

Members present were Chairman Leo Mayo, Ann Bridges, Eleanor Ketchum, Jay Wilson, Dwight Barron, and alternates Alton McClamma and Myles Durkin. See attached list for citizens in attendance.

The meeting was opened by Chairman Leo Mayo at 7:00 p.m.

The minutes of the June meeting were accepted as presented.

The Chairman indicated if there was no objection from the Board members that the correspondence and old business would be taken up later in the meeting. There were no objections.

The Chairman indicated that he was a member of the committee concerning the spillway and wanted to know if the Board members wished him to set down as Chairman for this portion of the meeting. There was no objection.

First on the agenda was an application by the Town of Embden (Tax Map 22, Lot 22) to remove the existing spillway and replace it with a concrete spillway. It was noted that an information meeting and a public hearing had been held on the matter. The engineer Steve Govoni answered questions from the various board members concerning the permitting process; elevation of the spillway was had been determined to be 414.88 feet above mean sea level. The concrete spillway will be 30 feet wide and there will be 8 foot head walls 1 foot wide at the sides.

A question was asked as to whether the Town had the final permits from the Army Corps of Engineers and the Maine DEP. Mr. Govoni indicated that a new person at DEP had reviewed the permit. DEP has environmental concerns concerning the fact that the riverbed from the spillway to where the fish hatchery releases water downstream would be dry. It appears that the DEP will require that at least 5 cubic feet of water per second go over or through pipes at the spillway. This could be done two ways; i.e. a V-notch at the top of the spillway to allow water flow or placing 4 four-inch pipes three feet below in the concrete to avoid a dry river bed. Several asked if this was defeating the purpose of the spillway.

A question was also asked about the kind of erosion control that would be in place. Mr. Govoni indicated that there were several areas around the stream and the wetlands where silt fences would be place. There will also be a floating boom place in the pond with sand bag barriers; mats will be used for equipment that will be used.

After questions by the Board members, the Chairman asked if there were any questions from those in attendance. Jed Spear, Ed Theborge and Steve Smith asked questions. There being no further questions, the Chairman indicated that he would entertain a motion. A motion was made by DB and seconded by JWE to allow the Town of Embden (Tax Map 22, Lot 22; 81 Mill Road) to replace the existing spillway and dam at the south end of Embden Pond and to construction a concrete spillway and dam to be 414.88 feet above sea level contingent upon

receiving permits from DEP and the Army Corps of Engineers. Three members were in favor and one member was opposed. The motion carried.

Permit #	Issued to	Construction Type	Plumbing Permit #	Amt.	Check #
2367	Town of Embden	To replace existing spillway & dam at south end of Embden Pond; to construct concrete spillway & dam to be 414.88 feet above sea level; contingent upon receiving permits from DEP & Army Corps of Engineers; site review completed 07/05/13; 81 Mill Road; Tax Map 22, Lot 22		Waived	
2368	Michael Cote/ Cynthia Fisher	To construct 4' x 15' deck and 10' x 10' covered screened in deck; site review completed 07/10/13; 44 Lakefront Drive; Tax Map 24, Lot 001-034		\$25.00	TR1179-1
2369	Ken Brock	To construct 24' x 26' 1 1/2 story – 20' high garage on concrete slab – 128' HWM; to properly install 100 feet silt fence on west side of road; part of Colony Club Subdivision; site review completed 07/10/13; 69 King's Drive; Tax Map 29, Lot 11		\$25.00	TR1407-1
2370	Warren Cook	To construct 26' x 36' one story 20' high garage on concrete slab; 130+ feet from HWM; site review completed 07/10/13; 46 Third Street; Tax Map 29, Lot 11		\$25.00	TR1492-1
2371	Eugene Armbrister	After the Fact – to construct 24' x 24' 1 1/2 story 22' high garage on concrete slab; contingent upon receipt of additional \$175.00 "After the Fact" fee; site review completed 07/10/13; 140 Pine Bluff Road; Tax Map 7, Lot 001-012		\$25.00	TR1223-1
2372	Chet & Sara Hickox	To construct 22' x 26' 1 1/2 story 18' high accessory Building on concrete slab with 2' knee walls; site Review completed 07/08/13; 4 Katie Crotch Road; Tax Map 4, Lot 001		\$25.00	TR1379-1

Due to the late hour and there were several items on the agenda, it was voted to continue the meeting to July 18, 2013 at 7 p.m.

Present at the continuation meeting were Chairman Leo Mayo, Eleanor Ketchum, Ann Bridges, Dwight Barron and alternates Alton McClamma and Myles Durkin. Mac will sit in place of Jay Wilson who is absent.

Permit #	Issued to	Construction Type	Plumbing Permit #	Amt.	Check #
2373	Ralph Tranten	To install stone & drainage pipe next to driveway to natural drainage area; to loam, seed & Mulch area 20' x 20' area next beside garage; nothing to be closer than 100' HWM: water is not to encroach on abutting landowners; to properly install silt fence 100' HWM; site review completed 06/22/13; 61 South Shore Road; Tax Map 22, Lot 33		\$25.00	TR1502-1

Next on the agenda was the request by Blaine Miller (Hancock Pond, Tax Map 10, Lot 15-1) to change the zone from resource protection district to limited residential district.

At the last meeting the board informed Mr. Miller of several requirements needed before a public hearing would be scheduled. The following requirements were met: 1) processing fee of \$25.00; 2) signed copy of letter from John Brochu, soil scientist and plot showing the soil test pits; 3) list of abutting landowners with addresses; and 4) letter from DEP indicating that no specific wetlands were identified. It was indicated that Mr. Miller will be required to send the appropriate notices to the abutting landowners by certified mail, return receipt requested. The secretary will prepare and post the necessary notices in the newspaper and at the town office. Mr. Miller will be required to pay any costs related to the notices. The secretary will draft and e-mail the letter for Mr. Miller to send to the abutting landowners when the date has been set for the public hearing.

The chairman indicated that another individual had also requested a zone change which will be reviewed at the next regular meeting of the board and at that time a public hearing will be scheduled for both changes.

The Chairman gave to the board members a copy of a letter from Bryce Pinkham (Black Hill Pond; Tax Map 4, Lot 39) giving board members permission to view his lot on Black Hill Pond. Mr. Pinkham indicated that he would like to have his property taken out of resource protection district so that he can build a cottage on his lot. The Chairman will set up a date with Colin Clark of DEP and advise the board members of the date.

Next on the agenda was a letter from Adam Harville, attorney for Paul Fortin. Mr. Fortin currently is the owner of two adjoining parcels of land. The first parcel contains 23 acres, more or less, (Tax Map 34, Lot 5) and the other contains 16 acres, more or less, (Tax Map 34, Lot 12). Mr. Harville indicated that his client wishes to combine the two parcels of land into one and wanted to know whether the Town of Embden had any objections to combining the two parcels into one. After some discussion and a review of the various town ordinances, the Board determined that there is nothing in the town's ordinances that prohibits Mr. Fortin combining the two lots. Therefore, the Board does not foresee any problem with the combining of the two lots. The secretary was instructed to draft a letter for signature by the Chairman.

The final item to come before the Board was a complaint by several individuals of a new set of steps and deck on the shore located at 1256 East Shore Road (Tax Map 14, Lot 9). The property is currently owned by Gary and Beth Agren. The matter will be brought to the attention of the CEO who was not in attendance at the continuance meeting.

There being no further business to come before the Board, it was voted to adjourn. Adjourned at 8:15 p.m.

Respectfully submitted,

Ann C. Bridges
Secretary