

**TOWN OF PORTAGE LAKE**

**P.O. BOX 255  
PORTAGE LAKE, MAINE 04768  
TEL. (207) 438-4361**

**MARCH 29, 1988**

**Dear Planning Board Member;**

Please find an enclosed notice concerning the next Planning Board Meeting. The proposed development is a twenty-two room motel and lodge. Please study your copy of the Portage Lake Zoning Ordinance in order to insure that we will comply with the zoning.

Please make every effort to attend this important meeting.

Sincerely,



**Paul Blanchette  
Town Manager**

**PLANNING BOARD MEETING**

**APRIL 7, 1988**

**PORTAGE LAKE MUNICIPAL BUILDING**

**TIME 7:00 P.M.**

**THE SUBJECT IS THE PROPOSED DEVELOPEMENT OF THE LAKE  
FRONT PROPERTY OWNED BY WARD AND LEVESQUE ON THE EAST  
COTTAGE ROAD.**

4/7/88 The meeting of the Town of Portage Planning Board was called to order at 7:05 p.m. by Chairman Raymond Chasse.

The election of Planning Board officers was postponed until the next regular meeting.

Tammy and Gary Nelson have requested a permit to open a tanning salon in their home on the West Cottage Road. Home Occupations are permissible according to the Town Ordinance so no action must be taken by the Planning Board. A public hearing is tentatively scheduled for May 12.

Though no application has been submitted, Kirk Ward, Danny and Michael Levesque have a general design that they requested the Planning Board to consider. The building would replace the one that burnt at the old Crystal Springs Camp on the East Cottage Road. The building that burnt measured approximately 93' X 51'. The developers are considering replacing that building with a 90' X 50' structure to be built on the same foundation. The building would be located closer than 150' from the high water line and would fall under the Shore Land Zoning. The developers would rather locate the building in the Shore Land Zoning area rather than the General Purpose zone on their land because of traffic hazards. Mr. Ward and the Levesques also own 135 acres on the opposite side of the road where they plan to install the septic system. Preliminary soil tests show that there are possible sites which could be suitable for the system. The tentative plan calls for a 22 unit motel and banquet facilities. A liquor license is not planned at this time. This project could employ four or five people. An estimated 100 parking places are planned so that no guests would have to park on the road, overflow parking across the street was also discussed. Shore Land Zoning would require a non-conforming use permit. No decision could be made since no application had been submitted. It was decided to hold a workshop to discuss this matter further.

The meeting was adjourned at 8:00 p.m.

Present at the meeting were Planning Board members: Betty Dumond, William Condon, Raymond Chasse, Eugene Morris, Malcolm Nason and Jeanne Currier. Town Manager Paul Blanchette was also present. Approximately 50 townspeople also attended this meeting.

April 18, 1988

Dear Planning Board Members:

We would like to briefly explain our intentions concerning our property on East Cottage Road.

Our intentions are to build a 22 unit hotel with a restaurant and bar. The hotel units will be 11 per floor, two levels high totalling 22 units. These units will set on a basement foundation 50' x 90' which will be the restaurant and bar area featuring fine dining and video/audio entertainment.

As for the rumors, we have no plans of ever starting a marina. We will build 2 or 3 wharfs approximately 30' long to allow the camp owners and boating public adequate docking space. This will be the extent of the lake front improvements.

Across the road we own 136 acres of land which will be used for our sewer system and overflow parking. We have no intentions of building any kind of campground as this would be too costly and serve no purpose for our hotel.

The only expansion we might consider in the near future is building an indoor pool between the road and hotel. The idea of adding more hotel units does not at this time enter into our future plans as we feel that 22 units will provide the area with the extra service that is needed.

Personally, we feel that the East Cottage Road will easily handle the extra traffic that will occur due to the hotel and restaurant. The idea of drunk drivers scares us as much as you and your neighbors. No one should leave any facility drunk and we will monitor our patrons closely so as to prevent that from happening.

Thank you for your time and patience in dealing with this proposal. Please remember that we are very willing to listen to and work with the citizens of Portage on any concerns they have.

Sincerely,

Michael Levesque

Daniel Levesque

Kirk Ward

1

# APPLICATION FOR BUILDING PERMIT

Class of Building or Type of Structure . . . 22 unit motel . . . . .

MUNICIPALITY OF . . Portage Lake . . . , MAINE, . . . . .

To the Inspector of Buildings, Portage Lake . . . . , Maine

The undersigned hereby applies for a permit to (erect) (alter) (install) the following (building) (structure) (equipment) in accordance with the Laws of the State of Maine, the Building Code of the Municipality of . . Portage Lake., plans and specifications, if any submitted herewith and the following specifications.

Location . . W/S. of East Cottage Road on the lot known as Crystal Springs . . . . .  
Presque Isle

Owner's or Lessee's Name and Address . . ACA Enterprises, P.O. Box A, ME 04769 . . . . Telephone . 764-0324 . . .

Contractor's Name and Address . Wolf Construction Inc., Limestone, ME 04750 . . . . Telephone . 325-4090 . . .

Architect's Name and Address . Goscobec, Inc., Rivere-de-loup, Quebec, Canada . . . . .

Proposed use of Building . . motel, restaurant & bar . . . . . No. of <sup>Units</sup> ~~Families~~ . 22 . . . . .

Other buildings on same lot . . tool shed and tennis court . . . . .

Plans filed as part of this application . . yes . . . . . No. of Sheets . . . . .

Estimated cost \$ . 200,000.00 . . . . . Fee \$ . . . . .

### Description of Present Building to be Altered

Material . . . . . No. Stories . . . . . Style of Roof . . . . . Roofing . . . . .

Last use . . . . . No. Families . . . . .

### General Description of New Work

To erect a 22 unit motel on a basement foundation approximately 50' x 90' set back 250' from the high water mark

### If a Garage

No. of cars now accommodated on same lot . . . . ., to be accommodated . . . . .

Total number commercial cars to be accommodated . . . . .

Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building? . . . . .

Any structure or structures erected, remodeled, altered, or moved under permission granted by this PERMIT must conform to all provisions of both the BUILDING CODE and ZONING ORDINANCE in effect on the DATE OF THIS PERMIT, unless permission for non-conformance has been granted by the ZONING BOARD of APPEALS.

Signature of Owner . . . . . K. G. W. L. - Prud'homme

Michael J. Frazier U.P.  
Board of - Limestone Sec. & Treas.

Referred to Planning Board, April 19, 1988  
CEO [Signature]

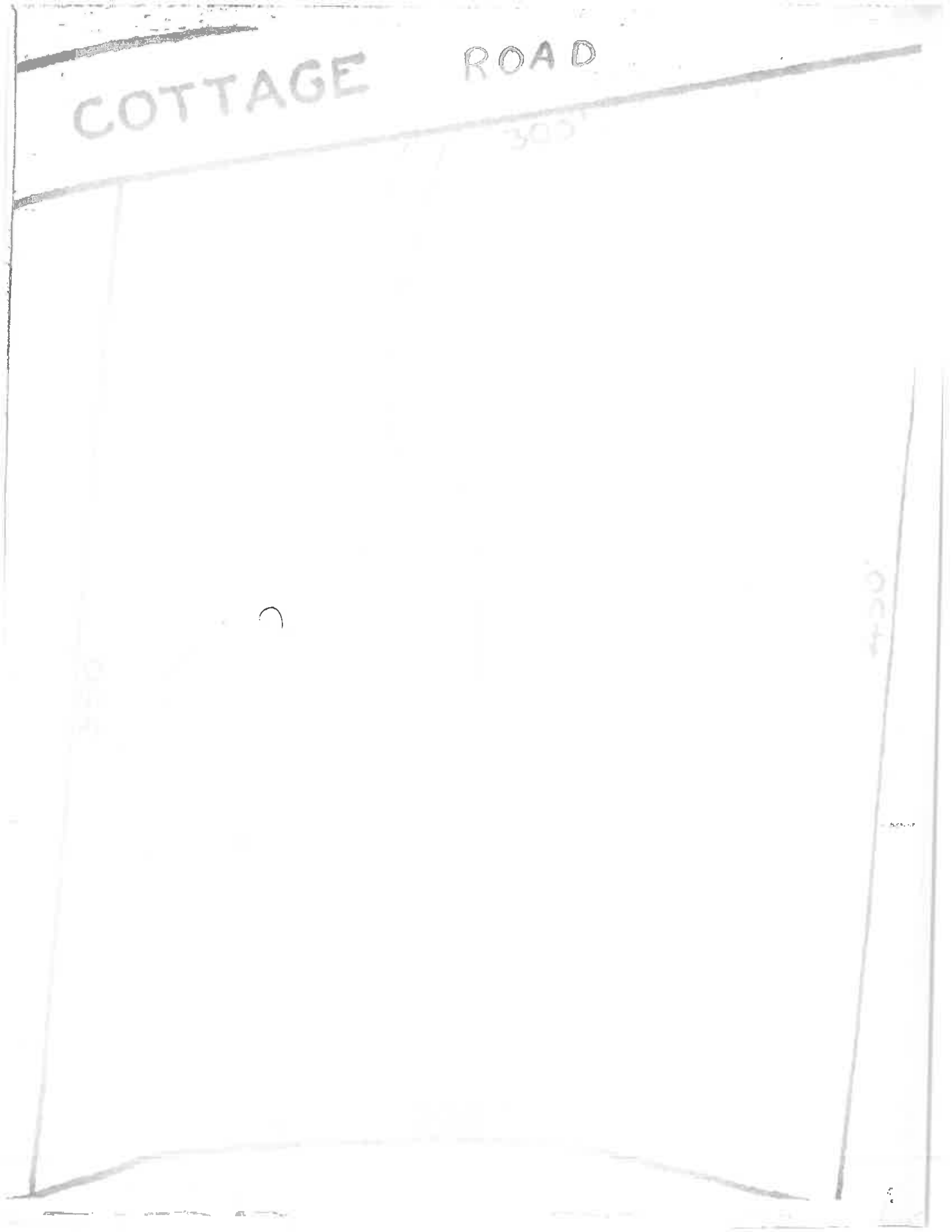
COTTAGE

ROAD

300'

450'

450'



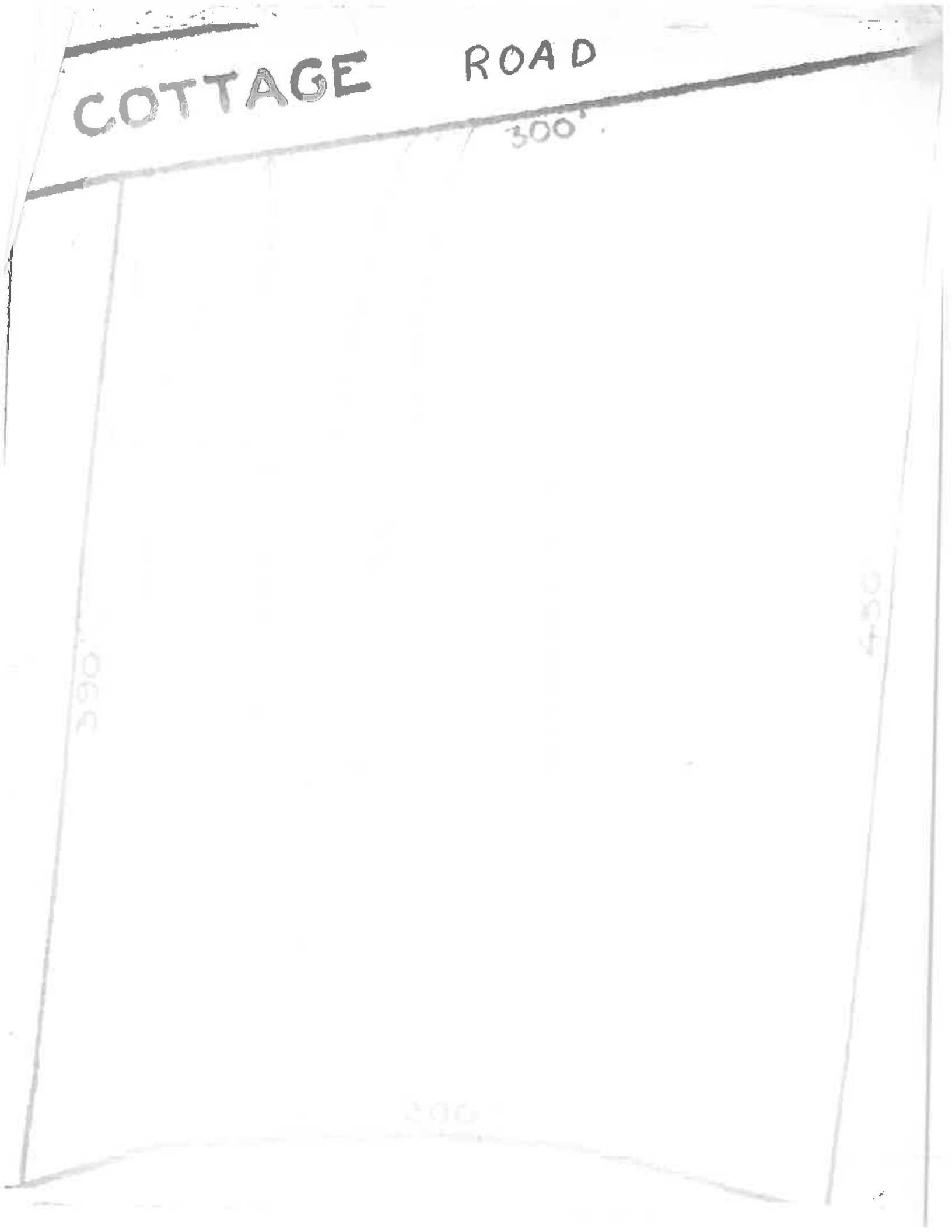
# COTTAGE ROAD

300'

390'

450'

200'



April 28, 1988

Dear Chairman and Members of the Planning Board;

In this letter we the undersigned are taking this opportunity to express our concerns on the existing ordinances, and the implimentation of these ordinances.

Our concerns are basic in nature, but filled with uncertainties. We understand that even at this time and place that we are governed not only by ourselves but are also affected by state and federal rules and regulations, not to mention domestic and international economies and policies, which in turn affects all of us regardless of what we as individuals want.

We should not be intimidated by these circumstances. What we should do is strive to preserve what we at present have for the existing residents and taxpayers, while establishing a better and more responsible zoning plan for this town. We feel that this can most easily be accomplished by implementing a new zoning plan that in whole or in part would by design address the past, present, and conceivable future livelihood of its people.

Our concerns have been stated. What we would now like to know is if the present peoples of this town share these interest.

The bottom line of this people, is if you where given a choice are you as an individual satisfied with your present environment and of the possible future of that environment...



of the Town of Portage Planning Board

5/12/88 The public hearing was called to order at 7:10 p.m. by

Planning Board Chairman Raymond Chasse. A notepad was circulated so that anyone who wished to speak would be easily identified.

*The purpose of the meeting was to receive oral & written comments on 2 proposals*

The first order of business was the Nelson application

for Tammy's Tanning Salon. A letter <sup>from Mr. Roger Jardine of P.I.</sup> concerning this

application was read. He is opposed <sup>both applications - opposed to</sup> to a commercial use of the

Shore Land - increased noise and traffic were his main ~~concerns~~.

Catherine and Lee Parker wrote to say they are in

favor of both proposals. <sup>TP</sup> Betty Dumond stated that she would

abstain from the voting on these <sup>next</sup> issues for personal reasons.

Kirk Ward presented the ACA Enterprises proposal for the

22 unit hotel, restaurant and lounge. ~~XX~~ A drawing was shown

of the lakeside and roadside views. The building will be ~~XX~~

located 250 feet from the water, the tennis courts will be

repaired. The camp that burnt will be paved over for the

parking lot. The septic system report was received and will

be part of the hearing record.

Questions from the audience were invited. Mike Bartlett

~~XXXXXXXXXXXX~~ asked the seating capacity of the restaurant. Mr

Ward answered 30, the bar would seat 45 - 50. Mr. Bartlett

also wondered about the occupancy rate and was told that 50%

would be the average.

Peter Briggs, West Cottage Road, asked what water facilities

would be provided. Mr. Ward's answer was two or three docks,

30' long and about 8' wide, guessing that six guests' boats

could be docked.

*lounge, expanded occupancy rate*

Judy Moreau, ~~Wxxxxxxx~~ East Cottage Rd., submitted a letter from Larry Rutello whose property abuts this land. He is opposed because of traffic, noise and potential harm to the wildlife.

A letter from Mr. & Mrs. Richard Morneau expressed opposition to the ACA proposal because of waste discharge, noise and traffic hazards.

The ~~xxxxx~~ next letter to be read was from the Windows on the Wilderness group which recently purchased Oak Point. This lengthy letter neither opposed nor supported ACA's proposal.

*requested careful consideration*

The final letter was from ACA Enterprises explaining their proposal.

Jane Fowler, East Cottage Rd., expressed her view. She opposes the proposal because it will change the quality of ~~life~~ life in Portage, <sup>worries about</sup> ~~(among other reasons which this stenographer wasn't quick enough to write...)~~ *traffic, noise problems*.

Pat Rafton, East Cottage Rd., questioned the water supply. Mr. Ward answered that there is a drilled well. The septic system was discussed at this time. It ~~xxxx~~ is planned for a location 1600 feet from the road and will measure 200' X 800'. There will be no public access to the system. Ms. Rafton ~~again~~ expressed her opposition to the project because it will set a precedent and the poor soil of the area will not support development. The Comprehensive Plan discusses overdevelopment on the East Cottage Road. Portage is a ~~xxxx~~ shallow lake and is very susceptible to damage. The parking lot was also objectionable to Ms. Rafton who stated that the parking lot was located in the Shoreland Zoning area and she objects to that.

Mike Bartlett questioned the effect on the property values ~~and the f~~

and also the traffic situation:  
~~GET AN ANSWER TO THIS ONE!!!~~

*This will have to be  
CHECK THE TAPES - I DIDN'T  
rechecked*

Glennis Hale discussed the septic systems some of the houses in the development. Mr. Ward answered that the septic system has not been approved yet, though a suitable site has been located. There is a gravel pit on the land. The soil has been approved but the system has not been approved by the Deptt of Human Services.

Ed Footer, East Cottage Rd., ~~XXXXXXXXXXXX~~ asked for an estimate of water to be used daily. Mr. Ward answered that 2000 gallons daily use was estimated by the soil scientist. If necessary, the well will be redrilled. The well is located well over 100 ft. from any other well.

~~XXXXXXXXXXXX~~  
Gene Morris advised, "You would probably have to have an engineer in if the required amount of water is available."  
to be sure

Mr. Ward said that the group planned to have an engineer give them an opinion on this matter.

Mr. Ward addressed the noise issue. the building would be off 2 X 6 construction. a super-insulated building - no noise can escape.

Dan Levesque offered the opinion that ~~with~~ the lounge is downstairs~~and~~ and 22 ~~rooms~~ up rooms upstairs, it would not be beneficial to their own interest to have a noisy atmosphere.

~~GET EXACT WORDING FROM TAPES!!!~~

Richard Morneault complained about noise on the lake travelling.

Hannah Adams ~~xx~~ opposes the situation along with her father Almon Holmes. No reason was stated, if there was, I missed this one too!!

Terry Overlock stated that development (and controlled development) is good for the community. He added that it's a finding a question of 'balance between development and aesthetic values. Increased employment would benefit the town but the road is something that the town will have to deal with anyhow, traffic will increase in any case. Mr. Overlock would like to go on record as saying that this could benefit the town - with the proper planning.

Mike Bartlett noted that the town is here ~~xx~~ due to the fact that the lake is here - it brought the mills in. The lake has degraded over the past 15 years. He questioned what atmosphere was wanted around the lake. If it's not developed properly, then maybe it should be developed as just a mill town but it's not going to be a mill town forever.

Richard Morneault stated that if he wants to travel down a highway, he would - he likes the road the way it is.

Ed Footer questioned the study that was done on the sewer system for the town. What is the quality of the lake. Mike Bartlett answered that with, "The lake is a nutrient-enriched lake."

~~Judy Moreau spoke to a biologist a few days ago ... ??~~

Sharon Rafford stated that regarding the tanning salon, no one will be hurt by this. She has mixed feelings on the motel issue. Noise on the lake is disturbing, but ~~xxxx~~ on the other hand, the young people in town have to look to the future.

Almon Holmes discussed moving the road.

Martha Grah~~am~~ questioned the septic system overflowing and deteriorating.

Aldon Rafton, East Cottage Rd., asked if the application meets the requirements set by the ~~xxxx~~ town, what criteria can the proposal be turned down? Raymond Chasse's answer was that the Planning Board has 20 days to decide. ~~xxxxxxxxxx~~ Environmental issues? Do we want a lake or do we want commercial development?

Richard Morneault had spoken to a ~~xxx~~ biologist recently and asked why the lake isn't stocked. The biologist replied that the water was so bad.

Judy Moreau questioned the electricity supply. Mr. Ward answered that Maine Public said that there'd be enough power. Mrs. Moreau questioned who Mr. Ward had that answer from, she never can get any answers from ME Public. Mr. Ward replied that his brother-in-law Mike Bell had been contacted.

Phil Richter - aesthetic values - questions ~~about~~ what about the beach? 250 people at the beach make noise. He added that if the project is planned right, it will work.

Tammy Nelson noted that snow mobiles are ~~gridd~~ ridden on the lake and maybe contribute to the pollution.

Sandy Bartlett - the bar and road concern ~~her~~ most.

Gary Nelson commented on the pollution. He discussed a septic system on the East Cottage Rd. He was looking at a camp and found that the system was a 500 gallon tank which had been left open. The problems with the lake is the septic systems of the past. The new modern ones will not be a problem.

Glennis Hale - proposed that the issue be decided by public referendum.

Ed Footer ~~has~~ brought up the town of Easton's problems and stated that that whole town is an open sewer.

Judy Moreau said that the septic systems around the lake are that way because the Code Enforcement Officer doesn't want to do his job. Also, she said the beach has a 9:00 curfew.

Frank Currier said that a well-designed system maintained properly and located that far from the lake should not be a problem. His answer to the aesthetics of the parking lot to be seen from the lake - "Plant trees." Regarding the noise pollution, there's a similar ~~noise~~ business in town and it's no problem. As far as the tanning salon, "I think Tammy deserves it!"

DOT

Kirk Ward mentioned a 1978 survey of traffic patterns in town. Route 11 going North 1550 cars, South 1882, West Cottage Rd. 1322, East Cottage Rd. 587. This was conducted over a 30 day period. This was the most recent survey.

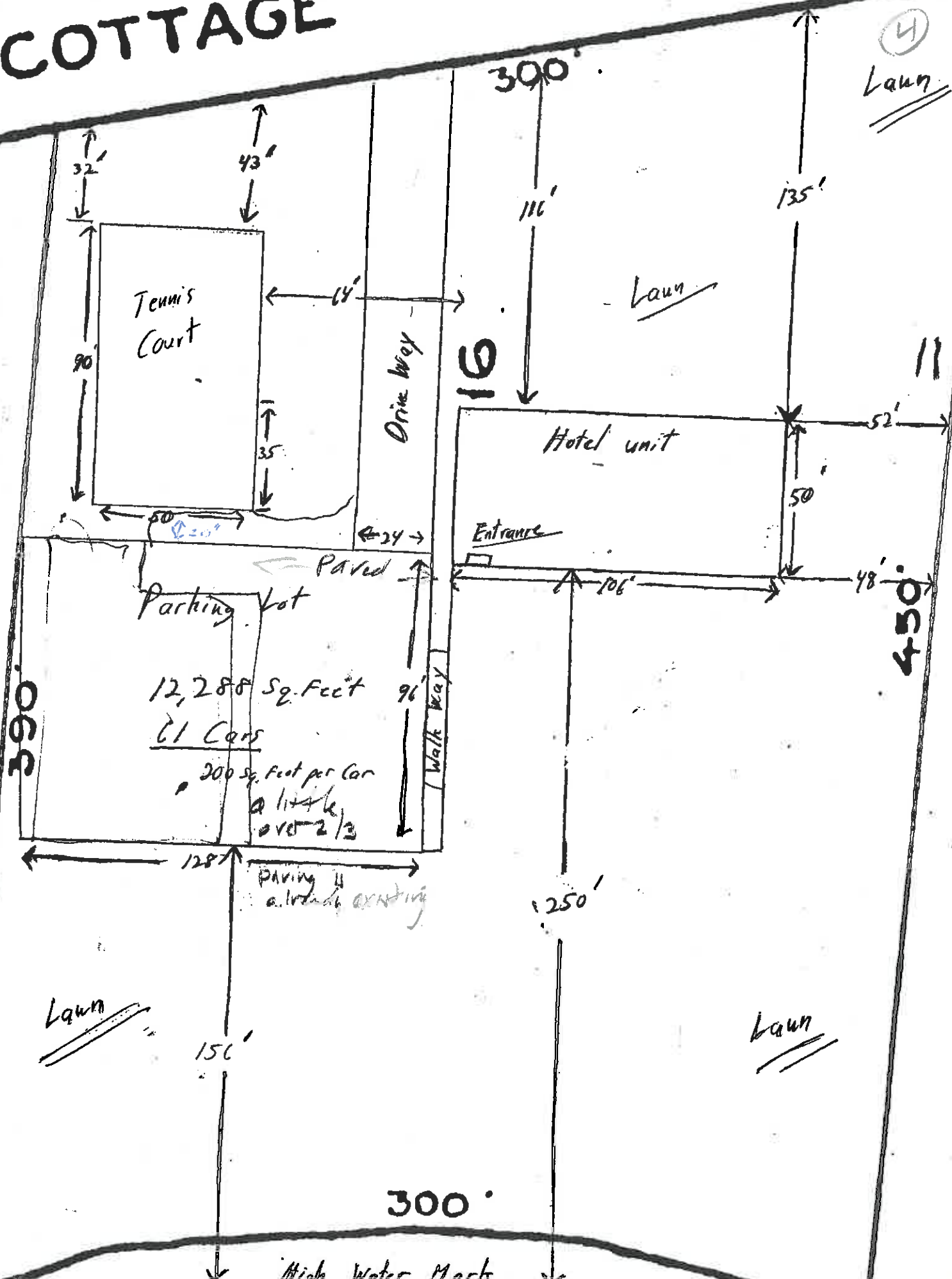
The next planning Board was set for 5/19 at 7:00

The meeting was adjourned at 8:10 because questions and statements were being repeated.

± Planning Board members present: Malcolm Nason, Ron Fowler, Betty Dumond, Jeanne Currier, Eugene Morris, Raymond Chasse a

and Calvin Adams.

# COTTAGE





43 F. Academy Street  
Presque Isle, ME 04769  
May 18, 1988

Planning Board  
Town of Portage  
Portage, ME 04768

Dear Ladies and Gentlemen:

After attending the public hearing in Portage last week on May 12 concerning the proposed motel, I wish to advise you of my concerns and opinions of this location.

First - my husband, Peter Briggs, and I live on the West Cottage Road. I am strongly opposed to having a commercial establishment built at the edge of our lake. This area is now residential and should remain so. It is an important part of the reason why we choose to own property here. Commercial development can be encouraged along or off of Route 11 and other areas. A tourist facility overlooking the lake (in the golf course area, perhaps) may be desirable - but among our homes and cottages - NO!

Someone at the hearing stated that the local taxes generated by a new motel would be welcome. Certainly! But please do not overlook the taxpayers already in place! As property owners in Portage, our taxes recently increased 100 per cent. Part of the reason for such a large increase must surely be because we have invested in improvements to make it more modern, durable and comfortable. The Town of Portage now benefits in our now paying higher property taxes. This will continue to happen as people renovate their property and convert seasonal cottages into year-round homes. People will continue to want to own lakeshore property as long as it is protected as a residential area and if we begin to seriously act to improve and protect the quality of the water in the lake. I believe commercial development on the lakeshore will have a negative effect on residents and eventually cause a decline in the purchase and renovation of residential property which will result in a loss of property taxes. Surely this is not the way our town wants to go!

Please - I urge you to turn down this proposal at this location! Let us now work together to form a plan of growth for Portage that will protect our residential area, protect and improve our lake water, while encouraging desirable commercial development as well.

Sincerely,



Bette Mersereau

# ICMA RETIREMENT CORPORATION

899 Skokie Boulevard (312) 564-0071  
Suite 112 Toll Free (800) 424-9249  
Northbrook, IL 60062

3 April 1988

Board of Selectmen  
Planning Board  
Town of Portage Lake  
Portage Lake, ME 04768

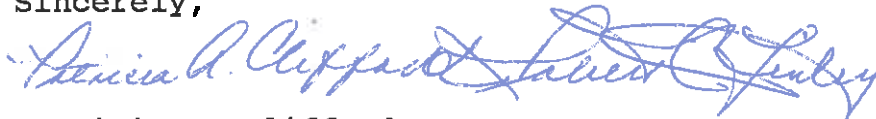
Dear Friends:

We object to the proposed construction of a 28 unit motel or any similar commercial facility on East Cottage Road.

In addition to overtaxing the limited current infrastructure, this type of development assaults the environment and diminishes the lake's primary asset: tranquility. Regrettably this type of multi-unit construction foreshadows an unstoppable pattern of visual and biological pollution that will permanently alter the character of this beautiful spot.

We will support fully all efforts to fight this project including appeals at the state and federal level.

Sincerely,



Patricia A. Clifford  
Robert C. Finley

Property owners, East Cottage Road

Home Office: 1120 G Street, N.W., Suite 700, Washington, D.C. 20005 800-424-9249.

The ICMA Retirement Corporation is the administrator of retirement plans for state and local government under the sponsorship of: International City Management Association • Government Finance Officers Association • National Institute of Municipal Law Officers • National League of Cities • American Society for Public Administration • American Planning Association • American Public Works Association • American Public Power Association • Building Officials and Code Administrators International • American Association of Airport Executives • International Institute of Municipal Clerks • American Public Gas Association • International Association of Assessing Officers • American Public Transit Association • American Institute of Certified Planners • International Association of Fire Chiefs



PETITION

We, the undersigned residents of Portage Lake, Maine, or owners of property on Portage Lake, are NOT in favor of the proposed multi-unit development on the site of the old Potato Service camp on East Cottage Road. We are concerned that the quality of the lake will be negatively impacted by this concentrated increase of use, that the quality of life of those who cherish their time at the lake will deteriorate and the increased traffic will present a major problem and possibly a safety hazard. We request that the Planning Board and the Board of Selectmen deny the proposal for this multi-unit project.

NAME	ADDRESS
Carolyn Doyen	East Cottage Road
Willard Doyen III	" " "
Sharon Doyen	West Cottage Road
J. G. Hull	West Cottage Road
John R. Buzick	West Cottage Road
Leslie Messereau	West Cottage Rd.
Linnwood Raymond	East Cottage Road
Keith Doyen	East Cottage Rd
Andrey Hayes	West Cottage Rd.
Kyima Foster	East Cottage Road
Ross Doyen	Mapleton, Me
Edward A. Forter	East Cottage Road
J. A. Pendexter	East Cottage Road

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NAME	ADDRESS
Martha LaPointe	Presque Isle
Charles E. Wanson	" "
Richard Monseault	Portage, Me
Ruth Monseault	Portage ME.
Jessie Nelson	Presque Isle.
Robert Nelson	116 Newberry St Presque Isle Me
Lus Johnson	Presque Isle Me.
Willard C. Doyen	Mapleton, me
Susan Doyen	Mapleton, Me.
Dorothy Holmes	Presque Isle, me.
Clara E. Thomas	" " "
Susan Sullivan	Presque Isle Me

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NAME	ADDRESS
<i>William Vaillancourt</i> <i>Almon Holmes</i>	<i>Portage Maine</i> <i>Portage Me.</i>
<i>Gladys Vaillancourt</i>	<i>Portage, Maine</i>
<i>William Schaffer</i>	<i>Portage, Maine</i>
<i>Althea Schaffer</i>	<i>Portage, Maine</i>
<i>Cynthia Gray Maco</i>	<i>Portage Me.</i>
<i>Leanne Laguer</i>	<i>Portage Me</i>
<i>Maria Curtis</i>	<i>Portage, Me 04768</i>
<i>Cleo Burnier</i>	<i>Portage Me. 04765</i>
<i>Robert Sutherland</i>	<i>Portage, me. 04768</i>
<i>Irene &amp; Lorne Boyles</i>	<i>Portage, Me 04768</i>
<i>Harold Moritz</i>	<i>Portage Me 04768</i>
<i>Elsie Orsley</i>	<i>Portage, Me. 04768</i>
<i>Cleveland V. Goodbread</i>	<i>Portage, Me. 04768</i>
<i>Dorothy Clark</i>	<i>Portage, Me.</i>
<i>William Bolstridge</i>	<i>Portage Me.</i>
<i>Maple Cyr</i>	<i>Portage Maine 04768</i>
<i>Philip Cyr</i>	<i>" " "</i>

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NAME	ADDRESS
Sterling Wasson	East cottage rd, Box 18 Portage, me
Elizabeth Wasson	East Cottage Rd. Box 18. Portage, me
Lucas E. Graham	Box 121 Portage Me.
Audrey A. Graham	Box 121 Portage Me.
Debra S. Ouellet	EAST COTTAGE SHORE ROAD BOX 230 PORTAGE, MAINE 04768
Judy L. Ouellet	East Cottage Shore Road Box 230 Portage ME 04768 East Cottage Rd.
Harold A. Adams	Box 165 Portage, me 04768 E. Cottage Rd.
Almon S. Halmes	Box 165 Portage me 04768 East Cottage Road
Judy R. Moreau	East Cottage Road Portage Lake, Maine, 04768 East Cottage Rd
Clair L. Moreau	Portage Lake Maine 04768 East Cottage Road
Nancy T. Moreau	Portage Lake, Maine 04768 East Cottage Road
Laurie Pelletier	Portage 04768
Shirley Nason	Portage Me 04768
Jeannine Vaillancourt	P.O. Box 56 Portage me 04768



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NAME	ADDRESS
David G. Martin	10 Milk St. Fort Fairfield, Me 04742
jacqueline T. Martin	" " " " 04742
Meris A. Hale	Box 212. Portage Me. 04768
Ruth Langley	13 Bennett Drive, Caribou Me. 04736
Alton M. Langley	13 Bennett Drive Caribou Maine 04736
Sandra Soucy	Portage me 04768
Ida Chandler	41 Harris St. Presque Isle 04769
Tom Nickerson	54 Church P. Isle 04769
Adriana A. Stokken	129 Hardy St. P.I. 04769
James A. Feltner	" " "

Richard Bragdon Portage Me  
Marianne White Madonia Portage Me.

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NAME	ADDRESS
Mrs Gloria Martin	20 Northview Terrace Bangor, Maine 04401
of Emmaleen Lynch	14 Barton Street Presque Isle, Me. 04769
Paul R Lynch	14 Barton street Presque Isle, Me 04738.
Paul Brown.	Croserville Me.
Donald L. Lannaway	Ashland, Me. 04732
Cara M. Deane	Portage, Me
Edward W. Dube	Portage, Me
Tracy Dube	Portage, Maine
Gene White	✓
B. Ann Bushey	Portage Lake, ME. -04768
Rol Gagnon	Portage Lake, Maine
Wayne Sagna	Portage Maine 04768
Daniel H. Soney	Portage, Me. 04768
Frank S. Bushey	Portage, Me. 04768



MAY 10, 1988

Memo to The Planning Board - Town of Portage Lake, Maine

From Windows on the Wilderness Corporation

The right to own land and to participate in decision-making as it relates to one piece of property, belongs to everyone. Local interaction should be encouraged and opinions voiced vis a vis the community's future. Everyone is a neighbor in a small town, because by necessity, everyone will be affected by growth as well as by change in a close-knit environment.

The proposal under consideration is a positive step involving serious and undeniable commitments of both time and money. It also expands the town's tax base.

As lakefront owners, we feel a few very, very important requirements must be addressed. We are familiar with lake and oceanfront development in Southern Maine.

Our particular interest in this project is better understood when considered in the light of a present contract to purchase Oak Point and the lot abutting land which may soon be a part of the project under discussion. It is our understanding one of the project principals, Mr. Ward, uses a right of way to his property, across the garage-lot piece which is an integral part of Oak Point's accessibility.

The future of any project we promote as "natural and wilderness in spirit" must be directly related to what is allowed to be constructed on the East Side - or for that matter - any side of the lake.

Activities within the proposed development site should be clearly delineated as a condition for approval. Our plans for Oak Point include a sub-division of lots along the shore only. This portion of the Point, approximately 18-19 acres, is intended to be sold to persons interested in maintaining the wilderness nature and serenity of Portage Lake. All deeds to persons who buy on Oak Point, will have restrictive covenants which will be designed to be enforceable. Our buyers will invest in Portage Lake only if we sell a pristine and wilderness site. Oak Point is unique in this regard. It is hard to get to...

Of all the property we view as unspoiled, Oak Point (and its water accessibility) is deemed perfect for the individual seeking solace as well as a retreat from the bright lights, congestion and noise of urban life.

It is our contention (and perhaps also the belief of the current project principals) that Portage Lake should allow any development which insures minimal disturbance to the environment of this recreational haven we all love and cherish.

Page Two

There is no validity in questioning whether there is a need for additional hotel or motel units. Anyone should be allowed to follow through on a project of this nature, providing the construction is within an approved zone.

Section 10.1 of Portage Lake's Zoning Ordinance specifically mentions there shall be controls vis a vis noise and traffic. These two items are the first mentioned as requirements in a General Purpose District. The external effects of noise and traffic creating nuisances should be addressed from the onset.

And... as stated in Section 10.7 (Performance Standards), as well as CONDITIONALLY in Section 12.12, Paragraph 3, "THE PROPOSED ACTIVITY SHALL (e), "NOT CREATE OR CAUSE TO BE CREATED UNREASONABLE NOISE OR TRAFFIC OF ANY NATURE."

Additionally, Section 12.15 (Parag. 2 and 3) relate to visual pollution, i.e. sign restrictions. I don't believe anyone wants to believe that a 35-foot-high sign will be erected, penetrating the darkness at night. Lighted signs are a nuisance if not properly placed and original designs approved prior to erection. Signs represent 'visible noise' if not tastefully done. One has only to visit Old Orchard Beach to view blatant sign and advertising abuse. At the time, no one addressed such matters, and now the town is stuck with the consequences of inaction and inattention to details.

Section 12.15 (Parag. 2) restrict signs which "OBSTRUCT CLEAR AND FREE VISION."

Section 13.8.3 (Parag 4) instructs the Planning Board to "EVALUATE THE IMMEDIATE AND LONG RANGE EFFECTS OF SHORE COVER, VISUAL AS WELL AS ACTUAL POINTS OF ACCESS TO INLAND AND COASTAL WATERS AND NATURAL BEAUTY."

The road accessing this area of the town may be adequate at this time, but surely would never be adequate nor safe once entertainment and nightlife-activity is offered. Of all the times we have been down this road, we have never passed more than one or two cars going in either direction. The road is surely inadequate and requires major repair and town consideration, let alone private consideration. Liability for potential problems must be addressed as well... Who is responsible for the roadway and its ultimate resurfacing and lighting?

It is vitally important to remember that our corporation is not for or against this project. We feel input and consideration of the small details of development potential eventually become the biggest thorns.

Page Three

It is our humble request that the Board and citizens of Portage Lake consider the total impact of "immediate and long-range" future activity along the shores of this lake. This is especially true as it relates to noise (which carries over 8 miles across a body of water, especially at night). We come to Northern Maine to listen to the sounds of nature, to enjoy what others do not have. We listen to the sounds of loons. We look for the stars in the sky and we walk the streets with assurance both night and day.

Lodging facilities are wonderful and perhaps necessary. The attendant noise along the lake and the future activities along the lake from commercial ventures such as music from live bands and canned music nightly, present problems to us as it relates to our feelings about development in Portage. The specter of lit signs shining for blocks inland and across our lake's waters through to the West side does not seem a fair approach to conditional use.

We feel Oak Point and our intended project at that site would benefit from 'having more to do in town,' but have reservations about what exactly this particular type of present proposal and its FUTURE expanded activity...would mean to all of us.

For example, our Oak Point property owners will be forced to deal with deed restrictions like the following;

- No Tree Cutting, except where a dwelling and appropriate yard will be located.
- Colors used on any dwelling or fixture will remain neutral or approved 'earth' colors.
- All construction type will be approved prior to permit application for building and location of dwelling will be staggered, to avoid the look of a typical row of camps.
- No road shall ever be allowed to access the shorefront lots on Oak Point.
- No metal dwellings shall be allowed.
- All trash and refuse shall be removed from the property and taken across the lake to an approved town dump or other location.
- No high-power motor (inboard) cigarette-type boats or jet or hydro-skis or similar noise making water-sport vehicles shall be allowed either at the garage site or at the Oak Point lot. Also we will prohibit all ATV's or dirt bikes from the Peninsula.
- There will be a prohibition regarding firearms practice and use of weapons on the lots sold at Oak Point. We do this to minimize noise across the water for a frequent user.
- No sound systems shall be allowed to be placed outside a dwelling so as to interfere with the neighbor's rights to peace and tranquility.

-Etc...

Page Four

The Planning Board must consider all the rights of all the taxpayers. We urge the Planning Board to reflect on all the important issues we have addressed BEFORE making any decision on any commercial activity regardless of its placement within a zone. The Planning Board must take each person's rights into consideration before making an across-the-board decision for blanket approval of what we call commercial activity 'abutting a shoreland zone.'

Motels and lounges, hotels and bars, no matter the name, all involve activity which perhaps require more than a casual glance. We would be devastated if the guests of this motel enterprise used their front lawn facing the lake to allow guests to saunter about with drinks-in-hand, or use the water accessibility to jet about the lake and Oak Point, making our quiet camp lots look like something from the "Urban Cowboy." My son and I were hit on a lake in Southern Maine one night, by a carefree and careless drunk thinking he had the same rights we did.

No one has the right to use a lake as a proving ground at the expense of others who might appreciate the lake as much. Many visitors who come in don't care much about residents. These people are here today, and gone tomorrow...and for some reason, these outsiders always seem to know more than we do. Isn't that an insult.

We are all at the frontier of Portage Lake's 'Tomorrowland.'

We do feel strongly that the issues we raised in this communication must be individually discussed and that decision be made concerning our rights as property owners and taxpayers... prior to construction.

Deal with each issue - noise, visual pollution, safety for the guests as well as ourselves, and the pitiful nature of the road to the site, especially the railroad tracks. Will a crossing bar be installed at the tracks for train-car wreck prevention? Will bells or bells and signal lights be re-examined in the light of the Board's requirement to examine the traffic issue?

The town would benefit from broadening the tax base. The future of all development rests on the wisdom and foresight of today's town officials. Time is on your side.

1988 already is a year of growth...So will 1990 and 1995 etc.  
We hope and pray that Portage Lake does not become a Sebago, Moosehead or Ossipee Lake quagmire.

Our concerns tonight are genuine and as sincere as they can be. We all benefit from outside visitors. The Community would benefit from a well-planned and locally-owned resort. BUT SURELY, WE ALL KNOW IN OUR HEARTS, THAT PORTAGE LAKE MUST REMAIN ATTRACTIVE AND MAINTAIN THE IMAGE OF QUIET SPLENDOR IN ALL SEASONS.

Page Five

The variances and conditionals of zoning (development) once approved cannot be rescinded easily.

And, of course, others will come with even grander and more commercial ventures, perhaps directly on the lake. It is our hope that the town doesn't sell its West Cottage campsite to a McDonald's or Burger King. And please don't lease the seaplane base to a concessionaire renting motorboats, cigarettes, jetskis, para-sailing flights and boat-towed sightseeing floats...

The future for small community development in Northern Maine is not far away. Careful planning is a must. Please think carefully before making permanent decisions along our valuable shoreline, regardless of zoning. We have no interest in making Portage into a New Jersey or a New York. Our values are not for sale.

Allow the motels, but restrict the noise and the traffic and the potential for abuse of things like nesting loons or the awesome sight of Canada Geese flying across the lake at dawn.

All of this will cease to exist if careful attention is not paid to each development's potential for changing the community, regardless of the promises.

We are especially thankful that Planning Boards exist in Maine towns. These Boards have been able to maintain and keep a rein on quick schemes to change the local environment.

Our wish is that after review, at some time, the issues we raise can be responded to.



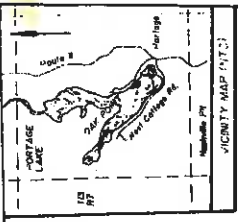
WINDOWS ON THE WILDERNESS CORPORATION

Barry J. Hobbins, Esquire  
Counsel

TOWN OF PORTAGE LAKE  
P.O. BOX 255  
PORTAGE LAKE, MAINE 04768

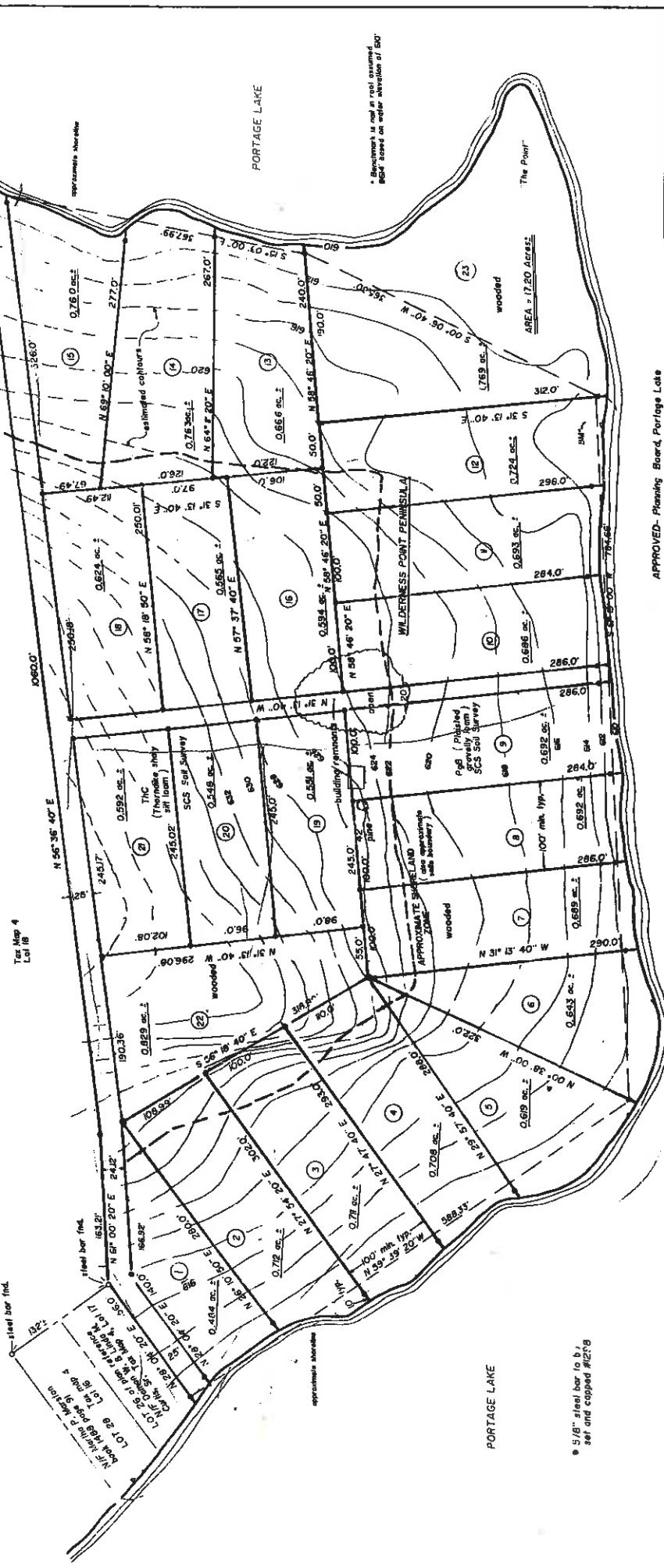
THIS IS THE PROPOSED SUB-DIVISION OF  
OAK POINT.

PAUL



Plan reference - Addition, Oak Point, Portage, 6/26 M.S. Digest, Vol. 7, pp. 6 1/2

Part of Lot 5  
N/F Union Congregational Church  
book 1296 page 32



APPROVED - Planning Board, Portage Lake



5/8" steel bar (a,b)  
set and capped #1279

PLAN OF PROPERTY FOR WINDOWS ON THE WILDERNESS CORP.	
PORTAGE LAKE	OAK POINT MAINE
SCALE - 1" = 30'	88 SMITH ASSOCIATES P.O. BOX 408 PRESQUE ISLE, MAINE
FIELD SURVEY DATES AUGUST 3, 1988	PLAT NO. 20,003 FIELD BOOK 3A
AUGUST 1988	

This survey conforms to the State Board of Registration of Land Surveyors, Category 1 Condition 3

32  
12  
38

5/19/88 The Town of Portage Planning Board meeting was called to order at 7:10 p.m. by Chairman Raymond Chasse.

The first business discussed was the application for Tammy Nelson's tanning salon. Mrs. Nelson had telephoned Chairman Chasse for advice and he told her she should stop the business until a permit was issued. Town Manager Blanchette advised Mrs. Nelson to check with the state to see if any special state licenses or permits were needed. She had checked and none were required. Mr. Blanchette also advised Mrs. Nelson that the Planning Board must approve the application. At that time, she was not advised that a public hearing was required. Mr. Blanchette later sent a letter advising Mrs. Nelson of the public hearing and also mentioned that she was not in compliance with the Ordinance by operating the salon without a permit. The Code Enforcement Officer did not check into the situation. It was stated that the C.E.O. did not attend the last two meetings but should have to advise the Planning Board on this application, as well as the A.C.A. Enterprises' application. The Ordinance states that the Code Enforcement Officer must advise the Planning Board and present any information he might have.

Bob Nelson said that Ralph Stolze told him that the Ordinance had not been enacted at a town meeting and should not be enforced. He further stated that Tammy had not accepted any new customers but had allowed her prepaid customers to continue to use the tanning bed. Mr. Nelson also stated his opinion that the decision on the application should be made at this meeting. Attorney Solmon advised that the Planning Board could legally vote on the application at this time. Motion was made, seconded and a vote was taken to see if the members would vote at this meeting. Two members were opposed and four favored the vote. One member suggested a secret ballot but the attorney advised that could not be done. The vote on the application proceeded - four members voted in favor of allowing the permit, two were opposed. The Conditional Use Permit was granted.



An executive session was requested at 7:35 p.m. to allow the members to discuss the ordinance with Attorney Solmon.

The meeting was resumed at 8:30. The petition against the A.C.A. application had been submitted at this meeting and was discussed. It was decided that the petition should have been presented at the May 12 public hearing, and that no decision should be made based on this petition. Motion was made and seconded to give copies to the applicants if requested. The vote showed four members in favor of this, two abstained from voting.

Discussion followed regarding the Ordinance, interpretation of the Ordinance, the rights of A.C.A. Enterprises. Many concerns were voiced because the parking lot was to be located within the Shore Land Zoning area. Runoff into the lake and gasoline leakage could be problems. The soil tests were discussed - no map was included with the results of the testing so the location is vague. The septic system has not yet been designed since the applicants preferred to obtain the permit before hiring an engineer to design it. If the Conditional Use Permit were issued, state inspections and permits would be required if a building permit could be issued. The members agreed that more information was required before a vote could be taken on this application.

The meeting recessed at 11 P.M. to be resumed on May 26 at 7:00 p.m.

Town Manager Paul Blanchette and Attorney Richard Solman were present at the meeting. Planning Board members were all present - Calvin Adams, Malcolm Nason, Raymond Chasse, Eugene Morris, Ron Fowler, Betty Dumond and Jeanne Currier

7/7/88 Mtg C to O at 7:05 pm

1st business - Paul at'd a growth mgmt workshop in Bgr. 10 goals regarding growth were proposed by the St. Legislature. 8/4/88, the new law goes into effect, the state will have about \$1 million available for towns early in 1989. The Regional Pl. Comm will have to be petitioned in order for Portage to be included in the first group for planning (1991 deadline). The state estimates it will cost between \$19,000 and \$50,000 for comprehensive planning. One of the guidelines for a town to be included in the first group (for funding) is a growth rate of 10%. Portage has not grown but there are reasons we should be included.

1) Our last comp. plan was based on the mining, which has not materialized,

2) this area is ripe for developers to move in, we could easily face another situation like the ASA appl.

After NM RPC is contacted, the Dept of Economic Development in Augusta would be approached.

The need for public involvement was stressed. Public hearings were suggested every step of the way. Regional workshops as to

be held in the future.

We will have to work with the neighboring towns so that there are no problems with over development, etc. Opinion surveys will be needed.

It was suggested that the ~~Budget~~ <sup>plan</sup> Bgt ~~Comm~~ <sup>perhps joint with the selectmen</sup> be contracted and the

Code Enf. Off.'s job discussed regarding increasing responsibilities and compensation. It was also sugg'd propane inspections be conducted.

The DOT offered up to \$1500 to repair the wharf. The town did not accept this 50% offer because the wharf was engineered by the DOT. The repairs can only be done during the winter. John Martin has been contacted to see if he can get DOT to pay 100% of the repairs.

Mtg adj. 8:40

Members pr - Raymond Chausse, Gene Morris, Mac Nason, Ron Fowler, Calvin Adams and Jeanne. + M-paul B attended the mtg

8/22/88 The meeting of the Town of Portage Planning Board was called to order at 7:00 p.m. by Chairman Raymond Chasse. The minutes of the July 7 meeting were read and accepted as read.

David Despres of Windows on the Wilderness Corporation read a letter requesting consideration for this corporation's proposal for a subdivision on Oak Point. The property has been surveyed by B.R. Smith Associates. The Planning Board was assured that the restrictive covenants will be enforced since the corporation will have to approve all building plans before the applications for building permits are submitted to the Town. There are three or four different types of septic systems that might be suitable and chemical toilets are also a possibility. Bill Hersey will conduct soil tests August 29.

The developers have not yet decided how the Garage Lot on the East Cottage Rd. will be handled. The lot measures approximately 160' X 500'. Mr. Despres was willing to issue a written statement of his intention NOT to subdivide this lot. A camper trailer has been parked on this garage lot without Mr. Despres' permission. The Town is dealing with that matter. Mr. Despres assured the Planning Board that whatever restrictive covenants are needed regarding the Garage Lot will be addressed.

One possibility discussed was that Mr. Despres retain ownership of the Garage Lot property and deed right-of-ways to the Oak Point buyers. Mr. Despres was willing to guarantee that this East Cottage Rd. property would not be developed, subdivided or sold.

Motion was made and seconded that the East Cottage Rd. property be made part of the subdivision plan. Further discussion followed, with Town Manager Blanchette noting that any plans approved after August 4, would require DEP approval regarding the Growth Development Laws.

Motion was made and seconded to approve the subdivision plan as presented. This was not voted on since the previous motion had not been voted on.

It was suggested that the Town adopt a general application form for building and land use, not just building applications. This general application would also cover any future subdivisions.

At this time, the motion to include the East Cottage Rd. property as part of the subdivision plan was voted upon. The Planning Board voted unanimously to include this land in the plan.

It was decided that if Mr. Despres could assure the Planning Board that he would have the plans for the East Cottage Rd. land by Wednesday, August 24, this meeting would be postponed until then. The vote on the subdivision request would be cast at that time.

Kirk Ward's new building was discussed. Questions were raised about whether this new building was built on the old foundation. At this time, the permit was shown to the Board. The adequacy of the septic system was discussed. One member knew of past problems with that system and did not think that these problems had been corrected since there isn't room for a leach field on that property. Paul said that he would notify the owner and advise him of these past problems.

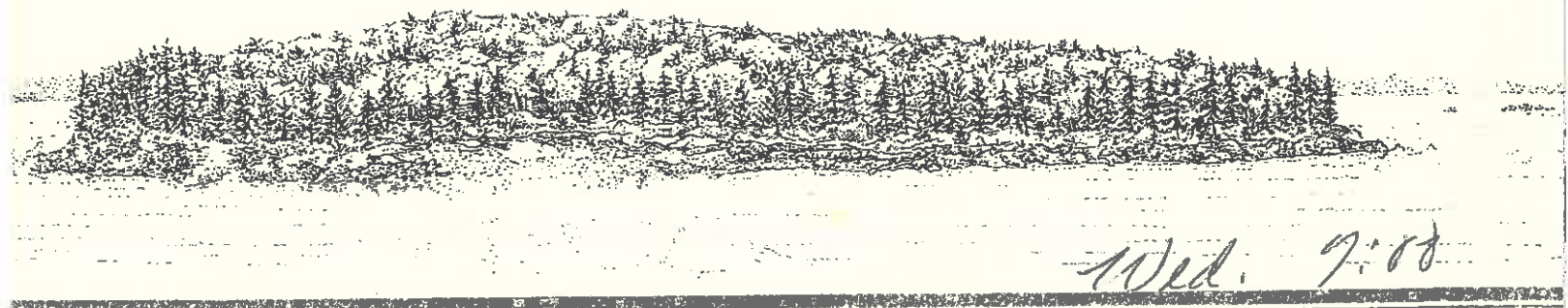
Town Manager Blanchette has requested a copy of the letter sent by the Department of Human Services to the Town of Eagle Lake Water and Sewer Department regarding a holding tank. The cost factor may prohibit this as a solution for the Town of Portage but may be affordable on an individual basis for seasonal residents. Holding tanks should be considered when our new ordinance is written. These tanks may be a possibility for replacement systems but may not be practical for new systems.

The meeting was recessed at 9:11 p.m. to be resumed on Wednesday, August 24.

Members present were: Raymond Chasse, Eugene Morris, Malcolm Nason, Calvin Adams, Ron Fowler, Betty Dumond, and Jeanne Currier. Town Manager Paul Blanchette also attended this meeting.

A REQUEST FOR SUB-DIVISION APPROVAL  
TO THE TOWN OF PORTAGE LAKE, MAINE

PRESENTED AUGUST 22, 1988 by  
WINDOWS ON THE WILDERNESS CORPORATION



*Wed. 9-88*



Application for sub-division  
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TO: Town of Portage Lake Planning Board

FROM: David Despres  
Windows on the Wilderness Corporation  
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Our May application-sketch plan and preliminary approval request for Oak Point (Wilderness Point Peninsula) was carefully planned to provide you and the Town with all the necessary information to grant us approval. We are appreciative of your consideration and review.

Since Spring, we have carefully studied the Point we have acquired and now have title to. The title to this land is clear and all encumbrances have been reviewed and resolved by the law firm of Harding and Harding in Presque Isle. We have intentionally dealt with a well-known local firm in order to lend additional credibility to our request for sub-division at Oak Point. We want you all to know that the Church property as well as the garage lot property is now completely held by us. The title to the entire property is clear and title insurance has been granted to us by the Harding Law Offices proving their faith in the title.

We have preferred not to be represented by attorney this evening since we feel we can better present to you what WE feel and we are in a better position to respond to any questions regarding this project.

Our application is also presented to you after a very long and precise survey of this property by B.R. SMITH ASSOCIATES, of Presque Isle, Maine. We have mutually finalized the details of this project using the best judgements of the engineers, surveyors, lawyers, and what we feel the Town of Portage Lake wants for the future.

Our application this evening is a reasoned effort to envision the future as it relates to Portage Lake's long-range community growth.

We seek no services from the town, as you know... since there are no services to be had for us at Oak Point. We perhaps have goals too ambitious for 1988, but we feel the future benefit to the town is apparent. If we don't propose an orderly and conscientious sub-division plan for Oak Point, someone else will enter the picture, and propose a less than desirable and a less than suitable alternative.

Waterfront, however difficult to access, will become scarce in the next decade. We want to insure protection for this particular parcel in the sense that the plan before you calls for minimum disturbance to habitat and shorefront..



Our intentions for Oak Point were clearly spelled out when we were accorded preliminary approval by you. We have, since that time, strengthened our commitment to be sensible about this development. It has taken us five (5) months to fine tune the picture, both for our security and for the town's benefit. As the primary applicant before you, I happen to love Portage Lake, as many of you already sense. I consider Oak Point a bit sacred too. I know the local community wants to see minimal change along its waterfront. I know Portage's citizenry want to see a future lakefront unmarked by ridiculous and senseless range of outside interference.

Oak Point needs to remain special. It is therefore necessary to address Oak Point as a special place, accorded all the respect and the restrictive covenants required to ensure that a property owner will maintain the pristine nature of this peninsula. It is too visible to be altered by mass construction and change. As B.R. Smith mentioned to me recently, there is one of the largest Pine Trees in the State of Maine located on Oak Point. That tree will never be cut. Neither will the large Oak Trees located throughout the peninsula... and they will never be cut since they mean too much to the Point for whom they are named.

Phase One is before you at this time. We present 17.2 acres of the sub-division for your approval and want you to know that we are very, very serious about our intentions. The corporation's are my intentions.

It isn't easy to make a child afraid of the dark...but is easy for adults to be afraid of the light. We present an avante-garde sub-division for Portage Lake because noone should be afraid of how it is, but what it is. This is why I call Oak Point simply a special place.

We all owe a certain commitment to our children and grand children. The wildlife and flora whose habitat is Oak Point, would fill every niche of Aroostook County's animal species. This is an SOS of sorts... We want to signal all the people developing in Northern Maine that things must be done right. We want to know that the first project was done correctly. We want to establish precedent... for all others to follow. We volunteer to be strict about the sales of lots on Oak Point. As an Ashland native, few places are as dear to me personally. I have a stake here too. I have a camp here. And I know you all know how strongly I feel about development being addressed at all levels when it comes to commercial ventures. I want us all to "give a damn..." about what happens to our land and our water.

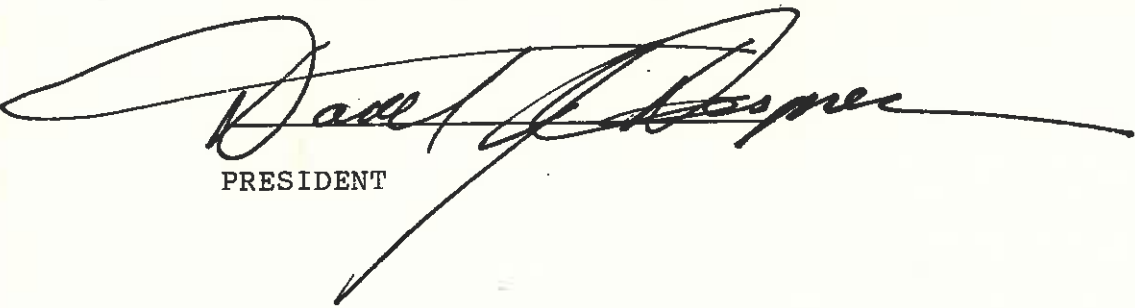
-----  
You have before you, an accurate scale survey of the whole shorefront. There are no commercial problems here...no signs, no lights, no noise, no disturbances to our community. We offer tax income for no services. We offer you infrequent inhabitants, people who love nature enough to buy a water-accessible-only lot. All buyers will be apprised that they are within a 100-YR Floodplain.

Our sub-division involves a plan to sell lots only. Building will be at the discretion of the buyer and I want to assure you that many people will buy simply as an investment in Portage Lake. If camps are allowed to be constructed in accordance with all of the zoning requirements and local ordinances, they will be well-maintained sites...no shacks, no metal buildings and no junkyards for back lawns. Setbacks will be 100 ft from the water.

The survey of the sub-division has even been done showing 2 foot contours rather than 5 foot contours. We wanted to be more specific. Our non-lakefront lots are created for people who hunt and fish and lower prices will make the Point available to anyone interested in investing or in applying for a building permit. We will not allow a "compound" style development to be constructed at Oak Point. We will carefully select buyers who intend to live by the covenants established to protect the Point.

I have included a few of the restrictive covenants which will be inserted into any sales agreement for any lot sold on Oak Point as shown on this sub-division. Your approval of Wilderness Point Peninsula will prove your dedication to proper, detailed development, not the haphazard approach seen in so many small Maine towns, whose lot lines are unclear and inexact. All Oak Point lots are OVER-SIZED, leaving no doubt about our intention to provide ample setback and ample open areas throughout the Phase 1 area.

We respectfully request your approval of our plan as shown to you at this time, in order for us to have it appropriately filed and for us to begin selling a few lots before winter sets in on us.



PRESIDENT

## ADDENDUM

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We are pleased to note a few of the restrictive covenants which will accompany any sales of lots on Oak Point. We feel such deeded provisions will protect this Peninsula from senseless actions on the part of any future buyer.

Any and all major tree growth shall be maintained as it is presently. Property owners may clear the fallen or dead wood and "thin" their lot of scrub. Older trees of particular prominence shall remain untouched and shall be considered a natural asset to the land. Should a dwelling be permitted to be built, trees may only be cut where the main building is located... once permits for building have been obtained.

The shorefront must remain primitive. Any yard of lawn shall be minimal and shall not exceed 10 feet on either side of the dwelling. Docks may be built if desired but must be constructed of local wood without synthetic materials. Any and all colors used or paint applied to building or docks must be natural or earth colors.

No business may be conducted from any lot sold and no signs shall be erected on the land, other than property owners name signs if so desired.

No road shall be allowed to be built or access the shorefront lots as it relates to truck or auto entry to these lots.

A covenant shall also be included to prevent the placement of any metal structures on Oak Point, such as trailers, etc.

It shall be required that all property owners or their guests remove any and all garbage, trash and general household waste, upon leaving the area. Naturally, no dumping of any refuse is allowed. The trash is to be taken to the town-approved disposal location.

No sound system shall be allowed to be placed outside any future dwelling, except portable radios for personal enjoyment. This restriction bears directly to any group gatherings or "parties" which may inevitably represent a disturbance to neighbors both on Oak Point and across the lake. The intention here is prevent a disturbance to the natural sounds of a wilderness evening.

No ATV's, dirt bikes, or motorized vehicles shall be allowed on Oak Point. No "jet skis" or other high performance motor boats shall be allowed to be brought to Oak Point, nor may such watercraft be allowed to be stored on the so-called garage lots. The intent is to minimize noise emanating from these types of watercraft.

We intend to include a covenant restricting the use of firearms practice.

8/24/88 The meeting of the Town of Portage Planning Board was called to order at 7:05 p.m. by Chairman Raymond Chasse.

Mr. Chasse read the addendum submitted by Windows on the Wilderness Corp. The corporation was not represented and several questions were raised for which answers were not available. The size of the individual garage lots was questioned. Would Oak Point only be accessible via the Garage Lot? Or would the Public Landing by the beach be used? What was planned for a wharf on the Garage Lot? Would the acreage involved in the Garage Lot increase the total area of the subdivision so that it would be out of Planning Board authority? Motion was made and seconded to accept the subdivision plan, including Page 2 of the Addendum, provided that no garage lot be assigned within 150 feet of the high water mark. This restriction would apply to the parcel of land known as the Garage Lot on the East Cottage Road. This motion was unanimously accepted. The restriction was noted on the plan before the members signed it as approved.

The meeting was adjourned at 8:02 p.m.

Members present were: Raymond Chasse, Betty Dumond, Malcolm Nason, Calvin Adams, Ron Fowler and Jeanne Currier.

In addition to the restrictive covenants as they apply to the purchase of lots on Oak Point, we shall also require that a person or persons purchasing a lot, use as their access point, the so-called garage lot location on East Cottage Road.


We further agree that the property known as the Garage Lot location, shall not be sub-divided into anything other than parcels to be used to store watercraft or park a car. We will not request the Town of Portage to allow us to build a cottage or home on this property. We intend that it remain undeveloped.

We shall assign to each OAK POINT property owner, a parcel located on the above garage lot, based upon final survey. This will deed to all buyers at OAK POINT, a place for storage for OAK POINT owners only.

No heavy equipment, unregistered motor vehicles or watercraft and no metal objects may be kept at the site known as the garage lot. Any future construction on a particular garage lot shall be by application to the Town of Portage Lake, and shall consist of approved, local ordinance-regulated construction, if any. No Metal building may be placed on the garage lot and no attempt may be made to maintain a residence on a seasonal or other basis. These lots are designed to facilitate access to OAK POINT, not to provide a temporary residence.

Once surveyed, the garage lots will be assigned accordingly, and any building activity will be approved or disapproved by the Town of Portage Lake.

We will reserve the right to restrict further, the type of activity as it relates to any structure... or potential structure.



PRESIDENT  
Windows on the Wilderness Corporation

22 August, 1988

11/1/88 The meeting of the Town of Portage Planning Board was called to order at 7:02 p.m. by Chairman Raymond Chasse.

The minutes of the previous meeting were read and accepted as read.

The Oak Point Subdivision was discussed. Soil tests have been conducted but the Town has not been officially notified of the results. However, Town Manager Blanchette spoke with Bill Hersey who said the soil would support primitive water systems. Some lots would not be suitable for indoor plumbing but some would allow full plumbing. Chemical or electric toilets might be possible solutions, though running water may not be available on some lots. The Town has still not been notified of the DEP's decision on the subdivision. Land sales are reported to the Town monthly and, as of the September report, no sales have been filed on the Oak Point property.

Town Manager Blanchette attended a two day seminar conducted by the Lincoln Institute of Land Policy. The point stressed at the seminar was to involve the public in all phases of the planning. Public meetings were suggested with speakers to inform the townspeople on comprehensive planning and the new growth management law.

The need for amendment to the Ordinance was discussed. Any amendment would be a temporary measure until the new zoning ordinance is in place.

This interim ordinance should define certain terms such as "commercial", "home industry" and "normal high water mark". The new ordinance should also define those terms.

Regarding commercial development around the lake, it was suggested that the roads be zoned rather than setting a specific distance from the lake for business use. Another suggestion was to require 100' setback from the lake rather than the 75' now required.

Possibly the new ordinance would require one acre lots rather than the 20,000 square foot minimum now required. The issue of certain existing 50' wide lots will have to be addressed in further detail in this interim ordinance to control the sale of these lots. If the ordinance specifies, a 50' wide lot may be restricted to the abutter if the lot is undeveloped. A further condition would be that a full-sized (100' wide) lot remains. It was suggested that 150' frontage be required on lakefront property.

Holding tanks were discussed. For new construction, holding tanks are not proving practical - their capacity is limited and they have to be pumped out frequently. However, in some cases they may be the only solution for replacement systems.

It was suggested that the Town restrict motors (larger than 10 total horsepower) from the Fish River - that part of the river that is in "resource protection". Department of Inland Fisheries might be able to provide help in enforcing this restriction. MMA might also be a source of information.

The State has given permission for the Town to flag the beach (with buoys) 200 feet out to keep jet skis and other boats away from the swimmers.

DEP requires that nothing be built within the 75' setback that can't be moved by two people by hand.

Our interim zoning ordinance should be written up and sent to the MMA for their opinion. The ordinance should be written so that the Town could defend it in court if necessary.

The meeting was adjourned at 8:40 p.m.

The following members were present: Raymond Chasse, Malcolm Nason, Eugene Morris, Calvin Adams and Jeanne Currier. Town Manager Paul Blanchette also attended the meeting.

12/22/88 The meeting of the Town of Portage Planning Board was called to order at 7:01 p.m. by Chairman Raymond Chasse.

The proposed zoning changes were discussed. If any projects are brought before the Planning Board before the amendment is passed, we can withhold consideration until the amendment is brought to a vote. Hopefully, there will be a public hearing by mid-February on the proposed zoning changes. If there is, the changes could possibly be voted upon at the town meeting in March.

Town Manager Paul Blanchette plans to suggest that all applications for residential permits be brought before the Planning Board. The Planning Board would have to meet regularly.

Regarding the ten cubic yard filling, black topping should be mentioned in this section. A permit from the Planning Board should be required to hot top within 100 feet of the lake. This permit should stipulate that bales of hay must be used to keep the run-off out of the lake. This hay should be kept in place until the blacktop is "cured". Also to be added to this section, any fill within 25 feet of the normal high water mark would require a Planning Board permit.

A minimum front setback of 50 feet from the center of the road was suggested for town owned roads. It is more important that the setback from the lake be larger.

DEP asked the Planning Board to comment on Dan Higgins' lot on the East Cottage Road. Some rocks were spilled into the lake. There's a minimum fine of \$500. After much discussion, the Planning Board members decided that our only comment would be that we feel DEP will do what is fair in this case and we hope that DEP will treat all violators in the same way. DEP may not grant the permit, but may require that the riprap and boat ramp be removed, regardless of whether this damages the lake more.

The meeting was adjourned at 8:50 p.m.

Members present were Calvin Adams, Raymond Chasse, Malcolm Nasonm, Betty Dumond, Eugene Morris and Jeanne Currier. Town Manager Paul Blanchette also attended this meeting.