

TOWN OF PORTAGE LAKE
P.O. BOX 255
PORTAGE LAKE, MAINE 04768
TEL (207) 435-4361

TO ALL PLANNING BOARD MEMBERS:

There will be a Planning Board Meeting:

DATE: May 2, 1989

TIME: 7:00 P.M.

PLACE: Portage Municipal Building

AGENDA:

1. Reorganization of the Planning Board (newly appointed members.)
2. Sub-division of Kirk Ward property.

5/2/89 Town Manager Paul Blanchette swore in two new members (Katherine Hoppe and Michael Bartlett) and one re-appointed member (Ron Fowler) to the Planning Board. Before the meeting could be called to order, a chairman had to be elected. Calvin Adams and Kathy Hoppe were nominated. The vote was cast and Calvin Adams was elected Chairman. Kathy Hoppe was then nominated for the post of Vice Chairman. Mike Bartlett was also nominated to this post but declined. Ms. Hoppe was elected. Jeanne Currier was elected as Secretary. Motion was made to tape the minutes so that the Secretary would have accurate minutes. This motion was voted on and passed.

The meeting was called to order at 7:10 p.m. The minutes of the last meeting were read and accepted as read.

Old Business: Applications for building permits should be brought to the Planning Board before the permits are issued.

Motion was made to hear from Kirk Ward. Mr. Ward owns about 130 acres on the East Cottage Road. He would like to divide this land into 30 lots, minimum size would be 1-1/2 acres. Some would be larger, one is planned for five acres, one for seven acres. These lots would not be subdivided again. Mr. Ward would write a restrictive covenant stating that these lots could not be subdivided again. Eighteen soil tests have been done by Bill Hersey, not all the soil tested was suitable for septic systems. Not all proposed lots were tested. The lots that don't pass could have primitive systems and could be sold as camp lots. Even with the primitive septic system, a soil scientist will have to conduct soil tests. The soil scientist would design an outhouse and no pressurized water system would be available on those lots. Water would have to be carried. The road would have to be built and maintained by the development. It would have to be brought to a vote by the townspeople before the town would maintain it. That could take five years or longer. The town has no obligation to accept the road. Paul will research and provide the specifications for the road. Mr. Ward will have to get a Site Plan from the DEP for a subdivision of more than three lots. Mr. Ward mentioned a gravel pit on the front left corner of this land, proposed a trade of gravel for maintenance service. This issue would have to be voted upon by the townspeople. There's a 30 foot right-of-way across Mr. Ward's property that would be available to the land owners. The boat launch owned by the Oak Point landowners would not be available to the landowners of Mr. Ward's subdivision. A covenant would have to be written stipulating that boats could not be launched from a vehicle - anything that could be carried would be allowed. No road would be made on this right of way.

Building permits were issued to Dwight Wilcox for an octagon building with each side 16 feet. This permit also covers a 36' X 28' garage. There will be a workshop and boathouse combined. Albert Gagnon wants to add a furnace room to his house.

DEP funding for septic systems was discussed. No funds are available for 1989 but are possible for 1990. At this time if a system malfunction is found, the Code Enforcement Officer notifies the land owner. Funding is looked for.

Proposed zoning changes were discussed. The State proposed zoning changes that will go into effect around July. We cannot write a new Ordinance without a new Comprehensive Plan. We would only be able to modify the present ordinance. The towns in the state will have up to one year to formally adopt the changes that the state will make into law in July.

The 10 cubic yards of fill mentioned in the Ordinance was discussed. The Board continues to think that this 10 yard limit should be increased in the Ordinance but will have to enforce this limit until the Ordinance is amended. Motion was made that the Code Enforcement Officer enforce the present Ordinance as it is written at this time. The motion was seconded and discussion followed. This was voted upon and accepted.

The East Cottage Road school lot being used as a gravel pit was discussed. Once the ledge that is dug up is gone, the land is to be reclaimed. This is not a Planning Board matter and no action can be taken by this board.

The Town of Portage needs a building code. There's a state plumbing permit and state electrical code. Before anyone moves into a new building there should be a certificate of occupancy.

The next Planning Board meeting will be held June 1.

The meeting was adjourned at 9:35 p.m.

Members present were Calvin Adams, Malcolm Nason, Michael Bartlett, Katherine Hoppe, Ron Fowler and Jeanne Currier. Town Manager Paul Blanchette and Code Enforcement Officer Ralph Stolze attended this meeting.

SCHEDULE; WAIVER; OR WHEN DOES THIS NEW LAW APPLY TO MY TOWN?

(pp. 21-22)

SCHEDULE FOR DEVELOPMENT OF NEW COMPREHENSIVE PLAN OR REVIEW OF EXISTING PLAN; DEADLINE FOR SUBMISSION FOR STATE REVIEW

JANUARY 1, 1991: MUNICIPALITIES WHICH HAVE:

POPULATIONS GREATER THAN 500

WHICH HAVE EXPERIENCED POPULATION GROWTH OF 10% OR MORE BETWEEN 1980 AND 1987

JANUARY 1, 1993: MUNICIPALITIES OF ANY POPULATION CATEGORY WHICH HAVE:

EXPERIENCED 5% OR MORE POPULATION GROWTH BETWEEN 1980 AND 1987

JANUARY 1, 1996: ALL OTHER MUNICIPALITIES

- 1. DECD SHALL REVISE THE SCHEDULE DEADLINES BASED ON THE AVAILABILITY OF STATE ASSISTANCE**
- 2. ZONING ORDINANCES MUST BE DEVELOPED AND SUBMITTED FOR STATE REVIEW WITHIN ONE YEAR OF THIS DEADLINE**
- 3. OTHER NEW GROWTH MANAGEMENT PROGRAM COMPONENTS MUST BE ADOPTED WITHIN TIMETABLE IN COMPREHENSIVE PLAN (question about when existing components have to be revised)**
- 4. COMPREHENSIVE PLANS AND ZONING ORDINANCES MUST BE REVIEWED AND UPDATED ONCE EVERY 5 YEARS BY THE LOCAL PLANNING COMMITTEE, FOLLOWING THE DEADLINE FOR INITIAL SUBMISSION OF COMPREHENSIVE PLAN AND FORWARDED FOR STATE REVIEW**

PORTAGE LAKE PLANNING BOARD
AGENDA FOR JUNE 1, 1989

- 1) Minutes of the Past meeting.
- 2) Old Business
 - a) Permits Issued
 - b) Other Old Business
- 3) New Business
 - a) Septic Holding Tanks
 - b) Recommended by Board of Selectmen that Earth Moving Permits be set at 25 yards. This should be added to the proposed changes.
 - c) Enforcement of Encroachment of side property line by James Collins.
 - d) Brainstorming- What do you for see for the Town of Portage Lake in the next five to ten years? What are some of the problems and solutions to those problems?
 - e) Comprehensive Plan
 - 1) Suggestions for a survey to be sent out with tax bills.

6/1/89 The Town of Portage Planning Board meeting was called to order at 7:10 p.m. by Chairman Calvin Adams. The minutes of the last meeting were read. The School Lot gravel pit issue was questioned as written, discussion followed. The minutes were then accepted as read.

Old Business:

Permits - Fourteen applications have been turned in to the Town for action. Ten have been approved, four are being held for clarification.

The Wilcox lot was discussed. More brush was cleared than is allowed in the Ordinance. Mr. Wilcox plans to replant. In the new Ordinance (or amendment to the old one), perhaps a time limit should be set regarding replanting.

New Business:

Septic holding tanks were discussed in detail. These tanks would be sealed concrete, the maintenance agreement would be mandatory. The Eagle Lake Water & Sewer District is the only state licensed facility in our area at this time and would accept Portage customers. The Board of Selectmen would like suggestions or recommendations from the Planning Board but there is no deadline.

Earth Moving Permits - The Board of Selectmen asked that the 10 yard minimum be changed to 25 yards before a permit is required. At the May 2 meeting, the Planning Board decided that whether or not we agreed with the limits set in the Ordinance, we must enforce the Ordinance as written and requested that Paul advise the Selectmen. The Selectmen are legally responsible for having the Ordinance enforced.

Michael Bartlett made a motion to propose a change the Sections 11.3 (#3) and 12.6. No permit will be necessary for up to 25 yards of material dumped or moved except near the lake. Any earth moving activity taking place within 100 feet of the normal high water mark will require Planning Board approval. This motion was seconded and discussion followed. A vote was taken and the motion was unanimously passed.

Enforcement of Encroachment - It appears that an encroachment has taken place by James Collins. However, the properties involved have not been surveyed. No action can take place unless the other property owner files a complaint.

Brainstorming - Paul has been in touch with the Department of Economic Growth. There is a possibility of grant money to encourage development. A survey regarding comprehensive planning will be mailed with the tax bills. Paul showed us two samples. Motion was made by Ron Fowler to delete Question # 2 from one survey. This motion was seconded. After discussing details, a vote was taken. Six members were opposed and one did not vote so that question will not be deleted.

The next Planning Board meeting will be held July 6.

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

Members present were Calvin Adams, Malcolm Nason, Eugene Morris, Michael Bartlett, Katherine Hoppe, Ron Fowler and Jeanne Currier. Town Manager Paul Blanchette also attended this meeting.

SUGGESTED GUIDELINES FOR HOLDING TANKS

Prior to the placing of a holding tank on any property the following must be done:

- 1) The property owner must have a statement from a certified soil scientist that no other system can be placed on the property.
- 2) The property owner must provide the Town of Portage Lake with a signed agreement with the Eagle Lake Water and Sewer District.

Holding Tanks will not be permitted for the following:

- 1) Any substandard lot that was not a lot of record prior to 1973.

Prior to the placement of a holding tank, the owner of the property must sign an agreement that the property will not be sold unless the holding tank agreement is transferred to the new owners.



John R. McKernan, Jr.
Governor

Rollin Ives
Commissioner

STATE OF MAINE
DEPARTMENT OF HUMAN SERVICES
AUGUSTA, MAINE

ADDRESS REPLY TO

May 3, 1989

Mr. Paul Blanchette, Town Manager
Town of Portage Lake
PO Box 255
Portage Lake, ME 04768

Dear Mr. Blanchette:

Holding tanks are specifically illegal according to the State Plumbing Code. If the Town of Portage Lake followed exactly the installation, ownership, and administration procedures adopted by the Eagle Lake Water and Sewer District, the Department of Human Services would authorize the water/sewer district to install holding tanks.

Very truly yours,

A handwritten signature in cursive script that reads "Wallace W. Hinckley".

Wallace W. Hinckley
Manager, Plumbing Control Program

WWH/lb



John R. McKernan, Jr.
Governor

Rollin Ives
Commissioner

STATE OF MAINE
DEPARTMENT OF HUMAN SERVICES
AUGUSTA, MAINE 04333

June 18, 1987

Mr. Paul Martin, LPI
Lower Main Street, P.O. Box 137
Eagle Lake, Maine 04739

Subject: Holding Tanks as an Extension of the Eagle Lake Sanitary District.

Dear Mr. Martin:

This letter is to advise you that it is the Department's opinion that an individual installing a holding tank, who is to be treated as a customer of the Sanitary District with the Sanitary District assuming some responsibility for the maintenance of the holding tank is in effect being served by a quasi-municipal agency for wastewater disposal and therefore does not come under the jurisdiction of the Maine Subsurface Wastewater Disposal Rules. Therefore, a plumbing permit would not be issued for the installation of the holding tank, although the Sanitary District may want to treat these cases the same as any direct connection.?

Yours very truly,

A handwritten signature in cursive script, appearing to read 'Russell G. Martin'.

Russell G. Martin, P.E.

Manager

Wastewater & Plumbing Control

Division of Health Engineering

RGM/mc

PORTAGE LAKE PLANNING BOARD

MEETING ON THURSDAY JULY 13, 1989 AT 7:00 P.M.

AGENDA:

- 1) OLD BUSINESS-
 - A) COPIES OF PERMITS ISSUED
 - B) SEPTIC HOLDING TANKS
 - C) PROPOSED ZONING CHANGE ON EARTH MOVING ACTIVITY TO BE ADDED TO LIST OF PROPOSED CHANGES.
- 2) NEW BUSINESS-
 - A) PROPOSED ZONING CHANGE- METHOD OF MEASURING FROM NORMAL HIGH WATER LINE
 - B) SPEAKER FROM N. M. R. P. C. ON COMPREHENSIVE PLAN
 - C) MODEL ORDINANCE FROM WALDABORO RD & C (COPIES TO BE GIVEN AT MEETING)

7/13/89 The Town of Portage Planning Board meeting was called to order at 7:05 p.m. by Chairman Calvin Adams. The minutes of the last meeting were reviewed and accepted as written.

Old Business:

A. Permits - Copies of permits issued were discussed. A copy of the building ^{Permit} code summary was offered as a possible solution to the problem of the Planning Board reviewing permits. The summary is a cumulative listing of all permits issued and includes a brief description of the work to be done. To date, 25 applications were submitted, 23 received permits.

Regarding variances, the Board of Appeals should grant any variances, not the Planning Board.

B. Septic Holding Tanks - The Board of Selectmen would like the Planning Board's recommendation as to whether or not holding tanks should be permitted for new construction. After brief discussion, Kathy Hoppe made a motion that the current Plumbing Code be followed regarding holding tanks - these tanks should be allowed only as replacement systems. This motion was voted on and passed unanimously.

C. Earth Moving Permits - This issue was briefly discussed since the item is already on the list of proposed changes to the Ordinance. The Planning Board members agreed that the 10 yard limit should be increased to 25 yards before a permit would be required.

New Business:

A. Normal high water mark should be defined in the new Ordinance. Currently the State is defining the normal high water mark as the shortest distance between the normal shoreline high water line and the structure. The State will be rewriting the Shore Line Zoning Guidelines and is expected to redefine this term.

C. Kirk Ward's subdivision application was discussed, out of order from the agenda. Mr. Ward was anxious to submit an application. Since the town doesn't have a subdivision application form at this time, he was given a proposed application form. Kathy Hoppe made a motion that the proposed subdivision application form be used by the Town of Portage until another one is developed. The motion was seconded by Ron Fowler. This motion was unanimously accepted.

A Model Subdivision Regulations for Small Towns and a Model Ordinance were presented to the Planning Board. Members will review these items before the August meeting and will discuss them at that time.

B. Comprehensive Planning - Steve McCulloch of the Northern Maine Regional Planning Commission discussed this issue briefly with the Planning Board.

The meeting was adjourned at 9:25 p.m.

Members present were Calvin Adams, Michael Bartlett, Katherine Hoppe, Ron Fowler and Jeanne Currier. Town Manager Paul Blanchette also attended this meeting.

BUILDING PERMIT SUMMARY

PERMIT #	DATE SUBMITTED	DATE APPROVED	NAME	TYPE
1	.	4-12-89	Dwight Wilcox	BPP-BPS
2	4-26-89	4-26-89	Albert Gagnon	BPA
3	4-28-89	5-7-89	Richard Farley	BPA
4	5-3-89	5-3-89	Jerry Hjultson	BPS.
5	5-9-89	5-10-89	Arthur P.ik	BPS.
6	5-10-89	5-10-89	Damon Curtis	BPA.
7	5-11-89	5-10-89	Reg Fraser.	BPS.
10	5-24-89	5-24-89	Humphrey Bridges	BPS
			James Hill	BPS
			Winston Bagley	BPS
8	5-31-89	5-31-89	Ed Groter	BPS.
9	5-31-89	5-31-89	G. Freeman	BPS
13	6-1-89	6-21-89	Raymond Sheldon	BPA, LP
11	6-1-89	6-1-89	L. Gerald Sherman	BPS
12	6-1-89	6-13-89	James B. Kelly	BPS.
16	6-1-89	6-7-89	Winston Bagley	BPS
14	6-7-89	6-7-89	Harry Helrich	BPS
15	6-5-89	6-7-89	Island A. Nelson	BPS
16	6-13-89	(6-13-89) denied	Ross Doyen	BPA(deck)
17	6-13-89	6-13-89	Garry McKean	BPS
18	6-15-89	6-19-89	Doris K. Wey	BPA
19	6-21-89	6-21-89	Leo Caron	BPP.
20	6-28-89	6-28-89	Herb Sullivan	BPP
21	7-5-89	7-5-89	Hammond Vaughn	BPA
22	7-5-89	7-5-89	Richard Evans	BPA

PERMIT CODES:

- BPP- BUILDING PERMIT PRIMARY STRUCTURE
- BPS- BUILDING PERMIT SECONDARY STRUCTURE
- BPA- BUILDING PERMITS ADDITIONS TO PRIMARY
- LP- FILLING AND/OR CLEARING OF PROPERTY
- RTP- REFERRED TO PLANNING BOARD

TOWN OF PORTAGE LAKE
PLANNING BOARD
PROPOSED ZONING CHANGES

Section 8- Delete current wording and add the following:

Section 8 Non-Conforming Uses

8.1 Any lawful use of building, structures, premises, land or parts thereof existing at the effective date of this Ordinance or amendments thereto and not in conformance with the provisions of this Ordinance shall be considered to be a non-conforming use.

8.2 Any non-conforming use may continue and may be maintained, repaired and improved. No such non-conforming use may be renewed after it has been discontinued for a period of 12 calendar months or more, expanded, changed to another non-conforming use, or replaced, without a permit from the Planning Board in accordance. No structure which is less than the required setback from the normal high water mark shall be expanded towards the water.

8.3 Any non-conforming lot of record existing before the effective date of this ordinance and not adjoined by other land of the same ownership may be used in accordance with State laws and with the provisions of this ordinance. Any contiguous lots of same ownership must conform to the provisions of this ordinance.

Section 9.4- Remove Timber Harvesting from Conditional Uses

Section 9.5- Add Timber Harvesting under Prohibited Uses within 250 feet to the Normal High Water Mark.

Section 10.6- Change Minimum Lot Size from 20000 to 40000 sq. feet

Section 11

11.3- Remove Timber Harvesting

11.3.4 Clearing of trees and conversion to other vegetation is permitted for approved construction and landscaping. Where such clearing extends to the shoreline, a cleared opening or openings not greater than 30 feet in width in the aggregate for any 100 feet of shoreline on any lot or abutting lots under the same ownership, (regardless of where measured along the normal high water mark) may be created in the strip extending 50 feet inland from the normal high water mark and paralleling shoreline. Where natural vegetation is removed, it shall be replaced with other vegetation that is equally effective in retarding erosion and preserving natural beauty. In any resource Protection district or its equivalent, the clearing for vegetation will be limited to that which is necessary for uses expressly authorized in that district. The clearing of trees greater than 4" in diameter as measured 3 feet off the ground shall not exceed 30% of all trees in a 10 year period unless the reason for clearing is for safety as determined by a qualified forester and approved by the Planning Board.

11.4.2- Remove Mobile Home

11.4.2.A.2- Change setback from 75' to 100'

11.6- Minimum Lot Size change from 20000 to 40000 sq. feet

11.6.b- Change minimum depth of 75' to 100' from normal high water elevation. Delete last line.

11.6.5- On any major reconstruction project, the applicant may be asked to increase the set back of the structure if the structure is within 100' of the normal high water elevation. This request would be made by the Planning Board on recommendation of the Code Enforcement Officer.

11.7- Add Accessory Structures

12.1- Accessory Structures shall include but not be limited to porches and decks. These structures shall not encroach on the 100' set back - *normal high water elevation.*

12.16- Timber Harvesting- No timber harvesting shall be allowed within 250' of the normal high water elevation of all water bodies.

12.17- Vegetative Cutting- No openings greater than 30'/100' of frontage extending 50 inland from the normal high water elevation will be permitted. No more than one 60' opening per 200' of frontage

The following pages are proposed definitions for our ordinance.

4. Fines

Any person who violates any provisions of this Ordinance shall be subject to the penalties and enforcement procedures set forth in 30 H.R.S.A. Sec. 4966.

Section 13. Definitions

Terms not defined herein shall have the customary dictionary meaning. As used in this Ordinance, the following definitions shall apply:

Water Related Terms:

A. Pond

Any inland body of water which has a surface area in excess of 10 acres, except where such body of water is man-made and in addition is completely surrounded by land held by a single owner, and except those privately owned ponds which are held primarily as waterfowl and fish breeding areas or for hunting and fishing.

B. River

Any free flowing body of water from that point at which it provides drainage for a watershed of 25 square miles to its mouth.

C. Normal High Water of Coastal Waters

That line on the shore of tidal waters reached by the shoreward limit of the rise of the medium tides between the spring and the neap.

D. Normal High Water Mark of Inland Waters

That line on the shores and banks of non-tidal waters which is apparent because of the contiguous different character of the soil or the vegetation due to the prolonged action of the water. Relative to vegetation, it is that line where the vegetation changes from predominantly aquatic to predominantly terrestrial (by way of illustration, aquatic vegetation includes but is not limited to the following plants and plant groups - water lily, pond lily, pickerelweed, cattail, wild rice, sedges, rushes, and marsh grasses; and terrestrial vegetation includes but is not limited to the following plants and plant groups - upland grasses, aster, lady slipper, wintergreen, partridge berry, sasparilla, pines, cedars, oaks, ashes, alders, elms, and maples). In places where the shore or bank is of such character that the high water mark cannot be easily determined (rockslides, ledges, rapidly eroding or slumping banks), the normal high water mark shall be estimated from places where it can be determined by the above method.

Forest Management Terms

E. Forest Management Activities

Timber cruising and other forest resources evaluation activities, management planning activities, insect and disease control, timber stand improvement, pruning, timber harvesting and other forest harvesting, regeneration of forest stands, and other similar associated activities, but not the construction or creation of roads.

F. Timber Harvesting

The cutting and removal of trees from their growing site, and the attendant operation of cutting and skidding machinery but not the construction or creation of roads. Timber harvesting does not include the clearing of land for approved construction.

Road Terms

G. Road

A route or track consisting of a bed of exposed mineral soil, gravel, asphalt, or other surfacing material constructed for or created by the repeated passage of motorized vehicles.

Wetland Terms

H. Coastal Wetland

Any swamp, marsh, bog, beach, flat or other land above extreme low water which is subject to tidal action.

I. Inland Wetland

Areas enclosed by the normal high water mark of inland waters and areas otherwise identified on the basis of soils, vegetation, or other criteria as inland wetlands including but not limited to swamps, marshes or bogs.

Structure Terms

J. Structure

Anything built for the support, shelter, or enclosure of persons, animals, goods, or property of any kind, exclusive of fences.

K. Principal Structure

A building other than one which is used for purposes wholly incidental or accessory to the use of another building on the same premises.

L. Accessory Structure

A structure of a nature customarily incidental or subordinate to that of the principal structure or the primary use to which the premises are devoted.

M. Residential Dwelling Unit

A room or group of rooms designed and equipped exclusively for use as permanent, seasonal, or temporary living quarters for only one family. The term shall include mobile homes.

N. Piers, Docks, Wharves, Breakwaters, Causeways, Marinas, Bridges Over 20 feet in length, and Uses Projecting Into Water Bodies.

Temporary: Structures which remain in the water for less than seven months in any period of twelve consecutive months.

Permanent: Structures which remain in the water for seven months or more in any period of twelve consecutive months.

O. Aggrieved Party

A person whose land is directly or indirectly affected by the grant or denial of a permit or variance under this Ordinance, a person whose land abuts land for which a permit or variance has been granted, or a group of five or more citizens of the municipality who represent an interest adverse to the grant or denial of such permit or variance.

P. Emergency Operations

Emergency operations shall include operations conducted for the public health, safety or general welfare, such as protection of resources from immediate destruction or loss, law enforcement, and operations to rescue human beings and livestock from the threat of destruction or injury.

Q. Recent Flood Plain Soils

Recent flood plain soils include the following soils as described and identified by the National Cooperative Soil Survey:

Alluvial land
Hadley silt loam
Limerick silt loam
Ondawa fine sandy loam
Podunk fine sandy loam
Runney fine sandy loam
Saco silt loam
Suncook loamy sand
Winooski silt loam

R. Essential Services

Gas, electrical, communication facilities, steam, fuel or water supply, transmission, or distribution systems.

Planning Board Agenda
August 3, 1989

Old Business

- 1) Minutes of the last meeting
- 2) Copy of permits
- 3) Sub Division Ordinance
- 4) Review suggested zoning changes

New Business

- 1) Appointment of Planning Board member to the Portage Lake Association
- 2) Member of Planning Board at Selectmen's Meeting
- 3) Date for Public Hearing
- 4) Request from Selectmen to review campground area

8/3/89 The meeting of the Town of Portage Planning Board was called to order at 7:02 p.m. by Chairman Calvin Adams. The minutes of the previous meeting were reviewed, the wording was corrected to read "Building Permit Summary" rather than "Building Code Summary" as written. The minutes were accepted as amended.

Chairman Calvin Adams advised the Board members that any communications between the Planning Board and the Town Manager or Board of Selectmen should be in writing. This would eliminate any misunderstandings.

Old Business:

A. Copies of the Building Permit Summary were distributed in the information packages given to each member. Application #16, Ross Doyen's request for a permit to build a deck was discussed. If understood correctly, a permit was denied because the deck would not be set back far enough from the normal high water mark. The definition and method of measurement were discussed and will be submitted on a list of questions for the Town Manager.

Ron Fowler made a motion that the materials presented to the Planning Board be mailed to absent members after each meeting. This would give them time to familiarize themselves with the information before the next meeting. Mack Nason seconded this motion. The vote was unanimous.

B. The proposed subdivision ordinance for the Town of Portage was discussed. This proposed ordinance can be changed, added to or subtracted from.

C. Proposed changes to the Ordinance were discussed. Photocopies of the current ordinance with the revisions in bold print were in the information packages. Planning Board members read through and discussed proposed changes. Page 7, Section 5 and Page 19, Section 12.6, subsection 2, deal with earth moving. At a previous meeting, it was decided that a permit should be required for ALL earth moving activity within 100 feet of the normal high water mark, regardless of the quantity to be moved.

Page 15, Section 11.6, Subsection b, the definition of the right of way line should be included in the revision to the ordinance. We would like to have reference to the 50 feet from the right of way deleted and that the ordinance require 75 feet from the center of the road with the availability of a variance if necessary.

Page 16, Section 11.6, Subsection 5, Major reconstruction should be defined.

New Business:

A. The Planning Board has been asked to appoint a member to the Portage Lake Association. A motion was made to appoint Cal Adams as our representative. This was seconded, voted on and members were unanimously in favor of this appointment.

B. The Planning Board was also asked to appoint a representative to attend the Selectmen's meetings. Motion was made, seconded and voted upon. Calvin Adams was elected to represent the Planning Board.

C. The Planning Board was asked to set a date for the public hearing to discuss the changes to the Ordinance. The members felt that this date could not be set by the Planning Board.

D. The Selectmen requested that the Planning Board review the campground area. Should it be enlarged? Closed? Boat landing? No decision was reached at this time.

Other Business:

Mac would like to see a sign at the public beach advising that swimmers swim at their own risk. There's no life guard. Ron attended the Selectmen's meeting 8/2 and this topic had been discussed. The Selectmen felt that the area being protected by the buoys was covered by the Town's insurance and that there would be no need of a lifeguard. The Selectmen have asked Paul to check and see if these buoys would be a problem if someone did get hurt.

Members present were Calvin Adams, Malcolm Nason, Ron Fowler, Eugene Morris and Jeanne Currier

The meeting was adjourned at 9:20 p.m.

August 16, 1989

Town Manager Paul Blanchette
Town of Portage
P.O. Box 255
Portage Lake, Maine 04768

Dear Paul:

The Planning Board would like you to address the following questions:

1. Regarding application #16, Ross Doyen's request for a permit to build a deck, what was the measurement from the structure to the normal high water mark? What is the definition of the normal high water mark that was used in this case? On what authority did you request an opinion of the D.E.P.?
2. Would you contact the State to see who is in charge of the spray program? Would he find out why they sprayed near the lake? Several members had reports from townspeople that they had seen ground spraying along the East Cottage Road.
3. Revisions to the Ordinance, Page 15, Section 11.6, Subsection b, what is the definition of the right of way line?
4. Who is on the Board of Appeals?
5. Could we get an update on the status of the replanting of the Stevens lot?
6. Applications # 1 and 7 on the Building Permit Summary - what was the original state of the vegetation? When will the replanting take place? Who will decide if the replacement is suitable?
7. Was a permit issued to cover the earth moving project for Cyr Pond? Could we have additional information on this? Could this pose a hazard to the community if the water broke loose from the earth works?

S/A if

Calvin Adams
Chairman

CA/jc

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

August 31, 1989

Calvin Adams, Chairman
Portage Lake Planning Board
Portage Lake, Maine 04768

Dear Cal;

This letter in answer to your letter dated August 16, 1989.

Item 1 is an enforcement issue that does not deal with the Planning Board. The Town Manager of a town does not have to ask for permission to ask for an opinion of any state agency. Item 6 is also an enforcement issue. Replanting is at the direction of the Code Enforcement Officer and will take place after the building is done on the lot.

The Steven's lot is also an enforcement issue. The town is trying to work with these people and give them time to clean up the mess that was created. The Stevens don't have all the money that is needed to correct the problem. They are working at it.

Item 2- No one asked the State contractor to spray the town ways. The contractor did this on his own. As a matter of fact, the state notified us that they would be spraying their roads the week following when the actual spraying took place.

Item 4- Board of Appeals consists of Greg Cyr, Karen Richter, Roberta Flint, Anne Bushey, and Darrell Soucy.

Item 7- Through an oversight on the part of the Town, no permit was issued to create Cyr Pond. The pond was engineered by the RC & D. This pond will be useful to the town for fire protection.

Item 3- I would take this section to mean that this would be the distance from the edge of the town way.

In answer to your request that I explain the forty thousand square foot min. and how this would effect existing lots and new lots here is the answer. Lots that are existing as of the day the new ordinance goes in to effect are grandfathered and as long as the soil passes the lot is buildable. New lots will have to be 40,000 sq. feet.

I hope that this answers your questions. Please keep in mind that the function of the planning board is planning and not enforcement. Enforcement is for the Code Enforcement Officer.

Sincerely,


Paul Blanchette

NORTHERN MAINE REGIONAL PLANNING COMMISSION
2 South Main Street, P.O. Box 779
Caribou, ME 04736
(207) 498-8736

August 29, 1989

Mr. Paul Blanchette
Town Manager
Box 255
Portage Lake ME 04768

Mr. Blanchette:

With the conclusion of the first session of the 114th Legislature, numerous clarifications and amendments were passed, and signed into law, relating to the various land use laws in Maine. Affected by these changes were Growth Management, Subdivision, Shoreland Zoning, Site Location, Manufactured Housing, Natural Resource Protection, and Solid Waste Management programs. Many of these revisions were minor substitutions (ie. "must" to "shall"), however, there were significant changes to all of these programs.

The Office of Comprehensive Planning is now in the process of updating the famous yellow booklet, "Maine Planning and Land Use Laws - 1988", with all of the revisions since its last publication. The booklet should be available for distribution later this fall and the Northern Maine Regional Planning Commission will forward copies to you when they are received by our office. In the meantime, we have reviewed these changes and have put together the enclosed packet for your examination.

Of particular interest are the new Shoreland Zoning amendments. There have been a number of important changes with respect to setbacks and intended uses within the districts. The professional staff at the NMRPC would be glad to assist you in amending your Ordinance, or in developing a new local Shoreland Zoning Ordinance. If you have any questions relative to this packet or are interested in obtaining our assistance in developing any of a variety of land use ordinances or regulations tailored to meet the specific needs of your community, such as a mobile home park ordinance, language for a performance guarantee ordinance, or a street design / dedication standards ordinance, just to name a few, please feel free to contact our Caribou office.

Sincerely yours,


Stephen A. McCulloch
Growth Management Planner

9/7/89 The meeting of the Town of Portage Planning Board was called to order at 7:05 p.m. by Chairman Calvin Adams. The minutes of the previous meeting were read and accepted as read.

Kathy Hoppe was asked if her information package had been mailed to her. She picked it up at the Town Office and didn't know if Mike Bartlett had received his package.

Town Manager Paul Blanchette's reply to the Planning Board's August 16 letter was read and discussed. The ground spraying issue was discussed further. Since this is an enforcement issue, the individual should seek action. If a well was sprayed, the water should be tested and the Code Enforcement Officer will seek correction.

Revisions to the Ordinance were discussed. Major reconstruction was again mentioned. A definition should be included in the Ordinance.

Mac suggested that the Planning Board recommend that a map showing the boundaries for the districts - Shoreland, General Purpose and Resource Protected - be included in the revised Ordinance.

Page 33, Section 12.16 Timber Harvesting standards were discussed. The proposed change is very restrictive.

The definition of "timber harvesting" on page 44 appears to combine two definitions. It defines timber harvesting and also describes clearing land for construction. Perhaps the land clearing description should be a separate paragraph, if not a separate definition.

The campground at the head of the lake was discussed. If it is to continue to be used as a campground, it should meet the standards set by the State - sanitary facilities, spacing, etc. The members present felt that camping should be eliminated, since it would be costly to bring the campground up to State standards and enforce those standards. This area could still be used for boat launching and picnicking.

Kathy Hoppe made a motion (Mac Nason seconded) that the Planning Board recommend to the Selectmen that the campground be kept as a picnic area and boat launch but that camping be eliminated. The members voted unanimously to make this recommendation.

Cal briefly discussed the 8/28 and 9/6 Selectmen's meetings, and also discussed the Portage Lake Association meeting.

This meeting was adjourned at 9:07 p.m.

Members present were Calvin Adams, Kathryn Hoppe, Malcolm Nason and Jeanne Currier.

BUILDING PERMIT SUMMARY

PERMIT #	DATE SUBMITTED	DATE APPROVED	NAME	TYPE
023	7-5-89	7-5-89	Perry Pelkey	BPA.
024	7-7-89	7-7-89	Stevens Newcomb	BPA.
025	7-12-89	7-12-89	Rutelo. Lawrence	BPA
026	7-19-89	7-19-89	McKeen, Gary	BPP (w/Septic)
027	7-26-89	7-26-89	Craig Allen	BPA
028	8-1-89	8-1-89	Raffard S	BPA.
029	8-17-89	8-10-89	Bishop	BPA.
030	8-8-89	8-10-89	Hayward	BPA
031	8-8-89	8-10-89	Wason	BPS
032	9-6-89	9-6-89	K. K. Hinton	BPP.
033	9-20-89	9-20-89	Wayne Gannon	BPA.
034	9-20-89	9-20-89	Robert Nelson	BPA
035	9-27-89	9-27-89	Raymond L.	BPA
036	10-1-89	10-1-89	...	BPP

PERMIT CODES:
 BPP- BUILDING PERMIT PRIMARY STRUCTURE
 BPS- BUILDING PERMIT SECONDARY STRUCTURE
 BPA- BUILDING PERMITS ADDITIONS TO PRIMARY
 LP- FILLING AND/OR CLEARING OF PROPERTY
 RTP- REFERRED TO PLANNING BOARD

TOWN OF PORTAGE LAKE
P.O. BOX 255
PORTAGE LAKE, MAINE 04768
TEL: (207) 435-4361

THERE WILL BE A PLANNING BOARD MEETING OCT. 5, 1989 AT 7:00 P.M.
AT THE MUNICIPAL BUILDING.

AGENDA:

- 1) OLD BUSSINESS
 - A. REVIEW ORDINANCE CHANGES
 - B.

- 2) NEW BUSSINESS:
 - A. PAY FOR SECRETARY -- 250.00 / YR.
 - B. SELECTMEN'S MEETING REPORT (SEPTAGE DISPOSAL)
 - C. SHARON-- PROJECT " MAINSTREET 90"



10/5/89 The meeting of the Town of Portage Planning Board was called to order at 7:00 p.m. by Chairman Calvin Adams. The minutes of the last meeting were read and discussed. Motion was made, seconded and members voted to accept the minutes as read.

NEW BUSINESS:

Acting Town Manager Sharon Rafford discussed "Main Street '90", a program (State sponsored) to revitalize communities in Maine. The beach area was registered as Portage's improvement project. The Town would be responsible for all costs, though there is the possibility of a recreational grant of up to \$10,000. The National Guard would provide the labor. Ms. Rafford has been in contact with project manager David Lakey. The Selectmen would like to see the Planning Board as the steering committee for this project. Ron Fowler made a motion (J. Currier seconded) that the Planning Board will accept the challenge of the "Main Street '90" project. It was noted that more information would be needed before any money was committed to the project and Ms. Rafford agreed to get more information. The members voted in favor of this motion.

OLD BUSINESS:

The spraying of ditches with herbicide was again discussed. It was noted that any individual who would like to pursue this issue further should document their complaint and present it to the Selectmen and/or the Town Manager.

The revised Ordinance was the next topic discussed. Sections 12.16 and 12.17 on Page 33 regarding timber harvesting and vegetative cutting were discarded. Kathy Hoppe made a motion which Ron Fowler seconded to use the wording in the State Guidelines, with the exception of the distance which will be changed to read 100 feet from the normal high water mark. Members voted to use the wording on Page 18 in the State of Maine Guidelines for Municipal Shoreland Zoning Ordinances (Draft), with the exception noted.

Page 5, Section 9.5, Resource protection timber harvesting will have to be changed to read 100 feet from the normal high water mark.

Page 34, Section 13.2, Cal proposed that Paragraph 6 be added, to read, "All major reconstruction on all structures and substructures shall require a permit."

Section 14 should include a definition of the term "major reconstruction": "The replacement of substructure of buildings or structure, including but not limited to, basements, slabs, sills, posts or frost walls; the alteration or increase of floor area or volume of a structure, including all extensions such as, but not limited to, attached: decks, garages, porches. Kathy Hoppe made a motion (J. Currier seconded) to accept Cal's proposal as written. The members voted on this motion - four were in favor and one abstained.

Page 16, Section 11.6 was discussed. Mac Nason made a motion (R. Fowler seconded) to eliminate Paragraph 5. Three members were opposed, two in favor and one abstained from voting on this motion. This paragraph will not be eliminated.

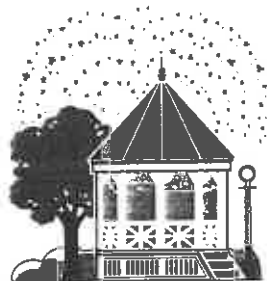
NEW BUSINESS:

Payment of the Secretary was discussed. Kathy Hoppe made a motion (R. Fowler seconded) that \$300 would be divided into 12 equal payments. Five members voted in favor of this motion, one abstained.

Cal spoke of the Selectmen's meeting. A septic disposal area will be located on the Beaver Brook Road on land that Seven Islands manages for the Pingree Heirs. The town would have a lease of \$1 per year.

The meeting was adjourned at 9:05 p.m.

Members present were: Malcolm Nason, Gene Morris, Ron Fowler, Calvin Adams, Jeanne Currier and Kathryn Hoppe. Acting Town Manager Sharon Rafford also attended the meeting.



MAINE STREET
*'90 A Celebration of
Community Pride*

The Program

"There's a very strong sense of family and community in Maine, a sense of belonging and of caring about our friends and neighbors, that is not found in a lot of places in this country. I think it's time we celebrated that sense of community and took pride in just how special Maine really is. That's what Maine Street '90 is all about — a year-long celebration of Maine's uniqueness."

—Governor John R. McKernan, Jr.
September 22, 1988

The Organization

Maine Street '90 is a private, non-profit corporation coordinated by a 20-member Board of Directors representing all Maine counties and appropriate State Agencies, which:

- > oversees the program;
- > communicates information about the program to Maine citizens;
- > provides a central focus for a range of community initiatives; and
- > acts as the catalyst to maintain statewide momentum.

The Reward

Instilling pride, inspiring optimism, and encouraging a stronger sense of community, especially in Maine's younger generation, are the goals of Maine Street '90. In so doing, we will become richer through:

- > a heightened understanding of our great heritage;
- > a clearer vision of what our communities (and our state) can accomplish together; and
- > A younger generation more eager to remain in and contribute to Maine.

Every community will also benefit from their Maine Street '90 affiliation through:

- > Statewide publicity for projects and celebrations, whether ongoing or newly-created. These will be publicized, with permission, in our monthly newsletter, statewide events calendar, and other media sources;
- > Direct liaison between municipalities and state agency resources;
- > Assistance in locating possible state agency or private foundation funding sources for specific projects.

Sponsors will also benefit from direct recognition in the extensive publicity program, already underway and continuing through 1990.



HOW YOU CAN JOIN MAINE STREET '90

Maine Street '90 was initiated by Governor John McKernan last September as a statewide challenge to individuals, organizations, businesses and communities across the state to celebrate their pride and uniqueness. The program is coordinated by a private, non-profit corporation to coordinate local activities and publicity efforts.

Instilling pride, inspiring optimism, and encouraging a stronger sense of community -- especially in Maine's younger generation, are the goals of Maine Street '90. In so doing, we will all become richer through:

- > a heightened understanding of our great heritage;
- > a clearer vision of what our communities (and our state) can accomplish together; and
- > A younger generation more eager to remain in and contribute to Maine.

There are many ways you can participate in Maine Street '90. Here are just a few possibilities:

... through existing events or festivals - If your community or organization presently sponsors an annual festival, fair, or special event, you can make "Maine Street '90" your theme for the 1990 celebration. Community parades, contests, homecoming events, carnivals or holiday celebrations can all focus on community pride. Let us know about your existing events so we can include them in our statewide promotional efforts.

... through family, church or school reunions - Many families and groups already hold yearly reunions for relatives, friends, and past classmates. Make your 1990 reunion the biggest and best ever by planning it around your Maine Street '90 celebration!

... through special community projects - The main focus of the Maine Street '90 program will be the completion of unique projects, chosen by each community, to emphasize that town's pride in its history and its plans for the future. There is no limit to the number of projects a community can choose to accomplish. Each completed project should add to the quality of life in that community.

11/2/89 The meeting of the Town of Portage Planning Board was called to order at 7:05 P.M. by Chairman Calvin Adams. The minutes of the last meeting were read. Kathy Hoppe made a motion, Mac Nason seconded and the minutes were accepted as read.

Kathy Hoppe had been asked to provide a definition of "normal high water mark". She located a definition from the State of Maine Natural Resource Protection Act and it is very similar to the definition to be included in the revised Town Ordinance.

A zoning map was included in the information packages for each member. Mac Nason made a motion (K. Hoppe seconded) to include this map of the Town of Portage showing resource protection, shoreland zoning in the revised ordinance. The members unanimously voted to include the map.

A change in the Shoreland zone was proposed. It was suggested that the shoreland zone be extended to include all areas from the normal high water mark to the road. K. Hoppe made a motion that the definition be amended to read "to the road or 250 feet from the normal high water mark whichever is greater". Mac seconded the motion and all members voted in favor of the change.

Several topics were briefly discussed:

"Maine Street 90", the results of the survey sent out with the tax bills. Cal had attended a meeting of the Maine Waste Management Agency. He also had spoken with David Despres on the Oak Point development. Despres assured Cal that all restrictions would be met.

Kathy Hoppe provided information on how other towns are handling water quality and had a copy of "The Long Lake Watershed Study". She also had a copy of "The State of Maine Nonpoint Source Pollution Assessment report". These studies will give the Planning Board an idea of the direction the State is moving regarding development, erosion control and water quality.

It was decided that a Planning Board workshop meeting would be held November 16 at 7:00 P.M. to proofread the revised Ordinance.

Kathy Hoppe made a motion (J. Currier seconded) and all members voted to adjourn at 8:25 P.M.

Members present were Calvin Adams, Malcolm Nason, Kathy Hoppe and Jeanne Currier.

12/7/89 The meeting of the Town of Portage Planning Board was canceled at 7:15 p.m. by Chairman Calvin Adams. There were not enough members present to make a quorum. Members present were Malcolm Nason, Calvin Adams and Jeanne Currier.

12/19/89 The meeting of the Town of Portage Planning Board was canceled due to lack of a quorum. Members present were Malcolm Nason and Calvin Adams.