

Conditional Use Approval Application # 005-2016

NAME: Camp Boss, LLC

AGENT: Richard Brodman

LOCATION: Grace Point Lane, Mount Desert

TAX MAP: 11 LOT: 059 ZONE(S): Shoreland Residential 3 (SR3)

PURPOSE: Section 3.4 and 6C.7- Marine Structures, Pier, Ramp and Floats

SITE INSPECTION: 4:00PM

## CHECKLIST

### Land Use Zoning Ordinance of the Town of Mount Desert

#### 6C.7 Marine and Freshwater Structure Performance Standards

**Marine Structure Definition.** *Piers, docks, floats, wharves, bridges over ten (10) feet in length, and other marine structures extending over or below the normal high-water line of a water body or within a wetland.*

**Requirement.** *All marine structures shall require Conditional Use Approval of the Planning Board and compliance with the performance standards below before Conditional Use Approval will be granted.*

*The Planning Board may require the submission of an environmental impact assessment on natural areas and may require mitigation measures such as 1.) Changes in the design and/or location of the marine structure, and/or 2.) Changes in the magnitude of activities on the marine structure.*

**The performance standards are as follows:**

*Commercial and public marine structures are exempt from requirements 13 through 16.*

**1. Access from shore.** *Access from the shore shall be developed on soils appropriate for such use and measures shall be taken to minimize soil erosion both during and after construction. Whenever possible, access from the shore to the marine structure shall be placed on bedrock. The Planning Board may require consultation with the local Soil and Water Conservation District Office.*

N/A      Applicable, standard met      Applicable, standard not met

**2. Interference with existing uses and beaches, etc.** *The location of the marine structure shall not interfere with developed or natural beach areas, nor access to existing marine structures or points of public access, nor shall it unreasonably interfere with the use of other marine structures and landing places.*

N/A      Applicable, standard met      Applicable, standard not met

**3. Effect on fisheries, wildlife, etc.** *The marine structure shall be designed, sited, and constructed to minimize adverse impacts on fisheries, significant wildlife habitats or unique natural areas including, but not limited to: fin fish and shellfish fisheries, salt marshes, eel grass beds, shorebird and nesting habitats, critical fish spawning and nursery areas.*

N/A      Applicable, standard met      Applicable, standard not met

**4. Size.** *The facility shall be no larger in dimension than necessary to carry on the activity and be consistent with the surrounding character and uses of the area. A temporary pier, dock or wharf shall not be wider than six feet for non-commercial uses.*

N/A      Applicable, standard met      Applicable, standard not met

**5. No new structures.** *No new structure shall be built on, over or abutting a pier, wharf, dock or other structure extending below the normal high-water line of a water body or within a wetland unless the structure requires direct access to the water body or wetland as an operational necessity.*

N/A     Applicable, standard met     Applicable, standard not met

**6. New permanent piers and docks.** *New permanent piers and docks on non-tidal waters shall not be permitted unless it is clearly demonstrated to the Planning Board that a temporary pier or dock is not feasible, and a permit has been obtained from the Department of Environmental Protection, pursuant to the Natural Resources Protection Act.*

N/A     Applicable, standard met     Applicable, standard not met

**7. Conversion to dwellings.** *No existing structures built on, over or abutting a pier, dock, wharf or other structure extending below the normal high-water line of a water body or within a wetland shall be converted to residential dwelling units in any district.*

N/A     Applicable, standard met     Applicable, standard not met

**8. Height limit.** *Except in the Shoreland Commercial District, structures built on, over or abutting a pier, dock, wharf or other structure extending below the normal high-water line of a water body or within a wetland shall not exceed twenty (20) feet in height above the pier, wharf, dock or other structure.*

N/A     Applicable, standard met     Applicable, standard not met

**10. Interference with natural flow.** *Interference with the natural flow of any surface or subsurface waters shall be minimized during the construction and subsequent use of the marine structure.*

N/A     Applicable, standard met     Applicable, standard not met

**11. Encroachment on navigation.** *The marine structure shall be designed, sited, and constructed so as not to encroach upon officially designated navigation channels.*

N/A     Applicable, standard met     Applicable, standard not met

**12. Mooring area.** *The Planning Board shall request comment from the Harbor Master in cases where the applicant proposes to build a marine structure in an officially designated mooring area.*

N/A     Applicable, standard met     Applicable, standard not met

**13. Dimensional limits.** *The marine structure shall comply with the dimensional limits listed below. The facility shall be no larger than necessary to accomplish the purposes for which it is designed. Its size and construction shall not change the intensity of the adjoining land use, and by no means shall exceed a total distance of more than one-third the width of the coastal wetland or water body, when proposed for coastal or inland waters. Notwithstanding the dimensional limits below, in areas where the horizontal distance from the normal high-water line to the mean lower low water is in excess of 160 feet, no permanent structure will be allowed seaward of the upland edge of a coastal wetland..*

| <i>Marine Structure</i>   | <i>Dimensional Requirement</i> | <i>Proposed Dimensions</i> |
|---|--------------------------------|----------------------------|
| <i>Maximum length of entire marine structure (i.e. pier, ramp and float combined)</i> | <i>225 feet<sup>1</sup></i>    |                            |
| <i>Maximum length of all permanent structures</i>                                     | <i>150 feet</i>                |                            |

|   |                      |  |
|---|----------------------|--|
| <i>Maximum length of all non-permanent structures (i.e. ramp and float)</i>   | 75 feet <sup>2</sup> |  |
| <i>Maximum width of pier walkway</i>  | 6 feet               |  |
| <i>Maximum width of ramp</i>  | 6 feet               |  |
| <i>Maximum square footage of floats</i>   | 400 square feet      |  |
| <i>Maximum square footage of floats for communal marine structures (see 14 and 15 below)</i>  | 800 square feet      |  |
| <sup>1</sup> Or length needed to obtain six feet of depth of water at mean lower low water, whichever is less.  |                      |  |
| <sup>2</sup> In cases where no permanent structure is proposed the applicant will be permitted to install a ramp and float extending no further than 75 feet into the water body. |                      |  |

N/A     Applicable, standard met     Applicable, standard not met

**14. Additional square footage for floats.** *If two or more shorefront lot owners choose to have a communal marine structure the applicant may request additional square footage of floats.*

N/A     Applicable, standard met     Applicable, standard not met

**15. Communal dock.** *When proposed by the applicant, new subdivisions may provide a communal dock in lieu of the development of docks on individual lots. The applicant may request additional square footage of floats provided a demonstrated need can be shown.*

N/A     Applicable, standard met     Applicable, standard not met

**16. Limit on number.** *There shall be no more than one marine structure on a lot.*

N/A     Applicable, standard met     Applicable, standard not met