

CAMDEN ZONING BOARD of APPEALS

**Thursday June 26, 2025
French Conference Room
5PM**

This Meeting will be held in person in the French Conference Room of the Camden Town Office, or attend via zoom at <https://us02web.zoom.us/j/88614433471?jst=1> Send written comments, or request copies of supporting documents by mail to Town of Camden, Post Office Box 1207, Camden, Maine 04843, Attention: Codes; by email to SNeely@CamdenMaine.gov; or by phone to (207) 236-3353 X7121.

AGENDA

- 1. REVIEW of MINUTES:** 10/12/23, 8/29/23, 3/22/2023 & 10/10/2024
- 2. CHAPTER 290 ZONING: ARTICLE VI Nonconformity 6. Changes to Nonconforming Structures in Shoreland Areas, D. Reconstruction or replacement:**

Owners: Cynthia Reed/ Cynthia Reed Revocable Trust
Agent: Mohr & Seredin, Landscape Architects, Inc.
Location: 7 Dillingham Point Road: Map 126 Lot 043

The Applicant seeks permission to reconstruct an existing nonconforming single-family residential structure and new foundation partially within the 75' setback of the shoreland zone area.

***Determination of Board Quorum ~ Listing of Members Voting
Declaration of Conflict or Bias***

Public Hearing

Assistant Planner's Summary: Shenley Neely

Applicant's Presentation:
Applicant's Presentation and Testimony
Questions from the Board

Enter Applicant's Submissions into Record

Public Testimony
Comments from the Public: 1st Round:
Comments/Questions from the Board:
Comments from the Public 2nd Round:

Site Walk Determination

Close (or Continue) Public Hearing

Board Deliberation

Findings of Facts and Decision

- 3. OTHER BUSINESS**

ZONING BOARD OF APPEALS
MINUTES OF MEETING
Thursday, October 12, 2023

This Meeting was held in person in the French Conference Room and streamed at <http://www.youtube.com/TownofCamdenMaine>

PRESENT AND VOTING

Deb Chapman, Chair; Member Steve Beveridge, Sandy Cox, Members Tia Anderson and Member John French.

ALSO PRESENT

Shenley Neely, Planner and Applicant Steven Pixley, Hosmer Valley, LLC.

Additionally, the abutters to the subject property, John Scholz and Meg Barclay (“Abutters”) appeared together.

ELECTION OF OFFICERS

John French moved to elect Deb Chapman as Chair of the Zoning Board of Appeals.

VOTE 4-0-0

Sandy Cox moved to elect John French as Vice Chair of the Zoning Board of Appeals.

VOTE 4-0-0

DECLARATION OF CONFLICT

Members were asked to declare any possible conflict of interest they might have regarding the case before them; there were none.

PUBLIC HEARING- ITEM A

CHAPTER 290 ZONING: ARTICLE VI SECTION 6. CHANGES TO NONCONFORMING STRUCTURES IN THE SHORELAND AREA, D. RECONSTRUCTION OR REPLACEMENT OF A NONCONFORMING STRUCTURE WITHIN THE SHORELAND SETBACK AREA

Before the board is the application of Hosmer Valley, LLC for Changes in Nonconforming Uses; or Lots, Structures, and Uses in Shoreland Areas regarding the construction of a new foundation under an existing nonconforming structure in the Town’s Shoreland Area, located at 381 Hosmer Pond Road, Camden, Maine 04843. The subject property has a zoning designation of Rural 1 District (RU-1); Steve Pixley (“the Applicant”) had standing as the Authorized Person of Hosmer Valley, LLC.

The Chair read the rules for conducting Public Hearings and opened the floor to comments from the Planner.

PLANNER SUMMARY

Shenley Neely, Town of Camden Assistant Planner, explained why this Application is before the Board and introduced her Memo to the Board was dated 10/12/2023.

ITEM A NOTE

A Notice of Decision and Decision and Order were issued on October 13, 2023, a signed copy are attached to these Minutes. Together they are intended to serve the purpose of a complete record of the proceedings, and to stand in lieu of Minutes.

PUBLIC HEARING- ITEM B

CHAPTER 290 ZONING: ARTICLE VI NONCONFORMANCE 6.3 NONCONFORMING USES D. CHANGES OF USE

Before the board is the application of Floating Barn, LLC for Changes of Uses regarding the request to change an existing nonconforming use to another nonconforming use within an existing structure located at 255 Molyneaux Road, Camden, Maine 04843. The subject property has a zoning designation of Rural 2 District (RU-2); Isabella Winckhofer ("the Applicant") had standing as the Authorized Person of Floating Barn, LLC.

The Chair opened the floor to comments from the Planner.

PLANNER SUMMARY

Shenley Neely, Town of Camden Assistant Planner, explained why this Application is before the Board and introduced her Memo to the Board was dated 10/12/2023.

ITEM B NOTE

A Notice of Decision and Decision and Order were issued on October 13, 2023, a signed copy are attached to these Minutes. Together they are intended to serve the purpose of a complete record of the proceedings, and to stand in lieu of Minutes.

The Public Hearing was closed at 6:53pm.

MOTION by John French Seconded by Steve Beveridge

VOTE: 5-0-0

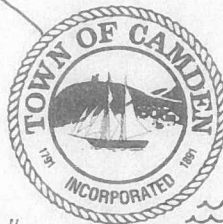
Respectfully Submitted,

Madeleine Hicks, Recording Secretary

Office of:

Town Manager
Tax Assessor
Tax Collector
Town Clerk
Treasurer
Code Officer
Finance Director
Harbor Clerk

"Where
Mountains
Meet
the Sea"



Town Office

P.O. Box 1207
29 Elm Street
Camden, Maine 04843
Phone (207)236-3353
Fax (207)236-7956
<http://www.camdenmaine.gov>

NOTICE OF DECISION

October 13, 2023

TO: Steve Pixley
Hosmer Valley, LLC
361 Hosmer Pond Road
Camden, ME 04843

Dear Mr. Pixley:

This notice is being provided to you pursuant to the requirements of Maine State Law and the Town of Camden Code of Ordinances.

Please be advised that on October 12, 2023, the Zoning Board of Appeals (ZBA) met to hear your request as Applicant to make changes to an existing non-conforming structure within the Shoreland setback of Hosmer Pond. Five ZBA members, Deb Chapman, Chair, Alternative Member Steve Beveridge, and Members Tia Anderson, Sandy Cox, and John French, voted unanimously to approve your request without conditions.


It was noted during the hearing that you will be required to submit to the Town of Camden Planning and Development Office applications for a Shoreland Area permit, a building permit, and possibly other permits before beginning the requested work of pouring a foundation for your existing structure. The Planning and Development Office will require conditions upon issuing any permits, due to the unique size of your property, to ensure that the final placement of the existing structure will be in the exact location as it now exists and that the structure does not encroach any closer to either side property line.

At the hearing, the ZBA found that your proposal to install a foundation under an existing structure met the requirements of the Camden Code of Ordinances at Chapter 290 Zoning Article 6 Sections B and C. The ZBA found that there was no other location on your property where the existing structure could be relocated that was less impactful than leaving your cottage at its existing location. The Board found that the existing location of the structure was set back from the lake to the greatest practicable extent possible. This finding will enable you to construct the new foundation under your existing structure at its current location.

The Board will convene to sign the formal Decision and Order for your application; that document will need to be recorded at the Knox County Registry of Deeds.

Interested Parties have 45 days from the date of the Board's decision to file an appeal to the Superior Court, as provided by 30-A M.R.S.A., §4353.

Sincerely,

A handwritten signature in cursive script, appearing to read "Deb Chapman".

Deb Chapman, Chair
Camden Zoning Board of Appeals

cc: Shenley Neely, Camden Planner via email
Clint Beveridge, Camden Code Enforcement Officer via email
Abutters: Cynthia Barlow, Wayne Hamilton, John Scholz

DECISION AND ORDER

CAMDEN ZONING BOARD OF APPEALS

HOSMER VALLEY, LLC., TAX MAP 227, LOT NUMBER 97

On Thursday, October 12, 2023, after due Notice, the Town of Camden Zoning Board of Appeals convened to hear an application for Changes in Nonconforming Uses; or Lots, Structures, and Uses in Shoreland Areas regarding the construction of a new foundation under an existing nonconforming structure in the Town's Shoreland Area, located at 381 Hosmer Pond Road, Camden, Maine 04843. The subject property has a zoning designation of Rural 1 District (RU-1); Steve Pixley ("the Applicant") had standing as the Authorized Person of Hosmer Valley, LLC. Sitting for the Board of Appeals were Deb Chapman (Chair), and Members Steve Beveridge, Sandy Cox, Tia Anderson and John French. Also present for the Town of Camden was Shenley Neely, Town Planner. Present for the Applicant was Steve Pixley, Hosmer Valley, LLC. The Abutters to the subject property, John Scholz and Meg Barclay ("Abutters") appeared together.

The hearing was convened at approximately 5:00 p.m. at the French Conference Room in the Town building. After discussion about any potential conflicts of interest or bias, the Board was seated with the following voting Members, Deb Chapman, Sandy Cox, John French, Tia Anderson, and Steve Beveridge.

The Town Planner addressed the board and explained the role of the Zoning Board of Appeals in reviewing this Shoreland Zoning Application. The Applicant is requesting permission to construct a new foundation under an existing structure that is located partially within the 100-foot shoreland setback from Hosmer Pond, resulting in the classification of the structure as a Nonconforming Structure in the Shoreland Area. The Planner explained that the Board is tasked with making two (2) determinations with regard to this request to construct a new foundation under an existing nonconforming structure within the Town's shoreland area: whether the Applicant's structure has met the shoreland setback requirement to the greatest practical extent, per the Town of Camden's Zoning Ordinance §290-6.6 (B); and whether the Applicant met the criteria specified in §290-6.6(C) Relocation.

It is up to the Applicant to demonstrate to the Board's satisfaction that this request meets all applicable standards.

Steve Pixley had submitted the following documents in support of his Application. They are titled as follows:

Exhibit A1: Copy of a designed Subsurface Wastewater Disposal System Application, signed on August 21, 2021, by a licensed professional;

Exhibit A2: The Application packet dated May 24, 2023, consisting of the application; the Applicant's narrative dated May 24, 2023, computerized illustrations of the existing structure and proposed foundation, as well as calculations showing existing and proposed square footage of building footprint, an engineered Existing Conditions Survey by Gartley and Dorsky Engineering and Surveying dated 2021, a copy of the Deed dated April 2, 2021 and a color copy of a map of the property that was obtained by the Town of Camden's Property Assessor's website;

Exhibit A3: A copy of the 2023 Annual Report Electronic Filing Acknowledgement showing Hosmer Valley, LLC as the owner with Steven Pixley as a Member of the Hosmer Valley LLC, dated September 15, 2023; and

Exhibit A4: A copy of two (2) emails and supporting documentation from abutting property owner John Scholz.

A Motion was made, seconded, and unanimously approved by the Board to accept the documents submitted for the record.

The Applicant began with a presentation of the proposed changes to the property depicted in the detail of the Existing Conditions survey prepared by Gartley and Dorsky Engineering, dated 2021.

Referencing the narrative included in the Application Packet submitted on May 24, 2023, Mr. Pixley further described his proposal:

- The Applicant's proposed construction of the foundation was explained to the Board.
- The Applicant indicated that the structure can't be relocated due to constraints on site that consist of a large boulder behind the structure, existing trees and vegetation, and a steep slope behind the structure as currently positioned.
- The Applicant explained that the existing septic system is working currently and there is no proposed expansion of the existing structure.
- The Applicant stated the footprint for the structure would be decreased from the existing footprint due to the proposed removal of the existing deck.

The Board reviewed the Applicant's Existing Conditions Survey and examined pictures provided by the abutting property owner. The Applicant stated that the ledge and boulder behind the existing structure, combined with the steep slope of the property, prohibited him from relocating the structure from the present location. The Board entered into discussions concerning the status of the existing septic system and the code requirement that the applicant demonstrates that the present subsurface sewage disposal system meets the requirements of state law and rule. The Applicant assured them that the existing system is in good working order and that he does not plan to expand the existing structure or create additional bedrooms and directed the Board's attention to the document submitted for the record which is a copy of a properly designed septic system has already been created by a licensed professional and should the need for a new septic system arise, he has the August 21, 2021 signed plans for their reference and would use that to submit an application for a SSWD permit to the Town of Camden's Code Enforcement Office for review and approval.

The Board discussed the existing conditions of the subject property and the Applicant further explained the existing vegetation, geology, and slope of the land. Their concerns were that once the building was excavated and the foundation poured, it would be vital that the building be placed back into its exact location on the lot, due to the small size of the parcel and that the existing side yard setbacks are not encroached upon. The Board discussed the root system of existing vegetation and trees and its relation to the proposed pouring of a new foundation. The Town Planner noted all comments made by Board members and explained that the relocation of the structure, stormwater drainage, and vegetation removal within the shoreland area must meet numerous local and state requirements and that the Applicant must apply to the Town of Camden's Code Enforcement Office for several permits and that it was staff's duty to ensure the proposed project met every standard of the Town's code.

DELIBERATIONS AND FINDINGS OF FACT

After closing the hearing, the Board reviewed the criteria of Zoning Ordinance §290-6.6 (B) Foundations and criteria contained in §290-6.6 (C) Relocation to determine whether the structure relocation meets the setback to the greatest practical extent and made findings regarding the following:

(i) the size of the lot

A Motion was made by John French that based on the submission of the Applicant and testimony of the Town Planner the Board find as a fact that the size of the subject lot is 5,227SF.

Tia Anderson seconded. **VOTE: 5-0-0**

(ii) the slope of the land

A Motion was made by John French that based on the testimony and submissions made by the applicant, the slope of the land prohibits the relocation of the existing structure.

Tia Anderson seconded. **VOTE: 5-0-0**

(iii) the potential for soil erosion

John French noted the importance of stormwater drainage in that particular area of Hosmer Pond Road and the retaining and treatment on site of any stormwater runoff. The Town Planner indicated that through the Town's permitting process, these issues would be addressed. A Motion was made by John French that in consideration of the foregoing testimony regarding the potential for soil erosion, the Board finds that the proposed should have a negligible or no effect.

Tia Anderson seconded. **VOTE: 5-0-0**

(iv) the location of other structures on the property and on adjacent properties.

John French noted that the Applicant has stated that there are no other structures on the subject property and that the existing deck will be removed and rebuilt to a smaller footprint.

A Motion was made by John French that the location of other structures on the property would not be a barrier to issuing a permit for this project.

Tia Anderson seconded. **VOTE: 5-0-0**

(v) the location of the septic system and other on-site soils suitable for septic systems.

A Motion was made by John French that based on submissions and testimony made by the applicant, the existing septic system should not be a barrier to issuing a permit for the project.

Tia Anderson seconded. **VOTE: 5-0-0**

(vi) the type and amount of vegetation to be removed to accomplish the relocation.

John French notes that the Applicant has testified that one existing tree close to the existing structure will be evaluated to ensure that the proposed project does not compromise the root system of any trees to create a situation where the tree would fail. The Town Planner stated that replacement planting(s) for trees are required by the Shoreland Area ordinance and is under the Development and Planning Office's jurisdiction after the project is completed.

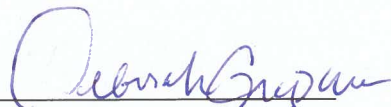
A Motion was made by Tia Anderson based on the above findings the Application is approved.

Sandy Cox seconded. **VOTE:5-0-0**

A Notice of Decision was issued in this matter on October 13, 2023, and in the Notice of Decision it stated that the Board reached its Decision and approved the Application on October 12, 2023. The Zoning Ordinance within the Town of Camden requires that any Appeal be taken within 45 days of the date of the Decision which was October 12, 2023. Appeals are to be taken to the Superior Court pursuant to Rule 80B of the Maine Rules of Civil Procedure.

Dated this 12th day of October, 2023


CAMDEN ZONING BOARD OF APPEALS


Deb Chapman, Chair

1/12/2025
Date


John French, Vice-Chair


1/28/25
Date


Steve Beveridge

1/27/2025
Date


Sandy Cox

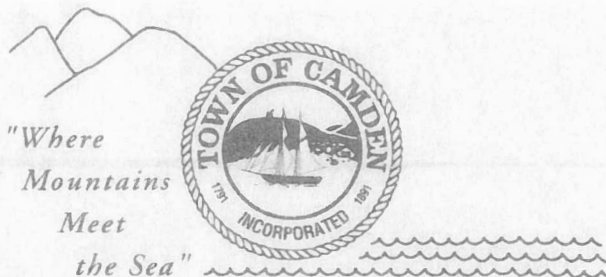
3/1/25
Date


Tia Anderson

2/20/25
Date

Office of

Town Manager
Tax Assessor
Tax Collector
Town Clerk
Treasurer
Code Officer
Finance Director
Harbor Clerk



Town Office

P.O. Box 1207
29 Elm Street
Camden, Maine 04843
Phone (207)236-3353
Fax (207)236-7956
<http://www.camdenmaine.gov>

NOTICE OF DECISION

October 13, 2023

TO: Isabella Wincklhofer
Floating Barn, LLC
420 Turnpike Drive
Camden, ME 04843

Dear Ms. Wincklhofer:

This notice is being provided to you pursuant to the requirements of Maine State Law and the Town of Camden Code of Ordinances.

Please be advised that on October 12, 2023, the Zoning Board of Appeals (ZBA) met to hear your request as Applicant to make changes to an existing non-conforming use by replacing that use with another use that is either less nonconforming or no more nonconforming than the existing approved nonconforming use. Five ZBA members, Deb Chapman, Chair, Alternative Member Steve Beveridge, and Members Tia Anderson, Sandy Cox, and John French, voted unanimously to approve your request without conditions.

It was noted during the hearing that you will be required to submit to the Town of Camden Development and Codes Office an application for a Change of Use permit, as well as possible other permit applications before beginning the requested new use.

At the hearing, the ZBA found that your proposal to replace an existing nonconforming use with another use met the requirements of the Camden Code of Ordinances at Chapter 290 Zoning Article 6, §290-6.3 D and Article 7, §290-7.4 C. As stated above, the ZBA approved your request to replace the existing use of your property from the *Sail Making Business – Tradesman Shop* with your proposed use of a *Homeschool Collaboration Facility*, and this finding will enable you to conduct your proposed operation as soon as all applicable permits are submitted and approved by the Planning and Development Office.

The Board will convene to sign the formal Decision and Order for your application; that document will need to be recorded at the Knox County Registry of Deeds.

Interested Parties have 45 days from the date of the Board's decision to file an appeal to the Superior Court, as provided by 30-A M.R.S.A., §4353.

Sincerely,

A handwritten signature in black ink, appearing to read "Deb Chapman". The signature is fluid and cursive, with the first name "Deb" and last name "Chapman" clearly distinguishable.

Deb Chapman, Chair
Camden Zoning Board of Appeals

cc: Shenley Neely, Camden Planner via email
Clint Beveridge, Camden Code Enforcement Officer via email
Abutters: Nigel Bower, Brian Gasser, William Glover, Blanche Goodwin, Margaret Nash, Chris Parsons-Mank,
Paul Powell, John Sailer

DECISION AND ORDER

CAMDEN ZONING BOARD OF APPEALS

FLOATING BARN, LLC., TAX MAP 107, LOT NUMBER 006-001

On Thursday, October 12, 2023, after due Notice, the Town of Camden Zoning Board of Appeals convened to hear an application for Changes of Uses regarding the request to change an existing nonconforming use to another nonconforming use within an existing structure located at 255 Molyneaux Road, Camden, Maine 04843. The subject property has a zoning designation of Rural 2 District (RU-2); Isabella Wincklhofer (“the Applicant”) had standing as the Authorized Person of Floating Barn, LLC. Sitting for the Board of Appeals were Deb Chapman (Chair), Alternate Member, Steve Beveridge, and members Sandy Cox, Tia Anderson, and John French. Also present for the Town of Camden was Shenley Neely, Town Planner. Present for the Applicant was Steve Pixley, Hosmer Valley, LLC. Member. Nobody appeared in opposition to the application.

The hearing was convened at approximately 6:35 p.m. at the French Conference Room in the Town building. After discussion about any potential conflicts of interest or bias, the Board was seated with the following voting Members, Deb Chapman, Sandy Cox, John French, Tia Anderson, and Steve Beveridge.

The Town Planner addressed the board and explained the role of the Zoning Board of Appeals in reviewing this Application. The Applicant is requesting to remove an existing use of Sail Making business- Tradesman Shop and replace this use with another nonconforming use of Home School Collaboration Facility on property located at 255 Molyneaux Road. The subject property contains several other uses ranging from multifamily residential, a yoga studio, a dance class, and float making business. To approve the application, the Planner explained to the Board that it is tasked with making a determination that the proposed use is a less nonconforming use or no more nonconforming use than the existing approved nonconforming use, per **§290-6.3 (D) Change of Uses** of the Town of Camden’s Zoning Ordinance. Additionally, to make a determination, the Board must use the criteria contained in **Article VII, §290-7.4 C Standards for special exception permit**. It is important to note that although the standards for approval of this Application are the

review standards for issuing a special exception permit, a special exception permit will not be issued if the Application is approved.

It is up to the Applicant to demonstrate to the Board's satisfaction that this request meets all applicable standards.

Isabella Wincklhofer had submitted the following documents in support of his Application. They are titled as follows:

Exhibit A1: The Application packet dated September 20, 2023, consisting of the application; the Applicant's narrative dated September 20, 2023, Applicants response to every one of the review criteria for special exception permits, as well as a copy of the deed, and property card and location map obtained from Town of Camden's Property Assessor's Office;

Exhibit A2: A copy of the 2023 Maine Department of the Secretary of State Bureau of Corporations, Elections, and Commissions information summary stating the legal name of the Floating Barn, LLC and its authorized Clerk/Registered Agent as Isabella Wincklhofer.

A Motion was made, seconded, and unanimously approved by the Board to accept the documents submitted for the record.

The Applicant began with a presentation and description of the proposed new use and its operation, including hours of operation, the estimated number of children, areas of operation on the property, and other aspects of the business. The Applicant identified the area of the existing building and outdoor areas of the property proposed for the new use.

Referencing the narrative included in the Application Packet submitted on September 20, 2023, Ms. Wincklhofer further described this proposal:

- The Applicant's proposed new use and its location on the property was explained to the Board.

- The Applicant indicated that the existing structure contains residential apartments, a yoga center, dance classes, and float float-making business and indicated where these activities are currently taking place within the building.
- The Applicant explained the existing conditions on the subject parcel with regards to parking, traffic, and play areas and stated that there are no proposed expansions to the existing structure and that the use would be replacing the existing Sail Making- Tradesman Shop use.
- The applicant indicated they are working with a septic system designer and with the Town of Camden's Code Enforcement Officer on any upgrades or changes that may be necessary to accommodate the potential increase in building users, should the Application be approved.
- The Applicant stated that they have installed fencing to mitigate impacts from the parking lot on the existing residential areas of the building, and explained parking for the proposed new use is separate from residential parking.

The Board reviewed the Application packet and the applicant's responses to all review standards, one by one.

The Board discussed the existing conditions of the subject property and continued with questions to the Applicant about impacts from the proposed use replacing the existing nonconforming use. The Town Planner noted that the applicant would have to meet all code requirements and would also be required to submit to the office a Change of Use Permit application.

DELIBERATIONS AND FINDINGS OF FACT

After closing the hearing, the Board reviewed the criteria of Zoning Ordinance **§290-7.4 (C) Standards for Special Exception Permit** to determine whether the proposed use is less nonconforming or no more nonconforming than the existing use of the Sail Making- Tradesman Shop business within the existing building and made findings regarding the following:

(1) Neither the proposed use nor the proposed site upon which the use will be located is of such a character that the use will have significant adverse impact upon the value or quiet possession of surrounding properties greater than would normally occur from such a use in the zoning district. In reaching a determination on this standard, the Board shall consider:

(a) The size of the proposed use compared with surrounding uses;

A Motion was made by John French that the proposed use is no more nonconforming than the surrounding uses, as those uses consist of various other commercial and tradesman shop uses.

Steve Beveridge seconded. **VOTE: 5-0-0**

(b) The intensity of the proposed use, including amount and type of traffic to be generated, hours of operation, expanse of pavement, and similar measures of intensity of use, compared with surrounding uses;

A Motion was made by Tia Anderson that the traffic amount, pavement and other similar measures generated by the proposed use was less nonconforming than what currently exists.

Sandy Cox seconded. **VOTE: 5-0-0**

(c) The potential generation of noise, dust, odor, vibration, glare, smoke, litter, and other nuisances;

A Motion was made by John French that the potential generation of noise, dust, odor, vibration, glare, smoke, litter, and any other possible nuisances would be less than the previous use of the Sail Making- Tradesman Shop.

Tia Anderson seconded. **VOTE:5-0-0**

(d) Unusual physical characteristics of the site, including size of the lot, shape of the lot, topography, and soils, which tend to aggravate adverse impacts upon surrounding properties; and

A Motion was made by John French that this particular criteria is not applicable, since these conditions apply to the issuance of a special exception permit and this review criteria does not apply to the proposed change of use.

Steve Beveridge seconded. **VOTE: 5-0-0**

(e) The degree to which landscaping, fencing, and other design elements have been incorporated to mitigate impacts on surrounding properties.

A Motion was made by Tia Anderson that the applicant has incorporated fencing to mitigate impacts on surrounding properties both on site and off-site.

John French seconded. **VOTE: 5-0-0**

(2) Municipal facilities serving the proposed use will not be overburdened. In reaching a determination on this standard, the Board shall consider:

(a) The ability of traffic to safely move into and out of the site at the proposed location;

A Motion was made by John French that based on the submitted Application and testimony provided at tonight's public hearing that traffic's ability to move into and out of the site will be less of an impact than the previous use.

Sandy Cox seconded. **VOTE:5-0-0**

(b) The presence of facilities to assure the safety of pedestrians passing by the site;

A Motion was made by John French that based on the submitted Application and testimony provided at tonight's public hearing that pedestrian safety of those passing by the site would be no more impacted, as there is no existing sidewalk.

Sandy Cox seconded. **VOTE: 5-0-0**

(c) The capacity of the street network to accommodate the proposed use;

A Motion was made by John French that the capacity of the street network would be less impacted than from the previous use, based on the submitted Application and testimony provided at tonight's public hearing.

Sandy Cox seconded. **VOTE: 5-0-0**

(d) The capacity of public sewerage and water facilities, if they are to be used, to accommodate the proposed use; A Motion was made by John French that this criteria was not applicable to the Application before them, as there is no existing public sewerage and/ or water facility serving the subject property.

Sandy Cox seconded. **VOTE: 5-0-0**

(e) The capacity of the public storm drainage system, if it is to be used, to accommodate the proposed use.

A Motion was made by John French that there would be no more impact on the storm drainage system to accommodate the proposed use than what already exists.

Sandy Cox seconded. **VOTE: 5-0-0**

(3) The natural characteristics of the site, including topography, drainage, and relationship to groundwater and surface waters and floodplains, shall not be such that the proposed use when placed on the site will cause undue harm to the environment or to neighboring properties.

A Motion was made by Tia Anderson that the proposed use will cause undue harm to the environment or to neighboring properties.

John French seconded. **VOTE:5-0-0**

(4) Undisclosed future uses. In an application for a special exception requiring renovation or enlargement of an existing building or new construction, the applicant shall not be required to name specifically all the uses on the lot if they are not known at the time of renovation, enlargement or new construction. Instead, the applicant shall state on his application all the specific uses that are anticipated for the lot. For the area on the lot for which the use is not then known, the applicant shall designate those areas as "undisclosed future uses." The applicant must designate on the application at least one known special exception use. The Zoning Board of Appeals may grant special exceptions for the known specific uses and the project may proceed to site review, if required, and a building permit may be issued after site plan review, with the condition that any required special exceptions for the undisclosed future uses will be obtained when the uses are determined. The lot shall not be used for the undisclosed future uses which require a special exception until the required special exception is obtained.

A Motion was made by John French that the review standard is not applicable as this is not an application for a special exception permit requiring renovation or enlargement of an existing building or new construction.

Tia Anderson seconded. **VOTE: 5-0-0**

(5) In considering the foregoing standards, the Zoning Board of Appeals shall fully review these standards even though the applicant may also be subject to site plan approval.

A Motion was made by Tia Anderson based on the above findings the Application is approved.

Sandy Cox seconded. **VOTE:5-0-0**

A Notice of Decision was issued in this matter on October 13, 2023, and in the Notice of Decision it stated that the Board reached its Decision and approved the Application on October 12, 2023. The Zoning Ordinance within the Town of Camden requires that any Appeal be taken within 45 days of the date of the Decision which was October 12, 2023. Appeals are to be taken to the Superior Court pursuant to Rule 80B of the Maine Rules of Civil Procedure.

Dated this 12th day of October, 2023

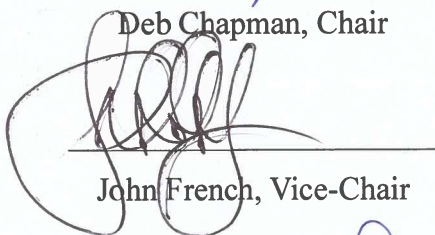
CAMDEN ZONING BOARD OF APPEALS



Deb Chapman, Chair

1/22/2025

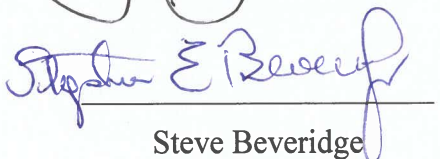
Date



John French, Vice-Chair

1/28/25

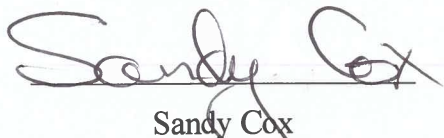
Date



Steve Beveridge

1/27/25

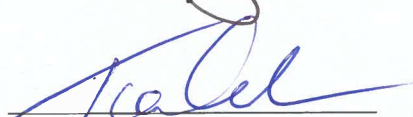
Date



Sandy Cox

3/7/25

Date



Tia Anderson

2/20/25

Date

CAMDEN ZONING BOARD OF APPEALS
MINUTES OF MEETING
Tuesday, August 29, 2023

This Meeting was held in person in the French Conference Room and streamed at <http://www.youtube.com/TownofCamdenMaine>

ELECTION OF OFFICERS

This item was tabled until all members can be present. Deb Chapman, who has been serving as Chair most recently was absent. John French was appointed as Chair *pro tempore* by a unanimous vote.

REVIEW OF MINUTES

This item was tabled until there is a quorum of those who were present at the March 22, 2023 Meeting.

PRESENT AND VOTING

John French, Chairman *pro tempore*; Member Steve Beveridge; and Alternate Members Tia Anderson and Sandy Cox who were both appointed voting members for the evening's business.

Ms. Nealy informed the Applicant that having only four members to vote leaves open the possibility of a tie vote – that vote would fail, and the Application would fail. The Applicant chose to go forward with the review.

ALSO PRESENT

Shenly Needly, Planner. Applicants, Tom and Hillary Jackson and Agent, Will Gartley of Gartley and Dorsky

DECLARATION OF CONFLICT

Members were asked to declare any possible conflict of interest they might have regarding the case before them; there were none.

PUBLIC HEARING

**CHAPTER 290 ZONING: ARTICLE VI SECTION 6. CHANGES TO
NONCONFORMING STRUCTURES IN THE SHORELAND AREA, B. FOUNDATIONS
AND C. RECONSTRUCTION OR REPLACEMENT**

Before the board is the application of WKW, LLC to request to reconstruct or replace a legal nonconforming structure on its existing foundation at its current location, within the 75' setback of the shoreland zone area located at 35 Phillips Dr. Present for the Applicant was William Gartley, Engineer with Gartley & Dorsky, representing the property owners Wendy and Bob Weiler, who were also present at the meeting.

The Chairman *pro tempore* read the rules for conducting Public Hearings and opened the floor to comments from the Planner.

PLANNER SUMMARY

Shenley Neely, Town of Camden Assistant Planner, explained why this Application is before the Board and introduced her Memo to the Board was dated 08/29/2023.

NOTE

A Notice of Decision and Decision and Order were issued on September 1, 2023, a signed copy are attached to these Minutes. Together they are intended to serve the purpose of a complete record of the proceedings, and to stand in lieu of Minutes.

The Public Hearing was closed at 5:37.

MOTION by Sandy Cox Seconded by Tia Anderson

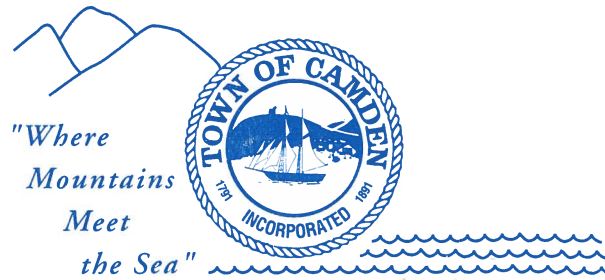
VOTE: 4-0-0

Respectfully Submitted,

Madeleine Hicks, Recording Secretary

Office of:

Town Manager
Tax Assessor
Tax Collector
Town Clerk
Treasurer
Code Officer
Finance Director
Harbor Clerk



Town Office

P.O. Box 1207
29 Elm Street
Camden, Maine 04843
Phone (207)236-3353
Fax (207)236-7956
<http://www.camdenmaine.gov>

NOTICE OF DECISION

September 1, 2023

TO: Tom and Hillary Jackson
c/o Will Gartley
Gartley and Dorsky
59 Union Street, Unit 1
Camden, Maine 04843

Dear Mr. and Mrs. Jackson,

This Notice is being provided to you pursuant to the requirements of Maine Law and the Camden Code of Ordinances.

Please be advised that on August 29, 2023, the Zoning Board of Appeals (ZBA), met to hear your request as Applicants to make changes to an existing non-conforming cottager within the Shoreland setback of Megunticook Lake. Four ZBA members, John French, Chair Pro Tempore, Member Steve Beveridge, and Alternate Members Tia Anderson and Sandy Cox, voted unanimously to approve your request without conditions.

It was noted during the hearing that you had previously received permission for an expansion of the footprint from Code Officer Clint Beveridge. Your change in plans to add a full foundation required ZBA review. Upon application to the Code Officer, your exiting building permit can be revised to reflect the approved changes.

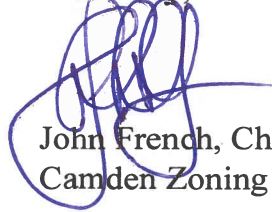
At the hearing the Board found that your proposal to install a foundation under an expanded cottage met the requirements of the Camden Code of Ordinances at Chapter 290 Zoning Article 6 Sections 6 B and C. The Board found that there was no other location on your property where the cottage could be relocated that was less impactful than leaving your cottage on the existing site. In addition, they found that the existing site was set back from the lake to the greatest practicable extent. This enables you to put the expanded cottage on a new foundation in the same location as the existing.

Tom and Hillary Jackson
September 1, 2023
Page Two

The Board will convene to sign the formal Decision and Order for your application; that document will need to be recorded at the Registry along with Plan C1 showing the percentage of the expansion credits used by the previously approved addition.

Interested Parties have 45 days from the date of the Board's decision to file an appeal to the Superior Court as provided by 30-A M.R.S.A., §4353.

Sincerely,



John French, Chair pro tempore
Camden Zoning Board of Appeals

cc: Clint Beveridge, Camden Code Enforcement Officer *via email*
Shenley Neely, Camden Planner *via email*
Abutters: Gary Fowlie, Ann McClellan & Billy Ray Tims, Gayle Noble and Elizabeth Simermeyer

DECISION AND ORDER
CAMDEN ZONING BOARD OF APPEALS
CHANGE IN A NON-CONFORMING LOT IN THE SHORELAND
197 BEAUCAIRE AVE, MAP 103, LOT 15

A Public Hearing was held before the Camden Zoning Board of Appeals (ZBA) on Tuesday, August 29, 2023, with appropriate notice given to all parties, concerning the application of Tom and Hillary Jackson for a change in a non-conforming structure in the shoreland area pursuant to Chapter 290 Article VI, Section 6.6 B and C. of the Camden Code of Ordinances. Sitting for the Board of Appeals were Chair *pro tempore* John French, Member Steve Beveridge and Alternate Members Tia Anderson and Sandy Cox. Present for the applicant were Mr. and Mrs. Jackson and their agent, Will Gartley of Gartley and Dorsky. Also present was Shenley Nealy, Camden Planner.

The Planner informed the Applicants, that with only four members present, the requirement that all votes during a ZBA review must receive a minimum of three positive votes to pass, means a tie vote would cause the application to fail. The Applicants were given the option of continuing their hearing until a time when five members would be present; they chose to go forward that evening. None of the seated members declared any conflict of interest or bias.

The Jackson's property is located at 197 Beaucaire Avenue, Tax Map 103 Lot 15, and is in the Rural 1 (RU-1) Zoning District. The property is on Lake Megunticook, and the building in question here is partially located within the 100' Shoreland setback from the Lake.

The CEO had issued Building Permit # 23-94 on June 26, 2023, for the expansion of this cottage prior to the owner's decision to install the new foundation. In doing so he reviewed all calculations for square foot expansion credits and for lot and building coverage. He also approved: 1) Plumbing Permit #23-83 for a replacement Subsurface Wastewater Disposal System

issued August 2, 2023; and 2) A Shoreland Development Permit (#23-10) on June 26, 2023. After these permits had been issued, the Applicants decided to lift this cottage to pour a full foundation under the approved expanded footprint, the question was then required to go before the ZBA.

The Applicant had provided a deed dated in his name April 26, 1996; the Board voted unanimously to Find the Applicant had shown Standing to Apply.

Planner, Shenley Nealy, had prepared a Memorandum to the Board dated August 29, 2023. She summarized that memo describing the review process the Board will go through to reach a decision on the Application.

The Applicants' Agent, Will Gartley, provided details regarding the proposal and referenced the Application packet dated August 16, 2023. He described the existing situation on the lot that, they believe, supports their request to leave the cottage in the same location. He had provided photographs of the site taken on July of 2022 and August of 2023. Mr. Gartley referred the Board to these photographs, especially those showing the location of large trees in the area, as well as the existing grade, between the Lake and the road.

Both the Planner's Memo and the Applicants' Application packet were entered into the record. The Applicants' submissions were detailed in the Cover Letter dated August 16, 2023

DELIBERATION AND FINDING OF FACT

After closing the hearing, the Board reviewed the criteria of Zoning Ordinance §290-6.6 (B) Foundations and criteria contained in §290-6.6 (C) Relocation to determine whether the structure relocation meets the setback to the greatest practical extent and made findings regarding the following:

(i) A Motion was made by John French to Find as a Fact that the Applicant's property is located at 197 Beaucaire Avenue as shown on Tax Map 103, Lot 15 in the Rural-2 District (RU-2).

Sandy Cox seconded. **VOTE: 4-0-0**

(ii) A Motion was made by John French to Find as a Fact that the building described as a Non-conforming Structure in the Shoreland is located entirely within the 100' Shoreland Setback from Megunticook Lake.

Sandy Cox seconded. **VOTE: 4-0-0**

(iii) A motion was made by John French to Find as a Fact that the Application of Tom and Hillary Jackson is for permission to replace the existing post foundation with a full foundation within the Shoreland Setback of Megunticook Lake. The ZBA is granted the authority to hear this request by Article VI Non-Conformance, Section VI Section 6(6) Changes In Non-conforming Structures in the Shoreland.

Tia Anderson seconded. **VOTE: 4-0-0**

(iv) A motion was made by John French to Find as a Fact that based on the fact that the Code Enforcement Officer has issued a building permit for the expansion portion of this project after finding that the criteria of 6.6 A(3) had been met, the Board agrees to rely on that approval and Find the same.

Sandy Cox seconded. **VOTE: 4-0-0**

(v) A Motion was made by John French that based on documentation and testimony provided by the Applicant, the Board Finds that the Applicant's request includes removing the existing

foundation and installing a new full foundation for the expanded cottage and must be reviewed under Section 6.C (1) & (2) (a) and (b)

Sandy Cox seconded. **VOTE: 4-0-0**

(vi) A Motion was made by John French that based on our Findings of Facts above we Find that there is no other suitable location on this property to relocate a new cottage.

Steve Beveridge seconded. **VOTE:4-0-0**

(vii) A Motion was made by John French to Find that the Applicant's copy of a permit application for a new Subsurface Wastewater Disposal System Application, which has been sized for the expanded use of the property, satisfies the sewage disposal requirements of C(1) above.

Sandy Cox seconded. **VOTE: 4-0-0**

(viii) A Motion was made by John French that based on our findings above that there is no other suitable site to relocate the structure on this lot, we Find that the current location meets all setback requirements to the greatest practical extent and approve the proposed location as shown on Sheet C1 dated June 28, 2023.

Sandy Cox seconded. **VOTE: 4-0-0**

Sandy Cox made a motion to Approve the Application for Tom and Hillary Jackson, for the installation of a new foundation in the Shoreland at 197 Beaucaire Avenue.

Steve Beveridge seconded. **VOTE:4-0-0**

A Notice of Decision was issued in this matter on September 1, 2023, and in the Notice of Decision it stated that the Board reached its Decision and approved the Application on August 29, 2023. The Zoning Ordinance within the Town of Camden requires that any Appeal be taken within 45 days of the date of the Decision which was September 1, 2023. Appeals are to be taken to the Superior Court pursuant to Rule 80B of the Maine Rules of Civil Procedure.

Dated this 1st day of September, 2023

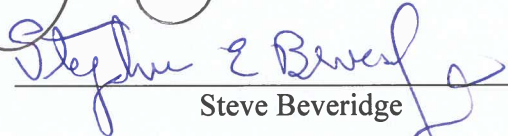
1-28-25
Date

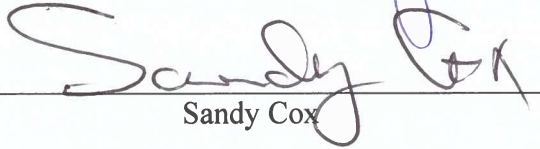
1/27/2025
Date

3/7/26
Date

2/20/25
Date


John French, Chair *pro tempore*


Steve Beveridge


Sandy Cox


Tia Anderson

ZONING BOARD OF APPEALS
MINUTES OF MEETING
Wednesday, March 22, 2023

This Meeting was held in person in the French Conference Room and streamed at <http://www.youtube.com/TownofCamdenMaine>

PRESENT AND VOTING

Deb Chapman, Chair; Member Steve Beveridge; and Alternate Members Member Sandy Cox who was appointed to sit as a Voting Member for the evening's business. The Chair read the rules for conducting Public Hearings into the record and opened the Public Hearing.

ALSO PRESENT

Applicant, Ed Libby and his father Ed Libby; Shenley Neely, Planner; and Code Enforcement Officer Clint Beveridge

The Applicant was informed that with only three members present, every vote would be required to be unanimous in order for the Application to receive approval. He and was given the opportunity to continue the meeting until there were more members present; Mr. Libby chose to go forward that evening.

DECLARATION OF CONFLICT OR BIAS

Members were asked to declare any conflict of interest or bias regarding the Application before them; there were none.

PUBLIC HEARING

CHAPTER 290 ZONING ARTICLE VI NONCONFORMANCE SECTION 2. NON-CONFORMING LOTS: B. LOTS WITH STRUCTURES

Before the Board is the application of Edward Libby, concerning the application of Edward Libby for approval of a change in a non-conforming lot with structures in the shoreland area pursuant to Chapter 290 Article VI, Section 6.2 (B) (2) of the Camden Code of Ordinances.

The Chair read the rules for conducting Public Hearings and opened the floor to comments from the Planner.

PLANNER SUMMARY

Shenley Neely, Town of Camden Assistant Planner, introduced the item that is before the Board.

NOTE

A Notice of Decision was issued on March 24, 2023, and a Decision and Order on April 10, 2023; a signed copy are attached to these Minutes. Together they are intended to serve the purpose of a complete record of the proceedings, and to stand in lieu of Minutes.

The Public Hearing was closed at 5:45.

MOTION by Ms. Chapman seconded by Mr. Cox

VOTE: 3-0-0

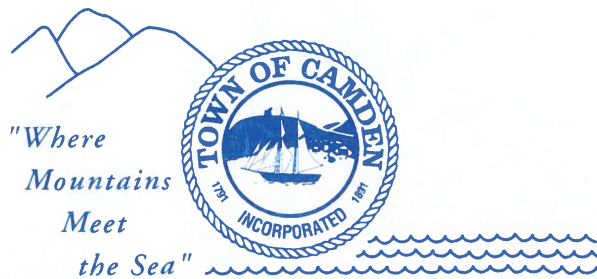
Respectfully Submitted,

Madeleine Hicks, Recording Secretary

DRAFT

Office of:

Town Manager
Tax Assessor
Tax Collector
Town Clerk
Treasurer
Code Officer
Finance Director
Harbor Clerk



Town Office

P.O. Box 1207
29 Elm Street
Camden, Maine 04843
Phone (207)236-3353
Fax (207)236-7956
<http://www.camdenmaine.gov>

NOTICE OF DECISION

March 24, 2023

TO: Ed Libby
374 Route One
Yarmouth, Maine 04096

This Notice is being provided to you pursuant to the requirements of Maine Law and the Camden Zoning Ordinance.

Please be advised that on March 22, 2023, the Zoning Board of Appeals (ZBA), met to hear your request as Applicant to make changes to an existing non-conforming lot within the Shoreland setback of the Megunticook River. At the hearing the Board found that your proposal to split the lot between the two dwellings on the property met the requirements of the Camden Zoning Ordinance at Article VI Section B(2). Three members, Deb Chapman, Chair, Steve Beveridge and Sandy Cox, voted unanimously to approve the request with the Condition that you preserve your Right, Title and Interest in this property by extending the expiration of the Purchase and Sales Agreement with Dr. and Mrs. Paine to March 29, 2023, and present a copy of the Closing Documents to the Planner. At that point in time the approval will be final. The Board will convene to sign the formal Decision and Order for your application and your Plan; that document will need to be recorded at the Registry along with the survey. If you have not notified the Planning Office that the closing took place on March 29, 2023, as stated, and if you do not have a revised Purchase and Sales Agreement extending beyond that date, the permission granted by the ZBA will expire on March 30, 2023.

Interested Parties have 45 days from the date of the Board's decision to file an appeal to the Superior Court as provided by 30-A M.R.S.A., §4353.

Sincerely,

Deb Chapman, Chair
Camden Zoning Board of Appeals

cc: Clint Beveridge, Camden Code Enforcement Officer
Shenley Neely, Planner

DECISION AND ORDER
CAMDEN ZONING BOARD OF APPEALS
CHANGE IN A NON-CONFORMING LOT IN THE SHORELAND
45 (and 47) Riverside Drive: Map 107 Lot 37

A Public Hearing was held before the Camden Zoning Board of Appeals on Wednesday, March 22, 2023, with appropriate notice given to all parties, concerning the application of Edward Libby for approval of a change in a non-conforming lot with structures in the shoreland area pursuant to Chapter 290 Article VI, Section 6.2 (B) (2) of the Camden Code of Ordinances. Sitting for the Board of Appeals were Chair, Deb Chapman, Member Steve Beveridge and Alternate Sandy Cox.

The Applicant was informed that with only three members present, each vote would need to be unanimous. The Applicant was given the option of continuing his hearing until a time when more members would be present; he chose to go forward that evening. None of the seated members declared any conflict of interest or bias.

The Applicant had a valid Purchase and Sale Agreement between himself and the current property owners, Jennifer Paine and Gordon Paine, to purchase the subject property, designated as Tax Map # 107, Lot # 37 with a location address of 45 Riverside Drive, Camden, Maine. The Board found the Purchase and Sale Agreement sufficient to establish Standing to apply.

The Applicant represented himself before the Board and provided details regarding his request to divide an existing single lot containing two residential structures into two lots, resulting in two separate lots each containing a residential structure. The Applicant had submitted as evidence, a survey showing the proposed location of the lot split line, as well as all existing residential structures. The plan, titled Paine Property, was prepared and stamped by Mark Ingraham, PLS, of Ingraham Land Consulting, Inc. and dated February 23, 2023. The Plan

provided dimensional information for each of the two proposed lots (Lot A and Lot B on the Plan) including calculations for lot coverage, resulting square footage, shoreland frontage and road frontage measurements and setback lines for both residential structures on each lot. Both lots will be located entirely within the shoreland area in the Village Extension (VE) Zoning District.

No one from the public was present to speak for or against the proposal, and the Motion to Close the Public Hearing was approved unanimously.

Based on the evidence presented at the hearing, the Board of Appeals decided that the Applicant's request for approval pursuant to Article VI, Section B (2) of the ordinance to divide a single lot of record that has two or more principal uses or structures, as authorized in Article VI, Section B (2) should be granted and the Board states as its finding of fact and conclusions of the law the following:

- (1) The Applicant's proposed division of an existing lot into two lots located on the lot designated as Camden Tax Map # 107, Lot # 37, within the shoreland area of the Village Extension (VE) zoning district.
- (2) The Applicant has standing to pursue the application as he maintains an active Purchase and Sale Agreement between himself and the property owners.
- (3) Testimony was provided confirming the subject property is a legal non-conforming lot located within the Town's shoreland area.
- (4) Testimony was provided by Town staff that the subject property was a single lot of record on the effective date of the Town's Zoning Ordinance, as the subject lot is described in a deed from Donald B. Hawkins to Gordon T. Paine and Jennifer Paine dated December 30, 1985, and recorded in the Knox County Registry of Deeds in Book 1064, Page 23.
- (5) The proposed division of the lot was found to be as conforming as possible with the standards set forth in Article X, Section 10.2 lots in the Shoreland Area; and Article VIII:

District Standards for the Village Extension (VE) Zoning District, as provided for in Article VI Section 6.2 (B)(2).

- (6) The evidence upon which the decision was made was based upon information provided on the sealed plan as 'Lot A' and 'Lot B'. The required minimum lot area for lots within the shoreland area is 40,000 square feet. As depicted in the plan, the resultant 'Lot A' is 20,485 square feet, with the percentage of lot coverage at 10 percent, which is well within the allowable coverage of 20 percent for property located in the shoreland area in the VE Zoning District. The resultant 'Lot B' is a total of 22,053 square feet, with a lot coverage of 11 percent, which is within the allowable coverage of 20 percent for property located within the shoreland area and the VE Zoning District. Both lots 'A' and 'B' provide a shoreland frontage of 162.5 linear feet each. The minimum required shoreland frontage is 200 linear feet. Each resulting lot will be equally non-conforming in this regard. Both lots meet the minimum road frontage requirement for sewerred lots in the VE District of 75'. Town staff had entered into testimony, information confirming that both dwelling units on the property are served by Town sewer.
- (7) Based upon the evidence presented at the hearing, the Applicant demonstrated to the satisfaction of the Board that the proposed division of the lot, as presented by the Applicant, satisfies the requirements of Article VI, Section 6.2 (B)(2) of the ordinance that both lots are as conforming as possible to the dimensional requirements of the Ordinance.
- (8) Upon discovering that the Purchase and Sale Agreement used by the Applicant to be awarded Standing would expire on March 23, 2023, two days from this Decision, and subsequently learning that the closing date for the transfer of ownership was March 29, 2023, six days past the expiration of the Agreement, the Board agreed to place two conditions upon their Approval: 1) The Applicant must obtain an extension of the

expiration of the Purchase and Sale Agreement to March 29, 2023; and 2) The Applicant must provide proof of purchase of the property. If these conditions are not met the approval would expire on March 29, 2023.

WHEREFORE, the Zoning Board of Appeals, by a unanimous vote, approved the Applicant's request to divide the lot into two lots in the shoreland area in accordance with Article VI, Section 6.2 (B) (2) of the zoning ordinance and with above noted conditions of approval.

REQUEST GRANTED WITH CONDITIONS.

Date: 4/10/2023

Deb Chapman
Deb Chapman, Chair

Date: 4/10/2023

Stephen E Beveridge
Steve Beveridge

Date: 4/10/2023

Sandy Cox
Sandy Cox
Sandy

ZONING BOARD OF APPEALS
MINUTES OF MEETING
Thursday, October 10, 2024

This Meeting was held in person in the French Conference Room and streamed at <http://www.youtube.com/TownofCamdenMaine>

PRESENT AND VOTING

Deb Chapman, Chair; Member Matthew Deane; Member Steve Beveridge; Member Tia Anderson and Member John French.

ALSO PRESENT

Shenley Needly, Planner, Applicants, Wendy & Bob Weiler and Agent, Will Gartley of Gartley & Dorsky

DECLARATION OF CONFLICT

Members were asked to declare any possible conflict of interest they might have regarding the case before them; there were none.

PUBLIC HEARING

CHAPTER 290 ZONING: ARTICLE VI SECTION 6. CHANGES TO NONCONFORMING STRUCTURES IN THE SHORELAND AREA, D. RECONSTRUCTION OR REPLACEMENT OF A NONCONFORMING STRUCTURE WITHIN THE SHORELAND SETBACK AREA

Before the board is the application of WKW, LLC to request to reconstruct or replace a legal nonconforming structure on its existing foundation at its current location, within the 75' setback of the shoreland zone area located at 35 Phillips Dr. Present for the Applicant was William Gartley, Engineer with Gartley & Dorsky, representing the property owners Wendy and Bob Weiler, who were also present at the meeting.

The Chair read the rules for conducting Public Hearings and opened the floor to comments from the Planner.

PLANNER SUMMARY

Shenley Neely, Town of Camden Assistant Planner, explained why this Application is before the Board and introduced her Memo to the Board that was dated 10/10/2024.

NOTE

A Notice of Decision and Decision and Order were issued on October 11, 2024, a signed copy are attached to these Minutes. Together they are intended to serve the purpose of a complete record of the proceedings, and to stand in lieu of Minutes.

The Public Hearing was closed at 5:37.

MOTION by Deb Chapman to close the meeting.

VOTE 5-0 -0

Respectfully Submitted, Madeleine Hicks, Recording Secretary

Office of:

Town Manager
Tax Assessor
Tax Collector
Town Clerk
Treasurer
Code Officer
Finance Director
Harbor Clerk

*"Where
Mountains
Meet
the Sea"*



Town Office

P.O. Box 1207
29 Elm Street
Camden, Maine 04843
Phone (207)236-3353
Fax (207)236-7956
<http://www.camdenmaine.gov>

NOTICE OF DECISION

October 11, 2024

TO: Wendy and Bob Weiler
33 Phillips Drive
Camden, ME 04843

RE: Zoning Board of Appeals: 35 Phillips Drive

Dear Mr. and Mrs. Weiler;

This notice is being provided to you pursuant to the requirements of Maine State Law and the Town of Camden Code of Ordinances.

Please be advised that on October 10, 2024, the Zoning Board of Appeals (ZBA) met to hear your request as Applicant to make changes to an existing non-conforming structure to reconstruct or replace the existing structure that is located within the 75- foot setback of the Shoreland Zone. The reconstruction or replacement of this structure will result in a cost that is over the 50% threshold, thus, requiring the project to go before the Zoning Board of Appeals so that the Board could determine if the structure could be relocated in a more conforming location outside the Shoreland Zone setback, to the greatest practicable extent. Five ZBA members, Deb Chapman, Chair, and members Steve Beveridge, Tia Anderson, John French, and Matthew Deane all voted unanimously to approve your request without conditions.

It was noted during the hearing that you will be required to submit and obtain approval of additional permit applications by the Town of Camden Planning and Development Office, as well as any other permits required by outside agencies, such as the State of Maine's Chapter 305 Maine Natural Resource Protection Act (NRPA) Permit By Rule before commencing construction of the project.

At the hearing, the ZBA found that your proposal to reconstruct or replace the existing nonconforming structure at its current location on the same existing foundation met the requirements of the Camden Code of Ordinances at Chapter 290 Zoning Article 6, §290-6.6 (C) 2. This finding will enable you to continue forward in the process of reconstruction or replacement of a structure within the 75- foot setback of the Shoreland Zone as soon as all applicable permits are submitted and approved by the State of Maine, the Planning and Development Office, and any other agency permits that may be required.

The Board will convene to sign the formal Decision and Order for your application; you must record that document at the Knox County Registry of Deeds.

Interested Parties have 45 days from the date of the Board's decision to file an appeal to the Superior Court, as provided by 30-A M.R.S.A., §4353.

Sincerely,

A handwritten signature in black ink that reads "Deb Chapman". The signature is written in a cursive, flowing style.

Deb Chapman, Chair
Camden Zoning Board of Appeals

cc: Shenley Neely, Camden Planner via email
Clint Beveridge, Camden Code Enforcement Officer via email
Abutters: Rhonda lee Arey Dean

DECISION
CAMDEN ZONING BOARD OF APPEALS
WKW, LLC., TAX MAP 108, LOT NUMBER 003

On Thursday, October 10, 2024, after due Notice, the Town of Camden Zoning Board of Appeals convened to hear an application to request to reconstruct or replace a legal nonconforming structure on its existing foundation at its current location within the 75-foot setback of the Shoreland Zone, located at 35 Phillips Drive, Camden Maine 04843. The subject property has a zoning designation of Village Extension (VE); Wendy Weiler ("the Applicant") had standing as the Authorized Person of WKW, LLC. Sitting for the Board of Appeals were Deb Chapman (Chair), Members, Steve Beveridge, Tia Anderson, John French and Matthew Deane. Also present for the Town of Camden was Shenley Neely, Town Planner. Present for the Applicant was William Gartley, Engineer with Gartley & Dorsky, representing the property owners Wendy and Bob Weiler, who were present at the meeting. Nobody appeared in opposition to the application.

The hearing was convened at approximately 5:00 p.m. at the French Conference Room in the Town building. After discussion about any potential conflicts of interest or bias, the Board was seated with the following voting Members, Deb Chapman (Chair), John French, Tia Anderson, Steve Beveridge and Matthew Deane.

The Town Planner addressed the board and explained the role of the Zoning Board of Appeals in reviewing this Application. The Applicant is requesting to reconstruct or replace an existing single-family residential structure on the same foundation located within the 75-foot setback of the Shoreland Zone on the Megunticook River, at 35 Phillips Drive in Camden, Maine. The subject property is a legal non-conforming lot and the existing single-family structure is a legal non-conforming structure, built in 1944. The lot size is approximately .33 acres or 14,374.80 square feet in size, with the potential of an additional 3,181 square feet to be transferred to the subject property from the adjacent property at 33 Phillips Drive, which is also owned by the applicant.

To approve the application, the Planner explained to the Board that it is tasked with making a determination that when reconstructing or replacing a structure that results in costs that exceed 50% of the market value, that the structure has been relocated to a more conforming location to the greatest practical extent, further back from the Shoreland Zone setback requirements, per **§290-6.6 (D) Reconstruction or replacement** of the Town of Camden's Zoning Ordinance. Additionally, to make a determination, the Board must use the constraint criteria contained in Article VI, **§290-6.6 (C) 2**. It is important to note that although the standards for approval of this Application are the review standards for issuing an approval of the permit, no permit for changes in nonconforming structures in shoreland areas will be issued if the application is approved.

It is up to the Applicant to demonstrate to the Board's satisfaction that this request meets all applicable standards.

Agent for the applicant, William Gartley, had submitted the following documents in support of his Application. They are titled as follows:

Exhibit A1: The Application packet dated September 20, 2024, consisting of the application; the Applicant's narrative dated September 20, 2024, boundary and topographic survey, site plan, and proposed elevation drawing by architect Skaala Architecture, LLC. Also included was a copy of the deed, and the signed Agent Authorization form, with the property card and location map obtained from Town of Camden's Property Assessor's Office;

Exhibit A2: A copy of the 2024 Camden Maine Assessed Values by Location database stating the legal owners of the property as Wendy, G. and Robert P. Weiler.

A Motion was made, seconded, and unanimously approved by the Board to accept the documents submitted for the record.

The Agent for the Applicant began with a presentation and description of the existing lot and structure on the lot stating the small size of the lot; existing setbacks for the zoning district as well as the Shoreland Zone area setbacks; locations of existing infrastructure on site, such as septic tank and drain field; the existing and proposed well location; soils and existing vegetation; geological features of the existing ledge; the foundation type and location of the existing structure; and the existing and proposed gravel driveway with parking.

Referencing the narrative included in the Application Packet submitted on September 20, 2024, Mr. Gartley further described this proposal:

- The Applicant's proposed reconstruction or replacement of the structure as it sits on the existing foundation and its proximity to the river and encroachment into the Shoreland Zone setback was explained to the Board.
- The Agent indicated that the existing structure contains a substantial masonry foundation with a basement, not a crawl space, and that one can stand up in the basement.
- The Agent explained the existing conditions and proposed locations on the subject parcel with regards to septic system, water well, vegetation and ledge, the slope of the site, proximity to the river, potential for soil erosion, the small size of the existing lot and challenges of drainage if structure were to be relocated and potential damage by removing the existing masonry foundation and working within the confinements of the rock ledge.
- The Agent indicated they are working with a septic system designer and the State of Maine on the possibility of obtaining an exemption from the State and are aware of the requirement that they must submit a Natural Resource Protection Act (NRPA) permit to the State due to the proximity of the existing structure to the natural resource of the Megunticook River.
- The Agent stated that the footprint of the existing structure is 1,020 square feet (30' x 20') and that the owners would like to use the codes allowance of up to a 30% expansion of the existing structure when they apply for a building permit, following approvals for a septic system and Maine DEP approval of their NRPA permit application.

The Board reviewed the Application packet as submitted and the Agent's responses to their questions related to the constraint criteria impacting the owners' ability to relocate the building and new foundation to the greatest practical extent away from the Shoreland Zone area's setbacks to a more conforming location. The Town Planner noted that the applicant would have to meet all local code requirements having to do with redevelopment of a nonconforming structure and lot within the Shoreland Zone, as well as meet all other agency permit requirements for redevelopment at this legally nonconforming location within the Shoreland Zone area.

DELIBERATIONS AND FINDINGS OF FACT

After closing the hearing, the Board reviewed the criteria of Zoning Ordinance **§290-6.6 (C) 2** to determine whether the redevelopment of a single-family structure on a foundation can meet the existing setback requirements to the greatest practical extent and made findings regarding the following:

1. In reaching a determination on whether the Applicant can relocate to the greatest practical extent a proposal for the future redevelopment of a single family structure to a more conforming location on a legal nonconforming lot within the Shoreland Zone Lot Size, the Board shall consider:

(a) The size of the lot;

By a vote of 5-0, the Board found this factor would influence the ability of the Applicants to relocate the structure further away from the required Shoreland Zone setback to the greatest practical extent, due to the small size and shape of the lot.

(b) The slope of the land;

By a vote of 5-0, the Board found that the slope of the land was such that it would prohibit moving the structure and new foundation further away from the required Shoreland Zone setback to the greatest practical extent, due to the slope impacting drainage and underlying ledge.

(c) The potential for soil erosion;

By a vote of 5-0, the Board found that the negative potential for soil erosion would be best minimized if the proposed redevelopment of the existing single family structure was kept at its current location and so it meets the requirement of meeting setback requirements to the greatest practical extent.

(c) The location of other structures on the property and on adjacent properties:

By a vote of 5-0, the Board found that there were no other structures on adjacent properties that would impact the relocation of the proposed redevelopment, however other structures such as well and septic do impact the ability to relocate the structure and so it meets the requirement of meeting setback requirements to the greatest practical extent.

(e) The location of the septic system and other on-site soils suitable for septic systems;

By a vote of 5-0, the Board found that the on-site soil suitability has already been determined by professionals for design of the system, and the location of the system is in the only suitable location. This significantly impacts the ability to relocate the structure to a more conforming location within the Shoreland Zone, and thus location of the structure has met the requirement of moving the structure to the greatest practical extent.

(f) The type and amount of vegetation to be removed to accomplish the relocation;

By a vote of 5-0, the Board found that due to the existing vegetation and significant Oak, Pine and Hemlock trees, this significantly constrains relocating the structure to a more conforming location within the Shoreland Zone, thus, the request by the Applicant to keep the structure in its current location meets the requirements of relocating it to the greatest practical extent on the parcel.

By a vote of 5-0, the Board finds that the project has met the statutory requirement to the greatest practical extent and that the Application is Approved based on the above Findings of Fact and Conclusion of Law, based on the application materials, testimony, statements, evidence, documents and other materials submitted to it.

A Notice of Decision was issued in this matter on October 11, 2024, and in the Notice of Decision it stated that the Board reached its Decision and approved the Application on October 10, 2024. The Zoning Ordinance within the Town of Camden requires that any Appeal be taken within 45

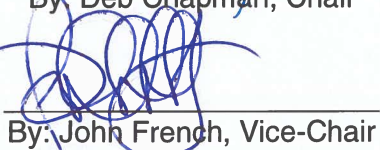
days of the date of the Decision which was October 10, 2024. Appeals are to be taken to the Superior Court pursuant to Rule 80B of the Maine Rules of Civil Procedure.

Dated this 11th day of October, 2024

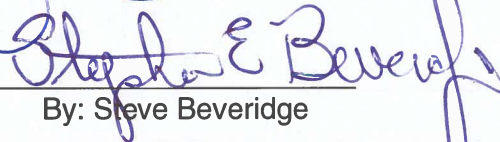
CAMDEN ZONING BOARD OF APPEALS



By: Deb Chapman, Chair



By: John French, Vice-Chair



By: Steve Beveridge



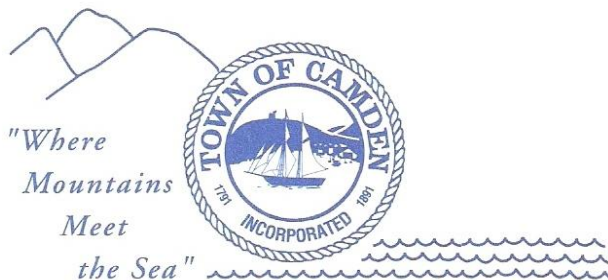
By: Tia Anderson



By: Matthew Deane

Office of:

Town Manager
Tax Assessor
Tax Collector
Town Clerk
Treasurer
Code Officer
Finance Director
Harbor Clerk



Town Office

P.O. Box 1207
29 Elm Street
Camden, Maine 04843
Phone (207)236-3353
Fax (207)236-7956
<http://www.camdenmaine.gov>

MEMORANDUM

To: Deb Chapman, Chair, Camden Zoning Board of Appeals (ZBA)
From: Shenley Neely, Planner
Date: June 26, 2025
Re: ZBA Public Hearing on Application for **\$290-6.6 Changes in Nonconforming Structures in Shoreland Zoning Areas**

Project Location: 7 Dillingham Point Road
Agent for Owner: Mohr & Seredin, LA
Map/Lot: 126 – 043

Property Owner: Cynthia Reed Revocable Trust
Zoning Designation: Coastal Residential (CR)
Acres: .77 (33,541.2 square feet)

The project is before you because it involves a proposal to replace an existing legally nonconforming residential structure in the Shoreland Zone. A portion of the structure encroaches into the 75-foot setback of the Shoreland Zone. The applicant has provided supporting documentation describing the complete scope of the project.

For your review, the applicant is requesting to replace the existing nonconforming structure and its foundation with a new structure and foundation in the same exact location. It appears from the submitted site plan and building footprint that the proposed portion of the new structure and foundation that is shown to be located within the 75-foot setback area will result in a slightly smaller footprint than what currently exists. Thus, the proposed replacement structure would be no more nonconforming than what currently exists. The Application packet contains a site plan depicting the location of the 75-foot Shoreland setback, the existing footprint and proposed footprint, as well as other features existing on the property, for your reference.

Background/Scope

The subject lot is located at 7 Dillingham Point Road. It is over 33,000 square feet and is located entirely within the Shoreland Zone area. Staff has determined that the lot and existing structure are legally nonconforming. The lot is legally nonconforming because it does not meet the minimum square footage requirement for lots served by private septic systems in the **Coastal Residential (CR)** zoning district and the structure is legally nonconforming because a portion of it encroaches into the 75-foot shoreland zone setback, as shown on the applicant's site plan.

A review of the Town's National Register of Historic Places Registration Form shows that the existing residential structure is a Contributing structure in the Chestnut Street Historic District, originally built in 1850, however the applicant reports that the structure has undergone various modifications and additions over the years, resulting in the loss of the structure's historic integrity. The applicant is required to present at a public informational meeting to the Town of Camden's Historic Resources Committee (HRC), scheduled

for July 14th, 2025, to discuss the proposed demolition of the existing structure, as required by **§290- 5.2 (A)1: Permits Required**. The Town code mandates a 120-day demolition delay period for all proposed demolitions of structures located within any of the Town's Historic Districts. The HRC can work with the applicant to waive or lessen the mandatory 120-day demolition delay if they determine that the structure is not architecturally or historically significant.

Town Staff has reviewed the ZBA's Application packet and has determined it to be complete.

Applicable Regulations for Review

Per Chapter **290, Zoning Ordinance, Article VI Nonconformance, Section 6.6 Changes in nonconforming structures in the shoreland areas**, the applicant is required to go before the ZBA for review because the project proposes to:

1. Replace the entire structure on site by demolishing it and reconstructing a "new" structure in the same location – maintaining almost the same footprint, a portion of which encroaches into the 75-foot setback of the Shoreland Zone; [Per **§290-6.6(D)**]; and
2. Construct a new foundation under the proposed nonconforming structure [Per **§290-6.6(B)**]

The criteria the ZBA will refer to when deciding whether the proposed has located the structure to the *greatest practical extent* outside of the shoreland setback is contained within **§290-6.6 (C)2**. [Stated below]

Your task tonight is to review the proposed and decide if you will *Approve*, *Approve with Conditions*, or *Deny* the Applicant's request to locate the reconstructed structure and new foundation in the same location as the existing structure and that it would not be practicable to rebuild/relocate in another location on the property. The Applicant is tasked with demonstrating to the ZBA that the structure can't be relocated further back from the shoreland setbacks due to the constraints on site, per requirements in the Town's Chapter 290 Zoning Ordinance.

Here is the section of the code **[6.6(C)2]** containing the **criteria** for determining whether the proposed meets the setback requirements "*to the greatest practical extent*":

C(2)- please note underlined text is emphasis by staff.

In determining whether the building relocation meets the setback to the greatest practical extent, the Zoning Board of Appeals shall consider the size of the lot, the slope of the land, the potential for soil erosion, the location of other structures on the property and on adjacent properties, the location of the septic system and other on-site soils suitable for septic systems, and the type and amount of vegetation to be removed to accomplish the relocation. When it is necessary to remove vegetation within the water or wetland setback area in order to relocate a structure, the Zoning Board of Appeals shall require replanting of native vegetation to compensate for the destroyed vegetation in accordance with Article X, § 290-10.2V. In addition, the area from which the relocated structure was removed must be replanted with vegetation. Replanting shall be required as follows:

(a)

Trees removed in order to relocate a structure must be replanted with at least one native tree, three feet in height, for every tree removed. If more than five trees are planted, no one species of tree shall make up more than 50% of the number of trees planted. Replaced trees must be planted no further from the water or wetland than the trees that were removed. Other woody and herbaceous vegetation and ground cover

that are removed or destroyed in order to relocate a structure must be reestablished. An area at least the same size as the area where vegetation and/or ground cover was disturbed, damaged, or removed must be reestablished within the setback area. The vegetation and/or ground cover must consist of similar native vegetation and/or ground cover that was disturbed, destroyed or removed.

(b)

Where feasible, when a structure is relocated on a parcel, the original location of the structure shall be replanted with vegetation which may consist of grasses, shrubs, trees or a combination thereof.

ADDITIONAL REVIEW MATERIAL

Table 1. Existing & Proposed Conditions & Zoning Requirements

Subject Property Zoning Designation:	Subject Property Lot Size:	Required Min. Lot Size on Septic:	Required Min. Lot Size on Public Sewer:
Coastal Residential (CR)	~ 33,541.20 square feet	40,000 square feet	30,000 square feet
Existing Sq. Foot of Footprint w/in 75' setback	Proposed Sq. Feet of Footprint w/in 75' setback	Total Sq. Feet of Existing Structure Footprint	Total Sq. Feet of Proposed Structure Footprint
724.4	714.1 (-10.3)	2,779.3	2,626.0 (- 153.3)

TOWN CODE

Bold text emphasis by staff.

Chapter 290, Article VI Nonconformance

§ 290-6.6 Changes in nonconforming structures in shoreland areas.

[Amended 6-20-2006; 6-14-2016]

Within shoreland setbacks, a nonconforming structure may be modified under the following circumstances:

A.

Expansions. All new principal and accessory structures, excluding functionally water-dependent uses, must meet the water body, tributary stream, or wetland setback requirements contained in Article X, § 290-10.2M. A nonconforming structure may be added to or expanded after obtaining a permit from the Code Enforcement Officer if such addition or expansion does not increase the nonconformity of the structure and is in accordance with Subsection A(1) and (2) below.

(1)

Expansion of any portion of a structure within 25 feet of the normal high waterline of a water body, tributary stream, or upland edge of a wetland is prohibited, even if the expansion will not increase nonconformity with the water body, tributary stream or wetland setback requirement. Expansion of an accessory structure that is located closer to the normal high waterline of a water body, tributary stream, or upland edge of a wetland than the principal structure is prohibited, even if the expansion will not increase nonconformity with the water body, tributary stream, or wetland setback requirement.

(2)

Notwithstanding Subsection A(1), above if a legally existing nonconforming principal structure is entirely located less than 25 feet from the normal high waterline of a water body, tributary stream, or upland edge of a wetland, that structure may be expanded as follows, as long as all other applicable municipal land use standards are met and the expansion is not prohibited by Article VI, § 290-6.6A above:

(a)

The maximum total footprint for the principal structure may not be expanded to a size greater than 800 square feet or 30% larger than the footprint that existed on January 1, 1989, whichever is greater. The maximum height of the principal structure may not be made greater than 15 feet or the height of the existing structure, whichever is greater.

(3)

All other legally existing nonconforming principal and accessory structures that do not meet the water body, tributary stream, or wetland setback requirements may be expanded or altered as follows, as long as other applicable municipal land use standards are met and the expansion is not prohibited by Article VI, § 290-6.6A(1), above:

(a)

For structures located less than 75 feet from the normal high waterline of a water body, tributary stream, or upland edge of a wetland, the maximum combined total footprint for all structures may not be expanded to a size greater than 1,000 square feet or 30% larger than the footprint that existed on January 1, 1989, whichever is greater. The maximum height of any structure may not be greater than 20 feet or the height of the existing structure, whichever is greater.

(b)

For structures less than 100 feet from the normal high waterline of a great pond classified as a GPA or a river flowing to a great pond classified as GPA, the maximum combined total footprint for all structures may not be expanded to a size greater than 1,500 square feet or 30% larger than the footprint that existed on January 1, 1989, whichever is greater. The maximum height of any structures may not be made greater than 25 feet or the height of the existing structure, whichever is greater. Any portion of those structures located less than 75 feet from the normal high waterline of a water body, tributary stream, or upland edge of a wetland must meet the footprint and height limits in Article VI, § 290-6.6A(2)(a) and (3)(a), above.

(c)

In addition to the limitation in Subsection A(3)(a) and (b), for structures that are legally nonconforming due to their location within the Resource Protection District when located at less than 250 feet from the normal high waterline of a water body or the upland edge of a wetland, the maximum combined total footprint for all structures may not be expanded to a size greater than 1,500 feet or 30% larger than the footprint that existed at the time the Resource Protection District was established on the lot, whichever is greater. The maximum height of any structure may not be made greater than 25 feet or the height of the existing structure, whichever is greater, except that any portion of those structures located less than 75 feet from the normal high water line of a water body, tributary stream, or upland edge of a wetland must meet the footprint and height limits in Article VI, § 290-6.6A(2)(a) and (3)(a), above.

(4)

An approved plan for expansion of a nonconforming structure must be recorded by the application with the Registry of Deeds within 90 days of approval. The recorded plan must show the existing and proposed footprint of the nonconforming structure, the existing and proposed structure height, the footprint of any other structures on the parcel, the shoreland zone boundary and evidence of approval by the municipal review authority.

(5)

Upon satisfaction of all criteria and applicable chapter requirements, the CEO shall issue the permit two weeks after mailing notices by first class prepaid U.S. postage to the last known mailing address of all abutters.

B.

Foundations. Whenever a new, enlarged, or replacement foundation is constructed under a nonconforming structure, the structure and new foundation must be placed such that the setback requirement is met to the greatest practical extent as determined by the Zoning Board of Appeals, or its designee, basing its decision on the criteria specified in § 290-6.6C, Relocation, below.

C.

Relocation.

(1)

A nonconforming structure may be relocated within the boundaries of the parcel on which the structure is located provided that the site of relocation conforms to all setback requirements to the greatest practical extent as determined by the Zoning Board of Appeals, and provided that the applicant demonstrates that the present subsurface sewage disposal system meets the requirements of state law and the state of Maine Subsurface Wastewater Disposal Rules,[1] or that a new system can be installed in compliance with the law and said rules. In no case shall a structure be relocated in a manner that causes the structure to be more nonconforming.

[1]

Editor's Note: See 10-144 CMR Ch. 241.

(2)

In determining whether the building relocation meets the setback to the greatest practical extent, the Zoning Board of Appeals shall consider the size of the lot, the slope of the land, the potential for soil erosion, the location of other structures on the property and on adjacent properties, the location of the septic system and other on-site soils suitable for septic systems, and the type and amount of vegetation to be removed to accomplish the relocation. When it is necessary to remove vegetation within the water or wetland setback area in order to relocate a structure, the Zoning Board of Appeals shall require replanting of native vegetation to compensate for the destroyed vegetation in accordance with Article X, § 290-10.2V. In addition, the area from which the relocated structure was removed must be replanted with vegetation. Replanting shall be required as follows:

(a)

Trees removed in order to relocate a structure must be replanted with at least one native tree, three feet in height, for every tree removed. If more than five trees are planted, no one species of tree shall make up more than 50% of the number of trees planted. Replaced trees must be planted no further from the water or wetland than the trees that were removed. Other woody and herbaceous vegetation and ground cover that are removed or destroyed in order to relocate a structure must be reestablished. An area at least the same size as the area where vegetation and/or ground cover was disturbed, damaged, or removed must be reestablished within the setback area. The vegetation and/or ground cover must consist of similar native vegetation and/or ground cover that was disturbed, destroyed or removed.

(b)

Where feasible, when a structure is relocated on a parcel, the original location of the structure shall be replanted with vegetation which may consist of grasses, shrubs, trees or a combination thereof.

D.

Reconstruction or replacement.

(1)

Any nonconforming structure which is located less than the required setback from a water body, tributary stream or wetland and which is removed, or damaged or destroyed, regardless of the cause, by more than 50% of the market value of the structure before such damage, destruction or removal may be reconstructed or replaced, provided that a permit is obtained within 18 months of the date of said damage, destruction, or removal and provided that such reconstruction or replacement is in compliance with the water body, tributary stream or wetland setback requirement to the greatest practical extent as determined by the Zoning Board of Appeals in accordance with the requirements of Subsection C(2) herein. In no case shall a structure be reconstructed or replaced so as to increase its nonconformity. If the reconstructed or replacement structure is less than the required setback, it shall not be any larger than the original structure, except as allowed pursuant to § 290-6.6A above, as determined by the nonconforming footprint of the reconstructed or replaced structure at its new location. If the total amount of floor area and volume of the original structure can be relocated or reconstructed beyond the required setback area, no portion of the relocated or reconstructed structure shall be replaced or constructed at

less than the setback requirement for a new structure. When it is necessary to remove vegetation in order to replace or reconstruct a structure, vegetation shall be replanted in accordance with § 290-6.6C(2) above.

(2)

Any nonconforming structure which is located less than the required setback from a water body, tributary stream or wetland and which is removed by 50% or less of the market value or damaged or destroyed by 50% or less of the market value of the structure, excluding normal maintenance and repair, may be reconstructed in place if a permit is obtained from the Code Enforcement Officer, within one year of such damage, destruction or removal.

(3)

In determining whether the building reconstruction or replacement meets the setback to the greatest practical extent, the Zoning Board of Appeals shall consider, in addition to the criteria in Subsection D(2) above, the physical condition and type of foundation present, if any.

E.

Changes after approval. The Code Enforcement Officer may approve minor field changes after approvals are granted by the Zoning Board of Appeals under this section, provided the change does not expand the footprint.

May 27, 2025

Town of Camden Zoning Board of Appeals
PO Box 1207
29 Elm Street
Camden, Maine 04843

Cc: Ms. Shenley Neely, Planner
Mr. Clint Beveridge, Code Enforcement Officer

Re: 7 Dillingham Point Road, Camden
Application for Changes in Nonconformity - Section 290-6.6 (D) (1) (3)
Camden Tax Map 126, Lot 43

Dear Zoning Board of Appeals Members,

On behalf of John and Cynthia Reed/ The Cynthia Reed Revocable Trust, we submit this application and attached documents in support of their request to reconstruct a partially nonconforming structure in its existing location at 7 Dillingham Point Road. The existing cottage is within the 250 foot overlay Shoreland Zone, and a part of the circa 1870 building is within the 75 foot setback from normal high water. The proposal is to remove the entire structure and foundation, and to replace it with a new building in the same footprint, including the nonconforming section. The replacement porches within the area of nonconformity will be identical in location but slightly lower in height and smaller in footprint.

The specific reasons for the reconstructed building utilizing the existing nonconforming footprint area include:

1. Preservation of the mature, 150 year old Red Oak trees on the property; particularly the ones close to the existing structure on the east and west;
2. Avoiding disruption of an existing 6" water main and underground utility corridor on the south side of the structure;
3. Limiting site disturbance to the smallest amount practicable through use of the area disturbed for the removals;
4. Providing improved vehicular circulation for the combined properties;
5. Maintaining the historic relationship of the house to the harbor and to the neighbors.

The proposed building height is lower than what exists, and the lot coverage remains within the allowable square footage for the combined lots. Details regarding the square footages, heights and setbacks are included in the attached documents. In addition, we

are abandoning the existing well and septic system and will be connecting to public water and sewer.

We trust that you'll find this application complete for processing and for the Board Members' consideration. Please let us know if you have any questions or need additional information to advance the review process.

This submission includes:

- Letter of Agency
- Deeds (5)
- Town of Camden Application for Changes in Nonconformity
- Application Information for Demolition
- National Registry of Historic Places, Chestnut Street Historic Registry #90
- Existing Conditions Site Photos
- Historic Photo from 1904
- Building Evolution Exhibits
- Abutters List
- Map of Abutters
- Aerial Showing Abutters
- Site Plan (Mohr & Seredin)
- Footprint Comparison
- Northeast Elevation
- Plans prepared by Schafer Buccellato Architects
- Maine DEP NRPA PBR Application Approval
- Maine DEP NRPA PBR Notification Form (copy)

Sincerely,



Tatyanna Seredin
Licensed Maine Landscape Architect
Mohr & Seredin Landscape Architects, Inc.

Cc: Cynthia Reed, Cynthis Reed Revocable Trust
Schafer Buccellato Architects

December 1, 2024

Mr. Stephen B. Mohr
Mohr & Seredin Landscape Architects, Inc.
18 Pleasant Street
Portland, Maine 04101

Re: Cynthia Reed Revocable Trust
Tax Map 126, Lot 43

Dear Mr. Mohr,

By this letter, I authorize Mohr & Seredin Landscape Architects to act as agent for the express purpose of providing Local and State regulatory permitting services for proposed site improvements at a property that I hold a recorded interest in. The property is located at 7 Dillingham Point Road in the Town of Camden, Maine.

Sincerely,

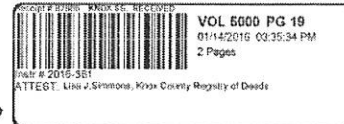
A handwritten signature in black ink, appearing to read 'Cynthia Reed', with a stylized, looping flourish at the end.

Mrs. Cynthia Reed
On behalf of Cynthia Reed Revocable Trust
PO Box 4547
New York, NY 10163

Real Estate Transfer Tax Paid

Warranty Deed

KNOW ALL BY THESE PRESENTS,



THAT I, JAY I. KISLAK of West Miami Lakes, Miami-Dade County, Florida in consideration of one dollar (\$1.00) and other good and valuable considerations, paid by Cynthia Reed, Trustee of the CYNTHIA REED REVOCABLE TRUST dated January 29, 2007, and amended and restated in its entirety October 22, 2009, whose mailing address is PO Box 4564, New York, NY 10163, the receipt whereof I do hereby acknowledge, do hereby remise, release, bargain, sell and convey with Warranty Covenants unto the said Cynthia Reed, Trustee of the CYNTHIA REED REVOCABLE TRUST dated January 29, 2007, and amended and restated in its entirety October 22, 2009, a certain lot or parcel of land, together with any buildings thereon, situated in the Town of Camden, County of Knox and State of Maine, and being more particularly bounded and described as follows:

BEGINNING on the shore of the Penobscot Bay in Camden, County of Knox and State of Maine, at the northeasterly corner of land now or formerly of Wallace; thence easterly and southerly and westerly following the shore of said Penobscot Bay to a granite marker at the corner of land now or formerly of Allen; thence northerly following the easterly sideline of land now or formerly of Allen one hundred and five-tenths (100.5) feet, more or less, to a granite marker; thence westerly following the northerly sideline now or formerly of Allen, sixty-five (65) feet, more or less, to a granite marker; thence northerly following the easterly sideline of land now or formerly of Allen, one hundred sixty (160) feet, more or less, to a granite marker; thence westerly following the northerly sideline of land now or formerly of Allen and Bailey, one hundred thirty-four and seventy-five hundredths (134.75) feet, more or less, to an iron pipe being also the southerly point of the northeasterly terminus of Penobscot Avenue; thence northwesterly along the line of said terminus of Penobscot Avenue, thirty-three and seventy-five hundredths (33.75) feet more or less, to an iron pipe being also the most southerly point of land now or formerly of Wallace; thence easterly along the southerly sideline of land now or formerly of Wallace, two hundred two and two-tenths (202.2) feet, more or less, to an iron pipe at the southerly corner of land now or formerly of Wallace; thence northerly along the easterly sideline of land now or formerly of Wallace, eighty-nine and three-tenths (89.3) feet, more or less, to the shore of Penobscot Bay at place of beginning.

TOGETHER WITH all rights of the Grantor to the shore and flats fronting on said property.

SUBJECT, however, to those rights of way described in deeds of Stalker to Wallace and Blood to Allen recorded, respectively, in the Knox County Registry of Deeds in Book 345, Page 208, Book 352, Page 58, and Book 366, Page 214.

FOR REFERENCE see Quitclaim Deed from Camden National Bank to Jay I. Kislak dated December 4, 2014 and recorded in the Knox County Registry of Deeds in Book 4868, Page 271.

IN WITNESS WHEREOF, I, the said JAY I. KISLAK have hereunto set my hand and seal this 11th day of January, 2016.

Signed, Sealed and Delivered
in presence of

[Signature]
Witness

[Signature]
Jay I. Kislak

STATE OF Florida
COUNTY OF Dade, ss.:

January 11, 2016

Then personally appeared the above-named Jay I. Kislak and acknowledged the foregoing instrument to be his free act and deed.

Before me,



Stamp or Seal:

[Signature]
Notary Public

Susana Meagher
Type or Print Name

My Commission Expires: 3-18-19

Real Estate Transfer Tax Paid

Instr # 2024-8550

ATTEST: Madelene F. Cole, Knox Co Registry of Deeds

WARRANTY DEED
DLN: 2101764

We, **CARY WALLACE SLOCUM**, of Belfast, County of Waldo, State of Maine, **MARTHA CHATFIELD SLOCUM**, of Venice, County of Sarasota, State of Florida, **KIRA PRIDHAM**, a/k/a **KIRA ERIKSON**, of Portland, County of Cumberland, State of Maine, and **RAINNA ERIKSON**, of Somerville, County of Middlesex, Commonwealth of Massachusetts, for consideration paid, grant to **CYNTHIA REED, TRUSTEE OF THE CYNTHIA REED REVOCABLE TRUST, AMENDED AND RESTATED AS OF OCTOBER 22, 2009**, of Duxbury, County of Plymouth, Commonwealth of Massachusetts, whose mailing address is P.O. Box 1390, New York, NY, 10150, with Warranty Covenants, a certain lot or parcel of land, together with any buildings thereon, situated in **CAMDEN**, County of Knox and State of Maine, more particularly bounded and described as follows, to wit:

"Land situated on Dillingham's Point in said Camden together with the buildings thereon, known as "Pointed Firs". Beginning at the junction of the easterly line of the Metcalf Road (so-called, now a private road) and the end of Penobscot Avenue, the same being marked by an angle in the stone wall; thence north 60° 51' west along the easterly line of the aforesaid private road, and also the land of Dillingham, one hundred twelve (112) feet to an iron bolt; thence north 25° east still by land of Dillingham one hundred two (102) feet to an iron bolt at the top of the bank; thence same course to the shore of Camden Harbor; then easterly along the shore of said harbor one hundred fifty-five (155) feet, more or less, to an iron bolt in the sea wall at other land now or formerly of Julia D. Stalker; thence south 19° 11' east along the line of said Julia D. Stalker ninety-seven and two-tenths (97.2) feet to an iron bolt in the northerly line of a private way; thence south 60° 9' west along line of the private way one hundred eighty-five and nine-tenths (185.9) feet to the place of beginning.

Also herein conveyed is a right of way for travel on foot or by automobile, truck or other conveyance, over a private road (mentioned above) formerly a public road leading from Bay View Street onto Dillingham Point, for access to the above conveyed property (an extension of Penobscot Avenue).

Also a certain lot or parcel of land adjoining land now or formerly of Julia D. Stalker, and situated on "Dillingham Point" so-called, in said Camden, and bounded and described as follows: Beginning at an iron bolt in the northerly line of a private way leading from Penobscot Avenue, said bolt being the southeasterly corner of land

now or formerly of Blanche K. Wallace; thence north 19° 11' west, by land of said Blanche K. Wallace, ninety-seven and two-tenths (97.2) feet to an iron bolt at shore of Camden Harbor; then southeasterly along shore, twenty (20) feet, more or less, to an iron bolt at other land of, now or formerly, Julia D. Stalker; thence south 18° 26' east, by land of said Julia D. Stalker (and establishing a new boundary) eighty-nine and three-tenths (89.3) feet to an iron bolt in the northerly line of aforesaid right-of-way; thence south 79° 34' west along right-of-way sixteen and three-tenths (16.3) feet to place of beginning.

Also conveying all rights and privileges to shore and flats appurtenant to said above-described lot and right-of-way over the private right-of-way therein mentioned.

And also a right of passage for foot and vehicle travel over a triangular portion of a roadway located on the land now or formerly of Mabel L. Bowditch on Dillingham Point in said Camden; said easement shall begin at an iron pipe located at the northeasterly terminus of Penobscot Avenue; thence northwesterly along said private roadway twenty-one (21) feet and four (4) inches to a stone wall; thence southerly across said private roadway twenty-six (26) feet, more or less, to the northwesterly sideline of Penobscot Avenue to an iron pipe outside the apex of a stone wall; thence northeasterly along the northwesterly sideline of Penobscot Avenue twenty-eight (28) feet and one (1) inch to the place of beginning.

The purpose of this easement being to give the Grantee access from Penobscot Avenue over said private roadway to the driveway leading to her garage.

This easement to be for usage in common with Mabel L. Bowditch, her heirs and assigns.

For Grantors' source of title reference may be had to deed of Marion W. Chatfield to Ann C. Slocum and Daniel E. Slocum dated March 7, 1973 and recorded in Knox County Registry of Deeds, Vol. 548, Page 245; and deed with quitclaim covenants of Daniel E. Slocum to Ann C. Slocum dated December 24, 1980, recorded at said Registry of Deeds in Book 814, Page 173, said deed vesting sole title in Ann C. Slocum. Further reference is made to a certain Release Deed of said Ann C. Slocum to Allan W. Kirkwood and Mary Walker Kirkwood dated February 4, 2002 and recorded at said Registry in Book 2728, Page 75."

MEANING AND INTENDING to convey and hereby conveying all and the same premises as described in a Quitclaim Deed Without Covenant from Ann C. Slocum and the Ann C. Slocum Qualified Personal Residence Trust u/i dated May 20, 1999 to Cary Wallace Slocum, Martha Chatfield Slocum, Kira Erikson and Rainna Erikson, dated January 12, 2010, and recorded in the Waldo County Registry of Deeds in Book 4211, Page 328.

WITNESS my hand and seal this 1ST day of November, 2024.

SIGNED, SEALED and DELIVERED
in presence of

Witness

Rendle Jones

Cary Wallace Slocum
Cary Wallace Slocum

STATE OF MAINE
COUNTY OF WALDO, SS.

Nov. 1, 2024

Personally appeared the above named Cary Wallace Slocum and acknowledged the foregoing instrument to be her free act and deed.

Before me,

Notary Public

Rendle Jones
Attorney at Law

Print/type name:

RENDLE A. JONES

Real Estate Transfer Tax Paid

Receipt # 150779 KNOX SS: RECEIVED

ERECORDED

VOL 6171 PG 121

11/01/2024 03:24:59 PM

3 Pages

Instr # 2024-8549

ATTEST: Madelene F. Cole, Knox Co Registry of Deeds

WARRANTY DEED

DLN: 2151372

We, **CARY WALLACE SLOCUM**, of Belfast, County of Waldo, State of Maine, **MARTHA CHATFIELD SLOCUM**, of Venice, County of Sarasota, State of Florida, **KIRA PRIDHAM**, a/k/a **KIRA ERIKSON**, of Portland, County of Cumberland, State of Maine, and **RAINNA ERIKSON**, of Somerville, County of Middlesex, Commonwealth of Massachusetts, for consideration paid, grant to **CYNTHIA REED, TRUSTEE OF THE CYNTHIA REED REVOCABLE TRUST, AMENDED AND RESTATED AS OF OCTOBER 22, 2009**, of Duxbury, County of Plymouth, Commonwealth of Massachusetts, whose mailing address is P.O. Box 1390, New York, NY, 10150, with Warranty Covenants, a certain lot or parcel of land, together with any buildings thereon, situated in **CAMDEN**, County of Knox and State of Maine, more particularly bounded and described as follows, to wit:

"Land situated on Dillingham's Point in said Camden together with the buildings thereon, known as "Pointed Firs". Beginning at the junction of the easterly line of the Metcalf Road (so-called, now a private road) and the end of Penobscot Avenue, the same being marked by an angle in the stone wall; thence north 60° 51' west along the easterly line of the aforesaid private road, and also the land of Dillingham, one hundred twelve (112) feet to an iron bolt; thence north 25° east still by land of Dillingham one hundred two (102) feet to an iron bolt at the top of the bank; thence same course to the shore of Camden Harbor; then easterly along the shore of said harbor one hundred fifty-five (155) feet, more or less, to an iron bolt in the sea wall at other land now or formerly of Julia D. Stalker; thence south 19° 11' east along the line of said Julia D. Stalker ninety-seven and two-tenths (97.2) feet to an iron bolt in the northerly line of a private way; thence south 60° 9' west along line of the private way one hundred eighty-five and nine-tenths (185.9) feet to the place of beginning.

Also herein conveyed is a right of way for travel on foot or by automobile, truck or other conveyance, over a private road (mentioned above) formerly a public road leading from Bay View Street onto Dillingham Point, for access to the above conveyed property (an extension of Penobscot Avenue).

Also a certain lot or parcel of land adjoining land now or formerly of Julia D. Stalker, and situated on "Dillingham Point" so-called, in said Camden, and bounded and described as follows: Beginning at an iron bolt in the northerly line of a private way leading from Penobscot Avenue, said bolt being the southeasterly corner of land

now or formerly of Blanche K. Wallace; thence north 19° 11' west, by land of said Blanche K. Wallace, ninety-seven and two-tenths (97.2) feet to an iron bolt at shore of Camden Harbor; then southeasterly along shore, twenty (20) feet, more or less, to an iron bolt at other land of, now or formerly, Julia D. Stalker; thence south 18° 26' east, by land of said Julia D. Stalker (and establishing a new boundary) eighty-nine and three-tenths (89.3) feet to an iron bolt in the northerly line of aforesaid right-of-way; thence south 79° 34' west along right-of-way sixteen and three-tenths (16.3) feet to place of beginning.

Also conveying all rights and privileges to shore and flats appurtenant to said above-described lot and right-of-way over the private right-of-way therein mentioned.

And also a right of passage for foot and vehicle travel over a triangular portion of a roadway located on the land now or formerly of Mabel L. Bowditch on Dillingham Point in said Camden; said easement shall begin at an iron pipe located at the northeasterly terminus of Penobscot Avenue; thence northwesterly along said private roadway twenty-one (21) feet and four (4) inches to a stone wall; thence southerly across said private roadway twenty-six (26) feet, more or less, to the northwesterly sideline of Penobscot Avenue to an iron pipe outside the apex of a stone wall; thence northeasterly along the northwesterly sideline of Penobscot Avenue twenty-eight (28) feet and one (1) inch to the place of beginning.

The purpose of this easement being to give the Grantee access from Penobscot Avenue over said private roadway to the driveway leading to her garage.

This easement to be for usage in common with Mabel L. Bowditch, her heirs and assigns.

For Grantors' source of title reference may be had to deed of Marion W. Chatfield to Ann C. Slocum and Daniel E. Slocum dated March 7, 1973 and recorded in Knox County Registry of Deeds, Vol. 548, Page 245; and deed with quitclaim covenants of Daniel E. Slocum to Ann C. Slocum dated December 24, 1980, recorded at said Registry of Deeds in Book 814, Page 173, said deed vesting sole title in Ann C. Slocum. Further reference is made to a certain Release Deed of said Ann C. Slocum to Allan W. Kirkwood and Mary Walker Kirkwood dated February 4, 2002 and recorded at said Registry in Book 2728, Page 75."

MEANING AND INTENDING to convey and hereby conveying all and the same premises as described in a Quitclaim Deed Without Covenant from Ann C. Slocum and the Ann C. Slocum Qualified Personal Residence Trust u/i dated May 20, 1999 to Cary Wallace Slocum, Martha Chatfield Slocum, Kira Erikson and Rainna Erikson, dated January 12, 2010, and recorded in the Waldo County Registry of Deeds in Book 4211, Page 328.

WITNESS my hand and seal this 11 day of October, 2024.

SIGNED, SEALED and DELIVERED

in presence of

[Signature]
Witness

[Signature]
Kira Pridham a/k/a Kira Erikson

STATE OF MAINE

COUNTY OF Cumberland, SS.

October 11, 2024

Personally appeared the above named Kira Pridham and acknowledged the foregoing instrument to be her free act and deed.

Before me,

[Signature]
Notary Public

Print/type name: Quinn M. Galletta

QUINN M. GALLETTA

Notary Public, State of Maine

My Commission Expires Dec. 01, 2029

Receipt # 150776 KNOX SS: RECEIVED

RECORDED

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11/01/2024 03:11:45 PM

3 Pages

Instr # 2024-8545

ATTEST: Madelene F. Cole, Knox Co Registry of Deeds

Real Estate Transfer Tax Paid

WARRANTY DEED

DLN: 2041091

We, **CARY WALLACE SLOCUM**, of Belfast, County of Waldo, State of Maine, **MARTHA CHATFIELD SLOCUM**, of Venice, County of Sarasota, State of Florida, **KIRA PRIDHAM**, a/k/a **KIRA ERIKSON**, of Portland, County of Cumberland, State of Maine, and **RAINNA ERIKSON**, of Somerville, County of Middlesex, Commonwealth of Massachusetts, for consideration paid, grant to **CYNTHIA REED, TRUSTEE OF THE CYNTHIA REED REVOCABLE TRUST, AMENDED AND RESTATED AS OF OCTOBER 22, 2009**, of Duxbury, County of Plymouth, Commonwealth of Massachusetts, whose mailing address is P.O. Box 1390, New York, NY, 10150, with Warranty Covenants, a certain lot or parcel of land, together with any buildings thereon, situated in **CAMDEN**, County of Knox and State of Maine, more particularly bounded and described as follows, to wit:

"Land situated on Dillingham's Point in said Camden together with the buildings thereon, known as "Pointed Firs". Beginning at the junction of the easterly line of the Metcalf Road (so-called, now a private road) and the end of Penobscot Avenue, the same being marked by an angle in the stone wall; thence north 60° 51' west along the easterly line of the aforesaid private road, and also the land of Dillingham, one hundred twelve (112) feet to an iron bolt; thence north 25° east still by land of Dillingham one hundred two (102) feet to an iron bolt at the top of the bank; thence same course to the shore of Camden Harbor; then easterly along the shore of said harbor one hundred fifty-five (155) feet, more or less, to an iron bolt in the sea wall at other land now or formerly of Julia D. Stalker; thence south 19° 11' east along the line of said Julia D. Stalker ninety-seven and two-tenths (97.2) feet to an iron bolt in the northerly line of a private way; thence south 60° 9' west along line of the private way one hundred eighty-five and nine-tenths (185.9) feet to the place of beginning.

Also herein conveyed is a right of way for travel on foot or by automobile, truck or other conveyance, over a private road (mentioned above) formerly a public road leading from Bay View Street onto Dillingham Point, for access to the above conveyed property (an extension of Penobscot Avenue).

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now or formerly of Blanche K. Wallace; thence north 19° 11' west, by land of said Blanche K. Wallace, ninety-seven and two-tenths (97.2) feet to an iron bolt at shore of Camden Harbor; then southeasterly along shore, twenty (20) feet, more or less, to an iron bolt at other land of, now or formerly, Julia D. Stalker; thence south 18° 26' east, by land of said Julia D. Stalker (and establishing a new boundary) eighty-nine and three-tenths (89.3) feet to an iron bolt in the northerly line of aforesaid right-of-way; thence south 79° 34' west along right-of-way sixteen and three-tenths (16.3) feet to place of beginning.

Also conveying all rights and privileges to shore and flats appurtenant to said above-described lot and right-of-way over the private right-of-way therein mentioned.

And also a right of passage for foot and vehicle travel over a triangular portion of a roadway located on the land now or formerly of Mabel L. Bowditch on Dillingham Point in said Camden; said easement shall begin at an iron pipe located at the northeasterly terminus of Penobscot Avenue; thence northwesterly along said private roadway twenty-one (21) feet and four (4) inches to a stone wall; thence southerly across said private roadway twenty-six (26) feet, more or less, to the northwesterly sideline of Penobscot Avenue to an iron pipe outside the apex of a stone wall; thence northeasterly along the northwesterly sideline of Penobscot Avenue twenty-eight (28) feet and one (1) inch to the place of beginning.

The purpose of this easement being to give the Grantee access from Penobscot Avenue over said private roadway to the driveway leading to her garage.

This easement to be for usage in common with Mabel L. Bowditch, her heirs and assigns.

For Grantors' source of title reference may be had to deed of Marion W. Chatfield to Ann C. Slocum and Daniel E. Slocum dated March 7, 1973 and recorded in Knox County Registry of Deeds, Vol. 548, Page 245; and deed with quitclaim covenants of Daniel E. Slocum to Ann C. Slocum dated December 24, 1980, recorded at said Registry of Deeds in Book 814, Page 173, said deed vesting sole title in Ann C. Slocum. Further reference is made to a certain Release Deed of said Ann C. Slocum to Allan W. Kirkwood and Mary Walker Kirkwood dated February 4, 2002 and recorded at said Registry in Book 2728, Page 75."

MEANING AND INTENDING to convey and hereby conveying all and the same premises as described in a Quitclaim Deed Without Covenant from Ann C. Slocum and the Ann C. Slocum Qualified Personal Residence Trust u/i dated May 20, 1999 to Cary Wallace Slocum, Martha Chatfield Slocum, Kira Erikson and Rainna Erikson, dated January 12, 2010, and recorded in the Waldo County Registry of Deeds in Book 4211, Page 328.

WITNESS my hand and seal this 7th day of October, 2024.

SIGNED, SEALED and DELIVERED
in presence of

Cara Beglin
Witness

Martha Chatfield Slocum
Martha Chatfield Slocum

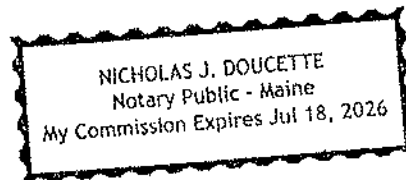
^{Maine}
STATE OF ~~FLORIDA~~
COUNTY OF Cumberland, SS.

October 7th, 2024

Personally appeared the above named Martha Chatfield Slocum and acknowledged the foregoing instrument to be her free act and deed.

Before me, [Signature]
Notary Public

Print/type name: Neil Doucette



Receipt # 150778 KNOX SS: RECEIVED

ERECORDED

VOL 6171 PG 118

11/01/2024 03:22:05 PM

3 Pages

Instr # 2024-8548

ATTEST Madelene F. Cole, Knox Co Registry of Deeds

Real Estate Transfer Tax Paid

WARRANTY DEED
DLN: 2137036

We, **CARY WALLACE SLOCUM**, of Belfast, County of Waldo, State of Maine, **MARTHA CHATFIELD SLOCUM**, of Venice, County of Sarasota, State of Florida, **KIRA PRIDHAM**, a/k/a **KIRA ERIKSON**, of Portland, County of Cumberland, State of Maine, and **RAINNA ERIKSON**, of Somerville, County of Middlesex, Commonwealth of Massachusetts, for consideration paid, grant to **CYNTHIA REED, TRUSTEE OF THE CYNTHIA REED REVOCABLE TRUST, AMENDED AND RESTATED AS OF OCTOBER 22, 2009**, of Duxbury, County of Plymouth, Commonwealth of Massachusetts, whose mailing address is P.O. Box 1390, New York, NY, 10150, with Warranty Covenants, a certain lot or parcel of land, together with any buildings thereon, situated in **CAMDEN**, County of Knox and State of Maine, more particularly bounded and described as follows, to wit:

"Land situated on Dillingham's Point in said Camden together with the buildings thereon, known as "Pointed Firs". Beginning at the junction of the easterly line of the Metcalf Road (so-called, now a private road) and the end of Penobscot Avenue, the same being marked by an angle in the stone wall; thence north 60° 51' west along the easterly line of the aforesaid private road, and also the land of Dillingham, one hundred twelve (112) feet to an iron bolt; thence north 25° east still by land of Dillingham one hundred two (102) feet to an iron bolt at the top of the bank; thence same course to the shore of Camden Harbor; then easterly along the shore of said harbor one hundred fifty-five (155) feet, more or less, to an iron bolt in the sea wall at other land now or formerly of Julia D. Stalker; thence south 19° 11' east along the line of said Julia D. Stalker ninety-seven and two-tenths (97.2) feet to an iron bolt in the northerly line of a private way; thence south 60° 9' west along line of the private way one hundred eighty-five and nine-tenths (185.9) feet to the place of beginning.

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now or formerly of Blanche K. Wallace; thence north 19° 11' west, by land of said Blanche K. Wallace, ninety-seven and two-tenths (97.2) feet to an iron bolt at shore of Camden Harbor; then southeasterly along shore, twenty (20) feet, more or less, to an iron bolt at other land of, now or formerly, Julia D. Stalker; thence south 18° 26' east, by land of said Julia D. Stalker (and establishing a new boundary) eighty-nine and three-tenths (89.3) feet to an iron bolt in the northerly line of aforesaid right-of-way; thence south 79° 34' west along right-of-way sixteen and three-tenths (16.3) feet to place of beginning.

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MEANING AND INTENDING to convey and hereby conveying all and the same premises as described in a Quitclaim Deed Without Covenant from Ann C. Slocum and the Ann C. Slocum Qualified Personal Residence Trust u/i dated May 20, 1999 to Cary Wallace Slocum, Martha Chatfield Slocum, Kira Erikson and Rainna Erikson, dated January 12, 2010, and recorded in the Waldo County Registry of Deeds in Book 4211, Page 328.

WITNESS my hand and seal this 15th day of October, 2024.

SIGNED, SEALED and DELIVERED

in presence of

Witness

Rainna Erikson

Rainna Erikson

COMMONWEALTH OF MASSACHUSETTS
COUNTY OF Worcester, SS.

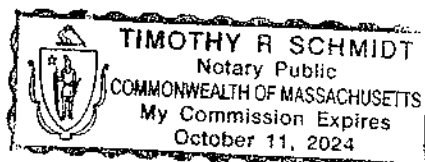
October 15, 2024

Personally appeared the above named Rainna Erikson and acknowledged the foregoing instrument to be her free act and deed.

Before me, [Signature]

Notary Public

Print/type name: Timothy R. Schmidt



FEES:
APPLICATION FEE: \$200
PUBLIC HEARING FEE: \$150
PER ABUTTER FEE: \$15@ X _____: \$ _____

DATE RECEIVED: _____
FEES PAID: CASH: _____
CHECK#: _____

TOWN OF CAMDEN
APPLICATION FOR CHANGES IN NONCONFORMITY

PROPERTY OWNER: Cynthia Reed Revocable Trust

MAILING ADDRESS: PO Box 4547, New York, NY 10163

TELEPHONE #: see Agent EMAIL: Agent: office@mohrseredin.com

PROJECT LOCATION (IF DIFFERENT THAN ABOVE): 7 Dillingham Point Road

TAX MAP#: 126 LOT#: 43 ZONING DISTRICT: CR

() CHANGE PROPOSED WITHIN 250' SHORELAND ZONE

() CHANGE PROPOSED WITHIN SHORELAND SETBACK

REQUEST APPLIES TO THE FOLLOWING:

NON-CONFORMING LOT: () DIVISION OF A LOT WITH STRUCTURE(S)

NON-CONFORMING STRUCTURE: () CHANGE OF USE
() EXPANSION
() RELOCATION
(X) RECONSTRUCTION OR REPLACEMENT

NON-CONFORMING USE: () CHANGE OF USE
() EXPANSION OF USE

PLEASE ATTACH A SKETCH SHOWING PROPOSED CHANGES IN LOTS OR STRUCTURES INCLUDING RELEVANT SETBACK MEASUREMENTS. *ALL PLANS AND SUBMISSIONS IN SUPPORT OF THIS REQUEST MUST ACCOMPANY THIS APPLICATION.*

I CERTIFY THAT THE INFORMATION CONTAINED IN THIS APPLICATION IS TRUE AND CORRECT.

SIGNATURE OF PROPERTY OWNER



DATE

5/22/25

SIGNATURE OF APPLICANT IF DIFFERENT
Tatyanna Seredin, Mohr & Seredin Landscape Architects, Inc.

DATE

Revised January 2018

**7 Dillingham Point Road, Camden, Maine
Demolition and Replacement Proposal**

Owner: Cynthia Reed Revocable Trust

Architect: Schafer Buccellato Architects, DPC

Builder: Cold Mountain Builders

Contractor: Sunset Knoll/ Cold Mountain Builders

Zoning District: CR - Coastal Residential with Chestnut Street Historic District Overlay and Shoreland Zone Overlay

Below please find our responses to Zoning Article XI Section 290-6.D. Nonconforming Structures as they relate to the proposed work at 7 Dillingham Point.

1. Project Description -

The owners have recently purchased 7 Dillingham Point Road, the lot adjacent to their residence at 10 Dillingham Point Road. The new combined lot area of 2.32 acres (101,059.2 SF) reflects #7 being merged with their existing property. The 7 Dillingham Point property was purchased to preserve the existing landscape character of the area and allow John and Cynthia Reed to meet some functional needs not present in the main house. The proposed accessory building includes a studio, reading room, porches, a one car garage and supporting storage areas and bathrooms, and does not have a kitchen or bedroom. The goal is to build a new structure that compliments the neighborhood and their existing house, while providing important program elements that do not exist on the property. Additionally, the current vehicular circulation and access to the main house is quite restricted, and there is a need to develop a better flow for vehicles on the property. The additional lot area provides the ability to construct a drive loop separate from the main house that allows for much needed larger turning radii for delivery vehicles and trucks.

Over three quarters of the original 1870 building has been altered so it no longer has historic integrity. We, and the architects, have studied the existing structure to see if the existing non-conforming porches can be saved, but the foundations, framing, windows and insulation need to be replaced to meet code. The existing foundation has cracks and structural limitations and needs to be removed. The Trust has filed an application with the Historic Resources Committee to start the demolition permitting process, and are currently proposing to fully remove the existing house, foundation and porch piers.

2. Historical Integrity of the House and Reasons for Complete Demolition -

The submission materials provided to the Historic Resources Committee are attached for reference for the Zoning Board's review of this application. These address the loss of architectural historic integrity of the house at 7 Dillingham.

3. Alterations throughout the years -

There have been seven or eight significant alterations to the cottage in the past 150 years. The attached Historic Resources Committee submission materials outline what is known about these changes and the alterations are diagrammed based upon available information.

4. Physical Conditions at the Property –

The 2.32 acre property is in the Coastal Residential (CR) zone and consists of an existing main house and garage, gardens and driveway. The recently acquired property at 7 Dillingham includes a 6,300 SF two story, seasonal use single family seasonal house and garage, gardens and driveway, with 205 feet of property frontage on Camden Harbor. The topography is gently sloping from the road to the shore at 7 Dillingham Point, with the house sitting in lawn and surrounded by mature, 130 to 160 year old, healthy Red Oak. The circa 1870 home has been modified over the past 150 years, most recently in 1980's. The structure is in need of substantial exterior and interior maintenance and repairs, and needs substantial structural work to meet Code, and cannot, in practical terms, be renovated to meet the owner's needs. As seen in the attached site plan, the majority of the larger lot area is within the Shoreland Zone, with just under half of the overall property area being within the 75 foot setback from normal high water, in structure setbacks, or in a FEMA Flood Hazard Zone. The areas around the main house are fully developed and landscaped. The primary reasons for the acquisition of this adjacent parcel were to allow John and Cynthia to add an accessory use building near their home; to protect and preserve the magnificent oak trees; and to remove the trucks and larger vehicles from their small drive courtyard.

5. Statement of Proposed Replacement –

The owners are proposing to replace the existing structure with a new accessory structure, not a principal dwelling unit. The new building will be constructed in a nearly identical position to the existing house. What is proposed is a one and two story, partial hip roofed building designed in a Maine vernacular shingle style. The proposed structure will have the same location and orientation as the current home, necessitated by the goals of: 1) tree protection and preservation; 2) keeping a ten foot setback from an existing 6" water main and utility corridor; 3) limiting the disturbed area within the 75 foot setback, 4) improving vehicle circulation. No building height increase is proposed; the structure massing is slightly reduced; the two rebuilt porches are designed to be in the same location as, and to resemble, the existing open and enclosed porches. The attached architectural plans are included for reference. With regard to specific building size and heights:

Existing Building Heights: 31'-6" (tower) 28'-8" (ridge)

Proposed Building Height: 26'-8½" (ridge max)

Existing Nonconforming Porch Height: 15'-2"

Proposed Nonconforming Replacement Porch Height: 14'-10"

Existing Nonconforming Square Footage: 724.4 SF

Proposed Nonconforming Replacement Square Footage: 714.1 SF (a reduction of 10.3 SF)

Section 290-6.4 Nonconforming Structures

A. ... A structure lawfully in existence as of the effective date of this amendment . . . may be repaired, maintained, improved, or replaced ...

It is the applicants understanding, based upon the municipal records and deed review, that the existing building at 7 Dillingham Point Road is a legally existing structure, a portion of which is legally nonconforming because it was constructed prior to the Town's adoption of the 75' structure setback from normal high water.

(1) The resulting structure(s) do not exceed the height restrictions . . .

The various building heights for the replacement structure are shown on the architectural plans with the highest point being 26'-8½" as determined by the height definition in the Camden Land Use Code. The current building height is noted on the included Northeast Elevation sheet with the highest point at 31'6". For the nonconforming portion of the building, the rebuilt porch will have a height of 14'-10" which is lower than the existing height of 15'-2".

(2) The resulting structure(s) do not exceed the prescribed maximum ground coverage . . .

The current structure ground coverage of the existing house is 2,779.3 SF (2.75%). The proposed structure footprint will be 2,626 SF (2.59%). The proposed site plan lot coverage is in conformance with the Shoreland Zone Standard.

(3) There is no increase in the nonconformity . . .

The proposed structure will be constructed in the same location as the existing building. At its closest point to the normal high water line the current structure is 52'-6" (at the overhang) from the normal high water line. The proposed building will be the same, with the dimensions to be field verified by the project surveyor at the time of construction.

(4) The resulting structure will not be expanded further toward the water body or wetland . . .

The current structure (at the overhang) is 52'-6" (closest) to 56'-0" (furthest) to the normal high water line. The proposed structure will be the same distance from normal high water and will not be any closer. The balance of the building remains the same distance from normal high water in all of the nonconforming areas of the building. The area of the building square foot nonconformity is reduced by 10.3 SF.

Section 290-6.6 Changes in nonconforming structures in shoreland areas.

Within shoreland setbacks, a nonconforming structure may be modified under the following circumstances:

B. Foundations. Whenever a new, enlarged, or replacement foundation is constructed under a nonconforming structure, the structure and new foundation must be placed such that the setback requirement is met to the greatest practical extent . . .

A new foundation is proposed to be constructed for the entire replacement building footprint with the new foundation under the nonconforming area of the structure being installed in the same position and at the same elevation as the existing piers and foundation. That location is a function of keeping 5 feet of horizontal clearance between the new concrete work and the underground utility lines on the south side of the house, and to not encroach into the 28' radius tree root protection zones on the structure's east and west sides. The replacement foundation is within the existing foundation footprint (see Footprint Expansion Diagram) except at the west end of the new garage which is outside the 75 foot structure setback from normal high water. The design team has worked carefully to balance the protection of existing features (mature trees, utilities) with the proposed building layout to assure that the setback requirement is met to the greatest extent practical at this area of the property.

C. Relocation.

- (1) ... The applicant demonstrates that ... a new system can be installed in compliance with the law and said rules. In no case shall a structure be relocated in a manner that causes the structure to be more nonconforming.**

A replacement foundation is required because the posts under the porches are deteriorating; the main foundation is cracked and has varying sill elevations; and the proposed building footprint outside of the area of nonconformity is different than the existing foundation dimensions. The proposed foundation design does not increase the nonconformity and limits the amount of disturbance within the 75 foot setback area. The excavation for, and installation of, the replacement foundation will not require shrub or tree removal, and will not result in additional impacts within the 75 foot setback greater than the work required for the recent rip- rap repair project completed in May. The necessary DEP NRPA permits are in place.

- (2) In determining whether the building relocation meets the setback to the greatest practical extent ...**

Due to the irregular parcel configuration and related structure setbacks; the landward projection of the 75 foot setback from normal high water; the existing utility corridor on the south side of the existing house which is serving 7 and 10 Dillingham Point; and the need to provide horticulturally appropriate root protection zones for the nearby mature Red Oaks; the new foundation has been placed as far back from the normal high water line as practical. To relocate the structure further away would require relocation of the 6" water main, underground power and the sanitary force main, or would negatively impact the root zones, and the health of, the mature Red Oak trees near the house

- (a) Trees removed in order to relocate a structure must be replanted ...**

No trees need to be removed for the replacement structure. To the contrary, the building design and location is based upon protecting the root zone of the two Red Oak that exist in close proximity to the existing structure. Any of the lawn/soil disturbance for the foundation will be revegetated with native ground cover, native shrubs or wild sod where appropriate.

- (b) Where feasible, when a structure is relocated on a parcel, the original location of the structure shall be replanted with vegetation which may consist of grasses, shrubs, trees, or a combination thereof.**

The replacement structure will remain within 98% of the existing footprint; the proposed building footprint in the nonconforming area is slightly smaller than what exists. The nonconforming footprint areas that are not utilized shall be planted with native ferns and wild sod.

D. Reconstruction or replacement.

- (1) Any nonconforming structure which is located less than the required setback from a water body ... which is removed ... by more than 50% of market value ... may be reconstructed or replaced... In no case shall a structure be reconstructed or replaced so as to increase its nonconformity. ...**

The proposed reconstructed structure does not expand further towards the resource; it does not encroach further into the 75 foot setback; and the overall structure footprint is slightly smaller. The nonconforming square footage within the setback actually decreases from 724.45 SF to 714.1 SF because a portion of the existing building footprint is not being replaced by the new

structure. The attached site plans and building diagram show the proposed changes and document that there is no increase in nonconformity with this proposed reconstruction.

- (2) Any nonconforming structure which is located less than the required setback from a water body, . . . which is removed by 50% or less of the market value . . .**

The existing house and foundation are in place and have not been removed. The proposal is to completely remove the structure and replace it in a similar position at a slightly (153.3 SF) smaller size than the existing house. The nonconforming area of the structure which is the proposed 714.1 SF within the 75 foot setback from normal high water will be reduced in size by 10.3 SF.

- (3) In determining whether the building reconstruction or replacement meets the setback to the greatest practical extent, the Zoning Board of Appeals shall consider, in addition to the criteria in Subsection D(2) above, the physical condition and type of foundation present, if any.**

As noted in this submission, the existing foundation and piers are in moderate to poor condition, and cannot support a new house. There is no practical alternative for repairing the existing concrete; and the heights and the layout of the existing foundation walls do not permit the reuse for a new structure. The proposal is not to enlarge the foundation, but rather replace it, in large measure, *in situ*.

**United States Department of the Interior
National Park Service****National Register of Historic Places
Continuation Sheet**Section number 7 Page 31

88. Grey Lodge, 1898 - C
Dillingham Point

Dr. F. H. Dillingham of New York City acquired this Dutch Colonial shingled cottage. The primary facade, which faces the water, is characterized by its gambrel front which houses an attached one-story wraparound porch. The second story is marked by a paired window and above the attic story contains a Palladian window. The gambrel roof ell contains second story gambrelled dormers. The house is sheathed in clapboards.

89. Arequipa, c. 1871, 1900 - C
Dillingham Point

This cottage is believed to have been the Holyoke cottage which Edward Dillingham of Bangor acquired in 1881. The wood frame two-story structure is characterized by its irregular roof line and sweeping veranda facing Penobscot Bay. The house has received subsequent additions. Projecting end gabled bays spring from the central mass of the house. The main structure is housed beneath a gabled roof. While not entirely of the Stick Style, the cottage displays a steeply pitched roof and narrow width. The front portion of the cottage is the original, the addition to the rear having been added in 1900. The bay facade is marked by a wraparound veranda which is housed within a gabled roof that extends down to encompass the porch. The roof has a pronounced eave overhang.

90. Pointed Firs, c. 1890 - C
Dillingham Point

This Queen Anne shingled cottage was the summer home of the Bangor Dillinghams and is a rambling two-story structure with subsequent additions. The bay facade sports a tower of two stories as well as a large gambrel dormer in its second story. A wraparound porch also faces the bay. The land facade is composed of a rear gabled ell of two stories.

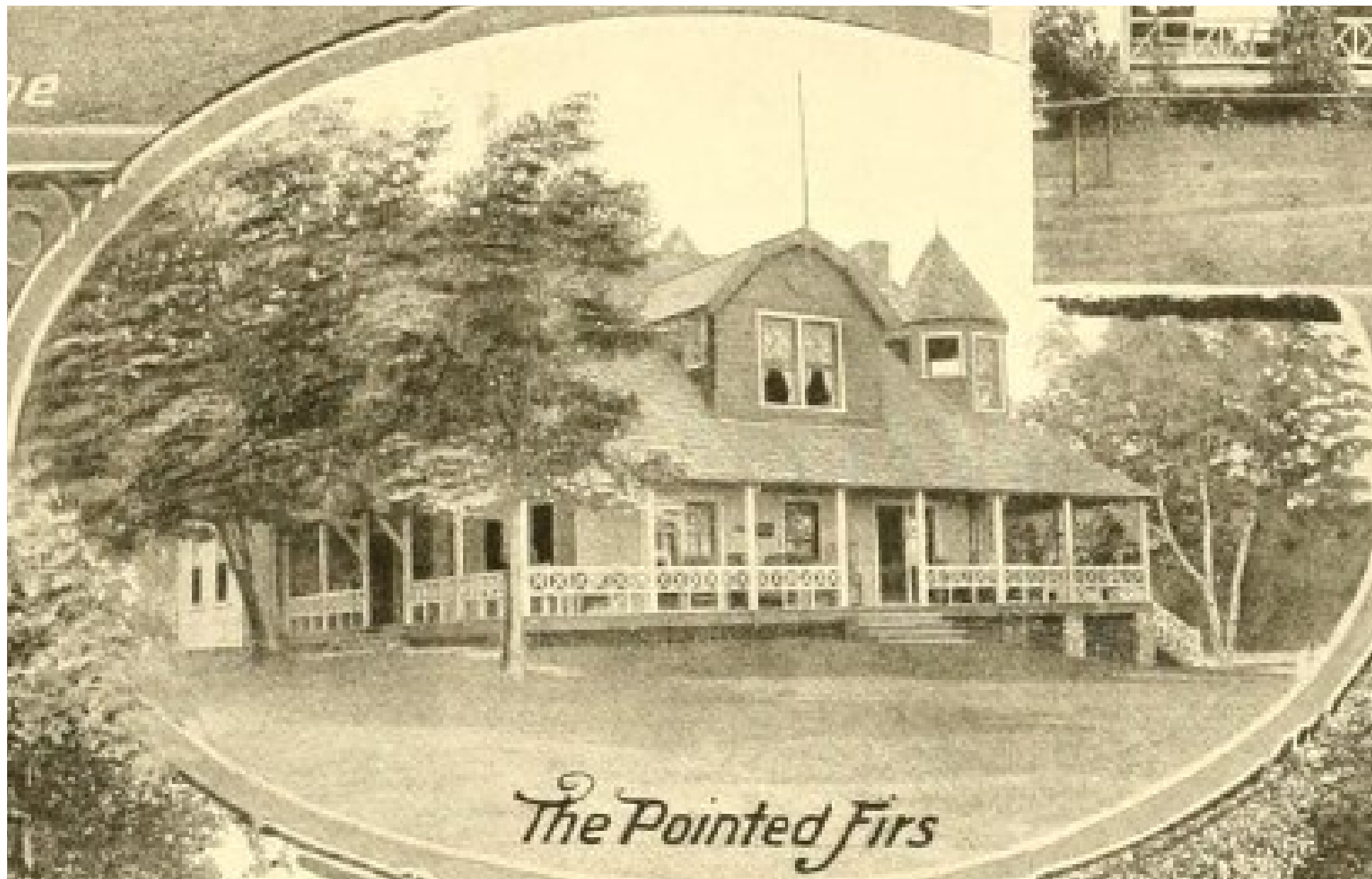


Photo published in 1904 Glimpses of Camden Book by J.R. Prescott



7 Dillingham Point, Camden
Record Owner: Cynthia Reed Revocable trust

EXISTING CONDITIONS
120-150 Year Old Mature Trees to Preserve



7 Dillingham Point, Camden
Record Owner: Cynthia Reed Revocable trust

EXISTING CONDITIONS
120-150 Year Old Mature Trees to Preserve



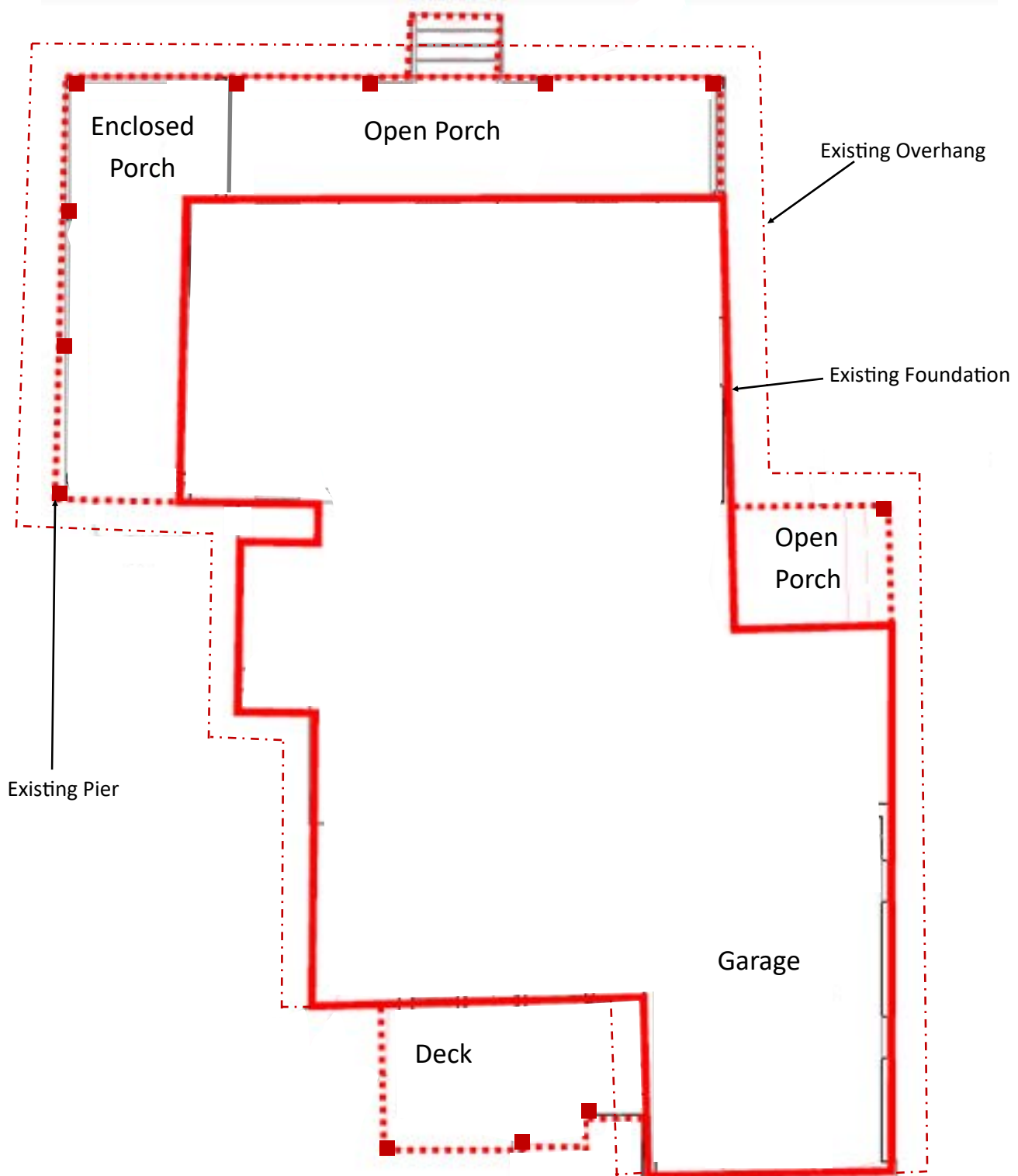
7 Dillingham Point, Camden
Record Owner: Cynthia Reed Revocable trust

EXISTING CONDITION PHOTOGRAPHS

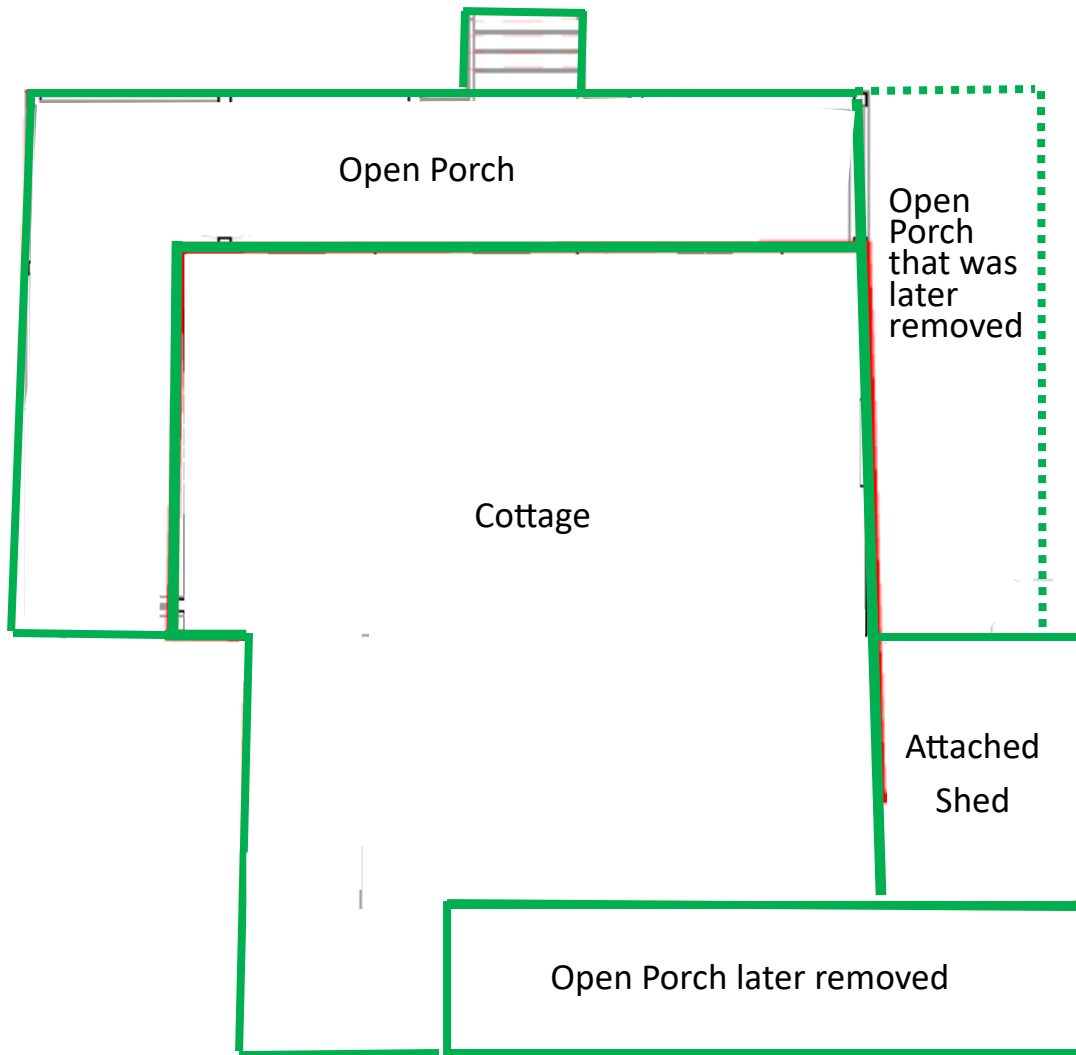


7 Dillingham Point, Camden
Record Owner: Cynthia Reed Revocable trust

EXISTING CONDITION PHOTOGRAPHS

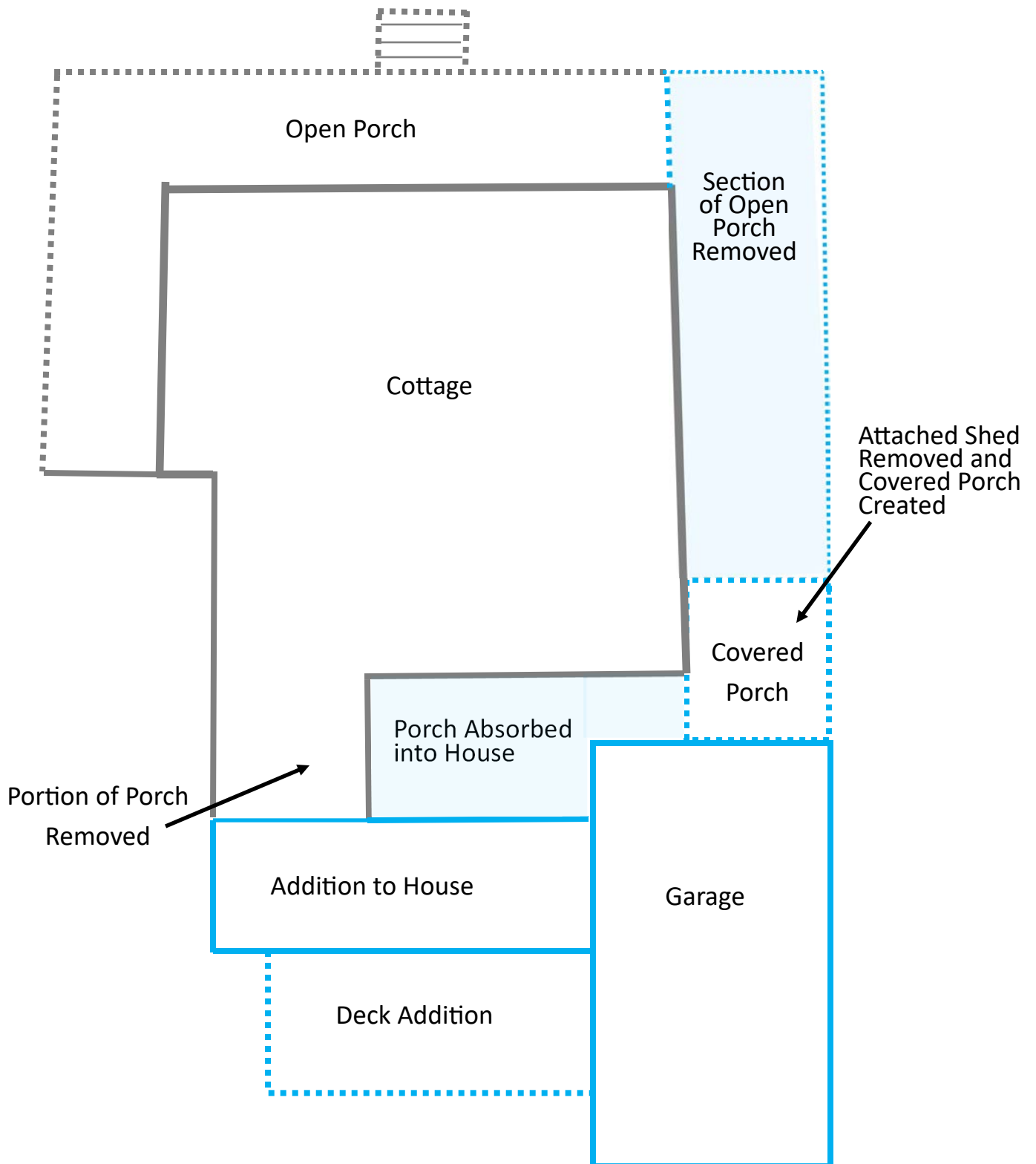


Existing House Footprint
2025



Approximate footprint of historic Cottage.

Circa 1870—1890



Changes to cottage including additions and removals in **BLUE**.
20th Century



Abutters List Report

Camden, ME
April 23, 2025

Subject Property:

Parcel Number: 126043000000
CAMA Number: 126043000000
Property Address: 7 DILLINGHAM PT

Mailing Address: REED, CYNTHIA, TRUSTEE CYNTHIA
REED REV TR A/R 10/22/2009
PO BOX 4547
NEW YORK, NY 10163

Abutters:

Parcel Number: 126042000000
CAMA Number: 126042000000
Property Address: 3 DILLINGHAM PT

Mailing Address: MORTLOCK, III, DAVID H & SAMANTHA E
3 DILLINGHAM PT
CAMDEN, ME 04843

Parcel Number: 126042001000
CAMA Number: 126042001000
Property Address: 5 DILLINGHAM PT Unit 1001

Mailing Address: BABCOCK, WILLIAM L., JR. ROBERTS,
MARY ANN
925 H STREET, NW Unit 1001
WASHINGTON, DC 20001

Parcel Number: 126043000000
CAMA Number: 126043000000
Property Address: 7 DILLINGHAM PT

Mailing Address: REED, CYNTHIA, TRUSTEE CYNTHIA
REED REV TR A/R 10/22/2009
PO BOX 4547
NEW YORK, NY 10163

Parcel Number: 126044000000
CAMA Number: 126044000000
Property Address: 10 DILLINGHAM PT

Mailing Address: REED, CYNTHIA, TRUSTEE CYNTHIA
REED REV TRUST 10/22/2009
ATTN: TERRY PO BOX 4547
NEW YORK, NY 10163

Parcel Number: 126047000000
CAMA Number: 126047000000
Property Address: 8 DILLINGHAM PT

Mailing Address: SPALDING PARTNERS LLC
16 AMES TERR, APT C
CAMDEN, ME 04843

Parcel Number: 126048000000
CAMA Number: 126048000000
Property Address: 6 DILLINGHAM PT

Mailing Address: JEANNE HERTZ FAMILY TRUST
28150 NORTH ALMA SCHOOL PKWY
#103-418
SCOTTSDALE, AZ 85262



www.cai-tech.com

4/23/2025

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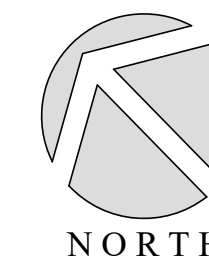
Page 1 of 1



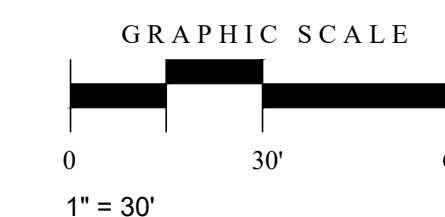
ABUTTER MAP WITH PROPERTY LINES



AERIAL MAP OF ABUTTERS



Proposed Site Plan 7 Dillingham Point Road Camden, Maine



Mohr + Seredin,
Landscape Architects, Inc

May 27, 2025

75' SETBACK FROM NORMAL HIGH WATER

EXISTING STRUCTURE
WITHIN SETBACK
724.4 SF (RED HATCH)

BUILDING
OVERHANG
EXISTING

PROPOSED STRUCTURE
WITHIN SETBACK
714.1 SF (BLUE HATCH)

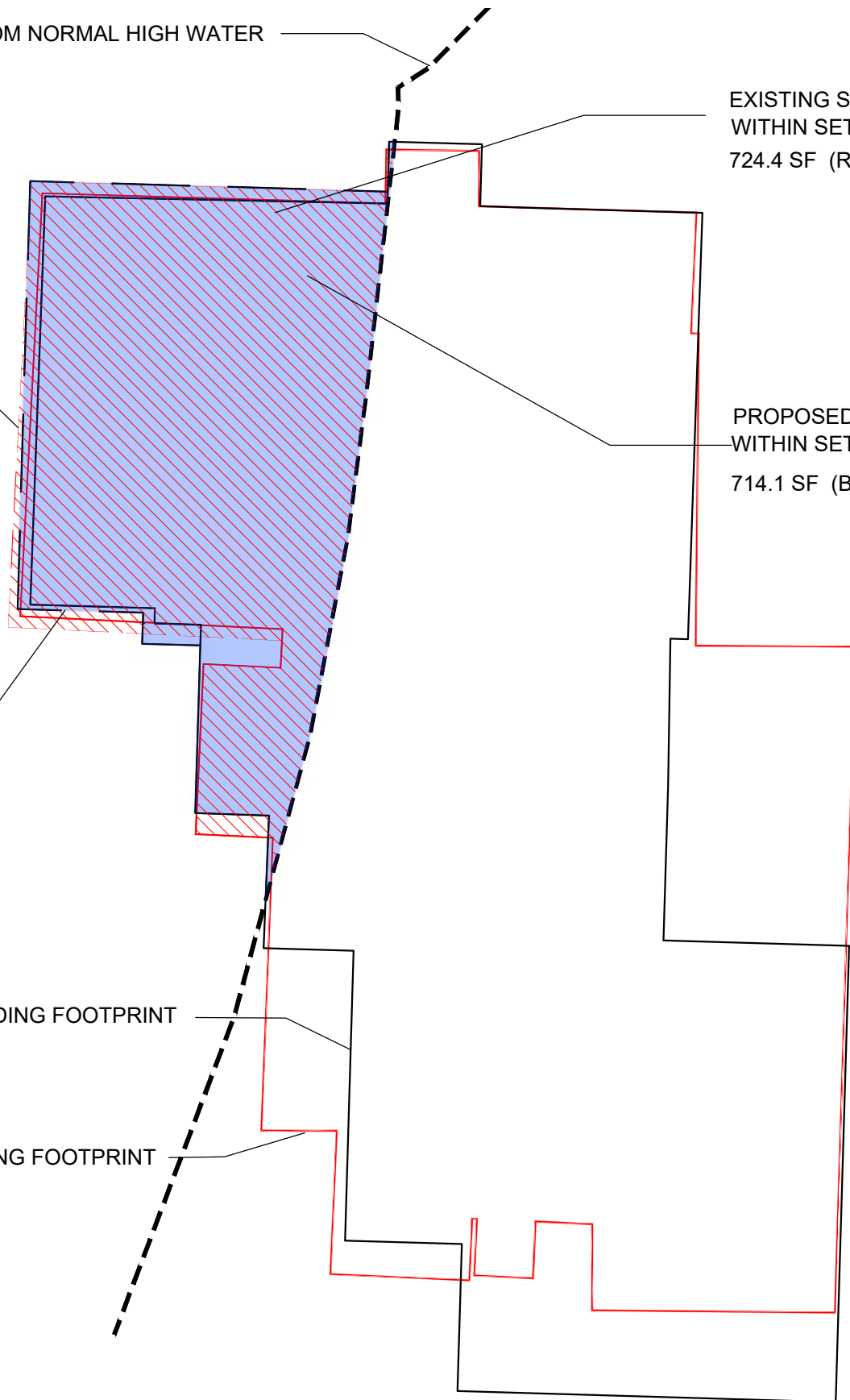
BUILDING
OVERHANG
PROPOSED

PROPOSED BUILDING FOOTPRINT
2626.0 SF

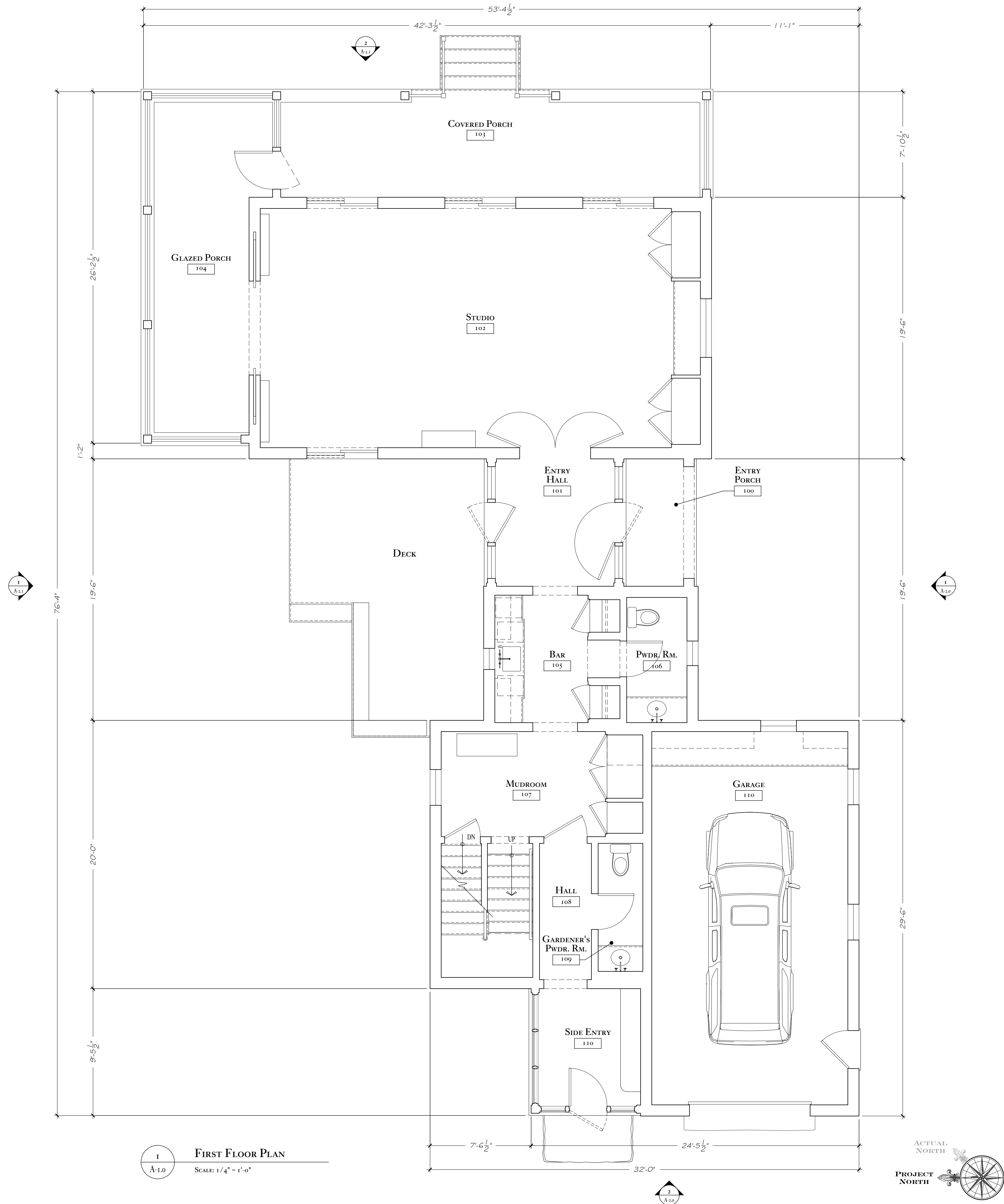
EXISTING BUILDING FOOTPRINT
2779.3 SF

7 Dillingham Point Road FOOTPRINT COMPARISON DIAGRAM

May 21, 2025
Mohr + Seredin
Landscape Architects, Inc







PRELIMINARY DRAWINGS:
NOT FOR CONSTRUCTION

A NEW STUDIO
at
7 DILLINGHAM POINT
CAMDEN, ME 04843

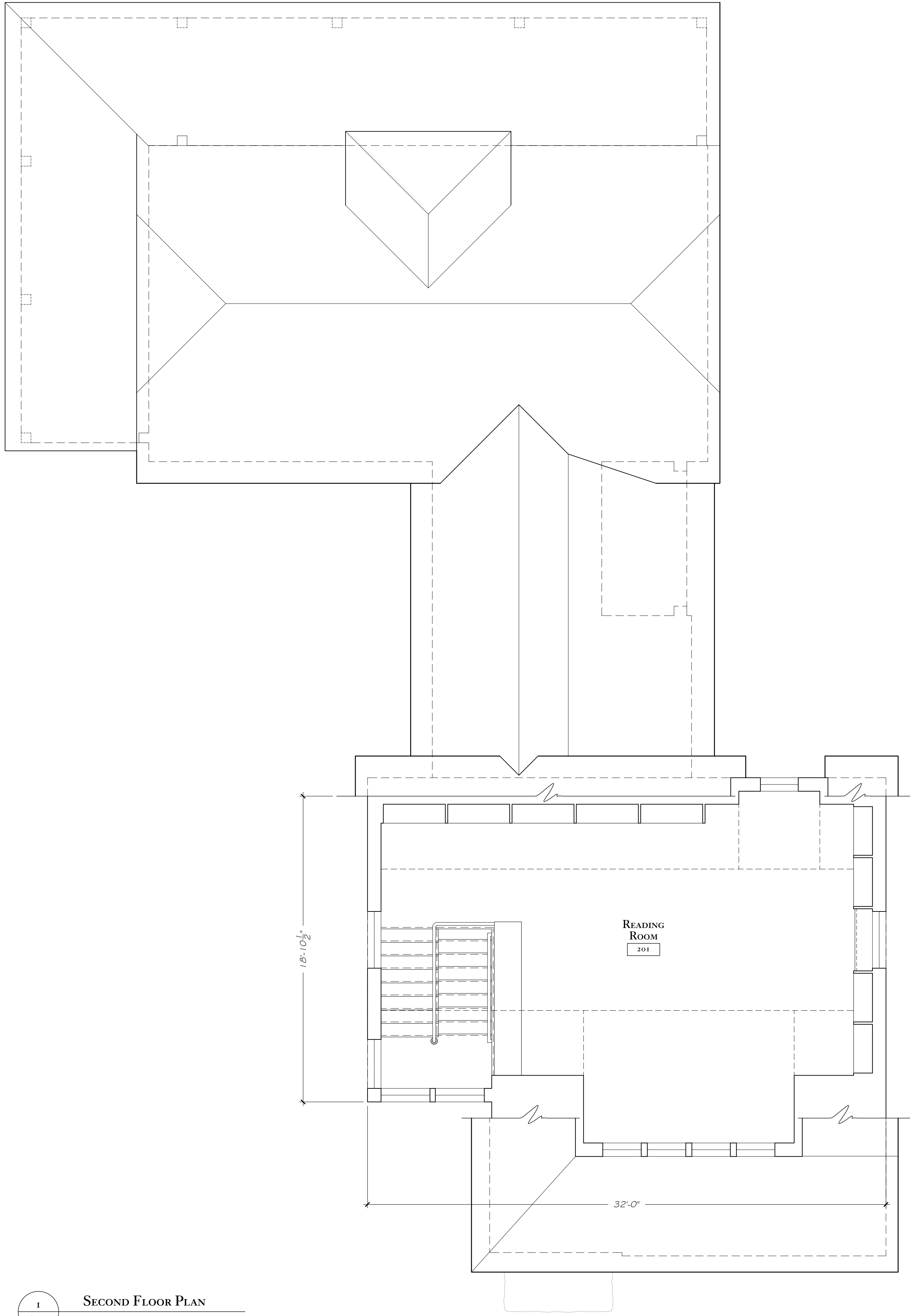
SHEET TITLE :
First Floor Plan

DATE : <i>April 17, 2025</i>	SHEET NUMBER : A-1.0
SCALE : <i>1/4" = 1'-0"</i>	
DRAWN BY : <i>JHC</i>	

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— ARCHITECTURE & DESIGN —

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NEW YORK, NEW YORK 10003
(212) 965-1355
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1
A-1.1

SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"



PRELIMINARY DRAWINGS:
NOT FOR CONSTRUCTION

A NEW STUDIO
at
7 DILLINGHAM POINT
CAMDEN, ME 04843

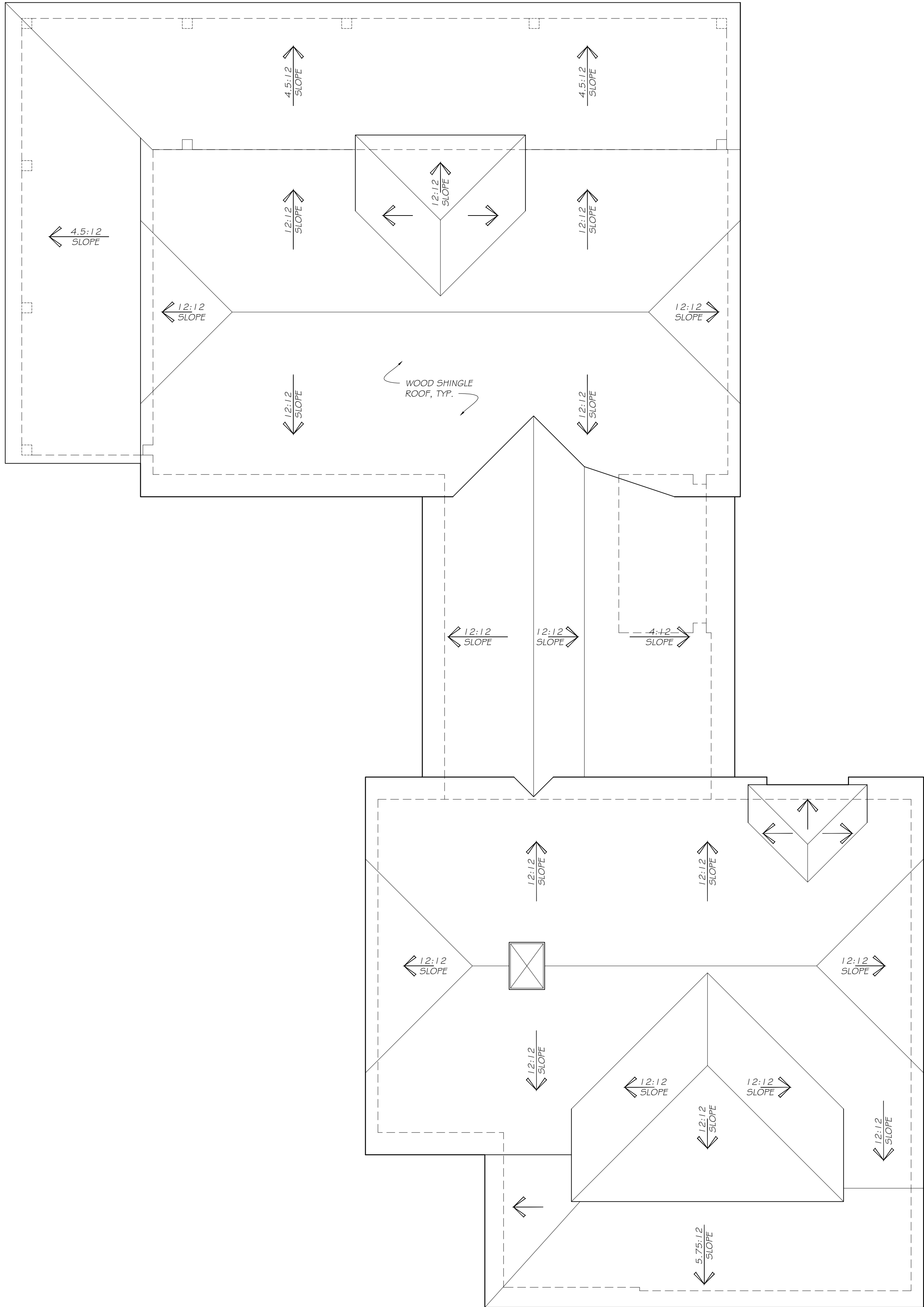
SHEET TITLE :
Second Floor Plan

DATE :
April 17, 2025
SCALE :
1/4" = 1'-0"
DRAWN BY :
JHC

SHEET NUMBER :
A-1.1

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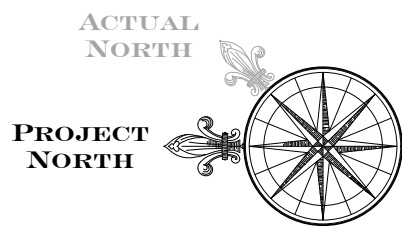
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1
A-1.2

Roof Plan

Scale: 1/4" = 1'-0"



PRELIMINARY DRAWINGS:
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A NEW STUDIO
at
7 DILLINGHAM POINT
CAMDEN, ME 04843

SHEET TITLE :
Roof Plan

DATE :
April 17, 2025

SCALE :
1/4" = 1'-0"

DRAWN BY :
JHC

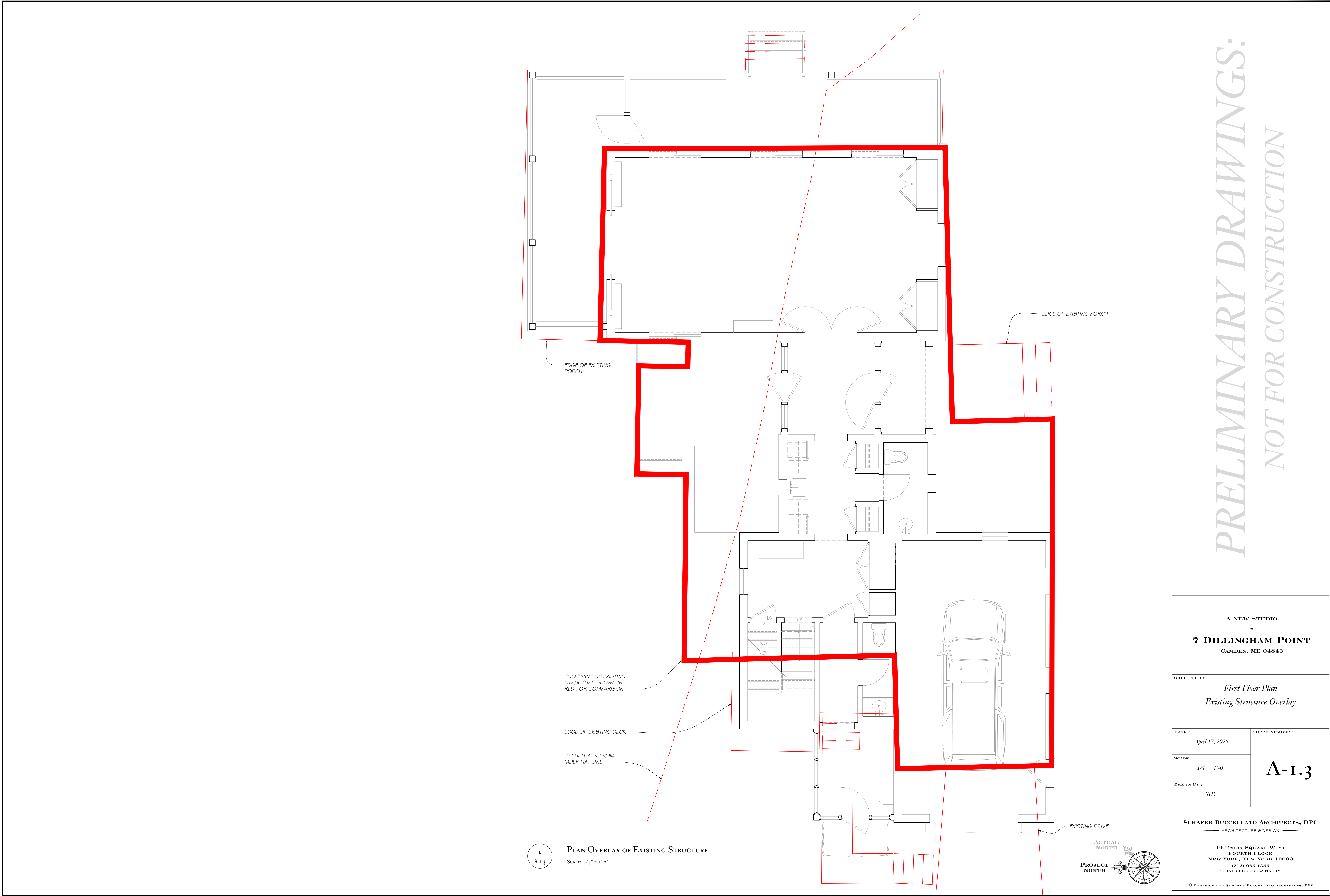
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A-1.2

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A NEW STUDIO
at
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SHEET TITLE :
First Floor Plan
Existing Structure Overlay

DATE : <i>April 17, 2025</i>	SHEET NUMBER :
SCALE : <i>1/4" = 1'-0"</i>	A-1.3
DRAWN BY : <i>JHC</i>	

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A NEW STUDIO
at
7 DILLINGHAM POINT
CAMDEN, ME 04843

SHEET TITLE :
*Exterior Elevations
South & West*

DATE :
April 17, 2025

SCALE :
1/4" = 1'-0"

DRAWN BY :
JHC

SHEET NUMBER :

A-2.0

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2
A-2.0
WEST ELEVATION
SCALE: 1/4" = 1'-0"



1
A-2.0
SOUTH ELEVATION
SCALE: 1/4" = 1'-0"

PRELIMINARY DRAWINGS:
NOT FOR CONSTRUCTION

A NEW STUDIO
at
7 DILLINGHAM POINT
CAMDEN, ME 04843

SHEET TITLE :
*Exterior Elevations
North & East*

DATE :
April 17, 2025

SCALE :
1/4" = 1'-0"

DRAWN BY :
JHC

SHEET NUMBER :

A-2.1

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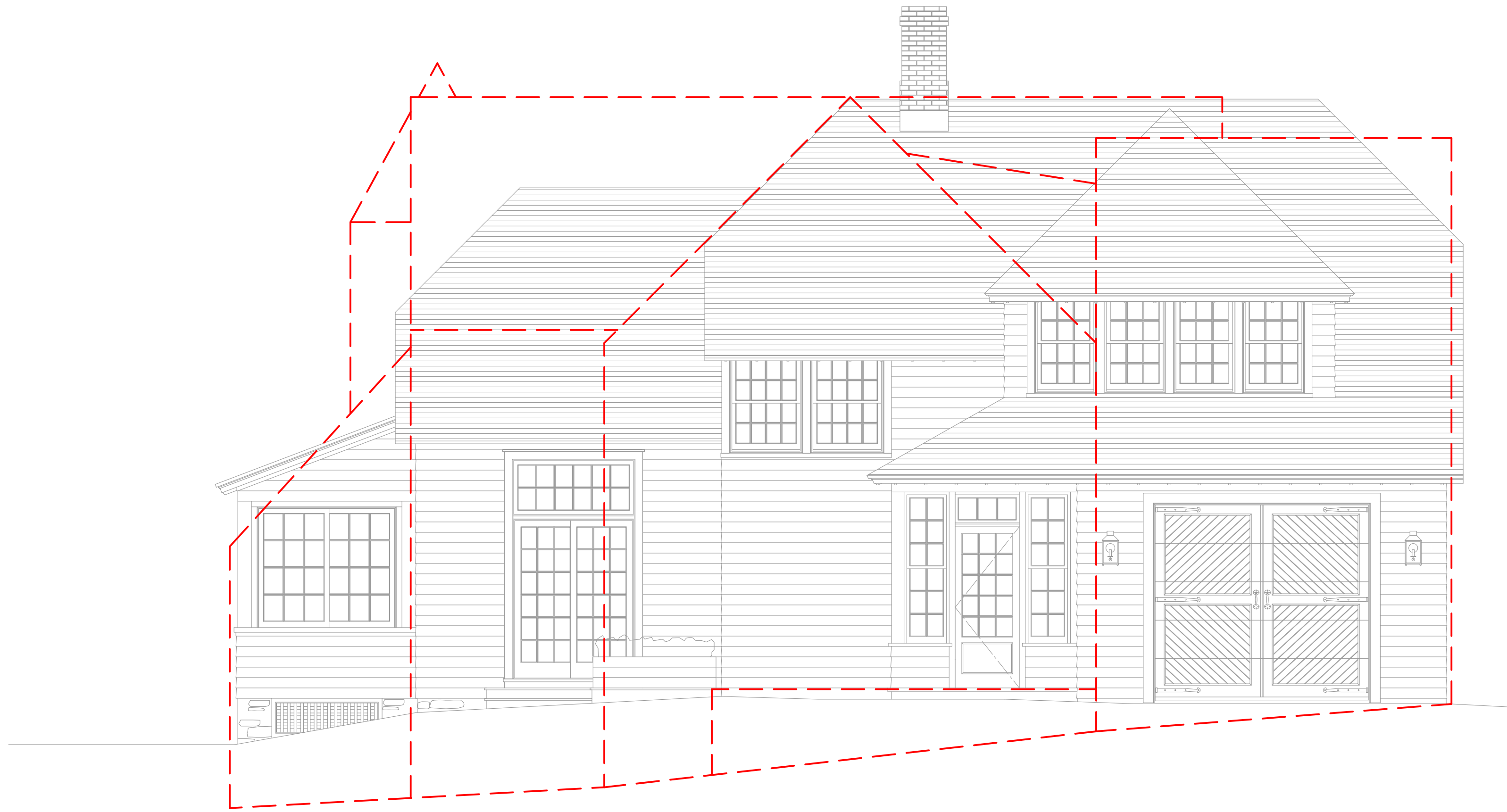


2
A-2.1
EAST ELEVATION
SCALE: 1/4" = 1'-0"

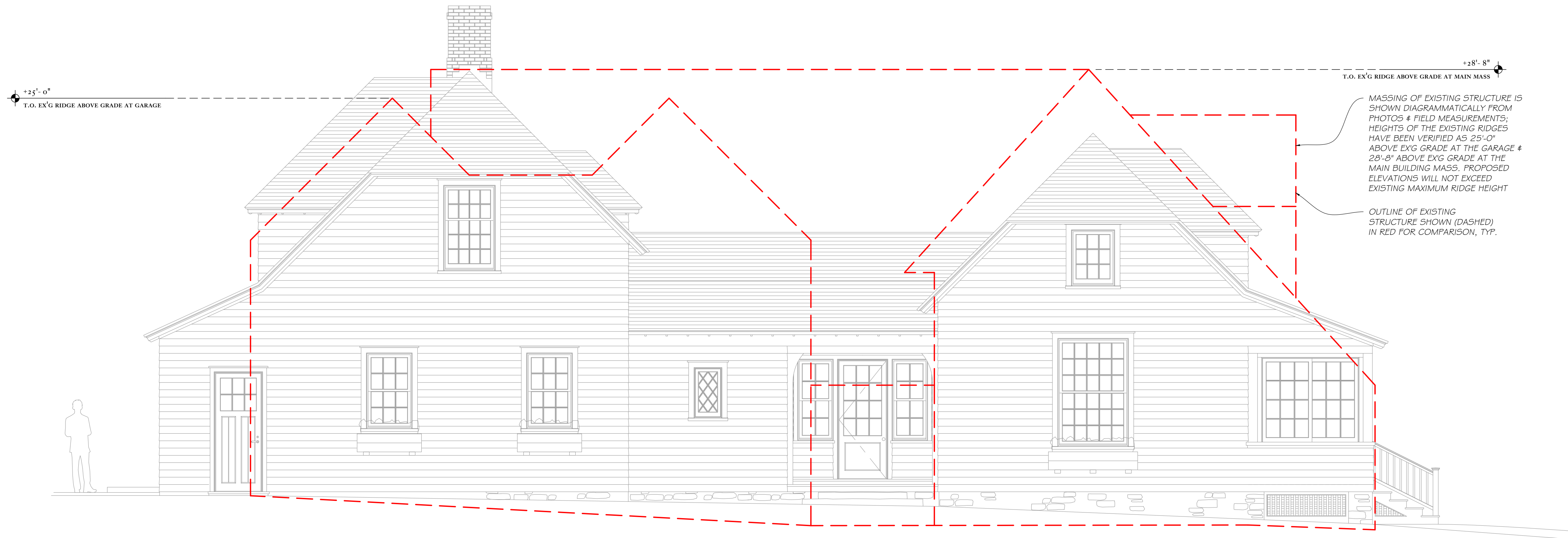


1
A-2.1
NORTH ELEVATION
SCALE: 1/4" = 1'-0"

PRELIMINARY DRAWINGS:
NOT FOR CONSTRUCTION



2
A-2.2
WEST ELEVATION OVERLAY OF EXISTING STRUCTURE
SCALE: 1/4" = 1'-0"



1
A-2.2
SOUTH ELEVATION OVERLAY OF EXISTING STRUCTURE
SCALE: 1/4" = 1'-0"

A NEW STUDIO
at
7 DILLINGHAM POINT
CAMDEN, ME 04843

SHEET TITLE :
Exterior Elevations
Existing Structure Overlay

DATE :
April 17, 2025

SCALE :
1/4" = 1'-0"

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SHEET NUMBER :

A-2.2

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CAMDEN, ME 04843

SHEET TITLE :
*Exterior Elevations
North & East
Existing Structure Overlay*

DATE :
April 17, 2025

SCALE :
1/4" = 1'-0"

DRAWN BY :
JHC

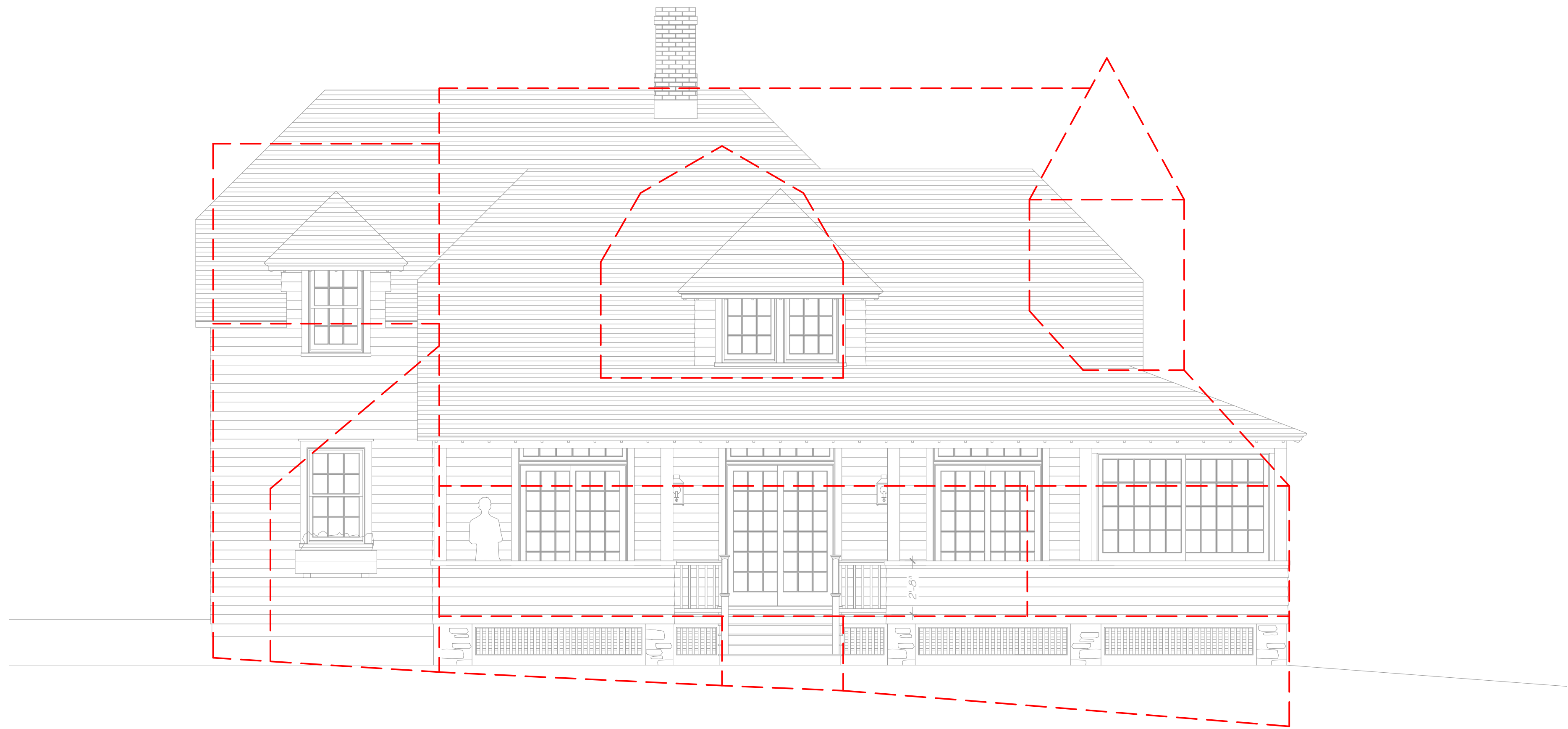
SHEET NUMBER :

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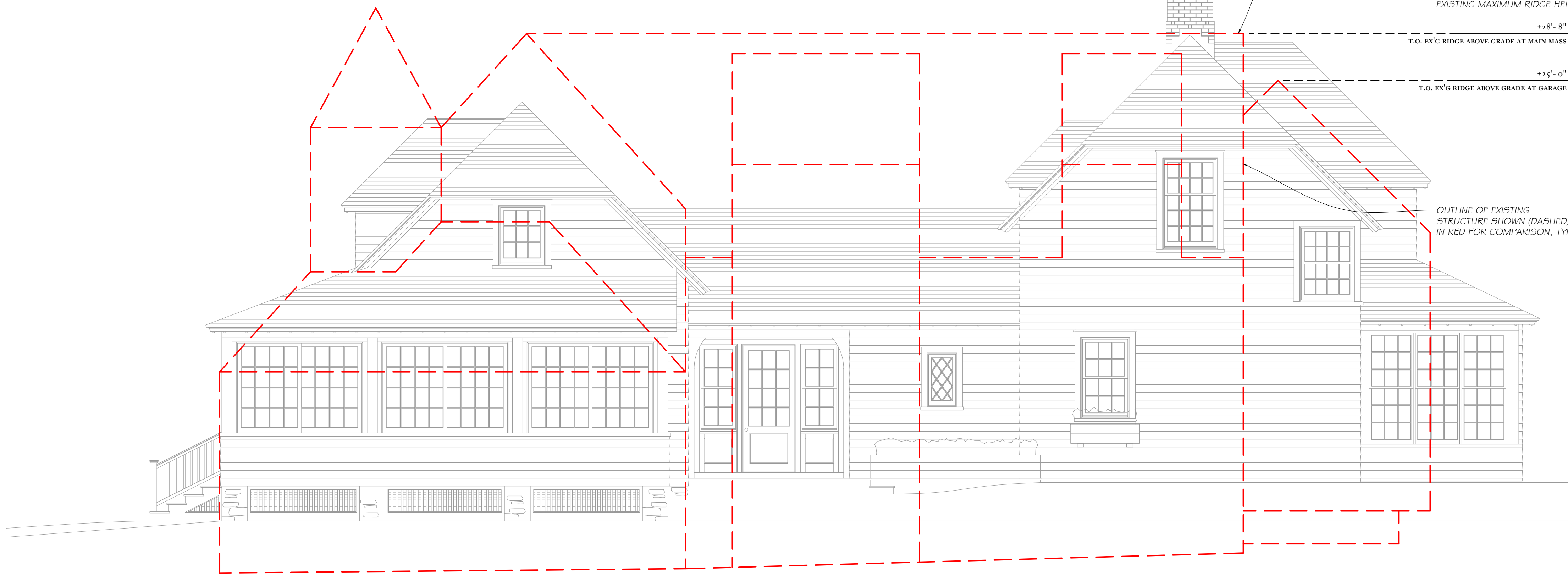
2
A-2.3
EAST ELEVATION OVERLAY OF EXISTING STRUCTURE
SCALE: 1/4" = 1'-0"

MASSING OF EXISTING STRUCTURE IS SHOWN DIAGRAMMATICALLY FROM PHOTOS & FIELD MEASUREMENTS; HEIGHTS OF THE EXISTING RIDGES HAVE BEEN VERIFIED AS 25'-0" ABOVE EX'G GRADE AT THE GARAGE & 28'-8" ABOVE EX'G GRADE AT THE MAIN BUILDING MASS. PROPOSED ELEVATIONS WILL NOT EXCEED EXISTING MAXIMUM RIDGE HEIGHT

+28'- 8"
T.O. EX'G RIDGE ABOVE GRADE AT MAIN MASS

+25'- 0"
T.O. EX'G RIDGE ABOVE GRADE AT GARAGE

OUTLINE OF EXISTING STRUCTURE SHOWN (DASHED) IN RED FOR COMPARISON, TYP.



1
A-2.3
NORTH ELEVATION OVERLAY OF EXISTING STRUCTURE
SCALE: 1/4" = 1'-0"



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Permit-by-Rule & Notice of Intent Review Form

Natural Resources Protection Act
Stormwater Management Law
Maine Construction General Permit

PBR # 81310
PBR #
NOI #

Applicant: Cynthia Reed Revocable Trust
Project Address: 7 Dillingham Point

Town: Camden
Tax Map/Lot #: 126 43

NRPA PBR Sections – Ch. 305

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> Sec. 2 Act. Adj. to Prot. Natural Res. | <input type="checkbox"/> Sec. 9 Utility Crossing | <input type="checkbox"/> Sec. 16 Coastal Sand Dune Project |
| <input type="checkbox"/> Sec. 3 Intake Pipes | <input type="checkbox"/> Sec. 10 Stream Crossing | <input type="checkbox"/> Sec. 17 Transfer/Permit Extension |
| <input type="checkbox"/> Sec. 4 Replacement of Structures | <input type="checkbox"/> Sec. 11 State Transport. Facilities | <input type="checkbox"/> Sec. 18 Maintenance Dredging |
| <input type="checkbox"/> Sec. 6 Movement of Rocks or Veg. | <input type="checkbox"/> Sec. 12 Restoration Natural Areas | <input type="checkbox"/> Sec. 19 Act. Near SVP Habitat |
| <input type="checkbox"/> Sec. 7 Outfall Pipes | <input type="checkbox"/> Sec. 13 F&W Creat./Water Quality | <input type="checkbox"/> Sec. 20 Act. Near Waterfowl/Bird Habitat |
| <input type="checkbox"/> Sec. 8 Shoreline Stabilization | <input type="checkbox"/> Sec. 15 Public Boat Ramps | |

Notes:

Permit accepted as presented, Department staff may inspect the site for compliance upon completion.

Reviewer:
Reviewer: Sara Beck

Deficient Date:
Accepted Date: 12/27/2024

☐ NRPA ☐ SW ☐ NOI
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**DEPARTMENT OF ENVIRONMENTAL PROTECTION
PERMIT BY RULE NOTIFICATION FORM**

(For use with DEP Regulation, Natural Resources Protection Act - Permit by Rule Standards, Chapter 305)

APPLICANT INFORMATION (Owner)				AGENT INFORMATION (If Applying on Behalf of Owner)			
Name:	Cynthia Reed Revocable Trust			Name:	Mohr & Seredin Landscape Architects, Inc.		
Mailing Address:	Cynthia Reed			Mailing Address:	18 Pleasant St.		
Mailing Address:	PO Box 4547			Mailing Address:			
Town/State/Zip:	New York NY 10163			Town/State/Zip:	Portland, ME 04101		
Daytime Phone #:	see agent	Ext:		Daytime Phone #:	207-781-0003	Ext:	
Email Address:	see agent			Email Address:	info@mohrseredin.com		
PROJECT INFORMATION							
Part of a larger project? (check 1):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	After the Fact? (check 1):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Project involves work below mean low water? (check 1):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Name of waterbody:	Camden Harbor
Project Town:	Camden	Town Email Address:	cbeveridge@camdenmaine.gov	Map and Lot Number:	Map 126, Lot 43		
Brief Project Description:	Soil disturbance within the 75 foot setback to remove non-native plant materials and replace with native vegetation; removal of 3 Wolly Adelgid infested Hemlock and replace with 2 Red Oak & I Red Maple; and soil disturbance for the portion of the existing home removal that is within the 75 foot setback.						
Project Location & Brief Directions to Site:	From Augusta, take ME-17 E; Left on 90 West St, in Rockport; Left onto Pascal Ave.; Right on Main St.; Left on Russell/Chestnut St.; Right on Penobscot Ave. which turns into Dillingham Point. #7						

PERMIT BY RULE (PBR) SECTIONS (Check at least one): I am filing notice of my intent to carry out work that meets the requirements for Permit-by-Rule (PBR) under DEP Rules, [Chapter 305](#). I and my agent(s), if any, have read and will comply with all of the standards in the Sections checked below.

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> Sec. (2) Act. Adj. to Prot. Natural Res. | <input type="checkbox"/> Sec. (9) Utility Crossing | <input type="checkbox"/> Sec. (16) Coastal Sand Dune Projects |
| <input type="checkbox"/> Sec. (3) Intake Pipes | <input type="checkbox"/> Sec. (10) Stream Crossing | <input type="checkbox"/> Sec. (16-A) Beach Nourishment |
| <input type="checkbox"/> Sec. (4) Replacement of Structures | <input type="checkbox"/> Sec. (11) State Transportation Facilities | <input type="checkbox"/> Sec. (17) Transfer/Permit Extension |
| <input type="checkbox"/> Sec. (6) Movement of Rocks or Veg. | <input type="checkbox"/> Sec. (12) Restoration of Natural Areas | <input type="checkbox"/> Sec. (18) Maintenance Dredging |
| <input type="checkbox"/> Sec. (7) Outfall Pipes | <input type="checkbox"/> Sec. (13) F&W Creat./Water Qual. Improv. | <input type="checkbox"/> Sec. (19) Act. Near SVP Habitat |
| <input type="checkbox"/> Sec. (8) Shoreline Stabilization | <input type="checkbox"/> Sec. (15) Public Boat Ramps | <input type="checkbox"/> Sec. (20) Act. Near Waterfowl/Bird Habitat |

NOTE: Municipal permits also may be required. Contact your local code enforcement office for information. Federal permits may be required for stream crossings and for projects involving wetland fill. Contact the Army Corps of Engineers at the Maine Project Office for information.

NOTIFICATION FORMS CANNOT BE ACCEPTED WITHOUT THE NECESSARY ATTACHMENTS AND FEE

- ☒ **Attach** all required submissions for the PBR Section(s) checked above. The required submissions for each PBR Section are outlined in Chapter 305 and may differ depending on the Section you are submitting under.
- ☒ **Attach** a location map that clearly identifies the site (U.S.G.S. topo map, Maine Atlas & Gazetteer, or similar).
- ☐ **Attach Proof of Legal Name** if applicant is a corporation, LLC, or other legal entity. Provide a copy of Secretary of State's registration information (available at <http://icrs.inform.org/nei-sos-icrs/ICRS?MainPage=x>). Individuals and municipalities are not required to provide any proof of identity.

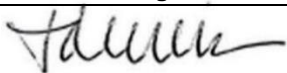
FEE: I will pay the Permit-by-Rule fee (<https://www.maine.gov/dep/feeschedule.pdf>) by:

- ☒ **Credit Card** – Pay online through the **Payment Portal**. (Attach payment confirmation when filing this notification form.)

Signature & Certification:

- I authorize staff of the Departments of Environmental Protection, Inland Fisheries & Wildlife, and Marine Resources to access the project site for the purpose of determining compliance with the rules.
- I understand that this PBR becomes effective 14 calendar days after receipt by the Department of this completed form, the required submissions, and fee, *unless the Department approves or denies the PBR prior to that date.*

By signing this Notification Form, I represent that the project meets all applicability requirements and standards in Chapter 305 rule and that the applicant has sufficient title, right, or interest in the property where the activity takes place.

Signature of Agent or Applicant (may be typed):		Date:	December 16, 2024
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Keep a copy as a record of permit. Email this completed form with attachments to DEP at: DEP.PBRNotification@maine.gov. DEP will send a copy to the Town Office as evidence of DEP's receipt of notification. No further authorization will be issued by DEP after receipt of notice. A PBR is valid for two years, except Section 4, "Replacement of Structures," are valid for three years. **Work carried out in violation of the Natural Resources Protection Act or any provision in Chapter 305 is subject to enforcement.**