

## CALAIS DEVELOPMENT REVIEW BOARD

Re: Foster Hill Homestead Trust  
 Notice of Violation Application #2012-39  
 Shoreland District



*Anna Fite*

### Introduction

It was reported to the Calais Zoning Administrator that construction had occurred on the farm land which is located on Nelson Pond in Calais describing as cutting and removal of vegetation within 50 feet of the shoreline, and more than 5 feet wide. Construction at the Hap Camp was an enclosed porch on top of a deck area. It was also reported that numerous small trees were cut and chipped along the road within 50 foot of the shoreline with the bank eroding since the tree cover was removed. And lastly a dock was put into the water. Upon review of the records it appeared that these items were done without required permits.

On August 2, 2012 a Notice of Violation was sent to the landowners of record by the Calais Zoning Administrator. In response Peter Backman, on behalf of the Foster Hill Homestead Trust, filed a Town of Calais Zoning Permit Application dated 8/7/12 to correct the matter and the application was set for a hearing before the Development Review Board (DRB) on August 30, 2012.

A site visit was held by the DRB on Sunday September 2, 2012. At the site the DRB were shown several areas where a selected amount of tree brush was removed within the 50' of the shoreline and a few trees which reported as rotten were taken down. Tree chips were actually spread on the access area towards the pond. The actions completed did indeed widen the pathway as Peter was trying to create a smoother pathway to get his mother closer to view the pond. Future plantings of ferns are considered to allow lower growth.

The addition to the Hap Camp was adding a roof and screened in porch area on top of an existing deck. This work did not require adding a foundation. The area involved a 10 foot x 10 foot roof addition.

The dock was reviewed and was reported to be placed in the pond by the landowners. It was average size and allowed a boat to be tied up to the same. The landowners want to add steps down unto the dock as the bank is steep and slippery when wet. (This is being ~~down~~ *done* under another permit 2012-41).

At the site visit the DRB closed the hearing on this application.

### Findings

**The DRB finds that the landowners did work on this lot without the required permit. The DRB upholds the Notice of Violation issued by Rolf Mueller Zoning Administrator for the Town of Calais.**

### Decision:

Based upon the evidence presented at the hearing and visual evidence at the site the DRB makes the following decisions:

1. The DRB and the landowners agreed that they neglected to submit a permit for work on their property as required by the Calais Zoning Regulations.

- 2. The limited brush removal and a few trees which were cut did widen the pathway to the shoreline. To correct the issue, the landowners are willing to allow the undergrowth cover such as ferns to grown in, reducing the width of the walk way to the pond. The chips were a natural cover to the ground and additional chips would help with any erosion in the future.
- 3. The addition to the camp was within the existing foot print. It was also within the 10 foot x 10 foot allowable as a separate structure on property without a permit. In this case it was on top of deck rather than the ground.

The DRB is satisfied that while there were violations, no further action needs to be taken as the landowner is willing to do what is necessary to cure the violation.

Members of the Development Review Board

10/14/12  
Dated

\_\_\_\_\_  
Dated

10/15/12  
Dated

10/14/12  
Dated

10-16-12  
Dated

10/14/12  
Dated

10/14/12  
Dated

Margaret L. Bowen  
Margaret L. Bowen, Chair

\_\_\_\_\_  
Stephen Reynes, Asst. Chair

Ruth K. Porter  
Ruth K. Porter, Member

Steve Duke  
Steve Duke, Member

Barbara Weedon  
Barbara Weedon

Walt Amses  
Walt Amses

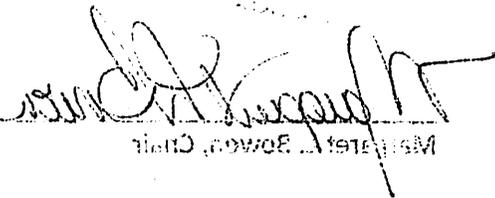
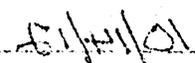
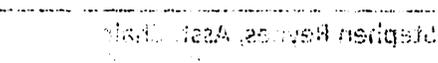
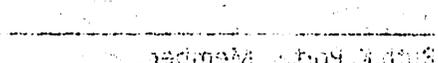
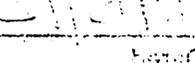
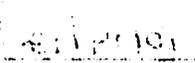
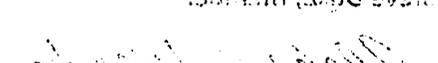
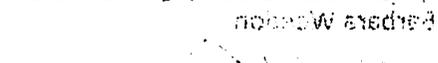
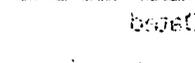
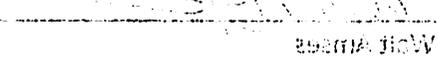
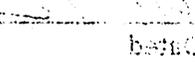
Nedene Martin  
Nedene Martin

3. The limited brush removal and a few trees which were cut out along the driveway to the site. To correct this issue, the landowners are willing to allow the roadway to be covered with a layer of gravel, reducing the width of the walkway to the road. The chips were a natural cover to the ground and additional chips would help with any erosion in the future.

3. The addition to the camp was within the existing footprint. It was also within the 10 foot x 10 foot setback as a separate structure on property without a permit. In this case it was on top of both rather than the ground.

The DRB is satisfied that while there were violations, no further action needs to be taken as the landowner is willing to do what is necessary to cure the violation.

Members of the Development Review Board

	
Margaret Rowland, Chair	Date
	
Stephen Rowland, Asst. Chair	Date
	
Ruth K. Rowland, Member	Date
	
Steve Duda, Member	Date
	
Barbara Weston	Date
	
Wolf Amers	Date
	
Richard Martin	Date