

**MUNICIPAL OFFICERS' CERTIFICATION OF OFFICIAL TEXT OF A PROPOSED ORDINANCE
[30-A M.R.S.A. § 3002(2)]**

To Katrina Oakes, Clerk:

Article 9:

Shall the Town amend *Chapter 290, Article XII, Site Plan Review, § 290-12.6 Approval Criteria J. Special criteria for piers, wharves, land-attached floats, breakwaters, municipal boat ramps, municipal piers, consolidated piers, causeways, marinas, bridges over 20 feet in length and other uses projecting into water bodies (1)-(7)*, by amending the existing approval criteria and adding new approval criteria.

***NOTE:** These amendments would amend the existing approval criteria and would add additional approval criteria for projects that require Site Plan approval by the Planning Board. The new criteria would include ensuring that projects don't unduly interfere with established public trust rights for fishing, fowling, and navigating and unreasonably impact the viewshed and scenic and aesthetic resources of Camden's harbors and Penobscot Bay, in addition to other environmental approval criteria. A copy of the proposed amendments is available for review in the Town Clerk's Office during regular business hours and on the Town of Camden's website at www.camdenmaine.gov*

Planning Board Voted: 5-0-0

Select Board Voted: 4-0-0

This is being presented to the voters for their consideration at secret ballot voting on Tuesday, June 11, 2024 Pursuant to 30-A M.R.S.A. § 3002(2), you will retain this copy of the complete text of the ordinance as a public record and make other copies available for distribution to the voters, and you will ensure that copies are available at the town meeting/polling places on the day of the vote.

Dated: April 16, 2024



Thomas Hedstrom, Select Board Chair

Amend Chapter 290, Article XII, Site Plan Review, § 290-12.6 Approval Criteria (J.) CSpecial criteria for piers, wharves, land-attached floats, breakwaters, municipal boat ramps, municipal piers, consolidated piers, causeways, marinas, bridges over 20 feet in length and other uses projecting into water bodies (1)-(7), by amending the existing approval criteria and adding new approval criteria.

Article XII, Site Plan Review

J. Special criteria for piers, wharves, land-attached floats, breakwaters, municipal boat ramps, municipal piers, consolidated piers, causeways, marinas, bridges over 20 feet in length and other uses projecting into water bodies requiring site plan approval under the terms of this chapter. In addition to the above approval criteria, the site must be demonstrated to be suitable for the proposed use according to the following special criteria: [Amended 6-20-2006]

- (1) The project must not cause undue erosion or scour on or near the site, or on abutting properties.
- (2) The proposed use must not cause degradation of marine life or significant wildlife habitat in or near the area. The Board may ask for an examination and statement by a qualified marine biologist, or other qualified individual regarding the impact of the project, and that statement shall show no significant adverse impact on marine life or wildlife habitat.
- (3) The project shall not unduly interfere with passage along or within the intertidal zone, in order to protect established colonial public trust rights for fishing, fowling, and navigation. This may require accommodation such as steps or pier elevation to allow passage over or beneath a structure.
- (4) There shall be no unreasonable interference with general navigation by the existence or use of the pier, and no attempt shall be made by the applicant or permittee to prevent the full and free use by the public of all navigable waters at or adjacent to the pier.
- (5) Pier projects involving construction of or repair, replacement, and maintenance of bank or shoreline stabilization structures including, but not limited to rip-rap armor or retaining walls, shall be designed to minimize environmental effects and effects to neighboring properties from scour and erosion to the maximum extent practicable.
- (6) The project shall not unreasonably impact the viewshed and existing scenic and aesthetic resources of Camden's harbors and Penobscot Bay from Camden Hills State Park, Curtis Island, Laite Beach and other public access points to the harbor including, Bay Road, Curtis Island Overlook (Beacon Ave/Bayview), Eaton Avenue, Harbor Road, Marine Avenue. and, Sherman's Point Road, or other

place or location that is frequented by the public for the purpose of enjoying the natural environment and scenic resources .

- (7.) In addition, to the Special Criteria in sections (1-6) above, the Planning Board shall also review the Performance Standards and criteria contained in § 290-10.2 (l) – (k).