

Shiloh Pond Committee Meeting

May 5, 2022

DRAFT MINUTES

Meeting took place at town park gazebo due to town office being locked.

Present: Brent West (acting chair), Norman Goff, Rob Woodhouse, Annie Twitchell, Stacey McCluskey, Lynn Duttlinger (via phone), Richard Hawkes (new member)

Public: Sue Davis

Absent: Kathy Houston

Committee welcomes Richard Hawkes to the group.

Minutes from March meeting: Norman Goff moves to approve, Rob Woodhouse seconds, motion approved.

Andrew Gale submitted a letter of resignation. Brent West moves to accept with regret, Lynn Duttlinger seconds, motion approved.

Public Comment:

Sue Davis states she is glad to see Richard Hawkes on the committee.

Discussion Items:

Walter Kilbreth designed signs with a heavy local maple board wood. Detailing is a combination of carving and wood burning. Signs are sealed against the weather.

Select board wants to review signage, Brent West says.

Committee voices general approval of signage design.

Richard Hawkes spoke with Tom Marcotte, town code enforcement officer, regarding any permits needed for work the committee wants to do.

For destruction of the camp, Marcotte says the committee would need a permit by rule from Maine DEP because of the close proximity to Reed Brook.

Burning the camp would require a letter of approval/permission from DEP. Walter Kilbreth says it would be easy to demolish with the excavator and burn the debris at the transfer station.

Town of Kingfield would require a permit from the CEO to move more than 10 cubic yards of earth.

No permit required from DEP or the town to redeck the bridge because it is considered maintenance.

No DEP permit required for the road if it uses the same existing footprint. It is considered maintenance.

Town requires a permit for over 100 cubic yards of material. Estimates for the road are maybe 60 cubic yards, estimates for parking area are maybe 20-30 yards.

No permit needed from DEP or town for the parking area as it is not within 100 feet of the pond or 75 feet of the stream.

No information on the second camp from town or DEP at this time. MNRCP does not want it on the property. Committee does not have a plan to remove it.

Canoe rack would need a DEP permit by rule. Rack could potentially be within 25 feet of shoreline. Town would defer to DEP ruling over the town's shoreline ordinance.

Trails: DEP says it would depend on the resources being impacted. Brent West says the current trail plan is on existing infrastructure (the logging road) so it should not be an issue.

Rob Woodhouse says the ATV club has some gates that couldn't be installed on the ATV trails. The committee has access to one if they want it. No cost associated with the gate. Gate swings in from two posts, leaving a gap in the middle to walk through. Walter

Kilbreth was going to look at the gate with Rob Woodhouse. The current gate at the bridge could potentially be repurposed as well.

Committee voices concern about making sure the gap doesn't allow an ATV or vehicle to pass through the gate. Otherwise committee voices general agreement to let Rob Woodhouse and Walter Kilbreth continue that discussion.

Dates to be determined to cleanup the canoe area and potentially start work on the trail.

Gate access policy: committee voices a general consensus about keeping a key at the town office with a log book, or keeping a lock box at the property with a key and a log book. Concern voiced about emergency responders being able to access the property in the event of an emergency. Annie Twitchell assures it would not be a problem. Will revisit at the next meeting.

Norman Goff reports MDIFW biologists liked the idea of making Little Shiloh a kids-only fishing pond and possibly stocking it. Meeting arranged for a site visit with the biologists at Shiloh, May 18, 11 a.m., to meet at Shiloh and Tufts Pond roads intersection.

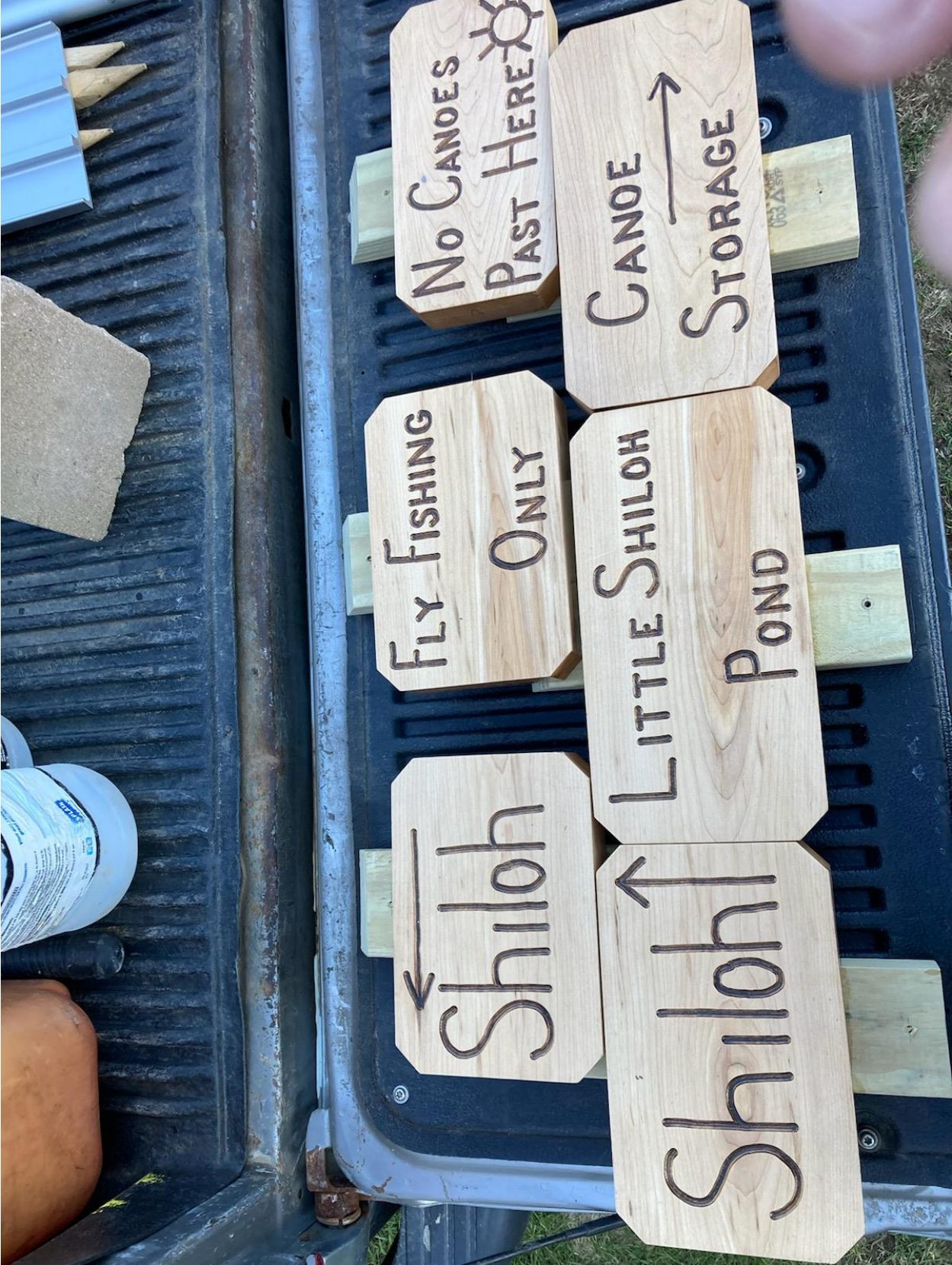
Stacey McCluskey makes motion to allow Brent West and Richard Hawkes to obtain the needed permits for the work that needs to be done, as highlighted in Richard's report. Rob Woodhouse seconds the motion. Motion approved.

Next meeting:

Committee is unsure about the need to meet throughout the summer. Annie Twitchell recommends scheduling a meeting for July.

With some resistance, committee agrees to meeting on July 7, 2022.

Brent West makes motion to adjourn. Stacey McCluskey seconds. Motion approved.



← Shiloh

FLY FISHING ONLY

LITTLE SHILOH POND

CANOE → STORAGE

NO CANOES PAST HERE ☀

5/5/2022

From: Richard Hawkes

To: Kathy Houston, Brent West (Shiloh Pond Committee Chair/Vice Chair)

Subject: Summary of input received from Tom Marcotte (Town of Kingfield Code Enforcement Officer (CEO) and Cameron Dufour (Maine Department of Environmental Protection (DEP)(point of contact) on upcoming projects

Enclosure (1): May 2, 2022 notes from initial discussions with subject authorities.

Summary is below:

1. Destruction of the old "Winter" camp on the property:

-Camp within 75 feet of Reed Brook, therefore DEP Permit by Rule required.

-Town permit for earth moving also required, if greater than 10 cubic yards.

Action: Awaiting call back from DEP Bureau of Waste and Remediation about the possibility of burning it.

2. Resurfacing the current bridge:

-Considered maintenance.

-No DEP permit required.

-No Town permit required.

3. Improving the road in:

-Use the same footprint. Considered maintenance. Use appropriate erosion control methods.

-No DEP permit required.

- Town permit for earth moving required, if greater than 100 cubic yards.

4. Revising the parking area- making it a bit larger and flatter:

-Considered upland. Use appropriate erosion control methods.

- No DEP permit required.

-No Town permit required.

5. The other camp:

-Tom has never been there. If the town was interested in having recreational activities in this camp then a permit from the Planning Board would be required. Change of use. He would like to go see it.

-Did not discuss with DEP.

6. Building some type of canoe rack next to Shiloh pond:

-Rack likely within 100 feet of Shiloh Pond, therefore DEP Permit by Rule required. Rack could be within 25 feet of shoreline.

-No Town permit required. Town Shoreland Zoning Ordinance says 100 feet, but would defer to PBR.

7. Developing and building a trail system:

-DEP Permit by Rule required based on resources impacted.

5/02/2022

From: Richard Hawkes

To: Kathy Houston, Shiloh Pond Committee chair

Subj: Notes from my meeting with Town of Kingfield Code Enforcement Officer (CEO), Tom Marcotte, supplemented with input from Department of Environmental Protection (DEP) representative Cameron Dufour

I took an action from Kathy Houston (email on 4/24/22) to talk to Tom Marcotte about 3 issues related to The Kingfield Community Forest. Below are my notes from that initial discussion with Tom on 4/26/22 and my telcon with Cameron Dufour (DEP) on 5/3/22.

See attached map that Tom gave me showing depicting Town and DEP areas of responsibility.

Town of Kingfield has responsibilities within 250 feet of ponds and 75' of streams through our town shoreland zoning ordinance.

DEP has jurisdiction within 75 feet of water bodies as shown.

The DEP point of contact for this project is Cameron Dufour (Cell: 207-592-6463, email: Cameron.Dufour@maine.gov). I talked to him on 5/3/22 and his input on these topics is provided in red.

1. Destruction of the old "Winter" camp on the property: 50' from brook, 183' from Shiloh Pond

-If we need 1 truck load (10 cubic yards) or less of gravel to bury it then no permit required.

-If more than 1 truck load (10 cubic yards) of gravel is needed, then a permit is needed from him.

- Fill in the outhouse pit.

-He has no problem issuing a permit (if needed).

-However, we need to consult with DEP (Department of Environmental Protection), as it is located within 75 feet of Reed Brook. DEP may want a Permit by Rule (PBR) submitted and approved.

-If you want to burn it then check with Fred Nichols (Fire Chief). I did check with Fred Nichols and he said unfortunately it would be against the law to burn it. He did say if we got DEP approval in writing then he would burn it.

-It could be torn down in pieces and maybe burned like a brush pile.

- DEP approval is required. A Permit-by-Rule application is needed for the above camp tear down. It falls under restoration of a natural area. If torn down and buried, it will need to be outside the 75' buffer from Reed Brook. He took an action to check with others in the department about permission to burn it. I took an action to send him a photo of it.

2. Resurfacing the current bridge:

-Bridge is made up of concrete, steel and wood. We are asking to replace less than 50% of it, thus he considers it maintenance. Replacing the deck only. Therefore, no permit required.

-Don't let pieces of wood fall into the brook.

-However, we need to consult with DEP (Department of Environmental Protection), as it is located within 75 feet of Reed Brook. DEP may want a Permit by Rule (PBR) submitted and approved.

-I wanted to find out some history of the bridge and its load carrying capacity now that the Town of Kingfield owns it. I called Bob Carlton and he informed me the bridge was engineered and designed for logging operations (logging trucks and logging equipment). He may still have the specifications for it. This information should make us feel comfortable in doing a maintenance repair to the decking and its ability to support fire and rescue. I also thought I have seen (many years ago) a State Department of Inland Fisheries and Wildlife truck use the bridge to pump brook trout into Shiloh Pond. Should we get a cost estimate for pre-cast concrete decking?

-I also talked to Fred Nichols about the bridge as it relates to fire and safety now that the town owns the property. He would use the bridge for fire and emergency rescue and if the bridge was used for logging operations then it is likely safe for him to use.

-Tom doesn't care about where the gate is located.

- DEP approval is not required. Considered maintenance only.

3. Improving the road in:

-Shiloh Pond Road after Deer Farm Campground is a private road along with the road down into Shiloh Pond.

-General ordinance says less than 100 cubic yards (10 dump truck loads) no permit required. Greater than 100 cubic yards than permit required by him. He has no problem with a permit.

-DEP approval is not required. Outside 75 foot setback. Use the same road foot print. Considered maintenance. Use appropriate erosion control methods.

4. Revising the parking area- making it a bit larger and flatter:

-He has no issues with this.

- DEP approval is not required. Considered in upland area, outside 75 foot setback. Use appropriate erosion control methods.

I took the opportunity to ask him a couple more questions.

6. The other camp:

-He has never been there. If the town was interested in having recreational activities in this camp then a permit from the Planning Board would be required. Change of use. He would like to go see it.

-Did not discuss with DEP.

7. Building some type of canoe rack next to Shiloh pond:

-He has no issues with this.

However, we need to consult with DEP (Department of Environmental Protection), as it is located within 100 feet of Shiloh Pond. DEP may want a Permit by Rule (PBR) submitted and approved.

-DEP approval is required. A permit by Rule application is needed and rack needs to be at least 25 feet from water's edge.

8. Developing and building a trail system:

-He would issue a permit for this.

-However, we need to consult with DEP (Department of Environmental Protection), as it is located within 75 feet of Shiloh Pond. DEP may want a Permit by Rule (PBR) submitted and approved.

-DEP approval is required. A permit by Rule application is needed. Can be complicated depending on resources impacted (vernal pools, wetlands (wetland alteration permit needed?), proximity to pond and streams, bridges needed, etc.). Needs to be mapped out. DEP needs to understand the resources impacted. 6 foot pathway can be allowed within 75 feet of pond and streams. Bridges can be allowed. Recommendation is to roughly map it out, bring him in for a site visit to identify resources impacted, then hire an environmental consultant to do a detailed resource analysis and map, that would be the critical piece of the PBR application.

A PBR application costs \$266 and good for 2 years. All the above items could be under one permit or broken up individually.

Actions:

-Plan would be to set up a site visit with Tom, Cameron (DEP), a member(s) of our committee and Fred, if available on some Tuesday or Thursday afternoon, once we have more details.

Once we have more details circle back to Tom and Cameron (DEP) on our plan and actions.

