

breaching. The eagles nest will not significantly be impacted by the breaching of the Ft. Halifax Dam and is not designated as an essential habitat.

Mrs. Fletcher stated that it was her understanding that it would be an official opinion from the Attorney General's Office and Mr. Lee stated it was not.

Mr. Lee stated that formal opinion would be derived from Legislature. If an individual or town calls on a matter, the matter is then assigned to an individual assistant to the Attorney General who gives advice in the particular area. It is an official opinion from that assistant to the Attorney General who gives advice to Inland Fisheries and Wildlife.

Erosion and Sedimentation Control –

Mr. Mitsch, Weston & Sampson Engineers Inc. spoke on the erosion and sedimentation control plan presented by TRC for FPLE breaching of the Ft. Halifax Dam. It is standard practice to monitor for re-vegetation. There may be some surface erosion in some areas that has not been dry for some time. Some of the questions that came up were the range of discharge, flow velocity, the projection of flow thru the breach and are there provisions to dissipate energy so there is no impact down stream. FPLE provided him with the responses and they are appropriate. It is a bed rock control stream channel so there are no significant quantities of sediment that would be subject to erosion by increased flow. There will be less energy going through after the breach, than when the water is flowing over the spillway. Mr. Mitsch is satisfied with TRC's answers to the questions that were posed to them from a January 10, 2008 letter.

In regard to Mr. Newkirk's letter of November 27, 2007 concerning re-vegetation, Mr. Newkirk explained the plan relies on air borne seed sources to re-vegetate the area. Some of the seeds at that time of year would be pig weed and thistle. This would not provide a natural mulch cover over the site. There should be a silt fence to stop the soil from leaving the site and according to DEP the site should be seeded down within seven days.

Mr. Mitsch stated there are very gentle slopes in this area and it is hard to understand how the area would become unstable. There may be some localized areas of surface erosion. Mr. Mitsch is satisfied with the FPLE's plans for the sediment and erosion control. It is standard practice to drop the water level slowly and allow the upstream area to stabilize.

Slumping –

Mr. Recker, Geotechnical Manager of Sebago Technics, Inc., spoke about slumping due to the FPLE partial breaching of the Fort Halifax Dam. There is not sufficient information to establish a definite impact on the area. The recommendations from Sebago Technics, Inc. are as follows:

1. draw down should be done over several weeks to an elevation of 40 before the breach allow for slop stability;
2. the breach should be done at time of low groundwater conditions;
3. install inclinometers on Dallaire Street slopes for a period of up to a month following the dam breaching;
4. evacuate the houses on the south end of Dallaire Street on the day of dam breach and use the inclinometer readings to dictate when re-occupancy is safe

A base line reading should be done a month before the breach and readings should be done during and after the breach. As the water within the impoundment is drawn down slowly the water will flow out of the soil slowly and decrease the safety risk.

The question of liability to the homeowners on the south side of Dallaire Street was brought up. FPLE has no plan for liability to these homes. There have been draw downs to the 45 degree elevation previously with no known issues.

Mr. Recker feels the slope is stable. If slumping is evident above pool level, rip rap may be added. Draw down should be done over at least a week long period. A quicker draw down would increase the possibility of stability issues. Inclinometer readings should be done a month before with continued monitoring during and after the breach.

Mr. Straz said that FPLE may do a draw down over a one week period rather than going from 45 foot to 30 foot elevations in two days.

Mr. Parker, Chairman, called a brief recess at 8:15 pm.

Mr. Parker, Chairman, called the meeting back to order at 8:25 pm.

Sewer Line-

Mr. Murch from DEP was not present. The DEP order will stand on its own and if there are specific questions they could be e-mailed to him

Mr. Heavener could not go into specifics on the sewer line due to there being ongoing discussion between the Town of Winslow and FPLE.

Pleau's Market –

Mary Denison, Attorney for Pleau's Market, FPLE and Pleau's Market have reached an agreement on HAVAC and structural issues. If there are any revisions made by the Board they would be given to them for review.

Safety –

Chief Grindall had questions about the Dallaire Street residents but they were answered at this meeting.

Additional questions posed by Mr. Lee on heights and elevations:

1. On the Pleau's Market side, south side of stream heading north what is the height of the dam?

Answer: about 11 feet crest to ledge

2. What is the height at the breach?

Answer: about 20 feet crest to ledge, 24 feet is from the top of the flash boards

3. What is the slope of the dam on the upstream side?

Answer: 45 degrees

5. What is the slope of the down stream side?

Answer: about 45 degrees, drops about 12 feet vertically and 11 feet horizontally and has a lip

6. What is the width of the walking surface of the dam?

Answer: about 2 feet

7. What is the summer time depth of the water at the proposed breach o the southerly side?

Answer: a couple of feet, summer flow of 6 inches at low flow and a couple of feet during high flow

8. Has an inspection been done on the North side of the fencing?

Answer: they did not know at this time

9. Would FPLE repair any fencing that is needed so that the public would not be able to get in?

Answer: yes

Boat Access Carry-in –

There are two options presented by FPLE. Option A is on land of questionable ownership (Payne heirs) and option B is on FPLE land. Option A is what they are presenting. Option A and B would offer the same parking area that is used now.

The Board needs to do a finding of facts at the next meeting. The Board members need to study the information as it pertains to the Shore Land Zoning Ordnances and the application.

FPLE agreed to allow more time for a decision by extending the deadline to February 28, 2008.

Next Planning Board meeting on FPLE partial breaching of the Fort Halifax Dam will be on February 28, 2008 at 6:00 pm in the Winslow Council Chambers.

Motioned to adjourn made by Mr. Browning, Sr.

Seconded by Mr. Strahan. Passed – Unanimous

Meeting adjourned 9:30 pm