Arthur B. Choate L-024406-4P-A-N // Appeal

Documentation from the Department's license record

- Interested party letters received during the Department's review of the application

Dark Harbor Partnership
190 Two Lights Road
Cape Elizabeth, Maine 04107
207.221.5151

November 20, 2008

Department of Environmental Protection
Bureau of Land and Water Quality
17 State House Station
Augusta, Maine 04333

Gentlemen:

I am writing in my capacity as Managing Partner of Dark Harbor Partners; the owner of the lot abutting the north side of the property at Wharf Landing Way East, Islesboro, Maine.

It is my understanding that the owners of this property have applied for permission to construct a pier and seasonal float on their property. This letter is to protest that application for the following reasons.

The eastern shoreline of Islesboro, mainly because of the prevailing winds, has never had as many piers / floats as there are on the western shoreline. As a result, the eastern shoreline has maintained to a great extent its pristine nature. Extending north and south from the proposed new pier / float there are no piers or any other kind of shoreline obstruction. It is the hope of this abutter that this stretch of shoreline can be preserved.

Furthermore, the owners through their membership in the Tarratine Club have access to extensive docking facilities which are approximately twenty minutes by foot or three minutes by car from their property. In addition, they have access to a family dock / float on the western side of Islesboro within 10 minutes by car. I would question a need for yet another access to the water on the eastern side of the Island.

I understand that two large granite blocks which I believe are on the partnership side of the area under discussion are intended to be used in the construction of the proposed new pier. These granite blocks remain from the old Steamboat Landing which was used until the mid or late 1930's as the primary maritime access to the island. It has, therefore, considerable historical value and it would be a shame to have them removed.

I hope very much that you will consider our objections in deciding on the permit application.

Sincerely yours,

Frederic W. Thomas

Frederic W. Thomas

cc: Islesboro Planning Board
Islesboro Harbor Master
Mr. and Mrs. James N. Houghton
Mr. and Mrs. Harry Hollins
Mrs. Lee Ault
Mr. Nicholas Love

Nov. 25

LAURA AULT

Dept. of Environmental Protection
Bureau of Land & Water
Quality:

Ladies & Gentlemen:

To build a new pier, with the obvious unsettling noise & commotion for what is now a beautiful unspoilt bit of shore front that countless birds - blue heron, osprey, loons etc seek out for nesting, resting & hunting seems a terrible shame.

The property at Wharf Landing Way East, Isleboro Me 04848 abutting Frederic Thomas's is in danger of just that.

As a child, I remember being shown by an old-time Maine resident the granite blocks where the steamships stopped to let their passengers, animals, food & mail off & these same blocks would be part of the plans for the new pier. That too is a shame — an historic part of Maine history, vanished.

LAURA AULT

The present owner & proposer of this objectionable plan has easy access to not only one, but two existing docks within a very short distance.

Please stop this unfortunate plan & take this letter as a strong indication of how I feel.

Sincerely yours
Laura L. Ault
(a neighbor too on Wharf

Landing East.

Lance Ault
Wharf Landing East
Po Box 236
Islesboro
Me - 04848

Wednesday, 3rd December 2008

Department of Environmental Protection
Bureau of Land and Water Quality
17 State House Station
Augusta, Maine 04333

To whom it may concern:

I write as a neighbor and resident of a property abutting the Choate's lot on Wharf Landing East, Islesboro.

I received a letter by Registered Mail some weeks ago informing me that Mr. Choate has applied for permission to build a pier and float. I write in hopes that construction will not proceed.

The eastern shoreline of Islesboro is an expanse of natural beauty and is nearly free of docks. It seems a great shame to mar it with, what in fact is, a quite unnecessary blemish. The building process will bring yet another season of construction noise and traffic, and promises not only more boat noise regularly, but periodic rebuilding. The site is the site of an old steamer wharf, formerly a massive granite pier, the great size necessitated by strong currents and an exposed shore. Some of the cut granite blocks remain and form an interesting and historic scene: it is not an ideal spot for a personal use dock. The owners have access to an excellent dock at a club (to which they belong), which is only minutes away by foot. Pressure on our wild places everywhere, make it all the more important to find ways to slow the rate of change and to preserve the quality and character of places like Penobscot Bay.

I feel strongly about this, but haven't the resources or time to see if this project can be rejected on legal grounds, so I hope in the spirit of the best environmental stewardship, your department will find a way to firmly and convincingly deny this application.

Yours truly,

Nicholas T. Love

Nicholas Love

Nicholas Love
P.O. Box 102
102 Wharf Landing East
Islesboro, Maine
04848

Telephone: 207 734-6792

Jan. 9

LAURA AULT

Dear Ms. Callahan:

How very nice of you to take the time to write me about Dep NRPA application # 24406-4 P.A.N. Islesboro.

Yes, in such a fragile & unspoilt area of our beautiful island a noisy dock with speed boats, yelling & people would disturb the osprey, blue heron, eagles, + the occasion moose (I saw swim by recently) which we all love &

Worry about a lot.

Here's hoping the environment will stay the way it is.

Sincerely yours

Laura Cult
PO Box 236
Isleboro
Me - 04848

Please send me a draft of the Dept's decision (copy of) of the final result.

Thank you.

14 January 2009

Fred Thomas
Dark Harbor Partners
190 Two Lights Road
Cape Elizabeth, ME 04107

Beth Callahan, Project Mangaer
Division of Land Resource Regulation
Bureau of Land & Water Quality

RE: DEP NRPA Application #L-24406-4P-A-N, Islesboro

Dear Ms. Callahan,

Thank you for your letter dated 30 December 2008. I would like to receive a draft of the Department's decision on this matter and a copy of the final permit.

Sincerely,

Fred Thomas

January 16, 2009

Fred Thomas
Dark Harbor Partners
190 Two Lights Road
Cape Elizabeth, ME 04107

Maine Historic Preservation Commission
55 Capitol Street
Augusta, ME 04330

RE: Maine Historic Preservation Commission project number: 2161-08
DEP NRPA Application# L-24406-4P-A-N, Islesboro, Arthur B. Choate

Gentlemen:

I am writing to you in my capacity as Managing Partner of Dark Harbor Partners, the owner of lot 24 (Tax map: 11) that abuts the north side of the property of Arthur B. Choate (Lot 26) on Wharf Landing Way East, Islesboro, Maine.

We are informed that Arthur B. Choate seeks permission to construct a "granite crib supported pier, seasonal ramp and seasonal float" at this location. We are also informed that this plan envisages the removal and redeployment of nearby granite blocks that are located below the low-water mark to construct the pier.

This plan is objectionable because these granite blocks are the remains of the old Steamboat Landing which was the island's primary maritime access up until cars were introduced to the island in the mid 1930s. The landing and the granite structure supporting it appears in books on the history of Islesboro and the road that leads to it (Wharf Landing Way East) derives its name from the landing.

Additionally, I would like to point out that ferries feature prominently in the history of the island and there is little remaining physical and visible evidence of this history anywhere else on the island. This is an opportunity to preserve the history of maritime access to the island and to allow the removal of these historically significant granite blocks to suit the interests of private individuals is difficult to justify.

Finally, the pier requires a permit from the U.S. Army Corp of Engineers and is therefore subject to the federal regulations governing that agency. This includes Section 106 of the National Historic Preservation Act. We would like to ensure that this plan meets the standards of this federal regulation.

Sincerely,

Fred Thomas

Managing Partner
Dark Harbor Partners

cc: Beth Callahan, Project Manager – Department of Environmental Protection
Ms. Rowland Logan - Islesboro Historical Society
Ms. Alice Faye - Islesboro Planning Board
Islesboro Harbor Master
Mr. and Mrs. James N. Houghton
Mr. and Mrs. Harry Hollins
Mrs. Lee Ault
Mr. Nicholas Love

James R. Houghton
Chairman of the Board

Corning Incorporated
80 East Market Street
Corning, NY 14830

t 607 974 8332
f 607 974 8444

houghtonjr@corning.com
www.corning.com

January 20, 2009

Department of Environmental Protection
Bureau of Land and Water Quality
17 State House Station
Augusta, ME 04333

CORNING
Discovering Beyond Imagination

RE: Request by Arthur B. and Irka Choate for permit to construct a pier and seasonal float on the east side of Islesboro.

Dear Department Members:

I am writing as a citizen who lives on Islesboro and whose land is near the Choate property on Wharf Landing Way East. It is my understanding that the Choates have asked for permission to construct a pier and seasonal float from their land going out into the East Bay. Their land directly abuts land to the north owned by Landon Thomas and to the south by Harry Hollins. My land is just to the south of the Hollins property and the Choate land is very visible to me.

I strongly oppose the idea of a dock going eastward from the Choate property and would urge the department to turn down the Choate request – for several reasons.

First, the East Bay side of Islesboro is a wild stretch of water and is subject to many substantial storms that make it a less than ideal spot for docks or for landing boats. (Note the few docks on that side of the island). That is one of the reasons why I have never considered a dock in the forty plus years I've resided there.

Second, and perhaps more importantly, the Choate residence has had access to the West side of Islesboro – less than five minutes by car (10-15 minutes by foot) from their land. We've always felt comfortable using the west side, Gilkey's Harbor, as a more than adequate place to moor boats safely and to dock them as appropriate. I would assume that because of the Choate's membership in the Tarratine Club, they have full access to docking facilities five minutes from their home. In addition, they have access to another family dock on the west side of Islesboro, less than 5 minutes by car from their

residence. If I am correct above, they would be less than 10 minutes from safe water and dockage on the west side of the island.

Finally, there is the aesthetic question. The East Bay is, for the most part, very unspoiled. The view that we all have looking out towards North Haven and Isle au Haut has been virtually untouched for thousands of years and I would hope we could keep it that way.

In summary, I strongly oppose the construction of a dock by the Choates. It is not needed. Much better and safer docking facilities are a few minutes walk away. Also, a new dock would be a detriment to the purity of the East Bay environment.

Thank you for your consideration of the points I've raised.

Very sincerely yours,

CC: Islesboro Planning Board
Islesboro Harbor Master
Mrs. Lee Ault
Mr. & Mrs. Arthur Choate
Mr. & Mrs. Harry Hollins
Mr. Nicholas Love
Mr. Landon Thomas

JRH: tm

HARRY B. HOLLINS
115 E. Wharf Landing
Islesboro, ME. 04848

January 23, 2009

Department of Environmental Protection
Bureau of Land and Water Quality
17 State House Station
Augusta, Maine 04333

RE: DEP NRPA Application#L-24406-4P-A-N, Islesboro, Arthur B Choate and Irka Choate request a permit to construct pier and seasonal float on east side of Islesboro.

Dear Sirs,

I write as the southern abutter to the proposed above application for a permit to construct a pier, seasonal float, and, especially, now a seawall for protection of the pier and float on the Choate property. This letter is in objection to that application for two reasons:

The first reason is my concern about the diversion of currents which the proposed seawall will create. The point on which it is to be built is exposed to the full forces of the northeast storms in the summer and the truly ferocious southeastern gales in the winter. Obstruction of storm driven water, while protecting the pier structure, inevitably creates problems elsewhere. As abutters to the Choates with a shared ownership of the cove and beach on the western side of the ledge on which the project is being proposed, we believe the integrity and value of our property would directly and adversely be effected.

The second reason concerns the spoiling of the natural scenic beauty of this coast of Islesboro. The views here have largely been unaltered since the Ice Age. The proposed pier has no regard for the right of the public to view such unspoiled beauty, whether from Islesboro or sailing the Bay..

I have been coming to Islesboro as a summer person for over 70 years and have been a resident at our current location for the last five years. From that perspective this project strikes me as an egregious and potentially detrimental act of someone who has neither the aesthetic nor environmental judgment to appreciate the effects of this project. Furthermore, it seems particularly ostentatious and self serving when the proposers have use of their yacht club not a five minute walk from this location. Mr Choate's father and stepmother, my aunt, made that walk whenever they went sailing, often carrying their sail bags with then. A little more humility by everyone would go a long way to preserving the natural beauty of all of Maine.

Thank you for your consideration in this matter.

Sincerely,

Harry B. Hollins

Callahan, Beth

From: Fred Thomas [fthomas@maine.rr.com]

Sent: Monday, March 16, 2009 9:13 AM

To: Callahan, Beth

Subject: From Fred Thomas at Dark Harbor Partners re Choate application

Hello Beth,

Thank you for sending the draft decision. I have reviewed it and discussed it with Dark Harbor Partners and we have decided to appeal this decision. We will have the appeal to you within the 30 days required. Please let me know if you have any questions. I can be reached at 207 221 5151.

Thank you and regards,

Fred Thomas
Managing Partner
Dark Harbor Partners

L-24406-YP-A-N