

December 11, 2002

Phippsburg Planning Board

REGULAR MEETING

The meeting was called to order at 6:00pm. A quorum was declared.

Board members present: Marie Varian, Chairman; Steve Thayer; Josh Bate; Bruce Kaake; Clifford Newell, Alternate. Board member, Marion Hebert, was absent. Codes Enforcement Officer, Lee Rainey, was also in attendance.

Peter Spencer of Waterman Marine and representing Sara Graves of Small Point (Map 25, Lot 12), presented the Board with an application to construct a 6' x 5' fixed pier, a 32' x 3' seasonal ramp, a 10' x 20' seasonal float and a 32' x 3' footbridge at the Graves property. The application was accompanied by a Permit by Rule Notification Form from DEP, photographs of the proposed site, a location map, letter of permit signed by Harbormaster, Douglas Alexander, a sketch of the proposed dock system, and a letter of confirmation from Mrs. Graves.

The application received unanimous approval from the Board and was signed by all members. The \$20.00 fee was paid.

K.C. Wells, representing William Tracy of Small Point (Map 24, Lot 38, zoned Resource Protection), presented the Board with an application to enclose a porch and construct a 10' x 23' deck on a 39' x 25' - 6" cottage. Wells provided a letter of permission signed by William Wyman and sketches of the proposed construction and explained to the Board that the existing measurement of the deck is 43' x 6' and is 63' feet from the high water mark. The expansion from the existing porch would be constructed parallel to the water. Varian referred to Section 12.C.1.a of the Shoreland Zoning Ordinance covering expansions of non-conforming structures.

It was determined that the structure has a total of 1062 square feet existing, 318.6 square feet allowed with 230 square feet requested. There are 5436 cubic feet existing, 1630.8 cubic feet allowed with 1600 cubic feet requested. The application was accepted and signed by Board members. The \$20.00 fee was paid.

Gil Marco of Winnegance (Map 1, Lot 6, Zoned Village District) next approached the Board with an application to erect a 12' x 12' seasonal float with a 50 - 75' ramp for access to Winnegance Creek. He also presented a letter of permit from the Harbormaster. The application was approved and signed by the Board members. Marco will bring a check for \$20.00 to the Treasurer during the week.

James McMann of the Small Point Road (Map 19, Lot 18) next approached the Board asking for relief from the Resource Protection Zone. Varian stated that McMann would

put an Article in the Warrant asking for this variance to be voted on at Town Meeting. She added that the Board would conduct a site inspection prior to the Town Meeting.

McMann provided the Board with a survey of the area showing the 250 foot setback and explained that the property is owned by his mother, Judy McMann. He explained that within the next five years she wishes to divide the land among her three sons and retain a parcel for herself. An existing house on the property comprised of one acre will be sold.

Varian advised McMann to flag the area showing the desired 150 foot setback prior to the site inspection, the date of which will be determined later.

Dana and Lynn Gilliam of the Small Point Road (Map 29, Lot 1, Zoned 125' Resource Protection, 125' Residential) explained to the Board their desire to divide their property into a three-lot Minor Subdivision. He provided the Board with a sketch plan of the area and pointed out how he plans to do the division of the property. Varian advised that, in a Minor Subdivision situation, each lot has to have an acre of land in accordance with the Subdivision Ordinance. Gilliam replied that he thought he could comply with that criteria and discussed with the Board several options for doing that. It was determined that the Preliminary Plan will have to be reconfigured and the property surveyed. Abutters will be notified prior to Gilliam presenting his Final Plan to the Board. A site inspection will be conducted by the Board. Varian explained to Gilliam the stipulations required for this Subdivision, mainly Sections 6.0 and 10.0..

Rainey reported to the Board on the Suzanne King Nausbaum situation in Popham and advised that Ms. Nausbaum claims that she owns every road in the Popham Colony. He told the Board that she applied to the DEP for permits to install split rail fences through the sand dunes and around her property. The property is within the Shoreland Zone. Because the fence construction amounted to more than \$1,000, Rainey made Nausbaum get a permit. He further reported that a relative of Nancy Stimson has had a gate installed at the end of Sea Street and has claimed a right to the road. This gate is intended to deter people from entering that area during the winter months. At this point, this is not an issue for the Planning Board.

Rainey advised the Board that Jeff Lozier and Leila Percy have filed an Administrative Appeal against Rainey's decision to give Lozier's abuttor, Martin Rounds, a Building Permit on a grandfathered lot of record.

The Planning Board denied Lozier's original application in September. The application requested an over 30% expansion (115% expansion requested) on his property on Popham Beach and it was found that he did not have the required sideline setbacks.

Lozier was referred to the Board of Appeals who questioned the Planning Board's decision and tabled Lozier's application. A letter was subsequently written to MMA for verification of the Planning Board's decision. MMA upheld that decision. Lozier will appear before the Board of Appeals on December 17.

The minutes of the November meeting were accepted.

The Board discussed the possibility of a full time position being created for the Codes Enforcement. Varian will write to the Selectmen stating that the Board feels this would be in order and recommend this be done.

The meeting adjourned at 8:20pm.

Respectfully submitted,

Marion J. Hebert

Recording Secretary/
Planning Board Member

