

Town of Phippsburg
Board of Selectmen/Planning Board – Public Hearing
17 January 2007

Present: Planning Board Chair Marie Varian, Clifford Newell, Board of Selectman Chairman Alan Douglass, Everett Perkins, Lawrence Pye.

HEARING IS OPENED AT 5:07PM.

Chair Varian states that an application is to be heard from Jennifer Bichrest, owner of Purse Line Bait Inc., a lobster bait plant, Bakers Wharf Road Sebasco, Tax Map 31; Lot 52. It is made known that application is a 3-part expansion application in which Mrs. Bichrest intends to add a 50ft by 50ft addition to the present freezer on the southeast corner of the present building, a 25ft by 60ft truck garage at the eastern end of the lot, and a 2000 gallon bio-diesel fuel tank.

It is made known that the application has been advertised in an appropriate and timely manner.

It is made known that Mrs. Bichrest has turned in signed receipts from abutters of the property, signifying that all abutters have been notified of the intended construction plans.

Floor is turned over to Mrs. Bichrest:

Mrs. Bichrest states that at the present moment she is not entirely sure how the new freezer unit will be installed, that is whether or not it shall be in direct contact with the existing building. It is made known that the freezer alone will most likely not be as wide as fifty feet but that an intended water collection structure is to be built that will cause the whole structure to be 50ft wide. It is made known that the reason more freezer space is needed is the unsteady supply of fish coming into Purse Line Bait.

Mrs. Bichrest makes it known that she intends to use existing foundation on the property to construct the Truck Garage. It is also made known that as matters stand now a new fuel tank may or may not be installed. Her trucks run on bio-diesel and lack of a public supply causes her to need her own storage tank. Should a nearby public supply become available shortly, she may not need to utilize her own tank.

Question is posed by Everett Perkins as to how high the Freezer will be after construction. Mrs. Bichrest answers question, stating that it will be about 10ft lower than the existing structure, which is estimated at 34-35ft in height.

Question is posed by Alan Douglass as to whether or not the new truck garage will function as a maintenance facility. Mrs. Bichrest answers question, stating that the new garage will function as a maintenance facility.

Question is posed by Alan Douglass as to the storage capabilities of the facility. A reference is made to plastic barrels already on site. Mrs. Bichrest answers question stating that most of the barrels referenced need to be gotten rid of as they are damaged. However barrels are used for bait storage and are in and out as product arrives and departs.

Question is posed by Chair Varian as to where and how used motor oil is disposed of. Mrs. Bichrest answers stating that a tank is present on site for disposal of motor oil, which is then turned over to local depositories.

Question is posed by Everett Perkins as to the normal work hours of Purse Line Bait. Mrs. Bichrest answers question, stating that normal work hours are on average from 5:00AM to 6:00 or 7:00PM, however it is also made known that these hours are flexible and there are random cases of extremely late hours.

Chair Varian makes it known that abutters have been notified of construction plans and that none have come forward to object. There are no interested parties attending the hearing.

Mrs. Bichrest states that there is some runoff from the adjacent town road taking place on the property and that it has been suggested by others to her to plant some trees to hold off the erosion that could take place.

Chair Varian makes it known that the Planning Board is in possession of a copy of the Permit by Rule that has been approved by the DEP.

Chair Varian states that as the Land Use and Shore land Zoning Ordinances are gone over, all the sections that apply to this proposed construction can be recorded as being considered by the Planning Board and Board of Selectmen.

Land Use Ordinance

Section 1.3 - Grandfathering; it is made known that the property has been in the marine industry for decades, and that as such the use of the land is grandfathered.

Section 1.5 – Standards; Purse Line bait shall not begin construction without getting a building permit and complying with all aspects of the ordinance.

Section 1.6A – Buffer; Commercial and other non-residential buildings will have a minimum side and rear distance of at least 100ft from residential lot lines. (It is made known the Purse Line bait will have to acquire a Lesser Buffer Permit from the Planning Board as the garage area will be too close to the Palmer Property Line.)

Section 2 – No unreasonable adverse impacts on adjacent properties.

Section 2.2 – Acquiring a building permit for any building that may be built.

Section 2.3 – Criteria of New Business; it is made known that Mrs. Bichrest has complied with all aspects of this section and that she will be required to pay a total \$140.00 in advertising and hearing fees.

Section 2.4 – Other Standards; it is made known that there will be no unreasonable nuisance to abutting properties, that there is safe access to and from the property, that there will be no unsanitary waste disposal, noise, heat or glare, surface drainage will not damage nearby land, there will be sufficient setbacks and screens.

Section 2.5 – Lot size totals at 3.6 acres, has excess of 150' road frontage and that 75' setback from the center line of Bakers Wharf Road is met.

Question is posed by Alan Douglass as to the fact that as a result of the added functioning of the truck garage will there be an excess of noise. Mrs. Bichrest answers question stating that she does not foresee any excess noise as a result of the garage.

Section 2.7 – Construction Standards; it is made known that the maximum height of the present building is 34-35ft and the intended addition will be 10ft less than this.

Section 2.8 – Solar Access; it is made known that there are no solar devices present in the area surrounding the property.

Section 3.3 – Earth-moving Activity; it is made known that this section will be covered under the Shore land Zoning Ordinance.

Section 3.8 – Water Quality; it is made known that this section will also be covered under the Shore land Zoning Ordinance.

Shore land Zoning Ordinance

Chair Marie Varian makes it clear that sections 2-8 contain ordinance technicalities that need not be addressed

Section 9 – District Zoning Maps; it is made known that the Purse Line Bait property is within a 250ft Village District, which carries a 50’ setback. All sections and items dealing with Village Districts are gone over.

Section 15 A2 – Land-Use Standards; it is made clear that the minimum lot area is 40,000Sq ft and that the property contains 3.6 acres.

15 B – Setbacks; it is made clear that the Village District requires a 50ft setback and that Mrs. Bichrest in accordance with this mandate.

15 B2 – Height; it is made clear that this does not apply. Construction will not exceed 35ft minimum height.

15 B3 – Flood Plain; it is made clear that the openings of all buildings will be at least 1ft above flood plains.

Section 4 – The total area of non-vegetative surfaces shall not exceed 20% of the lot; it is made clear that the intended construction will not affect the status of vegetation present.

15 B8 – Applicant will use control measures to avoid water pollution and erosion.

15 J – Storm Water Runoff – All construction will comply with the DEP’s Best Management Practices handbook/

15 Q – Erosion and Sedimentation Control

It is decided that these three sections shall be discussed together:

Question posed by Alan Douglass as to where runoff from the property’s driveway is distributed. Mrs. Bichrest answers question, stating that the majority of run-off is collected at the edge of the property’s parking lot.

Clifford Newell states that new temporary silt fencing should be installed in order to halt the erosion process. Alan Douglass states that he would like an assurance that measures are taken towards halting runoff dirt from entering the water. Chair Varian states that the applicant shall be required to monitor the area for signs of storm water runoff; this condition is agreed upon by all present.

15 R – Soils; it is made clear that the soils on the land are adequate for the intended structures to be built.

15 S – Water Quality – Proposed canister will not cause water pollution, the fuel tank will be enclosed per state regulations.

Chair Varian states that if there are no other comments then it shall be made known that the construction is in accordance with Federal, State and Local Laws and Regulations.

15 T – Archaeological Sites; it is made known that there are no known archaeological sites present on the property.

16 C – Permits; it is made known that applicant will obtain all necessary permits.

Chair Varian states that in order for a decision to be made the Board must agree to all standards as listed below:

The property shall maintain safe and healthful conditions. Any activities undergone on the property shall not result in unnecessary pollution of any kind. The property shall have no adverse impact on wildlife habitats. The property shall conserve points of access to inland and coastal waters. The property will protect archaeological and historical resources. The property will not adversely affect commercial fishing activity. The property will avoid problems associated with flood plains.

Chair Varian asks for comments or objections; there are none.

Motion is made by Everett Perkins to approve, with condition of a lesser buffer permit is seconded by Clifford Newell.

Clifford Newell then states that an extra condition may be made that the fuel tank installation shall conform to appropriate State Laws.

Alan Douglass states his will that a condition be made to monitor storm water runoff. Condition is made that requires applicant to monitor and control storm water runoff for entire property, per Section 15 J of the Shore-land Zoning Ordinance.

Motion to approve is withdrawn by Everett Perkins. Second is withdrawn by Clifford Newell.

Two conditions are outlined as follows:

1. That the applicant acquires a lesser buffer permit from the Planning Board.

2. That the applicant shall monitor and control storm water runoff for the entire property, per Section 15 J of the Shore-land Zoning Ordinance.

Motion made to approve the application, with the two conditions, is made by Everett Perkins. Motion is seconded by Clifford Newell. Motion is unanimously approved.

\$140 Fee Paid

It is made known that Proof of Abutters Notice Receipts are returned to the applicant.

Motion to adjourn is made by Alan Douglass. Motion is seconded by Clifford Newell. Motion is unanimously approved.

MEETING IS ADJOURNED AT 6:37PM.