

Town of Phippsburg
Public Hearing
4 April 2007
INNOVATIVE DESIGNS, a.k.a KAI'S SHOP

Present: Chair Marie Varian, Clifford Newell, Mark Hawkes, Robert Smith.

Board of Selectmen: Chair Alan Douglass, Everett Perkins, Lawrence Pye

Applicant: Kai Jacob
Several Interested Parties

HEARING IS CALLED TO ORDER AT 5:50PM

Chair Varian states that the purpose of the hearing is to be presented with an application by Kai Jacob pertaining to his ambition of opening up a place of business that he wishes to call Innovative Design, or Kai's Shop.

Chair Varian then goes on to state that, regarding Section 2.3 of The Town's Land Use Ordinance, public notice of this hearing was timely published in the Times Record as well as being posted in Public Places in the town and on the local television station and on the Town's website. It is made known that a site-walk was taken of the property earlier in the evening. It also made known that it is the applicant's responsibility to notify all of the abutters of his business proposal and to show proof of doing this to the Planning Board. It is made known that Kai Jacob has notified the abutters of his property by virtue of his having their signatures on his application, signifying that they have been notified.

Chair Varian makes it known that the Planning board has received no public comments via email, mail or telephone and that this public hearing is the arena for which any public concerns can be voiced.

Chair Varian makes it known that Kai Jacob's 2.5 acre lot is located within a Resource Conservation District and has a 250 ft. setback. It is also made known that some of his 2.5 acres are made up by marshlands. It is made known that a residency and a garage are already present of the property as well as an old swimming pool foundation. It is made known that a series of measurements to determine the limits of the RC District were taken of the property during the site-walk.



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Chair Varian asks Mr. Jacobs to give a description to the Planning Board of everything that he wishes to do with the property.

Mr. Jacob replies as follows: He makes it known that he is a certified boat-builder. He makes it known that he wishes to repair peoples' boats as well as to build fiberglass plugs of wooden boats from which other boats can be built. Mr. Jacob then gives an explanation of how he intends to do this by enumerating the process of infusion technology. Alan Douglass poses question as to what would be the size limit that Mr. Jacob would work on. Mr. Jacob replies that he does not wish to build or to work on any boat that is over 32 ft.

Mr. Jacob then goes on to state his intention to make mechanical repairs to small devices such as small outboard motors, lawn mowers or refrigerators, etc. It is then made known that he plans to possibly rent out his entire house during the summer. Chair Varian makes it known that Mr. Jacob does not need a permit to rent out his entire residency. Mr. Jacob makes it known that he wishes to build small plastic greenhouses to sell or rent out. He gives a description of their construction and makes it known that they can be easily deconstructed for transportation.

Mark Hawkes asks Mr. Jacob if he has any sketches of these structures. Mr. Jacob replies that he has sketches at his house. Mr. Jacobs then states his intention to build a variety of modular structures to be used for a variety of purposes. Clifford Newell poses question as to whether or not Mr. Jacob plans to display these structures somewhere on his property. Mr. Jacob replies hat he does intend to display them on his property and that they will not exceed the dimensions of 12ft. by 16ft.

Mr. Jacob then goes on to state his intention of growing small flowers and making small bouquets to sell on his property; the side of the road. He states that he plans on simply leaving a small jar for money to be left in by anyone that wishes to purchase one of the bouquets.

Mr. Jacob then makes it known that he plans on renting out manually powered boats to be used on the river running behind his house. He states that the only power that, at most, may be used on one of his rental boats would be a small trolling motor. Chair Varian poses question as to whether or not Mr. Jacob will only rent boats out to people who wish to utilize the water or whether or not he will allow for people to use their own boats via his access. Mr. Jacob replies, stating that he would allow others to put in their boats via his property.

Chair Varian asks for questions of comments:

Joyce Marco poses question as to whether or not a structure built for ice fishing will be different in size then the dimensions of the greenhouse structures. Mr. Jacob replies, stating, yes they will be different than greenhouse structures.

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Chair Varian poses question as to where all of the activities that Mr. Jacob intends to make part of his business will take place. More specifically it is asked how Mr. Jacob will dispose of any debris from the woodworking. Mr. Jacob replies that he intends on disposing of all materials at the Phippsburg dump (transfer station). It is then asked where and how Mr. Jacob will dispose of any toxic materials that may result from his working on boats. Mr. Jacob replies that he does not intend on working on any boats that will result in toxic materials being put into the environment. Chair Varian poses question as to whether or not Mr. Jacob would turn down a job that would result in hazardous materials being produced or, if not, how he would contain the hazardous materials. Mr. Jacob replies, asking how other boat-builders would dispose of it. Chair Varian answers and enumerates possible processes that other boat-builders would utilize to dispose of the hazardous materials. Alan Douglass states that there are two questions; how will the hazardous materials be collected? How will said materials be disposed of? Mr. Jacob states that he could limit the length of a boat that he would work on containing hazardous materials to twenty feet so that the hazardous materials could be contained within his garage. The question of how then the hazardous materials would be disposed of is reiterated. Chair Varian makes it known that there are two methods that can be used to dispose of hazardous waste; 1. Store it until the one time of the year when the town Transfer Station accepts hazardous waste. 2. Contact and utilize an entity that disposes of hazardous waste. Mr. Jacob states that he has not given thought to this question as does not know how he would dispose of hazardous waste. He then makes it known that his intention in repairing boats is minor repairs as opposed to complete overhauls.

Chair Varian poses question as to where Mr. Jacob intends to store the materials that he will use to carry out the different facets of his business. Mr. Jacobs answers the question stating that he will keep materials in his garage and that he will keep anything that is flammable in a refrigerator.

Alan Douglass poses question as to whether or not Mr. Jacob will limit the length of a boat he works on to 32 ft. Mr. Jacob answers that yes he will limit the length of a boat to this length. Mr. Douglass then makes it known that the space required to do this would be made up of two of Mr. Jacob's greenhouses placed end to end. Mr. Douglass poses question as to where Mr. Jacob intends to place this structure and carry out this work. Mr. Jacob answers question, stating that he would put it in front of his garage or in any spot that would be most accommodating.

Alan Douglass poses question as to the fact that because Mr. Jacob intends to build plugs, or molds, of boats there will come a time when hypothetically Mr. Jacob could have on his property a 32 ft. boat as well as a 32 ft. plug. Mr. Jacob answers question stating that it his not his intention to do this or to have this happen. Mr. Jacob makes it known that he intends to make the plugs available to boatyards so that they can make molds that other boats can be made from.

Chair Varian poses question as to whether or not Mr. Jacob intends to use water to aid in clean up, and if so what he intends to do with the contaminated drainage. Mr. Jacob

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states that he has never used water to clean up engines or anything else that may be part of his intended business. He states that he intends to use only rags and sponges to clean.

Alan Douglass poses question as to what type of engines will Mr. Jacob be doing work on. Mr. Jacob answers question, stating that he will be working on all types of small engines. Mr. Douglass then asks Mr. Jacob how he intends to clean these engines. Mr. Jacob answers that he will, as he has done in the past, dunk them into a container of some sort of cleaning substance and use brushes and rags.

Chair Varian poses question as to where Mr. Jacob intends to carry out his small engine repair. Mr. Jacob answers question stating that he will carry out these operations in his garage.

Chair Varian then makes it known that the action of Mr. Jacobs' placing of summer rentals of his home onto his application does not need to be included in the application. Alan Douglass poses question as to whether or not the person renting Mr. Jacob's house in the summer will have anything to do with the business and will Mr. Jacob be carrying on his business when he is renting out his house. Mr. Jacob answers stating that he will not be carrying on his business while his is being rented.

Chair Varian makes it known to Mr. Jacob that if he intends to build some sort of float in regard to his water access he will need a permit separate from the one he is attempting to acquire at present.

Alan Douglass poses question as to how many rental boats will Mr. Jacob offer. Mr. Jacob replies, stating that he is not really sure as to the number of boats he will offer but maybe there will be two or three kayaks and 2 rowboats.

Robert Smith poses question as to whether or not the greenhouses that Mr. Jacobs has been describing are considered structures or not. Chair Varian replies that they are considered structures.

Chair Varian poses question as to what Mr. Jacob intends to use in regard to fertilizer and pest control. Mr. Jacob states that he intends to use the existing soil as well as composted cow manure and broken down seaweed. Chair Varian poses question as to whether or not the cow manure that Mr. Jacob is intending to use is advertised as being able to be used within a shore-land zone. It is made known that whatever Mr. Jacob uses as fertilizers will be environmentally friendly. It is asked of Mr. Jacob what he would do if there was a pest problem. Mr. Jacob makes it known that whatever he does to eradicate or stop the infection of his plants by pests, he will not use pesticides.

Alan Douglass poses question, asking how many raised beds does Mr. Jacob intend to have and how big will they be. Mr. Jacob answers question, saying that he will have four in front and four in back of his house and that they will be 4 ft by 12 ft or 4 ft by 18 ft.

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Mark Hawkes brings up Section 3.1 of the Land Ordinance describing Agriculture Land Use Standards, telling Mr. Jacob that most of the information that the Boards are asking for can be found in this section.

Chair Varian makes it known that the application as presented by Mr. Jacob contains a map showing a building that was intended to be built on his property. It is made known that the map is an old map and that this building is no longer intended to be constructed.

Chair Varian reads the definition of structure as follows: Anything built for the support, shelter or enclosure of persons, animals, goods or property of any kind together with anything constructed or erected with a fixed location on or in the ground, exclusive or fences. The term includes structures temporarily or permanently located, such as decks or satellite dishes.

Chair Varian makes it known that as of June 8th 2006, the Department of Inland Fisheries and Wildlife and the DEP have developed an ordinance known as Significant Wildlife Habitat, Shorebird, Tidal and Waterfowl Habitats and that as a result of this there has been created a 250ft buffer around the areas designated that excludes the allowance for the construction of any buildings within the radius that the buffer creates. Chair Varian makes it known that Kai Jacob's property is located within the buffer-zone of a shorebird as well as waterfowl habitat. It is made known that what is proposed to be done within the 250ft buffer zone is a separation of the shorebirds roosting and feeding areas as regards a possible differentiation of the sizes of buffer-zones of these two different aspects of the habitat; it is also made known that as these rules are presently being addressed by the legislature the Boards are unaware of what the final limitations will be.

Chair Varian outlines the method to be utilized by Mr. Jacob if he wishes to discover what he is able to build where. It is made known that Mr. Jacob's property was at one point a bakery and as such was labeled as a home business but that at the present moment, as has been for the past several years, the property is labeled and known as a residential home and that what is wanted is for a decision to be made as to what is the property to be labeled as now. It is made known that under the rule of grandfathering Mr. Jacob is allowed a 30% increase to the size of his existing structures as long as such increases will have no adverse impacts on the environment in which he is situated. It is made known that any portable structures Mr. Jacob intends to build and keep would be treated as new structures in a Resource Conservation District per Sec. 14 and Sec. 15.C. of the Phippsburg Shoreland Zoning Ordinance.

Alan Douglass poses comment stating that he believes the hearing should be tabled until a time when Mr. Jacob can present a new and more detailed map illustrating his intended constructions. Alan Douglass motions that application be tabled until such time.

Clifford Newell states his belief that a more concrete business plan needs to also be provided by Mr. Jacob. It is voted to amend the motion to include this mandate.

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Chair Varian makes it known that there has been an amended motion, as well as a second to that motion, to table the application until a later date when a new, more detailed and concrete map and business plan could be presented. Vote is taken. There is a unanimous approval of the motion to table.

Motion to adjourn is made by Clifford Newell. Motion is seconded by Alan Douglass. Motion is unanimously approved. Mr. Jacob will notify the Planning Board Chairman when he is ready to proceed.

HEARING IS ADJOURNED AT 8:22PM

Scot Herrigel, Recorder

