

Town of Phippsburg
Planning Board – Regular Meeting
12 June 2007

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

MEETING IS CALLED TO ORDER AT 6:00PM

**EDWARD KARPINSKI, and LESLIE BECKER, 40 Periwinkle Lane, Tax Map 27,
Lot 8 – Replace existing structures with one structure, using the 30% rule –
Resource Protection District, 100' setback**

Chair Varian makes it known that Mr. Karpinski was present at last month's meeting where he was directed to present his intended plans to the DEP. Mr. Karpinski makes it known that he has applied for the permit that is needed from the DEP and that his application has been approved.

Plans are presented by Mr. Karpinski in the form of a contour map illustrating the position of the existing structure as well as most other pertinent information. In addition to the structural diagrams and information presented in the form of the map there is also contained within said plans the calculations made by Mr. Karpinski as regards his intended construction as being in compliance with the 30% rule. Proposed elevations of the structure are presented as well. Chair Varian makes it known that the codes officer has reviewed the calculations presented by Mr. Karpinski and that he finds them to be in compliance with the stipulations of the 30% rule. Robert Smith questioned the steps on the house plan shown on the waterside, Mr. Becker agreed to move the house back 3' to accommodate the steps.

Clifford Newell makes motion that application be accepted as written. Motion is seconded by Robert Smith. Motion is unanimously approved.

\$20.00 Fee paid

**SEBASCO HARBOR RESORT, Sebasco Road, Tax Map 29, Lot 11 – Submission of
Sketch/Preliminary Plan for a 3-lot subdivision called Long Cove Road Subdivision**

Chair Varian makes it known that all members of the Planning Board are in possession of copies of the application.

Mr. Mohr begins by stating that at last month's meeting the Board had commented on the necessity of there being a need for changes to be made to the plan as presented then. One of the main changes that is illustrated as having needed to have been done is the alteration of the intended layout of the proposed lot in order for it to become a less irregular lot. It is made known that the Protective Covenants as well as the Deed and the Maximum Site plan for the lot were submitted at that time. Mr. Mohr presents to the Planning Board a revised version of the plan. Mr. Mohr explains to the Planning Board the changes made to the layout of the new lot.

Clifford Newell makes comment that the revised plan creates a lot that is by his consideration just as irregular as the original one.

Chair Varian makes comment, stating that, as it stands in relation the new drawing, the lot is made up of 1.5 acres of gross area that can be used for construction.

It is made known by Mr. Smith that if what is wanted by the Board is for the layout of the subdivision to revert back to the original plan then he is happy to do such.

Clifford Newell poses question as to the total shore-frontage contained within the subdivision lot. Mr. Mohr answers question stating that there is 139.81 ft of shore-frontage property contained within the subdivision.

Mr. Mohr makes statement elucidating his desire for the plan that was handed in at last month's meeting to be considered a sketch plan even though it is now being turned in once more with corrections.

Clifford Newell makes motion that application be accepted as complete preliminary plan. Motion is seconded by Robert Smith. Motion is unanimously approved.

Chair Varian states the need for there to be a decision made as to when would be an appropriate date and time for the Planning Board to engage upon a site-walk and subsequent public hearing regarding the property. It is decided unanimously that the site-walk will be held on Monday, July 9th at 6:00PM with the public hearing to be held at the Town Hall immediately afterwards.

Abutter present at the meeting asks three questions as follows:

1. What happens to the Captains Cottage? Mr. Smith answers question stating that as to whether or not the house will be destroyed is not being debated. The new owner of the lot can make that decision.

2. Will there be an improvement to the 150 ft of road that the property abuts?
3. Will the new owner be part of the same road maintenance agreement? Mr. Smith answers question stating that he believes that the new owner would most likely become part of the road maintenance agreement.

MARY BABIKIAN, Harbor Island, Tax Map 30, Lot 18.01 – Report on the effort to bury in the substrate the utilities cable running from the mainland to Harbor Island.

Chair Varian makes it known that either Dr. Babikian or the company that she had hired to install the cable, Diver Down, was supposed to report to the Planning Board in May as to the status of the cable. It is made known that all the members of the Board retain an identical letter of report from the company Diver Down. It is also made known that Chair Varian has spoken with Dr. Babikian and made known to her that she was not required to appear before the Planning Board tonight.

Chair Varian makes known that as pertains to the information contained within the letter the burial depth of the cable is 2 feet, except for two short sections within 100ft of the Harbor Island shore at which the cable was buried at about 18 inches. It is made known that sand and light mud was the material encountered within the first 800ft. of the island and that after that the bottom material became hard-packed clay. The letter then goes onto state that the cable is in no place along the bottom not buried.

Chair Varian asks for comments. There are none.

Clifford Newell makes motion to accept report. Motion is seconded by Mark Hawkes. Motion is unanimously approved.

HUBERTUS V. SULKOWSKI, 25 Lookout Point Road, Tax Map 37, Lot 13 – Remodel and expand structure using the 30% rule

It is made known that one Kevin Moriarty is present at the meeting, the builder, who is representing for Mr. Sulkowski. It is made known that the codes officer has measured the existing footage as well as the allowed footage.

Lee Rainey makes known that it is a 2.31 acre lot as well as there being within the ownership of Mr. Sulkowski one Bowker island that contains two acres of property. It is made known that there has been a new home built in 2000 on the property that has used

up 4400 sq. ft. It is made known that part of the property is located within a Resource Conservation Area.

Chair Varian brings up Section 15 B6 as it pertains to Resource Conservation. It is made known that the house in question has been grandfathered and that the property owner has built a new house that is set back 125 ft. It is made known that the intended construction is to be carried out on the original structure, which had non-conforming rights of its own. Since the property now has two structures contained within, possible issues will have to be addressed.

Chair Varian brings up Section 12 3C Reconstruction and Replacement as it pertains to a description of allowances based on damages. Question is posed as to whether or not the cottage is damaged. Mr. Moriarty answers question stating that the cottage is infused with damages as the floor and other sections of it are rotting. It is made known that damages are to be defined as any defects contained within the structure that would cause it to decrease in market value by 50%.

It is decided that a site-walk needs to be undergone on the property. The site-walk is unanimously decided to be held on June 24th at 7:30AM.

Consider Minutes of May 15th

It is made known that the minutes have not yet been furnished.

UPDATES AND ANNOUNCEMENTS;

- 1. June 13th Public Hearing has been cancelled – Sebasco Harbor Resort's application has been withdrawn. 2. Judge Field of the Maine District Court has concluded that North Creek Farm violated the terms of its business permit. A case management hearing has been scheduled for July 11th. 3. A Public Hearing is scheduled for 6:00PM June 27th for the continuation of a New Business discussion regarding Innovative Designs a.k.a Kai's Shop, owned by Kai Jacob, Tax Map 6, Lot 9. 4. A workshop on Delegated Authority at 1:00 – 3:00PM, June 21st at the Curtis Memorial Library, Brunswick.**

OTHER BUSINESS

Robert Smith makes known that he has been contacted and asked questions in regard to one Swift's Landing at the corner of Main Road and Fiddlers Reach Road. Mr. Rainey states that to the extent of his knowledge regarding the property there is an apartment that is being rented out legally but that the sign that is being used to designate a home business is too large and that as a result of this he will contact the owner of the property about this issue.

Chair Varian asks for any further comments. There are none.

Motion to adjourn is made by Clifford Newell. Motion is seconded by Robert Smith. Motion is unanimously approved.

MEETING IS ADJOURNED AT 7:45PM

A handwritten signature in black ink, appearing to read "Scot Herrigel". The signature is written in a cursive, flowing style.

Scot Herrigel, Recorder