

PHIPPSBURG PLANNING BOARD

January 8, 2008

REGULAR MEETING

The meeting was called to order at 5:00pm. A quorum was declared. Planning Board members present were: Marie Varian, Chairman; Clifford Newell; Mark Hawkes; Marion Hebert, Alternate and Recording Secretary.

SEBASCO HARBOR RESORT MERRITT MOUNTAIN

Varian read a letter from Stephen Mohr of Mohr & Seredin, representing Sebasco Harbor Resort, regarding the Merritt Mountain Lot (Map 29, Lot 44). Mohr's letter stated that they will not be bringing this project (the sale of Fairwinds Cottage and land) forward for Planning Board review based upon discussions with the owner and the attorney for the Resort and asked not to be placed on the January agenda. The attorney does not feel that moving the cottage from the Shell Road to the lot at Merritt Mountain and then advertising it and some land for sale creates a subdivision situation since the cottage to be sold has not been a residential household. No action was taken by the Board and the letter will be kept on file.

ROBERT SMITH - SEASONAL DOCK/RAMP

Varian advised that Planning Board member, Robert Smith, owner of a piece of land on Harbor Island, has contacted the DEP regarding the installation of a seasonal dock and ramp. Smith has asked if he needs anything from the Planning Board. Varian stated that he does if anything is permanent a seasonal setup could be given a permit by the Codes Officer. Harbormaster letter of non-objection will be required in either case. A letter of verification was received from the DEP Project Manager, MaryBeth Richardson who stated, in part, that it is their determination that the only permanent feature to be installed were the pins in the ledge to hold the dock to the shore and these would be considered a negligible impact and that the dock is exempt from DEP permitting. The Board discussed pins and concluded that we would also not require a permit be given for pins only.

The minutes of December 11 were approved and accepted as read.

TOM/HELENA WIRTH

The Board next heard from Michael Connolly representing Tom and Helena Wirth, 852 Parker Head Road (Map 13, Lot 22). Wirth wishes to expand his non-conforming structure (known as the old stone schoolhouse) using the 30% Rule. The property is in a general residential area. The application stated that this would be the installation of two shed dormers, one in dining/kitchen area and one in bedroom/attic. Dormers will be in an existing addition and not the schoolhouse itself. The application was unanimously approved by all Planning Board members with the comment:



1/27/08

Application considered under Section 2.11 of the Phippsburg Land Use Ordinance. The structure is 73 feet from the centerline of the Parker Head Road.

	<u>Square Feet</u>	<u>Cubic Feet</u>
Existing	2126.0	21,334.667
Allowed for Expansion	637.8	6400.398
Requesting	0.0	233.5
Remaining	637.8	6166.898

Connolly will pay the \$20.00 fee within one week.

**KATHLEEN GENSHEIMER - NEWBURY POINT**

The Board next heard from Kathleen Gensheimer of Newbury Point in West Point (Map 27, Lot 20, zoned Resource Protection) with a 100 foot setback. She presented the Board with an application requesting new driveway construction. A permit from the Planning Board is required because the proposed driveway passes through the Residential District in the Shoreland Zone, but does not enter the Resource Protection District. Three exhibits were attached to the permit: A topographical map of the Newbury Point subdivision with the route of the proposed driveway drawn in place, a copy of a section of the Amended Final Plan of the subdivision with the route of the proposed driveway drawn in place and a copy of a photograph from the Maine Aerial Photography data base showing the route of the proposed driveway. All three abutters were listed on the application.

She advised the Board that they are very concerned about the present driveway which goes into their lot. Their concerns are with the grades of the subdivision road, the curves and access and, therefore, they would like to create and maintain a new driveway to access the residence. The road would be in the Shoreland Zone and, therefore, requires Planning Board approval. The proposed driveway would be entirely on their land. Mrs. Gensheimer was advised that the proposed driveway cannot be approved until the location is flagged and the ground is bare enough to see vegetation. Mrs. Gensheimer further stated that approval from the other homeowners in the Newbury Point Association will not be required and will provide proof of that.. A site inspection has been tentatively set for January 27 at 8am if the ground is clear, otherwise it will be conducted at a later date. The application was tabled until after the site inspection.



1/15/05

Mrs. Gensheimer presented an application requesting approval of the construction of an enclosed walkway between the existing residence and a proposed expansion of an existing barn, pursuant to the Town of Phippsburg Shoreland Zoning Ordinance, Section 14, Table 1, (16). The proposed construction requires a permit from the Planning Board because nearly all of it lies in the Resource Protection District. A Sketch Plan, prepared by Nehring Company Land Surveyors was also presented illustrating to scale the location and dimensions of the proposed 6 foot wide by ~~average~~ of 45 foot long enclosed walkway. The walkway is not proposed to be additional living space and would not be heated. The walkway would be elevated connecting the upper level of the residence to the second level of the barn and would be built on posts/columns, and passable beneath with an elevation off the ground at its residence end of approximately 8 feet and at its barn end of approximately 12 feet bringing the total height well under the required limit.

see T, U,

Construction anticipates complete renovation of one section of the residence. Gensheimer explained that they anticipate removing three bedrooms on the second floor of one section of the original 1895 cottage and using the 420 square feet as an open porch-type area.. She further advised that there is no environmental impact; that the proposed construction conforms entirely with the purposes of the Shoreland Zoning Ordinance.

see T, U,

The application requested the allowance for construction of the walkway containing 270 square feet of enclosed space as an accessory to an allowed structure which will not be living space, while reducing the non-conformity of the residence by 420 square feet of living space. A detailed sketch map accompanied the application and listed the abutters. The Board referred to Section 17, Definitions of an Accessory Structure which states that "A deck or similar extension of the principal structure or a garage attached to the principal structure by a roof or a common wall is considered part of the principal structure." Therefore, the walkway would be considered as an expansion of the principal structure which is a house. The application was tabled pending the site walk.

The last application requested construction of a concrete foundation beneath the residence (Map 27, Lot 20, zoned Resource Protection), pursuant to the Phippsburg Shoreland Zoning Ordinance, Section 12, Subsection C.1b. The application advised that the proposed construction will not exceed the current footprint of the building as it exists and will not involve relocation of the structure. The three abutters were again named. The application was tabled pending site inspection. Gensheimer was advised to contact the DEP regarding foundation construction as they may need a DEP permit..



1/8/08

ANNOUNCEMENTS

Varian announced the Candidates Night for Regional School Board positions on January 9 at the School and a Special Town Meeting on January 9th at the School to vote on acceptance of a monetary bequest from the McLanathan Estate to benefit the Phippsburg Fire & Rescue Department as well as to vote on an amendment to the Land Use Ordinance.

The meeting adjourned at 7:30pm.

Respectfully submitted,

*Marion*

Marion J. Hebert

Recording Secretary/Alternate Planning Board member

