

PLANNING BOARD – TOWN OF PHIPPSBURG
July 31, 2008

SITE WALK

Property of Gregory & Kathleen Gensheimer
98 Newbury Point Road – Tax Map 27, Lot 20

PURPOSE: View Buildings with DEP Representative to Determine Possibility of Constructing Overhead Walkway from House to Barn/Garage

PRESENT: Planning Board: Marie Varian, Chairman; Clifford Newell; Steve Thayer; Robert Smith, Mark Hawkes
Codes Enforcement Officer: Lee Rainey
Dept. of Environmental Protection: Mike Morse
Applicant's Rep: Jim Gensheimer (son)

Site walk started at 9:03 AM. Jim Gensheimer handed out copies of drawing of proposed location of walkway, led the tour of the area and discussed the plan.

Smith raised the question if two buildings connected by a walkway become one structure. The house is fully in RP and the barn is fully outside. Varian referred to the Shoreland Zoning Ordinance Definitions which mentions that decks, garages, etc. with common roof and walls become part of the principal structure.

Discussed the proposed expansion of the barn, which, by itself, is a conforming building and the work can be done. The barn would still be conforming after the expansion. There is the question of the walkway between the two.

Morse explained differences between the State and Town Shoreland Rules. The State's wording is, only the portion of a building in the RP zone is subject to the 30% Rule. The Town's says if any portion is in RP, it is all considered to be. Morse also explained that he has no authority to give legal opinions.

Morse discussed trading footages from the shed to the walkway. If the shed is moved it should be moved back from its present location to the "greatest practical extent." If the shed's footages can't be transferred to the walkway, there is no intent or reason to move the shed from its present RP location.

The cleanest approach to solve the walkway problem would be to reduce footages on the house, i.e., probably from the front (shoreside) to the back to accommodate the walkway's footage needs. There would still be the question of connecting the two buildings. Would the buildings then become one structure, and, if so, could the Board prohibit further expansion? Varian will contact MMA and the Town's attorney for opinions.

Site walk ended at 9:57 AM.

Notes taken by Clifford Newell and prepared by Marie Varian.

