

PLANNING BOARD – TOWN OF PHIPPSBURG
March 29, 2009

SITE WALK

Hubertus V. Sulkowski Property, 25 Lookout Point Road, Tax Map 37, Lot 13

PURPOSE: (1) View Retaining Wall to Hold Fill
(2) View Parking Area with Retaining Wall

PRESENT: PLANNING BOARD: Marie Varian, Chairman, Steve Thayer, Clifford
Newell, Robert Smith, Mark Hawkes
CEO: Lee Rainey
APPLICANT'S REP: Kevin Moriarty, Contractor

Site Walk started at 9:13 AM.

Both retaining walls have been constructed and the applications are after-the-fact. At a site walk prior to permitting the recent replacement of the dwelling, vegetation and tree growth were noted. Certain trees could be cut and replacement planting was ordered (and will be done this season).

Viewed the cement wall (#1 above) on the east side of the non-conforming dwelling. The entire wall is within the 125' structure setback of the Resource Conservation District. The applicant's plan is to fill in the space between the dwelling and the wall, creating a more or less level area. Most ground vegetation was covered when leveling the material dug from the cellar hole. Hawkes noted that several inches of the trunks of three poplar and birch trees have been covered and, if this is not corrected, the trees will die within a year or so (trees are located near the southeasterly door.) There is a natural drainage/run-off gully just east of the wall. The applicant has modified his original stand-alone wall plan and now asks to attach the wall to the house via steps and have the structure become part of the primary structure.

The wall by itself is prohibited by setback restrictions. Attaching the wall to the dwelling would cause that primary structure to become more non-conforming by virtue of being too close to the water and the drainage gully.

Newell noted the chimney is located outside the dwelling and questioned whether that footage was included in the original dwelling replacement plan. Moriarty said "yes" and that a deck was originally in that area.

Viewed the parking area and its cement retaining wall (#2 above). Fill has been brought in to create a level area.

Measured distance from the closest corner of the wall to the abutting boundary line. It is 17 ½ ft. and ordinance calls for 20 ft.

The wall is entirely within the 125' structure setback of the Resource Conservation District. CEO had previously measured the location of the wall to be at 45 ft. from the shoreline. The applicant knows through discussion with DEP, that the wall is too close to the water and has to be set back to a legal distance, if possible, or removed.

It was noted by the CEO and Board members that when the dwelling replacement permit was issued, access was to be on foot and there was no plan for retaining walls, driveways or parking areas mentioned in the application.

Noted the temporary driveway that was put in last year to accommodate trucks during the building process. That driveway will be removed this year and the area will revert to grass.

Site walk ended at 9:51 AM.

Notes taken and prepared by Marie Varian

A handwritten signature in cursive script that reads "Marie Varian". The signature is written in black ink and is positioned above the typed name "Marie Varian".