

May 7, 2003

Phippsburg Planning Board

REGULAR MEETING

The meeting was called to order at 6:05pm. Board members present were: Marie Varian, Chairman; Marion Hebert; Steve Thayer; Josh Bate; Bruce Kaake; Clifford Newell, Alternate. Codes Enforcement Officer, Lee Rainey, also attended.

Varian explained that, because of the upcoming Town Meeting on the 13th and 14th of May, the Planning Board meeting is being held a week earlier than it's regular schedule.

The Board first heard from Eric Taylor of the Fred Brigham Road (Map 38, Lot 30, zoned Resource Conservation/limited Residential). A permit was given to Taylor on September 12, 2001 for a recreational dock, float and ramp. The permit was not acted upon and, at this time, needs renewal. Taylor requested the addition of 10' x 3' stairs over a ledge to gain access to the proposed dock. The 28' dock will be permanent, the float and ramp temporary. Photographs of what the proposed construction will basically look like were presented for the Board's review. Rainey advised that he has visited the site. The application received unanimous approval from the Board, after referring to Sections 15.C and 15.B.5 of the Shoreland Zoning Ordinance. It was determined that Section 15.B.5, referring to stairways to provide shoreline access, could be permitted by the Codes Enforcement Officer and that the Board would be concerned with only the float, dock and ramp. The application was signed by all members with the following comment "Amend (renew) permit given September 12, 2001 for the above construction." The \$20 fee was paid.

The Board next heard from Josh Bate of Cranberry Point (Map 7, Lots 12.01 and 14, zoned Resource Protection). Bate stepped down from the Board and explained that he wishes to amend the permit given him on October 9, 2002. The Board granted a permit, at that time, for him to move an existing barn from Lot 14 to Lot 12.01. He advised the Board that he wants to salvage only the barn's roof (18' x 20') and construct the remainder of the footage with new material on a new slab. The application stated that the walls of the existing barn are not sound enough to move the entire barn as planned.

The Board referred to the minutes of the meeting for October 9, 2002 and gave unanimous approval to the application. It was signed with the comment "Remainder of barn debris will be removed within 30 days." The \$20 fee was paid.

Cynthia Todd of 512 Meadowbrook Road (Map 41, Lot 52.1) presented the Board with an application to add a dormer to the back of an existing house. The dormer will be approximately 28 feet long and three feet from the present slope, and will be constructed for the addition of a bathroom on the second floor. The house is too close to the road, thus making it non-conforming. Todd presented a Building Permit Application, a sketch

of the existing house with proposed dormer and a letter signed by Rick Fulton of TLC Carpentry which shows square and cubic footages of the total volume that will be added. The Board referred to Section 2.11 of the Land Use Ordinance. The increase proposed will amount to 391.5 cubic feet or 1.9% leaving 28.1% (5915 cubic feet) available for future expansion. The Board gave unanimous approval to the application. The \$20 fee was paid.

The Board received an amended application from Jennie Bichrest of Sebasco, owner of Purse Line Bait (Map 31, Lot 52, zoned Village District). Bichrest was given permission on March 12, 2003 for the construction of a 24' x 24' concrete loading dock with roof. She now wishes to change the previous measurements to 24' x 28', bringing the dock four feet closer towards the water. The zone setback is 50 feet. She will have 70+ feet after the construction at an extreme high tide - 80' on a mean tide. The approximate height from the finished grade will be 17-1/2 feet. There are no other changes to the original permit. The Board have unanimous approval to the application and it was signed by all members. The \$20 fee was paid.

Varian advised the Board that Richard Lee of Small Point (Map 24, Lot 12) is selling a portion of the former Wyman Store lot. The Attorney for the buyer of the lot on the water has questioned whether this will amount to a Subdivision because Lee and his partners intend to continue to allow the Small Point Club to use the parking lot as has been done for many years. She added that the Attorney feels that, because they are going into a probable lease situation, it may be a Subdivision and Lee is asking for clarification. Sections 1.3 of the Land Use Ordinance and 4401.4 of the State Subdivision Law was referred to. It was determined that the use is grandfathered, will not constitute a Subdivision situation, and Varian will write a letter to Lee informing him of this.

Varian referred to a letter received from Diane Anderson of 200 Capt. John Parker Road (Map 10, Lot 13) Phase II of the Parker Head Colony Subdivision). Mrs. Anderson asked if the town would allow the subdivision of her lot by the natural division of the road. Rainey stated that the Covenants and Deed Restrictions of Phase II state that it would not be allowed, that the lots cannot be split. Varian will write a letter to Mrs. Anderson informing her that, by town standards, the lot can be split but, that the Board is aware of the Covenants and Deed Restrictions that would not allow this to happen.

Varian gave an update on the Konzelman application for an Expansion of Business permit. Konzelman, owner of Ocean View Park on Popham Beach (Map 14, Lots 41 and 42, zoned Resource Protection/Residential) did not attend this meeting. The Board discussed at the April 2003 meeting how to handle this situation (see April minutes re if a permit was needed). She advised that Attorney, Roger Therriault, had contacted her and stated that the Konzelman's are going to apply for a permit whether or not it is needed. She stated that she has not contacted the opposing Attorney, but that the Town Attorney, Richard Hornbeck, has advised the Board to "start from scratch" even if the permit for expansion is not needed. Varian will contact Attorney Therriault.

Lynne Gilliam of the Ashdale area (Map 29, Lot 1, zoned Resource Protection/Residential) briefly stopped by the meeting and advised that they are not ready to pursue their Minor Subdivision. She will be put on the Agenda for June.

Rainey advised the Board that the residents of Fiddler's Reach are upset by the proposed 15-lot Subdivision in that area. A letter was received from Thomas Cashman, president of the Pleasant Cove Association, outlining their concerns. As the Subdivision issue was not on the agenda for tonight, the letter will be put on file and will be presented when the developer meets with the Board again.

Rainey further updated the Board on the Gensheimer case and the ongoing Suzanne Nausbaum case in Popham.

Varian advised that a Site Inspection had been conducted on April 13 on the Judith McMann property in Small Point. McMann has put an article in the Warrant to change the Shoreland Zone setback on her property from 250' to 150'.

The April minutes were approved with minor changes.

The Board regretfully accepted the resignation of Board Member, Josh Bate. Bate wishes to step down from a full-time member and will accept the position of Alternate. Present Alternate, Clifford Newell, will fill the role of a full-time member. Bate was commended by Board members for his intelligence in dealing with many cases and constant attendance. He will be missed. These changes will need approval from the Board of Selectmen. NOTE: Pursuant to the adjournment of the Planning Board, Varian presented this issue to the Selectmen who gave immediate approval.

The meeting was adjourned at 8:00pm.

Respectfully submitted,

Marion J. Hebert
Recording Secretary/
Planning Board Member