

July 9, 2003

Phippsburg Planning Board

REGULAR MEETING

Planning Board members in attendance were: Marie Varian, Chairman; Marion Hebert; Bruce Kaake, Clifford Newell. Codes Enforcement Officer, Lee Rainey, also attended the meeting.

The meeting convened at 6:00pm and a quorum was declared.

The Board received a Preliminary Plan for a major 14 lot subdivision from Robert Smith of the Fiddler's Reach Road (Map 3, Lot 47). The plan calls for the construction of 13 units on 43.4 acres. One structure already exists on that acreage. The subdivision will be named Kennebec Landing.

The plan was accompanied by a Subdivision Application, names of abutters, Deed of Sale, a soil-site evaluation, site maps of the area, a flood insurance rate map, and location maps. The Board referred to pertinent portions of the Subdivision Ordinance throughout the discussion.

Smith was represented by Kevin Clark of Sitelines Engineers/Surveyors of Brunswick. Clark stated that the lot density will be 3.1 acres and that the application submitted showed omissions of two abutters names. Clark advised that those names will be added and Varian stated that letters will go out to all abutters promptly.

Clark discussed access roads to the Subdivision and explained that the boundary survey has been completed and the soil test pits dug and flagged. He pointed out a DEP regulated stream on the site and advised that there are wetlands associated with it. All wetlands are shown on the map.

Referring to well water concerns from abutters, Clark stated that there is evidence of ground and surface water and added that he did not believe that wells would be an issue. Test pit data was provided as well as a proposed road profile showing a 15" culvert with four feet of fill over a wet area. A right-of-way to the 4.3 acre common land was not identified on the plan.

Clark addressed the issue of traffic impact and advised that the standard rule of thumb for a residential subdivision is 10 trips a day per lot and felt this would not be a significant amount of traffic. He further stated that Mr. Smith would like permission to start cutting trees along the proposed Subdivision road.

Varian stated that the Board would like to conduct a site inspection prior to a Public Hearing and that was scheduled for Sunday, July 13 at 8am.

The Board referred to Section 7.1.I of the Subdivision Ordinance. The question of whether a Performance Guarantee was needed was discussed and Varian stated that she will confer with the Selectmen regarding that issue as dictated by Section 12.

Smith advised the Board that he plans to have Covenants on the Subdivision and that he is working with his attorney on that matter.

Abuttor and Pleasant Cove Association President, Tom Cashman, addressed the Board with concerns from the Association members. He presented each Board member with a letter voicing these concerns which specified lot size, water availability and quality and increase in traffic. The letter ended by requesting the Planning Board consider lot sizes of at least five acres in the subdivision. He stated that, by putting in fourteen homes, it is not in keeping with and would diminish the rural nature and is not compatible with the Fiddler's Reach area. He further advised that the impact on the water table in that area is a big issue, since some of the water supply is not, at present, potable. Concerns over water quality and availability was also addressed by Pat Cahill.

A Public Hearing will be held at 6:00pm on August 6 at Town Hall and proper notification will be made. Varian will issue receipts for the application and will draft a notice of completeness.

The Board next heard from William and Margaret Holcomb of the Brightwater area (Map 35-28, Lot 12, zoned 125 RC/125 Limited Residential). The application proposed to build a 14' x 16' open deck onto their 24' x 32' cabin which has a 65' setback from the water. The application further proposed the construction of a 3' x 10' handicapped access ramp to the rear of the deck. Photographs of the cabin, sketches of the existing and proposed structure, sketch of the adjoining lots and a letter from the Brightwater Executive Committee giving their permission for the construction of the deck accompanied the application.

Varian advised that the Planning Board does not give permits for disability access in a non-conforming situation and that that has to be a direct application to the Board of Appeals. The Holcombs explained that this was not really designed for handicap access, but had felt a ramp would be easier access than stairs. Upon referring to the plans and photographs, it was determined that the ramp would not be going closer to the water making the building more non-conforming and a special permit would not be needed.

The application stated that the Holcombs have 768 square feet and 6,144 cubic feet existing, 230.4 square feet and 1843.2 cubic feet allowed. The application will use 224 square feet.

Section 12.C.1.a of the Shoreland Zoning Ordinance was referred to. The Board unanimously approved the application and it was signed by all members. The \$20 fee was paid.

The Board next received an application from Edward Robbins (Map 36, Lot 18, zoned Resource Conservation. The application requested permission to add a six foot wide deck to the front of his cottage facing the water, amounting to a 30% expansion.

In June 2003 Mr. Robbins was permitted an expansion by the Board which left only 3 square feet. The Board denied the application and referred Mr. Robbins to the Board of Appeals. The comments on the application explained that "Per Shoreland Zoning Ordinance, the Planning Board does not have the authority to permit over 30% expansion" and that Mr. Robbins was permitted an expansion in June 2003.

Mr. and Mrs. Alan Hart of Carrying Place Road in West Point next approached the Board with a two-part application. The first project requested permission to construct an enclosed screened room on top of an existing deck amounting to 12 x 16 feet. The second project was a request to extend an existing deck by 6 feet. The non-conforming structure is within the Shoreland Zone and the proposed deck extension would be too close to the property line. The application was accompanied by a sketch of the existing building with proposed construction.

In discussion of the first project, it was determined that there are 2,144 square feet existing (13,248 cubic feet), 643.2 square feet of allowed expansion (3,974.4 cubic feet), and that the application will use 1,536 cubic feet. The Board approved this portion of the project. Regarding the second project, the Board referred to Section 12.C.1 of the Shoreland Zoning Ordinance and determined that they do not have the authority to permit the request. The second portion of the application was denied and Mr. Hart was referred to the Board of Appeals. The \$20 fee was paid for the first portion of the application.

Varian reported on a site inspection conducted in June on the Harrington property. Mr. Harrington was scheduled to provide a map showing a 125' setback line on all lots at this meeting, but did not attend. She announced that Sebasco Harbor Resort withdrew their application to add a lot to their subdivision since the subdivision is over five years old. The \$150 fee paid in June has been returned.

The June minutes were approved.

Varian further announced that Codes Enforcement Officer, Lee Rainey, started full time duties as of July 1.

The meeting adjourned at 7:56pm.

Respectfully submitted,

Marion J. Hebert
Recording Secretary/
Planning Board Member

