

November 18, 2003

Phippsburg Planning Board

REGULAR MEETING

The meeting convened at 6:00pm. Planning Board members present were: Marie Varian, Chairman; Marion Hebert; Bruce Kaake; Clifford Newell; Josh Bate, Alternate, as well as Lee Rainey, Codes Enforcement Officer.

Varian advised that the Planning Board would recess until after tonights Public Hearing regarding Scott Michaels' application for an expansion of business and renovations of the West Point General Store. The Board will reconvene after the Hearing to address approval for a lesser buffer. The Board recessed at 6:01pm.

The Board came out of recess at 6:52pm to hear the application requesting a Lesser Buffer. Varian explained the meaning of 'Lesser Buffer' and Land Use Ordinance, Sections 1.6 and 1.7 were referred to. The neighborhood around the West Point General Store is commercial and the proposed expansion of the store business is not expected to create any further noise, impact, etc. than the present business.

The application was unanimously approved. The \$20 fee was paid.

The meeting adjourned at 6:55pm.

Respectfully submitted,

Marion J. Hebert
Recording Secretary/
Planning Board Member

November 18, 2003

PUBLIC HEARING RE
SCOTT MICHAELS PROPOSAL FOR
RENOVATIONS AT WEST POINT GENERAL STORE

Planning Board members present were: Marie Varian, Chairman; Marion Hebert; Bruce Kaake; Clifford Newell; Josh Bate, Alternate; Lee Rainey, Codes Enforcement Officer. Selectmen Alan Douglas and Proctor Wells were also in attendance.

The Public Hearing convened at 6:02pm. Varian read the Business Application from Michaels (Map 27, Lot 49) requesting to: (1) upgrade and expand the general store, including the marine supply area and restaurant, (2) expand the tables from 3 to 5 inside and add outdoor seating totalling 25 seats, (3) expand wharf service area. The water supply will be reverse osmosis; no generation of hazardous waste, six to nine employees. Michaels has an approval from the Department of Health Engineering for the septic system.

Varian explained that Michaels has had to obtain multiple permits for this application. She added that, if all are approved, he will have had seven or eight from the Town, plus several from the State.

This Hearing is to expand the business. Varian explained the criteria as spelled out in the Land Use Ordinance.

Michaels gave a brief history of West Point General Store. He then explained that the Department of Health Engineering has based their approval of the waste water treatment system on a 25 seat capacity, but the water usage cannot exceed 474 gallons per day. He stated that they will have to monitor and document that usage. He further advised that, if he wishes to expand the seating he would have to apply to DHE.

He pointed out that the system design done by Albert Frick & Assoc of Portland was to separate the black water, put it into a holding tank and transport it to an off-site disposal facility. The gray water will be treated on-site and will go through the system as designed. This will eliminate the present overboard discharge and will allow public rest facilities. The other issue, he explained, was potable water. The present water supply is brackish and from a drilled well. Bottled water is used for cooking and drinking. Fresh potable water will be supplied from a local reverse osmosis system currently in use in the Fish House Cove area of West Point.

Parking, he advised, has been another issue. Currently, there is space for 6-8 vehicles on

the street. He explained that there is an old retaining wall which will be restored, providing parking for 8-10 cars. The DEP and DHE have given approval for this

restoration. Off-site valet parking for 16-20 vehicles will cover peak demand when needed. The staff will park off-site at an area on the other side of the village. Deliveries, other than refrigerated items, will also be at an off-site location, thus reducing congestion and improving traffic flow. Signs will be erected outside the restaurant stating that the area immediately in front will be used only for deliveries and valet parking.

Michaels provided a detailed slide presentation showing the existing structure and the proposed renovations and expansion for it.

Michaels, at present, does not own the property. A copy of a letter of approval and permission to proceed from current owners, Clinton and Dorothy Richardson, was presented with a note signed by Board Chairman, Marie Varian, stating that she had viewed the original letter.

Varian cited Section 2.3 of the Land Use Ordinance pertaining to New Business Permits and Section 2.4 covering Standards for Commercial and Industrial Uses. Section 5.2 under Definitions of New Business was also discussed. She explained that under Section 2.4, it is up to the applicant to prove that he will not be an unreasonable nuisance to nearby properties. The slide presentation tried to address those issues. Under the mandates of the Ordinance, it was determined that Michaels' proposal will comply with all issues. She added that Michaels will need a permit from the Planning Board for lesser buffers. The Planning Board has the authority to issue that permit when the property in question is predominately commercial.

Six abutters/interested parties attended the Hearing. No one expressed comments or had questions. Varian advised that the Fire Chief and Road Commissioner had been notified of this meeting and the CEO mentioned that the Police Chief was aware of the proposal and this hearing. They were not in attendance. She further stated that no letters of objection to the proposed expansion/renovation have been received.

Varian upheld the DHE opinion that the number of seats be limited to 25 until the water usage can be determined. She added that if expansion of that seating capacity was proposed, Michaels would have to come back before the Boards for approval of another expansion permit. As Michaels will have to monitor water usage for a year before increasing seats with DHE, that will give time to determine how the village is affected by the business expansion.

The application received unanimous approval from the Planning Board and Selectmen

with the comment "seating capacity limited to 25 seats in the restaurant area.". The \$95 fee was paid. The Public Hearing adjourned at 6:50pm

Respectfully submitted,

Marion J. Hebert
Recording Secretary/
Planning Board Member