

January 13, 2005

Phippsburg Planning Board

REGULAR MEETING

The meeting was called to order at 6:00pm. Members in attendance were: Marie Varian, Chairman; Marion Hebert; Steve Thayer; Bruce Kaake; Clifford Newell, Josh Bate, Alternate. Codes Enforcement Officer, Lee Rainey was also in attendance. It was noted that the meeting scheduled for the 12th of January was postponed until this evening due to a storm.

WAT-TUH-LAKE SUBDIVISION

The first item on the agenda was to meet with John Wood of Island Surveys who was representing the Wat-Tuh-Lake Subdivision in Sebasco (Map 30, Lot 2) which is owned by the John and Nancy Dabney family. An application had been presented to the Board in September of 2003 which described a transfer of land from the Dabneys to Sebasco Harbor Resort and a transfer of non-subdivision land (portion of Map 30, Lot 1) from the Resort to the Dabneys; "Transfer to Sebasco Harbor Resort by deed dated 6/9/02 of a parcel of land described in said deed. Amendment to Wat-Tuh Lake subdivision plan requested to permit such transfer. Copy of plan is attached showing sketch of land transferred (roughly to scale - no survey done)." All Planning Board members approved and signed the application at that time with the comment: "This is an amendment to the Wat-Tuh Land Subdivision approved Aug. 14, 1996. Amendment meets criteria of Phippsburg Subdivision Ordinance 4407" (4407 refers to 4407 of Appendix A of the Phippsburg Subdivision Ordinance). At the time the swap of land was made in 2003, no amended plan was signed by the Board. Wood received unanimous approval from the Board and the amended plan which cleans up the oversight was signed by all members.

Wood next presented a map showing a 1993 Subdivision amendment made by splitting Map 25, Lot 15. Wood represents Steven Foote of Small Point (the former "Alliquippa House"). The property is part of the Hook Rock Subdivision. Board approval of amended covenants allowing lot splits "with Planning Board Approval" was made on February 10, 1993. However, Foote did not seek specific Board approval at the time of the actual split of his Subdivision Lot 1 (now Tax Map 25, Lots 15 and 15.01). The map presented by Wood for the Boards signature will clean up that oversight. Varian advised that the minutes of February 13, 1991, December 9, 1992 and February 10, 1993 all relate to the ability to split the lots in the Subdivision. Wood explained that the surveyor of the Foote property is now deceased and Wood has been asked to put a signature block on the plan, which he has done.. After unanimous approval all Board members signed the amended map. A fee of \$50 was paid due to the creation of a new lot in the Subdivision.

COLD SPRING SUBDIVISION

David Haynes, (Land Use Consultants, Inc.) representing Key Bank Trust Company of Maine, Trustee for the Darwin and Grace Gillette estate (Map 5, Lot 25), approached the Board seeking an amendment to the Cold Spring Subdivision seeking to split Subdivision Lot #18. The Board had heard from Haynes in September and December of 2004. Varian advised that there is no subdivision restriction against the split and the reason for the split is that the Gillettes are deceased and Key Bank is handling the estate per their wishes..

Haynes provided the surveyors map of Lot 18 which is comprised of 88 acres and will be split equally between the heirs. The map was presented to provide documentation and a paper trail. It was signed by all Board members. The \$20 fee was paid.

POLIQUIN SUBDIVISION

Bruce Poliquin next approached the Board to discuss his proposal for a major subdivision on the Popham Road (Map 45, Lots 49 and 51) and Popham Beach (Map 14, Lot 43).

Poliquin had provided each Board member with complete packets regarding his proposal prior to this meeting. Poliquin proposes a cluster of high quality single and multi-family structures on approximately 183 acres on the Popham Road. He owns 98 acres and has an option to purchase 85 more acres from the abutting Brooks parcel. This acreage excludes the Popham lot.

Poliquin has hired the architectural firm of Theodore and Theodore of Bath, Maine. Varian made the disclosure that her daughter does independent bookkeeping for that firm. She added that she has no pecuniary interest in their transactions and that she feels she can be impartial and unbiased in consideration of Poliquin's application. She asked for anyone to speak up if they felt this might constitute a conflict of interest. It was unanimously felt that there would be no conflict of interest on her part.

Poliquin introduced Steven Theodore a partner in the aforementioned firm Theodore and Theodore. He then pointed out on the map his acreage as well as that of the abutting property. He explained that the properties have not recently been surveyed and a map from Sitalines in Brunswick shows the acreage of the properties to be closer to 200.

He explained that he had requested Sitalines draw up a proposed development for the acreage on the Popham Road and showed the Board several very impressive drawings and plans of both individual lots and cluster designs with each including space set aside for common land. Poliquin prefers the cluster design and pointed out that the subdivision

would consist of two "villages", joined by a connector road, and will take into consideration the need for an environmentally friendly setting. He added that William Maier has visited the site and has done some soils tests which proved satisfactory.

He further referred to the property on the beach in Popham and explained that that would provide access to the beach and become a common area for the subdivision owners and would eventually be turned over to the Subdivision Homeowners Association. He added that this non-commercial venture might help alleviate overcrowding and congestion at the State Park.

In answer to Kaake's question as to how many dwelling units are proposed in Phase 1, Poliquin replied that he is not sure because soils tests have not been completed nor have the wetlands been mapped, but that he is looking at 30 to 35 in the South Village. The approximately 12 acres of roads would have to be deducted from the total amount of land. He added that he anticipates there will not be a lot of pressure on Phippsburg's school system, since he expects a fair amount of retirees and second home owners will purchase the units. The road will be maintained by the Association and water and sewage will be privately owned.

In answer to Varian's question whether the 35 units mentioned above would be individual buildings or multi-dwelling units, Theodore answered that they do represent individual buildings, but that there is an opportunity to combine units. He emphasized that this is all extremely preliminary and added that the reduction in the amount of road throughout the property is of importance. He advised the Board that, in some instances, driveways could be combined. He described the proposed buildings as being cottage style, in keeping with the architecture of Phippsburg.

Conservation Committee member, Bill Emerson, stated that he hoped that Poliquin might consider the access of landlocked Town land to the north of Poliquin/Brooks land to facilitate the continuation of a walking trail from Center Pond to Spirit Pond.

Varian advised that, in her opinion, the cluster design is far superior to the consuming of 160+- acres of usable land with the minimum lot size of two acres which Poliquin, in his packets to the Board, had stated it was his preference to avoid. Newell concurred with this concept. Rainey stated that it looks like at least 1/3 of the property is left to open space. Kaake spoke of his concerns with additional traffic on the Popham and Parker Head Roads. The need for a site inspection was discussed as were prospective access roads on the property. Poliquin brought up the fact that there had to be a soils and erosion plan during the course of engineering work and asked if there are any specific forms that have to be filled out for a Preliminary Plan. Varian answered that she would give him a copy of the Subdivision Application. In answer to Poliquin's question as to how the tax

assessments are levied on a project such as this, Varian advised him to see the Assessor regarding that issue.

Varian asked what Poliquin expects to do for septic and wells. Theodore answered that

they are planning to have under a 2000 gallons per day flow, so a couple of units may be combined and there may be a number of separate subsurface disposal fields and the same for the wells, combined with the clustering of buildings.

Poliquin asked that, if at some time, he would like to add a swimming pool, would that be possible and what would the process be. Varian answered that the common area could be used for various purposes and that a swimming pool could be considered as a low-impact recreational use and would be a combined ownership by all Subdivision owners.

Varian advised that Poliquin's proposal is on no time frame and will not be until a Sketch Plan is submitted. In answer to Poliquin's question, the Board advised him of the criteria for proposing a Subdivision Ordinance Amendment that would reduce the lot size per dwelling unit in a cluster design.

Further discussion will be continued at the Planning Board meeting in February.

The Board next read an application from Tom Percy of 466 Popham Road (Map 17, Lot 22). Percy was not in attendance because he is in Florida. Percy would like a 12' x 40' permanent dock with a 3' x 15' ramp and a 10' x 20' float constructed at his property. Harbormaster, Doug Alexander, has no objection to the plan. Varian advised that this will be for commercial use. She further stated that she had spoken to Percy's representative, Leila Percy, and was told that one of Percy's grandsons has a clam license, one is in the lobster apprentice program. Whether or not this proposed construction should be considered commercial or recreational was discussed. Section 15C of the Shoreland Zoning Ordinance was referred to. It was determined that the application should be tabled pending the need for more information.

The December minutes were approved with minor corrections.

A workshop to discuss the campground amendment will be held Thursday, January 20 at 5:00pm.

The meeting adjourned at 8:30pm.

Respectfully submitted,

Marion J. Hebert
Recording Secretary/
Planning Board Member