

April 13, 2005

Phippsburg Planning Board

REGULAR MEETING

The meeting was called to order at 6:00pm. A quorum was declared. Planning Board members in attendance were: Marie Varian, Chairman; Marion Hebert; Steve Thayer; Clifford Newell. Codes Enforcement Officer, Lee Rainey also attended.

Varian announced that the next Planning Board meeting will be held on May 18 because the second Wednesday of May would conflict with Town Meeting.

Varian commented that the many attendees were probably interested in the Poliquin Subdivision and advised that Mr. Poliquin intends to give progress reports at each Planning Board meeting.

She further advised that all meetings are open to the public and that they are meetings, not public hearings. A public hearing will be held in the future. However, in order to relay accurate information at this early stage of the project, a few questions will be entertained during this meeting.

POLIQUIN - POPHAM WOODS AND BEACH CLUB SUBDIVISION

Varian advised that Mr. Poliquin has applied for a cluster design subdivision on the Popham Road (Map 45, Lots 49 and 51) which is comprised of some 185 acres total. He also is thinking of putting his family land on Popham Beach (Map 14, Lot 43) in a common land situation to be used by the people who buy into the subdivision. Varian emphasized that there will not be a separate subdivision on the Popham lot. She added that, at this point, Poliquin does not know how many dwelling units he can have, that it depends on the soils and the testing is not complete at this time. Poliquin hopes for 70 units. She advised that, in a subdivision situation, all unbuildable land, roadways, utility easements, etc. has to be deleted before the net buildable acreage can be determined.

Varian pointed out that Poliquin's development would be done in phases and, therefore, will not happen all at once. If it is possible, the first phase might be comprised of some 30 units which may take some five years to accomplish and up to ten years or more for the entire project to be completed. She advised that it is very early in the plan and there are no concrete answers at this point as far as determining soils and water suitability. Mr. Poliquin will have professional personnel providing information to go along with his application. She stated that it is not possible at this time to give a date for a public hearing, but it is possible to have an informational meeting at some point in time. She invited interested parties to attend the Planning Board meetings each month to see what progress is being made and that the minutes of the meetings are posted on the Town's Web Site. She guaranteed that nothing is going to go ahead by leaps and bounds and that the Board has to adhere to the Town Ordinances.

Poliquin advised those in attendance that the project is still in its infancy and has been delayed by the snow cover. He stated that the land is now being surveyed and boundary markers are being placed to facilitate a fly over so a topographical survey can be done. He noted that in the Ordinance 20 foot contours are required, however the detail map will indicate two foot contours. He added that this would be a great help in making sure that the engineering work is done properly with respect to road and home construction. He further advised that the soils are being tested at this time. A professional civil engineer will be hired very soon to spearhead the project. He added that he intends to stay involved in this project until completion and that he would be meeting with the various teams working on various aspects of construction on a regular basis.

Poliquin referred to various types of misinformation that are circulating and advised that there would be no high rise condominiums, all units will be single family homes. He added that he does not want a traditional subdivision where the land is carved up. He hopes that one-half of the land will remain open and wild forever. He introduced architect Steve Theodore. Mr. Theodore stated that one of the reasons he is interested in this project is because he thinks that Poliquin will do this in a way that is sensitive and makes a community. He showed the audience a graphic illustration of a typical two acre subdivision which showed no opportunity for identifying and preserving open space. He then presented an illustration of the potential first phase of the project. He added that what this cluster design allows is to actually use a smaller footprint to build on and preserve the natural features of the landscape. He further told the audience and Board that they are very interested in resource efficiency, using natural materials to the greatest extent possible and explained that, although this is very preliminary, the intent is to site the buildings to maximize solar orientation, provide natural ventilation, provide buffers and a sense of community.

Varian explained the timeline schedule after an application is received for a subdivision. She told the audience that if things cannot be ready within that timeline, the Board is allowed to mutually agree between the applicant and the Board to extend that timeline. An agreement to extend a complete application declaration to May 18 was signed by Varian and Poliquin.

Poliquin fielded questions from several residents in the audience regarding socioeconomic impact, impact on roads and housing costs.

TIDEWATCH SUBDIVISION

The Board next met with J. Michael Young who is proposing a 7 lot minor subdivision in the Parker Head area (“Tidewatch” Map 10, Lot 4). Co-owners are Chilloa A. Young and

Mark Haskell. Young presented the Board with a revised application. He advised that a variance was necessary because one of the test pits did not have the necessary setback.

The Board of Appeals granted that variance after a site walk conducted on April 5. He also presented a letter of authorization for representation, allowing Douglas Johnson to represent the owners. A guarantee of water supply for one year was given to the Board as well as a letter of intent explaining that once the Tidewatch Subdivision is approved, the owners intend to form a Subchapter S corporation and transfer the Subdivision to it prior to selling any lots. He presented the Board of Appeals Application which requested “relief from the 150 foot septic setback on Lot 5 of the proposed Subdivision. Suitable soils were located at Test Pit #8 which is 129 feet from high water mark. Request reduction of 21 feet in setback.” The application was signed by all Board of Appeals members with the notation “System shall comply with all State Plumbing Code requirements.” He further presented a letter from Doug Stewart (E-911 Coordinator) stating that the two roads in the Subdivision will be named Ebb Tide and Journey’s End. A copy of a Warranty Deed showing proof of ownership was also given to the Board.

Young stated that there have been a couple of changes since the sketch plan was presented at the March meeting. A common area will be created as well as twenty foot walking easement on Lot 1 for access to the common area. Lot 1 will be retained by the Youngs vs. Lot 7. The owners intend to write into the covenants that Lot 7, which is comprised of 4.85 acres, can be split creating a two acre lot five years after subdivision approval.

Young recommended that a Public Hearing be held for the benefit of his abutters.

Varian advised that a copy of the Topographical Map showing the proposed Subdivision will be needed as well as a Field Survey, a report of Test pit Analysis, the County Soil Survey, a map showing the Flood Plain Boundaries. She declared the application incomplete at this point. A site walk will be conducted on May 5 at 5:30pm. Young presented the Board with a check for \$350.

HERRIGEL - WEST POINT

The Board was next approached by Rodger Herrigel of West Point (Map 27, Lot 69, zoned Village District). His application requested permission to add a partial second story to provide a studio/”mother-in-law” guest room with shower and toilet. He desires to use a state of the art holding tank system as this will not be a heavily used room. there would also be a small deck above an existing open deck. The application was accompanied by photographs and sketches of the existing and proposed construction as provided by Whipple and Callender Architects. The structure is in a non-conforming situation since it is too close to the road and sits on .27 acres. The Board referred to Section 12.C.1.a of the Shoreland Zoning Ordinance which refers to non-conformity.

3

The application was given unanimous approval and signed by all members with the comments:

Sq. Ft. Cu. Ft.

Existing footage	1554.0	10,080.0
Allowed footage	466.2	3,024.0
Permit will use	100.0	1,536.0
Remaining footage	366.2	1,488.0

Living quarters will not be used for human inhabitation until plumbing is approved by the Codes Enforcement Officer. Herrigel paid the \$20 fee.

WALLES SUBDIVISION

Surveyor, Ron Beal, representing Charles and Constance Walles of Small Point (Map 18, Lot 12) next approached the Board. The Walles' wish to add three lots to their existing subdivision. The Board permitted the subdivision in 2003. Beal showed a map with the proposed lots drawn in and their proximity to the abutting road recently constructed off Rt. 209. There was a question of the lots having the required acreage due to the lay of the road. He explained that there have been no soils tests performed to date. He advised that Walles wants to move the road. Rainey stated that, topographically, there could be a problem in a couple of spots. The Board referred to Section 6.3.1 thru 10 of the Subdivision Ordinance regarding Submissions. Varian advised Beal to get a copy of the tax map and a copy of the USDS topo map showing the location of the property. Beal will be on the Agenda for the May meeting.

NICKERSON

Albion Nickerson of 65 Wildwood Lane (Map 41, Lot 55) came before the Board to discuss whether the purchase and split of an adjoining lot will create a subdivision. Nickerson purchased the land in December and now wishes to sell it to his brother. He will retain an acre of the land which abuts his present home. The bank Nickerson is dealing with wants to ascertain whether or not this will create a subdivision situation.

Varian advised Nickerson that he will be exempt from the subdivision law because the land is going to stay within the family (per 30-A MRSA Section 4401.4). Hebert will write a letter stating that Nickerson is not in a subdivision situation (which she subsequently did).

SEBASCO HARBOR RESORT

Phil Luedee, representing Sebasco Harbor Resort (Map 30, Lot 18), next approached the Board with an application to construct a 55' x 6' pile and timber pier with a seasonal 32' x 4' ramp connecting to a 12' x 18' float. The pier would be located approximately 120'

north of the pier which the Board approved in December, 2004.

The application contained a letter of approval from Harbormaster, Doug Alexander, a letter from Robert Smith authorizing Phil Luedee to represent the Resort, a DEP Permit

by Rule Notification Form, a letter from Stephen Mohr of Mohr & Seredin Architects regarding a study of visual impact methodologies, vicinity and location maps of the area, photographs and sketches showing where the proposed pier will be located. Mohr's packet contained six items defining the development of the visual impact assessment. They are: (1) Research and definition of scenic context; (2) Definition of scenic resources and identification of resource qualities; (3) Definition of viewer expectations; (4) Simulation/definition of proposed activity; (5) Analysis of potential impact; and (6) Findings.

The Board reviewed the application and approved it with the following comment: "Approved under Section 15.C of the Phippsburg Shoreland Zoning Ordinance. Items 1 thru 6 have been considered". The \$20 fee was paid.

The March minutes were approved with a minor correction.

Varian announced that the Historical Preservation Commission is not asking for an amendment to the Demolition Ordinance this year.

The following Ordinance amendments have been submitted for the Warrant:

Shoreland Ordinance Section 14.26.7 (Roads and Driveways in the Resource Protection Zone

Subdivision Ordinance Section 3 Definition of Subdivision Appendix A (update of State Subdivision Law)

Section 11.4.C (adding E911 approval for new road names)

The meeting adjourned at 8:07pm.

Respectfully submitted,

Marion H. Hebert
Recording Secretary/
Planning Board Member

PLEASE NOTE: These minutes are only a draft and are never accepted and finalized until the next meeting.