

September 14, 2005

Phippsburg Planning Board

REGULAR MEETING

The meeting was called to order at 6:00pm. Board members present were: Marie Varian, Chairman; Marion Hebert; Steve Thayer; Clifford Newell; Robert Smith; Alternates Josh Bate and Mark Hawkes. Code Enforcement Officer, Lee Rainey was also in attendance.

POLIQUIN - POPHAM WOODS SUBDIVISION

The first order of business was to hear from Bruce Poliquin representing Dirigo Holdings LLC, developer of Popham Woods Subdivision, Tax Map 45, Lots 49 and 51. Poliquin has been attending the Planning Board meetings regularly to give progress reports and in August presented a revised Sketch Plan. A site walk was conducted on September 11.

Poliquin advised the Board that, since the last meeting, he and his engineering firm (Pinkham and Greer) have met with the DEP to review the project. He stated that the DEP staff was very clear and detailed as to what studies must be done and that it will take six months for them to accomplish the review. He added that it is intended to submit the DEP application by the end of October and expects to receive the application back from DEP by the end of April. He explained that within thirty days of the application submittal, it is mandated that a public information meeting be held. He advised further that the Engineering firm of Pinkham and Greer has subcontracted one of the top hydrologists in the State. He hopes to have enough information to present the Preliminary application to the Board by the end of October.

BROOKS POPHAM

Codes Enforcement Officer, Rainey, advised the Board that Conrad Brooks of 120 Seguin Street in Popham (Map 14, Lot 109) is requesting an over 30% expansion on a non-conforming structure. The structure has a road setback issue. The Board denied the application with the comment "The Planning Board does not have authority to grant expansions of over up to 30% per Sec. 2.11 of the Phippsburg Land Use Ordinance." Brooks will go before the Board of Appeals.

SYLVAIN - ROGERS NECK

Barry Sylvain of 73 Rogers Neck (Map 6, Lot 13) came before the Board to discuss the procedure for a change in the Shoreland Zoning designation. Sylvain wishes to change the existing setback to 125'. The 1993 revision of the Shoreland Zoning map made most of Mrs. Sylvains family land unbuildable according to the CEO. Varian advised the Sylvains that they would have to put an article in the Town Warrant for the 2006 Town Meeting. In the meantime, the Board will conduct a site walk on October 2 at 7:30am to see if there are any objections to Sylvain's request. She told Sylvain that

even if the Board thinks a change is viable, the issue has to go before the Town for approval and then to the DEP for their approval.

HUDSON - ATKINS BAY DRIVE

The Board next received an application from Warren and Barbara Hudson of 73 Atkins Bay Drive (Map 13, Lot 55, zoned Resource Conservation). The application is a resubmittal of a 30% expansion permit granted in September 2001. At that meeting the Board was advised that the original application was an after-the-fact application presented to the Board in December 2000 and denied by both Planning Board members and the Board of Appeals, but permitted in September 2001. The Codes Enforcement Officer has visited the site. The Planning Board did a site inspection on September 11, 2005, the purpose of which was to see how Hudson can get the allowed up to 30% expansion. The decks constructed by the contractor are beyond the acceptable footage and it was determined by the Board that the existing deck system will have to be demolished.

Hudson presented a plan showing the existing structure with an allowable expansion of 358 square feet. The map also showed the lower deck and the portion of the upper deck both of which will be removed to regain this footage. It was acknowledged by the CEO and the Board that a landing at the bottom of the access steps is allowed.

The Board approved the application with the following comment: “Approved under Sec. 12.c.1.a of the Phippsburg Shoreland Zoning Ordinance. Codes Enforcement Officer will verify footage during construction.

	<u>Square Feet</u>
Total allowable expansion	358 sq. ft.
Permit will use	304 sq. ft.
Footage available for future	54 sq. ft.

This footage is expected to be used as a deck area at the foot of access steps, but not mandatory.” All Board members signed the application.

PRATT SUBDIVISION - CLIFFORD ROAD

The Board next received a Subdivision Sketch Plan Review from Kevin Clark of Sitelines in Brunswick. Clark represents David and Joan Pratt of the Clifford Road. The Pratts intend to put in an eleven (11) lot Major Subdivision on the Clifford Road (Map 39, Lot 49). The units will all be single-family lots. The Sketch Plan included names of the abutters, copies of deeds, an aerial view of the site area, a copy of the Town tax map, a flood map, as well as a detailed letter from Clark to the Board describing what has

already transpired on the 31.3 acreage. There are no flood zone areas on the map. Clark advised the Board that a Site Evaluator has been contracted, the boundary survey accomplished, and that there will be 2000' of new roadways. One parcel had been conveyed prior to the proposed Major Subdivision. He further stated that there will be approximately 3.95 acres of open space, that there are limited wet areas and no streams.

Clark stated that the cul-de-sacs shown on the Sketch Plan will be revised to show hammerhead turnarounds. This is at the request of the Fire Chief. He added that he is awaiting the results of soils investigations. In response to Thayer's question regarding a slope on the collector road, Clark advised that some blasting will be required. Varian referred to Section 3.1 of the Subdivision Ordinance covering Roads. She asked about the tote roads shown on the map and asked if prospective buyers would have a right-of-way. Clark answered that there may be some public use, but not maintained. Hawkes stated that they are actually logging roads. In response to a question from the audience regarding hydrology or water and sewage tests, Clark advised that those tests have not yet been completed. He added that a Site Evaluator has been contracted. He was further questioned about the effects of blasting on the homeowners below the ledge. Clark replied that, if blasting is required, it would have to be by someone licensed from the State. Another audience member stated that her foundation abuts the ledge in question and was told that the blasting would take place several hundred feet away from her home and that no damage was anticipated.

The question of traffic impact on the Clifford Road was brought up. Clark answered that a specific study has not been done at this time. Newell advised that the Town's Road Committee has an ongoing discussion with the State to put an escape lane by the Clifford Road so that vehicles coming over the hill and trying to make a left hand turn onto that road would have a middle road for traffic. He added that the area from the Fiddler Reach Road to the Clifford Road is currently being looked at by the Committee.

Varian referred to Section 7.2 of the Subdivision Ordinance (Submissions) as well as Section 10.0 (General Standards). Clark was advised that information required by these sections should accompany the formal application.

If the project is far enough along, Clark and Pratt will attend the October Planning Board meeting.

The Board next discussed with Real Estate Agent, Ann Bever, possible uses of Spinney's Restaurant (983 Popham Road, Map 14, Lot 21, zoned Village District/Shoreland Zoning). The property is for sale and a prospective buyer is interested in what avenues could be sought for this property, commercial or otherwise. The possibility of time shares for the guest house were discussed. MMA will be contacted to determine if time shares are commercial or not.

A workshop will be conducted on October 3 at 6:00 to discuss the DEP's proposed amendments to the Guidelines for the Municipal Shoreland Zoning Ordinance. Written

comments are due by October 19. Varian will contact DEP's Rich Baker and request that the comment time be extended. She will also ask that a representative come and talk with the Board about the changes and will contact Representative Leila Percy for any help she may be able to give.

Discussion was held on when Planning Board minutes should be posted on the Town's Website. A motion was made by Newell, seconded and unanimously voted that minutes will be posted only after approval by the Board's Chair and the Town Administrator notified.

Troy Watson has submitted an application for an after-the-fact New Business Hearing for Watson's Automotive located on the property of Mark Hawkes (Map 41, Lot 15). The Hearing will be on Sept. 28 at 6:30pm.

The Court hearing regarding North Creek Farm has been changed to 10:30am on Sept. 23.

The minutes of August 10 were approved.

The meeting adjourned at 9:00pm.

Respectfully submitted,

Marion H. Hebert

Recording Secretary/
Planning Board Member

