

Town of Phippsburg
PHIPPSBURG PLANNING BOARD MEETING
JULY 11, 2006

PRESENT WERE: Marie Varian, Chairman, Steve Thayer, Marion Hebert, Clifford Newell, Robert Smith, and CEO Lee Rainey
Meeting was called to order by Chair Varian at 6pm and she introduced Lynn Totman Recording Secretary.

POPHAM WOODS CONDOMINIUMS SUBDIVISION: Popham Road, Tax Map 45, Lots 49 and 51, owned by Dirigo Holdings, LLC.

The Times Record was incorrect in printing that the Final Plan decision was to be made at this meeting. The application and maps for the Final Plan were submitted on June 15th. A workshop to discuss the application's completeness was held on June 27th. At the workshop, Bruce Poliquin announced, because of existence of frogs and salamanders, one or more maps would have to be redrawn to allow a greater setback on the west side of the existing man-made pond. New setbacks require approval by the DEP, IF&W and ACOE and will probably change the location of four or five building envelopes. It is noted that the application contains a letter from IF&W stating that there were no known "essential or significant wildlife habitats" on this property. However, a visit in June from the State Agencies determined that frogs and other wildlife lived in and around the pond, hence the need for additional setbacks and a revised Final Plan Map.

The Board discussed and listed the following items needed for a complete application. Pump test results of the 4 wells; a NRPA wetland fill permit; a copy of an insurance contract for blasting and the name of the contact person at the blasting company; a letter of current financial capacity (presented letter from May 6, 2006); a letter from waste hauling company (presented letter from Pine State Waste dated April 27th); revised map showing updated location of the 10% common area; revised Final Plan maps.

Another Public Hearing will be scheduled after the modified Final Plan has been submitted.

A letter of DHS's approval of the septic system and water designs was presented by the CEO.

Traffic was discussed. The application contains a report from MDOT showing the proposed location as a low crash area, meaning less than 8 crashes within a 3 year period. The Town Police Chief has advised that the subdivision will not overwhelm the services of the Police Department. Consensus was that the Board has adequate traffic information and that the subdivision will not have an adverse effect in its area.

Loren Hunter expressed concerned about well soundness for abutters and others. The applicant has submitted a Plan for testing and monitoring of Abutters' wells. Chair was directed to ask Bruce Poliquin about any suggestions for neighborhood non-abutters.

Motion for Chair to write letter to Mr. Poliquin advising of an incomplete application. Mr. Newell motioned, Chair Varian seconded, unanimous decision.

TIDEWATCH SUBDIVISION: Parker Head Rd. Tax Map 10 Lot 04, represented by Mr. Brent Hershey. Subdivision owner has applied to change setback provisions from 50' to 20' for dwellings and from 25' to 20' for accessory buildings. A letter of non-objection from the one lot that has been sold (Mr. Meade) was presented. The setback changes are within old standards.

The revision was considered under Appendix A-30-A.-M.R.S.A. Sec. 4407 of the Phippsburg Subdivision Ordinance. Mr. Thayer motioned that the plan be approved, Mr. Newell seconded it, unanimous decision. Board signed the mylars and paper maps. \$20.00 fee was paid.

STONEHOUSE HILL SUBDIVISION: Parker Head Rd. and Cox's Head Rd. Tax Map 13, Lot 22. Continued review of 7-lot minor subdivision. Mr. Wirth presented a revised map showing changes and an 8% grade for the road. Lot lines have been moved, but revised. Covenants will be mailed to each member. The marsh is being considered as common land for the subdivision. Mr. Smith raised issue that the common land would create an eighth lot. Mr. Wirth will reconsider options on what to do with said marsh. Two test pits have been done on Lot#1. Another site walk scheduled for 8am July 23, 2006, to see if the proposed road meets requirements and general observing. Mr. Wirth was also strongly admonished not to advertise any properties with out a disclaimer, stating that the subdivision has not been yet approved by the Planning Board. He agreed.

GILMORE CLARK: 17 Brighthampton Lane, Tax Map 38 Lot 27- expansion of a non-conforming building using the 30% rule to create a 10'X10' bath and 12'X12' storage room. CEO has inspected the site and says building is well within the allowed footages and construction is away from the water. Measurements were reviewed. The application was considered under Sec. 12.C.1.A. of the Phippsburg Shoreline Zoning Ordinance. Mr. Thayer made a motion to approve the application; Mr. Newell seconded it, unanimous vote approved. The \$20.00 fee was paid.

Mr. David King, Atty.: Regarding a family's property on the Cox's Head Rd. Sagadahoc Tax Records Book 39 pg 93, Mr. King questions whether the splitting land among 5 family members by the deeding everything first to Atty Jim Day as a "straw" and then dividing the land creates a subdivision. Parcels are now A, B, C, D and E. Mr. King's client owns parcel E. and wants to sell. Mr. King will send a clean copy of the map to the Board. Mr. King wants a letter stating that the selling of said lot does not constitute a subdivision. Board discussed subdivision as relates to family exemptions and concluded that the proposed sale does not create a subdivision. Mr. Newell made the motion to write a letter stating the fact that the selling of said lot to one person does not create a subdivision; Mr. Thayer seconded it, unanimous vote approved.

REINFELDER, WILLIAM & CHAR: 492 Parker Head Rd. Tax Map 10 Lot 04-01 to change 3'X8' deck into living space on a non-conforming building using the 30% rule. CEO has no issue with this application; however, footage must be re-measured for new numbers if and when there is a future application. Mr. Newell motioned to accept the application; Mrs. Hebert seconded it, unanimous vote to approve. Approval was granted under Sec.12.C.1.A. of the Phippsburg Shoreland Zoning Ordinance. \$20.00 fee was paid.

CEO REPORT: Presented letters from North Creek Farms Attorney. CEO is waiting to talk to town Attorney about the Historic Preservation Commission's proposed changes to demolition delay criteria in the Land Use Ordinance.

Minutes of May 26th, June 15th, and June 29th. : One error on June 15th "convened" not "reconvened". Mr. Smith motioned that the three sets with 1 correction be accepted, Mr. Newell seconded, unanimous approval.

ANNOUNCEMENTS: Hearing by combined Boards of Selectmen and Planning Board at 6pm, July 12 at Town Hall, to consider revocation of conditional Permit granted to North Creek Farms, Sebasco Rd. on June 15, 2005. Board of Appeals meet July 13th at 6pm to hear Appeals of a New Business Permit and a Lesser Buffer Permit granted to the Popham Beach Club. The Selectmen have voted to appeal the Decision for the Plaintiff in the Gensheimer vs. Town of Phippsburgh case. The DEP has approved the Skillin property spot zone that was voted for at the May Town Meeting.

Mr. Newell motioned to adjourn, Mrs. Hebert seconded it, and unanimous vote. Adjourned at 8:30pm.

Lynn Totman
Recording Secretary