

ABD 11/18/09
EWA 11/18/09

Submitted by:

TOWN OF PHIPPSBURG
SELECTMEN'S MEETING

Approved by Selectmen:

John M. Young
Administrator

MINUTES
October 7, 2009

Meeting convened at 6:00 p.m. at the Town Hall with Selectmen Douglass and Perkins in attendance.

I. Meetings and Hearings:

1. Meet with Lee Rainey, Code Enforcement Officer, to review letter of non-enforcement for 29 Carrying Place Road.

Selectmen voted (2-0) to sign the attached letter of non-enforcement.

V. Correspondence

1. Letter from MMA concerning award of "Supreme" for the Town Report Competition.

This letter announced that the Town of Phippsburg had received the "Supreme Award" (first place) for the 2009 MMA Annual Town Report Competition in its division (population of 1,000 to 2,499). The Town of Hope took second place and the Town of West Bath took third place. Last year Phippsburg received the "Superior Award" (second place).

V. Review and Sign:

1. Accounts payable and payroll warrants.

Selectmen voted (3-0) to approve and sign all items.

VI. Adjournment - Selectmen voted (2-0) to adjourn at 6:13 p.m.



TOWN OF PHIPPSBURG

1042 Main Road
Phippsburg, Maine 04562
Phone: (207) 389-2653 / Fax: (207) 389-1522
E-Mail: Phipps@Phippsburg.com

October 7, 2009

Brian Doughty
Abby Doughty
29 Carrying Place Road
Phippsburg, Maine 04562

Re: 29 Carrying Place Road (Map27 Lot 89)

Dear Brian Doughty &
Abby Doughty,

We are writing in response to your request concerning the above-captioned property.

The facts, as we know them, are as follows: you own a single-family house, which is located at the above-captioned address and consists of two bedrooms,

In 1997 you applied for and received a permit (# 97028) to build a 10 ft. X 36 ft. deck on the west side of the home and an 8 ft. X 33 ft. deck on the south side of the home.

In 1998 you also applied for and received a permit (#98010) to add a second floor to the existing home with the number of bedrooms remaining at two.

Both of these building permits contain the statement "The Owner, Agent, Builders are responsible to insure this work complies with all Laws, Ordinances, and Applicable Codes and to allow the CEO, BI, and LPI to enter for inspections. Any violations render this permit void."

The deck permitted in 1997 did not maintain the required 20 ft. setback per the 1993 Shoreland Zoning Ordinance in fact it encroached over the abutting property line.

The 1998 permit to add a 2nd floor that required the building to remain a 2 bedroom was violated by constructing a third bedroom.

Both of these items are a violation of the Permits Issued and need to be corrected.

Due to the owner having willingly modified the existing deck so that it no longer encroaches onto the neighbors property and has also modified the 3rd bedroom into a den/office by converting the closet into a built in book shelf.

The Town of Phippsburg agrees not to take enforcement action concerning the above violations with the following conditions:

1. The use of the building shall not exceed 2 bedrooms until the septic system is upgraded to handle any additional design flow in accordance with the state subsurface wastewater rules.
2. All of the conditions in this letter shall be binding to the property owner, their heirs and assigns forever.

Subject to the above conditions, the Town of Phippsburg hereby agrees and issues this letter of no action, meaning that the deck having been modified so as not to encroach onto the neighbors property may remain within the required setback of 20 ft. And the second floor expansion may remain without the need for any further modifications.

Alan Douglass
Alan Douglass, Selectman Chair

10/7/09
Date

Everett A Perkins
Everett Perkins, Selectman

10/07/09
Date

Lawrence Pye, Selectman

Date

STATE OF MAINE
County of Sagadahoc, SS.

Then personally appeared before me the above named Alan Douglass, Everett Perkins, Lawrence Pye and acknowledged the foregoing instrument to be their free act and deed.

Before me,

10/07/09
Date

Lisa M. Wallace
Notary Public/Attorney at Law

