



# Office of Planning & Codes

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## Wiscasset Ordinance Review Committee Meeting Notes November 13, 2007

Members Present: Pat Barnes, Doc Schilke, Jill Lorom, Karl Olson, Jackie Lowell, Jeffrey Hinderliter (Town Planner).

1. Meeting Opens at 5:00 PM.

2. Items Discussed: Parking Amendments (Draft 2 – 11/13/07), Noise Ordinance (Final Draft – 6/26/06), Contract Zoning (Final Draft and Option 2 – 11/13/07).

3. Parking Amendments – Article IX, Section 3.13. Jeffrey opens meeting and discusses recommendations from the 10/22/07 meeting. Jeffrey states that he made the changes that were recommended at the previous meeting.

- **Recommendations:** ORC moves to accept this draft as the final draft with the noted changes. Vote passes 3 in favor, 1 abstains. Pat explains she decided to abstain because there are many problems with the ordinances and these small changes don't help to address the all of the issues. Bring ordinance to November 27 Selectmen meeting for the January 15, 2007 ballot.

4. Noise Ordinance (Final Draft – 6/26/06). Jeffrey explains ordinance. The ORC discuss the following:

- The ordinance should specify who is responsible for enforcing it. Should it be the Code Officer? The Planning Board? Review of existing provisions in Article VI represent that the Building Inspector will be responsible for enforcement.
- Who is responsible for measuring the noise? The CEO would most likely be responsible for noise measurement if there was a complaint and the applicant would be responsible for providing documentation that the new development meets the noise standards.
- ORC disusses whether we should wait and include this ordinance with the future ordinances. ORC feel it is better to have this in place before we complete the future ordinances. Jeffrey states that if we would like this ordinance to be on the January 15 ballot, we will have a public hearing but do to timing, we can not change the ordinance. So basically the draft you see is the final draft. ORC determines that we can move forward and prepare for the ballot after the January 15 meeting
- Is it good that ordinance only applies to new development? How will this ordinance be administered when you have proposal that do not qualify for Planning Board review and they are simple like a new single family home being built adjacent to an existing home-will they have to represent conformance with this ordinance? Will that be too much of a burden?

- What are the penalties? Penalties are covered in existing provisions in Article VI.
- Recommend to add language in 8.5.h.
- Discuss sound level limits in the Noise Ordinance and Contract Zoning Final Draft.
- Need to find appropriate Article and Section for this ordinance.
- **Recommendations:** ORC recommends changes to 8.5.h and find the appropriate Article and Section for this ordinance

5. Contract Zoning (Final Draft and Option 2 - 11/13/07). Jeffrey explains both drafts and what the major differences are between each ordinance. The Final Draft identifies specific zoning districts where it applies, a specific number of developable acres, specific performance standards, and was created more for the redevelopment of Mason Station. Option 2 does not have the above-mentioned specificities and offers more freedom when creating the contract. Jeffrey explains the reason we are reviewing contract zoning again is due to potential large-scale industrial development. ORC discuss the following:

- Should reflect that a contract zone can be presented at any town meeting, not just the next scheduled town meeting.
- ORC discuss the Final draft and Option 2 and decide that Option 2 is the better version.
- Discussed the use of consistent. Could we change this to compatible? State statute associated with contract zoning specifically mentions consistent and Jeffrey hesitant to alter the statute language. Some ORC members believe we should use compatible.
- ORC discuss several changes to the ordinance language such as identifying who posts notice, who notifies abutters, deleting “in the opinion of the Town Planner”, etc.
- Discuss how contract zoning works and the fact that it will fit into the future zoning ordinances better than the current zoning ordinances, especially due to the current Rural District land use classifications.
- **Recommendations:** Continue work on Option 2.

6. Other Business. Jill indicates that she would like a matrix representing the ordinance status. Jeffrey indicates we will work on the future zoning ordinance at our next meeting. Also, he asked the ORC to drive around and begin observing the use of land as it relates to building location, building types, types of uses adjacent to each other.

7. Meeting adjourns at 6:30 PM.