



Office of Planning & Codes

Wiscasset Ordinance Review Committee Meeting Notes March 26, 2007

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

Guests: Mr. and Mrs. Carroll Colby

1. Meeting Opens at 5:37 PM.
2. March 12, 2007 Meeting Notes Approved.
3. Items Discussed: Coastal Waters Ordinance (Draft 6), Sex Offender Ordinance (Draft 1) and Small Wind Energy Systems Ordinance (Draft 4).
4. Jeffrey opens meeting by discussing the ordinance schedule for the June ballot. He indicates the schedule is very tight and if we wish to present ordinances for public hearings (tentative first public hearing date is April 23) and still have time to change the ordinances before the June vote the ordinances would have to be complete by April 2 or 3. He says the ORC can continue to work on the ordinances and make changes after April 2 or 3 and before the public hearing date, but the ordinances that are scheduled for the public hearing cannot be changed and after April 2 or 3 and presented at the public hearing. We can only represent the ordinances at the public hearing that were published in accordance with the public hearing requirements. **(Note: subsequent check of the schedule indicates April 5 as completion date for first public hearing- JH)**
5. Coastal Waters Ordinance. The following Coastal Waters Ordinance standards were discussed.
 - Jeffrey explains some of the changes including his use of the word applicant. ORC questions if the use of applicant would allow for-profit commercial enterprises to obtain a mooring permit. Jeffrey indicates that anyone can be an applicant, but only those who qualify under the proposed ordinance are allowed to secure a mooring.
 - Discussed Dennis Jumper's definition of Person.
 - Discussed the definition of Commercial Enterprise. Should we use 'Commercial' when definition is intended for non-profits? ORC decides to drop 'Commercial' from 'Commercial Enterprise' and need to be adjusted throughout the ordinance.
 - Mr. Colby discusses the town boundary line as related to the harbor and the center of the channel and how the town can write an ordinance when the boundary has not been

determined. The ORC responds by saying the ordinance regulates all tidal waters in Wiscasset and acknowledges there are questions associated with the town boundary in the harbor area and this issue is left up to the Harbormaster and Selectmen to determine.

- **Recommendations:** ORC approves Draft 6 Coastal Waters Ordinance with adjustment to Commercial Enterprise by 5-0 vote. Prepare for April 23 Public Hearing.

6. Small Wind Ordinance. The following was discussed in regards to the Small Wind Energy Conversion Systems Ordinance.

- Jeffrey explains that Peter Arnold of the Chewonki Foundation has material for the ORC but he could not make this meeting.
- Jeffrey explains changes including a more defined Visual Impact. Jeffrey says this was a subjective standard that needed further clarification in the ordinance. He attempted to address visual impact but found it a bit hard. One of the striking issues he came across was how little protection abutting private landowners had, especially if their property did not have any significant scenic resources.
- 9.10.4: delete 'from' in the second sentence, add 'on'
- 9.7.5: what is the meaning of geographical boundaries? Re-write the last sentence.
- 9.10.8: delete 'one' insert 'two'
- Jeffrey explains the ORC can continue to work on this with Peter even if we schedule for Public Hearing.
- **Recommendations:** ORC approves Draft 4 Small Wind Energy Conversions Systems Ordinance with adjustments by 5-0 vote. Prepare for April 23 Public Hearing.

7. Sex Offender Ordinance. The following was discussed in regards to the Sex Offender Ordinance.

- Jeffrey hands out map representing the areas of town that would be regulated by the sex offender ordinance. Jeffrey explains the map does not show the full extent of the regulated areas, its intention is just to give the ORC an example of the regulated areas. ORC discusses the map including the recognition that the regulated area will be larger and not necessarily a circle.
- The Colby's discuss the proposed ordinance. They feel the distance should be 2,000 ft. for all of the residency restricted areas. The Colby's ask about the unregulated area and feel the neighborhood should be notified if a sex offender moves in. The Colby's discussed the importance of this ordinance and believe it should be a priority to protect our children.
- ORC discuss the Colby's comments and question the legality of neighborhood notification.
- ORC discuss the definition of Legitimate Activity and feel appropriately supervised should be defined.
- ORC discuss the difference between Permanent and Temporary Residence.
- The Police Department should not be responsible for updating the map.
- ORC discuss if the ordinance should move forward to a public hearing. There are mixed feelings about this but some members of the ORC feel the ordinance should move forward so we can get public input.

- **Recommendations:** The ORC recommend that the Sex Offender Ordinance can be scheduled for the April 23 public hearing by a 4-1 vote but believe more work is necessary. The public should know the ordinance is subject to change.

8. Meeting adjourned at 7:00 PM.