

WISCASSET PLANNING BOARD
MINUTES, APRIL 11, 2011

Present: Chairman Steve House, Jackie Lowell, Peter McRae, Lester Morse, Karl Olson and Debra Pooler

Absent: Al Cohen, Tony Gatti and Ray Soule

1. Call Meeting to Order

The chairman called the meeting to order at 5:05 p.m.

PUBLIC HEARINGS

2. Maine Yankee - 25,500 sq. ft. paving within perimeter of spent fuel storage yard, 321 Old Ferry Road, Map R-8, Lot 5

Larry Jewett, Operations Specialist at Maine Yankee, described the 20-foot wide area to be paved inside the perimeter of the spent fuel storage yard and the access totaling 25,500 sq. ft. The paving will facilitate snow removal and maintenance.

Bill Phinney referred to the approval of the facility in 1999, which required a berm to hide the casks, and said one could still see the top third of the casks. He asked the Maine Yankee representatives to review the minutes of the Planning Board at that time.

3. Town of Wiscasset - June 2011 Ballot - Ordinance Public Information Meeting

A. Village Waterfront Ordinance (Article VI): Zoning changes to the downtown waterfront

Town Planner Jeffrey Hinderliter summarized the proposed ordinance that provides zoning standards appropriate for the village waterfront area, before the state imposes its standards, and provides more flexibility and options for current and future property owners while maintaining the character and quality of the village waterfront. The ordinance will provide zoning regulations that promote economic development and growth. He summarized the primary changes dealing with lot size, setbacks, permitted uses, performance standards and parking.

Comments and questions from the public included:

- Opposition to elimination of the setback,
- Opposition to elimination of the lot size requirement, as it would destroy the waterfront, a parking garage on the waterfront would destroy town.
- There is no need for a boardwalk because the town has sidewalks.
- If a building were destroyed by fire, a variance for setback could be obtained from Board of Appeal, so there would be no need for a zero setback in ordinance.
- How does VW district relate to new Shoreland ordinance? Which will have authority? Why not wait until the new Shoreland Ordinance is completed?
- How are general statements in the ordinance such as "maximum width necessary," "no reasonable alternative," "minimize adverse effects," and "no longer necessary" enforced?
- Because Section F3.0.0 prohibits additional uses, an ordinance change would be required to add a use not listed.
- Sections dealing with roads and driveways, stormwater runoff, landscape standards, erosion and sedimentation control, soils, water quality, archeological sites and performance standards are common to all zones and should be listed in one section, not in each individual zone. When a change is made in one of these standards, it would not require multiple changes.
- Section 9.0.0 (a) deletes the requirement for an occupancy permit. Is this correct?

- Section 2.17 of Article II should be 2.16 because of deleted section.
- Will the Village Waterfront Glossary be separate?
- Why is electric utility substation excluded?
- Map is incorrect for 250-foot setback.
- Selectman Polewarczyk will oppose.

B. Sign Ordinance

Hinderliter said the purpose of the sign ordinance was to establish standards that would maintain and encourage business activity and economic development while enhancing and protecting the physical appearance of Wiscasset. He summarized the primary changes including a non-conformance standard requiring signs to be brought into compliance within three years, increased number of allowable business direction signs, standards for temporary signs, digital signs, neon signs, and an expanded exempted signs section.

There were a number of questions regarding clarification of fees, allowed location and size of signs, directional signs, and the three-year compliance requirement. Suggestions included requiring one year for compliance by the state for its directional signs and compliance when a change of use occurs, allowing other types of metal for brackets, and requiring yard sale signs to be removed the day after the sale.

C. Downtown Business and Residential Zoning District

Hinderliter explained that the warrant article would cover only a change in the description of the district, adding ten properties adjacent to the Downtown Business District, and a revised map. The purpose of the change was to allow more flexibility and options for the properties in the section to be added and promote economic development. The change is consistent with the comprehensive plan. Existing standards in the Site Plan Review Ordinance would apply that would prohibit any change which would have an adverse effect on the scenic or natural beauty of the area and would require proposed structures to be related harmoniously to the terrain and existing buildings in the vicinity.

Comments in opposition to the proposed ordinance included the fear that Burger King could go into one of the historic houses or on its site; there would be no parking requirements; the ordinance change was being proposed to meet the needs of only one property; an overlay district for the Ledges would be an alternative; expanding the business district would erode the feeling of an old seaport town; complete the work of the Historic Preservation Commission first and then deal with the expansion of the district; and concern with possible permitted uses such as a bank, parking lot, eating places, bowling alley, etc.

Temporary Business Ordinance/Temporary or Seasonal Business Ordinance

Hinderliter explained that the proposed ordinance would resolve a conflict between two similar ordinances and would regulate temporary business activities such as roadside stands.

There were questions regarding the starting date for a permit and the reason appeals would be made to the selectmen rather than to the Board of Appeals. Other comments concerned the requirement for toilet facilities, the 90-day limit for a permit and conflicting sections of the ordinance

Shellfish Conservation Ordinance

There were no comments or questions.

The public hearing ended at 9:04 p.m.

REGULAR BUSINESS

4. Consideration of March 28, 2011 Minutes

Karl Olson moved to approve the minutes as printed. Vote 4-0-2.

5. Maine Yankee - Final Site Plan Review for 25,500 sq. ft. paving within perimeter of spent fuel storage yard

Karl Olson moved to waive the reading of the Performance Standards. Vote 6-0-0.

Section 6.1 Preserve and Enhance the Landscape: Jackie Lowell moved to accept. Vote 6-0-0.

Section 6.2 Filling and Excavation: Jackie Lowell moved to accept. Vote 6-0-0.

Section 6.3 Air Quality: Jackie Lowell moved to accept. Vote 6-0-0.

Section 6.4 Water Supply: Jackie Lowell moved to accept. Vote 6-0-0.

Section 6.5 Natural Beauty: Jackie Lowell moved to accept. Vote 6-0-0.

Section 6.6 Relationship to Environment and Neighboring Buildings: Jackie Lowell moved to accept. Vote 6-0-0.

Section 6.7 Vehicular Access: Jackie Lowell moved to accept. Vote 6-0-0.

Section 6.8 Parking and Circulation: Jackie Lowell moved to accept. Vote 6-0-0.

Section 6.9 Surface Water Drainage: Jackie Lowell moved to accept. Vote 5-1-0.

Section 6.10 Existing Utilities and Municipal Services: Jackie Lowell moved to accept. Vote 6-0-0.

Section 6.11 Water Quality: Jackie Lowell moved to accept. Vote 5-1-0.

Debra Pooler moved to approve the application. Vote 6-0-0.

6. Other Business

Karl Olson reported that the Ordinance Review Committee had received a draft subdivision ordinance for review. The draft will be given to the Planning Board for comment as soon as possible.

7. Adjourn

Debra Pooler moved to adjourn at 9:10 p.m.