



Office of Planning & Codes

Wiscasset Ordinance Review Committee Meeting Notes January 11, 2010

Members Present: Doc Schilke, Pat Barnes, Karl Olson, Larry Lomison, Jackie Lowell, Jeffrey Hinderliter (Town Planner). Absent: seeking replacement for Jill Lorom

1. Meeting Opens at 5:37 PM.
2. Agenda items discussed: Village Water Zoning District amendments, Shoreland Zoning
3. 14 December, 2009 meeting notes approved.
4. Other Business. Jeffrey begins with other business. Jeffrey announces the Selectmen will consider the new ORC member, Paul Foley, on Tuesday. He expects the Selectmen will appoint Paul and he will begin working with the ORC on the 25 January.
5. Village Waterfront Zoning District Ordinance Amendments. Jeffrey states that the Selectmen have authorized the ORC to begin working on amendments to the Village Waterfront Zoning District (VW District). It is Jeffrey's hope that amendments will be prepared in time for a June 2010 vote. The reason why the VW District is up for amendments is because the standards do not appear to reflect the intent of the district. For example, the VW District is modeled on working waterfront type district recognized by the Department of Environmental Protection, but the 100 foot water setback imposed by the Wiscasset Ordinance prevents working waterfront related development. This has been identified as an issue because of numerous projects such as the yacht club relocation and the Railroad Avenue project. Jeffrey further explains the material in the ORC packet concerning the VW district and states that he would like the ORC to review it and develop comment. He states that the amendments could be quite simple such as just a change to the 100 ft water setback requirement or more involved such like we did with the SB II/Marine Overlay District or somewhere in between. Jeffrey will bring develop a few options for the ORC to consider. ORC comments:
 - Is grandfathering still a possibility? Yes. Jeffrey explains grandfathering. ORC member states that as long as it can't be used to push on down the waterfront to use as a precedent.
 - Is functionally water dependent uses mentioned in the current VW ordinance? Does this include and allow piers, wharves and docks?
 - ORC agree that the 100 foot water setback is not appropriate for this district.
 - Do the current regulations protect the aesthetics enough so the water front doesn't look like poor? There is some protection within the regulations but they do not provide enough protection.
 - There are floodplain regulations applicable in the VW District, too.
 - Zero setback ok for functionally water dependent uses.

- If we change the water setback, will this allow undesirable uses and buildings to encroach on the water? Can we limit what uses and buildings can use the reduced water setback? We should think about how the water setback will be applied.
- **Recommendations:** Develop different examples of VW District amendments and return to the ORC.

6. Shoreland Zoning. Jeffrey introduces the Department of Environmental Protection 2006 Shoreland Zoning Ordinance (with Timber Harvesting regulations removed). Jeffrey states that these are the minimum guidelines that the town is required to adopt. The town can make adjustments and develop more restrictive standards as long as DEP approves them before the town adopts them. DEP is requiring that towns adopt new shoreland zoning ordinances by the summer of 2010. The town will most likely remove all current shoreland zoning standards, with the exception of the SB II/Marine Overlay Districts and replace them with standards similar to the DEP standards. Also, the town will need to create a new shoreland map to go along with the new ordinance. Jeffrey wanted to give the ORC a chance to take home and review the standards before we begin any detailed consideration. ORC discussed:

- Jeffrey explains some of the primary sections of the new standards- those that the ORC should concentrate their efforts on and compare to the existing shoreland standards.
- Apparently, the town is required to change their shoreland district names to those created by DEP. ORC feels that we shouldn't do this entirely because it could be confusing. Maybe we can put the town's district names in parenthesis beside the DEP names.
- The town has the option to include the timber harvesting standards which means we would have to administer those standards or repeal the timber harvesting standards and let the state administer them.
- Should we repeal the current shoreland standards and apply the new ones? This will most likely happen with the exception of SBII/Marine Overlay Districts.
- There should be a mechanism for the applicant to supply proof from a professional as to where the zoning district is if proposed develop will happen.
- Karl believes that a notice must be sent to all people affected by shoreland zoning changes of the meeting that will set the public hearing of those changes.
- **Recommendations:** The ORC will work on the new shoreland zoning ordinances with the hope that it will be ready in time for the June town meeting.

7. Adjourn: 6:45 PM