Office of Planning & Codes

Wiscasset Ordinance Review Committee Meeting Notes
June 28, 2010
(June 14 meeting postponed)

Members Present: Karl Olson, Pat Barnes, Jackie Lowell, Paul Foley, Doc Schilke, Larry Lomison, Jeffrey Hinderliter (Town Planner), Dennis Jumper (Town Attorney).

1. Meeting Opens at 5:34 PM.

2. Agenda items discussed: Village Waterfront Ordinance

3. April 26, May 10 meeting notes approved

4. Village Waterfront Ordinance. Jeffrey opens discussion by introducing Dennis Jumper, Town Attorney. Dennis is here at the ORC's request for the purpose of reviewing his comments as they relate to most recent draft (Final Draft) of the proposed Village Waterfront District. We'll discuss each of Dennis's comments in his 14 May email and the applicable ordinance sections.

- F.3.0.0: Dennis feels this is difficult because it has no criteria. Should we eliminate or use different wording but with a similar meaning. It appears that it's easier to remove 'subject to PB approval or denial' and add prohibited. ORC is ok with this.
- F.6.0.0.(m): Dennis states that adding 'or feasible' undoes the entire ordinance. Why not state 'would not be applicable.' ORC agrees the sentence should and at applicable.
- F.6.0.0.(e): ORC and Dennis discuss parking requirements. How should property be claimed for parking? Can spaces in town owned lots be counted? Should they be private spaces only when dealing with non-town controlled uses and properties so parking spaces in a public parking lot could not be counted? What if we removed the parking standard? Would this apply to existing and proposed businesses? It would apply to new businesses only, existing will be grandfathered. ORC would like to revisit this at the next meeting.
- F.6.0.0.(i): Dennis believes the architectural standards are to nebulous. What is the downtown architectural style based on and comparable to? Could it go with a specific style- but what is the style when you have buildings like sewer treatment plant in the VW district? If we have architectural standards they should be created so there is specific criteria. The specific criteria could include items like brick or wood exterior, pitched roofs, etc. Creation of specific criteria would substantially increase the length of the VW ordinance if it is done correctly. How can you truly apply standards when trying to determine which is well designed and which isn't? We should figure out what kind of design is preferred in the VW district. ORC discuss how future historic preservation district standards would apply to the VW district. These standards would be very specific and would apply in the VW district. They are being worked on and should be ready for town vote next year. If we are thinking of removing the architectural standards because

they are too nebulous, maybe we should create some temporary criteria so there will be some protection before historic preservation standards are adopted. If we left the architectural standard as is, wouldn't the intent provide protection? Could we remove the first 2 paragraphs, rewrite the 3rd and add exclusions for the treatment plant, reds eats and the Verizon building? We need to look for objective criteria. If we remove the architectural standards, we should add something as a stop gap measure before historic preservation standards are in place. Maybe contact Earl Shuttleworth of the Maine Historical Department for a laundry list of standards. Check around for 1 or 2 paragraphs that could be used until historic preservation standards are adopted.

- F.5.4.0: ORC discuss the landscaping standard. Dennis explains his email comments and wonders if the intent of the standard is to require a landscaping plan even if someone is doing minimal work like a small shed or new siding. Possibly this is an unintended consequence? The intent wasn't to require landscaping plans for work like that and if that's the way the ordinance reads, we need to revise the wording. We could say that construction exceeding a certain amount of square footage over a certain number of years would be required to comply with the landscaping standards. We should look into this a bit more.
- **Recommendations:** Continue review of the VW ordinance at our next meeting.

5. Other Business: Jeffrey updates the ORC on the June 2010 ballot ordinances

6. Adjourn: 6:51 PM