

WISCASSET PLANNING BOARD  
MINUTES, MAY 12, 2008

Present: Al Cohen, Earl Dighton, Tony Gatti, Chairman Steve House, Jill Lorom, Jackie Lowell and Karl Olson

Absent: Peter McRae and Ray Soule

1. Call meeting to order

The chairman called the meeting to order at 7 p.m.

2. Consideration of April 28, 2008 minutes

Al Cohen moved, Karl Olson seconded, to approve the minutes as submitted. Vote 4-0-3 (Gatti, House and Lorom abstained).

3. Doug Fitts and Bret Benway (Ice Pond Corp.) - Final plan review for Clark's Point 34-unit subdivision, Map R5, Lot 122

Doug Fitts presented a final plan that incorporated notes discussed at the previous meeting and showed traveled ways of 20 feet. Town Planner Jeffrey Hinderliter reviewed his memo to the Board, confirming that the application for Phase 2 is in compliance with the Wiscasset Comprehensive Plan; that proof of adequate financial capacity (letter of credit for \$1.5 million) is in the file; but he questioned whether the Board accepted some of the traveled ways which did not meet the 20-foot width requirements, the rights of way locations; and roads not being centered in the right of way.

Karl Olson said that the notes on the plan did not contain adequate reasons for the Board to deviate from the standards and accept the three conditions regarding the roads. He said that the aesthetics and reduction of impervious surfaces, although valid, were not sufficient reasons. There was also no note on the plan stating that the road widths would be increased to 20 feet if there were no change in the ordinance by the time of construction.

The possibility of adjusting the location of units was discussed and Fitts said that a note on the map indicated that the final location of units might be slightly different from what is shown on the plan. Hinderliter said that adjusting the walls of a condominium unit is the same as adjusting property lines and would require Planning Board approval for an amendment to the application.

Jeffrey Hinderliter said that the Planning Board can grant an exception regarding the clearing of the 50-foot right of way and allowing the road to not be centered in the right of way, but the width reduction of the roads cannot be waived by the Board and would only be allowed if there were a change in the ordinance. Although this can be covered in the Findings of Fact, Hinderliter cannot expand upon what has been said by the applicant. Al Cohen recommended that the applicant add to the plan the four conditions specified in Hinderliter's memo (having a professional engineer inspect the streets during construction, obtaining applicable DEP approvals before construction, submitting final condominium documents before sale of first unit and stating that roads will not be

reduced to 16 feet if there is no ordinance change). Hinderliter recommended that in addition the roads (driveways) and rights of way be described by metes and bounds. He also asked that responses to the performance standards be amended to provide a clearer justification for varying the traveled way within the right of way, reducing the cleared area for the right of way and reducing the traveled way width.

Fitts asked whether he could go forward with work on the pond, which has been approved by the DEP, and was informed that the pond was included with the subdivision application and would have to await approval of that application. He was asked to indicate the pond on the plan.

There will be no meeting on the fourth Monday because it falls on Memorial Day. Karl Olson moved, Al Cohen seconded, to schedule a meeting for May 28 at 7 p.m. with only this item on the agenda. Vote 7-0-0.

#### 4. Other Business

David and Lon Walters discussed with the Board a proposal to locate an Alzheimer's facility in the area. They have developed assisted living and congregate care facilities in Waterville, Brewer, and Hallowell, one of which Jeffrey Hinderliter had visited and described as a first-class facility. The Walters plan to develop two additional facilities, one in Rockland and one in the Bath/Wiscasset area, and are considering property formerly owned by Dan Thompson on Churchill Street. Hinderliter had suggested the Walters meet with the Planning Board to get its opinion on how such a development would be received by the town. The proposed 36-bed facility would be approximately 14,000 sq. ft. on the 80-acre site, with parking for 28-30 cars. The building would not be visible from the street. Al Cohen said he thought the proposal was a great idea and it was a good location for a facility of that type. In response to David Walters' question, Hinderliter said there was no historic ordinance at the present time, and that if one were passed, a meeting with the Historic Preservation Commission would be in order; however, he saw no problem.

#### 5. Adjourn

Al Cohen moved, Karl Olson seconded, to adjourn the meeting at 8:05 p.m. Vote 7-0-0.

Submitted by,

Jackie Lowell, Recording Secretary

cc: (Upon Planning Board approval) Board of Selectmen