



Office of Planning & Codes

Wiscasset Ordinance Review Committee Meeting Notes February 25, 2008

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

1. Meeting Opens at 5:40 PM.
2. Items Discussed: High Street Parking Amendments, Future Land Use Ordinance (Use Classification Table)
3. February 11, 2008 minutes approved.
4. High Street Parking Amendments. Jeffrey and ORC discuss the attorney's opinion concerning whether the Selectmen have the authority to adopt the High Street parking amendments. According to attorney Dennis Jumper's letter, the Selectmen have the exclusive authority to adopt this ordinance and other traffic ordinances that are associated with state statute 30-A, M.R.S.A. 3009. This means the only way to adopt ordinances associated with this statute is by the Selectmen and these ordinances cannot be approved by town meeting vote because the selectmen have exclusive authority. This may be a problem for other ordinances that would fall within this statute and were adopted by town meeting vote. In fact, the ordinances that were adopted by town meeting would be a nullity if it fell within section 3009 because the statute states the Selectmen's power is exclusive. The statute dates back to at least 1987, so we should review town meeting warrants at least back to 1987 to see what traffic regulations were adopted by town meeting vote. Also, we should check to determine whether the statute adoption date is 1987 or if it was adopted within a different area of statutes and located in a different section. It appears that the best way to resolve this is to find the traffic ordinance standards that would fall within the statute and were adopted at town meeting and to have the Selectmen readopt them.
Recommendation: ORC agree that the Selectmen can adopt the High Street parking amendments. Also, Jeffrey should find all the traffic ordinance standards that were adopted by town meeting and should have been adopted by the Selectmen and present these ordinances to the Selectmen for re-adoption. ORC strongly recommend that the Selectmen readopt applicable traffic standards.
5. Shellfish Ordinance and Historic Preservation Ordinance work. Jeffrey states that he will be assisting the Shellfish Committee with amendments to the Shellfish Conservation Ordinance and the ad-hoc Historic Preservation Committee with the development of a Historic Preservation Ordinance. He believes each Committee can handle this work and asks the ORC how involved they want to be with this ordinance work. The ORC indicates they feel comfortable with each

Committee doing their own work. The ORC believes they only need to review the Shellfish amendments when completed and as for the Historic Preservation, they would like to be a bit more involved but feel comfortable with the Committee writing the ordinance.

6. Future Land Use Ordinance (Use Classification Table). ORC continue discussion and review of the future land use ordinance use classification table. Jeffrey indicates he wants to continue work on the Village 1 District and also complete two more districts that have a diverse purpose and intent such as a district with a conservation purpose and a district that allows more commercial/industrial uses. He knows this is a time consuming process but he believes it is important that we continue on this track. He reminds the ORC this work will help him with development other ordinance work. Also, he is just looking for general ideas right now and we will get into more detailed review of what uses are permissible and if permissible, what type of review (e.g., Planning Board or Code Officer) is necessary. ORC continues work on Village 1 District land use classifications.

7. Adjourn: 7:25 PM