



Office of Planning & Codes

Wiscasset Ordinance Review Committee Meeting Notes March 24, 2008

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

1. Meeting Opens at 5:43 PM.

2. February 25, 2008 meeting minutes approved.

3. Shellfish Conservation Ordinance Amendments. Jeffrey indicated that the Shellfish Committee would like to amend the Shellfish Conservation Ordinance. Jeffrey said the Committee developed the proposed amendments and Jeffrey put the pieces together. Jeffrey introduced Richard Forrest, Shellfish Committee member, to discuss the proposed amendments.

- Richard explains the ordinance amendments. The amendments include requirements for completing conservation work and commercial license requirements.
- State mandates conservation time and the town can choose how much time is needed. Richard explains conservation time. ORC and Richard discuss conservation time and the ORC believe a definition should be included as part of the amendments.
- All ordinance amendments must be approved by the Department of Marine Resources.
- 6.5.2.a: delete "time" add "work"
- Discussion regarding transferring licenses. ORC recommends amendments include language that does not allow licenses to be transferred.
- Richard says he will consider the ORC's comments and discuss the comments with DMR. Ultimately it is DMR who must approve the amendments.
- **RECOMMENDATIONS:** ORC recommends the Conservation Commission consider including the following: 1. Delete "time" add "work"; 2. Define conservation work; 3. Conservation work should be completed in Wiscasset; 4. Include language that does not allow licenses to be transferred.

4. Nuisance Noise Ordinance (6-26-06) Discussion. Public present: Sherri Dunbar, Skip and Judy Taylor. Jeffrey states the ORC discussed the ordinance and racetrack noise concerns at the last meeting but because there was no quorum the ORC could not take action. The discussion was primarily associated with noise from the racetrack and includes the following comments:

- Concerned about how it will be operated. Will noise increase with new owner?
- Is it possible to put a cap on the noise? This should be something to consider.
- Why should the racetrack be excluded? ORC discuss that there were a number of former members who felt this way. The public at the meeting feel this exclusion should be removed. The racetrack should be considered a sporting event.

- Discussion about the quality of life. The noise affects the quality of life. The noise is so loud that some people leave town for the day and you can't spend time outside.
- Limit the days the track can operate. There needs to be some limit to the noise.
- Discussion about how the track operated in the past and agreements made by the former owner.
- ORC questions and discusses what legal authority we have to regulate. What can the town legally do? How about the grandfathering issue? How can an ordinance cap noise at a previous level? Should check with Dennis Jumper on this.
- How will the racetrack impact future land use in this area?
- Should check the Planning Board files to see how the track was permitted.
- Why can't the ORC just delete the standard that exempts the racetrack? If we do this, what standard will apply towards racetrack noise and how will it be enforced?
- Discussion continues about what the town can legally do, racetrack noise and how to regulate noise.
- Don Jones, via email, offered changes to 11.2.4 and 11.2.5. The ORC agrees with these changes.
- **RECOMMENDATIONS:** Table until we receive a legal opinion in regards to what legal authority the town has to regulate noise at the racetrack, research the Planning Board files and determine if the we remove the racetrack exemption how could this ordinance be enforce noise requirements at the racetrack.

5. Meeting closed at 7:00 PM