



# Office of Planning & Codes

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## WISCASSET ORDINANCE REVIEW COMMITTEE

December 27, 2011 at 5:00 p.m.  
Wiscasset Town Hall Meeting Room

### 1. Call to Order

Chairman Karl Olson called the meeting to order at 5:02 p.m. Present were Pat Barnes, Jackie Lowell, Karl Olson and Doc Schilke. Also present were Town Planner Misty Gorski, CEO Rick Lang, Ed Polewarczyk and Bill Phinney.

### 2. Approval of minutes of December 12, 2011

The minutes of the December 12, 2011 meeting were approved.

### 3. Discussion: PACE Ordinance

Town Planner Misty Gorski asked for comments from the committee regarding the PACE ordinance that had been referred to it by the Selectmen for review. The committee and Ed Polewarczyk had concerns or comments as follows:

- Need clear explanation of town's responsibilities.
- Town should not be involved in people's mortgages.
- People will assume the town is involved in the mortgage.
- Need exact wording of enabling legislation.
- Article II, Section 1A: "substantially reduced energy use" is subjective.
- Article II, Section 1A(2): What is approval process?
- Article II, Section 1B: What would be a reasonable payback period? Would town be liable if participant didn't see any or little energy savings?
- Article III, Section 2: Omit section.
- Article IV, 1: If PACE makes changes in the future, under the ordinance, the town is obliged to accept them, which is not acceptable. Could add, "Town will review and adopt or not participate."
- Article V: Do we know if federal funds will always be available? What is financial condition of Efficiency Maine? Would the town be responsible if the PACE program was not self-sustaining? Efficiency Maine would work with other mortgage brokers if federal funds were not forthcoming.
- Article V, Section 1B: Education program could consist of merely making fliers provided by Efficiency Maine available at the Town Office with no cost to the town.
- Article V, Section 1C: What is intent of this article, how will the town assist and cooperate with the trust in its administration of the PACE program?
- Article V, Section 1D: What is the "assessment"?
- Article V, Section 2B: ORC needs to see the administration contract that says town has no liability for or related to energy savings improvements financed under a PACE program.

The reason for program was questioned when mortgage rates from conventional lending sources were now low. Misty Gorski will research questions.

#### 4. Approve: Article 4 Non-Conformance language

The article was approved with several changes:

- 4.2, third line, add "and" after Ordinance.
- 5.2, Change 25% to 30%.
- 5.2, Change reference from 5.3 to 5.4 in last line.
- Re-number Section 5.

#### 5. Discussion: Article VI Section 9 - Development Standards Main St. Corridor

The development standards were approved with the change in definition of Formula Restaurant, which was changed to a, b, and c dealing with similar name, standardized architecture, and uniforms.

Gorski said the standards could apply to 1) the Main Street Corridor, 250 feet on each side of Main Street, 2) all of Village 1 southeast of Hodge Street, or 3) all of Village 1. Doc Schilke moved that the standards apply to all of the Village 1 District. Vote 4-0-0. Gorski will revise the document and map.

Doc Schilke moved to include the Village Waterfront District in the Village 1 development standards. The motion was tabled.

#### 6. Discussion: Section 6 - Zoning Village 1 and Village 2

Gorski offered four alternatives for the Village 2 District along Route 27. The first would cover 500 feet on each side of the road where there would be height and size restrictions and simple design standards to fit in with the residential New England character. A draft Article VI, Section 10 for the Route 27 Village 2 Corridor had been sent to the board. The second approach incorporates uses currently allowed in the residential district with a requirement for building design and parking. This proposal would allow many options for commercial uses with the Village 2 district as noted on the revised land use matrix. A third alternative would have simple design standards for commercial buildings but only allow commercial uses within 500 feet of Route 27. A fourth approach would only allow specific commercial uses within 500 feet of Route 27 and require additional specific design standards.

The committee discussed the changes that had been made in the uses for the Village 2 District, allowing more commercial and institutional uses. The committee had previously decided on uses in this district and Gorski said that only current uses had been added. If the additional uses were allowed, it was felt the ordinance would not comply with the comprehensive plan. Pat Barnes moved to postpone discussion on this matter until the full board was present. Vote 4-0-0.

#### 7. Other Business

Gorski said that in order to meet the public hearing deadlines required for putting the ordinances on the ballot, the committee would have six meetings to finalize the work. She would like to have the following ready for the June ballot: Zoning districts, Land Use matrix, development standards, land use district map, glossary updates, non-conformance article, Village 1 and Village 2, and extending the commercial district to the other side of Route 1. She suggested public informational meetings before the official public hearings. Gorski will check with Bob Faunce whether the subdivision and site plan review ordinances were ready for a vote.

Karl Olson said he would be willing to increase the meeting frequency in order to get the work finished on time and this will be discussed when the full committee is available.

The next meeting is January 9, 2012.

#### 8. Adjourn

The meeting adjourned at 6:59 p.m.