



# Office of Planning & Codes

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## Wiscasset Ordinance Review Committee Meeting Notes April 12, 2010

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

1. Meeting Opens at 5:37 PM.

2. Agenda items discussed: New Shoreland Zoning Ordinance

4. February 22 and March 8 meeting notes approved

5. New Shoreland Zoning Ordinances. Jeffrey begins by reviewing the new shoreland ordinance by each section and explaining the intent. He explains the new shoreland ordinance will entirely replace the current shoreland ordinance. The new ordinance is pretty much includes all the standards in the DEP recommended shoreland laws. Jeffrey indicates there are a few adjustments to reflect the inclusion of the proposed Village Waterfront, Shoreland Business II and Marine Overlay Ordinances. These 3 ordinances will be included as part of the shoreland ordinances by reference and will be separated from the main body of the new shoreland ordinances because each has their own specific standards that exclusive to their own zoning district. Jeffrey states that these new shoreland standards are the states minimum requirements. The town can change them more restrictive. It is more difficult when creating different standards or less restrictive standards. No matter what the town proposed ordinance changes are, DEP must review and they have the final say. Jeffrey tells the ORC this because he doesn't want to waste efforts on things the DEP probably will not support. Jeffrey states that he's like to do a comprehensive section by section review of the new shoreland standards first. As the ORC goes along, we can note items that need more thought or work and come back to them during our next 2<sup>nd</sup> reading of the new ordinance. The following was discussed (numbers reference the applicable section of the new shoreland ordinance).

- 3: Applicability- include Village Waterfront, Shoreland Business II and Marine Overlay Districts.
- 9: be sure to cross-reference other districts. Look over our current zoning district names and see which ones are transferrable and match the DEP recommended names.
- Jeffrey reviews the current shoreland zoning map with the ORC and points out each of the current shoreland districts.
- 10: district description in the ordinance governs over zoning map. There should be some additional language that requires a professional such as a land surveyor to locate a district boundary if there is a question in the location of it.
- 11: how does this affect the VW, SB II and MO Districts?
- 12: nonconformance is discussed and there is little that probably can be changed with this section.
- 13: discussion of district names. Some of the districts in the DEP shoreland ordinance will not exist in the town's new ordinance because we do not have areas that fit the

districts description. Districts to be deleted will most likely be Limited Commercial, General Development II and Commercial Fisheries/Maritime Activities. With some of the other DEP districts, we may change the name of the district to one the town has adopted (e.g. General Development I will become Shoreland Business). Also, we need to include the VW, SB II and MO Districts in addition to the district we'll keep.

- ORC discuss definition of stream. The state has 2 different definitions and we should review both and choose which one is best.
- 14: Land Use Chart- this is a section the ORC should carefully review and understand before final recommendations. For example, it says that Mineral Extraction is allowed in the Resource Protection District- do we think this is an appropriate use for this district? When reading the land uses, you should review these with the definitions and land use standards (section 15) to get a more detailed explanation of the use. ORC discuss the uses and whether they would be appropriate in each district and who should review them.
- 15(1)(b): delete references to Commercial Fisheries District.
- 15(B)(1): delete references to Commercial Fisheries District and change the GD I district to Shoreland Business.
- 15(B)(2): delete Limited Commercial.
- 15(B)(4): delete Commercial Fisheries District.
- 15(B)(5)(c): delete in the aggregate.
- 15(B)(5)(e,f,g): re-letter to d,e,f
- End at 15 (C).
- **Recommendations:** continue review of new shoreland ordinance at next meeting.

6. Adjourn: 6:46 pm