

EDGECOMB PLANNING BOARD  
SHEEPSCOT HARBOUR VILLAGE AND RESORT PHASE IIB  
PUBLIC HEARING  
MINUTES, AUGUST 31, 2006

The public hearing on Phase IIB of the Sheepscot Harbour Village and Resort application was called to order by Chairman Erin Cooperrider at 6:38 p.m. Board members present were Dave Boucher, Vice Chairman Katharine Braid, Bruce Cameron, Chairman Erin Cooperrider and Lisa McSwain. Alternates David Clifford and Amy Winston were absent. Also present were 25 members of the public, two selectmen and Roger Bintliff and his development team.

Roger Bintliff described the proposed development of 15 homes and five cottages on 16+ acres. Addressing concerns voiced at the site walk, Mr. Bintliff said that there would be no connectivity to Fort Road and curb cuts on Eddy and Fort roads had been eliminated as well as four houses shown on previous plans. This part of the development is for residents 55 and older. There will be a community center with kitchen and bathrooms. The homes will be New England style with three bedrooms and a single-car garage. The 75-foot setback and buffers will be designated conservation land in perpetuity. There was a question on the boundary between the development and Mrs. Gagnon's land which is being researched and the total area is being recalculated for density purposes. Two of the proposed houses are in Shoreland.

Bob Crink, Quarry Road, asked how Marine I differed from Marine II or other districts. Erin Cooperrider said that there were no specific uses allowed or not allowed, but standards were different. He also asked about bathrooms and kitchen in the community center and was told there would be those accommodations. There will be no sleeping facilities in the center, which would make it a dwelling unit. In response to his question on ownership, Roger Bintliff said the land will be owned by a condominium association, and density calculations will include the roads and all impervious surfaces. With regard to the 75-foot setback not being disturbed for construction, Roger said that there is adequate room so that area will not be disturbed and the Lincoln-Knox County Soil and Conservation District as well as the DEP will be reviewing the plans.

Bob Zak, Fort Road, asked whether the condominium association would be allowed to select the management company. Roger Bintliff said that under Maine condominium statutes, the developer has the right to manage for seven years or until 75% of the units are sold, at which point the association can make decisions on management. He added that the buffers are deeded conservation land so they cannot be changed when he is no longer involved in owning or managing the property.

Bob Zak asked what kind of protection the abutters would have for their wells if blasting were necessary. Danielle Betts, Sebago Technics, said a hydrogeologist had been consulted who recommended following an established protocol for testing wells to determine if ground water levels or water quality changes. Roger Bintliff said he would test all wells within 500 feet of the project if the owners so desired. He added that because there was not much ledge where construction would take place, they were hoping blasting would not be necessary. The earth could be built up to cover water and sewer mains instead of burying them, if necessary.

Bob Zak requested that the hydrogeologic study not be waived as requested by the applicant.. Roger Bintliff said that the purpose of the study was to insure the quality of water for his project and to assess his septic system in relation to abutting wells. He had requested a waiver because he no wells or septic systems are planned, and he thought the test was unnecessary.

Corning Townsend, Fort Road, asked what would happen if the abutters' wells went salt or dry as a result of development activity. Roger Bintliff said he would offer to fix the problem by drilling another well, but he noted that some wells of abutting landowners are not on the owner's property. He suggested that the homeowners on the point form an association to work with him on the problem. He said he could extend the water lines to the edge of his property so that abutters could tie into them but that would require a 20-foot wide passable easement for the water lines. The homeowners had previously objected to any connectivity, which would seem to prevent this solution. In addition, the buffer zone will be deeded conservation land, and any easement would have to be granted before the conservation land is recorded.

Chris Cossette, Wiscasset Water District, said in order to extend the water lines, a 20-foot passable easement would be required, but the WWD could not disturb conservation land unless a utility easement were in place. Ann Zak asked whether it would be possible to set up a fund to defray costs if wells were harmed.

Bobby Carleton, Fort Road, asked that all wells be tested. Roger Bintliff said he would test all wells with the owner's permission.

Lisa McSwain asked whether it would be possible to drill wells in the conservation land. Roger Bintliff said if it were stipulated in the deed, it would be possible. In response to the question of clearing land for well-drilling, he said the area could be replanted.

Erin Cooperrider asked whether wells would be tested if no blasting occurred. Roger Bintliff said for the peace of mind of those concerned, he would test even if no blasting were done.

Bob Crink commented on the lack of a two-car garage and basement, limiting storage space. Roger Bintliff said the units were being marketed as second homes for summer residents.

In response to Bob Zak's question, Roger Bintliff said he had no intention of adding this parcel to the TIF district.

Bruce Cameron said that the water was supplied by the Wiscasset Water District. It is regulated by the PUC. Sewer is supplied by Edgecomb sewer. A sewer ordinance is being drafted at the present time.

Corning Townsend asked whether water lines could follow the road to connect to properties on the point if the wells went dry. Danielle Betts said that the Wiscasset Water District would have to install the lines under the road where they probably would encounter ledge and because it is a state-aid road, the state would have to approve.

Erin Cooperrider said that the TIF district was established to set aside funds for these types of public improvements, and the thinking at the time was that the TIF would provide funds to supply public water and sewer to those owners that do not get reliable water from a well or those with overboard discharge systems. These monies are now being generated. Roger Bintliff added that the proposed Phase IIB development would generate \$100,000 annually in property taxes outside the TIF district. Projected TIF funds over a 10-year period are \$850,000. The town will have jurisdiction over these funds to extend water and sewer or for other uses.

Chris Cossette said that it would be necessary to apply to the Wiscasset Water District for approval to construct lines for water service and the lines would then be turned over to the WWD. The WWD responsibility for lines ends at the curb and extending them to houses will be

at the homeowners' expense. It costs approximately \$1 million per mile to lay water lines. Sewer and water lines must be 10 feet apart and each utility requires a 20-wide easement, making a total easement of 30 feet for both water and sewer lines.

Bob Zak commented that it would take many years to build up the TIF money. Roger Bintliff replied that there would be no money if there were no development.

Corning Townsend asked if there were a contingency plan if wells failed and whether an insurance policy could be obtained to cover the cost of extending water lines in that event. Roger Bintliff will look into the possibility.

Ann Zak asked whether there would be greater density allowed with a condominium development. Erin Cooperrider said the allowable density was determined by the availability of water and sewer. The proposed development is not multi-family, but composed of multiple, i.e. more than one, residential units. The application will be considered under the subdivision ordinance. Ann Zak referred to the ordinance which would have serious implications, if it allowed greater density anywhere in town with water and sewer. Katharine Braid suggested that that subject should be discussed at the public hearings on the proposed ordinance change. There will be a public meeting on September 6, a public hearing on September 13 and a Special Town Meeting to vote on the ordinance change on September 20.

Bill Phinney, Wiscasset, said the property of the proposed development can be seen from the Wiscasset shore and he asked whether the buffer under the conservation easement would be kept forever wild with no cutting and also who would enforce that restriction. Danielle Betts said that the landowner, would be responsible for maintaining the buffer in the conservation land, in this case the developer, until the condominium association takes over. The maintenance will be under the purview of the DEP, which regulates, with the guidance of a licensed forester, what type of clearing will be allowed in the 75-foot setback in Shoreland. Roger Bintliff said he has no plans to cut trees, only to remove dead trees and clear underbrush.

Barry Hathorne asked how the applicant obtained permission to cut trees. Roger Bintliff said the clearing was the site of the old overboard discharge area, and anything beyond that was clearing for homes and roadways. Mr. Hathorne said the west shore of Davis Island, 200 feet back from the water, had been decimated. Jackie Hall said she had contacted the Code Enforcement Officer at the time of cutting and was advised that the clearing was legal.

Bruce Cameron said five years ago it was estimated that it would cost \$1.8 million to take water and sewer lines across Davis Island.

The public hearing closed at 7:55 p.m.