

MINUTES  
TOWN OF TOPSHAM  
PLANNING BOARD MEETING  
FEBRUARY 17, 2009, 7:00 P.M.

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MEMBERS PRESENT: Don Spann, Chairman  
Don Russell, Vice Chairman  
Ronald Bisson  
Michael Colleran  
Tim Dunham

MEMBERS ABSENT: Stephen Mathieu and Nora Wilson were excused.

STAFF PRESENT: Richard Roedner, Planning Director

A meeting of the Topsham, Maine Planning Board was held on February 17, 2009 at the Municipal Building at 100 Main Street, Topsham, Maine. Chairman Spann called the meeting to order at 7:00.

1. **ROLL CALL**

The recording secretary conducted the roll call and noted that Stephen Mathieu and Nora Wilson were absent. Both Mr. Mathieu and Ms. Wilson have been excused.

2. **MINUTES FROM THE FEBRUARY 3, 2009 MEETING**

Motion was made by Don Russell, seconded by Tim Dunham, and it was

VOTED

To approve the minutes of the February 3, 2009 meeting as amended.

(Vote was 4-0 with 1 abstention (Mr. Bisson).

Amendment to the minutes: Ronald Bisson and Nora Wilson were listed as absent. Request was made to show that both Mr. Bisson and Ms. Wilson had been excused.

3. **PUBLIC HEARING - THE TOPSHAM PLANNING BOARD WILL HOLD A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE TOPSHAM ZONING ORDINANCE ENTITLED "DEVELOPMENT TRANSFER ORDINANCE."**

This item is before the Board for a Public Hearing on proposed amendments to the Topsham Zoning Code and Official Zoning Map regarding the Development Transfer Ordinance and Overlay Zone.

The proposed language was written by the Comprehensive Plan Implementation Committee, and has been presented at several public meetings, as well as to various Town Committees, including the Natural Areas Committee, the Conservation Commission, the Planning Board, and the Board of Selectmen.

Members of the Comprehensive Plan Implementation Committee were present at the meeting. Michelle Moody began the discussion telling the Board that the proposed Development Transfer Ordinance changes have been before a public meeting and the Board of Selectmen. Ms. Moody explained that the changes follow the Comprehensive Plan to move density from the rural areas into the growth areas.

Mr. Russell inquired if there had been changes since the last Planning Board review. Ms. Moody said that the last change was in reference to the discussion of when the fee was to be paid. It was resolved that the fee is to be paid up front either in cash or through a Performance Guaranty that obligates that the money will come to the Town.

Following Ms. Moody's presentation, there were no further questions or comments from the Board.

The Public Hearing was declared open. Curt Weaver asked for an explanation of a color chart of the proposed Development Transfer Overlay District. Mr. Weaver said he owns land in the R-3 District and it appeared to him that the setbacks will go from 75-feet in the front and 50-feet on the side to 25-feet in the front and 25-feet on the side for a single family residence. Response was that Mr. Weaver was correct but those measurements were not for all of the R-3, but only the R-3 in the growth area. Mr. Weaver said that was his only question and that he was in favor of the ordinance.

With no further questions or comments, the Public Hearing was declared closed.

Motion was made by Mr. Russell, seconded by Mr. Bisson and it was unanimously

VOTED

That the Development Transfer Ordinance Language and Overlay Zone Map be forwarded to the Board of Selectmen to place on the Warrant for the next Town Meeting with a recommendation of "ought to pass" from the Planning Board.

4. **AMENDED SITE PLAN AND SUBDIVISION - THE HIGHLANDS HAS SUBMITTED PROPOSED AMENDMENTS TO THE MEMORY LOSS WING AT 30 GOVERNOR'S WAY, TAX MAP U07, LOT 004C.**

Item 4 was tabled to a future meeting.

5. **AMENDED SUBDIVISION - STACY AND SCOTT FRIZZLE HAS SUBMITTED A PROPOSED LOT LINE CHANGE IN THE EMILY STREET EXTENSION SUBDIVISION, TAX MAP R1, LOT 17.**

In the absence of the applicants, Planning Director Richard Roedner reviewed with the Board that in January of this year the Planning Board granted final approval for three new lots of a four-lot subdivision. Mr. Roedner said that for financing purposes, a small amendment was necessary along one of the lot lines and the change requires Planning Board approval.

Mylar and paper copies showing the adjustment were presented for Board signatures. A letter dated February 4, 2009 to the Town Planner from Curtis Neufeld of Sitelines explaining the need for the adjustment is on file.

During discussion, Mr. Russell inquired if the proposed adjustment has any impact on the three approved lots. Mr. Roedner said the change did shrink the new lots slightly in order to retain acreage on the main lot.

With no further discussion, motion was made by Mr. Russell, seconded by Mr. Bisson and it was unanimously

VOTED

To approve the amendment to the Stacy and Scott Frizzle Subdivision to adjust the lot lines as shown on the revised plans.

6. **NEW BUSINESS**

There was no new business to address.

7. **OLD BUSINESS**

There being no old business to address the meeting was adjourned and the Board moved into Workshop Session.

**WORKSHOP**

Open Space Payment in Lieu

Respectfully submitted,

  
Patty Williams, Recording Secretary