WATERBORO, MAINE

REGULAR MEETING /- WATERBORO PLANNING BOARD JANUARY 28, 1993

MEETING CALLED TO ORDER BY CHAIRMAN, JOHN ROBERTS AT 8:00 PM

I ROLLCALL: Present were Roland Denby, Judi Carll, Dwayne Woodsome, Cindy Allen and Chairman, John Roberts.

II MINUTES OR PREVIOUS MEETINGS:

Roland Denby moved to approve November 18, 1992 and December 9, 1992 minutes. Judi Carll seconded the motion. Vote was 3-0 in favor.

III COMMUNICATION AND BILLS:

- 1. Copy of Budget Proposal for 1993-1994
- 2. Letter of Credit for Deer Acres
- 3. Letter from Ron Jarosz Re: Conditional Use Permit
- 4. Letter from DEP Re: Charles Pierce Subdivision
- 5. Letter from Abbott's General Store
- 6. Letter's from CEO Re: Merrill & Heath's Village
- 7. Notice from SMRPC Re: Workshop

IV REPORT OF OFFICERS:

V APPOINTMENTS:

7:30 PM Rick Frenette Map 13 Lot 53A-1 Zone AR 7:45 PM Ray Rheault Map 6 Lots 24, 24A & 26 AR Zone 8:00 PM Lake Arrowhead Map 17 Lot 1C R Zone 8:15 PM Lawrence Curit Map 55 Lot 3 AR Zone 8:30 PM Kevin Grimes Lake Sherburne

7:30 PM Rick Frenette Map 13 Lot 53A-1 Zone AR

Mr. Frenette is currently in violation of the State Junkyard Law. Court action is pending in Springvale District Court. Mr. Frenette has been advised to request through the Planning Board a Conditional Use Permit to allow him to repair vehicles.

Mr. Frenette told the Board members that he has a full time job at a Ford Garage however, during his spare time he repairs vehicles. Some of the repairs include body work. Mr. Frenette also enjoys stock car racing and currently has two stock cars on his property. Mr. Frenette noted that he has a three acre lot that he has purchased from June Day who resides across the street from him. The lot his mobile home sits on is approximately two acres in size. Mr. Frenette is before the Board to try to satisfy the Town's Regulations. He noted that he currently has three vehicles that he has placed way out back and they are not visible from the road.

Mr. Frenette was informed that three or more inoperable/unserviceable vehicles constitutes a junkyard by State Law and in order to get approval from a junkyard it involves a three step process the first being Planning Board Approval, License to operate a Junkyard from the State Police and approval from the Waterboro Board of Selectmen.

Mr. Frenette questioned the stock cars being classified as junk vehicles. They are unregistered however he races at Beech Ridge Speedway. Nothing is stock. The Board asked Mr. Frenette what he wanted. Mr. Frenette would like to have a Repair Facility and be able to keep the two stock cars, the three vehicles he has so he can use the parts if needed and in the future would like to sell some cars.

Roland Denby moved and Cindy Allen seconded a motion to authorize a Conditional Use Permit under Section 4.01 and 3.06.03 Item #15 allowing no more than five (5) vehicles either from sale/repair at any one time, that the two stock cars be allowed and no more than two (2) unserviceable vehicles be allowed on property, total not to include his own personal transportation vehicle (this Conditional Use Permit to supersede all other Conditional Use Permits). Vote was 4-0-0 in favor.

7:45 PM Ray Rheault Map 6 Lots 24, 24A & 26 AR Zone

Mr. Rheault owns approximately 128 acres of land. He owns a small airplane and would like to know how the Board would feel about him requesting an additional use in the AR Zone to be presented at the Annual Town Meeting as a Zoning Change. The private landing strip would be grass approximately 1900 feet long and 2000 ft. wide. Approximately 923 ft. needed for take off with the plane he owns. Dwayne Morin has requested language from surrounding communities if the Planning Board finds this request favorable. All members agreed this was a reasonable request. Dwayne Morin will forward all information acquired to Mr. Rheault. Sharon to call Mr. Rheault as soon as the material arrives. Once material is received this request to come back at next available meeting.

8:00 PM Lake Arrowhead Map 17 Lot 1C R Zone

Mr. Len Vengasby of Lake Arrowhead Community was before the Board proposing a Wellhead Protection Zone surrounding Lake Arrowhead's new well. Dwayne Morin presented the Board with suggested changes by means of an overlay zone rather than rezone the wellhead areas. The Town also needs to address this same issue with the new well. The overlay area to be 2500 day recharge area.

Would the Lake Arrowhead Garage fall in the 2500 recharge area. Mr. Vangasby noted the location of the garage would be grandfathered. The location of the garage is on the very edge of the recharge area. Lake Arrowhead Community has already removed tanks and placed them in a containment system.

A Public Hearing would be required and review by Town of Waterboro Legal Counsel. State will be mandating Wellhead Protection Zones in the future.

The Board will keep Mr. Vangasby informed.

8:15 PM Lawrence Curit Map 55 Lot 3 AR Zone

Mr. Curit lives in the Twin Pines Mobile Home Park. He inquired of the need of a building permit prior to construction of an existing garage structure. The CEO's noted by Mr. Curit's description, a permit would not be necessary however upon seeing the structure the description did not accurately depict the existing structure thus the CEO has sent Mr. Curit before the Board for approval of this structure.

Mr. Curit has a drag car and the garage is needed to keep the car from the outside elements. It also allows Mr. Curit to work on this car during the winter. The structure was described as temporary. Mr. Curit informed the Board that the structure would leave when he moved his trailer. A plot plan was presented however appears to be inaccurate.

The Board members requested an accurate plot plan and upon presentation of this plan Mr. Curit would be placed on the next available Planning Board Meeting.

8:30 PM Kevin Grimes Lake Sherburne

Kevin Grimes is before the Board to present a grandfathered substandard lot. Mr. Grimes would like to place a house on this lot. The lot falls within the Forest/Agriculture lot which is a 5 acre lot minimum. The lot is approximately 1.4 acres in size, falls within the flood plain, and would require a permit from Maine DEP. Mr. Grimes needs to know what the building envelope would be prior to requesting permission from DEP.

Dwayne Morin and Kevin Grimes discussed the necessary setbacks from the wetland.

After much discussion Cindy Allen moved to approve a 75 ft. setback from the wetland, 35 ft. rear lot line setback and 20 ft. sideline setback contingent on DEP approval, soil and erosion control to be used and an updated plot plan to be presented with the building application. Judi Carll seconded the motion. Vote was 4-0-0 in favor.

VI NEW BUSINESS: Dwayne Morin explained to the members present a discussion he and Roland Denby had discussed. 1. Flea Markets, garage sales,

- 2. Updating Section regarding signs,
- 3. Addressing Massage Parlors,
- 4. Addressing Home Occupations,
- 5. Wellhead Overlay Zone.

VII OLD BUSINESS:

1. Doug Foglio

Doug Foglio received Planning Board approval to add to his home on Main Street in South Waterboro in 1990. Since a Building Permit was not issued within the required 6 month period Doug is requesting a renewal of this approval.

Judi Carll moved and Cindy Allen seconded a motion to renew approval of Doug Foglio previously approved on November 14, 1990. Vote was 4-0-0 in favor.

VII ADJOURNMENT:

It was moved and seconded to adjourn at 10:00 p.m.

Respectively submitted, *Dwofevordance* Dwayne Woodsome Secretary/Treasurer

WATERBORO, MAINE

REGULAR MEETING WATERBORO PLANNING BOARD FEBRUARY 10, 1993

MEETING CALLED TO ORDER BY CHAIRMAN, JOHN ROBERTS AT 7:40 PM

- I ROLLCALL: Present were Roland Denby, Judi Carll, Cindy Allen, Jon Gale, Kerry Perkins, Dwayne Woodsome, and Chairman, John Roberts.
- **II MINUTES OF PREVIOUS MEETING:** Cindy Allen moved and Roland Denby seconded a motion to accept the minutes of January 28, 1993. Vote was 4-0-0 in favor.

III COMMUNICATION AND BILLS:

1. Letter from Ray Janson Re: Zone Line Change

IV APPOINTMENTS:

7:30 PM SELECTMEN 8:00 PM GEORGE POISSON MAP 41 LOT 8 AR ZONE 8:15 PM MIKE HAMMOND 8:30 PM DAVE GREATON MAP 45 LOTS 1361-1362 R ZONE 8:45 PM DWAYNE MORIN

7:30 PM SELECTMEN

Dennis Abbott addressed the Board members, on behalf of the Board of Selectmen, regarding regulation of "Adult Businesses". Several surrounding communities have enacted ordinances to regulate these businesses. Chris Vaniotis, attorney with Bernstein, Shur, Sawyer and Nelson has supplied the information and suggests including the regulations as part of the Zoning Ordinance. The Selectmen would like the Board to consider this as an addition to zoning possibly at the Special Town Meeting scheduled for March 9, 1993. An information packet was given to each Board member for their review.

8:00 PM GEORGE POISSON MAP 41 LOT 8 AR ZONE

Mr. Poisson is requesting permission to add to an existing cottage and complete remodeling within the building. The site plan presented does not clearly note the proximity of the building to the normal high water mark. The structure falls within 100 ft. and would therefore fall under the State 30% Rule. The proposed project would need to be scaled down since the expansion proposed exceeds the 30% Rule. Possibly an on site inspection by CEO and Town Planner would be in order to determine the location of the proposed project in reference to the high water mark. It is not within the Planning Board's authority to allow construction to go closer to the water. The Board requested Dwayne Morin and Tim Nelson to visit the site and determine location of the structure in reference to the high water mark and Mr. Poisson could come back in under Old Business.

8:15 PM MIKE HAMMOND MAP 19 LOT 15 V ZONE

Mike has a vacant space where the variety/redemption center was located he would like to know what his options are. He stated that the complex consists of one residence, dispatch, and two spaces, one being the Right Stitch and the other was the redemption center. For what period of time would he be able to maintain the four uses? Would he be allowed four The vacant space is approximately 1500 sq. ft. uses? Could he split the area to allow two businesses, The Right Stitch and the residence? Mike stated the Hardware Store, Dispatch, the General Store and the Residence were all in existence prior to the Zoning Ordinance being enacted. Mike also asked if he could place a hip style roof over the old grocery store area and create an apartment? The hip roof would be an upward expansion and would need further approval.

The following was noted. Legal counsel has stated that an allowed use can be exchanged for another allowed use within the zone that a building is located without a problem. A residence within the village zone is classified as a 40,000 sq. ft. use and therefore two business spaces of under 1,000 sq. ft. would need to be exchanged. Current status of building is 1 - 40,000 sq. ft. use for residence 3 - 20,000 sq. ft. uses for business

Any combination utilized within one year from the time that the business area would be vacant would be allowed. If the upward expansion is contemplated it would need to come back before the board for approval. Mike requested a copy of the minutes.

8:30 PM DAVE GREATON MAP 45 LOTS 1361-1362 R ZONE

Dave Greaton is requesting permission to place a set of stairs down an approximate 8' - 10' embankment. Saco River Corridor has granted approval. This is allowed under the State Mandatory Shoreland Act.

Roland Denby moved and Kerry Perkins seconded to grant the request for stairs four ft. wide and to include Saco River Corridor Permit Standard Conditions relating to this project and the stairs meet local Building Code. Vote was 6-0-0 in favor.

8:45 PM DWAYNE MORIN

Dwayne presented the Board members definitions of Home Occupation and Professional Home Occupation and an updated Section 7.04 for review. The Board members joined in much discussion and after an hour decided the following:

Definition of Home Occupation to include not occupy more than twenty-five (25) percent or 500 sq. ft. of the total floor area of the residential dwelling unit, whichever is less, provided that for the purposes of this calculation, unfinished basement and attic spaces are not included.

Delete Section 7.04 (D.) and;

Add non pollutant to Section 7.04 (E.)

Dwayne informed the Board members that he would have information regarding Yard Sale/Flea Market, Fee Structure changes and possibly the Land Use Chart for the next meeting on February 28, 1993.

VI NEW BUSINESS:

VII OLD BUSINESS:

VIII ADJOURNMENT: It was moved and seconded to adjourn the meeting at 10:07 p.m.

Respectfully submitted,

Dwayne Woodsome Secretary/Treasurer

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WATERBORO, MAINE

REGULAR MEETING / WATERBORO PLANNING BOARD FEBRUARY 25, 1993

MEETING CALLED TO ORDER BY CHAIRMAN, JOHN ROBERTS AT 7:45 PM

- I ROLLCALL: Present were Judi Carll, Roland Denby, Cindy Allen, Dwayne Woodsome and Chairman, John Roberts.
- II MINUTES OF PREVIOUS MEETING: Roland Denby moved to approve February 10, 1993 minutes. Dwayne Woodsome seconded the motion. Vote was 4-0-0 in favor.

III COMMUNICATION AND BILLS:

- 1. Letter from Ray Janson Re: Zone Line Change
- 2. Letter from ZBA Chairman, Dale Witman
 - Regarding Zoning Change
- 3. Letter cc: from CEO Re: Deer Watch Subdivision

IV REPORT OF OFFICERS:

V APPOINTMENTS:

8:00 PM WILLIAM DOHERTY MAP 35 LOT 17 AR ZONE 8:15 PM TOM WORCESTER MAP 4 LOT 1F WP ZONE 8:30 PM TIM GREATON MAP 45 LOT 1327 R ZONE 8:45 PM ROGER LAUZIER MAP 36 LOT 14 AR ZONE 9:00 PM GEORGE POISSON MAP 41 LOT 8 AR ZONE

8:15 PM TOM WORCESTER MAP 4 LOT 1F WP ZONE

Mr. Berube the owner of the property was present with Tom Worcester. The lot is grandfathered since it was existing at the time the Town adopted the Wellhead Protection Zone. The 100 ft. frontyard setback required in this zone would push the house towards the well. It would also place the house in a gully.

Judi Carll moved and Cindy Allen seconded the motion to allow Residential setbacks to be utilized, 50 ft. frontyard, 35 side and rear setbacks. Vote was 4-0-0 in favor.

8:00 PM WILLIAM DOHERTY MAP 35 LOT 17 AR ZONE

Mr. Doherty is requesting permission to place a foundation under his cottage and add a breezeway and garage. It was noted that this would be considered a seasonal conversion and a new septic system is required. Mr. Doherty noted that Mr. Fred Fay pumps the system every year and he did not believe that a new system was needed and that with the foundation and addition is would not be financially feasible for him to also put in a new septic system. It was noted that State law is very plain and at the minimum a new system would need to be designed. Further discussion revealed that the tank is metal and would signify to the board that a new system would need to be installed. The proposed addition is greater than 30% of the existing cottage dimensions and the Planning Board does not have the authority to grant approval. The foundation does not count in the 30% expansion rule. Mr. Doherty also asked what he might be able to do on a vacant lot? A structure that is under 100 sg. ft. in size and costs less than \$500.00 and is constructed on cement block that would allow the structure to be moved at any time does not require a building permit. Mr. Doherty explained that he could not afford both the addition and the septic system and he would need to reconsider the proposal and be back at a later time.

8:30 PM TIM GREATON MAP 45 LOT 1327 R ZONE

Tim Greaton was before the Board with another proposal for this lot and the Board felt that a smaller home could be placed on the lot and the home could meet the required setbacks. Mr. Greaton has had a surveyor complete a site plan and it shows that a house could not be completely placed with the required building envelope. If the Board would allow a 40 ft. frontyard setback this would allow the lot to be buildable.

Dwayne Woodsome moved and Roland Denby seconded a motion to require sideline setbacks of 35 ft. to be met and the 100 ft. shore front setback to be met and allow a frontyard setback of 40 ft. from Beachwood Circle. Vote was 4-0-0 in favor.

8:45 PM ROGER LAUZIER MAP 36 LOT 14 AR ZONE

Mr. Lauzier was present with the owner Mr. Paul Roy. Mr. Roy would like permission to replace a deteriorating foundation 10 ft. further away from the normal high water mark that current location. A copy of the approve Permit by rule from DEP is on file. Mr. Roy will be replacing existing cement patios with wooden decks of the same dimensions and additions presented are over the allowed 30% expansion Mandatory Shoreland Zoning Act. After discussion Mr. Roy agreed that the proposed addition dimension of a deck could be minimized to stay within the allowed 30%. Cindy Allen moved and Roland Denby seconded a motion to allow construction under Section 2.08, 4.01, 4.02, 4.03 and Mandatory Shoreland Zoning to allow a 6 ft. x 28 ft. open deck, a 7 ft. x 11 ft. open lower deck, a 15 ft. x 7 ft. upper open deck, a 16 ft. x 4 ft. open deck and a 6 ft. x 28 ft. enclosed addition, soil and erosion control methods to be utilized during the construction process. Vote was 4-0-0 in favor. The elevation of the cottage will be raised 2 ft. from existing elevation.

9:00 PM GEORGE POISSON MAP 41 LOT 8 AR ZONE Tim Nelson and Dwayne Morin have not had an opportunity to complete an on site inspection therefore, Mr. Poisson will be placed on the next available meeting agenda under Old Business upon completion of an on site.

Mr. Curit in Twin Pines Mobile Home Park cannot locate his property pins due to the heavy snowfall and he is just home from the hospital. Mr. Curit to be placed on the next available meeting as soon as the Code Enforcement Office received the requested information.

VI NEW BUSINESS: A copy of an Adult Business Ordinance was passed out to the members present. The approach of requiring adult businesses to undergo conditional use review is a defensible regulatory mechanism. This Ordinance should be viewed as a temporary measure until the Annual Town Meeting.

VIII ADJOURNMENT:

Respectfully submitted,

Dwayne Woodsome Secretary/Treasurer

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WATERBORO, MAINE

REGULAR MEETING WATERBORO PLANNING BOARD MARCH 10, 1993

MEETING CALLED TO ORDER BY CHAIRMAN JOHN ROBERTS AT 8:10 PM

- I ROLLCALL: Present were Judi Carll, Jon Gale, Dwayne Woodsome, and Chairman John Roberts.
- II MINUTES OF PREVIOUS MEETINGS: February 25, 1993 Judi Carll moved and Dwayne Woodsome seconded a motion to approve February 25, 1993 minutes. Vote was 3-0-0 in favor.
- III COMMUNICATION AND BILLS:
- IV REPORT OF OFFICERS:
- V APPOINTMENTS: 8:00 PM Roger Ford

ROGER FORD MAP 5 LOT 40T AR ZONE

Mr. Ford is requesting permission to construct an 8' x 8' deck and wheel chair ramp on the front of an existing structure located on the Jellerson Road for use by his parents. Mr. Ford's father has recently had a stroke and requires handicap accessibility to his home. The home is approximately 32 ft. from the edge of Jellerson Road. It is not known how long this would be needed. Medical documentation was placed in the file.

New England Rehabilitation Center instructed Roger that an 8' x 8' deck would be needed to allow for rehabilitation and a 4' x 24' ramp with 1" to 12" drop for accessibility.

Jon Gale moved to approve request for handicap accessibility until such time that the house is sold or Mr. & Mrs. Donald Ford no longer require handicap accessibility under Section 3.06.03, #18 and 7.05 of Waterboro Zoning Ordinance. Dwayne Woodsome seconded the motion. Vote was 3-0-0 in favor.

Judi Carll moved and Dwayne Woodsome seconded a motion to waive the \$50.00 Conditional Use Permit Fee. Vote was 3-0-0 in favor.

VI NEW BUSINESS:

VII OLD BUSINESS:

Chuck Pierce 4 Lot Subdivision Preliminary Review

Chuck Pierce 4 Lot Subdivision Preliminary Review

Sketch Plan Approval was granted contingent on Army Corp Of Engineers and DEP Approval. Both approvals are on file. Dwayne Woodsome moved to approve Sketch Plan. Jon Gale seconded the motion. Vote was 3-0-0 in favor.

The Hydro Study is complete and will now require an independent Engineer to review. Dwayne Morin to check availability from Peter Garrett and John Tewey and whichever is available study to be forwarded for review.

Driveway placement for lot #3 were left up to the Road Commissioner.

A signature line for Subdivider will need to be added to plan as well as the Name & Address of Soil Evaluator and Hydrogeologist. The number of acres within the subdivision will need to be noted on plan.

Greenbelt: After discussion Judi Carll moved and Jon Gale seconded a motion to waive the greenbelt. Vote was 3-0-0 in favor.

Cluster Mailbox: Mail delivery needs to be depicted by either a letter from the Postal Department or a Note on the Plan denoting location for Rural Delivery.

Public Hearing: Schedule for March 25, at 7:00 p.m.

Chuck Pierce will need to notify abutters by certified mail and provide a copy for his file.

Following the Public Hearing Mr. Pierce will be placed first on the Agenda. Copy of minutes to Chuck Pierce.

VIII ADJOURNMENT: Meeting adjourned at 9:00 p.m.

Respectfully submitted, *Uwayle wordene* Dwayne Woodsome Secretary/Treasurer

WATERBORO, MAINE

REGULAR MEETING / WATERBORO PLANNING BOARD MARCH 25, 1993

MEETING CALLED TO ORDER BY CHAIRMAN, JOHN ROBERTS AT 7:30 PM

I ROLLCALL: Present were Roland Denby, Dwayne Woodsome, Cindy Allen, Jon Gale and Chairman, John Roberts.

II MINUTES OR PREVIOUS MEETINGS:

Dwayne Woodsome moved to approve March 10, 1993 minutes as written. Roland Denby seconded the motion. Vote was 3-0 in favor.

III COMMUNICATION AND BILLS:

April 5, 1993 is the last date for submission for articles for the Town Meeting Warrant.

Wellhead Protection Overlay, Home Occupation to be included.

Request made by Raymond Janson to relocate the Zone line that splits his property on our current tax maps. Board voted at a previous meeting to allow six uses on the property. The uses are classifed under the AR zone and Ray would like his property to be in the Village Zone since the building was there when zoning was enacted.

After discussion by Board members Jon Gale moved and Roland Denby seconded a motion to recommend the current decision by the Board for six uses on the property be adhered to for the AR Zone. Vote was 4-0-0 in favor.

Mr. Janson can still request the amendment as a personal request.

IV REPORT OF OFFICERS:

V APPOINTMENTS:

7:30 PM Chuck Pierce Map 6 Lot 16 Zone FA 8:00 PM Ivory & Regina Libby Map 28 Lot 2 Zone V

7:30 PM Chuck Pierce Map 6 Lot 16 F&A Zone

The hydrogeologic study has been forwarded to John Tewey for review. The board cannot take any further action until the report comes back.

8:00 PM Regina & Ivory Libby Map 28 Lot 2 Village Zone

The Libbys have purchased the old Willie's Pizza Building and wish to open a corner shop. The Conditional Use Permits have expired since the business has been non existent for over one year.

They would like to have coffee, cold sandwiches and maybe soda and craft items at a later time. Take out only -no seats intended. This is a substandard lot and required Planning Board review.

Roland Denby moved and Jon Gale seconded a motion to approve request and that fence remain in place. Vote was 4-0-0 in favor.

VI NEW BUSINESS:

- 1. Flea Markets,
- 2. Garage sales,
- 3. Adult Businesses,
- 4. Occupations,
- 5. Wellhead Overlay Zone
- 6. Format change to Chart format for Land Uses

Cindy Allen moved and Roland Denby seconded a motion to place a chart format form for land use on the Warrant for Town Meeting. Vote was 4-0-0 in favor.

Cindy moved and Roland Denby seconded a motion to place Wellhead Protection Overlay and Home Occupation and Adult Businesses on the Warrant for Town Meeting. Vote was 4-0-0 in favor.

Cindy Allen moved and Roland Denby seconded a motion to place Yard Sales and Flea Markets on the Warrant for Town Meeting. Vote was 4-0-0 in favor.

Cindy Allen moved and Roland Denby seconded a motion to send all warrant articles to the Town's Attorney for review. Vote was 4-0-0 in favor.

VII OLD BUSINESS:

VII ADJOURNMENT:

It was moved and seconded to adjourn at 9:24 p.m.

Respectively submitted,

Dwayne Woodsome Secretary/Treasurer

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WATERBORO, MAINE

PUBLIC HEARING CHUCK PIERCE 4 LOT SUBDIVISION MARCH 25, 1993 7:00 PM

Hearing called to order by Chairman, John Roberts at 7:10 p.m.

Present were Roland Denby, Cindy Allen, Dwayne Woodsome, Jon Gale and Chairman John Roberts.

Chuck Pierce and Mr. & Mrs. Steve Libby abutter to parcel being subdivided were present.

Mr. Pierce explained briefly that he was subdividing a 20 acre parcel into four lots. One lot has been sold with a home on it and he has just recently pulled building permits on a second lot. The project has been reviewed by the Army Corp of Engineers and DEP. A hydrogeologic study is currently being reviewed. Due to the size of wetlands the subdivision required State review.

Specific regulations must be followed to install a culvert for the road that is located in the center of the 4 lot subdivision.

The hydrogeologic study has been forwarded to John Tewey and should be complete by next meeting scheduled for April 14, 1993.

Meeting closed at 7:25 p.m.

WATERBORO, MAINE

REGULAR MEETING WATERBORO PLANNING BOARD APRIL 14, 1993

CHAIRMAN, VJQHN ROBERTS CALLED THE MEETING TO ORDER AT 7:30 PM

I ROLLCALL: Present were Judi Carll, Roland Denby, Dwayne Woodsome, Jon Gale and Chairman, John Roberts.

II MINUTES OF PREVIOUS MEETINGS: March 25, 1993

Dwayne Woodsome moved and Roland Denby seconded a motion to approve 3/25/93 minutes as written. Vote was 3-0-0 in favor.

III COMMUNICATION AND BILLS:

1. Letters from John Tewey Re: Chuck Pierce Subdivision 2. Letter from Post Office Re:; Chuck Pierce Subdivision

IV REPORT OF OFFICERS:

V APPOINTMENTS:

8:00 pm Boissoneault Map 35 Lot 1 AR Zone 8:15 pm Bob Chase Map 44 Lot A-324 R Zone 8:30 pm George Poisson Map 41 Lot 8 AR Zone

8:00 pm Boissoneault Map 35 Lot 1 AR Zone

After discussion on the intent of Shoreland Zoning regarding steps to be replaced by a deck the Board felt prior to them acting on the request to replace a set of $3' \times 8'$ set of stairs with an $8' \times 16'$ deck.

Dwayne Woodsome moved and Judi Carll seconded a motion requesting a classification from DEP of the Boissoneault's request. Vote was 3-0-0 in favor.

8:15 pm Bob Chase Map 44 Lot A-324 R Zone

Bob Chase is requesting permission to construct a home on Lot A-324 in Lake Arrowhead. Mr. Chase can meet all of the required setbacks. Roland Denby moved and Judi Carll seconded a motion to approve the plans of Bob Chase meeting all setback requirements.. Vote was 3-0-0 in favor.

8:30 pm George Poisson Map 41 Lot 8 AR Zone

The Poisson's were in before the Board at a previous meeting. Dwayne Morin and Tim Nelson were instructed to take measurements of the existing cottage and the proximity of the new proposal to the high water mark to insure compliance with the State Shoreland Zoning Act. The addition of a deck as proposed on the front of the existing cottage of 4' x 24' and a 10' x 27' deck and renovate an existing 4' x 9' deck and enlarge it to 4' x 12' with stairs to go toward the sideline and two sliders to be installed, one on the side and one towards Webber Road.

Dwayne Woodsome moved and Roland Denby seconded a motion to approve a 4' x 24' side deck and a 10' x 27' front deck and renovate a 4' x 9' rear deck and add 3' in width to complete a 4' x 12' deck towards Webber Road no portion of addition to go closer to the high water mark or closer to the Road or close than 10 ft. to the sideline, Soil and Erosion control method to be used during the construction project. Vote was 3-0-1 in favor.

- VI NEW BUSINESS:
- VII OLD BUSINESS:
 - 1. Flea Market/Yard Sales
 - 2. Wellhead Protection
 - 3. Home Occupation
 - 4. Land Use Chart

The above noted were reviewed and a Public Hearing was set for April 28, 1993 at 7:30 pm. Advertisement in Smart Shopper, Portland Press and the Journal.

The April 22, 1993 meeting will be cancelled and due to the Board having an appointment for that night they acted on the following request of Leigh Goren to construct a home on Map 46 Lot 2191 R Zone and can meet all of the required setbacks. Motion by Judy Carll and seconded by Dwayne Woodsome to approve the plans presented by Mr. Goren. Vote was 4-0-0 in favor.

Discussion on Adult Business whether there should be an article to disallow Adult Business within the town or incorporate the approved Adult Business into the Zoning Ordinance. Karen Lovell's letter implied that other communities had prohibited Adult Businesses. Also, possibly set certain Conditional Use Conditions.

Dwayne Woodsome moved and Roland seconded a motion to have Karen present at a Public Hearing. Jon Gale asked what need there was for legal advice that would justify the legal expense? Roland Denby noted that the attorney's have had differing opinions in the past concerning our existing ordinance. Dwayne Woodsome felt that Karen could comment on legal questions he though would come up concerning yard sales and flea market. He expected heated discussion on this subject.

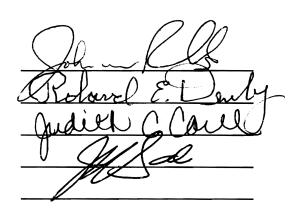
Vote was 2 in favor and 3 opposed. Motion failed.

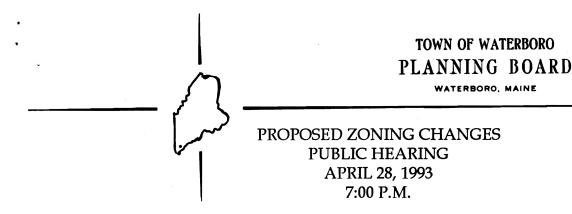
Jon Gale moved and Roland Denby seconded a motion to request the Code Enforcement Officers attend the Public Hearing on April 28, 1993.

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Respectfully submitted, Uweyl Woodsome Dwayne Woodsome Secretary/Treasurer





Present from the Planning Board were Chairman, John Roberts, Roland Denby, Judi Carll, and Cindy Allen. Dwayne Morin, Selectmen's Assistant and Planning Board Clerk, Sharon Abbott.

HOME OCCUPATIONS AND PROFESSIONAL HOME OFFICES

Bob Fay asked the reason for the change. There seems to be a gray area that the Code Enforcement Offices have had a hard time with. It was noted that the proposed change places the definition (current zoning) in the performance standards. The size of a sign is different. It is limited to four square feet.

Definition Home Occupation:

If someone wanted to do wood working, crafts etc. would this be allowed. One citizen felt that this definition limited innovation. Home Occupations are usually incubators for small hobbies. A concern was noted dealing with the limit of 500 sq. ft. Requested that the Board consider using the current calculation.

Yard & Garage Sale:

The definitions were requested by the Code Enforcement Office. In order for the officers to deal with Flea Markets a definition was necessary to differentiate between the two. Garage sale definition allows three days in a week. Discussion between Mr. Van Foglio and Bob Fay regarding complaints that have been received and due to the current definition the office has not been able to properly handle the problems. Dwayne Morin also tried to further explain the reasoning behind the suggested changes. Businesses in homes can cause problems in development areas.

Bob Gobeil asked how his particular lot would be classified. The difference between garage sales and flea markets is very simple. If space is rented out by renting space or tables it would be classified as a Flea Market and would require a Conditional Use Permit from the Planning Board.

Bob Gobeil felt that changes this year would spur further changes in following years that would be unfair restrictions.

Mrs. Hughes asked about parking being restricted. Parking is supposed to be provided as off street parking.

Home Occupation - Two different scenarios were given by Mr. Foglio the first being a ceramic shop in the Beaver Ridge development that would require more than six cars in the drive would create a potential hazard due to the residential character of the neighborhood. The second being a house that was renovated for use as an apartment on the second floor and a beauty shop with a tanning salon. Parking became a problem and the person living in the home was not the owner/operator of either the beauty shop or the tanning salon. Unless we have a definition we have no solution.

Adult Businesses:

Identical to the Special Town Meeting Adoption only it allows this use within the Village zone only instead of Residential and Village zones.

Dwayne Woodsome brought up the issue with where this type of business would best be located. At a previous Planning Board meeting it was discussed for consideration of being allowed in the F & A Zone and the Conservation Zone.

Change of written 50 ft. sideline requirement in the F & A zone. No comment or questions.

Private airplane runway strip: This addition was requested by a private citizen who owns a parcel of land off the West Road of approximately 100 acres. He owns a small plane and would like to utilize an area for a runway. The proposal would be a Conditional Use and would require Planning Board review. The property is located between the New Road and the West Road.

Format Change:

Dwayne Morin explained that currently the zoning ordinance lists the explanation of the zones and then lists certain uses. The proposed change would still list the explanation of the zones however the uses would be in chart form. The current setback chart lists Wellhead Protection Zone. A proposal for Town Meeting Vote would be to have a Wellhead Protection Overlay District that would not change the lot size requirements but would deal with uses that might cause water contamination. The format change would minimize the number of pages in the Zoning Ordinance. It was noted that maybe the uses could be listed in alphabetical order for easier reference and possibly the key should be at the top of the page. The listing is intended to be one full page and the key would be more available for viewing.

Definitions:

The additional definitions are needed since there is no explanation of uses. No questions or comments were offered.

The 500 sq. ft. of home area was once again questioned and the Board was asked to remove it from the section it was noted in.

Since the Board could not take any action at a Public Hearing the hearing was adjourned at 8:42 p.m.

John Roberts, Chairman of the Planning Board called a meeting to order.

Present were Cindy Allen, Roland Denby, Judi Carll and Dwayne Woodsome as well as chairman, John Roberts.

Dwayne Morin noted to the Board members that legislation has been adopted that changes State Law requiring a fourteen (14) day notification by certified mail of people and properties being affected by proposed changes.

Judi Carll moved to maintain 25% of floor area and drop the 500 sq. ft. maximum for home occupation. Roland Denby seconded the motion. After discussion Judi Carll withdrew her motion and Roland Denby withdrew his second to the motion.

Much discussion followed, ideas were thrown back and forth. 500 sq. ft. is quite a large area and might not ever come into consideration. If it doesn't why not leave it.

Roland Denby moved and Cindy Allen seconded a motion to use the existing description of 25% excluding 500 ft. and residential or accessory structure to be included. Vote was 4-0-0 in favor.

Meeting was adjourned at 9:18 p.m.

Respectively submitted,

Dwayne Woodsome Secretary/Treasurer

WATERBORO, MAINE

REGULAR MEETING. WATERBORO PLANNING BOARD MAY 12, 1993

MEETING CALLED TO ORDER BY CHAIRMAN AT 7:45 PM.

I ROLLCALL: Present were Kerry Perkins, Roland Denby, Cindy Allen, Jon Gale, Dwayne Woodsome, Judi Carll, and Chairman John Roberts.

II MINUTES OF PREVIOUS MEETINGS:

Jon Gale moved and Roland Denby seconded a motion to approve April 14, 1993 minutes. Vote was 6-0-0 in favor.

III COMMUNICATION AND BILLS:

- 1. Letters from Saco River Corridor Comm Re: Intent to File Notices.
- 2. Letter from DEP Re: Boissonneault Property
- 3. Letter from CEO Re: Setback Violation

IV REPORT OF OFFICERS:

V APPOINTMENTS:

7:45 PM Boissoneault Map 35 Lot 1 AR Zone 8:00 PM Amabile Map 24 Lot 12 AR Zone 8:10 PM Demers Map 33 Lot 38 AR Zone 8:15 PM Huntress Map 33 Lot 15 AR Zone 8:15 PM Doug Foglio Map 10 Lot 49 AR Zone

7:45 PM RICHARD BOISSONEAULT MAP 35 LOT 1 AR ZONE

The Board requested a ruling from DEP regarding the Boissoneault's request to replace an 8 ft. set of stairs going toward the water with a deck also going 8 ft. towards the water and 16 ft. along the cottage.

The letter from DEP notes that they do not use stairs decks etc. as the closest point to the high water mark, since they are an accessory to the main building. Therefore the Board could not grant the Boissoneault's permission to do as requested at April 14th meeting.

Mr. Boissoneault requested permission to replace the stairs with a 5' x 5' platform and turning the stairs as DEP recommends to abutt the house going horizontal with the shore.

Roland Denby moved to approve this request and Cindy Allen seconded the motion. Vote was 6-0-0 in favor.

8:00 PM SEBASTIAN & JANICE AMABILE MAP 24 LOT 12 AR ZONE

The Amabile property falls within the 100 ft. setback of Middle Branch Pond. They are requesting permission to add a 7' x 8' addition to an existing 4' x 8' pump house. The proposed addition will remain approximately 42' from the high water mark and goes no closer than existing structures.

Roland Denby moved and Kerry Perkins seconded a motion to approve the request to add a 7' x 8' addition to existing pump house. Vote was 6-0-0 in favor.

8:10 PM MARK DEMERS MAP 33 LOT 38 AR ZONE

The Demers' have a cottage located on Ossipee Lake. The cottage is surrounded by a very large deck that wraps around the cottage and has a roof over a portion of the deck that hangs over the water. The Demers' would like to enclose a portion of the area under the roof. Area to be enclosed is $8' \times 20'$.

Roland Denby moved and Cindy Allen seconded a motion to approve the request under Section 2.08, 7.01, 9.03 and Mandatory Shoreland Act. Vote was 6-0-0 in favor.

John Roberts informed the Demers that no Soil and Erosion Sedimentation Control Plan was placed as a Condition however, the Code Enforcement Office will be inspecting and if they find that this is needed could request you implement the control plan.

8:15 PM GARY HUNTRESS MAP 31 LOT 15 AR ZONE

Mr. Huntess is representing Marguerite Ferraris. Ms. Ferraris has hired Mr. Huntress to construct a roof over an existing patio and it will also be screened in. This would calculate to a 24% expansion. The roof and screened in area is located on the rear of the cottage away from the Lake. The roof and screened in area will not go closer to lot lines.

Dwayne Woodsome moved and Judi Carll seconded a motion to approve the request under Section 2.08, 4.02, 7.01 and Mandatory Shoreland Act. Vote was 6-0-0 in favor.

8:15 PM DOUG FOGLIO SR MAP 10 LOT 49 AR ZONE

This lot previously went through Site Plan Review for Gravel Extraction by Mr. Foley. White Brothers then came before the Board requesting a Conditional Use Permit since Mr. Foley was selling his interests in the extraction project.

Mr. Foglio is now before the Board requesting a Conditional Use Permit for this site with a few requested changes in the Conditions.

The entrance road to the property has a grade that previously the Board has requested changing. Mr. Foglio informed the Board that Mr. Foley had tractor trailer trucks and he suspected the reasoning for the grade change was due to the potential for accidents with incoming and outgoing vehicles site distance. Doug's vehicles are not long enough for this to be a similar problem. The width of the road as requested would leave driveway entrances extremely steep. Doug suggested leaving the road at its current status. Mr. Folev also wanted full access which would not limit the number of vehicles or the time of year they hauled. Doug would like to know if he had a new study done with his six trucks, 4 tandem axle, 1 tri axle, and 1 trailer dump if the Board would still require a lane on the Silas Brown Road.

Discussion followed regarding the differences in the companies previously requesting use of the lot and his company. Doug believed that the Foley project was slated for approximately 25,000 yards per year and the White Brothers were looking at 12,500 yards per year. Doug has no set number of years to complete the project and he does not expect high usage from this site. Doug noted that he had not time limit be it 1 year or 10 years. If the Board were to agree to a maximum of 10 trucks he would have no problem with that condition.

Kerry Perkins suggested leaving the road the way it is currently. If the knoll were cut it would allow full view of the extraction project.

Kerry Perkins moved and Jon Gale seconded a motion to leave the road existing as denoted on plan dated with revisions through 1/23/90 per dotted lines on private road. Vote was 6-0-0 in favor.

Limited number and length of vehicles was presented and placed on file of Doug's fleet of contract and business trucks. Doug wasn't sure that the lane on Silas Brown Road should be totally done away with. Maybe with a warning device on the top of the hill on Silas Brown Road this could be tried, if it didn't work then something else could be tried. The Board did not like waiting until an accident occured to respond. They would rather have a study done. Doug didn't have a problem with a study.

One of the conditions lists no crushing. Doug intends to move his crusher in and leave it for a perior of time. It would not be going in and out on a regular basis. The noise level from a crusher is not anywhere near that of a screen. The crusher must meet State and Federal noise and dust standards. Doug stated he doesn't anticipate more than 30 days per year for crushing on this site.

Daily hauling schedule previously approved was acceptable to Doug however he would like until noon on Saturdays but would live with the Board's decision

Jon Gale moved and Kerry Perkins seconded a motion to utilize Note #2 deleteing (no crushing activity) and the second sentence and add Hauling & Crushing schedule to be limited to 7 a.m. to 5 p.m. no weekend work. Discussion followed regarding weekend hauling. The Board felt if Saturday schedule was anticipated then the abutters should be notified and possibly a public hearing scheduled. Doug stated he would be satisfied with the Board's recommendation. If a change is requested in the future a public hearing would be likely. Vote was 6-0-0 in favor.

Cindy Allen moved and Kerry Perkins seconded a motion to grant Doug Foglio a Conditional Use Permit for Gravel Extraction under Section 3.06.03 Paragraph #4 conditioned upon a mutual agreement of Engineering study of acceleration lane. Vote was 6-0-0 in favor.

Doug didn't think this would be a problem. He would go by the recommendations of the study.

Doug asked what could be done at the site while waiting for the engineering study? As long as material does not leave the site work could start without creating a problem.

A reminder to all Board members that representation is necessary at Town Meeting due to Zoning Changes. John Roberts noted he would not be attending. Jon Gale, Cindy Allen and Kerry Perkins believed they would be attending.

Dwayne Morin spoke with the board members regarding his frustrations over rewriting zoning. Dwayne felt that the board should be doing more to direct him. He feels that he writes something and the board then reacts. He would rather have discussion with options that he could then present to the members at their next meeting. The board is reacting to requests however the planning aspect hasn't been addressed. Approximately 40 minutes of overall discussion followed.

The Board members instructed Sharon Abbott as to the booking of future meetings. Board meetings will start at 7:30 p.m. and appointments will be booked from 7:45 to 8:30 p.m. Under Old Business the Board will try to review a section of zoning.

Mr. Curit from Twin Pines Mobile Home Park cannot find his boundary pins to locate the temporary garage. Mr. Curity will need to come back before the board.

Dwayne also informed the Board that the Site Plan for the Maine Cranberry Company will be on their agenda on May 28, 1993. The total review process could take between four and ten meetings. Also a joint meeting with Alfred Planning Board will be required. Alfred has hired Woodward & Curran as Environmental Engineers. They are very concerned with the potential impact to Shaker Pond and surrounding wetland.

No survey has been completed as of this date of the total site.

Meeting adjourned at 10:07 p.m.

Respectfully submitted,

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Dwayne Woodsome Secretary/Treasurer

WATERBORO, MAINE

REGULAR MEETING WATERBORD PLANNING BOARD MAY 27, 1993 MEETING CALLED TO ORDER AT 8:07 PM, BY CHAIRMAN, JOHN ROBERTS

I **ROLLCALL:** Present were Dwayne Woodsome, Judi Carll, Cindy Allen, and Chairman John Roberts.

II COMMUNICATION AND BILLS:

III MINUTES OF PREVIOUS MEETINGS:

IV REPORT OF OFFICERS:

V APPOINTMENTS:

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8:00 PM Mr. Curit Twin Pines Mobile Home Park 8:30 PM Maine Cranberry Company Site Plan Review

8:00 PM Mr. Curit Twin Pines Mobile Home Park

Mr. Curit resides in Twin Pines Mobile Home Park and has constructed a garage out of 2' x 3' and covered with tarpaulin. Mr. Curit was asked to present an accurate plot plan of his lot before the Planning Board could act on his request to allow this structure to remain on the lot.

Mr. Curit contacted Dwayne Morin to inform him that he cannot locate the pins that designate his lot from abutting lots in the development.

Cindy Allen moved and John Roberts seconded a motion to send Dwayne Morin and Tim Nelson to check lot lines and to forward a letter to Mr. Curit to proceed with tearing the structure down or provide an accurate plot plan denoting property lines. Vote was 3-0-1 in favor. Motion passed.

8:30 PM Maine Cranberry Company Site Plan Review

Bill Forrest and Bob Cleaves were the representatives from the Maine Cranberry Company. Also present were approximately ten area residents.

This was the Maine Cranberry Company's initial meeting for proposed Cranberry operation. Two goals for this meeting were to explain who the company is and a bit about the proposed project and overview of regulatory process.

A plan of boundaries was placed on display for those in attendance.

The company was formed about three years ago to renovate old cranberry bogs or to create new cranberry beds. Bob and Bill traveled throughout the state researching potential sites. The plan for this site is to renovate the old beds and expand into approximately 42 acres of cranberry beds. The site is approximately 152 acres in size, 42 acres planned for cranberry bog, area for sand supply, retention ponds and tail water ponds. Area of development 75 ft. to 300 ft. from Shaker brook. Accessible from Route 202/4.

Process order for design and approval is, Federal, State and local. The company would like to have all approvals so construction could commence in September of 1993. Army Corp of Engineers, EPA, Town of Alfred and Town of Waterboro approvals necessary to start construction. The company has to prove to the Army Corp that there are no other practical site available, at this time that task has not been completed.

The issues with State Inland Fisheries & Wildlife are concerns regarding spotted turtles, and Blandings turtles. The site has the potential to support these two types of turtles. DEP standards need to be met. The state would like to act on the permit by June 15th. As a result of State & Federal review the site as shown tonight may change. The Red Cedar Swamp are of approximately 10 acres may have to remain undisturbed and the area of use transferred to a field currently owned by Mr. Yeaton and the Giles families acreage.

Given the uncertainties the project as shown may not be the final plan and apologies were given.

Town of Alfred has deemed the application for the project as complete. At this time Alfred has been working with Maine Municipal to determine if their ordinances allow this use in Wetlands. Also Alfred has Woodward & Curran on board to review all incoming data for the Town. The Cranberry Company has asked the Town of Alfred to hold on placing money in escrow until the Federal Agencies have given them the green light and to allow Alfred to determine if this is an allowed use. The company has requested that all incoming information be copied to the Town of Waterboro.

At the end of the bog there is valuable habitat, Sedge Meadow and Wading Bird Habitat. The third phase of the project will be to mitigate for impact, this is an expensive operation.

The Town of Alfred is asking for a survey of the site. A complete survey has not been done of the site. Other surveys and Tax Maps on record document most of the perimeter.

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They have made a proposal to Alfred that they be allowed to proceed with this project, once approvals are granted a complete survey would be completed. The company is looking at the economics, financial commitment from a practical stand point. They do not wish to incur this expense at this time if at all possible.

Location of the old beds go right against shaker brook. The old dikes are long and narrow the new beds would require extensive earth moving.

Application of pesticides and herbicides will be designed after those used in Massachusetts. These practices are acceptable in Maine. They will not use pesticides unless there is a need and whenever possible natural methods will be preferable. The most prudent time frame for utilization of pesticides would be during the dry period. Water soluble pesticides in a 50 sq. ft. area will breakdown within a 24 hour period. Very few cranberry operations have a fully contained system. This system would contain all water through a dike system, as part of the Federal and State approval they have had to present , flow of water calculations. Massachusetts and Wisconsin aerially spray this would not be done on this site.

Sand Crossing Road will be used as access to the project. A rehabilitation culvert will be used to allow farm equipment access. The traffic flow should be minimal. September 10th through Sept. 30th is harvest time. Trucks would be in and our. Potential for big trucks moving berries out, estimate 200 barrels per acre for a 40 acre site. This would be the primary access during the construction process.

An abutter to Sand Crossing Road expressed concern of diesel fumes since his wife has trouble with breathing.

Water Supply:

Use of water from the brook cannot impact the natural. During the Spring of the year during runoff they might draw from the brook to fill supply pond and tail water pond.

Asked where the overflow from the tailwater pond goes? If the need arises release would be onto adjacent property for storm water. This is a primary concern through Federal and State Statutes and also at the local level. The design of the system is that this concern not take place.

Monitoring wells:

Department of Agriculture is a sufficient environmental device without having monitoring wells. George Roberts was present and informed those present of what the old beds were like. He also stated that he had a trophy for the third largest cranberry in Maine.

Site Plan:

Approval from Federal Agency, Delineation of beds through State and Federal Agencies then formally with the Planning Board. Once the final layout is complete a survey makes more sense. The timing of the project has been the toughest aspect to deal with. They are hoping to have the regulatory portion complete so construction could take place in September of 1993. As they move closer they would like to proceed with the local process. Would the Planning Board consider pursuing proceeding for application contingent on survey prior to Final Approval?

For site plan survey would not be required for Final application however it would be necessary before Final Approval.

Alfred has consultant would the Town of Waterboro require a consultant and if so could they possible use the same consultant as the Town of Alfred? It was noted that State Law mandates a joint meeting with abutting town Boards.

Project will now fall under Old Business and upon prior notice could be placed on next available Planning Board Meeting Agenda. This however, does fall at the end of the Regular appointments.

Sand pit issue:

After review by legal counsel of the extraction taking place on site it was determined that a Conditional Use Permit would be needed. The Maine Cranberry representative noted that the amount of sand used each year is very small. With current calculations they should not have to go off site for sand at any time within foreseeable future. The sand is distributed on the ice during the winter.

The order used for development of this nature by the Waterboro Planning Board is:

Presentation of Final Site Plan, Site Walk, Public Hearing, Preliminary Plan and the approval of Final Plan. The Preliminary and Final can be combined at one meeting if all documentation is satisfactory. If a negative issue is presented at Preliminary then Final would potentially follow once the issue is dealt with.

Farm manager would live on site and one full time employee, two part time employees during harvest. There are two methods used for harvesting, (1) is a wet method: the water level is raised and a boom is used to harvest, this method would require the berries to be sold for frozen products, (2) Dry harvesting: a mechanical rake and sifter are attached to the rear of a tractor, the benefit of the dry method is that the berries can be sold as fresh berries which are a more valuable product. They believe that they will have predominantly wet harvest.

They hope to use material on site from the pond excavation for the bed areas. There should be no need for additional materials to be brought in.

Questions asked by those present about pesticide management. Fertilizers used will be those consistent with State approved list. The proposed layout would promote less use of fertilizers.

Power lines will be located on the left side of Sand Crossing Road as you enter from Route 202/4.

George Roberts noted that the vines on site were from Cape Cod.

Cindy Allen moved and Judi Carll seconded a motion to approve sketch plan dated 5-12-93. Vote was 4-0-0 in favor.

VI NEW BUSINESS:

VII OLD BUSINESS:

Douglas Foglio - Glenn Dyer Excavation Project

Douglas Foglio - Glenn Dyer Excavation Project

Letter received from Sebago Technics noted an acceleration lane would need to be 14 ft. in width. Peter Dalfonso believed that this would force people to pass and would create a dangerous situation. He did note that the road way should be striped, signs should be posted at the top of the hill and around the corner of Silas Brown Road and the shoulders of the road should be shimmed. The site entrance should have a minimum radius on the south side of the intersection of 30 ft. (letter on file)

Cindy Allen moved and Judi Carll seconded a motion to accept Sebago Technics recommendations dated May 27, 1993 with regard to Foglio Gravel Extraction Conditional Use Permit and have Doug Foglio update the plan with the new conditions and present the updated plan to the Board. Vote was 3-0-0 in favor.

VIII ADJOURNMENT: Meeting adjourned at 10:01 p.m.

Respectfully submitted,

Dwayne Woodsome Secretary/Treasurer

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WATERBORO, MAINE

REGULAR MEETING/ WATERBORO PLANNING BOARD JUNE 9, 1993

MEETING CALLED TO ORDER BY CHAIRMAN AT 8:15 PM

I ROLLCALL: Present were Cindy Allen, Kerry Perkins, John Roberts, Chairman and ailing, Dwayne Woodsome.

II MINUTES OF PREVIOUS MEETINGS:

III COMMUNICATION AND BILLS:

- 1. Cartographic Assoc., Inc. Re: Aerial Photos
- 2. ASPA Plea for subscription
- 3. DEP Re: Maine Cranberry Co.

IV REPORT OF OFFICERS:

V APPOINTMENTS:

7:45 pm Michael Sampson Map 39 Lot 6 AR Zone 8:00 pm Tom Dupuis Map 45 Lot 1386/ Map 43 Lot 819 8:15 pm James Triance Map 18 Lot 1 V Zone 8:30 pm George Proach Map 32 Lot 57 AR Zone

7:45 pm Michael Sampson Map 39 Lot 6 AR Zone

Mr. Sampson is requesting permission to have a produce stand measuring 8' x 16' for the sale of fresh produce and nursery products. Mr. Sampson has made provisions for a garden area down behind his father's home. The CEO sent Mr. Sampson to the Board since the primary use of this lot is a home. This is a secondary use. The proposed stand cannot meet the required setbacks for this zone. Questions from the Board members as to possibly attaching the stand to the existing garage. This could be done however would not be visible and would be more permanent. Mr. Sampson proposes setting this building on cement blocks. Mr. Sampson proposes the entrance to the proposed parking area to come off the Silas Brown Road.

Kerry Perkins moved and Cindy Allen seconded a motion to approve an 8' x 16' building to go no closer than 10 ft. to the property line abutting lot #7, no closer than 75 ft. from Route 5 that the structure not be permanently affixed to allow moving of the building if necessary in the future, access from Silas Brown Road under Section 7.04. Vote was 3-0-0 in favor.

8:00 pm Tom Dupuis Map 45 Lot 1386/ Map 43 Lot 819 R Zone

Mr. Dupuis is requesting permission to construct a home on Lot #1386 off North Circle. The house can maintain all required setbacks.

Mr. Dupuis is also requesting permission to excavate a drive on lot #819. Approximately 50 cubic yards of material must be relocated from this site. Lot #1386 requires fill during construction. Since this is classified as excavation permission would be required from the Board.

Kerry Perkins moved and Cindy Allen seconded a motion to allow Tom Dupuis to construct a home as presented on Lot #1386 meeting all required setbacks and grant an extraction permit for the removal of no more than 100 cubic yards of fill from Lot #819 to Lot #1386 and waive the Conditional Use Permit fee for the extraction project due to the scope of the project on lot #819. Vote was 3-0-0 in favor.

8:15 pm James Triance Map 18 Lot 1 V Zone

Mr. Triance owns a substandard lot in the Village Zone. Mr. Triance was issued a Conditional Use Permit for his Machine Shop in 1987 by the Planning Board. Mr. Triance also has a mobile home on this property. Mr. Triance is requesting permission to expand the garage utilized for his Machine Shop by adding 28' x 32' for bathroom facilities, storage and an office area. Mr. Triance owns abutting property of approximately 23 acres in size. Due to a legal dispute regarding the right of way to this property and Mr. Triance current divorce proceedings the land is tied up and cannot be used in the calculation for this project.

The Board researched its files and found a Conditional Use Permit allowing the use. The Board did not feel that they could allow the expansion due to the size of the lot. This would be setting a precedent. If the lot size could be increased by using the rear abutting property then Mr. Triance would be able to add his proposed addition. Dwayne Morin informed Mr. Triance that he could assist him with the necessary deed description to add to this front lot.

8:30 pm George Proach Map 32 Lot 57 AR Zone

Dwayne Morin gave a brief description of the history of this lot. A number of years ago the Town of Waterboro took Mr. Proach's family to court for the illegal splitting of property. The outcome of that court case was to have Lot 54A and 57 combined into one lot of approximately 2.75 acres by tax record documents. Mr. Proach's dad has recently passed away and Mr. Proach would like to finish the upstairs of an existing garage to allow his Mom and his Grandmother to live in the same area. The Board could not allow a separate dwelling on the There is not enough land at the moment to meet the property. zoning requirements. If Mr. Proach could attach this building to his home and allow free passage into his home the board could help him. The utilities would need to be combined use. If a survey were to be completed and show enough property then the board could help the Proach's or if Mr. Proach could acquire additional land from abutting property owner (Mr. Ritchie) then the proposal would work. Mr. Proach also mentioned that Mr. Walker had offered to sell his home on an abutting lot to Mr. Proach. If Mr. Proach needs to come back before the Board he can return under Old Business.

- VI NEW BUSINESS:
- VII OLD BUSINESS:
- VIII ADJOURNMENT: Meeting adjourned at 9:47 p.m.

Respectfully submitted,

Dwayne Woodsome Secretary/Treasurer

TOWN OF WATERBORO PLANNING BOARD

WATERBORO, MAINE

REGULAR MEETING WATERBORO PLANNING BOARD JUNE 24, 1993

MEETING CALLED TO ORDER BY CHAIRMAN, JOHN ROBERTS AT 8:38 PM

I ROLLCALL: Present were Judi Carll, Cindy Allen, Dwayne Woodsome and Chairman, John Roberts.

II MINUTES OF PREVIOUS MEETINGS: June 9, 1993

III COMMUNICATION AND BILLS:

- Letter from CEO (allowed use does not require PB review)
- 2. SRCC Notice of Intent to File
- 3. Zoning Board of Appeals Minutes
- 4. Letter to Robert Hindle from CEO
- 5. Letter Re: Cranberry Bog
- 6. Letter from Bernstein, Shur, Sawyer & Nelson
- 7. Letter from DEP Re: Hamilton Road

IV REPORT OF OFFICERS:

V APPOINTMENTS:

7:45 PM BOB DEWITT MAP 19 LOT 51 V ZONE 8:00 PM LAKE ARROWHEAD 8:15 PM RON WAITE MAP 11 LOT 61 AR ZONE 8:30 PM BOB RYDER MAP 42 LOT A-13 R ZONE 8:45 PM RENALD COLLINS MAP 45 LOT 1683 R ZONE

7:45 PM BOB DEWITT MAP 19 LOT 51 V ZONE VI

Mr. Dewitt currently has a Conditional Use Permit for his machine shop under Section 3.04.03 #10. Mr. Dewitt has 1.6 acres of land and is requesting approval of a 20' x 30' two story addition.

Dwayne Woodsome moved and Cindy Allen seconded a motion to allow the requested addition under Section 3.04 and 3.09 Item #15. Vote was 3-0-0 in favor.

8:00 PM LAKE ARROWHEAD MAP 45 LOT 1370 R ZONE

Len Van Gaasbeek was present representing Lake Arrowhead Community. The proposal to connect the Waterboro and Limerick water line has received Saco River Corridor Commission approval and DEP Permit by Rule and would like approval from the Town of Waterboro to install the water line by trench to the high water mark of Lake Arrowhead. The trench will be from 1 to 2 buckets wide. The line will be floated, filled and sunk to the bottom of Lake Arrowhead. Cindy Allen moved and Judi Carll seconded a motion to approve the request under Section 3.09 Item #42. Vote was 3-0-0 in favor.

8:15 PM RON WAITE MAP 11 LOT 61 AR ZONE

Mr. Waite was present. The request is to allow the old supporting structure to be replaced with a foundation utilizing the front towards Lone Pond to be a daylight basement. A new septic system was installed in 1988 and is on file.

Cindy Allen moved and Judi Carll seconded a motion to approve request to place a foundation under existing cottage with the elevation to go no higher or lower than 3 ft. as per State Law from existing elevation of cottage, Soil & Erosion Control Methods to be utilized during construction project. Vote was 3-0-0 in favor. The Waite's will need to mark the current elevation prior to commencement of project.

8:30 PM BOB RYDER MAP 42 LOT A-13 R ZONE

a two story 20' x 21' addition is planned on this lot. The existing house received approval for the building envelope. The addition can meet all of the previously approved setbacks. There was much discussion regarding the number of bedrooms and the septic system design. The property owner was present and informed the Board that the addition would have two bedrooms and one of the two existing bedrooms will be turned into a den since a hall will dissect into the existing bedroom and will make the room to small to use as a bedroom. Van Foglio, the Local Plumbing Inspector will review the plans and if an extension is needed this would be requested.

Judi Carll moved and Cindy Allen approved the request to add the addition as proposed. Vote was 3-0-0 in favor.

8:45 PM RENALD COLLINS MAP 45 LOT 1683 R ZONE

Mr. Collins proposes a 24' x 34' cape on a corner lot in Lake Arrowhead. Mr. Collins presented a certified plot plan however it is very close and requested relief.

Dwayne Woodsome moved and Cindy Allen seconded a motion to utilize a 30 ft. sideline setback to abutting 20 ft. greenbelt by lot 1707 under Section 2.08 and all other setbacks to be met. Vote was 3-0-0 in favor.

NEW BUSINESS:

- 1. Zoning Maps
- 2. Zoning Books

Maps and Books were discussed prior to the start of the meeting.

VII OLD BUSINESS:

1. Michael Sampson

Mr. Sampson received approval for an 8' x 16' farm produce and nursery products stand. Mr. Sampson is now requesting approval for a 10' x 20' stand. The Board expressed their concerns with the traffic problem at the end of Silas Brown Road. Mr. Sampson informed the Board he would enlarge the parking area if necessary, he does not want to create a problem. Cars need to be able to turn in the parking area so that they do not back out onto Silas Brown Road. Discussion regarding setback to Silas Brown Road. Plot Plan shows the building tucked to the rear property line.

Cindy Allen moved and Dwayne Woodsome seconded a motion to allow a 10' x 20' stand as long as previous setbacks were maintained. Vote was 3-0-0 in favor.

2. Kim Janotta

July 2, 1992 vote of Board allowed the Revised Plans for West Hill Subdivision to be signed without a second vote by the Board.

3. Mike Hammond

Sharon to send a letter to Mike notifying him that he should present plans to the Board with existing square footage and the proposed changes and the square footage. If the proposed changes are under the existing square footage then the Board would consider approval.

Judi Carll moved and Cindy Allen seconded a motion to request Grant Funds for proposal dated June 18, 1993 from Sebago Technics for new maps. Vote was 3-0-0 in favor.

Judi Carll moved and Cindy Allen seconded a motion to give Dwayne Morin authority to solicit bids for the printing of the Zoning Books and to give the bid results at the next meeting. Vote was 3-0-0 in favor. Dwayne Woodsome moved and Cindy Allen seconded a motion to hold one meeting per month from July through the end of the year, if appointments get backed up a second meeting will be called. Vote was 3-0-0 in favor.

VIII ADJOURNMENT: Meeting adjourned at 10:00 p.m.

Respectfully submitted,

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REGI I	ROLLCALL: Present	TERBORO PLANNING BOARD JULY 14, 1993 were Judi Carll, Cindy Allen, Jon Gale and Vice Chairman, Roland called the meeting to order at 7:36 p.m.

****** Dwayne Morin supplied information for the printing of the updated Zoning Ordinance. Dwayne received a price from Form Systems for 30 spiral bound copies, 10 loose leaf copies and 750 regular copies not to exceed \$3,000.00. New Zoning Maps and Wellhead Protection Maps are currently being completed. Dwayne showed the Board a draft copy of the Zoning Map.

Jon Gale moved and Judi Carll seconded a motion to allow Dwayne Morin to spend up to \$3,000.00 for Zoning Books from the State Implementation Grant Funds. Vote was 4-0-0 in favor.

II MINUTES OF PREVIOUS MEETINGS: May 27, June 9 and June 24, 1993 minutes. Cindy Allen moved and Judy Carll seconded a motion to accept May 27th, June 9th, and June 24, 1993 minutes as written. Vote was 4-0-0 in favor.

III COMMUNICATION AND BILLS:

Letter from CEO Re: Notice of Violation of Subdivision Stipulation
Letter to Mike Hammond

IV REPORT OF OFFICERS:

V APPOINTMENTS:

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7:45 P.M. MR. AYOTTE MAP 39 LOT 5 AR ZONE 8:00 P.M. MIKE HAMMOND MAP 19 LOT 15 V ZONE 8:15 P.M. GARY CRANE MAP 42 LOT A-495 R ZONE 8:30 P.M. LLOYD COCHRANE MAP 53 LOT 5 AR ZONE

7:45 P.M. MR. AYOTTE MAP 39 LOT 5 AR ZONE

Mr. Ayotte is requesting permission to place a preconstructed, free standing shed approximately 10 ft. from the high water mark of Ossipee Lake. Mr. Ayotte's home is closer to the high water mark than the proposed location of the shed. The Board reviewed the State Shoreland Regulations and could not find specific regulations dealing with this type project. The shed will be placed on the existing asphalt area. No disturbance of soil necessary.

Jon Gale moved and Cindy Allen seconded a motion to allow Mr. Ayotte to place a 10' x 12' shed as denoted on plot plan presented dependent on a favorable response from DEP, structure to be temporary and placed on cinder blocks, no earth moving. Vote was 4-0-0 in favor.

8:00 P.M. MIKE HAMMOND MAP 19 LOT 15 V ZONE

Mike Hammond noted to the Board members that there is an existing second story to the building measuring $32' \times 35'$. The metal section of the existing building measuring $35' \times 60'$ will be removed for a net loss of 1,007 square feet. Mike will be constructing a gambrel roof to solve a leaking roof problem and at the same time add an apartment on the second floor leaving an area for future bedrooms to take the place of those existing with the original family home at the rear of the store.

As per the minutes of February 10, 1993 the Board determined the existing status of the building to be : 1 - 40,000 sq. ft. use for the residence

3 - 20,000 sq. ft. uses for business uses

Legal counsel has stated that an allowed use can be exchanged for another allowed use within the zone that a building is located without a problem. A residence within the Village Zone is classified as a 40,000 sq. ft. use.

Cindy Allen moved and Judi Carll seconded a motion to approve the proposed renovation according to plans submitted under section 2.08, 9.03 and 9.04. Vote was 4-0-0 in favor.

8:15 P.M. GARY CRANE MAP 42 LOT A-495 R ZONE

Mr Crane would like to add a second story dormer to an existing A-Frame home in the Lake Arrowhead subdivision. Plans were presented by Mr. Crane for a second floor bath area.

Jon Gale moved and Cindy Allen seconded a motion to approve the proposed addition as presented under Section 2.08. Vote was 4-0-0 in favor.

8:30 P.M. LLOYD COCHRANE MAP 53 LOT 5 AR ZONE

Mr. Cochrane proposes a 14' x 18' two story addition to his home located on Evergreen Drive. Mr. Cochrane is also proposing two Home Occupations within this home. The lot is classified as a non-conforming lot by the Zoning Ordinance.

Cindy Allen moved and Judi Carll seconded a motion to approve the addition as per plan presented and approve the two Home Occupation uses as presented under Sections 2.08, 3.09 #13, 4.02 and 7.04. Vote was 4-0-0 in favor.

VI NEW BUSINESS:

Code Enforcement Office is concerned with right of ways being placed on property lines. The Zoning Ordinance does not address the placement. If a right of way is placed on an abutting property line and there are structures involved the sideline becomes a front-line and places there structures in violation. In order to construct future buildings some of the cases would have to go before the Zoning Board of Appeals.

The Board members suggested that they consider doing something with this and maybe presenting a change at a future Special Town Meeting.

VII OLD BUSINESS:

VIII ADJOURNMENT: Meeting adjourned at 9:10 p.m.

Respectfully submitted,

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TOWN OF WATERBORO PLANNING BOARD

WATERBORO, MAINE

REGULAR MEETING WATERBORO PLANNING BOARD AUGUST 11, 1993

I ROLLCALL: Present were Judi Carll, Roland Denby, Dwayne Woodsome, Jon Gale and Chairman, John Roberts.

John Roberts called the meeting to order at 7:40 p.m.

II MINUTES OF PREVIOUS MEETINGS:

Roland Denby moved and Jon Gale seconded a motion to approve July 14, 1993 minutes as corrected. Vote was 3-0-0 in favor.

III COMMUNICATION AND BILLS:

- 1. Maine Coast Heritage Trust
- 2. Saco River Corridor Commission Intent To File an Application
- 3. Letter to James Buraby Re: New Arbor Estates Driveway Entrances
- 4. Letter from Roger Elliott Re: Janson Property
- 5. DEP from Richard Baker Re: Mr. Ayotte and Mr. Petersen Projects

IV REPORT OF OFFICERS:

V APPOINTMENTS:

7:45 pm Marc Plourde Map 10 Lot 7-1-3 8:00 pm Eric Petersen Map 40 Lot 10 AR Zone 8:15 pm Dale Duncan Map 31 Lot 3 AR Zone 8:30 pm David Gagnon Map 52 Lot 11 AR Zone 8:30 pm Bruce Woodsome Map 16 Lot 11A AR Zone 8:45 pm Kathleen Connolly Map 39 Lot 4 AR Zone 9:00 pm Millard Genthner Map 19 Lot 45 V Zone

7:45 pm Marc Plourde Map 10 Lot 7-1-3

Mr. Plourde is requesting relocation of a driveway entrance on Middleview Estates Subdivision Plan. The proposed driveway will be a direct opposite of what is shown on the Final Subdivision Plan. Dwayne Morin recommended that the Road Review Committee do an on site inspection since they were involved during the review of the Subdivision and possibly the Engineer review the proposed relocation.

Mr. Plourde would need to contact the owner of lot 1 and acquire a written consent for the change as well as present a revised milar for the Board to sign to be registered at York County Registry of Deeds.

Sharon to contact the Road Review Committee. Mr. Plourde can call the office to see if the Road Review's On Site is favorable. If found favorable Mr. Plourde might want to continue with the submittal of a revised subdivision plan for the September 8, 1993 Planning Board Meeting.

Jon Gale moved and Roland Denby seconded a motion to refer the proposal to the Road Review Committee for review and request a written recommendation for the Planning Board. Vote was 4-0-0 in favor.

Mr. Plourde to flag the new proposed location of the driveway as well as the location of construction of the proposed house as soon as possible to assist the Road Review Committee in their review. Marc Plourde would like to be present for the Site Walk.

8:00 pm Eric Petersen Map 40 Lot 10 AR Zone

Mrs. Lorrie Petersen was present with Mr. Macomber. A second story deck over an existing cement patio is requested by the Petersen's. DEP has reviewed the proposed addition and finds it favorable. The Board members explained to Mr. Macomber that the drip edge of the second story deck could not go beyond the existing patio. Mr. Macomber should consider keeping the second story deck about 1 inch from the cement patio below. The proposed deck would be a 13% expansion under the State Shoreland Zoning Act.

Roland Denby moved and Dwayne Woodsome seconded a motion to approve the request of Mr. Petersen to add a second story deck (dimensions on file) and that he conform to the DEP letter and documents submitted, approval under Section 2.08 and 4.02.

8:15 pm Dale Duncan Map 31 Lot 3 AR Zone

Mr. Duncan proposes to construct a single story garage on his property located on Little Ossipee Pond. The proposed structure can meet the required setbacks for the AR Zone which are 75 ft. frontyard, 35 ft. side and rear setback and 100 ft. shoreland setback.

Roland Denby moved to approve Dale Duncan's request to construct a single story garage meeting all necessary setbacks and that he conform to documents submitted, approval under section 2.08 and 4.02. Vote was 4-0-0 in favor.

8:30 pm David Gagnon Map 52 Lot 11 AR Zone

Mr. Gagnon did not have necessary paperwork in prior to the meeting.

8:30 pm Bruce Woodsome Map 16 Lot 11A AR Zone

Mr. Woodsome proposes to tear down an existing attached single story garage and replace is with a two story garage in its place. Mr. Woodsome would like to enlarge the garage however due to the Non-conforming lot size would infringe on the sideline setback. Mr. Woodsome would like permission to construct the new attached two story garage going no closer than 25 ft. to his side property line. Judi Carll moved and Jon Gale seconded a motion to approve the request under Section 2.08 and 4.02 utilizing a 25 ft. sideline setback. Vote with Chairman John Roberts voting was 4-0-1 in favor. Dwayne Woodsome abstained from voting.

8:45 pm Kathleen Connolly Map 39 Lot 4 AR Zone

DEP information regarding a similar request was read. The proposed garage would not be allowed under the State Shoreland Zoning Act. A 30% expansion rule by volume and/or footprint must be used for the proposed additions. After much discussion and calculation for this project the following was proposed. The enclosure of an existing $19' \times 20'$ deck and the addition of 2' x 14' to an existing bedroom and the addition of an 8' x 12' dressing room and a 6' x 12 ft. sunroom. This by the Board's best method of calculation would be a 28% expansion.

Roland Denby moved and Jon Gale seconded a motion to approve the enclosure of an existing 19' x 20' deck and the addition of 2' x 14' to an existing bedroom and the addition of an 8' x 12' dressing room and a 6' x 12 ft. sunroom under Section 2.08 and 4.02. Vote was 4-0-0 in favor. Records should indicate that a 28% expansion was allowed.

9:00 pm Millard Genthner Map 19 Lot 45 V Zone

Millard Genthner is proposing construction of a pitched roof on an existing trailer located on a non-conforming lot on Pearl Street. Due to the non-conforming status of the lot and trailer the Board needs to review the project.

Judi Carll moved and Roland Denby seconded a motion to approve the proposed pitched roof over the existing structure, going no closer to the frontyard setback as proposed under Section 2.08. Vote was 4-0-0 in favor.

VI NEW BUSINESS:

1. Mark Morin requesting possible handicap accessibility to existing cottage prior to purchasing cottage.

VII OLD BUSINESS: 1. Roland Ayotte

The letter from DEP regarding a determination of the proposed accessory structure indicates that the proposed shed cannot be constructed.

Jon Gale moved and Judi Carll seconded a motion to notify Mr. Ayotte that his proposal is not acceptable as per the letter from DEP dated August 9, 1993, Dwayne Morin to notify by phone and will follow up with a letter to Mr. Ayotte.

ELECTION OF OFFICERS:

Judi Carll moved and Jon Gale seconded a motion to retain the existing officers, John Roberts as Chairman, Roland Denby as Vice Chairman and Dwayne Woodsome as Secretary/Treasurer. Vote was 3-0-2 in favor.

Print Recovery Concepts

The Town of Waterboro has written a Development Grant in the amount of \$100,000.00 to help PRC in expanding their manufacturing plant. The proposed expansion would be the addition of 127 new employees. It is customary for the Planning Board to respond to the request.

After discussion of the proposed development fund application and review of the Town's copy Jon Gale moved and Judi Carll seconded a motion to support the Development Application of Print Recovery Concepts. Vote was 4-0-0 in favor.

VIII ADJOURNMENT:

The meeting was adjourned at 9:45 pm

Respectfully submitted,

TOWN OF WATERBORO PLANNING BOARD

WATERBORO, MAINE

REGULAR MEEPING WATERBORO PLANNING BOARD SEPTEMBER 8, 1993

Meeting called to order by Chairman, John Roberts at 7:40 p.m.

 ROLL CALL: Present were Roland Denby, Judi Carll, Cindy Allen, Jon Gale and John Roberts, Chairman.
Jon Gale moved and Roland Denby seconded a motion to approve Aug. 8, 1993 minutes. Vote was 3-0-0 in favor.

II COMMUNICATION AND BILLS:

- 1. Intent to File Applications from Saco River Corridor Commission
- 2. DEP Borrow Pit Notification
- 3. Letter from Town to Lions Club Re: Site Plan Review
- 4. Letter from Town to Karen Lovell Re: Hamilton Land
- 5. KIDS Newsletter

III APPOINTMENTS:

8:00 pm Mr. Ken Huard	Map 29 Lot 13 AR Zone
8:15 pm Dick Collard	Map 29 Lot 11 AR Zone
8:30 pm Nick Masters	Map 40 Lot 9 AR Zone
8:30 pm Leigh Goren	Map 46 Lot 2196 R Zone

8:00 pm Mr. Ken Huard Map 29 Lot 13 AR Zone

Mr. Huard is requesting permission to move a shed and attach it to an existing cottage. The existing cottage is approximately 41 ft. from the normal high water line of Ossipee Lake. Both structures fall within 100 ft. of the normal high water line. The shed is approximately 8 ft. from the side and rear property line. Mr. Huard would also like to add a deck to the side of the proposed relocated attached cottage and shed. A new gray water system is on file. A new privy is intended since Mr. Ken Gardner informed Mr. Huard that a replacement system by means of a normal field and septic tank was not allowed by the State.

Roland Denby moved and Cindy Allen seconded a motion to approve the request under Section 2.08 and the dimensions to be met as presented with the proposed deck to connect with both buildings. Vote was 4-0-0 in favor.

8:15 pm Dick Collard Map 29 Lot 11 AR Zone Mr. Collard was in on Tuesday night to inform Sharon that he wished to be taken from the Planning Board Agenda at this time.

8:30 pm Nick Masters Map 40 Lot 9 AR Zone

Mr. Masters currently has a slab under an existing deck that protrudes towards the normal high water mark. Mr. Masters would like to construct a deck using the same dimensions as the slab located beneath the existing deck and add to the deck going towards the side property line going no closer to the normal high water mark. Documentation presented shows proposed project.

Jon Gale moved and Roland Denby seconded a motion to approve Mr. Masters request to build a deck so that no portion of the deck extends closer to the lake than the existing pad and deck to be built according to drawings submitted. Vote was 4-0-0 in favor.

Sharon to forward the paperwork to Mr. Masters Ohio address.

8:30 pm Leigh Goren Map 46 Lot 2196 R Zone

Tim Greaton from Great American Realty was representing Mr. Goren. Mr. Goren requested permission to construct a 24' x 34' cape style home on the lot utilizing 30 ft. sideline setbacks to allow the home to face the road. The abutting property has a home that faces the road and Mr. Goren would like permission to do the same. Files were checked and Energy Homes was granted permission for Lot 2197 and informed at that time that if a home could be constructed that could meet setbacks then the proposal would be acceptable to the Board.

Jon Gale moved and Judi Carll seconded a motion to approve construction of home meeting all setbacks. Vote was 4-0-0 in favor. The contractor would have approximately 1 ft. either side of the home to spare.

IV NEW BUSINESS:

V OLD BUSINESS:

1. Roland Ayotte

Mr. Ayotte was before the Board to construct a free standing shed. Through a written memo from DEP Mr. Ayotte would not be allowed to do so unless he attached the shed in some way to the existing house. Mr. Ayotte has presented a new request to tear down the existing storage area and reconstruct this to add 9.4% expansion going no closer to the normal high water mark of Ossipee Lake.

Cindy Allen moved and Roland Denby seconded a motion to approve Mr. Ayotte's new proposal to renovate the existing shed and add 9.4% sq. ft. Vote was 4-0-0 in favor.

2. Ray Janson

Ray Janson is back before the Board concerning his property located on Map 5 Lot 53 AR Zone. Letters from Dwayne Morin to Town Counsel and Town Counsel to Dwayne show that with new information provided 5 uses would be allowed on this property. Mr. Janson felt that the Town Counsel had left this decision up to the Planning Board. Previously the Board had granted Mr. Janson 6 uses with information which now seems to be incorrect. The Board felt that Mr. Janson could not sell the garage separately from the existing complex since the garage was originally used as an accessory structure. Ray also noted to the Board that it was very difficult financially to own buildings that could not be used as primary uses. The Board members were generally in favor of expanding the Village Zones in the future but that would not immediately help Ray. The Board could work on this however Ray would have to work with what is currently in place.

Jon Gale moved and Cindy Allen seconded a motion to affirm the five uses for Map 5 Lot 53 AR Zone and denied the request for the sixth use. Vote was 4-0-0 in favor.

3. Bill Doherty

Mr. Doherty had contacted Sharon to be placed on the Agenda. No one was present for the meeting on Mr. Doherty's behalf.

VI NEW BUSINESS:

VII ADJOURNMENT:

Meeting adjourned at 9:45 pm

Respectfully submitted,

REGULAR MEETING WATERBORO PLANNING BOARD OCTOBER 13, 1993

Meeting called to order by John Roberts, Chairman at 7:40 p.m.

I **ROLLCALL**: Present were Cindy Allen, Roland Denby, Jon Gale, Judi Carll, Dwayne Woodsome, and John Roberts, Chairman.

II MINUTES OR PREVIOUS MEETINGS:

Jon Gale moved and Cindy Allen seconded a motion to accept the September 8, 1993 Minutes. Vote was 3-0-1 in favor.

III COMMUNICATION AND BILLS:

 Letters from CEO 2. SRCC Letters of Intent to File an Application
Letter from Lance Roy Requesting an extension of Conditional Use Permit. Those needing action were placed under Old Business.

IV REPORT OF OFFICERS:

V APPOINTMENTS:

- 7:45 pm Summer Place Construction Map 42 Lot A-25 R Zone
- 8:00 pm Alexander House Map 48 Lot 14 AR Zone
- 8:15 pm Doug Abbott Map 29 Lot 17 AR Zone
- 8:30 pm Maxine Peightal Map 31 Lots 1 & 2 AR Zone
- 8:45 pm Don Prokey Map 35 Lot 15 AR Zone
- 9:00 pm Bob Ryder Map 45 Lots 1646/1647 R Zone

7:45 pm Summer Place Construction Map 42 Lot A-25 R Zone

The is a lot in Lake Arrowhead that has previously had a building permit. The builder did not start construction and Summer Place now finds the need to go before the Board for approval due to the substandard size. The lot has 100 ft. frontage and 97 ft. at the rear property line. The lot is shaped at an angle and has a steep slope making it difficult to construct a home utilizing the required 35 ft. setback for sidelines. The proposed cape is 28 ft. in width on the lot which includes overhang and steps. The builder is requesting use of 32 ft. sideline setbacks. Jon Gale moved and Cindy Allen seconded a motion to grant approval for construction of proposed home utilizing all setback requirements with the exception that the structure go no closer than 30 ft. to the sideline bordering lot A-26. Vote was 5-0-0 in favor.

8:00 pm Alexander Houle Map 48 Lot 14 AR Zone

Mr. & Mrs. Houle were present and requested permission to construct a 24' x 24' garage for storage of tools etc. They have a substandard lot and border a stream that flows into Northwest Pond. The garage can meet the 100 ft. setback from the water and 35 ft. from a sideline however since there is a legally recorded seven (7) ft. right of way they cannot maintain a 75 ft. setback. Mrs. Houle noted that due to the topography of the parcel this was the only location for the garage. The Board expressed that they could not grant permission for a free standing structure to violate setbacks. Could the garage be attached by a breezeway or could a foundation be placed under the cottage for storage? The Houle's felt that the Board should see the lot.

Cindy Allen moved and Jon Gale seconded a motion to hold off on a decision until a site walk could be completed. Vote was 5-0-0 in favor. A decision to be rendered on November 10, 1993.

Mr. & Mrs. Houle were very upset, the Board members explained that it was not within the Board's authority to grant this particular location. Several suggestions were offered. The On Site was scheduled for Saturday October 16, 1993 with Board members meeting at the Town Hall at 8:30 a.m. Board requested property owners to mark the area for the proposed garage. Directions were given from West Road onto Bradburn Road.

8:15 pm Doug Abbott Map 29 Lot 17 AR Zone

Mr. Abbott would like permission to install a septic system on a substandard lot as well as change the existing roof pitch and add a 6 ft. x 30 ft. addition to the side of existing structure. The addition would go 20 ft. from neighbor's cottage and is approximately 14 ft. from the property line. Questions were asked if the proposed roof pitch and addition would block the view of other cottages? None believed. Addition would not have an overhang on the side. Septic designs were placed in file. Cindy Allen moved and Judi Carll seconded a motion to accept plan as presented under Section 2.08. Vote was 5-0-0 in favor.

8:30 pm Maxine Peightal Map 31 Lots 1 & 2 AR Zone

Maxine Peightal has just purchased an abutting lot which adds approximately 17,000 sq. ft. to her existing lot. Ms. Peightal would like to construct a single story garage 24' x 24' maintaining all required setbacks. Even with the abutting lot the lot does not conform with today's zoning.

Cindy Allen moved and Roland Denby seconded a motion to accept plan as presented meeting all setbacks under Section 2.08. Vote was 5-0-0 in favor.

8:45 pm Don Prokey Map 35 Lot 15 AR Zone

Mr. Prokey presented a survey for his property. Mr. Prokey is requesting permission to construct a garage that cannot meet setbacks on a substandard lot. The road as shown on the subdivision plan does not exist on the land. The road dissects Mr. Prokey's property. The Board noted to Mr. Prokey that they did not have the authority to grant his request. They suggested Mr. Prokey consider attaching the proposed garage to his cottage. They also noted that the new structure could not go closer than the existing cottage to the lot lines or high water mark of Lake Ossipee. Mr. Morin will check tax records to determine existing sq. footage to see if the proposed size of the garage would be allowed under the State 30% Rule. Mr. Prokey and Mr. Morin to be in touch and Mr. Prokey could return under Old Business.

John Roberts turned the meeting over to Roland Denby, Vice Chairman due to potential conflict of interest for Robert Ryder's request.

9:00 pm Bob Ryder Map 45 Lots 1646/1647 R Zone

Robert Ryder has two lots in Lake Arrowhead. Mr. Ryder has received Saco River Corridor Commission Approval. The location of the proposed structure would require a 20 ft. sideline setback in place of the required 35 ft. setback and the use of a 30 ft. frontyard setback in place of the required 50 ft. frontyard setback. Mr. Ryder explained that on paper there appears to be another location for a house however, approximately 9 ft. from the edge of the road there is an 11 ft. vertical drop. SRCC and DEP would not allow for filling.

Dwayne Woodsome moved and Cindy Allen seconded a motion to allow the use of a 30 ft. frontyard setback and a 20 ft. sideline setback from Lot 1648 for construction of proposed house under Section 4.02 and 7.01. Vote was 4-0-1 in favor.

VI NEW BUSINESS:

Roland Denby turned the meeting back to John Roberts, Chairman.

VII OLD BUSINESS:

1. Michael Sampson Map 39 Lot 6

Michael Sampson is back before the Board because Planning Board approval granted specific dimensions as requested by Mr. Sampson. Mr. Sampson did not realize that the dimensions included overhang. Mr. Sampson would like permission to construct a 4 ft. canopy style roof over the vegetable stand area. Mr. Sampson insured the Board that this additional 4 ft. would still be within the foot print previously presented for approval of the Board.

Roland Denby moved and Cindy Allen seconded a motion to grant permission to construct a 15' x 21' stand meeting all previously granted setbacks. Vote was 5-0-0 in favor.

2. Lance Roy Map 45 Lot 1617

Mr. Roy forwarded a letter requesting an extension of a Conditional Use previously issued by the Planning Board. Nothing would change from the original request and approval.

Judi Carll moved and Cindy Allen seconded a motion to re-approve a 6 month extension utilizing all currently issued conditions. Vote was 5-0-0 in favor.

VIII ADJOURNMENT:

It was moved and seconded to adjourn at 9:15 pm All in favor.

Respectfully submitted,

REGULAR MEETING WATERBORO PLANNING BOARD NOV. 10, 1993

Meeting Called To Order By Chairman, John Roberts at 7:40 p.m.

I **ROLLCALL**: Present were Judi Carll, Cindy Allen, Roland Denby, Jon Gale, Dwayne Woodsome and Chairman, John Roberts.

Van Foglio was in to speak with the Board regarding people who place Right of Ways on property lines. The Zoning Ordinance does not regulate the placement of Right of Ways currently. By placing the Right of Way on a property line in many cases it causes an abutting property owner's buildings to be in violation of setback regulations. Discussion followed with the Board members noting that solutions would be worked on possibly for June Town Meeting.

II MINUTES OF PREVIOUS MEETINGS:

Jon Gale moved and Roland Denby seconded a motion to accept October 13, 1993 minutes. Vote was 5-0-0 in favor.

III COMMUNICATION AND BILLS:

- 1. DEP Letter of notice State Imposed Shoreland Zoning
- 2. Info from Maine Cranberry Company
- 3. Letter Re: Status of Pace Landing Subdivision
- 4. Letter from Coastal Bank Re: Lot 800 Map 43
- 5. Invoice for Middle Point Subdivision from Tewhey Associates
- 6. Letter to Lions Club Re: Site Plan Review
- 7. Letter to Tom Tierney
- 8. Maine Business Indicators Newsletter
- 9. Letter to Property owner in New Arbor Estates

IV REPORT OF OFFICERS:

V APPOINTMENTS:

7:45 PM WAYNE GAUTREAU MAP 41 LOT 20 AR ZONE

- 8:00 PM CHAMPION CONST/FLORENCE BOTH MAP 35 LOT 22 AR ZONE
- 8:15 PM DOGGETT/MCAULIFFE ASSOC MAP 58 LOT 7 FA ZONE
- 8:30 PM WILLIS WENTZELL MAP 42 LOTS A-1 & A-208 R ZONE
- 8:45 PM ROBERT RYDER MAP 44 LOT A-455 R ZONE
- 9:00 PM JAMES GERRY MAP 1 LOT 22 AR ZONE

9:15 PM FERNAND CHAMPAGNE MAP 43 LOT 800 R ZONE

7:45 PM WAYNE GAUTREAU MAP 41 LOT 20 AR ZONE

Mr. Gautreau is located near the end of Silas Brown Road and Chadbourne Ridge Road. Mr. Gautreau received approval for renovation and an addition of a deck in 1989. A portion of the foundation was existing however, was an older foundation. Mr. Gautreau would like to upgrade the old section of the foundation. At the time the Board granted permission for the addition the status of the septic system was questioned and the Board conditioned the approval to be season use only for the cottage. The Board informed Mr. Gautreau that typically a condition of approval is to upgrade the septic system. Questions were asked about the secondary structure on the lot Mr. Gautreau disconnected all power etc. to the trailer and uses it for accessory purposes only.

Jon Gale moved and Roland Denby seconded a motion to allow Mr. Gautreau to construct the foundation provided that the septic system meets current plumbing code or a new system is installed. Vote was 5-0-0 in favor.

8:00 PM CHAMPION CONST/FLORENCE BOTH MAP 35 LOT 22 AR ZONE

Glen Charette of Champion Construction is representing Florence Both. The location of the cottage is in the same area as Donald Prokey. Mrs. Both is requesting permission to move the exiting cottage back from the water 8 feet and lift the cottage 4 ft. from the current elevation as well as adding decks.

It was explained to Mr. Champion that the DEP rules indicate that to raise or lower a sill plate by more than 3 ft. within 100 ft. of the high water mark of a great pond would place the proposal as expansion and would be figured in as volume in the 30% calculation. The proposal as presented exceeds the Planning Boards authority because the proposed additions and the lifting of the cottage is more than 30% of existing footprint sq. footage and volume. If the cottage elevation did not exceed the allowed 3 ft. then the remainder the additions proposed would be allowable.

The Board also questioned the existing status of the septic system? Mr. Champion thought that a new bed had been installed however the town records did not indicate that a permit had been issued.

Dwayne Woodsome moved and Cindy Allen moved to approve the plan provided the existing system meets today's code or a new system be installed, elevation of the sill not to exceed 3 ft. up or down from existing location. This proposal would be 25% approval under section 2.08, 4.02, 7.01 and 9.03. Vote was 5-0-0 in favor.

8:15 PM DOGGETT/MCAULIFFE ASSOC MAP 58 LOT 7 FA ZONE

Mr. Doggett is requesting the placement of a single driveway for access to lot 7 in the Bassland Acre Subdivision. A letter of approval of the is proposal from the Road Review Committee was placed on file.

Cindy Allen moved and Roland Denby seconded a motion to approve the proposal as per the Road Review Committee Recommendation. Vote was 5-0-0 in favor.

8:30 PM WILLIS WENTZELL MAP 42 LOTS A-1 & A-208 R ZONE

Mr. Wentzell is requesting Planning Board Approval to construct a home on Lot A-1 and Lot A-208. All setback requirements can be met on both lots.

Dwayne Woodsome moved and Judi Carll seconded a motion to approve as long as setbacks can be met under Section 2.08. Vote was 5-0-0 in favor

Dwayne Woodsome moved and Cindy Allen seconded and motion to approve as long as setbacks can be met under Section 2.08. Vote was 5-0-0 in favor.

8:45 PM ROBERT RYDER MAP 44 LOT A-455 R ZONE

Mr. Ryder is requesting Planning Board approval to construct a single family dwelling and a future garage utilizing frontyard setbacks and is requesting approval to build no closer than 30 ft. to the property line abutting the 20 ft. greenbelt. All other setbacks as per Zoning Ordinance.

Cindy Allen moved and Roland Denby seconded a motion to approve a 30 ft. rear setback toward the greenbelt all other setbacks to be met under Sections 2.08 and 4.02. Vote was 5-0-0 in favor.

9:00 PM JAMES GERRY MAP 1 LOT 22 AR ZONE

Mr. Gerry is before the Board for permission to construct a bridge over Hamilton Brook. Mr. Gerry began construction before inquiring about Town permits. The bridge is being constructed for a CMP utility line. Mr. Gerry acquired an easement from Jim Triance to utilize a "grandfathered" 20 ft. easement to construct a utility line. Mr. Gerry as also been informed that he will not be able to utilize this easement to access his property because he is required to have a 50 ft. easement. The grandfathered status of the easement is only valid for Mr. Triance's land. The Board members questioned the structural soundness of the proposed bridge. Mr. Gerry informed the Board that this was constructed very like the old logging bridges. Jon Gale moved and Cindy Allen seconded a motion to allow Mr. Gerry to construct a bridge not to be used as an access road under Section 2.08, 4.02 and 7.01. Vote was 5-0-0 in favor.

9:15 PM FERNAND CHAMPAGNE MAP 43 LOT 800 R ZONE

Mr. Champagne is requesting Planning Board approval to construct a single family dwelling utilizing all required setbacks.

Cindy Allen moved and Jon Gale seconded a motion to approve request as long as all setbacks can be met as per the Waterboro Zoning Ordinance. Vote was 5-0-0 in favor under Section 2.08.

VII OLD BUSINESS:

1. Mr. & Mrs. Houle Map 48 Lot 14 AR Zone

An on site inspection of this lot was completed and Dwayne Morin played a video for those members unable to attend the on site. Members that completed the on site felt that the garage could be attached to existing cottage.

Jon Gale moved and Cindy Allen seconded a motion that the request to construct a free standing garage as presented at the last Board meeting be denied. Vote was 5-0-0 in favor.

Jon Gale moved and Cindy Allen seconded a motion to approve construction of an attached garage not going closer to the Right of Way than the existing cottage under Section 2.08. Vote was 5-0-0 in favor.

2. Don Prokey Map 35 Lot 15 AR Zone

Mr. Prokey has presented plans for an attached garage to existing cottage. Proposed addition would go no closer to lines than existing structure. The proposed addition would not exceed 30% expansion.

Cindy Allen moved and Roland Denby seconded a motion to approved the plan as amended under 2.08, 4.02 therefore approving a 29.99% expansion. Vote was 5-0-0 in favor.

3. Middle point Estates Preliminary Plan

Chuck Pierce and his land surveyor William Pierce were in before the Board. Mr. Pierce is requesting Preliminary Plan Approval. DEP and Army Corp of Engineers approval on file. The following were suggestions for changes to the plan:

1. Driveway placements must be shown on plan, Especially #3.

Board requested erasing driveway location on Lot 1A.

2. Will the Planning Board require a Greenbelt along Middle Road?

Roland Denby moved and Jon Gale seconded a motion to place a 25 ft. greenbelt bordering Middle Road.

Since two of the lots already have homes it would be difficult to now impose a greenbelt on the property owners, since Mr. Pierce no longer owns the lots. Board decided that under the current conditions a greenbelt would not be required.

Roland Denby withdrew his motion and Jon Gale withdrew his second.

3. Get rid of Lot 1A and Note #12. Approval with this lot on plan implies that the Planning Board will allow for non conforming lots to exist.

- 4. Dimensional Block should be added and include:
 - a. # of acres of Parcel being divided
 - b. # of acres in lots
 - c. # of acres for Right of ways
- 5. DEP & Army Corps Permit numbers should be placed on plan.

Notes 3,4 and 5 to be complied with. Roland Denby moved and Cindy Allen moved to accept Preliminary Plan with the above noted changes. Vote was 5-0-0 in favor.

4. Pace Landing Subdivision

Mr. Robert Beck has defaulted on his bank note and the bank has taken over interest in the Pace Landing Subdivision. Mr. Beck sold the lots with 1/15th interest in Pace Landing Drive to each property owner. The bank now holds 4/15 interest in the Road. The bank has expressed to Dwayne that they have no intention of completing the road to allow acceptance by Town Meeting Vote. The people in the subdivision are meeting tonight to form an association and meet with the bank to see where they stand. A letter from Chris Vaniotis was placed on file with his recommendations as to the Town's proposed position. There would appear to be approximately 10,000 to 15,000 dollars worth of work to be completed before the Road Review Committee could inspect for compliance with the Towns Road Standards.

Cindy Allen moved and Judi Carll seconded a motion to notify the Code Enforcement Officer that no further Building Permits shall be issued and that at this point the subdivision of Pace Landing is considered null and void unless conditions noted on the plan are met. Vote was 5-0-0 in favor.

Dwayne Morin noted that the subdivision regulations should be reviewed and the Board agreed to review the regulations at the second meeting in January.

5. Mandatory Shoreland Zoning

Two years ago the Towns people defeated the proposed Shoreland Zoning as proposed by the Waterboro Planning Board. The state is now mandating State Shoreland Zoning. As presented there is no authorized enforcement agent. Therefore the Code Enforcement Office could not enforce as presented by the State.

The Planning Board would have the option of bringing a proposal back to the Townspeople in June or wait to see what the State will do. There were varied opinions among the Board members. Jon Gale felt that the responsible thing would be to bring this back before the Townspeople.

Dwayne Morin asked permission to write the State to clarify a few very important questions such as who would enforce and who would pay for the enforcement? All members present were in favor of Dwayne's request.

6. Middleview Estates Driveway Relocation

No written recommendation is on file from the Road Review Committee however Douglas Foglio, Chairman of the Road Review Committee has poled 6 or 7 members of the committee and they had no problem with the acceptance of the relocation of the driveway as long as the following three items are completed;

1) The driveway intersection must meet at a 90 degree angle for the length of a car $+/-10^{\circ}$ and should coninue as engineer designed on plans, and;

2). There shall be a culvert sized by the Road Commissioner on the up hill side and ditched the whole length, and;

3) Either prior to issuance of a Building Permit or an Occupancy Permit is issued the Road Review or Road Commissioner must sign off on an inspection of the driveway entrance.

Cindy Allen moved and Judi Carll seconded a motion to accept the Road Review Committee's recommendation for relocation of driveway and inspection to take place prior to issuance of a Building Permit and the applicant meet the Subdivision Regulations Section 7.4. Vote was 5-0-0 in favor.

VIII ADJOURNMENT:

The meeting was adjourned at 10:32 pm.

Respectfully submitted,

wood this all

TOWN OF WATERBORO PLANNING BOARD

WATERBORO, MAINE

REGULAR MEETING WATERBORO PLANNING BOARD DEC. 8, 1993

MEETING CALLED TO ORDER BY CHAIRMAN, JOHN ROBERTS AT 7:45 PM

I **ROLL CALL:** Present were Jon Gale, Roland Denby, Cindy Allen, Judi Carll, Dwayne Woodsome, and John Roberts, Chairman.

II MINUTES OF PREVIOUS MEETINGS:

Roland Denby moved and Jon Gale seconded a motion to accept minutes of November 8, 1993. Vote was 4-0-0 in favor.

III COMMUNICATION AND BILLS:

- 1. Shoreland Zoning News
- 2. Budget Request from Selectmen's Office
- 3. Letter to Mike Cupka Re: Relocation of Drive (Middleview Estates)
- 4. Letter from Bernstein, Shur, Sawyer & Nelson Re: Letter of Credit for Performance Guarantee of Future Subdivisions
- 5. Copy of Enforcement for Setback Violation

IV REPORT OF OFFICERS:

V APPOINTMENTS:

7:45 PM MERLE MCCORMICK MAP 45 LOT 1429 R ZONE 8:00 PM GEORGE ROBERTS 8:15 PM M R JOHNSON MAP 22 LOT 2 8:30 PM RENALD COLLINS 8:30 PM WILLIAM LEFEBVRE 8:45 PM RAY MARCOTTE 9:00 PM BILL SPEED

7:45 PM MERLE MCCORMICK MAP 45 LOT 1429 R ZONE

Mr. McCormick owns a home in Lake Arrowhead that was constructed in 1984. The lot is located on the water and Mr. McCormick would like to add a 12' x 20' attached garage however, the addition would go closer than 35 ft. to the side line. Because this addition and home are within 100 ft of the water this would also fall under the State 30% Rule.

The Board members present informed Mr. McCormick that they could not grant a variance to allow construction as presented. If Mr. McCormick could maintain the 35 ft. minimum sideline setback and go no closer to the normal high water mark they could grant permission for an addition. Mr. McCormick assured those present that the addition would be no closer to the high water mark.

Judi Carll moved and Jon Gale seconded a motion to allow construction of the garage as long as setbacks could be met and the addition go no closer to the water than existing structure and Mr. McCormick conforms with the Saco River Corridor Commission permit and does not exceed 30%. Vote was 5-0-0 in favor.

8:00 PM GEORGE ROBERTS

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Mr. Roberts is before the Board requesting permission to install 170 ft. of rip rap at the normal high water line of Ossipee Lake. Mr. Roberts brought in his certified receipt and a copy was placed in his file. A letter from DEP confirming an on site inspection was also placed on file.

Jon Gale moved and Judi Carll seconded a motion to grant approval of George Roberts plan to rip rap as stated in the DEP application. Vote was 5-0-0 in favor.

8:15 PM M R JOHNSON MAP 22 LOT 2

Mr. Johnson lives on Main Street in South Waterboro Village and has approximately 1 acre of land. Mr. Johnson would like to locate a Paving Company at his home which would mean that equipment such as dump trucks, paving machinery etc. would be stored on site. The property also abuts Hamilton Brook at the rear property line. Under the Land Use Chart this type of use would require an additional 40,000 sq. ft. of land. Business cannot be granted. The Board noted if a sign is out and it becomes a problem then would be classified as a non-allowed use. Comments regarding registration of vehicles and those vehicles would be parked in his yard. Mr. Johnson asked if he could list the business in the telephone directory and the Board did not feel that it would be a problem.

Roland Denby moved and Cindy Allen seconded a motion recommending no action. Vote was in favor 5-0-0.

8:30 PM RENALD COLLINS MAP 42 LOT A-284 R ZONE

Renald Collins is requesting permission to construct a single family home on a non-conforming lot in the Lake Arrowhead Subdivision. Mr. Collins has denoted on his site plan that all setbacks can be met.

Cindy Allen moved and Judi Carll seconded a motion to grant approval for construction, structure to meet all required setbacks. Vote was in favor 5-0-0.

8:30 PM WILLIAM LEFEBVRE

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Mr. Lefebvre no longer needed this scheduled appointment. Mr. Lefebvre was investigating uses on a particular piece of property prior to purchase.

Dwayne Woodsome moved and John Roberts seconded a motion to have the Town Planner draw up a petition to move the Town Meeting back to March and the Planning Board members will be responsible for passing the petition. Vote was 5-0-0 in favor.

8:45 PM RAY MARCOTTE MAP 46 LOT 2176 R ZONE

Mr. Marcotte has requested permission to construct a home on a non-conforming lot in Lake Arrowhead. Mr. Marcotte has indicated on his plot plan that all required setbacks can be met.

Dwayne Woodsome moved and Cindy Allen seconded a motion to approve a Building Permit as long as setbacks are met. Vote was in favor 5-0-0.

9:00 PM BILL SPEED NEW ARBOR ESTATES

Mr. Speed is requesting a change to Lot 1 in the New Arbor Estates Subdivision to allow placement of a home further away from the New Road which would move the location of the septic system out of the approved septic envelope. A statement from Mr. Gillespie is on file in the office stating that no additional impact would be caused by relocating the septic system.

The previous placement was a combined belief between Peter Garrett and Mr. Gillespie as long as the Town's Hydrogeologist is in agreement with the proposed change and the subdivision plan is amended.

Roland Denby moved and Cindy Allen seconded a motion to approve pending the Hydrogeologist approval. Vote was in favor 5-0-0.

VI NEW BUSINESS:

Board members discussed the budget and possibly requesting \$15.00 per meeting this year. The Board has not had a raise since the Town started paying \$10.00 per meeting. Roland mentioned that the State Law might not allow more than \$10.00. Roland will stop in and he and Dwayne Morin will research the state statutes.

VII OLD BUSINESS:

Shoreland Zoning:

The state will impose Shoreland Zoning on the Town of Waterboro. The State will take the Town to court to enforce the mandated Shoreland Zoning.

The general consensus of those present was to bring the previously proposed shoreland zoning back before the Town's people at the Annual Town Meeting in June 1994.

Dwayne Morin to notify the State that the Planning Board will be bringing this up at the Annual Town Meeting.

Judi Carll moved and Cindy Allen seconded a motion to bring Shoreland Zoning Proposal to the Town's people at Annual Town Meeting and Dwayne Morin to advise the State of this intention. Vote was in favor 5-0-0.

Mr. Curit:

Please notify the Code Enforcement Office that Mr. Curit needs to comply with the Planning Board's request of presenting an exact site plan or tear his garage structure down.

Discussion of sections of zoning that need work. Some being Shoreland Zoning, Signs, Office Buildings, in-law Apartments, State Aid Highway Listing, Expanded Village & Residential Zones, Land Use Chart for Discrepancies, and Section 2.08.

Those present instructed Sharon to book appointments starting at 7:15 p.m. as of January 12, 1994 through to 8:00 p.m. and place 1 or 2 items needing work in zoning for the remainder of the meeting.

VIII ADJOURNMENT:

Meeting adjourned at 9:38 p.m.

Respectfully submitted, Dwayne Woodsome Secretary/Treasurer