

# PLANNING BOARD

## Town of Waterboro

**REGULAR MEETING**

**JANUARY 22, 1998**

Dwayne Woodsome called the meeting to order at 7:42 p.m. noting that a quorum was met.

**I ROLL CALL:**

Present were Dwayne Woodsome, Duane Fay, Everett Whitten and Larry Jacobsen.

**II MINUTES OF PREVIOUS MEETINGS:**

Everett Whitten made the motion to approve the minutes of December 10 meeting. Duane Fay seconded. Motion passed with 3-0-1 in favor with Dwayne Woodsome abstaining.

**III COMMUNICATIONS AND BILLS**

A thank you card was received by Nancy Brandt and Dianne Holden for the flowers received by the Planning Board at Christmas.

**IV REPORTS OF OFFICERS:**

**V APPOINTMENTS**

Phil Weymouth regarding his preliminary for a 1 lot subdivision. The planning board reviewed their on site inspection of the lot. Everett Whitten, Dwayne Woodsome and Roland Denby attended the onsite. Dwayne Woodsome reports that he questions the site distance. Phil explains that the entrance is already there to the abutting property owner on his property and states that the neighbor will continue to be allowed to use it. The planning board reviewed Phil Weymouth's request for a waiver of some of the conditions for a subdivision. Duane Fay made the motion to grant the waiver excluding the name of the subdivision as submitted. Everett Whitten seconds the motion. Motion passes with 3-0-1 in favor with Dwayne Woodsome abstaining. Dwayne Woodsome reviewed the checklist for subdivision approval. The following items must be added to the final sketch plan and be included on the mylar to be recorded at the registry; the soil test, the width of the road, the building envelope, the remaining land owned by Phil Weymouth must be depicted. Also the board suggested that Phil get an entrance permit from the Road Commissioner and if a culvert is required that also must be recorded on the final map.

Sketch Plan Review of Map 4 Lot 32 and 33 from a representative of Sanford Institute for Savings. They would like to split the property into three parcels. The judgment of foreclosure and Sale is submitted to the Board proving ownership of the property of the bank. It is explained by the board that each parcel requires 150 feet of road frontage. One of the parcels may need a 50 foot right of way to create the road frontage. They must keep in mind to maintain the setbacks when creating the right of way. They would also have to maintain a minimum of 80,000 square feet for each of the lots. The bank could just split the property in two parcels instead of three where they would not need the approval of the planning board. The bank is trying to get this accomplished before the end of February to auction this foreclosure property by March. It is left that the attorney will see what the bank would like to do and try to get the configurations needed to meet with the planning board next week if needed.

**VI OLD BUSINESS**

**VII NEW BUSINESS**

Discussion of the planning board's report for the town report. Dwayne Woodsome thinks that it should be stated that the planning board has been without a planner and some time without a secretary, along with the normal reporting of the meetings. Duane Fay thinks it should be stated that the planning board is requesting the hire of a town planner.

**VIII ADJOURNMENT**

Larry Jacobsen made the motion to adjourn at 9:05. Everett Whitten seconds. Motion passes with 4-0-0 in favor.

Respectfully submitted,

*Dwayne Woodsome*  
Dwayne Woodsome  
Secretary/Treasurer.

*Everett Whitten*  
*Henry [unclear]*

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# **PLANNING BOARD,** **Town of Waterboro**

## **MEETING MINUTES** **FEBRUARY 11, 1998**

### **I ROLL CALL:**

Meeting is called to order by Dwayne Woodsome at 7:35. Attending: Everett Whitten, Roland Denby, Duane Fay and John Roberts enters at 7:45.

### **II MINUTES OF PREVIOUS MEETINGS:**

Roland Denby made the motion to accepted the minutes of January 28 as read. Duane Fay seconds. Motion passes with a vote of 4-0-0 in favor.

### **III COMMUNICATIONS AND BILLS:**

1. The revised plan submitted by Phil Weymouth was reviewed. All the requested changes were made. Phil will be contacted to have the mylar made with the changes for signing.
2. The final plans for the Webber Farm subdivision are presented and reviewed before signing. All of the requested changes have been made, the mylar and all copies are signed at this time.

### **IV REPORT OF OFFICERS:**

### **V APPOINTMENTS:**

**Support Solutions** application for a conditional use for an adult foster home. The request of for a two adult foster home on Map 42 Lot A123 in a residential zone. It is a single family residence with two caretakers living there. Lake Arrowhead has been contacted and has approved this use. John Roberts made the motion to grant Support Solutions a Conditional Use for Institutional facility. Roland Denby seconds. Motion passes with a vote of 4-0-0 in favor.

**Welch property subdivision** Bruce Bergen is present to go over revised plans to the proposed subdivision of Map 4 Lot 32 and 33 for final plan approval. The following is a list of what was waived due to the fact that these items do not pertain to this subdivision. 1. Name of soil scientist, 2. Name of hydrologist, 3. Hydrological impact study, 4. Soil characteristics, 5. Soil suitability report, 6. Provisions for mail delivery, 7. Proposed street layout, 8. Street elevations 9. Street grades, 10. Sidewalks, 11. Erosion control and storm water drainage plan, 12. Road entrance permits, 13. Certification by agencies as required, 14. Street plan and profiles, 15. Typical cross sections of street pavements. Everett Whitten made the motion to waive all of the items on the letter for request for waiver dated February 4. Duane Fay seconds. Motion passes with a vote of 3-0-0 in favor with John Roberts abstaining. The checklist was reviewed and all required items were met.

Duane Fay made the motion to approve the final plan. Roland Denby seconds. Motion passes with a vote of 3-0-0 in favor with John Roberts abstaining. Bruce Bergen will prepare the legal descriptions and supply six copies and a mylar for the Planning Board to sign.

**VI OLD BUSINESS**

1. The letter from Karen Lovell regarding the proposed changes for the criteria to get a hardship variance was reviewed. John Roberts made the motion to set a public hearing for February 26<sup>th</sup> at 7:30 for the purpose of reviewing the proposed zoning ordinance change. Everett Whitten seconds. Motion passes with a vote of 4-0-0 in favor.

**VII NEW BUSINESS**

**VIII ADJOURNMENT**

Roland Denby made the motion to adjourn at 8:35. Everett Whitten seconds. Motion passes with a vote of 5-0-0. Meeting is adjourned.

Respectfully submitted,

*Dwayne Woodsome*  
Dwayne Woodsome,  
Secretary/Treasurer

*Roland E. Denby*  
*Everett F. Whitten*  
*Alma Fay*

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# PLANNING BOARD

## Town of Waterboro

Meeting Minutes  
February 26, 1998

### I ROLL CALL

Attending: Chairman, Douglas Foglio Sr., Roland Denby, Everett Whitten, Duane Fay, Dwayne Woodsome.

### II MINUTES OF PREVIOUS MINUTES

Roland Denby made the motion to accept the minutes of February 11, 1998 as read. Everett Whitten seconds. Motion carries with a vote unanimously in favor. Minutes are approved and signed.

### III COMMUNICATIONS AND BILLS

1. Letter of resignation was submitted by Larry Jacobsen from the Planning Board and was voted by the Board of Selectmen to reluctantly accept it.

### IV REPORT OF OFFICERS

### V APPOINTMENTS

### VI OLD BUSINESS

1. Zoning changes. Chairman Foglio states that we need to seek professional help to work on the zoning ordinance. We need to set a time frame to get this done. Each member needs to go through the ordinance and propose changes and we need to take out the contradictions. Roland states that this book has been reprinted so many times he thinks some sections are left out in reprinting. Doug states that this ordinance needs to be read from one end to the other. Having an attorney do it would be too costly. Doug would like it reviewed by a consultant to point out discrepancies. Rob Baker states that one he has found is for a non-conforming abandoned for more than one year can't it but if it is in the shoreland zone the planning board has the right to act on changes. Doug states that we don't address non conforming structures on conforming lots. He has a problem with the fact that if a building was built prior to zoning in 1977 that it should be considered non-conforming because we adopted zoning to make it so. Doug also states that we should encourage people to hook up to public water system. Duane Fay would like to see the encouragement of smaller subdivisions. Doug agrees we should have major and minor subdivisions.

Doug would like each planning board members to review the zoning ordinance and write their ideas, a sub-committee to be appointed to meet with whoever is hired to review the ordinance. It should not be a major issue to clean up the ordinance and put some common sense into it.

Dwayne Woodsome states he things the board should have a special workshop once a month to review the ordinance.

The proposed change to the Zoning Ordinance section 3.04 is discussed. Dwayne Woodsome made the motion to hold a public hearing on March 4 at 7:30 for the public to hear and

comment on the proposal that is Article 61 on Town Meeting Warrant to add definitions to Section 3.04 through 3.08 of the Zoning Ordinance. Duane Fay seconds the motion. Motion carries with a unanimous vote in favor.

Roland Denby made the motion to add section 3.09 that states the land use chart shall be a representative guide for subsections 3.04.01 through 3.08.02 and whenever the two conflict the definitions will be the guiding factor. Dwayne Woodsome seconds. Motion carries with a unanimous vote in favor.

Doug asked Patti previously to research when these adopted changes would become effective. Patti contacted MMA and was told that all non money articles on the warrant become effective immediately upon adoption. MMA is aware that our fiscal year is from July 1 to June 30 and that our town meeting is in March.

2. The final plans from the Welch property for the subdivision approved to Sanford Institute for Savings were signed.
3. Dwayne Woodsome made the motion that Sebago Technics be contacted to see if they would be interested in working with the Planning Board to review the Zoning Ordinance. To see if the Chairman, Doug Foglio will contact Them and see if someone from Sebago Technics can meet with the Board on March 4 after the Public Hearing. Duane Fay seconds. Motion carries with a unanimous vote in favor.

## VII ADJOURNMENT

Dwayne Woodsome made the motion to adjourn at 9:20. Everett Whitten seconds. Meeting is adjourned with a unanimous vote in favor.

Respectfully submitted,

Dwayne Woodsome,  
Secretary/Treasurer

*Dwayne Woodsome* 4/8/98

*Duane Fay*

*Roland E. Denby*

*Everett Whitten*

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# PLANNING BOARD

## Town of Waterboro

### MEETING MINUTES

MARCH 4, 1998

Special meeting of the Waterboro Planning Board. Attending Chairman: Douglas Foglio Sr, Dwayne Woodsome, Duane Fay, Everett Whitten, Roland Denby.

#### PUBLIC HEARING

Chairman, Doug Foglio called the public hearing to order at 7:30. Walt Stinson from Sebago Technics is present. There is no public attendance at this meeting. The reason for this public hearing is to go over the proposed changes to the Zoning Ordinance on the Town Meeting Warrant. The proposed change is to add the definitions back to section 3.04 through 3.08 that were omitted when the zoning chart was adopted.

Duane Fay made the motion to conclude the public hearing at 7:50. Everett Whitten seconds. The motion carries with a unanimous vote in favor.

#### DISCUSSION

The Planning Board continues their special meeting to go over the Zoning Ordinance with Walt Stinson. Chairman Foglio asks Walt if he is interested in working with the Board to review the Zoning Ordinance. Walt says yes he is. Doug states that it is absolutely necessary to move along with reviewing the ordinance.

Roland would like to look at section 2.04 where it states that a project costing less than \$500 doesn't require a building permit or occupancy permit. Duane Fay states that maybe there shouldn't be a dollar amount.

Duane adds that the definition of "structure" needs to be looked at.

Dwayne Woodsome brought up shoreland zone being moved from 100' to 75' requirement. Doug states that if DEP has recorded that over a certain percentage of the buildings around the lake are closer than 100' they can change the setback to the average setback of the buildings currently there. Walt Stinson states that the setbacks of buildings around the lake can be easily established with arial photos.

Doug states that we have a limited amount of money for the purpose of reviewing the ordinance. The first thing we have to do is see if Walt is interested and the second to see if the Board wants to work with Walt.

Walt states that yes, he is interested and he believes that with the budget we are working with, we can make recommendations to get all sections of the ordinance to say the same things with the basis of the ordinance staying intact.

Doug asks, "What about lot size changes?"

Roland and Duane Fay both agree that we should look into expanding the village zone with smaller lot sizes for lots on the public water system.

Doug states that there are areas in town that a building is 1/2 in one zone and 1/2 in another. Doug adds that the Planning Board has to be prepared for what it wants at Town Meeting. It is important the changes are well supported by the members of the Planning Board.

One thing Doug would like to change is that swimming pools are not permanent structures and neither are tents.

Doug suggests that this review be done in pieces. That everyone on the Board take the book home and go over it for suggestions, pick out conflicts, and define what we want. We will have to get input from the town attorney.

Duane Fay says maybe we should clean up the conflicts in the ordinance as phase one, and make changes to the ordinance in phase two.

Doug asks all the members to take notes correcting sections as they go. Doug suggests that after reading the ordinance that Walt Stinson submit a proposal to the Board and we can vote on that proposal. Walt can attend workshops and hearings when it is necessary.

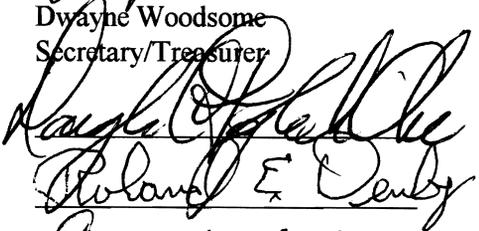
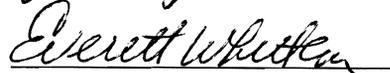
Another suggestion from Doug is that there should be major and minor subdivisions, and that utility poles should not be considered a conditional use on private property unless it's in the public right of way. A person should be able to rebuild more than one year after a building is destroyed.

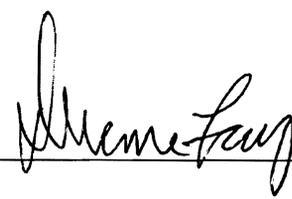
Patti will get an updated copy of the Zoning book to all Planning Board members to use for this review. Patti will send a copy of Karen Lovell's opinions on zoning changes to Walt Stinson.

**ADJOURNMENT**

Dwayne Woodsome made the motion to adjourn at 9:30. Everett Whitten seconds. Motion carries with a unanimous vote in favor.

Respectfully submitted,

  
Dwayne Woodsome  
Secretary/Treasurer  
  


  
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# PLANNING BOARD

## Town of Waterboro

### MEETING MINUTES

MARCH 11, 1998

#### I ROLL CALL

Dwayne Woodsome calls the meeting to order at 7:40. Attending from the Planning Board are: Duane Fay, Everett Whitten and Roland Denby.

#### II APPOINTMENTS

**Michael Glaude Map 4 Lot 29-1** with a proposal to add another metal storage building 30' x 120' with a total of 30 units, to be 3600 sq. feet with five 6' x 10' units on each end. The building meets setbacks. There was discussion about paving down to the proposed second building. Everett Whitten made the motion to approve this request with the following conditions: 1. The pavement be extended beyond to the rear of the front building. 2. Provide a plan with the layout of the 30 units in the new building. 3. On that plan show the lighting on both buildings. 4. On that plan show the side and rear setbacks.

Roland Denby seconds the motion. Motion carries with a unanimous vote in favor.

**Michael Cadorette Conditional use application on Map 45 Lot 1519.** This is a proposed new construction. The reason Mr. Cadorette wants the conditional use permit is because the lot dimensions are very tight. The overhangs have been included in the measurements. Dwayne Woodsome tells Mr. Cadorette that the board could probably grant a sideline setback as long as he meets the front setback. This has not been to Saco River Corridor Commission yet. For this reason, there will not be a vote on this tonight. We will bring this back as old business after finding out what the ruling is from Saco River Corridor Commission. We will try for the March 26 meeting.

#### IV COMMUNICATIONS AND BILLS

1. Review of the proposal from Walt Stinson. Duane Fay made the motion to accept the proposal from Walt Stinson. Everett Whitten seconds. Motion carries with a unanimous vote in favor.

#### VI OLD BUSINESS

Discussed Town Meeting next Saturday. Duane Fay will not be able to attend.

Everett Whitten made the motion to continue this meeting on Thursday March 19 at 7:30 to go over zoning changes. Duane Fay seconds. Motion carries with a unanimous vote in favor.

THE MARCH 19<sup>TH</sup> MEETING WAS CANCELLED DUE TO WEATHER.

Respectfully submitted,

*Dwayne Woodsome*

Dwayne Woodsome  
Secretary/Treasurer

*4/23/98*

*Everett Whitten*

*Dwayne Woodsome*

*Roland Denby*

*Duane Fay*

# PLANNING BOARD

## Town of Waterboro

### MEETING MINUTES

MARCH 26, 1998

Before this meeting begins Duane Fay made the motion to close the last meeting. Everett Whitten seconds. Motions carries with a vote of 4-0-1 with John Roberts abstaining.

#### I ROLL CALL

John Roberts calls the meeting to order at 7:35. Attending from the Planning Board are: Duane Fay, Dwayne Woodsome, Roland Denby, Everett Whitten, and Chairman Doug Foglio enters at 7:45.

#### II APPOINTMENTS

Raymond Rheault Conditional use application on Map 6 Lots 24, 24A, and 26 for a private air runway strip. Roland asks Mr. Rheault where the houses are on the abutting lots. Mr. Rheault shows on the maps. John Roberts asks if he has talked to his neighbors about this. No he has not. Dwayne Woodsome made the motion to hold a public hearing on April 23 at 7:30 p.m. Roland Denby seconds. Motion carries with a unanimous vote in favor. It is explained to Mr. Rheault that the abutters to his property are to be notified by registered mail of this public hearing. Mr. Rheault will be put on the agenda for an appointment after the public hearing.

#### III MINUTES OF PREVIOUS MEETINGS

There are no minutes to be reviewed.

#### IV COMMUNICATIONS AND BILLS

#### V NEW BUSINESS

#### VI OLD BUSINESS

Michael Cadorette is present to go over his proposal from the last meeting for a conditional use on his property in Lake Arrowhead, Map 45 Lot 1519. Mr. Cadorette has a verbal approval from Saco River Corridor Commission but no paperwork yet. There is discussion of the proposed stairs to the water. Mr. Cadorette states that they are to prevent erosion. Doug Foglio states that stairs are considered a structure and this is not consistent with shoreland zoning. Mr. Cadorette states that he had all his permits 10 years ago and did not expect to have this kind of a problem. Roland Denby made the motion to table this until notification from Saco River Corridor Commission and until further research can be done. Duane Fay seconds. Doug Foglio states at this time the building part of this should be approved and the stairway should be put off. Doug states that he does not agree with allowing the stairway because it is not just. We should be fair to all people. How many decks has this town forced to be removed because they were too close to the water? Doug adds that he would like to see everyone be able to enjoy their property. Roland states that according to Article 7 of the zoning ordinance the code enforcement officer has the authority to grant a permit for a stairway to the water. Roland withdraws his motion at this time. Doug Foglio made the motion to give a five (5) foot additional window on all non-water sides, he cannot build any closer than 100' feet to the water and this requires a permit from CEO for the stairs. Duane Fay seconds. Vote is 5-0-0 in favor. Motion carries. Doug asks Patti to make note that this was approved according to Section 7.01.02 subsection A-5 on Page 7-5 of the Zoning Ordinance.

**Phil Weymouth final plan** is reviewed for **Gold Mine Subdivision**. Doug Foglio requested to go over the checklist again. There are two additions that need to be made to the final plan before Phil has the mylar made. The engineer's seal must be on the plan and the setback lines must be added to the lot that Phil is keeping. Phil will be given a copy of the subdivision checklist. Doug Foglio asks if we want to add to the subdivision checklist a requirement to get a dig safe permit? That will be discussed at a later date.

Duane Fay made the motion to continue this meeting next Wednesday at 7:30. Everett Whitten seconds. Motion carries with a unanimous vote in favor.

#### **April 1, Meeting Continuation**

Attending from the Planning Board are: Chairman, Doug Foglio, John Roberts, Everett Whitten, Roland Denby, Dwayne Woodsome.

### **VI OLD BUSINESS**

**Welch property subdivision plan** has not been recorded for the reason that the registry says it is incomplete; it needs the owner's name and address in the title block and the street address of the subdivision. John Roberts made the motion for Patti to write a letter to Rodney Norman at Sanford Institute for Savings, and copies to Lewis Maguire at Owen Haskell, and to Bruce Bergen from Bergen and Parkinson informing them of this and requesting them to submit a new plan with the required information, and for Patti to sign Dwayne Woodsome's name to the letter. Dwayne Woodsome seconds. Motion carries with a unanimous vote in favor.

Doug informs the board that Rob Baker is also writing a letter to Sanford Institute for Savings that the monumentation has not been set yet. The boundary lines need to be marked. Rob will be requesting that this be done and that no building or occupancy permits will be granted until the plan is complete.

Patti is asked to write a letter to the CEO from the Planning Board to verify that all applicable requirements of the **Webber Farm Subdivision** are taken care of, namely the wells being filled. No permits were to be issued until that was done.

Dwayne Woodsome would like a letter to go to the Selectmen that the Planning Board would like to talk to the Board of Selectmen before they hold interviews for the secretary position. Patti will notify the Planning Board when a meeting is set up.

#### **Zoning Changes.**

Discussion of inground swimming pools. Doug thinks that they should either be required to meet setbacks or should have the condition put to it that the pool can never be covered with a structure.

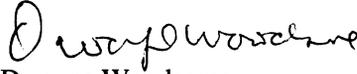
Discussion of sections 2.03 and 2.04. A letter will go to Rob Baker to look at these sections since they deal with the Code Enforcement Officer and ask for his comments.

Section 2.06 is reviewed. We should look at other town's regulations on this and see how this is dealt with elsewhere. We will ask Walt what other towns do with landlocked lots. We should check with Karen on landlocked lots requiring a 50 foot right of way.

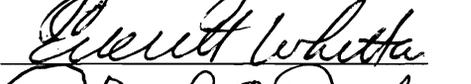
**VIII ADJOURNMENT**

Dwayne Woodsome made the motion to adjourn at 9:30. Everett Whitten seconds. Motion carries with a unanimous vote in favor.

Respectfully submitted,

  
Dwayne Woodsome  
Secretary/Treasurer

4/23/98


  
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# PLANNING BOARD

## Town of Waterboro

### MEETING MINUTES

APRIL 8, 1998

#### I ROLL CALL

Chairman, Doug Foglio calls the meeting to order at 7:40. Attending from the Planning Board are: Duane Fay, Roland Denby, Everett Whitten, John Roberts.

#### II APPOINTMENTS

Jefferson Orcutt Conditional use application Map 45 Lot 1335. Mr. Orcutt is requesting a 10' conditional use from the side setback line to enlarge his house towards the North side to stay within the Saco River Corridor Commission's requirement to be no closer than 80' to the shoreline. John Roberts made the motion to grant a conditional use 20' towards lot 1336 with the requirement that the building be laid out by a surveyor before and after building to guarantee it meets with the Saco River Corridor Commission's 80' setback from the shoreline. Everett Whitten seconds. Motion carries with a unanimous vote in favor. Jefferson will have to get an amended permit from Rob Baker.

#### III MINUTES OF PREVIOUS MEETINGS

The minutes of February 26 regular meeting are reviewed. Roland Denby made the motion to accept the minutes as written. Everett Whitten seconds. Motion carries with a unanimous vote in favor. The minutes are signed.

#### IV COMMUNICATIONS AND BILLS

1. Memo from the Board of Selectmen regarding a meeting with the Planning Board set up for April 14<sup>th</sup> at 7:30. Dwayne Woodsome and Roland Denby will attend that meeting with the Selectmen to discuss the Planning Board secretary.
2. Letter from Karen Lovell regarding her meeting with Rob Baker is discussed. Rob discussed with Karen section 9.04 of the ordinance dealing with abandonment. It was interpreted that this does not apply to residences, only to uses being abandoned.
3. Memo from Southern Maine Regional Planning is discussed. Doug wants to know what we should do about it. It is his opinion that we drop them a note back and state that when something is submitted to us for an application for Shop N Save that we will let them review it. We may need their assistance so should not just ignore their memo. John Roberts states that we can charge the developer with the fees incurred for reviewing plans.
4. Notice of pre-application meeting with Hannaford Brothers to DEP for a traffic study. Doug and Everett would like to go to this meeting. Patti will post a notice that members of the Planning Board will be attending this meeting.

#### V REPORT OF OFFICERS

#### VI OLD BUSINESS

1. The revised set of plans for the Welch property subdivision are compared to the first set and reviewed for the requested changes to the title block. The plans look good and are signed.
2. Doug explains the Shop N Save issue to the visitor to this meeting, Katie from Thyngs Mills Road. Doug explains that no permits have been applied for yet.

## **V NEW BUSINESS**

1. There are plans in the attic that the alarm security people told Patti were a fire hazard. Doug will help Patti sort them out and decide what else to do with the plans.
2. Doug would like to meet with Karen to go over some issues: 1. The letter from Chris Vaniotis and his interpretation of landlocked lots and frontage requirements. Section 2.06 of the Zoning Ordinance. It should be worded instead of "landlocked" it should say lots with no road frontage or roads with frontage by right of way only. 2. The proposed cluster development on Route 117 should be reviewed by Karen. 3. Conforming lots with non conforming structures. Duane Fay will go with Doug if he can. Patti will arrange a meeting with Karen.

At this time Duane Fay made the motion to continue this meeting next week on Thursday, April 16<sup>th</sup> at 7:30 to 9:00 to review the zoning ordinance.

### **April 16 Continuation.**

## **I ROLL CALL**

Chairman Doug Foglio call the meeting back to order at 7:45. Attending from the Planning Board are: Dwayne Woodsome, Roland Denby, Duane Fay, Everett Whitten. Doug Foglio states that this continuation was called to go over zoning changes and to go over the events from last week.

## **VI OLD BUSINESS**

1. Chairman Foglio reports on his visit to the town attorney. Karen reviewed the proposed Dixon cluster development on Map 17 Lot 17. Her legal opinion is that this has tremendous problems. How to provide services to the development. It is 10-12 miles from any fire stations. This proposal is to go into a private road off Route 117 into the subdivision from the Limington town line. This creates problems. Any roads into a subdivision over 900' from a public road have to get a waiver. The school buses getting there would be a problem. The private road is not up to town specs. Karen will send the Planning Board a letter stating her concerns that there is not access and can't provide services. The second issue discussed with Karen was landlocked lots and frontage requirements and the letter from Chris Vaniotis. We want to say that landlocked lots need no frontage. Karen said we need to reword the meaning of landlocked. Doug states that we need to say for a single residence only doesn't need frontage and if the lot is split then will have to provide frontage. It also states that frontage has to be public or private road or waterbody, it should say "lake" or something more definitive than waterbody.
2. A third set of plans for the Welch property were submitted for Planning Board signature. The change in this set of plans is the statement that monuments have been set. On the prior set of plans it states that monuments are to be set. Plans are compared, reviewed and signed.
3. Doug informs Don Day who is present that the road crew found an old cemetery on Ross Corner Road on the left side going North to South 30-40 feet beyond the driveway of the log cabin on Hendersen Hill. Don will talk with Al Hutchinson and see that it gets added to his list if it is not already on it. Doug would like to make sure that Don gets a copy of the cemeteries on Clark's Bridge Carpenter Woods Subdivision and the cemetery on the Webber Farm property.
4. Doug reports on the pre-application meeting that he and Everett Whitten attended on April 15<sup>th</sup> for Hannaford Brothers to DEP. It was a road entrance permit hearing. We will get the minutes of this meeting mailed to us. Everett states that the DEP's and DOT's biggest concern was the left turns into Woodsome's and proposed entrance to Shop N Save and the left turns into JD's Package Store and the proposed entrance to Shop N Save. Doug informed the board

members that with the permission of Dennis Abbott, Doug invited Walt Stinson to attend this pre-application meeting with him and Everett. Dwayne Woodsome made the motion to approve the Chairman to invite an engineer or an attorney to attend meetings with him in the next month along with up to two members of the Planning Board if possible, that it is up to his discretion. Duane Fay seconds. Motion carries with a unanimous vote in favor. Doug states that the meeting was informational only. It was a pre-application traffic study. They were looking at what areas may be affected. Duane Fay asks what is the next step? Doug says that Hannaford Brothers will be told what they need for information to make a complete application, and what studies need to be done.

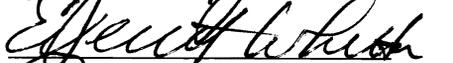
5. Dwayne Woodsome reports on his and Roland Denby's meeting with the Selectmen about the secretary. They weren't very clear on what they would or would not do but Dwayne told the Selectmen what the Planning Board wanted. The Selectmen will inform the Planning Board when the interviews are and will invite the Chairman of the Planning Board to participate in the interviews.
6. Laurie Pace from Thyngs Mills Road, who is present, questions how big businesses can come into town and how can we prevent a Walmart from coming in. Doug explains that there are various businesses in Waterboro, about 135 small businesses not including home businesses. If you go into the Zoning Ordinance and look at the different zoning districts and what is permitted uses and conditional uses one would see that this was designed to allow for businesses in certain zones. Laurie asks if we could change the zoning to stop the bigger stores from coming in. Doug says yes but doesn't know if it would hold up in court; that remains to be seen. Doug states that we can limit what can be done if people vote in changes. Doug thinks that there is no greater right in this country than the right to free enterprise. When Hannaford Brothers applies to this town it will come before the Planning Board as a site plan review. Doug feels there should be a tier review but at this time there isn't one. A tier review is different review processes for different size site plans. Roland Denby adds that the whole purpose of the Zoning Ordinance is that it is designed to control development and to confine the businesses to the village district so that the rural areas stay as rural areas. Doug adds that it gets frustrating to the Planning Board when we try to make changes and can't get the public involved in participating at all in the process.

### VIII ADJOURNMENT

Dwayne Woodsome made the motion at adjourn the meeting at 9:45. Duane Fay seconds. Meeting is adjourned.

Respectfully submitted,

Dwayne Woodsome  
Secretary/Treasurer

*4/23/98*  
  
  


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\_\_\_\_\_  
\_\_\_\_\_

# PLANNING BOARD

## Town of Waterboro

### MEETING MINUTES

APRIL 23, 1998

#### I ROLL CALL

Regular meeting called to order at 8:10 after public hearing, by Chairman Doug Foglio, Sr. Attending from the Planning Board are: Doug Foglio, Everett Whitten, Duane Fay, Dwayne Woodsome, Roland Denby, Susan Dunlap and Rob Baker.

#### II APPOINTMENTS

8:10 Bickford and Tracy Wiles for a conditional use on May 44 Lot A564. The lot abutting the Wiles' is owned by Saco River Telephone and there is a switching station on it. After a brief discussion, Everett Whitten made the motion to approve the Conditional use for 10' from Lot A565 under sections 2.08, 4.02 and 7.06.04 of the Waterboro Zoning Ordinance to construct an attached garage and breezeway with the condition that all setbacks are met. Duane Fay seconds. Motion carries with a unanimous vote in favor.

#### III MINUTES OF PREVIOUS MEETINGS

Roland Denby asked that the minutes of March 4<sup>th</sup> be revised to read "look into expanding the village zone with smaller lot sizes" Dwayne Woodsome made the motion to approve the minutes of March 11 as written. Duane Fay seconded. Motion carries with a unanimous vote in favor. Dwayne Woodsome made the motion to approve the minutes of March 26 as written. Roland Denby seconded. Motion passes with a unanimous vote in favor. Doug Foglio made the motion to approve the minutes of April 8 as written. Duane Fay seconded. Motion carries with a unanimous vote in favor. Minutes are signed.

#### IV COMMUNICATIONS AND BILLS

Review of the letter from Karen Lovell regarding her concerns on the proposed Dixon cluster subdivision off Rt. 117 through Limington. Dwayne Woodsome made the motion would like a copy of this letter forwarded to the applicant in response to their pre-application. Roland Denby seconds. Motion carries with a unanimous vote in favor. Doug Foglio would like to get a written opinion from the Fire Chief as to his concerns about accessibility of services from the Fire and Rescue to the development. Elias Smith who is present agrees to do that. A letter will be drafted from the Planning Board and the following is an outline of the letter:

1. Inform them the Fire Department will be sending a letter regarding concerns about response time.
2. There are concerns that the road servicing the development is a private road.
3. It is necessary that they contact SAD 57 regarding bus service for children.
4. There is a serious issue that the buses won't go in a development to pick up children.
5. There is a concern regarding additional subdividing of this land and future traffic over a private road.
6. There is also a wetland issue. Flood plain issues that will have to be addressed.
7. The Board is looking over other associated concerns with this subdivision and will forward them at a later date.

Roland Denby made the motion to send a letter with these statements. Everett Whitten seconds. Vote is unanimous in favor. Motion carries.

#### V REPORT OF OFFICERS

**VI OLD BUSINESS**

1. Discussion of the public hearing. Doug Foglio has concerns with the land use chart saying runways are a permitted use and where it came from in the definitions. The chart was adopted in '93. There are no guidelines that tell us procedures to use for a runway. Doug also questions whether 2.2 acres would fall under site plan. Site plan review doesn't involve uses. Before the next meeting the Bullard file will be pulled for review.

**VII NEW BUSINESS**

**VIII ADJOURNMENT**

Dwayne Woodsome made the motion to adjourn at 9:35. Everett Whitten seconds. Vote is unanimous in favor. Motion carries.

Respectfully submitted,

*Dwayne Woodsome*  
Dwayne Woodsome  
Treasurer/Secretary

*Douglas Foglio & Chris*  
*Everett Whitten*  
*Johanna E. Denby*  
*Susan Dunlap*

*Sharon Ez*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# PLANNING BOARD

## Town of Waterboro

### PUBLIC HEARING MINUTES

APRIL 23, 1998

Chairman Doug Foglio, Sr. Calls the public hearing to order at 7:31.

Attending from the Planning Board are: Doug Foglio Sr., Everett Whitten Duane Fay, Roland Denby and Dwayne Woodsome.

Attending from the public are: Ed and Else Maria Cook, Glen and Debbie Dyer, Mike Cupka, Tom Bullard, Maureen White, John and Ginny Hewes, Elias Smith Jr., and Raymond Rheault.

The purpose of the public hearing is to hear comments regarding the request from Ray Rheault for a conditional use to put a private air runway on his property off of West Road, Map 6, Lots 24, 24A and 26.

Raymond is asked what kind of plane is it. He answers "A J3 cub single engine."

Dwayne Woodsome asks Ray to explain his intentions.

Ray states this is for recreational use only and it would be a private grass strip 1800' long.

Ginny Hewes asks why Ray can't use the airport in Limerick. Ray answers that he doesn't want to leave his plane outside. Ginny Hewes asks what kind of safety precautions does he have. She says she thinks this is dangerous.

Glen Dyer asks if this runway would be restricted for Raymond's own use. Ray answers yes.

Chairman, Doug Foglio states that the approach to the runway is treed within 50' of each end and how does Ray plan to compensate for that? Ray answers, that is the reason he has a runway of 1800' because he uses 700' for landing and 400' for taking off. Doug asks Ray to explain the times he would be flying. Ray answers in the mornings weeks and weekends and would always be daylight hours.

John Hewes asks if commercial flights would interfere with him and would they know when he is flying. Ray explains that he flies at 3000'. Everett Whitten states that the only traffic he would run into would be state police or game wardens.

Roland Denby asks Raymond if he has any idea of the residences that are adjacent to his property. Ray answers to the south there are none and to the north there are two. Roland asks Ray if the three lots he owns are heavily wooded. Ray says yes except for the strip is cleared already. There are more trees on the North side.

Ray is asked will he have to move dirt around. Ray answers yes, a little. Doug Foglio informs Ray that the Planning Board will need a topographical map of the area and that the amount of dirt he intends to move will determine the restrictions. Doug adds that he will be disturbing about 90,000 square feet of land.

Roland Denby asks how Ray plans to store his fuel and will there be any buildings in the future? Ray says he will bring the fuel in by the can and no he doesn't plan on any buildings at this time.

Duane Fay asks what Ray's plan are for leveling the field. Ray says he plans to do the work himself.

Ray is asked how many hours of flying time does he have. Ray answers 60 or 70.

Elias Smith asks how accessible is the strip to the road if the Fire department had to get in. Ray answers it is 4.2 miles up West Road from 202 on the left.

Susan Dunlap asks does the land slope? Ray answers it is level across.

Elias Smith asks how would Ray communicate if he was in trouble?

Dwayne Woodsome states that he is in the AR zone and a private strip is a permitted conditional use in that zone. There are two others in town also.

Ray is asked if he has requested permits from the FAA? Ray says he has contacted them and was told by them he had to get permits through the town.

Roland Denby asks Ray if he has to notify a local control station when taking off. Ray says he could get on the same frequency of the local airports and let them know.

Mr. and Mrs. Look both agree that they don't see a problem with Ray having a runway and they are neighbors of his.

Chairman Doug Foglio reads a letter from an abutter, Mr. Arsham where he submitted his objections to the runway due to safety and noise.

Chairman, Foglio states we should schedule an onsite inspection of the site to look at it. Ray says the road goes to within 100-200 feet of the strip. The date for the onsite will be April 28 at 6:30 everyone to meet at the site, to familiarize the board of what is going on and to see where the houses are. Doug informs Ray that he will need a topo of the area.

The public hearing is called to a close at 8:07 p.m.

# PLANNING BOARD

## Town of Waterboro

May 13, 1998  
Regular Meeting

### I ROLL CALL

The meeting is called to order at 7:32 p.m. by Chairman Douglas Foglio Sr.  
Attending from the Planning Board are: Roland Denby, Everett Whitten, Dwayne Woodsome, Duane Fay, Susan Dunlap and Douglas Foglio Sr.

### II APPOINTMENTS

**7:30 p.m. Dan Moison and Lee Littlefield** with a Conditional Use application for Map 42, Lot A82 and A83. Doug Foglio states that this lot is long and skinny with lot A82 being unbuildable. The property lines are staked and roped off. If the septic system could be slid ahead 10' they could do a 10' wide deck and longer.

Roland Denby made the motion that if they meet the front and rear setbacks to grant a conditional use permit with the right side setback of 28' and the left side at 20' to incorporate the open deck. Everett Whitten seconded the motion. Motion carries with a unanimous vote in favor.

**8:00 p.m. Laurie Jackson** with a Conditional Use application to build a 22 X 26 detached garage on Map 42 Lot A276. There was a conditional use granted to build the home there. The driveway enters onto Greenfield Drive. Laurie would like to place the garage to the left of the house. The house currently sits 36' from Greenfield Drive. It is suggested to grant a 35' setback to be sure to meet the setback. Everett Whitten made the motion to grant the Conditional Use Permit for the garage to set no closer to the road than the house is now and meets all other side and rear setbacks. Doug Foglio Sr. seconded the motion. Motion carries with a unanimous vote in favor.

**8:15 Doug Foglio Jr.** enters to discuss preliminary plans for a 7 lot subdivision on a 56 acre lot off Route 202. Douglas Foglio Sr. sits out of the discussion for this portion of the meeting. Doug Jr. has spoken with Rob Baker, CEO. The lot is adjacent to the Water District property. Doug is looking to create a 60' easement along the whole lot, to create 2 back lots and 3 front lots with 2 more lots created but not to be part of the subdivision for a total of 7 lots. The five lots will be 5 acre lots with a private road running through it. Part of the property is in the wellhead protection zone. The state rules that no septic systems can be installed within 300' of the well and that the system has to be residential. Doug reports that Sebago Technics has looked at the plans and there could be 20 lots in this subdivision. The road will be maintained by an association and there will be a common driveway. Roland asks will this be on the public water system? Doug answers no. Duane Fay asks what is Doug looking to get waived. Doug answers

## **Planning Board**

**5/23/98**

**Page Two**

the hydrogeological survey and the nitrate survey. Doug states he is here to find out if this subdivision is feasible, if it is not, he won't continue. Roland states that it would depend on the soils in each lot. Doug states the soils are consistent throughout the property. There are 18 test pits and the soils are silty sand. Doug states that Walt Stinson from Sebago Technics is going to do the soils tests. Doug will ask him for his opinion on the nitrates and phosphorous in letter form. Roland states the Board will wait and see what Walt has to say. Dwayne Woodsome states we need to be very careful what we allow near the Water District.

At this time Douglas Foglio Sr. comes back into the meeting.

### **IV COMMUNICATIONS**

1. Send a copy of the letter from Elias Smith Jr. Fire Chief regarding the Dixon Subdivision to the subdividers.
2. Reviewed the letter from T. Bullard.
3. Reviewed the letter from Bob regarding gravel pits.

### **VI OLD BUSINESS**

1. Dwayne Woodsome made the motion to ask the Selectmen to request at special town meeting to roll over all moneys left in the Planning Board and Planning Dept. accounts. Duane Fay seconded the motion. Motion carries with a unanimous vote in favor.
2. Discussed Zoning Changes to request for town meeting. Discussed removing above ground swimming pools from setback requirements. Discussed making structures that don't require permits exempt from setback requirements. This will be written for next meeting. All agree to request above ground pools be exempt from setbacks. The draft of these articles will be sent to Karen Lovell before the next meeting.

### **VII NEW BUSINESS**

Dwayne Woodsome made the motion to copy all of the maps in the zoning book, and to write Steve Kasprzak a letter thanking him for the copy he had made, and for providing lost copies of the original zoning ordinance and land condition maps. Duane Fay seconded the motion. Motion carries with a unanimous vote in favor.

**Planning Board**

**5/13/98**

**Page Three**

**VIII ADJOURNMENT**

Dwayne Woodsome made the motion to continue this meeting on the 21<sup>st</sup> at 7:30 p.m. Everett Whitten seconded. Motion carries with a unanimous vote in favor.

Meeting resumes on the 21<sup>st</sup> at 7:30

**VI OLD BUSINESS**

1. Douglas Foglio Sr. reports he has spoken with Karen Lovell regarding the proposed zoning changes and she will come up with the legal wording.

Dale Witman states that he likes the first change. He states he was hopeful that the word structure is used instead of sheds to incorporate things like clotheslines, patio etc.

Doug states that if you look up the definition of structure that may conflict with that particular amendment. Doug discussed this with Karen and she had stated that every time we make a change we have to go through the whole book to see where it might conflict. We have not always done this and that is why so many parts of the ordinance conflicts with other parts. The Planning Board is in the process of rewriting the whole ordinance and try to eliminate all the conflicts. These proposed exemptions are intended to stay with the revised ordinance. Doug states the Planning Board is trying to keep this simple doing a few changes at a time.

Doug states he doesn't have a problem saying structures don't have to meet setbacks that don't need permits and that it be limited to two sheds per lot.

2. All agreed to request an article to carry forward Planning Board and Planning Dept. money.

**VII NEW BUSINESS**

1. Dale Witman reports that there is a home occupation on Ossipee Lake of a bullet factory and they are pouring lead outside. Paul Kussman is the complainant. Home Occupations are to be done inside the building, and can not store materials outdoors. Dwayne Woodsome made the motion to send a letter to the CEO that under Home

## **Planning Board**

**5/23/98**

**Page Four**

Occupation Section 7.04 A, B and C there have been complaints about lead being dumped outside. A copy to the Board of Selectmen. Everett Whitten seconded the motion. Motion carries with a unanimous vote in favor.

2. Discussed the filing of Planning Board documents. Everett Whitten made the motion to get someone to come out and Patti to get a price on making the Planning Board filing cabinets lockable. Dwayne Woodsome seconded the motion. Motion carries with a unanimous vote in favor.
3. Discussed the wording for zoning amendments. "Those structures that do not require a permit do not have to meet setbacks." Dwayne Woodsome made the motion to send this to Karen for review. Everett Whitten seconded the motion. Motion carries with a unanimous vote in favor. The motion was amended to take out the wording from definitions of structure: scaffolds, billboards and decorations. Amendment is accepted unanimously.
4. Duane Fay made the motion to change section 2.03 to read "inground swimming pools" in the 2<sup>nd</sup> paragraph. Everett Whitten seconds. Motion carries with a unanimous vote in favor.
5. Doug would like to talk to the town attorney regarding airplane runways. He objects that we have the criteria before the Board to go by to approve that type of application. Dwayne Woodsome made the motion to allow Doug to speak to the attorney on this. Duane Fay seconded the motion. Motion carries with a unanimous vote in favor.

### **III PREVIOUS MEETING MINUTES**

1. Roland Denby made the motion to accept the minutes of March 4 as written. Everett Whitten seconds. Motion carries with a unanimous vote in favor.
2. Duane Fay made the motion to accept the minutes of April 23 as written. Roland Denby seconded the motion. Motion carries with a unanimous vote in favor.

### **VIII ADJOURNMENT**

Dwayne Woodsome made the motion to adjourn at 9:20. Everett Whitten seconded the motion. Motion carried with a unanimous vote in favor.

Respectfully submitted,

*5/10/00*  
*Dwayne Woodsome*

Dwayne Woodsome  
Secretary/Treasurer

**Planning Board**

**5/13/98**

**Page Five**

ACCEPTED: \_\_\_\_\_

*Robert F. Donly*

\_\_\_\_\_

*Gregory Whitka*

\_\_\_\_\_

*Susan Dunlap*

\_\_\_\_\_

# PLANNING BOARD

## Town of Waterboro

June 10, 1998

### REGULAR MEETING

#### I ROLL CALL

John Roberts called the meeting to order at 7:35 p.m. Attending from the Planning Board: Susan Dunlap, John Roberts, Roland Denby, Duane Fay, with Dwayne Woodsome enters at 7:45.

#### II APPOINTMENTS

**7:30** Don Nevers Map 4 Lot 32 for a Conditional Use permit for Sparrow Industries to continue using his property for a printing business except with a new owner. This is the building that was part of the Welch property that was recently auctioned. This is a 6.7 acre parcel. This printing business would fall under item 17 on page 3-8 subsection 3.06.02 Conditional uses in AR zone, Light manufacturing, on less than 5,000 sq. feet. Roland Denby made the motion to approve the request for conditional use permit for a print shop with different owner, to comply with requirements set forth under section 3.06.02 item 17 and 4.01 Conditional uses. Duane Fay seconded the motion. Vote is unanimous in favor.

**7:45** William Kespert for a Conditional Use permit on Map 44 Lot A479, Mr. Kespert submits his maps with correct measurements. Roland Denby made the motion to allow a 40' frontyard setback from Lazy Brook Drive as long as they meet all other setbacks. Susan Dunlap seconded the motion. Motion carries with a unanimous vote in favor.

**8:00** Ben Chretien for a Conditional Use permit on Map 40 Lot 7 for a garage on his property. There is a concern that the corner of the garage would be 2' from the edge of the road. Mr. Chretien owns both sides of the road. Roland thinks that Mr. Chretien needs to prove ownership of that road. A letter will be sent requesting a copy of a deed showing right of passage. John Roberts says he wouldn't be blocking the right of way. Dwayne Woodsome thinks this should go to Karen to review. John Roberts asks why the garage can't be moved over? Mr. Chretien states it would be too close to the well. A copy of the deed and the copy of the request to Karen Lovell will be sent. The question to ask Karen is; Does he have to meet setbacks from this right of way.

#### III MINUTES OF PREVIOUS MEETINGS

#### IV COMMUNICATIONS AND BILLS

#### V REPORT OF OFFICERS

**Planning Board**

**June 10, 1998**

**Page Two**

**VI OLD BUSINESS**

1. Discussed the request for an air runway from Raymond Rhealt. He has submitted his topo. His lot was not drawn on the map though. Dwayne Woodsome states that we need a blueprint for the plan with drainage culverts. With 4-5000 yards of ground to be level will cause thousands of gallons of water to drain. Dwayne Woodsome made the motion to request Raymond Rhealt to bring in an erosion control plan, a sedimentation plan, with topography marked on it, and cuts and grades on the property. Roland Denby seconded. Motion carried with a unanimous vote in favor. Roland asks why this wouldn't fall under site plan review. The 2000 sq. foot trigger was removed from the site plan.

2. Duane Fay made the motion to accept the final plan of Gold Mine Acres noting that Phil Weymouth met the two requirements to add the engineers seal and the building envelope on the second lot. Roland Denby seconded that motion. Motion carried with a unanimous vote in favor.

**VIII ADJOURNMENT**

John Roberts made the motion to adjourn at 9 p.m. Dwayne Woodsome seconded. Motion carried with a unanimous vote in favor.

Respectfully submitted,

*5/10/00*  
*Dwayne Woodsome*  
Dwayne Woodsome  
Secretary, Treasurer

Signed:

*Roland Denby* \_\_\_\_\_  
*Duane Fay* \_\_\_\_\_  
\_\_\_\_\_

# PLANNING BOARD

## Town of Waterboro

### MINUTES

JUNE 17, 1998

Special meeting of the Waterboro Planning Board regarding Shop 'n Save. Attending Chairman: Douglas Foglio Sr., Roland Denby, Everett Whitten, Susan Dunlap, Dwayne Woodsome, John Roberts and Duan Faye.

#### **PUBLIC INFORMATIONAL MEETING**

Chairman, Doug Foglio called the public meeting to order at 7:02. Shawn Frank from Sebago Technics is present. Public attendance is approximately 90 residents. Representing Hannaford Brothers Corporation are: William Hoffman, Civil Engineer of DeLuca-Hoffman Associates, Inc., Peter Hedrich, Traffic Engineer of DeLuca-Hoffman Associates, Inc., Vickie C. Bell, Real Estate Representative, Mr. Janwiegman representing Hannaford Brothers.

Doug notes to the public that this is an informational meeting only, that the board has not seen or heard any of the information to be discussed this evening. He also discussed the process for filing a permit. Doug stated that there will be workshops and future public hearings to enable the public to voice their opinions and concerns.

#### **DISCUSSION**

Vickie opens discussion stating that Hannaford Bros. Corp. (HBC) is a Maine based company. It will be offering 150 jobs, 40 being full-time positions.

#### **Overview**

**Traffic:** Discussed the commercial traffic to and from HBC being tractor trailer trucks and vending trucks. Tractor trailer trucks using the entrance on Rte 5 and exiting on Rte 202 & 4, vending trucks using Rte 202 & 4 for entrance and exits.

**Water:** Currently looking into private wells for water supply, states the public water is cost prohibitive. They are awaiting results from the D.E.P..

**Septic:** They will be using a 3 tier system

**Storm water:** There will be 2 water quality ponds, 1 in front and 1 at the rear. These ponds will treat and drain the majority of the water to Cooks Brook with the remaining to Bartlett Brook.

**Landscaping:** Burming and fencing will run along Rtes 5 and 202 & 4, there will also be landscaping within the parking lot.

**Bill Hoffman, Civil Engineer**

#### **Part I :**

Stormwater management (section G)

Bill spoke of the current and post site conditions on the 600+ acres draining to Cooks Brook. Their goal is to remove of as much on site stormwater as soon as possible before the upstream water descends.

Part II

Water quality (section E pg 13.1 - 13.2 & 1-8): State and Federal criteria's were discussed.

Wastewater system (section E pg 14.1 - 14.5): Hannaford Brothers exceeds all requirements on septic system setbacks. Proposed septic design will include a 4,000 gpd grease trap, and 10,000 gal. Septic tank.

Water system: The wet pond at rear of store is NFPA and Fire Department recommended, a 50,000 gal storage tank is also included on the site plan.

**Peter Hedrich - Traffic Engineer**

Goal is to establish existing base line conditions and review volume of traffic safety records with D.O.T.

Traffic survey resulted in an estimated 6 customers per 1,000 s.f. per peak hour, an estimated 290 customers per peak evening hours.

Not all traffic generated will be new, approximately 100 of 290 vehicles generated are current. D.O.T.'s level of operation is "D".

Currently working with the D.E.P. and D.O.T. to propose left hand turns to Woodsome's and Shop 'n Save.

HBC are also looking into the possibilities of changing the yield into a stop sign when entering Rte 5 from 202.

Board questions/concerns.

Roland Denby: (Comment): Concerned with ponds and type of treatment.

Susan Dunlap: What happens to the sediment that is collected in the pond? **HBC Answer:** They will contract out the sediment removal.

At what level will the pond be? **HBC Answer:** Road level

John Roberts: Will there be any landscaping on the leach field? **HBC Answer:** Planting will be behind the leach field

Shawn: Your past experience with Bio-clear, has it shortened the bed life? **HBC Answer:** \_?\_

What type of maintenance is recommended? **HBC Answer:** Grease pumped 3 times a year  
Septic pumped 2 times a year.

Will there be lighting spill-over on the edge of property line? **HBC Answer:** No, lighting will be contained in the parking lot area.

Susan Dunlap: Will the store be open 24 hours? **HBC Answer:** No, they will be 7 am - 11pm.

Roland Denby: How many delivery trucks are expected to be routed? **HBC Answer:** 5-7 Tractor trailer trucks per week and 40 vending trucks a day by mid-morning.

Dwayne Woodsome: When tractor trailer trucks exit north on rte 5, the visibility will not be adequate. **HBC Answer:** tractor trailers will not be exiting from rte 5, they will be exiting onto 202 than rte 5.

Doug Foglio: D.O.T. and D.E.P. past principle concern is with the Rte 5 yield intersection. Sight distance coming down Rte 5 is impossible, especially with a large vehicle turning left. A stop sign versus a yield may not be of benefit when you cannot visually see beyond the other vehicle.

Doug Foglio: That figure seems extremely high, would it be possible to refigure? Would it be possible to discuss with the local water district. **HBC Answer:** Will look into figures with water district.

Doug Foglio: The town also fears that by drawing water from the well it will spread pollution already existing in the area. **HBC Answer:** No comment

Shawn: Is Hannaford Brother's main reason for not submitting an application the outcome of the water test? **HBC Answer:** We wanted to hear the concerns/complaints of the Planning Board before submitting the application.

Roland Denby: Is Hannaford Brothers aware of the water quality and of the flood plan in Cooks Brook? **HBC Answer:** Yes.

#### Public questions/concerns

Problem with lightening, is it possible to have security lightening on of hours vs. full lighting so not to disturb roads and area homes? **HBC Answer:** Lighting will be turned in shining only on the parking lot with covers so no light will escape upwards.

Public and residents have a problem with HBC not running public water to the site. **HBC Answer:** cost estimated to do so is approximately \$.5 million.

The traffic entering route 5 from 202 will not get away with just a stop sign. What are the possibilities of having a light? **HBC Answer:** The D.O.T. does not feel that a light will be necessary at that intersection.

Where did the estimate for running the public water to the site come from? **HBC DeLuca-Hoffman** did the estimate. Extending the water will not solve all issues in regards to the water pump and storage tank on site, these items will still be needed. The price was not discussed with the local water district.

With children in the area, what are the safety measures for their ponds? **HBC Answer:** HBC A chain link fence will surround the pond at the front and rear of the store and with decorative fencing surrounding the front pond approximately 4 feet high

What are the chances of combustion when mixing nitrate and oxygen? **HBC Answer:** The procedure meets federal standards, this is not a new process, it has been widely used by military ships.

Where will the delivery trucks be coming from and how far up Rte 5 do they anticipate on traveling? **HBC Answer:** The trucks will be coming from Portland and should not go further up Rte 5 than they currently travel.

The Rte 5 intersection is very accident prone, many accidents happen just off the intersection when vehicles are trying to make a left-hand turn to the businesses right off the intersection. The yield does not work and a stop sign wouldn't either. **HBC Answer:** We will look into the intersection more closely with D.O.T.

What are the possibilities of removing the yield turn all together? **Dwayne Woodsome:** Many tractor trailer trucks use that turn when hauling large loads ex: homes, they are unable to make the sharp left that it requires to exit off Rte 5.

You (HBC) say that the D.O.T. does not feel a light would be feasible on the intersections of 202 & 5, what is the decision based on? **HBC Answer:** The D.O.T. maintains a record from the motor vehicle accident reports. (same) That does not include the near misses that occur.

Will Waterboro be responsible for Hannaford Brothers' garbage? **HBC Answer:** No, we currently have a proposal with Yarmouth Rubbish and Recycling, they will haul everything out of Waterboro.

Who will be doing the construction of Hannaford Brothers? **HBC Answer:** The construction will be open to a bid process.

What kind of security will you be offering internally and externally? **HBC Answer:** There will be internal security only, lighting will be the only security available externally.

The impact of our culture depends on the external design of the store and landscaping, how do you plan on maintaining our current culture with the ponds? Will they be left to dry at any time? **HBC Answer:** The pond will be maintained on a current 6-7 foot level, naturalizing the look of the pond is also a possibility.

When will the construction start? **HBC Answer:** Ten to Twelve months after the approval from the planning board.

Will we know what the water test results are? **HBC Answer:** Yes, the results will be shared with us when they are received.

What will happen throughout the winter with snow removal? **HBC Answer:** The snow will be stock piled and contracted out for removal.

Information Town Meeting  
June 17, 1998  
Page 5

Shawn asked that he be cc'd on all the correspondence among Hannaford Brothers and Waterboro.

Vicky stated that the meeting on Monday, June 22, will be a repeat of this evening with more technical terminology. The D.E.P. required HBC to hold an informational meeting with the Planning Board before meeting with them.

Respectfully submitted,

*Dwayne Woodson*  
Dwayne Woodson  
Secretary/Treasurer

DW/mm

*Roland E. Derby*  
*Susan Dunlap*  
*Mame Lee*

*Shawn Frank*

*5/12/98*

attached: Shawn Frank's notes

# PLANNING BOARD

## Town of Waterboro

MINUTES  
JUNE 25, 1998

### I ROLL CALL:

Doug Foglio calls the meeting to order at 7:40 noting attendance of Susan Dunlap, Duane Faye, Roland Denby, Everett Whitten, Dwayne Woodsome and Doug Foglio.

### II APPOINTMENTS:

8:00 Tom Soule and Richard Doughty regarding a proposed storage shed facility on Rte 202, Map 5 lot 53A in the A/R zone. Tom and Richard are here to discuss the requirements necessary to construct a storage facility. Planning board states that this would fall under Site Plan Review. A DEP site permit along with a local permit will be required. Tom and Richard are to prepare a boundary layout and design of proposed buildings and return for a conditional use permit under "Old Business".

8:35 Robert Ryder requests a conditional use permit on Map 32 Lot A93 with a setback of 30ft vs. the 34ft previously approved on 2/12/97. Bob would like to build a home facing the road and not the side property line stating that a front facing home is more attractive. A 34ft setback would not allow him to do so. Roland moves to resend 2/97 application on Map 42 Lot A93 only from the 34ft setback accepting the 30ft setback as presented in tonight's plan. Everett Whitten seconds. Motion passes, unanimous vote.

### III OLD BUSINESS:

Philip Weymouth plans still need 1 signature. John Roberts did not attend tonight's meeting, file plans when 3 signatures are completed.

Dwayne states that Roger's Restaurant's, gas tanks have been closed for over 1 year, before plans of reopening are submitted, they should be made to conform to proper setbacks, this falls under the Code Enforcement Officer.

### IV COMMUNICATIONS AND BILLS:

Brief review of letters.

Doug motioned to send Shawn Frank from Sebago Technics a copy of the article submitted by Roland Denby to discuss with Hannaford's Tecs. Roland Denby seconds. Unanimous vote

### V REPORTS OF OFFICERS:

### VI NEW BUSINESS:

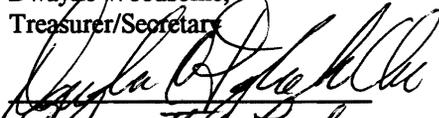
Planning Board  
June 25, 1998  
Page Two

**VII ADJOURNMENT:**

Doug Foglio made the motion to adjourn this meeting at 9:05. Susan Dunlap seconds. Vote is in favor.  
Meeting adjourned.

Respectfully submitted,

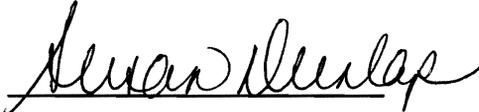
Dwayne Woodsome,  
Treasurer/Secretary

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*For Carol C. G. only*

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# PLANNING BOARD

## Town of Waterboro

### MEETING MINUTES

### SHOP' N SAVE WORKSHOP

JULY 23, 1998

#### I ROLL CALL:

Doug Foglio calls the meeting to order at 7:35 p.m. noting attendance of Susan Dunlap, John Roberts, Everett Whitten, Roland Denby. Also in attendance is Shawn Frank with Sebago Tech.

#### II APPOINTMENTS:

#### III OTHER:

Shawn Frank has suggested the he forms a Committee to overlook the professional aspects in the construction of Shop'n Save. The committee would consist of the following:

Mark Hampton - to overlook the soils

Eaton Traffic Engineers

Sweet Associates - to overlook nitrate, septic and water analysis'

Shawn Frank - Coordinator with all correspondence carbon copied to the Planning Board.

John Roberts made the motion to approve the above committee, Everett Whitten second, unanimous vote in favor.

Doug spoke to Vicky today, her greatest concern is that the Planning Board will find their application as insufficient.

There was a discussion of estimating the cost of the above committee and to send Shop'n Save an estimate to have the funds put in escrow.

In reviewing the application, Shawn feels it is complete.

Everett Whitten made a motion to send Vicky Bell a letter stating that upon the Planning Board and initial engineering firms review, the preliminary applications is complete by site plan review request. This however, does not preclude the Planning Board from requesting additional information at such time as the board may deem it appropriate. There should also be a request to forward a copy of the return receipts when the abutters were informed of their intent to hold a public meeting. Roland Denby seconded, unanimous in favor.

John Roberts made a motion to add to the letter a request for funds to be put in escrow for the consulting committee. Everett Whitten second, unanimous vote in favor.

Shawn is to send us a copy of the estimate for the committee to enclose in the above letter.

Shawn does not recommend the we approve the final site plan review until the D.O.T. gets a draft of the route 202 & 5 intersection traffic control. He will recommend that Bill Eaton, Eaton Traffic Engineers, sit at the route 202 & 5 intersection for a period of time to monitor the traffic.

At the next public meeting, Shawn has suggested we have a panel in the front, one side with Hannaford's Technical team and the other with Waterboro's technical team. This will allow any questions be forwarded directly and easily to the appropriate member.

**IV OLD BUSINESS:**

John Roberts signed subdivision plans for Philip Weymouth.

Roland Denby made a motion to send Ben Chretien a letter stating that according to Section 3.03 we have to deny his request to build a garage with a copy of the letter from Karen Lovell requesting such and that the Board review the section further. John Roberts seconds, unanimous vote in favor.

**V NEW BUSINESS**

**VI MINUTES OF PREVIOUS MEETING**

John Roberts made a motion to accept the minutes of the June 25, 1998 as read. Everett Whitten seconds, unanimous vote in favor. Minutes are approved and signed.

**VII COMMUNICATIONS AND BILLS:**

**VIII REPORTS OF OFFICERS:**

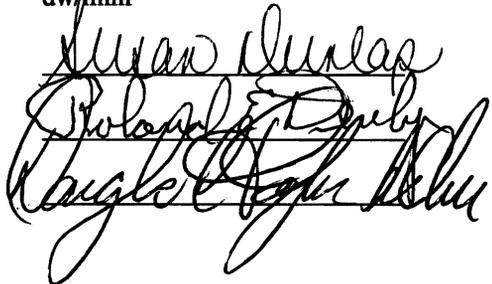
**IX ADJOURNMENT:**

Roland Denby made the motion to adjourn this meeting at 9:40 p.m., John Roberts second, unanimous vote in favor. Meeting adjourned.

Respectfully submitted,

Dwayne Woodsome,  
Treasurer/Secretary

dw/imm

 Susan Dunlap  
Roland Denby  
Angela Lynn Blum

8/12/98

# PLANNING BOARD

## Town of Waterboro

MINUTES  
WEDNESDAY  
AUGUST 12, 1998

### I ROLL CALL:

Doug Foglio Sr. Calls the meeting to order at 7:40 p.m. noting attendance of Roland Denby, Dwayne Woodsome, Duane Fay and Susan Dunlap.

### II APPOINTMENTS:

### III OLD BUSINESS:

Paul L'Heureux represents the Fraternal Order of Eagles, Map 18 Lot 8. Paul is requesting an extension date on the paving of the parking lot. The original Conditional use permit stated a completion date of July 1, 1998, the extension is requested for November 1, 1998. Duan Faye made a motion to approve the extension date of November 1, 1998 to amend the prior date of July 1, 1998 meeting all original requirements. Roland Denby seconds, unanimous vote in favor.

### IV NEW BUSINESS:

### V MINUTES OF PREVIOUS MEETING:

Roland Denby made a motion to accept the minutes of June 17, 1998 as written. Dwayne Woodsome seconds, unanimous vote in favor. Minutes are approved and signed.

Roland Denby made a motion to accept the minutes of July 23, 1998 as written. Susan Dunlap seconds, unanimous vote in favor. Minutes are approved and signed.

### VI COMMUNICATIONS AND BILLS:

Review letter from Lisa requesting permission to organize the Planning Board files. Duan Faye motions to accept Lisa's letter giving the authorization to organize the Planning Board files. Roland Denby seconds, unanimous vote in favor.

Motion made by Dwayne Woodsome to authorize Lisa to order up to \$100 in supplies between meetings without further approval from the planning board. Supplies are to be used for the re-organization of the files and as needed. Copies of the bills and/or purchase orders are to be submitted on a bi-weekly basis when necessary. Duan Faye seconds, unanimous vote in favor.

### VII REPORTS OF OFFICERS:

**Planning Board Minutes**  
**August 12, 1998**  
**Page Two**

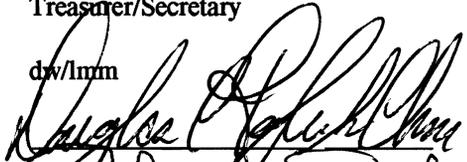
**VIII ADJOURNMENT:**

Dwayne Woodsome made the motion to adjourn this meeting at 9:05 p.m., Roland Denby seconds, unanimous vote in favor. Meeting adjourned.

Respectfully submitted,

Dwayne Woodsome,  
Treasurer/Secretary

dw/lmm


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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# PLANNING BOARD

## Town of Waterboro

### MINUTES WEDNESDAY AUGUST 28, 1998

#### I ROLL CALL:

Doug Foglio Sr calls the meeting to order at 7:32 p.m. noting attendance of Susan Dunlap, Roland Denby, John Roberts and Bill Foye, Code Enforcement Officer . Willis Lord and Dale Witman enter the meeting at 9:00 p.m.

#### II APPOINTMENTS:

**8:00 Carl A Goodwin, Inc. Conditional use application on: Map 44 Lots A345, A346, A347, A348, Map 45 Lot 1774, Map 46 Lot 2094** A request for a sideline setback reduction to allow the construction of the homes to face the street. John Roberts made a motion to allow Carl A. Goodwin, Inc. to build with sideline setbacks of 28' reduced from 35'. All other setbacks must be met. Roland Denby seconds. Motion carries with a unanimous vote in favor.

**8:20 Tim Greaton, representing Renald Collin and Earl & Wendy Heathcock for a Conditional use permit on Map 42 Lot A165.** A request for a sideline setback is requested. John Roberts made a motion to allow the sideline abutting the walkway be reduced from 35' to 25'. Roland Denby seconds. Motion carries with a unanimous vote in favor.

**8:30 Anne Worth with Prudential Prime Properties representing Herbert and Rita Ricker re: Brunetti's Restaurant.** Anne presented to the planning board a proposal for possible commercial uses of the Ricker's property formally known as Brunetti's. (a copy of the proposal is attached). After reviewing the proposal, Doug feels that it should be discussed with the Town's Attorney, Karen Lovell. John Roberts made a motion to set up a meeting between Karen Lovell, Doug and Bill Foye, CEO to discuss the proposal and other options and to have Anne and Mr. & Mrs. Ricker return on Wednesday, September 9 under "Old Business" if possible. Susan Dunlap seconds. Motion carries with a unanimous vote in favor.

#### III OLD BUSINESS:

Weymouth subdivision plans were not recorded at the Registry of Deeds. They were denied for the following reasons:

- All copies of the plan need to have the same stamp ex: embossed stamp
- Owner signatures are recommended

#### IV NEW BUSINESS:

#### V MINUTES OF PREVIOUS MEETING:

Roland Denby made a motion to accept the August 12, 1998 meeting minutes as written. Susan Dunlap seconds. Motion carries with a unanimous vote in favor.

**VI COMMUNICATIONS AND BILLS:**

The following letters were reviewed:

1. Letter with escrow deposit from Vickie Bell.
2. Letter to Shawn Frank authorizing a continuance of plan review.
3. Letter from MDEP re: Shop'n Save from Deluca-Hoffman.
4. Letter to Doug re: Illumination Plan from Deluca-Hoffman.
5. Letter from State Planning Board FYI.

**VI REPORT OF OFFICERS:**

**VIII ADJOURNMENT:**

Doug Foglio made a motion to adjourn this meeting at 9:40 p.m., Roland Denby seconds. Motion carries a unanimous vote in favor.

Respectfully submitted,

Dwayne Woodsome  
Planning Board Secretary/Treasurer

DW/Imm

cc: Code Enforcement Office  
Town of Waterboro

*Douglas Foglio*  
*John W. Bell*  
*Herman Dunlap*  
*Roland E. Denby*

# PLANNING BOARD

## Town of Waterboro

### PLANNING BOARD MINUTES REGULAR MEETING SEPTEMBER 9, 1998

#### **I ROLL CALL:**

Doug Foglio Sr., calls the meeting to order at 7:30 p.m. noting the attendance of Roland Denby, Everett Whitten, Duane Fay, John Roberts and Susan Dunlap.

#### **II APPOINTMENTS:**

##### **8:00 Bob Georgitis, Phase II of Townhouse Woods Map 11 Lot 82 & 83**

Doug Foglio and John Roberts excuse themselves from the meeting at this time.

Steve Kasprzak and Bob Georgitis are presenting to the Planning Board a Pre-application plan for Phase II of Townhouse Woods. There will be 22 lots total, there are currently 10 lots in Phase I. The original parcel contained 94 acres. Townhouse Woods will allow 31.5 acres of open space for Conservation Land, beginning between lots 2 & 3 and behind 22 lots. This "Conservation Land" will be made available to the town of Waterboro and/or Recreation Department to develop as a recreational area.

A concern of several Planning Board Members was the speed limit on the stretch of road, currently 45mph, will this development create a decrease in speed limit? A copy of the State Highway Law was presented Part 1 Chapter 1(attached).

The Phase II will also have a clear cut minimum of 25' from all sideline/front yard setbacks. Shared driveways do not seem to be attractive to buyers, owners prefer private drives, they will be avoided where possible.

Inland Fisheries and Wildlife has already stated the area has no sensitive areas. Gillespie & Associates are doing the ground water testing.

There is a site-walk scheduled for Monday, September 14, 1998 at 5:00 p.m.

A Public Hearing will need to be scheduled with all abutting property owners notified.

Duane Fay motioned to approve pre-application as presented. Everett Whitten seconds. Motion carries a unanimous vote in favor.

8:40 p.m., Doug Foglio and John Roberts re-enter the meeting at this time.

##### **8:30 David Abbott, Map 5 Lot 48V, Conditional Use for Storage facility**

David Abbott presents to the Planning Board a diagram of a 30' x 60' post building on a slab for storage of equipment and accessories behind the existing building.

John Roberts made a motion to grant David Abbott the conditional use permit to place a 30' x 60' post building under the amended Site Plan waiving section D items 8 & 9 and item G. An updated Site plan is also necessary. Everett Whitten seconds. Motion carries a unanimous vote in favor.

**9:00 Shawn Shoemaker Map 43 Lot 822, Conditional Use Permit**

Shawn Shoemaker is requesting a rear-sideline setback on Map 43 Lot 822. Duane Fay made a motion to grant Shawn a front yard setback on Victoria Lane of 40 ft and a rear sideline setback of 30 ft. All other sidelines must be met. Everett Whitten seconds. Vote carries a unanimous vote in favor.

**III OLD BUSINESS:**

Letter of September 9, 1998 from Karen Lovell was reviewed regarding the decision on the Ricker property, Map 30 Lot 71V. (Copy attached)

Letter of September 9, 1998 from Karen Lovell was reviewed regarding Zoning Ordinance Section 2.08 - Construction on Non -conforming lots, (copy attached).

**IV NEW BUSINESS:**

**V MINUTES OF PREVIOUS MEETING:**

John Roberts made a motion to accepted the August 27, 1998 minutes as written. Susan Dunlap seconds. Vote carries a unanimous vote in favor.

**VI COMMUNICATIONS AND BILLS:**

Everett Whitten made a motion to approve the Sebago Technics bill for services rendered to date, funds to be taken from the escrow account previously opened. John Roberts seconds. Vote carries a unanimous vote in favor.

**VII REPORTS OF OFFICERS:**

**VIII ADJOURNMENT:**

Duane Fay made a motion to adjourn the meeting at 9:50. John Roberts seconds. Vote carries a unanimous vote in favor.

*9/24/98 approved  
Douglas C. Foglio Sec. Comm.  
John R.  
Everett Whitten  
Robert E. Denby  
Susan Dunlap*

# PLANNING BOARD

## Town of Waterboro

### MINUTES

SEPTEMBER 24, 1998

REGULAR MEETING

#### I ROLL CALL:

Doug Foglio Sr., calls the meeting to order at 7:35 p.m., noting the attendance of Everett Whitten, Roland Denby, Susan Dunlap and John Roberts. Dale Witman also attends.

#### II APPOINTMENTS:

**7:30 H.A. Mapes Inc. , Jeff Webb with Mary-ann and Larry Baker of Baker Automotive, Map 19 Lot 30**

Jeff Webb presents to the Planning Board an application for a conditional use permit to expand the gasoline island and place a 20 x 24 canopy.

John Roberts made a motion to allow H.A. Mapes to expand the gasoline island and place a 20 x 24 canopy as presented in diagram labeled "After F Condition #3", according to Section 2.08, 4.02, 4.03 in the Town of Waterboro Zoning Ordinance. Planning Board also recommends that the Code Enforcement Officer do an on-site verification of measurements laid out by the applicant. Lines should include but not limit property lines and markers stating dimensions of canopy to be constructed meeting setbacks of 5 feet from front property lines and 12 feet from sidewalk as described in "After F Condition #3". Everett Whitten seconds. Motion carries a unanimous vote in favor.

Dale Witman exits meeting at this time.

**7:45 Robert Ryder, Ryder Construction, Conditional Use Permit Map 45 Lot 1319 & 1320 (combined).**

Bob Ryder presents to the Board a Conditional Use application to allow him to construct a new home on Beachwood Circle, Map 45 Lot 1319 and 1320 per Saco River Corridor Commission's approval.

Roland Denby motioned to allow Bob Ryder construct a home under Section 2.08, 4.02, 4.03 and 7.01 of the Town of Waterboro Zoning Ordinance with a front yard setback of 40 feet on Beachwood Circle and a setback of 60 feet from the shorefront per Saco River Corridor Commission's approval dated September 11, 1998. Board also recommends that DEP approved erosion control measures be taken. All other setbacks must be met. Everett Whitten seconds. Motion carries a unanimous vote in favor, John Roberts abstaining from vote.

**Ryder Construction representing David Black, Conditional Use Permit Map 43 Lot 911**

Bob Ryder presents to the Board a Conditional Use applications to construct a 28 x 40 ranch style home according to Saco River Corridor Commission's approval.

Everett Whitten motions to allow Bob Ryder construct a home under Section 2.08, 4.02, 4.03 and 7.01 of the Town of Waterboro Zoning Ordinance with a rear setback of 20 feet, front yard set back on Lake View Road of 30 feet and sideline setbacks of 40 feet. Included in the Conditional Use are the steps recommended by Saco River Corridor Commission for the 15% slope to be placed above the high water mark. Susan Dunlap seconds. Motion carries a unanimous vote in favor, John Roberts abstaining from vote.

**Planning Board  
Minutes - Regular Meeting  
September 24, 1998  
Page Two**

**8:00 Sebago Technics and Engineers**

Shawn Frank with Sebago Technics introduced Bill Eaton of Eaton Traffic Engineering and Richard Sweet of Sweet Associates to review their findings, a copy of Bill Eaton's "Draft" is enclosed.. Also present for this meeting are Vickie Bell and Bill Hoffman for Hannaford Brothers.

**III MINUTES OF PREVIOUS MEETING:**

John Roberts made the motion to accept September 9, 1998 minutes as written. Everett Whitten seconds. Motion carries a unanimous vote in favor.

**IV OLD BUSINESS:**

**V NEW BUSINESS:**

**VI COMMUNICATIONS AND BILLS:**

Susan Dunlap made a motion to write to Saco River Corridor Commission asking them when and who gave them the authority to grant construction below the 100' shoreline setback without DEP approval. Everett Whitten seconds. Motion carries a unanimous vote in favor.

The following forms will be retyped and presented for approval at a future meeting:

- Site Plan Review Checklist (preliminary and final)
- Subdivision Plan Checklist (preliminary and final)
- Conditional Use Permit

**VII REPORTS OF OFFICERS:**

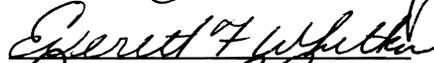
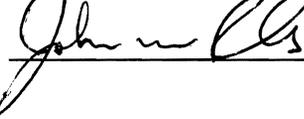
**VIII ADJOURNMENT:**

Everett Whitten made a motion to adjourn the meeting at 11:10 p.m. Roland Denby seconds. Motion carries a unanimous vote in favor. Meeting adjourned

Respectfully submitted,

Dwayne Woodsome  
Secretary/Treasurer

**APPROVED:**

  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
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# PLANNING BOARD

## Town of Waterboro MINUTES

OCTOBER 14, 1998  
REGULAR MEETING

### I ROLL CALL

John Roberts calls the meeting to order at 7:35p.m., noting the attendance of Dwayne Woodsome, Roland Denby, Everett Whitten, Duane Fay.

### II APPOINTMENTS

#### 8:00 Richard Johnson, Map 10 Lot 45

Susan Dunlap enters at this time.

Richard Johnson presented to the Planning Board an application for a Conditional Use Permit for a front yard setback reduction on Rte. 5.

Duane Fay made a motion to grant Richard Johnson a front yard setback reduction to 45ft on Rte. 5 and Silas Brown Road. The Conditional Use Permit is pending a class "D" survey to include the widths of Rte. 5 and the Silas Brown Road and pending these and all other setbacks will be met. Steps and overhangs are to meet all setback requirements. Roland Denby seconds. Motion carries a unanimous vote in favor, 5-0-0\*

#### 8:15 Winthrop Roberts, Map 36 Lot 15A

John Roberts excuses himself from the meeting at this time, Dwayne Woodsome lead the meeting.

Winthrop Roberts presents to the Planning Board an application for a sideline setback reduction so he may construct a 9 x 36 addition for a storage shed.

Duane Fay made a motion to grant a 15ft sideline setback reduction on lot 15A. All other setbacks must be met. Everett Whitten seconds. Motion carries a unanimous vote in favor 4-0-0.

John Roberts returns to the meeting as acting Chairman at this time.

#### 8:30 Paulette Davis, Map 38 Lot 43

Paulette Davis presents to the Planning Board an application for a sideline setback to place a carport.

Roland Denby made a motion to deny Paulette Davis the sideline setback reduction to place a carport on Map 38 Lot 43. The permit was denied under Article 7 page 7-5 Part 2.B.1.a. of the Town of Waterboro Zoning Ordinance. Dwayne Woodsome seconds. Motion carries a unanimous vote in favor 5-0-0. Permit denied. Attached is a copy of the letter from Southern Maine Regional Planning Commission dated July 24, 1996 with their findings.

\*I, Lisa Morse, pursuant to Title 5 Section 95B hereby amend the previous setback reduction date October 21, 1998 as a result of a clerical error.

Lisa Morse      2-8-99  
Lisa M. Morse,      Date  
Planning Board Secretary

# Town of Waterboro

## MINUTES OCTOBER 14, 1998 REGULAR MEETING

### I ROLL CALL

John Roberts calls the meeting to order at 7:35p.m., noting the attendance of Dwayne Woodsome, Roland Denby, Everett Whitten, Duane Fay.

### II APPOINTMENTS

#### 8:00 Richard Johnson, Map 10 Lot 45

Susan Dunlap enters at this time.

Richard Johnson presented to the Planning Board an application for a Conditional Use Permit for a front yard setback reduction on Old Rte. 5.

Duane Fay made a motion to grant Richard Johnson a front yard setback reduction to 45ft on Old Rte. 5 and Silas Brown Road. The Conditional Use Permit is pending a class "D" survey to include the widths of Rte. 5 and the Silas Brown Road and pending these and all other setbacks will be met. Included in the setbacks are steps and overhangs. Roland Denby seconds. Motion carries a unanimous vote in favor, 5-0-0

#### 8:15 Winthrop Roberts, Map 36 Lot 15A

John Roberts excuses himself from the meeting at this time, Dwayne Woodsome lead the meeting.

Winthrop Roberts presents to the Planning Board an application for a sideline setback reduction so he may construct a 9 x 36 addition for a storage shed.

Duane Fay made a motion to grant a 15ft sideline setback reduction on lot 15A. All other setbacks must be met. Everett Whitten seconds. Motion carries a unanimous vote in favor 4-0-0.

John Roberts returns to the meeting as acting Chairman at this time.

#### 8:30 Paulette Davis, Map 38 Lot 43

Paulette Davis presents to the Planning Board an application for a sideline setback to place a carport.

Roland Denby made a motion to deny Paulette Davis the sideline setback reduction to place a carport on Map 38 Lot 43. The permit was denied under Article 7 page 7-5 Part 2.B.1.a. of the Town of Waterboro Zoning Ordinance. Dwayne Woodsome seconds. Motion carries a unanimous vote in favor 5-0-0.

**Permit denied.** Attached is a copy of the letter from Southern Maine Regional Planning Commission dated July 24, 1996 with their findings.

**Planning Board Minutes  
October 14, 1998  
Page Two**

**8:45 Jay Jarosz - Map 24 Lot 20**

Jay Jarosz presented to the Planning Board an application for a sideline setback on Middle Branch Pond.

After further discussion, Dwayne Woodsome made a motion to have Jay Jarosz return under "Old Business" on November 11 after we have discussed with Karen our authority on Shoreland setback reductions. Duane Fay seconds. Motion carries a unanimous vote in favor. 5-0-0

**III MINUTES OF PREVIOUS MEETING**

Everett Whitten made a motion to accept the September 24, 1998 minutes as written. Roland Denby seconds. Motion carries a unanimous vote in favor 5-0-0.

**IV NEW BUSINESS**

**V REPORT OF OFFICERS**

Duane Fay made a motion to accept Dwayne Woodsome's Financial Report as read. Susan Dunlap seconds. Motion carries a unanimous vote in favor 5-0-0.

The Election of Officers will take place at our next meeting, October 22, 1998.

**VI OLD BUSINESS**

**VII COMMUNICATION**

The following letters were reviewed:

Letter from Mr. Paul Kussman to ZBA  
Construction Data Report  
DeLuca-Hoffman Assoc. Inc. Comment/Response (4)  
DEP Letter re: Pit Violation

It is also noted that Everett Whitten, Roland Denby and Susan Dunlap attended the MMA meeting in Alfred on September 29, 1998.

John Roberts made a motion to send Karen Lovell a letter requesting her to verify where our liability is when we authorize a Conditional Use permit according to Saco River Corridor on shoreland waterfront reduction. Roland Denby seconds. Motion carries a unanimous vote in favor 5-0-0.

John Roberts made a motion to allow Roland to purchase 4 rolls of 35mm film to photograph E. Waterboro and develop film, not to exceed \$80.00. This is to have a file of the "Current" E. Waterboro before the development of Shop 'n Save. Everett Whitten seconds. Motion carries a unanimous vote in favor 5-0-0.

Everett Whitten made a motion to allow the Elected Secretary/Treasurer represent all Planning Board Members when signing a document to be registered. Roland Denby seconds. Motion carries a unanimous vote in favor 4-0-1 abstaining.

**VIII ADJOURNMENT**

Duane Fay made a motion to adjourn the meeting at 9:30 p.m. Roland Denby seconds. Motion carries a unanimous vote in favor 5-0-0. Meeting Adjourned!

Respectfully submitted,

*Dwayne Woodsome*  
Dwayne Woodsome  
Secretary/Treasurer

APPROVED: *Dwayne Woodsome*  
*Roland E. Denby* *John R*  
*Everett Whitton* *Susan Dunlap*  
*Duane Fay* \_\_\_\_\_

# Town of Waterboro

## PLANNING BOARD REGULAR MEETING THURSDAY, OCTOBER 22, 1998

### I ROLL CALL

Doug Foglio Sr., called the meeting to order at 7:35 p.m., noting the attendance of Dwayne Woodsome, Everett Whitten and Roland Denby.

### II APPOINTMENTS

#### 8:00 Robert Kirby, Map 43 Lots 859 & 860

Robert Kirby presented to the Planning Board an application for a Conditional Use Permit for a reduction of sideline setbacks on Map 43 Lots 859 & 860.

#### Map 43 Lot 859

Roland Denby made a motion to reduce the sideline setback on Lot 859 to 25' from lot 860 and 30' from lot 858. The septic and field is to be moved to the front yard. All other setbacks must be met. Dwayne Woodsome seconds. Motion carries a unanimous vote in favor, 3-0-0.

#### Map 43 Lot 860

Everett Whitten made a motion to reduce the sideline setback on Lot 860 to 25' from lot 859 and 30' from lot 861. The septic and field is to remain in the front yard. All other setbacks must be met. Roland Denby seconds. Motion carries a unanimous vote in favor, 3-0-0.

### III MINUTES OF PREVIOUS MEETING

No minutes were approved at this meeting.

### IV NEW BUSINESS

Dwayne Woodsome made a motion to have Code Enforcement Officer visit Map 28 Lot 7, the Small Engine Repair Shop next to Blackburns Campground. Should they have a Conditional Use Permit? A Certificate of Sole Proprietor currently exists in the file. Everett Whitten seconds. Motion carries a unanimous vote in favor 3-0-0.

### V REPORT OF OFFICERS

Dwayne Woodsome made a motion to postpone the Election of Officers until the next meeting, November 11, 1998 if 5 of the 7 members are present. Everett Whitten seconds. Motion carries a unanimous vote in favor 3-0-0.

### VI OLD BUSINESS

### VII COMMUNICATION

The following letters were reviewed:

- Letter to Karen Lovell re: Jay Jarosz
- Letter to Diane Herrle from DEP

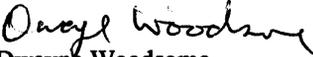
**Planning Board  
Regular Meeting  
October 22, 1998  
Page Two**

- Letter from DEP re: Shoreland Zoning ordinances was taken home for review
- Review Memorandum from Shawn Frank was taken home for review.

**VIII ADJOURNMENT**

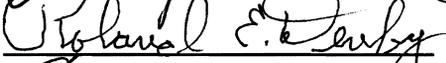
Doug Foglio Sr. made a motion to adjourn the meeting at 8:40, Roland Denby seconds. Motion carries a unanimous vote in favor 3-0-0.

Respectfully submitted,

  
Dwayne Woodsome,  
Secretary/Treasurer

Enclosures

**APPROVED:**

  
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**PLANNING BOARD**  
**Town of Waterboro**  
**PLANNING BOARD**  
**NOVEMBER 4, 1998**  
**SHOP 'N SAVE PUBLIC HEARING**

**I ROLLCALL**

Doug Foglio called the meeting to order at 7:05 noting in attendance Dwayne Woodsome, Susan Dunlap, Everett Whitten, John Roberts, Roland Denby. Also in attendance were Shawn Frank, Bill Eaton and Richard Sweet for Sebago Technics, Vicki Bell, Jan Wiegman, Peter Hedrich, Steve Bushey and Bill Hoffman for Hannaford Bros.

**II**

Doug explained that the purpose of the meeting was to inform the public of the changes that have taken place and allow them to voice their opinions and concerns.

Bill Hoffman, Consultant from Deluca-Hoffman, presented an outline site plan with updates as follows:

On re-evaluation of the landscaping, the trees from atop the sub-surface waste disposal field have been removed to avoid root damages.

The drive entrance/exit on Route 5 has been changed to align with JD Redemption's exit drive.

Photographs have been taken of the farmhouse inside and out, they have been recorded with the historical society.

There were 2 off-site issues presented at the last meeting. They are as follows:

The nature of the roadway conditions and possible improvements was the first issue presented. Peter Hedrich, Traffic Engineer, conducted a traffic study as per DOT standards. The study resulted in 290 customers during 4-6pm peak time with approximately 190 vehicles to be new traffic. The proposed improvements on Route 202 and the Old Alfred Road consists of installing a by-pass lane, Route 202 store entrance will have a proposed left turn lane for Shop 'n Save and a left turn lane to Woodsome Feed. Route 5 entrance will also have a left turn lane into the store. No changes have been proposed for the corner of Route 5 and the Townhouse Road. The engineers have worked with DOT to improve the Route 5 and 202 intersection which resulted in omitting the right turn yield with both left and right turning traffic stopping.

The second issue was the concern with the use of the on-site well to service the store. Steve Bushey, GEO Tech, is working with the Water District to get an accurate estimate of what the costs would consist to extend the town water to the site.

Shawn Frank of Sebago Technics reiterated what Bill Hoffman previously discussed. Shawn stated that the current design for landscaping and storm water treatment will dispense less stormwater into Cook's Brook than currently being dispensed. The site plan review was taken into consideration when reviewing the plan, all the requirements are met at this time.

Bill Eaton, Traffic Engineer, did the field work for the traffic impact analysis. He noted acceptable road conditions for the traffic increase. A right turn lane to JD Redemption and Shop 'n Save will remain a consideration after the store is constructed. Regular review will be maintained to accommodate the necessary changes as they may arise. Bill noted that the Planning Board watch and assure that some type of mechanism be installed to the hedges on the corner of Route 5 and Townhouse Road to prevent them from growing back.

**Shop 'n Save Public Hearing  
November 4, 1998  
Page Two**

Dick Sweet, Water/Nitrate Analysis, upon reviewing Deluca-Hoffman's findings he feels everything is accurate.

Doug explains the Planning Boards concerns of using the well versus the public water supply. They feel that the extraction of a significant amount of water would more than likely eliminate the natural clarification of the polluted water. A possible tax credit over 10 years is also a consideration to give Hannaford Bros. a refund of some of the money put towards extending the water supply to the site. Dale Witman noted that the Board is in negotiations with Hannaford Bros., and that any tax incentives would be approved/disapproved by the voters of the town.

**Bob Faye** - My feelings on the two intersections are quite simple; Route 5 and Townhouse Road, people run thru the first stop sign and onto the 2<sup>nd</sup> sign, and Routes 5 and 202 should have a stop light.

**Willis Lord** - Will the 2 ponds be lined? **Sebago Technics** - Yes. **Willis** - With the new design, will Route 202 come to a dead stop? **Peter Hedrich** - Yes. **Willis** - That will be a mess.

**Virginia Hewes** - 1) Route 5 and Townhouse Road is still dangerous with the shrubs cut down. 2) With the concern of traffic on Route 5 has anyone given any thought to pedestrians and for people who currently walk? **Deluca-Hoffman** - Review on pedestrians have not been taken. **Virginia** - What direction will trucks take? **Deluca-Hoffman** - Receiving trucks will enter from Route 5 to the rear and exit on 202, vendor trucks will enter from 202 and exit on Rte 5.

**Mike McAlevey** - What is the cut-off on when a light would be warranted? **Deluca-Hoffman** - When a minimum of 75 people make the left hand turn. **Sebago Technics** - Normally on warrants, traffic control devices are used to justify a signal, the volumes on the main and side streets are considered. With no lights warranted now does not mean that in 1 year a light cannot be considered.

**Mike McAlevey** - The town currently has impact fees on a subdivision, will the town consider the need for an impact fee to Hannaford for future possibilities of the cost incurred on lights. **Doug Foglio** - Off-site improvements are currently MDOT's commitment to the town.

**Arthur Kany** - I live at the Rte 5 and 202 intersection next to Bonnets & Bows and have had unexpected visitors, without the island I will receive a lot more visitors in my garage.

**Bob Fay** - Trimming down the hedges on the corner of Rte 5 and Townhouse Road did not eliminate the accidents. **Peter Hedrich** - Continued monitoring will take place at the intersections of Rte 5 and Townhouse Road and Rte 5 and 202. MDOT would require Shop 'n Save to make corrections where needed.

**Dan Abraham** - I have worked in the chemistry field, with the mention of nitrix, it eats through steel, and the oxygen being used, is it pure or combined with air? **Dick Sweet** - The oxygen is combined with air, it is not pure, the bacteria needs air to help break it down. Nitrix was said incorrectly, nitrate should have been said.

**Darren Foglio** - For traffic traveling north on Rte 5, wouldn't 3 lanes coming from Portland be necessary, 1 right to JD Redemption, 1 straight and 1 left to Shop 'n Save. **Peter Hedrich** - MDOT evaluates to see if it is warranted, they will continue to work with MDOT.

**Shop 'n Save Public Hearing**  
**November 4, 1998**  
**Page Three**

**Dave Anderson** - What is the life capacity of a leachfield located under a parking lot? **Bill Hoffman** - There is a reserve area to the North. Hannaford Bros. is concerned with the longevity of the system therefore they have installed a pretreatment system to help increase the life of the system. Technically by state code, the current size could be smaller but the larger size would help in the life of the system. Holding tanks are also oversized. **Dave** - You state the Nitrates will be reduced to below 5, under what conditions were they tested? **Richard Sweet** - During a steady state and drought conditions.

**Kathy Hewes** - Why do you want to set up a Shop 'n Save in that particular place? **Vicki Bell** - The Town of Waterboro is an opportunity to add convenience to the current customers and possibly attract new customers in the community. It will also add full and part-time jobs. **Kathy** - With all the stores in the neighboring communities, why add another? **Vicki** - For convenience of local shopping versus driving 20 minutes to the next town.

**Dave Benton** - With a parking lot this size there is a necessity for oil diffeder. **Bill Hoffman** - The type of system is designed within the pond itself. **Dave** - Will the pond be maintained? **Bill** - We are not aware of the local ordinance requiring it but the local DEP requires it. The qualifications of the person doing the maintenance are needed.

**Susan Dunlap** - To verify the traffic number passing through, you said 290? **Doug** - Yes

**Roland Denby** - The right of way on 202 is 100ft wide, how wide is the ROW on Rte 5? **Bill Hoffman** - 66 feet.

**Jeff Edelstein** - Comment on the parking size and town requirements, Gorham Shop 'n Save parking has 229 spaces, between 10am - 12 pm and 6 - 6:30pm there have only been between 65 - 100 spaces occuppies at one time. As a traffic concern, Roberts Ridge Road is an overlooked intersection, possibly have the crown at Roberts Ridge and Townhouse Road decreased. **Doug Foglio** - Parking spaces designated is what the Zoning Ordinance requires for snow areas with adequate parking availability. **Shawn Frank** - Approximately 270 spaces are proposed versus required.

**John Hewes** - Have you considered another site down Rte 202 instead of Rte 202 & 5. **Vicki Bell** - Traffic is a plus for supermarkets, other areas were evaluated and Rte 202 & 5 is the ideal site. **John** - Is Rte 202 the only access for traffic entrance? **Peter Hedrich** - No, Rte 5 also has an entrance.

**Judy Fay** - You state the "NEED" for a store, yet we don't need a light and you want to be at Rte 202 & 5 because of the traffic, you are contradicting your statements. **Vicki Bell** - Having a lot of traffic may not warrant a traffic light, the MDOT warrants the need for a light.

**Willis Lord** - It is ridicules to think alf the traffic will stop with a stop sign!

**Eric Hurley** - How did you get a light in Standish? Shouldn't you concentrate on how you will make a light happen versus saying the MDOT will not allow us to have a light?

**Arthur Kany** - Why isn't MDOT here? Their original design "stinks". **Doug Foglio** - The MDOT feels the same about their intersection.

**Shop 'n Save Public Hearing  
November 4, 1998  
Page Four**

**Donna Giroux** - Pedestrian traffic, will there be a wide shoulder and crosswalk? **Peter Hedrich** - There are currently wide shoulders and they will remain, crosswalks are not placed unless there are sidewalks on either side. **Donna** - The house is beautiful, I hate to see it demolished. **Vicki Bell** - The house will belong to the present owners, if they want to move it they will, if they decide to demolish it it will be demolished, it is not up to Hannaford Bros.

**Susan Anich** - I am the current owner of the house and we intend to take the house, we do not wish to demolish it.

**Carla Haskell** - What about the character of the town, what will the store look like? **Jan Wiegman** - (Presented design) The front of the building will be broken up into chunks so it won't appear to be a flat faces store, 3 different colors will be used with an added peak to the front.

**Jeff Edelstein** - Thank you for showing the design, I am shocked, I feel the Gorham store is very low grade and plain, this one is tall and complicated, why not down-grade to the Gorham style? **Jan Wiegman** - The Gorham store is smaller, it didn't need to be as high, this store is 280' wide and 180' deep, it would not be to scale if it were simple, the contents would not be the same, we needed to break it up.

**Doug Foglio** - The next step is to return to the Planning Board to address comments, we need DEO approval in hand before any final decision is made. If we make DEP and MDOT part of our plan then CEO can adhere to the plans.

**Judy Fay** - Will there be any more public hearings? **Doug** - It is a possibility, all our meetings are public. **Dwayne Woodsome** - All Shop 'n Save meetings have been published.

**Tom** - What is your target opening date. **Vicki** - Opening date is contingent on the process.

Meeting adjourned at 9:05pm with an approximate attendance of 100 townspeople.

Respectfully submitted,

  
Dwayne Woodsome  
Secretary/Treasurer

APPROVED


  
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# PLANNING BOARD

## Town of Waterboro

*PUBLIC HEARING  
DECEMBER 9, 1998*

### I ROLL CALL

Doug Foglio called the meeting to order at 7:00 p.m. noting in attendance Dwayne Woodsome, Duane Fay, Susan Dunlap, Everett Whitten, John Roberts, Roland Denby. Also in attendance were Shawn Frank from Sebago Technics, Vicki Bell, Jan Wiegman, Peter Hedrich, and Bill Hoffman for Hannaford Brothers.

### II PUBLIC HEARING

Vicki Bell introduced Jan Wiegman, Jan gave a brief overview of the store plans with architectural designs of the store front with different textures being used and onsite landscaping with the stormwater disbursement and the need for onsite fire protection ponds.

Peter Hedrich the Traffic Engineer for Delucca Hoffman reviewed the estimated traffic Shop 'n Save is to generate. The new changes recently approved by MDOT is as follows:

- Route 202 and 5 intersection will consist of straightening of the island and placing an overhead flashing red light for Route 202 and flashing yellow light for Route 5.
- Townhouse Road has been approved for warning flashing lights on both sides of Townhouse Road to warn of the 1<sup>st</sup> stop sign ahead.

#### Hearing opened to the public for questions/concerns

**Mike Allen** - Where is the land going to be taken from to widen the road near JD Redemption if a third land is to be later put in. **Peter Hedrich** - The land will be taken from Shop 'n Save and the current right-of-way on the road.

**Willis Lord** - Why is the blinking light above versus on the island. **Peter Hedrich** - The state mandates above lights, they are more visible to oncoming traffic.

**Forest Abbot** - There was a blinker there years ago.

**Mike Allen** - If more land is required after the current expansions are done where will it be taken from?  
**Peter Hedrich** - Shop 'n Save will give additional land for the turn lane if needed.

**Mrs. Hewes** - Will there be a need for a standard light on Route 202 & 4 and the Old Alfred Road? **Peter Hedrich** - Not at this time.

**Elwin Royal** - Will the residents be hooked up to the public water if it is extended to the proposed site.  
**Doug Foglio** - The water issues have not yet been determined.

**Mr. Daly** - What is the possibility of reducing the speed limit well before where the reduced sign currently sits. **Peter Hedrich** - Shop 'n Save will have a left turn lane which should eliminate the need to further decrease the speed limit.

**Mary Everest** - Moving the speed limit sign will not decrease the speed limit.

**Planning Board Minutes**  
**Wednesday, November 9, 1998**  
**Page Two**

**Mike Allen** - The signs on Route 5 and 202 and 4 should be moved further from the intersection than where they currently sit.

**Arthur Kany** - The Route 5 speed limit sign is decreased by Dearborn Pit. If they haven't decreased the speed limit by the time they get to Heath's, they won't be slowing down.

**Dave Benton** - The Water District is fairly close to an agreement with Shop 'n Save, and to answer Mr. Royal's question, the Water District will take a poll on the amount of residents that would be interested in hooking on to the water line if/when it became available.

**Kathy Hewes** - The light overhead would be more visible versus on the side, it may avoid potential dangers. How will the residents know what Shop 'n Save decides to use for the water supply, will the project just move ahead. **Doug Foglio** - The well has already been drilled and tests have been done, there is sufficient water supply if Shop 'n Save were to use the onsite private resources.

**Bob Fay** - How will we know the outcome. **Doug Foglio** We can notify the townspeople when Shop 'n Save is on the agenda.

**Mike Allen** - Will the water level change for the existing neighboring properties and wells. **Bill Hoffman** - We don't think it will.

**Mary Everest** - With the building taking up so much property, what's to say they won't contaminate my water. **Doug Foglio** - Our standards of water quality is greater than what the State mandates. With the current design, there will be less chance of contaminating the water running in your direction than you are currently receiving.

**Judy Fay** - With the pollutants in that water, what's to guarantee that it won't be regenerated. **Bill Hoffman** - There is not much difference in the drawing and releasing of water. The study showed a 1/2" difference from drawing and releasing.

**Willis Lord** - When were the traffic counts taken for Route 202 & 4. **Bill Hedrich** - the counts were taken in November when the analysis was done and later adjusted for summer travel.

**Comment** - A motel in Ogunquit drilled for water and it cost them \$10,000 but it has saved them a lot of money. Why would you want to spend \$1/2 to run the public water at Town's benefit/expense? Why not just use the water that is provided onsite? Why haven't you done testing to verify that the water is good/bad? **Vicki** - They have done and received all the preliminary testing for the onsite water.

**Comment** - You were previously very adamant about not using the public water supply, why are you considering it now? **Vicki** - Our estimate was much higher than what the Water District has come forward with.

**Comment** - While going through the potential negotiations, is there a pull because of a possible tax break? If so, will that same tax break be extended to the public? **Doug Foglio** - This issue with the water was brought about by the Planning Board. The current water district supply is significantly greater than currently being used and is causing the Water District the need to dump large quantities of water when it is not used. Having the public water would also save the town money by eliminating the need for special

**Planning Board Minutes**  
**Wednesday, November 9, 1998**  
**Page Three**

fire equipment and reduce tax payers insurance rates. If a tax break is proposed it would be brought forward to the taxpayers for voting.

**Virginia Hewes** Will the voting be in the form of a Special Town Meeting or will it be held in March?  
**Doug Foglio** - We cannot answer that question at this time. **Virginia** - Can all the voters be notified by mail?  
**Willis Lord** - The vote will most likely be held in March. A notification will be put in the Smart Shopper.

**Dave Benton** - To correct a statement made by Doug earlier, the quality of water sitting in the holding tank is improved by chemicals, a larger draw would decrease the amount of chemicals being used, we do not dump unused water over any period of time.

**Willis** - Didn't the water quality win a prize for their quality? **Dave Benton** - For 3 years in a row, the Waterboro Water District placed 2<sup>nd</sup> for best testing.

**Comment** - The \$1/2 figure was taken from here at a previous meeting, are you now working with another engineering firm. **Vicki** - The original quote was taken from our engineers and was a preliminary figure.

**Kathy Hewes** - How often do we have fires here in Waterboro to justify the need to hook up the water?  
**Doug** - You have to be ready for a fire, running the water supply would offer a continual source of water on a regular basis. **Dwayne Woodsome** - Putting hydrants every 680' will only lower your insurance rates. **Pam L'Heureux** - In a whole, the Town of Waterboro has responded to 356 fire calls this year. This number includes wires down, accidents etc.

Doug made a motion to conclude the Shop 'n Save Public Hearing at 8:00. The attendance for the Public Hearing was approximately 63 townspeople. We will resume with the regular meeting in 15 minutes.

Doug called the regular Planning Board Meeting to order at 8:15pm. Still present for the meeting are Willis Lord and Dale Witman along with a few townspeople.

### **III OLD BUSINESS**

Alan Bolduc with C.C. Development was previously in front of the Planning Board for a Conditional Use Permit of a 15' shoreline reduction on Map 45 Lot 1630. Decision on the Conditional Use Permit was postponed until further information was received from Saco River Corridor Commission showing us where their authority comes from in granting shoreland setback reductions (letter is enclosed).

John Roberts made a motion to grant a Conditional Use Permit to C.C. Development on Map 45 Lot 1630 of a 85' shoreland setback per Saco River Corridor Commission's permit. All other setbacks must be met. Roland Denby seconds. Motion carries a unanimous vote in favor.

### **IV APPOINTMENTS**

**8:45** Ben Chretien was not in attendance for a Conditional Use Permit on Map 40 Lot 7, the 9:00 appointment was then taken.

**Planning Board Minutes**  
**Wednesday, November 9, 1998**  
**Page Four**

**9:00 Robert Woodward, Map 44 Lot A400, Conditional Use Permit**

Robert Woodward presented to the Planning Board an application for a sideline setback reduction in order to place a 24 x 24 attached garage.

Dwayne Woodsome made a motion to grant Mr. Woodward and 30' sideline setback to the sideline abutting the wildlife refuge under Section 2.08 of the Waterboro Zoning Ordinance. John Roberts seconds. Motion carries a unanimous vote in favor.

**9:15 Tim McCandless - Map 37 Lot 11, Information on current business activities.**

Tim McCandless was present to inform the board of the history in his bullet manufacturing business that has been in existence since 1986 when he purchased the home. At that time he had approached the Code Enforcement Office to determine what he needed to do in order to start his small manufacturing business in his home. He was told to review the Zoning Ordinance, after reviewing the Ordinance, he returned to the CEO and was not told it was not allowed to run a small manufacturing business out of his home.

Mr. Kussman's primary complaint is the smoke coming from the pot that has been significantly reduced. The 2<sup>nd</sup> complaint made by a CEO is that a large portion of the business has been moved outside. Tim claims that in no time or form has the business been moved or has he moved a large portion of the business outside.

Tim claims he would love to get out of the smelting business but has not found a company to purchase the smelted material from to make it feasible to discontinue his smelting. He is however still following up on some materials that may be accessible overseas. By purchasing the smelted materials from elsewhere it will reduce the smelting by 90 - 95%, 20 - 30,000 pounds is approximately needed for smelting outside during the year.

Tim has recently been reviewed by the Bureau of Air Quality, letter of findings have been attached. John Roberts asked what the dimensions were of the products being used for smelting. Tim said approximately 13 ½" sq, 18 -20" deep is the dimensions of the pot and the firebrick stack on the outside is approx. 2'x4'x8'. It is fired with an oil fired burner approx. 3 ½' tall.

Doug asked if he (Tim) was in attendance of the Zoning Board of Appeals meeting which took place on November 4, 1998. Tim said no, he had attended the Shop 'n Save meeting thinking his was to follow. When the Shop 'n Save meeting closed he then asked when his meeting would start.

A cease and desist order was issued by Steve Foglio and sent to Mr. McCandless until a conditional use permit was acquired.

Paul Kussman stated that when he purchased the property he was not aware that a manufacturing company existing on the property directly below his. Paul stated that the DEP called and apologized to him for not taking action on this project previously. Paul went on to state that Tim is the 3<sup>rd</sup> largest emission producer in the State of Maine, which is located just 35' from his window. Paul states that Tim began as a small part-time Mom & Pop business and proceeded to become a full-time manufacturing business, he has raised his cottage to manufacture in the basement.

The Air Quality report stated that approx. 80,000 tons of lead is being melted 35' from the lake.

**Planning Board Minutes**  
**Wednesday, November 9, 1998**  
**Page Five**

After all the complaints/non-complaints after 12 years, this is the first time he has been present in front of the Planning Board for this issue. Many CEO's have looked at the work and not one CEO has filed a complaint of violation.

If the use of smelting is converted to ingot form the emissions will be reduced from 7-16% to .01%.

Dale Witman still feels that a Conditional Use Permit is needed.

Steve Foglio (CEO) asks if Mr. McCandless was a legal business in 1986 under the Zoning of 1986? If he was not legal than he would need to submit to the Planning Board an application for a Conditional Use Permit. But if it was legal in 1986 than he would remain legal in 1998. Waterboro did not have a Shoreland Zoning Ordinance before 1994.

John Roberts feels that as a Home Occupation Mr. McCandless has a legal operation. Doug Foglio asks if the Ordinance of 1986 require a Home Occupation to take place strictly indoors.

Steve requested a ruling on the legalities of his business in 1986. Susan Dunlap made a motion to request that the CEO determines what the Zoning Ordinance stated in 1986 and determine if a Conditional Use Permit was needed at that time. The Planning Board cannot act until they have a Conditional Use application in hand. John Roberts seconds. Motion carries a unanimous vote in favor.

John Roberts made a motion to send the ZBA minutes to the Town Attorney with an explanation that he was in the Town Hall at the time his ZBA meeting was taking place. Susan Dunlap seconds. Motion carries a unanimous vote in favor.

No further action/decision will take place until the Planning Board has had a chance to review the findings from the CEO and the Town Attorney.

**V MINUTES OF PREVIOUS MEETINGS:**

John Roberts made a motion to accept the minutes of the November 4, 1998 meeting after removing Duane Fay's name from attendance for he was not present at that meeting. Everett Whitten seconds. Motion carries a unanimous vote in favor.

Everett Whitten made a motion to accept the November 11, 1998 minutes as written. Roland Denby seconds. Motion carries a unanimous vote in favor.

**VI REPORT OF OFFICERS**

**VII COMMUNICATION**

The following letters of communication were reviewed:

- Letter from Saco River Corridor Commission regarding their authority on shoreland setbacks.
- Copy of bill from Fisher-James for the locking file cabinets. John Roberts made a motion to approve the bill of \$510.00 for the locking file cabinets from Fisher James. Duane Fay seconds. Motion carries a unanimous vote in favor.
- Communication from Bob Fay to Doug

**Planning Board Minutes**  
**Wednesday, November 9, 1998**  
**Page Six**

- Copy of the updated ZBA minutes for McCandless/Kussman
- Copy of letter to Paul Kussman from DEP
- Copy of DEP correspondence re: Shop 'n Save
- Copy of DHS letter re: Approval, Waterboro Shop 'n Save. John Roberts wanted it noted in the records that Shop 'n Save has Received their DEP and DHS Approvals
- Telephone communications made by Doug regarding Shop 'n Save (attached)
- Response from SMRPC re: cemetery setbacks
- SMRPC request for funding

**VIII ADJOURNMENT**

Duane Fay made a motion to adjourn the meeting at 10:30 p.m. Susan Dunlap seconds. Motion carries a unanimous vote in favor. Meeting adjourned!

Respectfully submitted,

*Dwayne Woodsome*  
Dwayne Woodsome  
Planning Board  
Secretary/Treasurer

APPROVED 1/13/99

*[Signature]*  
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*Roland E Dewby*  
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# Town of Waterboro

## PLANNING BOARD MINUTES NOVEMBER 11, 1998 REGULAR MEETING

### I ROLL CALL

Dwayne Woodsome calls the meeting to order at 7:30 p.m., noting the attendance of Susan Dunlap, John Roberts, Roland Denby, Everett Whitten and Duane Fay. Doug Foglio entered the meeting at 7:35p.m.

### II APPOINTMENTS

#### 7:45 Joanne Semo, Robert and Stephanie Cooney, Gold Mine Acres

This is an informational meeting. The above parties would like to purchase the 20 acre lot and divide it into 2 10 acre parcels. Doug stated that they would need to apply for a 2 lot subdivision, Philip Weymouth had created an approved 1 lot subdivision.

Joanne and Stephanie want to know if they can divide the property and what procedure is needed. Doug directed them to return to Bob Farley, the original surveyor, and have him adjust the plans to their specifications, also noting on the plan that the right-of-way will never be a town maintained road. The applicants are to put together a sketch plan with the hammerhead, the division line, test pits (2 on each property) and complete a subdivision form and return to the Planning Board for a preliminary sketch plan review.

#### 8:00 Jay Jarosz - Map 24 Lot 20 & 37 "OLD BUSINESS"

Jay returns to determine whether he can construct a home/camp on the above property with a town approved shoreland setback reduction. The letter from Gregory M. Cunningham of Bernstein, Shur etc. was reviewed with Jay. After reviewing the letter the members felt that section 2.08 of the Zoning Ordinance was not taken into consideration. Dwayne made a motion to write a letter to Karen Lovell and request that she explains why section 2.08 was not considered, the overriding issue still remains, does this still require DEP approval.

Jay is to be carbon copied on the above communications.

#### 8:15 Judy Courtway - Map 4 Lot 28

Judy presents to the Planning Board a request for a Conditional Use Permit to allow the current "residential" use of their garage to be a "service station" to repair exhaust, brakes, alternator etc.

A Public Hearing will need to be set, we are to notify the public. A limitation will be requested on the types and amount of vehicles remaining on the property ex: registered, unregistered. The public hearing is set for Wednesday, January 13, 1999 at 7:00 in the Town Hall.

#### 8:30 Alan Bolduc, C.C. Development - Map 45 Lot 1630

Alan Bolduc presents to the board an application for a Shoreland Setback reduction as per Saco River Corridor Commission.

The Planning Board has postponed any decisions on granting Mr. Bolduc a Conditional Use Permit until further information is received from Saco River Corridor Commission requesting the authority on granting shoreland reductions over DEP.

**PLANNING BOARD MINUTES  
NOVEMBER 11, 1998  
PAGE TWO**

The approval/denial of this issue will return under "Old Business", Mr. Bolduc need not be present for this decision, he will be contacted through the Code Enforcement Office with the decision.

**8:45 Shawn Shoemaker - Map 45 lot 1809**

Doug Foglio turned the meeting over to John Roberts at this time.

Shawn Shoemaker presented to the Planning Board an application for a reduction in sideline setbacks.

Duane Fay made a motion to grant Shawn a conditional use permit with a 27' right setback and a 29' left setback under section 2.08 of the Zoning Ordinance. Everett Whitten seconds. Motion carries a 4-0-1 vote in favor with Doug refraining from voting.

Doug returns to the meeting at this time.

**9:00 Andrea Hammond - Map 44 Lot 395A**

Andrea presented to the Planning Board a request for a Conditional Use Permit for a 8 x 12 shed which currently sits 15 feet from the sideline. According to section 3.03 for the Zoning Ordinance, a conditional use permit is not needed.

**III MINUTES OF PREVIOUS MEETING**

Everett Whitten made a motion to accept the October 14, 1998 minutes as written. John Roberts seconds. Motion carries a unanimous vote in favor.

Dwayne Woodsome made a motion to accept the October 22, 1998 minutes as written. Roland Denby seconds. Motion carries a unanimous vote in favor.

**IV NEW BUSINESS**

**V REPORT OF OFFICERS**

Appropriation report was reviewed

John Roberts made a motion to have the Secretary/Treasurer draw up a preliminary budget for approval at the next meeting. Everett Whitten seconds. Motion carries a unanimous vote in favor.

Election of Officers: John Roberts made a motion to keep the current set of officers, Doug Foglio as Chairperson, Dwayne Woodsome, Secretary/Treasurer, and Roland Denby to represent the Planning Board on the Taylor House Committee. Duane Fay seconds. Motion carries a unanimous vote in favor.

**VI OLD BUSINESS**

Jay Jarosz, see 8:00 appointment above.

**PLANNING BOARD MINUTES  
NOVEMBER 11, 1998  
PAGE THREE**

**VII COMMUNICATION**

John Roberts made a motion to accept and pay the bill submitted from Sebago Technics for services rendered August 1 to October 23, 1998. Everett Whitten seconds. Motion carries a unanimous vote in favor.

Notice of ZBA Decision was reviewed re: Kussman/McCandless. No action will be taken on this issue until further notice.

Roland Denby wanted it noted that with Everett's help they have taken approximately 72 pictures of the E. Waterboro area. We are to contact Shawn Frank to see if he can provide us with an enlarge copy of the ariel photo that is in the Shop 'n Save pre-application book.

Cal Knudsen had presented to the CEO office early this week with a question on driveway setbacks near a cemetery (Map 5 Lot 27.003). Doug made a motion to have Lisa draw up a letter to So. Me. Regional Planning requesting them what their driveway setbacks were from a cemetery. Dwayne seconds. Motion carries a unanimous vote in favor.

The discussion on property lines and where are the measurements taken from the road. John Roberts made a motion to ask Karen Lovell if our definition of set-backs are accurate and legal according to the home-rule definition on page 14-13 in the Zoning Ordinance. Everett Whitten seconds. Motion carries a unanimous vote in favor.

The following communications are to be reviewed and questions will be answered at a later time if needed:

- Notice of intent to file (subdivision on Hollis/Limington line)
- Letter regarding TIF's
- Correspondence from Delucca-Hoffman
- Shoreland Zoning News summer/fall 1998

**VIII ADJOURNMENT**

Dwayne made a motion to adjourn the meeting at 10:30 p.m. Roland Denby seconds. Motion carries a unanimous vote in favor. Meeting adjourned

Respectfully submitted,

*Dwayne Woodsome*  
Dwayne Woodsome  
Secretary/Treasurer

APPROVED:

*John Roberts*  
*Everett Whitten*  
*Roland E. Denby*