

Planning Board Minutes
January 5, 2005
7:00 p.m.

Public hearing - Duane Morin - Free Baptist Church Map 7 Lot 70

Vice Chairman, Kurt Clason, called the Public Hearing to order at 7:00 p.m. Attendance from the board is as follows, Roland Denby, and Everett Whitten. Tim Nelson, Teresa Lowell and Jonathan Raymond are absent. Kurt announces that the chair, Sue Dunlap is next door at a Hiring Board Meeting but will be joining the meeting later

Duane Morin, representing the Church introduces himself and describes the project. The proposed church will be a 10,000 square foot building that will accommodate approx. 230 people. The proposed church will have a fellowship hall, a section for Sunday school classrooms and a serving kitchen.

The applicant states that the field the church is to be located in is currently hayed every year and will continue to be used for that purpose.

The applicant explains that there will be separate entrance and exits into the church with the church itself located 200 feet back from the road. There will be 52 parking spaces with additional area for parking on grassy areas if the need arises. The parking lot will be a gravel lot and there will be a detention pond installed to prevent stormwater runoff from leaving the site.

Mr. Morin states that the well has been determined to be a community well and therefore needs to be located 300 feet from the septic system. The original location of the well has been moved to reflect this requirement.

Kurt states that at the sitewalk the board confirmed that neither the entrance nor the exit to the church would line up with the abutters driveway across the street.

Mr. Morin states that the pack lights that will be mounted on the church will be shielded to contain any light on the property. The applicant states that the width of Route 5 had been added to the plan as suggested by Sebago Tech and that Sebago Tech has concurred that the request for a waiver for the Hydro study is appropriate. Mr. Morin states that if necessary, 8 additional parking spaces could be added. Kurt feels that the parking proposed will be adequate.

The applicant states that he will be submitting a height modification request in writing, as the steeple will over the 35 foot limit on the allowed height by the town. The applicant further states that Sebago Tech would prefer to see the parking lot paved. Due to financial

reason, this is not possible at this time but cement curb stops will be used to define the parking spaces.

The applicant feels that all of the issues that Sebago Tech noted have been adequately addressed.

Before ending the public hearing, Kurt asks if there are any questions from the members of the public that are present. There are no comments from the public and the public hearing closes at 7:20 p.m.

Sue returns from the Hiring Board meeting and opens the regular meeting at 7:30 p.m.

II. APPOINTMENTS

Bonnie and David Wickham - Request for screening at Sully's Restaurant Bonnie and David Wickham state that the headlights from the restaurants parking lot are currently shining right into their house. Bonnie reads from Article 5 of the Zoning Ordinance. She would like clarification as to why Sully's Restaurant does not need to meet the requirements put forth in this section.

Sue informs the applicant that the Planning Board only has the authority to enforce these requirements in the case where they are reviewing a site plan or a conditional use. Sue further states that the board has no authority to enforce requirements for site plan when one is not required. This building had a previous business that was a permitted use. When Sully's opened it was also a permitted use, therefore no review was required.

Sue reads Section 5 of the Ordinance and discusses the possibility that the Code Enforcement Officer might have the authority to enforce this section. The wording of this section is vague and Patti Berry states that this section implies that the planning board has authority in this case.

Sue Dunlap states that for the record it should be known that several of the members of the Planning Board have eaten at Sully's Restaurant, but feel that this causes no bias on the part of the board.

An abutter asks if the restaurant increases its water usage would that trigger a requirement for site plan review. Patti states that is unclear but that the restaurant currently is close to the maximum water use amount before requiring site plan review.

Sue feels there must be some way to work things out in this area. The board reviews pictures that the applicant has supplied of the parking area in reference to its location to her deck and yard.

Again Sue states that while it is out of the ordinary, she feels the Board might try to be of

help in suggesting an amicable solution to this problem. Sue suggest the board send Jane Harriman, the owner of Sully's Restaurant, a letter requesting that she voluntarily construct a stockade type fence to shield the Wickham's yard from headlights.

Kurt motions to have the planning board secretary draft a letter requesting that the owner of Sully's Restaurant voluntarily construct a stockade type fence of suitable height to block headlights from the parking lot from going onto the Wickham's property. Everett seconds and the motion carries with a unanimous vote in favor. It is noted that the Planning Board Chair, Sue Dunlap voted in this matter in order to have a voting quorum.

Harold Blake request for subdivision amendment on Map 4 Lot 6 Mr. Blake introduces himself to the board and the board reviews the revised subdivision plans that Mr. Blake has provided for the board. Sue states that she believes Mr. Blake is required to get approval from everyone in the subdivision. The board reviews the original subdivision plan. Patti Berry states that the section that required "interested parties" to be notified does not mean everyone in the subdivision. Patti feels that interested parties means people in the subdivision that own common land, have a shared road maintenance agreement or something similar.

The board reviews various different copies of subdivision plans from the original file. There appears to be a discrepancy in the date on the revised plan. The date printed on the revised plan does not reflect the date on the signed plan on file. The new plan needs reference the recorded plan. The applicant first needs to determine which plan is the correct and recorded plan. The applicant is also directed that he needs to show the whole subdivision on the new amended plan.

SAD 57 Final Plan Review for Massabesic Middle School Sue states that the traffic study has been sent to peer review and the peer reviewer has provided comments. Sue states that the applicant has run the higher numbers provided by Gorrill-Palmer but that has not changed the original conclusions.

Sue states that she is concerned that the left turn bypass lane, located on Main Street turning onto Old Alfred Road, will not be long enough. The applicant answers that it is anticipated to be with the proper signage. The anticipated stacking of vehicles at that intersection for vehicles turning left coming off the Old Alfred Road is anticipated to be 9 10 cars at peak times. Peer review suspects that this stacking may be due on part to left turners (19 at peak hour) exiting Old Alfred Road delaying the right turning traffic (441 in the peak hour). Peer review suggests the Old Alfred Road approach be flared/widened enough to allow the right turning traffic to get past a single left turning vehicle. The applicant states that the cost of such a project is not something the building budget can afford.

The applicant states that the School cant be held responsible for remedying an already existing condition such as at this intersection. The applicant states that according to their

figures the school will not be significantly contributing to this already existing condition. Sue would like to state for the record that cost should not and will not be a factor when it comes to safety issues if indeed there was proof that the school was contributing to the problem. The applicant states that the figures are close to the same and that the addition of the new school will not be changing the level of service at this intersection

The original traffic study indicated that dedicated turn lanes into the school at both entrances were recommended. The peer reviewer feels that these dedicated turn lanes would only create more crash concerns. Kurt also feels that the dedicated turn lanes would create more problems, as vehicles pulling out of the school would have no visibility if there were a vehicle turning in and another vehicle continuing straight. Also discussed is the possibility of traffic backing up if there is no bypass lane. The pro's and con's of both scenarios are discussed. The board also discusses the possibility of putting in the bypass lanes now, and if after a period of time they appear to be creating more of a problem, remove them at that point. The board also inquires as to whether the school might be willing to add them at a later date if it appears there is a need for them. The applicant suggest that putting them in now would be more practical. The applicant states that it takes approximately 5 years to determine if there is a problem. The board feels if there is a problem it should be evident fairly quickly.

The board reviews all the other outstanding issues with the peer review and determines that all other issues have been adequately addressed.

Sue motions to approve the site plan as presented with the condition that an accident assessment be done 2 years after the opening of the school, with the appropriate corrective action taken if any is needed. Everett seconds and the motion carries with a unanimous vote. Sue Dunlap is voting tonight so there is a quorum vote. Sue states for the record that the plan will still also need to be signed

III. MINUTES OF PREVIOUS MEETING

None approved

IV. REPORT OF OFFICERS

V. OLD BUSINESS

VI. COMMUNICATION

The board reviews a letter from Henry Holmes requesting to change the age restriction on his 2 approved projects, River Bend and Sokokis Gardens, to either 55 years or 62 years at their option. The board feels that this should be a request for an ordinance change, as they have no authority to grant one person permission to deviate from the ordinance. The board discusses the fact that the ordinance was just changed from age 55 to age 62. Patti states that the original change to this applicable section of the Growth Ordinance was to

clarify that this age restriction exemption was not for single lots, but for subdivisions that were approved with an age restriction. The board states that there were other reasons for changing the age but they are willing to re-examine this issue

VII. MISCELLANEOUS

VIII. NEW BUSINESS

IX. ADJOURNMENT

Everett made the motion at 10:15 p.m. to continue this meeting to Monday, January 10 at 7:00 p.m. Roland seconded and the motion passed with a unanimous vote in favor.

Approved Date:_____

TOWN OF WATERBORC
PLANNING BOARD MEETING MINUTES
January 19, 2005
7:30p.m.

Chairman, Sue Dunlap called the meeting to order at 7:30 p.m. Attendance from the board is as follows, Jonathan Raymond Roland Denby, Everett Whitten and Tim Nelson, Kurt Clason is absent.

II. APPOINTMENTS

7:30 p.m. - Sketch Plan Les Bois Carthage - 19 Lot Sub on Map 11 Lots 66T & 67T, Map 14 Lots 43T, 44T & 45T and Map 17 Lots 66T & 67T

The applicant introduces himself and describes the project. The subdivision encompasses 2000 acres. The lots are intended to be sold off as wood lots that have deeded road frontage on various roads.

Sue states that the owner of this property appeared before the Planning Board in the past with a conceptual subdivision plan for three to four hundred homes. The previous plan was presented along with a request to circumvent the growth ordinance in exchange for the possibly deeding half the land over to the town. This original conceptual plan never progressed.

Sue asks if the applicant has been in contact with the abutting property owner on the Hollis side, Mr. Martell. The applicant states that they have not. Sue also asks if the applicant has met with the road review committee. The applicant has not.

The board asks if any consideration has been given to placing restrictions on snowmobiles in the area. There are several members present from the local snowmobile club that are concerned that the snowmobile trails that run throughout this land will now have limits placed on them or be posted. The applicant states that they intend to protect the snowmobile people's interest as best they can. The applicant states that as far as posting the property, after the lots are sold they really have no control over whether they are posted or not. The applicant also states that they are interested in protecting the snowmobile trails by deed. Sue states that this is a very large parcel of land, perhaps the largest undeveloped, contiguous tract of land in town. The board would like to express their interest in preserving these trails and possibly bringing a proposal to the town to donate or preserve land for public use. The representative for the applicant states that he will pass this information on to the owner of the property.

At this time the board reviews the checklist for sketch plan and determined that it is complete. Roland motions to accept the sketch plan. Tim seconds and the motion carries with a unanimous vote in favor.

Keith Montpass - Setback Reduction on Map 28 Lot 39 Keith Montpass introduces himself and describes his proposal. He would like to place a single story garage on a parcel of land that is 65.57'x 90.31'. The board reviews the location of the lot.

This is an accessory structure on a parcel that does not have a primary structure thus an accessory is not allowed and we do not have the authority to review

The board reviews Article 2.7 of the zoning ordinance that gives the planning board the authority to reduce side and rear setbacks on accessory structures on legal, non-conforming lots of record. The board agrees that since this is a parcel that does not have a primary structure, an accessory is not allowed and they do not have the authority to grant setback reductions in this case. The applicant is directed to apply and meet with the zoning board of appeals to request a setback reduction. Tim states that he would like to see the fee the applicant has paid to meet with the planning board applied to the zoning board of appeals fee.

Doug Foglio Jr. - Sketch plan - 20 Unit cluster subdivision on Map 1 Lot 31T Doug states that there is a new survey on this parcel and the lot is 21.6 acres. This is a cluster subdivision that will consist of 10 duplexes, which will be a total of 20 living units. The units will be served by a 20 foot wide private road. The applicant feels that sidewalks will not be necessary and would only create future maintenance issues. There will be a cluster mailbox location proposed to service this subdivision.

The applicant states that the buildings themselves will be sold and the land will be shared with the owners holding 1/20th interest in the lot. There will be an association fee charged and the property will be maintained by the association. The applicant explains that there is an old fire pond on the property that they will be checking the capacity of the pond to possibly locate a dry hydrant to service these units. The applicant will be meeting with road review to get a recommendation.

The board reviews the sketch plan checklist at this time. There are 2 items that are still to be decided, the name of the subdivision and the anticipated price range. Tim motions to accept the sketch plan, noting the 2 items still yet to be decided. Everett seconds and the motion carries with a unanimous vote in favor.

III. MINUTES OF PREVIOUS MEETING

December 15, 2004 - Jonathan motions to approve the minutes. Everett seconds and the motion carries with a unanimous vote.

January 5, 2005 - The board is not prepared to act on approving the minutes of this meeting.

IV. REPORT OF OFFICERS

V. OLD BUSINESS

Harold Blake request for subdivision amendment on Map 4 Lot 6 Mr. Blake introduces himself to the board and the board reviews the revised subdivision plans that Mr. Blake has provided for the board. Mr. Blake appeared before the board at the January 5 meeting and was asked to re-submit an amendment plan that included the whole subdivision and referenced the original recorded subdivision book and page number. The board reviews the new plans in relation to the spaghetti lot definition in the land use regulations. Tim motions to recess while the Chair excuses herself from the meeting. Jonathan seconds and the motion carries with a unanimous vote in favor. After an approximately 10 minute recess the board re-adjourns. Everett motions to approve this subdivision amendment as presented. Tim seconds and the motion carries with a unanimous vote in favor.

VI. COMMUNICATION

VII. MISCELLANEOUS

VIII. NEW BUSINESS

IX. ADJOURNMENT

Everett made the motion to adjourn 9:10 p.m. Jonathan seconded and the motion passed with a unanimous vote in favor.

Approved Date:_____

TOWN OF WATERBORO
PLANNING BOARD MEETING MINUTES

February 2, 2005

7:00 pm

Public Meeting

There was no attendance to the Public Meeting including the Planning Board Members except Sue Dunlap due to an error in the agenda sent home.

Regular Meeting

Chairman, Susan Dunlap called the meeting to order at 7:30. Attendance from the board is as follows: Susan Dunlap, Tim Nelson, Kurt Clason, Jonathan Raymond, Roland Denby and Everett Whitten.

II Appointments

7:30 Free Baptist Church for final plan review on Map 7 Lot 70 Review of the height waiver was discussed. Height modifications Paragraph 8.01 states that the Planning Board can modify the height by 50%.

A waiver was also requested for the hydro-study. Usage will be less than 800 gallons/day as verified by Grace & Curtis Lake. It is noted that Owens McCullough agrees with the hydro-study waiver and suggested adding a meter.

Sue spoke to Owens McCullough via phone on 2/2/05, he is okay with the 1/18 revisions from Dana Morton.

Tim Nelson made a motion to approve the waiver for the hydro-study provided that the Department of Human Services Health Engineer accepts the documentation of decreased water flow to less than 800 gal/day and requires a water meter be installed. Kurt seconds. Motion carries a 5 to 1 vote in favor with Everett opposing

Kurt made a motion to accept the plan as drawn including the height modification. Jonathan seconds. Motion carries a 6-0 vote in favor.

7:45 Final Plan Review "Ossipee Estates" Map 3 Lot 58 Sue turned the meeting over to Kurt as he has been handling this project.

John Hutchins with Corner Post responded to Sevee & Maher Engineers, Inc. The addition of Gallo, Jr. was placed in the title block. The registry is now requiring the owner

of record to be noted on the plan.

The road width varies and is noted on the plan. John claims he can not find any sight distance requirements in the ordinance. The Road Ordinance on Sight Distances was read to the applicant including a 30% waiver allowed by the Planning Board in Articles 4 & 5 of the Road Ordinance.

Applicant expressed a desire to have a reduction in the sight distance as long as the road commissioner agrees and is on-site. A waiver on lots 1 and 2 is needed for the sight distance.

Everett made a motion to approve the sight distance waiver up to 30% for lots 1 and 2. Jonathan seconds. Roland asks for information on who will build the driveways with concern that the homeowner might not properly build up the driveway. Ron W. says that they may not actually install the drives themselves but may sell the lots with no driveways. No further discussion. Motion carries a 6-0 vote in favor

Kurt reviews and completes the checklist.

Everett made a motion to approve the final plan with no conditions. Tim seconds. Motion carries a 6-0 vote in favor

8:00 Sketch Plan "Selah Subdivision" Map 6 Lot 33 Jonathan notes that he knows the applicant. Board does not feel this is an issue. The board explained the subdivision process to the applicant stating that when they have firmer plans the board would hold a site walk and a public hearing. It was recommended that they look into a hydro study as they will likely require it

The checklist was reviewed. The items needed on the plan are the locations of the cemetery and public access.

III MINUTES OF PREVIOUS MEETINGS

No minutes were reviewed

IV REPORT OF OFFICERS

V OLD BUSINESS

VI COMMUNICATION

Perkins, Thompson, Hinckley re: Genest Concrete Works, Inc

Communication was not reviewed. The application is incomplete and they need to follow the new rules as the board voted on in 2004.

VII MISCELLANEOUS

VIII NEW BUSINESS

Tim made a motion to postpone discussion of the 2 30% expansions, Map 45 Lot 1355 for Christina Sanfason and Map 31 Lot 15 for Nicholas & Margurite Ferraris. Kurt seconds. Motion carries a 6-0 vote in favor

IX ADJOURNMENT

Tim made a motion to adjourn the meeting at 8:30 p.m. Kurt seconds. Motion carries a 6-0 vote in favor.

Approved Date: _____

Planning Board Meeting Minutes February 17, 2005

I. ROLL CALL

Chairman, Susan Dunlap called the meeting to order at 7:25 p.m. Attending board members are, Susan Dunlap, Tim Nelson, Everett Whitten, Roland Denby, Judy Carll, Kurt Clason. Jonathan Raymond was absent.

Public attendees as follows: Mr. And Mrs. Linscott, Myron and Brenda Edgerly, David Benton, and an unnamed abutter to the property. Richard and Lisa Barden were also in attendance.

II. APPOINTMENTS

The first appointment is a review of conditional use application of Douglas Foglio Sr. on map 16 lots 1, 4 and 9T for a Mineral extraction operation.

Charles Brown from Sebago Technics presents the overview of the project representing the applicant. Project site is located in North Waterboro off Route 5, just south of the Little Ossipee River. The overall project area is 532 acres and the proposed extraction area covers 234 of those acres. The intention is to extract to a depth of 20'. Several monitoring wells have been installed and it has been determined that the water table is approximately 25 feet deep. There are three extraction areas. One gravel area and two small quarries for rock mining. The property was previously logged prior to the applicant's purchasing it. The remainder of the property is not intended to be touched at this time. The closest point of the operation to Little Ossipee River is 600 feet.

The applicant has acquired two entrance permits from the Department of Transportation. The applicant applied for a change of use to the entrances previously granted for logging access roads.

The public portion of Garland Hill Road is not intended to be used as ingress and egress for this operation. A portion of Garland Hill Road that has been discontinued is intended to be used on the applicant's property. It is their contention that the discontinued portion as town records show, is owned by the abutting property owners.

There is not any evidence or documented endangered species in that area. DEP required the applicant to confirm with Maine Natural Resources that there are no endangered species in the area of extraction.

The intention of this operation is to excavate the existing ground dropping the level approximately 20 feet and keeping the existing contours of the land. The pit is designed to be internally drained. There will be no run off or erosion into any streams or brooks.

The reclamation slopes will be 4/1 as required by town regulations.

There is a culvert on Route 5 that DOT is requiring the applicant to replace as it was crushed during the logging operation.

Roland Denby asks how far down is the water table? Charles Brown answers that there are approximately 60 monitoring wells on this site. The water table ranges from 15-35 feet. There will be one monitoring well for each 5 acre of extraction area.

Roland Denby asks as the work progresses when and how do they plan to reclaim the extraction area? Charles Brown answers that the state of Maine DEP regulates pits and only allows 10 acres to be open faces at any one time. This is in addition to stockpiling. They will have to reclaim at every increment before moving into another area. The stockpiling areas are shown on the plan.

The ground will be reclaimed by topsoil from onsite, seeded and sides will be sloped at a 4/1 ratio.

Roland Denby asks if there is going to be an area used to service equipment without dropping oils? Douglas Foglio Jr. replies that as a rule their company does not have fuel storage at their pit sites. They do occasionally change oils onsite. They prepare a gravel pad and then they remove the gravel and add it to reclaim materials.

Roland Denby asks if there will be any blasting? Doug Foglio replies yes there will be in the quarries.

Charles Brown adds that the state DEP will require secondary containment areas for fuel exchanges.

Charles Brown adds that areas that are not being mined are going to be left in their natural state. Additionally, the reclaimed areas will support regrowth of trees from that lot will occur.

Tim Nelson states that it is his preference that conservation mix be used as a silt barrier as opposed to silt fences.

Doug Foglio Jr. replies that they use stump grindings typically anyway, as DEP prefers this practice over the use of silt fencing. They will be grinding the stumps from this site and they will market the conservation mix that is generated from the grindings.

A review of the application provided by Sebago Technics dated February 16, 2005 is to be made part of this record.

Susan Dunlap states that the next steps under the ordinance is to hold a public hearing, a site walk and peer review. Susan states that due to previous volatility the planning board should give the public opportunity to see the site and ask questions at the public hearing.

Susan would like the applicant to follow up with Inland Fisheries and Wildlife with a clarification on the deer wintering yard, or and endangered wildlife habitat.

Susan states that the applicant has a gate on his plans. The ordinance does require a gate. The planning board waived the gate requirement on all previous pits for safety reasons. Susan feels that the town should be responsible for the safety risks and accident potential that research has proven with gated pits.

Susan asks if the snowmobile club has any trails through this property? Charles Brown states that there are no mapped trails through any portion of this property.

Susan states that the ordinance requires acoustical buffers, and this will need to be addressed. Susan states she realizes this is a huge site and most likely the natural buffers will work, but it needs to be specifically sited.

Susan states to the applicant that he should be aware that a performance bond will be required.

Susan adds that she saw in the application that there is a question about waiting the hydro-geological study. She doesn't think that will happen.

Charles Brown states that they would like to do hydro studies in phases as the project progresses as opposed to a study of the entire site.

Susan states that the board would be open to considering that.

Irmgard Linscott shows Susan the letter that she received as an abutter from the applicant and asks what her purpose for being at this meeting is. Susan explains that it is required by the ordinance that abutters be notified of this application being made to the town.

The board is asked if abutters can raise questions. Susan states that the board will hold a public hearing in the future for that specific purpose.

An unnamed abutter asked whether the applicant has submitted this application to the Saco River Corridor yet. Charles Brown states that he spoke with someone from that office recently, and they will be sending a copy of this project to them. However, none of the extraction area is within 500 feet of the river so it is outside of the corridor.

Kurt Clason asks what the proposal is for closing the two quarries to avoid water holes? Charles Brown states that they will not be mining into the water table. Kurt states that if it is rock and they mine a hole, won't it fill with water? It was explained to the board that the mining will be into slopes of rock, not down into the ground.

Susan asks if these are quarries because of the material extracted as opposed to the method of extraction. Doug Foglio Jr. answers yes.

Doug Foglio Jr. states that this project has already received DEP approvals and permits. This is a combined site of 700 acres and they are preserving 400 acres. They will be lowering the ground elevation approximately 20 feet. They will continue to allow recreational use of this property. This excavation is a long way away from roads and homes. Doug explains that the state will require them to maintain certain noise limits. They will be required to give decibel readings at the property lines, and in his experience he bets it won't even register at the property lines.

The site walk is scheduled for February 26, at 9 a.m. The public hearing is scheduled for March 2 at 7 p.m. The applicant will post the legal notice for the public hearing and notify abutters. The public hearing notice must be posted at least 10 days prior. The abutter's

notices must be sent at least 7 days prior to the meeting.

Doug Foglio Jr. requests that in the interest of time and because of concerns about previous site walks and the potential for altercations if the public could save their questions for the public hearing. Susan Dunlap assured the applicant there would be no altercations. She did state that she won't demand that no questions be asked onsite, if something specific comes up, but that most of the questions should be made at the public hearing for recording purposes.

Doug Foglio Jr. states that he would like to address the deer yard issue. If the states have maps that say there was a deeryard, this property has been logged and except for the buffers, there are no trees. The property was logged before they purchased it. There is no deeryard on this property if there ever was.

Richard and Lisa Barden for sketch plan review of subdivision application on map 4 lot 12A. Lisa Barden reviews her sketch plan with the board. This is a 12.27 acre parcel off Ossipee Hill Road on tax map 4 lot 12A. They are asking to construct three duplex units on this lot, with an internal access road. They are designing this project as a cluster development.

Everett Whitten asks if they are selling these units or is this rental units. Lisa Barden replies that they are building them for rental units and may sell them separately in the future.

Roland Denby asks if they are intending these to be an elderly housing project? Lisa Barden replies that they had considered it but they are not at this time.

The structures are planned to be 1200 square feet of living area with garages to the front of the duplexes. Each unit would have its own garage. The road will be constructed to town specs with the hopes of it being accepted in the future. They have the means to maintain this as a private road. The road length is approximately 550 feet.

The applicant will be provided with a set of Road Design Standards.

Tim Nelson made the motion to accept the sketch plan for Ossipee Hill Terrace and that the time frame to submit the preliminary plan is 6 months from this date. Tim adds to the motion that when the preliminary plan is submitted to the town, the secretary automatically sends the plan to either the town planner if one has been hired, or to Southern Maine Regional Planning for a review of the checklist prior to scheduling the review with the planning board. Everett Whitten seconds the motion. Motion carries with a unanimous vote in favor.

III. MINUTES OF PREVIOUS MEETINGS

The minutes of previous meetings were not reviewed because there weren't enough members who attended those meetings to vote on them tonight. They will be put on the agenda for the next meeting.

IV. REPORT OF OFFICERS

V. OLD BUSINESS

Before the next appointment Susan asks the board what they would like to do with the proposed articles for town meeting. Kurt Clason made a motion to send the articles as voted at the January 5 planning board meeting to Natalie Burns for wording and legal review and then get the articles to the selectmen prior to February 23 deadline. Roland Denby seconds. Motion carries with a vote of 4-0-2 with Judy Carll abstaining and Tim Nelson stepped out of the room.

CEO, Patti Berry requested the planning board to review the wording of section 7 that applies to 30% expansion. She considered requesting a zoning change to allow the CEO to approve 30% expansions that did not involve foundation construction. When she reviewed the wording and discussed this with Mike Morse at DEP, it appears that the CEO has always had the authority to approve expansions that did not require the planning board to determine, if the camp is to be moved to the greatest practical extent. Mike Morse confirmed that is how most towns review these applications. CEO grants all that don't involve that planning board decision. The board is comfortable with this interpretation.

VI. COMMUNICATIONS

There is an invitation from Corner Post Land Surveying to the board for 2/18 for an open house.

There is a letter from the CEO to the Genest Concrete attorney, Peggy McGehee in reply to her request for a decision from the planning board on their application.

VII. MISCELLANEOUS

VIII. NEW BUSINESS

Tim Nelson requests to discuss the process by which applicants are scheduled with the planning board. Tim suggests that preliminary plans are sent automatically to a planning review for checklist review prior to being scheduled with the planning board. The board discusses this. Tim made the motion to that affect. Judy Carll seconded the motion. Motion carries with a unanimous vote in favor.

IX. ADJOURNMENT

Tim Nelson made the motion to adjourn at 8:50 p.m. Everett Whitten seconds. Meeting adjourns.

APPROVAL DATE: _____

Planning Board Meeting Minutes

March 2, 2005

7:00 p.m.

Public Hearing

Called to order at 7:04 p.m. Attendance from the board is as follows: Sue Dunlap, Tim Nelson, Roland Denby, Kurt Clason, Everett Whitten, Judy Carll, Jonathan Raymond. Sue mentioned that we had a Site Walk on Saturday with several members from the public. Doug Foglio, Jr. will provide a list of those in attendance. Charles Brown outlined the project scheduled for approximately half of the area in North Waterboro. Project will be 190 acres to the north and 45 acres to the south. Access will be from existing timber road from Route 5. The only mining will occur at the southern side. All areas of the operation will be internally drained. Mr. Moore mentioned that MDEP has already approved the project. Maine Conservation agency has no issues as a yarding area for deer and have issued a letter to Mr. Brown. The state biologist in Gray will make a study, but due to the recent cutting, he doubts there is a wintering area for deer. Mr. Brown has sent the project on February 17 to Saco River Commission. Mr. Brown demonstrates what the ten acre mining would look like.

Alan Kobaly, an abutter, spoke. He asked about gating the property. He appreciates that but wants to ensure it does not turn into an ATV park. His second issue was what is going to be constructed to cross Woodsome Brook. He is concerned about silt going into the brook. Mr. Brown responds that they will be gating the project at both entrances deep enough so that three trucks could wait. For the brook crossing, they are allowed by DEP to go linear 75' to upgrade/repair and stabilize the bank. There is an erosion control plan as part of the permit. Doug Foglio explained that since the pit will go down, the erosion will flow away from the brook. Mr. Kobaly then asked why two entrances. Mr. Brown explained that there were two entrances and they want to maintain if they choose to make one egress/exit.

Mr. Linscott brought in another paper. He is concerned about pollution from the area where the site walk stated. He is concerned that over a 100 year period, there will be pollution from the trucks that will go through the gravel to the four-season brook. He is concerned that DEP will not actively pursue monitoring of the project. His property is straight line from the operation and within 500'. He is concerned about the loss of value from the operation. A relocated header side would mitigate this. The Board has the option to make stricter requirements. There is almost no natural buffer left after the previous logging operation. He would like to move the quarry 500' westward and no operation occur to the south of the entrance road. He also wants the site monitored and recorded by the town for pollution and noise. Mr. Foglio responds by showing how the road access will be below grade starting 500' from the right of way. At 400' the operation will be 20' below grade. Mr. Foglio explains that DEP will do mandatory inspections. Mr. Kobaly explained that the fault of the Dillon operation lies with the town

since he called Patti Berry and complained several times. Mr. Foglio then read his letter in response to the Linscott's question (sent 2-28-05, 5 pages). Sue then asked to go back to the entrance and asked if there would be an impact to moving the road northward. Mr. Foglio states that they are complying with town regulations and that moving it 100' would not change the noise much. Sue asked how far the Chadbourne site is from her house. He responds that it is within 400'. Sue states that she rarely hears noise except for the back-up alarms. Mrs. Linscott would like for noise levels to be monitored during the summer from her porch. Mr. Linscott reemphasized his concern on pollution from leaking fluids from the trucks. Mr. Foglio explained that Foglio, Inc. tries to be responsible and are conscientious of environmental issues. He explained that any pollutants would have to run up a 20' berm before getting to the stream. Mr. Brown explained that the road will be cut into the ground and that it will be paved. Sue asked Charles when the last traffic study was done and what the rates were. Mr. Brown does not personally have the data with him. Sue states that the increased truck noise has already occurred on Route 5 and that this operation will not affect it. Mr. Linscott still is concerned about the pollution from the operation for 100 years. Mr. Kobaly explained Mr. Linscott's request as moving the pit further to the west. Mr. Foglio explained that the extraction really will not occur before 400' from Route 5. The two acre parcel Mr. Linscott is talking about will be reclaimed soon and will not be traveled on again. Everett stated that we have had the discussion before about leaking fluid from the trucks and it is far less than what is dropped by the trucks on Route 5. Myron Edgerly explained that they had a truck leak and in the process of cleaning it, the state confirmed that traffic causes more pollution. Public hearing closed 8:16 p.m.

II APPOINTMENTS

Oakwood Ridge Subdivision - Map 3 Lot 16

The Selectmen met with the applicant and negotiated a change in the road. As explained by Doug Foglio, Sr., both parties came up with a mutual agreement; a sum of \$60K to be used by the town from the applicant and matched by the town for improvements. Ideally, the town would like to do the work this summer. Road will be widened and curbing added without disturbing the stone walls. The town's portion, if the project were to be done this year, would come from an article. The applicant's funds must be deposited within 30 days of final approval or the plan becomes null and void. Everett asked about the wording for the warrant so that the public understands the need. Doug Foglio, Sr. states he will try his best. Ed Benway, Steve Everett and Peter Bishop from Land Trust Building, LLC are present. Mr. Benway said that they have sent in an erosion control letter and a letter from the postmaster for a bulk mail system.

Sue went over the checklist for past discrepancies. Mr. Benway stated that he had attempted more than six times to get a written recommendation by the fire chief for fire suppression. Tim asked if the delineated wetland was wooded and Steve explained that most of it is wooded. Discussion ensued about Avery Road and any development that

would occur. Since this is a private road, there is no planned development. The only excavation for erosion control would be the grading of Avery Road and for the fire easement. Tim asked about the additional house building on a private road and is it safe for emergency vehicles. Tim is not comfortable with making a decision until we have the fire chief's decision. Since the applicant has tried on numerous occasions to get anything from the chief, Tim recommended that the applicant go to the town administrator to get a decision from the chief. Tim recommends that the project go to peer review, John seconded. Vote was unanimous. Also, we need a recommendation from the chief for the passability of Avery Road and the type of fire suppression. Public hearing could be March 16 or April 6. Earliest for site walk would be March 12 at 9 a.m. Applicant will check with secretary for actual date of public hearing; set at 7 p.m. on whichever date is chosen.

Foglio - North Waterboro Pit Map 16, Lots 1, 4 and 9T

Discussion for permitting resumed. Sue asked about decibel readings and would like to see readings for the site now, before operation begins. Mr. Foglio states that this would interest them. Concerns from the public hearing were answered at that time. The applicant needs to get letters from the Conservation Agency and State Biologist to the Board. Tim asked about posting and restricting access. Mr. Foglio wants to limit liability. He then stated that they would like conditional use permit since the project was satisfied by enough other state agencies to not need peer review. The applicant has asked for a prolonged hydro study to allow for five acres at a time as opposed to the whole site now. Applicant provided copy of DEP permits #577 and #578 for the site (gravel and quarry).

Kurt made a motion to approve the conditional use permit as proposed by Sebago Technics due to oversight by DEP and that the applicant's request for hydro study will be ongoing. As required by DEP, the applicant is to provide the letters from Conservation Agency and State Biologist. Tim seconded the motion. Vote was unanimous. Sue proposes to amend the motion to waive the requirement to have a gate.

III MINUTES OF PREVIOUS MEETINGS

A motion was made by Everett to accept the minutes for the meeting held January 5; Roland seconded. The vote was unanimous with Tim abstaining.

Tim motioned to approve the minutes for the meetings held January 29, February 2 and February 16; Everett seconded. The vote was unanimous with Kurt abstaining.

IV REPORT OF OFFICERS

V OLD BUSINESS

Sue talked about articles for town meeting. There is a discrepancy between what board recommends and what was written for articles; in particular for site plan > **100,000** and subdivisions (there is no major/minor subdivision). Sue will talk with Lisa to correct. The Selectmen will have to do a public hearing 30 days before the town meeting.

VI COMMUNICATION

VII MISCELLANEOUS

VIII NEW BUSINESS

IX ADJOURNMENT

Everett motioned to adjourn at 10:20 p.m.; Roland seconded. Motion carried with all in favor.

Approved Date: _____

Planning Board Meeting Minutes
March 16, 2005
7:00 p.m.

I. ROLL CALL

Board Members Present:	Kurt Clason	Roland Denby
Judy Carll		
	Everett Whitten	Jonathan Raymond
Board Members Absent:	Susan Dunlap	Tim Nelson

Public Present:	Karl Hoose	Robin A. Hoose	Troy
Ireland			
	Sabrina Schultz	William Blake	Scott
Sampson			
	Shawn Stephenson		

Others:	Ed Benway	Patti Berry	Tina
Smith			

II. APPOINTMENTS

7:00 p.m. PUBLIC HEARING, Oakwood Ridge Subdivision Map 3 Lot 16

Kurt Clason, Vice Chair, called the Public Hearing to order at 7:01 p.m. He welcomed the members of the public attending the hearing and introduced Ed Benway, the owner of the proposed subdivision. Mr. Benway explained that the subdivision contained 12 lots, each lot being a minimum of two acres with 200' of road frontage.

Karl Hoose, 228 Avery Road, addressed the board. He stated that Avery Road is currently a discontinued town road and he has invested money in its development and maintenance. He would like to see a plan in place to widen, upgrade and maintain the road on a regular basis. With the addition of thirteen homes, considering two vehicles per family, the road will not support the added use. Both Star Hill and Avery Road need to be upgraded to make this a viable subdivision. Star Hill is a public road that the Selectmen have agreed to upgrade; the Town will pay 50% of the cost to improve the road. Emergency vehicles will have a problem on the road because it is too narrow and has a sharp turn.

Ed Benway responded that they have an opinion from a traffic engineer stating that the improvements to the road will handle the added traffic. Also, he is trying to meet with a representative of the fire department regarding access of emergency vehicles

Troy Ireland, 122 Star Hill Road, stated that there is not enough room to widen the road and provide a ditch between the stone walls. There is also no place to plow snow.

Scott Samson stated that he has lived on Star Hill Road since October. He has a three year old and a one year old, and his family moved there for privacy and safety. The proposed 13 houses means additional traffic. He is concerned that others with property on the road will begin subdividing their property as well and questions if there will be an increase in the number of permits available for additional subdivisions. He also questioned why the developer is not being required to improve both Star Hill and Avery Roads since they both provide access to these lots.

Patti Berry advised that there is a proposal to increase the number of permits for subdivisions to 30 per year but there will only be three permits available per subdivision

William Blake, who lives on Star Hill Road, addressed the Board. He stated that he is concerned about the potential growth of the road for the future. Between the property he owns and that owned by John Perry, there is potential for another 12 lots. He also suggested that the driveways be ganged and setbacks increased.

Sabrina Schultz addressed the Board. She has two children; one in Junior High and one in High School; they must walk to the corner to get the school bus. As more traffic is added, there are safety issues. She wants to maintain the character of the area, preserving the stone walls and old cemetery.

Ed Benway added that the homes must be a minimum of 2,500 square feet with a two car garage. They are also proposing to place two 10,000 gallon cisterns for fire suppression. The cisterns would be placed on Avery Road. Mr. Benway will seek approval from the fire department.

Shawn Stevenson, who has lived in the area for five years, questioned whether the proposed \$120,000 is sufficient to upgrade the roads. The road has been repaired since he has lived there and has already deteriorated. Where will the town be when the road falls apart again?

William Blake questioned the proposed agreement between the Selectmen and the developer. Why were sections of the document crossed out? In his opinion, the developer should put up the entire \$120,000.

Kurt Clason explained that the Planning Board was not involved with the proposed agreement between the Selectmen and Ed Benway. The site walk was rescheduled for Saturday, March 26, 2005, at 9 a.m. (Snow date Saturday, April 2, 2005, at 9 a.m.) The Public Hearing was closed at 7:40 p.m

7:30 p.m. Private Cemetery - Jack E. Haubois, Jr. Map 4, Lot 45A

The Board then met with Leo Harriman. Mr. Harriman was speaking on behalf of Mr. Jack E. Haubois and his request for a private family cemetery on Tax Map 4, Lot #45A. Mr. Haubois is critically ill and has asked Mr. Harriman to seek approval for a 24' X 24 private cemetery. The Board reviewed a letter submitted by Edie Anne Hutchinson citing Maine Law Title 13, Chapter 83. After discussion, a motion was made by Everett Whitten to approve the conditional use permit in accordance with Maine Law Title 13, Chapter 83 re: Cemetery Corporations, Subchapter 11, 1141 and 1142. The motion was seconded by Roland Denby and passed unanimously.

III. MINUTES OF PREVIOUS MEETINGS

February 2, 2005 - Roland Denby made a motion to approve the minutes; seconded by Everett Whitten. Motion carried with a unanimous vote.

March 2, 2005 - Judy Carll made a motion to approve the minutes; seconded by Everett Whitten. Motion carried with a unanimous vote.

IV. REPORT OF OFFICERS

V. OLD BUSINESS

VI. COMMUNICATION

- Letter from Dearborn Construction, Intent to File
- Letter from Patti Berry, CEO to Michael Park, Map 41, Lot 30
- Expense/Revenue Summary Report

VII. MISCELLANEOUS

VIII. NEW BUSINESS

A public hearing was scheduled for Wednesday, April 16, 2005, at 7 p.m. to review the proposed changes to the Site Plan Review Ordinance, Land Subdivision Regulations and Growth Management Ordinance.

IX. ADJOURNMENT

Everett Whitten made a motion to adjourn the meeting at 8:12 p.m. Judy Carll seconded and the motion passed with a unanimous vote in favor.

Approved Date: _____

Planning Board Meeting Minutes
April 6, 2005
7:00 p.m.

I. ROLL CALL

Board Members Present: Judy Carll Kurt Clason Roland Denby
 Susan Dunlap Tim Nelson
 Jonathan Raymond
 Everett Whitten

Public Present: Dwayne Woodsome

Others: Tina Smith

II. APPOINTMENTS

7:00 p.m. PUBLIC HEARING

Susan Dunlap, Chairman, called the Public Hearing to order at 7:00 p.m. The purpose of the hearing was to discuss proposed changes to the Site Plan Review Ordinance, Land Subdivision Regulations and Growth Management Ordinance.

Sue Dunlap began by reviewing the proposed article changes to amend the Site Plan Review Ordinance. Changes to the fee structure will be based on the size of the project. Dwayne Woodsome questioned whether this increase would take care of expenses. He stated that the budget should be decreased; administrative costs for the board should come from the developer and not from taxes. Sue Dunlap responded that any costs for peer review or consultants are borne by the developer. Adjustment to the budget may be made over time, but any monies currently received over budget are returned to the general fund.

The board then discussed Site Plan Review Standards; #16 should read Site Plans greater than 100,000 sq. ft. will be required to provide access to abutting property for possible future development.

No external storage in front or side of parking lot. It was the consensus of the Board that there should not be storage in any areas designated as parking; site plan approval could designate storage areas.

Land Subdivision Regulations; delete reference to major or minor subdivisions.

Growth Management Ordinance; changes the number of permits available to 80

Sue Dunlap added that the Selectmen have authority to make changes to the ordinances and it is not necessary to be presented at the Town Meeting.

The public hearing was closed at 7:26 p.m

7:30 p.m. Informational Meeting with Jeff Amos, Sebago Technics
RE: Goodall Hospital Medical Office Building, Map 5, Lot 5

The Board then met with Jeff Amos, Sebago Technics, and David Whitney, Goodall Hospital. The proposed plan is for a 14,000 square foot medical office building. The property is located on Route 202 and contains 20.36 acres (Map 5, Lot 52) and is in the Village zone. The facility will employ 24; 12 doctors and 12 support staff. The proposal is to include a family practice, center for women's health, radiology and physical therapy facilities.

Jeff Amos stated that they wanted to get Planning Board input prior to finalizing the design. They are proposing to have the water line extended to the facility; it is approximately one-quarter of a mile from the intersection of Routes 202, 5 and 4 and the location of a 12" water line. The building will have an on-site septic system. The buildings currently located on the site will be removed.

The Department of Transportation will require an entrance permit; the entrance to the site is 200 feet from Bennett Hill Road. Jeff Amos stated that traffic under 100 vehicles per hour would not require a traffic study. Tim Nelson suggested that given the number of employees and the possible number of clients per hour, the Board would want to see a traffic study.

The Board reviewed the plan and stated that the road access to the balance of the site would be through the majority of the parking lot. There should be only one entrance to the site that would serve this facility and any future expansion.

In summary, the Board would like to see a proposal for the pick up of medical waste; future plans for the site including a statement that potential expansion would not create a second entrance; traffic study.

III. MINUTES OF PREVIOUS MEETINGS

March 16, 2005

A motion was made by Kurt Clason, seconded by Jonathan Raymond and unanimously carried (Sue Dunlap and Tim Nelson abstained as they were not in attendance at the March 16 meeting) to accept the minutes for the meeting held March 16, 2005.

IV. REPORT OF OFFICERS

Sue Dunlap reported on the site walk that was held on Saturday, March 26, 2005. Board members in attendance were Judy Carll, Kurt Clason, Roland Denby, Susan Dunlap, Jonathan Raymond and Everett Whitten. Also in attendance were Ed Benway and several abutters to the Oakwood Ridge subdivision. Due to the snow, they were not able to walk all of the property lines. There were concerns on the condition of the road; the Selectmen are working with the developer on this. Also mentioned were an association that would be responsible for the maintenance of the road and the procedure for placing the remaining land in a land trust.

V. OLD BUSINESS

VI. COMMUNICATION

Letter from Peggy L. McGehee of Perkins, Thompson, Hinckley & Keddy
RE: Genest Concrete Works, Inc. (dated 3/23/05)

Letter from Natalie L. Burns to Peggy L. McGehee
RE: Genest Concrete Works, Inc. (dated 3/25/05)

Memo from J. T. Lockman, Southern Maine Regional Planning
Commission RE: Birch Woods, Final Plan

VII. MISCELLANEOUS

The Board reviewed an amendment to the Ossipee Landing Subdivision. There was an error on the signed plat that did not accommodate the placement of the homes in the cluster subdivision. A new mylar was presented for signing, but it was the consensus of the board the change be reviewed by the town's attorney to assure that this new wording would remedy the situation.

VIII. NEW BUSINESS

IX. ADJOURNMENT

Kurt made the motion to adjourn at 8:12 p.m. Everett seconded and the motion passed with a unanimous vote in favor.

Approved Date: _____

TOWN OF WATERBORO
PLANNING BOARD MEETING MINUTES
May 4, 2005 at 7:30 p.m

I. ROLL CALL

Board Members Present: Judy Carll Roland Denby Susan
Dunlap
 Jonathan Raymond Everett Whitten
 Kurt Clason (at 8:15 p.m.)

Board Members Absent: Tim Nelson

Others Present: Randy Ross, Roger Bertin, Jr., Wendy Carter, John Carter,
 Richard Menelly, Marian Menelly, Janice Amabile,
 Diane Brooker, Matt Brooker, Lisa Parker, Janice Jarosz,
 Eric Jarosz, Dennis DeMatteo, Barbara Thompson,
 Ed Benway, Tina Smith

II. APPOINTMENTS

Ø **Bradley Merrill (Map 21, Lot 36A) - Set back reduction**

Doug Foglio addressed the Board on behalf of the applicant. The property is located at 18 May Street in the Village Zoning district. The lot is under the required minimum lot size of 80,000 square feet. The applicant is proposing to replace the existing 12' X 60' traile located on the lot with a 12' X 70' trailer and is requesting setback reductions. A motion was made by Roland Denby, seconded by Everett Whitten and carried with a unanimous vote to change the setbacks as follows: (facing May Street) 18' on the right; 25' on the left, 10' on the rear; front setback to remain at 40'. (As there was a quorum, Sue Dunlap did not vote.)

Ø **Janice K. Jarosz (Map 24 Lot 25) - Set back reduction**

Eric Jarosz addressed the board on behalf of the applicant. The applicant is seeking a setback reduction to place a house on the lot. After discussion, it was determined that there was some question regarding the lines as established by the surveyor. Therefore, it was impossible to determine the sideline setback reduction that would be required. As there were significant comments from abutters, the Planning Board scheduled a site walk to be held on Saturday, May 14, 2005, at 9 a.m.

Ø **John Caramihalis - Winslow Meadows Sketch Plan (Map 8, Lot 23-1)**

The Board then met with John Caramihalis, representing Adam Blaikie & Associates, LLC. The applicant presented a five-lot subdivision at the intersection of Townhouse Road and Roberts Ridge Road. The total area to be developed is 11 acres. A 50' right of way will be retained by Mr. Winslow to access his other property. It was suggested that the driveways be ganged using three accesses on the Roberts Ridge Road, instead of five; one driveway between Lots 2 and 3, one driveway between Lots 4 and 5.

A site walk was scheduled for Wednesday, May 18, 2005 at 6:30 p.m.

III. MINUTES OF PREVIOUS MEETINGS

A motion was made by Kurt Clason, seconded by Judy Carll and unanimously carried to approve the minutes for the meeting held April 20, 2005

IV. REPORT OF OFFICERS

V. OLD BUSINESS

Ø **Matt Brooker - West Hill II Amendment**

Matt Brooker met with the Board regarding the West Hill II Amendment. The applicant is dividing Lot 1 into Lot 1A and Lot 1B. Mr. Brooker presented a letter from Chief Birkemose stating that the pond at Ashley Way would be an acceptable fire protection source with the installation of a dry hydrant stand pipe.

Kurt Clason made a motion to accept the plan as drawn, Third Amended Subdivision Plan of West Hill II. The motion was seconded by Roland Denby and unanimously carried.

Ø **Ed Benway - Oakwood Ridge Final Subdivision Plan**

Ed Benway presented the final plan for the Oakwood Ridge subdivision. The final plan was changed to include the 50' wide right of way and the two cisterns as approved by the Fire Chief. After discussion, a motion was made by Kurt Clason to approve the Oakwood Ridge subdivision as provided April 2005. In addition, the Avery Road covenants and the agreement with the Town Selectmen stipulating that Avery Road is a private road must be recorded with the subdivision. The motion was seconded by Roland Denby and unanimously carried.

VI. COMMUNICATION

Ø **Letter to Patti Berry from Natalie Burns, Jensen, Baird, Gardner & Henry, dated 4-20-05 regarding cluster subdivisions**

VII. MISCELLANEOUS

Sue Dunlap stated that she has received many phone calls from abutters regarding the new middle school site and the possible cutting of the buffer strip. After discussion, it was agreed that a letter be sent to the Selectmen raising these concerns.

VIII. NEW BUSINESS

IX. ADJOURNMENT

A motion was made by Everett Whitten, seconded by Judy Carll and unanimously carried to adjourn the meeting at 9:35 p.m.

Approved Date: _____

TOWN OF WATERBORO PLANNING BOARD

*MINUTES
May 18, 2005
7:30 p.m.*

I. ROLL CALL

Board members present:	Judy Carll	Roland Denby	Susan Dunlap
	Tim Nelson	Everett Whitten	
Board members absent:	Kurt Clason	Jonathan Raymond	
Others present:	Troy Jipson	Jennifer Jipson	James Gendron
	Gordon Daney, Jr.	Helene Boucher-Daney	
	Tina Smith		

II. APPOINTMENTS

Ø Troy Jipson (Map 17, Lot 9C) - Setback reduction

The Board met with Troy and Jennifer Jipson. The Jipsons are seeking a front setback reduction to 55' in order to build a garage on their property. This lot is a non-conforming lot of record in the F&A Zone bordering the Little Ossipee River. In February 2003, a front setback reduction to 55' was granted to the previous owners (Travis and Karen Tremblay) in order to construct the house. The Jipsons explained that the house has a daylight basement and could not be placed closer to the back of the lot because of the steep banking behind the house; the garage also cannot be placed closer to the back of the lot.

The Board had been advised by the town attorney that Maine's Law Court, in Sawyer v. Town of Cape Elizabeth, found that the only way to modify dimensional requirements is to seek a variance from the Board of Appeals. After discussion, a motion was made by Judy Carll to table the application awaiting further clarification from the town attorney. The motion was seconded by Everett Whitten and unanimously passed. The board requested that the applicant seek approval from Saco River Corridor Commission. After that approval is received, the Board will determine whether the application should be placed before the Planning Board or the Zoning Board of Appeals.

Ø Helene Boucher-Daney (Map 3, Lot 62-2) - Conditional Use

Helene Boucher-Daney addressed the Board regarding a Conditional Use application to process firewood on their property at 21 Andrews Lane (F&A zone). The applicants will have tree length wood delivered to them; they will cut and split the wood.

The abutters, Mr. & Mrs. Gendron, have a 50' by 200' right of way over this property. After discussion, the Board stated that the conditional use cannot obstruct the easement and the abutters must have access to their property. The right of way issues are a civil dispute.

Tim Nelson made a motion to allow the conditional use with the following stipulations: The hours of operation will be Monday through Friday, 8 a.m. to 7 p.m.; no cutting or processing to be done on Saturday or Sunday; not to exceed 50 cord of wood stored on the property. The motion was seconded by Judy Carll and unanimously carried.

Ø **Sketch Plan - Sand Crossing (Map 1, Lot 26T)**

The preliminary plan for the Sand Crossing subdivision was presented to the Board. There will be four lots on 16.51 acres. The checklist was reviewed. Two items remain open, the anticipated price range and the status of the road. The review from SMRPC noted that the third lot has a shallow building envelope. The possibility of stream protection and resource protection areas needs to be evaluated.

III. MINUTES OF PREVIOUS MEETINGS

A motion was made by Judy Carll, seconded by Susan Dunlap and unanimously carried (Tim Nelson abstaining) to approve the minutes for the meeting held May 4, 2005

IV. REPORT OF OFFICERS

V. OLD BUSINESS

Sue Dunlap reported on the site walk conducted on the Jarosz property, Blueberry Road Map 24, Lot 25. The survey of the property line remains in question with a 6' difference being noted. The applicants will meet with the board when the survey line has been determined.

VI. COMMUNICATION

VII. MISCELLANEOUS

VIII. NEW BUSINESS

IX. ADJOURNMENT

A motion was made by Tim Nelson, seconded by Judy Carll and unanimously carried to adjourn the meeting at 9:10 p.m.

Approved Date: _____

TOWN OF WATERBORO PLANNING BOARD

Meeting Minutes

June 1, 2005

7:30 p.m.

I. ROLL CALL

Board Members present: Judy Carll Roland Denby Susan
Dunlap

Jonathan Raymond Everett Whitten

Board Members absent: Kurt Clason Tim Nelson

Others Present: Doug Foglio, Jr. Charles Brown John
Caramahalís Tina Smith

II. APPOINTMENTS

Ø Alden Pines Condominiums (Map 1, Lot 31T)

As the first appointment was not present, the Board reviewed the Alden Pines Condominiums application. Doug Foglio, Jr. explained that the project is a 20 unit condominium complex located on 22.7 acres, Tax Map 1, Lot 31T. The building plans may be downsized from 2,100 square feet to 1,400 square feet. The proposed community center will likely be eliminated. The project will require a stormwater permit through the Maine Department of Environmental Protection.

Charles Brown, Sebago Technics, reviewed the subdivision plans with the Board. He also presented letters from Sweet Associates, Randy Dyer Well Drilling, Biddeford Savings Bank, and Waterboro Fire Chief Birkemose. Sue Dunlap reviewed the subdivision checklist. Items still outstanding include a common box for mail delivery. The developer needs to check with the Post Office and get a letter regarding placement. The developer also needs to establish a road name and 911 address.

A site walk will be held at 6:00 p.m. on Wednesday, June 15, 2005 and will be followed by a public hearing at 7:30 p.m.

Ø Winslow Meadows (Map 8, Lot 23-1)

John Caramihalis met with the Board regarding the Winslow Meadows subdivision. Mr. Caramihalis has added the fire tank to the subdivision plan as the Fire Chief did not grant the requested waiver. Sue Dunlap reviewed the checklist and noted outstanding items. Driveways for lots one and two need to be on the right of way and the building setback lines for those lots will need to be corrected. The developer agrees to do a nitrate study but seeks a waiver on the high intensity soil survey. The Board will seek a professional opinion on the granting of this waiver. The Board requested a no-disturb 25' green belt, excepting the curb cuts. Mr. Caramihalis added that there will be no deed restrictions on home sizes; lots will sell for \$45,000 to \$50,000.

III. MINUTES OF PREVIOUS MEETINGS

A motion was made by Judy Carll to accept the minutes for the meeting held May 18, 2005. The motion was seconded by Roland Denby and passed with all in favor.

IV. REPORT OF OFFICERS

V. OLD BUSINESS

The Board discussed the proposed changes to the Growth Management Ordinance. The Selectmen will conduct a public hearing on Tuesday, June 7, 2005 to increase the number of growth permits issued to 80. They are also proposing to change Section 5B to read: **older persons as defined by 42 USCA Section 3607.**

This proposed change would again allow dwelling units without growth permits for persons aged 55 or older. However, this change would allow 20% of the residents to be of any age. This is in contradiction to the purposes stated in the Growth Management Ordinance. It also calls into question the conversion of these units eliminating the age restriction and requiring a growth permit. The Planning Board does not support this change as it is contrary to the purposes stated in the ordinance.

A motion was made by Jonathan Raymond to send a letter to the Board of Selectmen stating the Board's opinion of the proposed change. The motion was seconded by Everett Whitten with all voting in favor. (A letter will be drafted and emailed to each board member for review.)

VI. COMMUNICATION

Letter from Charles L. Brown, Sebago Technics
Dated May 17, 2005 RE: Foglio, North Waterboro Pi

VII. MISCELLANEOUS

VIII. NEW BUSINESS

IX. ADJOURNMENT

A motion was made by Everett Whitten to adjourn the meeting at 9:40 p.m. The motion was seconded by Judy Carll and unanimously carried.

Approved Date: _____

TOWN OF WATERBORO PLANNING BOARD

*Meeting Minutes
June 15, 2005
7:30 p.m.*

I. ROLL CALL

Board Members Present: Judy Carll Kurt Clason Roland Denby
 Susan
Dunlap Tim Nelson Jonathan Raymond
 Everett Whitten

Others Present: Doug Foglio, Jr. Charles Brown Eric Jarosz
 Tina Smith

Board members (Susan Dunlap, Kurt Clason, Roland Denby, Everett Whitten, Judy Carll) had conducted a site walk at 6:30 p.m. at the Alden Pines Condominiums. There were no members of the public in attendance.

II. APPOINTMENTS

7:30 p.m. Public Hearing

Ø **Alden Pines Condominiums (Map 1, Lot 31T)**
 Foglio Land Development Co., LLC

Susan Dunlap opened the public hearing at 7:30 p.m. There were no members of the public in attendance. Charles Brown, Sebago Technics, explained that since their last meeting with the board on June 1, 2005, the building plans have been altered. They will be two bedroom residences, including an office on the second floor, with an oversized one-car garage. The community center has been eliminated and replaced with another dwelling unit, making 20 units in total. Names have been assigned to the two roads, Alden Pines Drive and Sylvia Circle. The landscape plan has been altered to conform to the revised size of the buildings. The project will proceed in two phases, as shown on the plan. Note 14 was added to the plan addressing the requirements of the FFHA as approved by the Selectmen. The signature block was also added to the plan. The septic designs were updated for two bedroom units.

Doug Foglio Jr. added that the association agreement was not yet finished. Sue Dunlap received assurance from Ken Cole that this association is the only type that the FFHA allows the town to monitor and the secretary of the condominium association must keep a

record of the residents.

There being no further comments, the public hearing was closed at 7:44 p.m.

The Board began a review of the check list of the preliminary subdivision plan for Alden Pines. The internal roads will always be considered driveways owned and maintained by the condominium association. The CMP easement has been shown on the plan. Conditional use will also be required for this plan because it is a multifamily residence in the Residential Zone. A motion was made by Kurt Clason to accept the preliminary subdivision plan dated June 15, 2005, stipulated as a community for older persons, no persons under the age of 18 may reside full time on these premises. The motion was seconded by Everett Whitten and unanimously carried.

A motion was made by Everett Whitten to send the plan for limited peer review, excepting storm water management; DEP storm water permit should be finalized in July. The motion was seconded by Tim Nelson and unanimously carried.

Ø **Janice K. Jarosz (Map 24, Lot 25) - Setback reduction**

The board then met with Eric Jarosz regarding the property located on Blueberry Road.

The Board reviewed the following information: DEP Field Determination Form ID 3843 a plat showing *Plan of Camp Lots of Ronald Jarosz on Middle Branch Pond* filed in the York County Registry of Deeds Plan Book 27, Page 59 and showing a Lot #8 as a right of way (current Map 24, Lot 25); statement from CMP to the Code Enforcement Officer (Butch Gannett) that the power line right of way is 15' wide

After a procedural discussion, the applicant withdrew the application from consideration. The applicant will send a letter to the Board stating that they have withdrawn their application.

III. MINUTES OF PREVIOUS MEETINGS

A motion was made by Judy Carll to accept the minutes for the meeting held June 1, 2005. The motion was seconded by Jonathan Raymond and carried (Kurt Clason abstained from voting).

IV. REPORT OF OFFICERS

V. OLD BUSINESS

VI. COMMUNICATION

VII. MISCELLANEOUS

VIII. NEW BUSINESS

IX. ADJOURNMENT

Approved Date: _____

TOWN OF WATERBORO PLANNING BOARD

Meeting Minutes

July 6, 2005

7:30 p.m.

I. ROLL CALL

Board Members Present:	David Benton	Judy Carll	Roland Denby
	Susan Dunlap	Tim Nelson	
Jonathan Raymond	Everett Whitten		
Others Present:	Chris Walker	Ron Woodward	Brad
Elliott			
	Lisa Barden	Robert Barden	Tina
Smith			

II. APPOINTMENTS

Ø **Gary Shelton (Map 32, Lot 1-8) Setback reduction, 16 Betty Lane**
Chris Walker, American Dreamspace

Chris Walker addressed the board regarding a sideline setback reduction in order to place a sunroom addition on the home at 16 Betty Lane.

The property consists of two lots of the Birch Crest subdivision, lot 1-8 is 21,663 sq ft and lot 1-9 is 32,519 sq ft. The dwelling received an occupancy permit in 2000. The assessor has joined the two lots; however the combined lot is less than the 80,000 sq ft requirement of the AR zone. Tim Nelson states that this is clearly a variance issue as it doesn't meet the criteria of Section 2.08 or Section 3.03 of the ordinance. Sue Dunlap feels that the Planning Board has the authority to reduce the setback because the lot is non-conforming. After discussion, a motion was made by Everett Whitten to request clarification from the town attorney. The motion was seconded by Tim Nelson and unanimously carried (David Benton abstained).

Ø **Ossipee Estates (Map 3, Lot 58) - Revision to final subdivision plan**
Ron Woodward, GWG Properties

Ron Woodward, GWG Properties, addressed the board regarding the Ossipee Estates

subdivision. The plan received final subdivision approval on February 2, 2005. Three of the eight lots in the subdivision had septic plans approved that would require a pretreatment system. Mr. Woodward presented documentation from R.W. Gillespie & Associates, Inc. showing revised test pit and disposal field locations proposed for Lot 2, Lot 6 and Lot 7. After a review of the information, a motion was made by Tim Nelson to accept the plans as revised. The motion was seconded by Jonathan Raymond and carried unanimously.

Ø **Selah Subdivision (Map 6, Lot 33) - Preliminary Plan**
 Brad Elliott

Brad Elliott addressed the board regarding the Selah subdivision. The property is identified as Tax Map 6, Lot 33 and located off Middle Road. Sue Dunlap reviewed the Preliminary Subdivision Checklist and noted the following items were outstanding: information on the hydrogeology study, mail delivery information, storm sewers, catch basins and culverts. A site walk was scheduled for Wednesday, July 20, 2005, at 6:00 p.m. During the site walk, the Board will review the proposed road layout and turnaround, driveway locations and sidewalks. The applicant will notify abutters of the site walk and public hearing. The Board requested that lot corners and driveways be marked prior to the site walk. The peer review will be requested when the road layout and hydrogeology information is received.

Ø **Ossipee Hill Terrace (Map 4, Lot 12A) - Preliminary Plan**
 Lisa and Robert Barden

Robert and Lisa Barden addressed the board regarding Ossipee Hill Terrace. The property is identified as Tax Map 4, Lot 12-A. The applicants are proposing to develop three duplexes (six units, 1200 sq ft each) on 12.27 acres. Sue Dunlap reviewed the Preliminary Subdivision checklist and noted the following items were outstanding: width of adjacent streets, deed description of parcel being subdivided, hydrogeological impact study, utility easement location, mail delivery information, erosion control and stormwater drainage plan, street signs and locations. The edge of the pavement appears to be 104' from the edge of the brook, this will need to be measured considering the 100' shoreland setback. The water shed for Shaker Pond was also questioned. The applicant will have the engineer address these concerns.

As this is a cluster subdivision, the balance of the land must be set aside; it cannot be sold separately from the buildings or used for any other purpose. A homeowner's association may need to be formed to assure the maintenance of the road. A growth permit will be required for each unit.

A site walk was scheduled for Wednesday, August 3, 2005, at 6:30 p.m. The applicant will notify abutters of the site walk and public hearing. During the site walk, the Board will

review the proposed road layout, driveway locations and sidewalks. The Board requested that the road, building and lot corners be marked prior to the site walk.

III. MINUTES OF PREVIOUS MEETINGS

Everett Whitten made a motion to accept the minutes for the meeting held June 15, 2005. The motion was seconded by Roland Denby and unanimously carried.

IV. REPORT OF OFFICERS

V. OLD BUSINESS

VI. COMMUNICATION

VII. MISCELLANEOUS

VIII. NEW BUSINESS

IX. ADJOURNMENT

Tim Nelson made a motion to adjourn the meeting at 9:37 p.m. The motion was seconded by Judy Carll and unanimously carried.

TOWN OF WATERBORO PLANNING BOARD

*Meeting Minutes
July 20, 2005
7:30 p.m.*

I. ROLL CALL

Board Members Present: David Benton Judy Carll Roland Denby
 Tim Nelson Everett Whitten

Board Members Absent: Susan Dunlap

Others Present: Brad Elliott Steve Johnson
 Ryan Cloutier
 Butch Gannett Tina Smith

II. PUBLIC HEARING - 7:30 P.M.

Selah Subdivision

Everett Whitten opened the public hearing at 7:30 p.m. Steve Johnson, an abutter to the Selah subdivision, said that he supported the project.

David Benton stated that items from the preliminary checklist were not complete for the site walk. Incomplete items included proper right of way turn around access, street elevation and grades, stakes not placed at the pavement width.

As there were no other comments, the public hearing was closed at 7:38 p.m.

III. APPOINTMENTS

Ø Selah Subdivision (Map 6, Lot 33) - Preliminary Plan

Brad Elliott reviewed the preliminary subdivision plan with the Board. He stated that the Groundwater Impact Study had been conducted by Sweet Associates. He also had a note from the Post Office approving an installation on the road for the four boxes. The Fire Department has agreed to the name of *Selah Lane* for the private road. The Board asked that the following items be added to plan: utility easement, 911 address numbers shown at 50' intervals, proper right of way turn around access, fence and 25' buffer around the cemetery. The Board also required the road elevations and erosion control measures.

Ø **Winslow Meadows (Map 8, Lot 23-1) - Preliminary Planning Board**

Ryan Cloutier, SGC Engineering, reviewed the preliminary plan for Winslow Meadows with the Board. The plan now shows Lot 1 and Lot 2 sharing access on the 50' right of way. Lot 3 and Lot 4 have a shared access; Lot 5 has its own access. The Board requested that these accesses be widened. The applicant requested a waiver of the Drainage Plan, High Intensity Soil Survey and Hydrogeologic Impact Study. After discussion, Tim Nelson made a motion that the Board not grant the requested waivers. The motion was seconded by David Benton and carried unanimously. The Preliminary Subdivision Plan checklist was reviewed by the Board. Outstanding items included the Hydrogeological Impact Study, Erosion Control and Stormwater Drainage Plans, street signs and locations. Deed restrictions will include a 25' buffer and shared driveway access. The Road Commissioner will make the determination of the required culverts.

Ryan Cloutier stated that Adam Blaikie & Associated is reserving fee in the land for the 50' wide right of way. This right of way will require a street name. The plan as presented showed proposed locations for the homes and septic fields. The Board suggested that these locations be taken off the plan or a note added which stated that the houses are shown for demonstration purposes.

Tim Nelson made a motion to send out the Hydrogeological and Nitrate Studies for peer review as soon as they are provided by the applicant. The motion was seconded by David Benton and unanimously carried.

IV. MINUTES OF PREVIOUS MEETINGS

A motion was made by Judy Carll to accept the minutes for the meeting held July 6, 2005. The motion was seconded by Tim Nelson and unanimously carried.

V. REPORT OF OFFICERS

VI. OLD BUSINESS

**Gary Shelton (Map 32, Lot 1-8) Setback reduction, 16 Betty Lane
Letter from Natalie Burns, Jensen, Baird, Gardner & Henry**

The letter from Natalie Burns stated that the Zoning Board of Appeals would need to decide on Mr. Shelton's request for a setback reduction. The Board agreed that any monies paid be applied to the ZBA application.

VII. COMMUNICATION

A letter was received from the Hollis Planning Board stating that they would be reviewing the Hidden Brook subdivision (Kevin Martel) at their meeting on July 26, 2005. Mr.

Martel also owns property in Waterboro with access through the Hollis portion of this subdivision.

Butch Gannett addressed the Board concerning the Bartlett Pines subdivision, Phase II. This plan was approved by both the Lyman and the Waterboro Planning Boards in 2001. The Waterboro portion of the subdivision was in the A&R zone and stated that the setbacks were 75' front and 35' side and rear. The envelopes were incorrectly drawn on the plan. The Board agreed that BH2M should redraw the plan to agree with the notes.

VIII. MISCELLANEOUS

IX. NEW BUSINESS

X. ADJOURNMENT

Tim Nelson made a motion to adjourn the meeting at 9:09 p.m. David Benton seconded the motion and it carried unanimously.

TOWN OF WATERBORO PLANNING BOARD

*Meeting Minutes
August 3, 2005
7:30 p.m.*

I. ROLL CALL

Board Members Present: David Benton Judy Carll Roland Denby
 Susan Dunlap Tim Nelson Everett
Whitten

Others Present: Robert Barden Lisa Barden John
McCaw
 Jennifer Roberts Tina Smith
 Jonathan Raymond

II. PUBLIC HEARING - 7:30 P.M.

Ossipee Hill Terrace

Sue Dunlap called the public hearing to order at 7:38 p.m.

Lisa Barden stated that they are planning to develop three duplex units on the 12.27 acre parcel. All of the units will be positioned before the brook; the balance of the acreage will not be developed. The road will be placed all the way to the far right side of the property; buildings will be situated on the left. Each unit will have two or three bedrooms and its own driveway. The road will be 550' and end in a hammer head turn.

Jennifer Roberts expressed her concerns regarding her mother's house (Cibelli-McNeil) which is currently under construction. The well for units 5 and 6 is less than 100' from their proposed leach field. The placement of their well has not yet been determined.

John McCaw asked about the use of the woods road. He does not currently have a right a way over this property, but would like to.

Sue Dunlap explained that the Board just returned from a site walk of this property. The following list of concerns will be forwarded to the developer

- Ø Unit 1/2
 Setback from the pond
- Ø Unit 3/4
 Setback from the wetland; measured 8' on the back and 0' on the

- Ø front
Unit 5/6
Distance from well to Cibelli-McNeil septic and well
Building side setback of 35
- Ø Location of septic from the road
Measured 8'
- Ø Road width of 18'
Sebago Technics to engineer how much to fill
4,300 square feet that DEP allows to be filled
- Ø Impact on neighboring properties of filling in pond

Sue Dunlap closed the public hearing at 8:25 p.m.

III. APPOINTMENTS

- Ø **Ossipee Hill Terrace - Map 4, Lot 12A**
Robert & Lisa Barden

IV. MINUTES OF PREVIOUS MEETINGS

A motion was made by Tim Nelson to approve the minutes for the meeting held July 20, 2005. A motion was seconded by Everett Whitten and unanimously carried.

V. REPORT OF OFFICERS

VI. OLD BUSINESS

VII. COMMUNICATION

A memo from the Selectman was reviewed that requested a Zoning change. Owners of Tax Map 8 Lot 6, Lot 7A and Lot 7B are requesting a change from Agricultural to Village zone. After discussion, the Board decided to hold a Public Hearing to discuss a possible zone change to the General Purpose District. The area along Route 5 between the Center Waterboro Village District and the East Waterboro Village District will be discussed.

VIII. MISCELLANEOUS

IX. NEW BUSINESS

X. ADJOURNMENT

At 8:45 p.m., Tim Nelson made a motion to adjourn the meeting. The motion was seconded by Everett Whitten and unanimously carried.

TOWN OF WATERBORO PLANNING BOARD

*Meeting Minutes
August 17, 2005
7:00 p.m.*

I. ROLL CALL

Board Members Present:	David Benton	Judy Carll	Donald
Day	Roland Denby	Susan Dunlap	
Tim Nelson	Everett Whitten		
Others Present:	Tom Seery	Ken Grant	
Juliette Grant			
Rodger Allen	Annette Allen	Jonathan Raymond	
		Tina Smith	

II. PUBLIC HEARING - 7:00 P.M.

Susan Dunlap called the Public Hearing to order at 7:05 p.m. The purpose of this hearing is to receive public comment regarding a possible zone change to the General Purpose District. Under consideration is the area along Route 5 between the Center Waterboro Village District and the East Waterboro Village District. Sue Dunlap explained that the process is in the very early stages and the Planning Board is trying to get input from interested citizens. A letter in support of the change was received from Bob Fay.

Tom Seery addressed the Board. He explained that he, along with his neighbors (Ken Grant, Rodger Allen, Annette Allen) originally submitted a request to the Board of Selectmen to change their lots from Agricultural to Village Zone. Their properties are located on the north side of Sokokis Trail (Map 8, Lot 7, Lot 7A and Lot 7B). Ken Grant added that both sides of the road should be the same zone. His home is located in the AR Zone across from the diner in the General Purpose. This has caused problems with headlights and noise.

Sue Dunlap explained that changing to a General Purpose Zone would be in keeping with the Comprehensive Plan. The General Purpose Zone would allow uses of 100,000 square feet or less of store area, manufacturing area or warehousing. Conditional use permits would include areas over 100,000 square feet. She added that the Planning Board would conduct a workshop and public hearings before the proposed change would be submitted to the Board of Selectmen.

There being no further comment, the public hearing was closed at 7:38 p.m.

III. APPOINTMENTS

Ø Selah Subdivision (Map 6, Lot 33) - Preliminary Plan Brad Elliott

Brad Elliott met with the Board regarding the Selah Subdivision. He submitted a letter from the Post Office approving the mailbox location.

Sue Dunlap reviewed the Preliminary subdivision checklist. The following items were noted:

- Ø Remove 'proposed' from plan on turn around
- Ø Pavement width changed to 22'
- Ø Final plan should have additional pages for the road and erosion control
- Ø Scale needs to be no smaller than 1" = 60'

Brad Elliott will place stones around the cemetery to serve as the 25' buffer.

A motion was made by Everett Whitten, seconded by Roland Denby and unanimously carried to allow the dead end road to exceed the 600' maximum. The road is 754' feet long.

IV. MINUTES OF PREVIOUS MEETINGS

A motion was made by Tim Nelson to approve the minutes for the meeting held August 3, 2005. The motion was seconded by Judy Carll and unanimously carried.

V. REPORT OF OFFICERS

Election of Officers

A motion was made by Tim Nelson to elect Sue Dunlap as Chairman. The motion was seconded by David Benton and unanimously carried.

A motion was made by Dave Benton to elect Tim Nelson as Vice Chairman. The motion was seconded by Judy Carll and unanimously carried.

A motion was made by Judy Carll to elect Everett Whitten as Secretary/Treasurer. The

motion was seconded by David Benton and unanimously carried.

VI. OLD BUSINESS

Scott Dube presented a mylar for a revision to Bartlett Pines Phase II subdivision. Butch Gannett had explained the situation to the board at a previous meeting. The building envelopes as shown on the original plan were incorrectly drawn. Lots 1 and 2 were corrected. Sue Dunlap stated that the right of way over the Hirsch property has not been defined and should only be referenced on the plan.

After a review of the mylar, a motion was made by Tim Nelson to accept a corrected mylar which included signature and seal of the surveyor and a correction to the right of way over the Hirsch lot. The motion was seconded by Everett Whitten and unanimously carried.

Sue Dunlap advised that she attended the Planning Board meeting in Hollis for their review of the Martell subdivision. A portion of one lot is in Waterboro. The proposed 50' right of way has been eliminated from the final plan.

VII. COMMUNICATION

VIII. MISCELLANEOUS

IX. NEW BUSINESS

After discussion, it was agreed that the Planning Board packets would be hand delivered to the Board members.

X. ADJOURNMENT

A motion was made by Tim Nelson to adjourn the meeting at 8:45 p.m. The motion was seconded by Everett Whitten and unanimously carried.

TOWN OF WATERBORO PLANNING BOARD

*AGENDA
September 7, 2005
7:30 p.m.*

I. ROLL CALL

Board Members Present: David Benton Judy Carll Donald Day
 Roland Denby Susan Dunlap Tim
Nelson
 Everett Whitten

Others Present: Brad Elliott Butch Gannett
 Jonathan Raymond
 Tina Smith

II. APPOINTMENTS

Ø Selah Subdivision (Map 6, Lot 33) - Final Plan Brad Elliott

Brad Elliott met with the board for final approval of the Selah subdivision. Sue Dunlap reviewed the final checklist. All of the outstanding items were resolved. The erosion control plan and road cross sections were printed on 8 ½" by 11" paper. The Board requested that these items be placed as page 2 of the final full sized plan. A motion was made by Tim Nelson to approve the plan with the addition of the second page. The motion was seconded by Everett Whitten and carried unanimously. The applicant will bring the mylars showing page 1 of 2 and page 2 of 2 to the office and the Planning Board members will sign them.

Ø Butch Gannett - School Project - Alfred Road Entrance

Butch Gannett spoke to the board about a possible change to the school entrance. According to the approved plan there was a turn lane; DOT has done a study and is recommending that the turn lane be removed for safety reasons. After discussion, the Board agreed that any change should be submitted for review. Preferably, this review should be done by the same person who did the previous traffic study of this project.

Butch Gannett also advised that the School Board will tour the new school site. He will

make arrangements for the Planning Board to join them.

III. MINUTES OF PREVIOUS MEETINGS

Donald Day asked that the minutes for the meeting held August 17, 2005, be corrected to add Juliette Grant as an attendee. Tim Nelson moved to accept the minutes, as amended. Judy Carll seconded and the motion carried unanimously.

IV. REPORT OF OFFICERS

V. OLD BUSINESS

VI. COMMUNICATION

A letter from Brian & Lori Gagne was reviewed by the Board. The property (Map 8, Lot 2) they would like to purchase is currently zoned General Purpose. Their proposed use, automobile repair facility, is neither permitted nor conditional in this zone. The minutes of the public hearings for the General Purpose Zone will be reviewed to make sure this use was not omitted. A letter will be sent to them.

VII. MISCELLANEOUS

A workshop will be held at the next meeting, September 21, 2005, to review the proposed General Purpose Zone and road standards.

There will be a joint meeting with the Lyman Planning Board on Wednesday, October 5, 2005, at 7 p.m. to review the revision to the Bartlett Pines II subdivision. This meeting will be held in the Lyman Town Office

Jensen Baird Gardner & Henry will be conducting their *Municipal Client Seminar* on Thursday, September 22, 2005. Sue Dunlap, David Benton and Tim Nelson will attend

The Planning Board's appointment to *Taylor House Committee* was discussed. Roland Denby is the current appointee but does not feel he can continue. By consensus, Judy Carll was appointed.

VIII. NEW BUSINESS

IX. ADJOURNMENT

A motion was made by Tim Nelson to adjourn the meeting at 8:35 p.m. The motion was seconded by Everett Whitten and unanimously carried.

TOWN OF WATERBORO PLANNING BOARD

*AGENDA
September 21, 2005
7:30 p.m.*

I. ROLL CALL

The meeting was opened at 7:30 p.m. by Tim Nelson, Vice Chair

Board Members Present: Judy Carll Donald Day Roland
Denby

Tim Nelson Everett Whitten

Board Members Absent: David Benton Susan Dunlap

Others Present: Lisa Barden Robert Barden
Charles Brown

John Caramihalis Jonathan Raymond Tina
Smith

II. APPOINTMENTS

Ø **Ossipee Hill Terrace (Map 4, Lot 12A) - Preliminary Plan
Lisa and Robert Barden**

Charlie Brown, Sebago Technics, addressed the Board regarding the changes to the project. The units are now proposed to be condominiums with a private driveway serving them. The entrance will be in the same location. The location of the neighboring wells and septic systems are shown on the plan. The three units have been relocated to accommodate well exclusion zones, abutters' wells and septic systems, and nitrate plumes. DEP will allow up to 4,300 square feet of the pond to be filled to construct the access road; the proposed area of fill is 4,270 square feet.

Mr. Brown requested a waiver of the high intensity soil survey. After discussion, Judy Carll made a motion that the Board not waive the requirement of the high intensity soil survey. The motion was seconded by Roland Denby and unanimously carried.

A letter submitted by Sebago Technics in reponse to concerns raised at the August 2005 Planning Board meeting and by Paul Schumacher, SMRPC, was received in the office on September 19, 2005. This did not allow the board members ample time to review these

items. Judy Carll made a motion to table further review. The motion was seconded by Everett Whitten and unanimously carried. The applicant will be placed on the agenda for the next available meeting.

Ø **Winslow Meadows (Map 8, Lot 23-1) - Preliminary Plan**
John Caramihalis

John Caramihalis addressed the board regarding the Winslow Meadows subdivision. Tim Nelson reviewed the checklist. The board requested that a detail sheet be added to the plan showing the basic erosion and sedimentation information. The applicant must seek approval for the road name with the 911 Coordinator, Patti Berry. A street sign will also be required. A motion was made by Everett Whitten to send the application for peer review. The motion was seconded by Roland Denby and unanimously carried.

A motion was made Everett Whitten to accept the preliminary plan. The motion was seconded by Roland Denby and unanimously carried.

III. MINUTES OF PREVIOUS MEETINGS

Judy Carll made a motion to accept the minutes for the meeting held September 7, 2005. The motion was seconded by Everett Whitten and unanimously carried.

IV. REPORT OF OFFICERS

V. OLD BUSINESS

VI. COMMUNICATION

VII. MISCELLANEOUS

VIII. NEW BUSINESS

IX. ADJOURNMENT

A motion was made by Judy Carll to adjourn to the Workshop portion of the meeting at 8:00 p.m. The motion was seconded by Everett Whitten and unanimously carried.

TOWN OF WATERBORO PLANNING BOARD

*Meeting Minutes
October 5, 2005
7:00 p.m.*

Board Members Present:	David Benton	Judy Carll	Donald Day
	Roland Denby	Susan Dunlap	
Board Members Absent:	Tim Nelson	Everett Whitten	
Lyman Planning Board:	Roger Irving	Christal Tuttle	
	Ronald Stewart		
Others Present:	John Riordan	William Kany	Rick Lockwood

The Waterboro Planning Board held a joint meeting with the Lyman Planning Board at the Lyman Town Office. John Riordan, SGC Engineering, spoke on behalf of the applicant. The purpose of the meeting was to review an application from Denwood Builders for a division of Lot 6 of the Bartlett Pines subdivision. They are proposing to subdivide Lot 6 into three lots; one lot will consist of the property and home currently owned by Frank Goodreau and two additional lots. The Lyman subdivision regulations require underground utilities and sidewalks.

Roger Irving stated that the applicant had agreed to the underground utilities during the site walk and that the sidewalk can be a four foot sidewalk delineated by a white line. The applicant requested a waiver of the sidewalk requirements because there are no sidewalks in the existing subdivision. The Lyman CEO explained that the sidewalk requirement is not a waivable item.

The applicant proposed to install a tank to the left of the intersection for fire suppression. Sue Dunlap stated that there should be a minimum of a 20,000 gallon fire cistern that would be maintained by the homeowners association.

There was discussion about the financial impact to current lot owners in the subdivision because it will change the amount of association fees that they pay. Attorney William Kany stated that the two new lots will pay for the maintenance of the fire tank and new section of road and will contribute to Bartlett Pines 1 and 2 fees. Sue Dunlap responded that the Waterboro subdivision ordinance requires that interested parties consent to the

proposed changes.

Ronald Stewart motioned to have the utilities go underground for the two new lots. Christal Tuttle seconded; all in favor. (Lyman Planning Board)

The subdivision checklists were reviewed. Christal Tuttle motioned to approve the preliminary plan for a subdivision pending the test pit data, the 20,000 gallon cistern and the utilities being underground. Ron Stewart seconded; all in favor (Lyman Planning Board)

David Benton motioned to have the hydrological study done at a later date. The motion was seconded by Judy Carll and carried unanimously.

A public hearing was scheduled for Wednesday, October 26, 2005, at 7 p.m. in Lyman.

TOWN OF WATERBORO PLANNING BOARD

*Meeting Minutes
October 19, 2005
7:30 p.m.*

I. ROLL CALL

Board Members Present: David Benton Judy Carll Donald
Day

Everett Whitten Roland Denby Susan Dunlap

Board Members Absent Tim Nelson

Others Present: Frank Heacock John Hutchins
Bruce Lewis
Lisa Barden Robert Barden Patti Berry
Jonathan Raymond Tina Smith

II. APPOINTMENTS

Susan Dunlap, Chairman, called the meeting to order at 7:34 p.m.

Ø **Setback reduction**
Mark & Elaine Noonan, Map 45, Lot 1421

This item was removed from the agenda because the applicant did not notify abutters in a timely manner.

Ø **Setback reduction**
Sunnyside Cottages, Map 28, Lot 17A

Frank Heacock addressed the board regarding a setback reduction for Sunnyside Cottages. The applicant would like to construct a 28' by 34' home with attached garage and porch. The lot is not within 100' of the lake and is zoned AR. This is a legal non conforming lot of record containing 13,950 square feet. The streets shown on the plan are 'paper' streets, not actually constructed; however, some adjoining landowners have a right of way over these streets. The home will use the same water system as Sunnyside Cottages and will have its own septic system. After discussion, Everett Whitten made a motion to establish the following building envelope: 25' from Ossipee Street, 10' from 'nd street, 20' from lots 16 and 17; the structure must also maintain a minimum 20' setback from any other structure. The motion was seconded by Roland Denby and unanimously

carried.

Ø **Preliminary Plan**
 Sand Crossing Subdivision, Map 1, Lot 26T

John Hutchins from Corner Post Land Surveying addressed the board concerning the Preliminary Plan for the Sand Crossing subdivision. This proposed subdivision is four lots on 16.5 acres. The main issue is the status of the road. The determination must be made if the road has been abandoned or discontinued, and what portion of the road is affected. The applicant has been asked to research the town records and provide adequate information to determine the current status of the road.

Ø **Final Plan**
 Birch Woods Subdivision, Map 11, Lot 17

Bruce Lewis met with the Board regarding the final plan for the Birch Woods subdivision. The Board reviewed the comments from SMRPC; the Road Maintenance Agreement and Town Road Entrance Permit were previously received. The applicant must seek approval from the E911 Coordinator regarding the road name and house numbering. A minor correction to note 23 (removing duplicate wording) will be made to the mylar. Everett Whitten made a motion to grant the following waivers: dead end road length of 700', rebar monummentation except for four granite monuments, on site monitoring wells not required. The motion was seconded by Judy Carll and passed unanimously.

Everett Whitten made a motion to accept the final plan with the following items to be provided: signature of owner/developer, references to the detail sheets and their dates, approval of the road name. The motion was seconded by David Benton and unanimously carried.

III. MINUTES OF PREVIOUS MEETINGS

A motion was made by Judy Carll to accept the minutes for the meeting held September 21, 2005. The motion was seconded by Everett Whitten and unanimously carried (David Benton and Susan Dunlap abstained as they did not attend the meeting.)

A motion was made by Roland Denby to accept the minutes for the meeting held October 5, 2005. The motion was seconded by David Benton and unanimously carried (Everett Whitten abstained as he did not attend the meeting.)

IV. REPORT OF OFFICERS

V. OLD BUSINESS

Ø **Preliminary Plan**

Ossipee Hill Terrace, Map 4, Lot 12A

Lisa and Robert Barden met with the board regarding the preliminary plan for the Ossipee Hill Terrace. The plan has been changed from duplex apartments to condominium units; placement of all of the buildings has changed; the road has been changed to a driveway. The Board reviewed the site plan prepared by Sebago Technics. The well exclusion zone on sheet 3 impacts the neighboring properties. Other issues included the road frontage; 900' of road frontage would be required for six units, this may be reduced by 50% for cluster subdivisions. A fire cistern would also be required. Comments from Patti Berry (CEO) and SMRPC were given to the applicant. They will review comments and checklists with Sebago Technics prior the next review of the subdivision.

VI. COMMUNICATION

VII. MISCELLANEOUS

VIII. NEW BUSINESS

IX. ADJOURNMENT

A motion was made by David Benton to adjourn the meeting at 9:55 p.m. The motion was seconded by Everett Whitten and unanimously carried.

TOWN OF WATERBORO PLANNING BOARD

*AGENDA
November 2, 2005
7:30 p.m.*

I. ROLL CALL

Board Members Present: David Benton Judy Carll Donald Day
Roland Denby Susan Dunlap Tim
Nelson
Everett Whitten

Others Present: Mark Noonan Matt MacGown William Welch
Katherine Joyce John Swan
Jonathan Raymond
Patti Berry Tina Smith

II. APPOINTMENTS

Susan Dunlap, Chair, called the meeting to order at 7:30 p.m.

Ø Setback reduction
Mark & Elaine Noonan, Map 45, Lot 1421

Matt MacGown addressed the board regarding a setback reduction for Map 45, Lot 1421. The property is located on Crescent Drive in Lake Arrowhead. The lot is 18,000 square feet and located in the VR Zone. The Planning Board has authority to hear this under Section 2.08 of the Zoning Ordinance because the lot is under the minimum lot size of 20,000 square feet required in the VR Zone. The applicant is requesting a setback reduction from the road to 25'; the ordinance requires 40'. The applicant is able to meet all other setbacks, including 100' from the water.

The Board reviewed information provided by the Code Enforcement Officer and the plan provided by the applicant and noted that the septic system was not shown on the plan. It does not appear that the septic system can be placed in the allotted space between the structure and the road and meet the required setbacks from the road and the building.

A letter from an abutter, Lou Ryzman, was reviewed by the Board. Mr. Ryzman is opposed to a setback reduction for this lot and viewed it as a 'violation of current building codes.' The Board noted that it is a lot owner's right to request a setback reduction and that granting a setback reduction is not a violation of the building code. Mr. Ryzman also has some questions about the Lake Arrowhead regulations. The Planning Board does not enforce any of the Lake Arrowhead restrictions.

After discussion, Tim Nelson made a motion that the applicant have a boundary survey done to include placing the home and septic system on the lot. The applicant is to present this information for Planning Board review at another meeting. The motion was seconded by Everett Whitten and unanimously carried.

Ø Relocate existing building within Shoreland Zone
Anthony & Kathleen Manfredi, Map 38, Lots 38 and 39

Mr. William Welch addressed the board regarding the relocation of an existing building. Anthony and Kathleen Manfred, Map 38 Lots 38 and 39, would like to move their 26'6" x 35' home with attached deck. Their property along West Shore Road has been affected by excavation of the road. They are requesting to move the camp from its partial foundation and place it on a full foundation on the portion of their property that has been lowered by this excavation. After discussion and review of information provided by the Code Enforcement Officer, Everett Whitten made a motion that the Planning Board approve the request to relocate the existing building with the stipulation that the applicant provide a survey showing that the relocated building is no closer to the water than the existing structure. The motion was seconded by Judy Carll and unanimously carried.

Ø Preliminary Plan - Bernard Heights East/Bernard Heights West
Les Bois Carthage, Map 11, Lots 66T and 67T
Map 14, Lots 43T, 44T and 45T; Map 17, Lot 4'

Katherine Joyce (Perkins Thompson Hinckley & Keddy) and John Swan (Owen Haskell, Inc.) addressed the board regarding the Bernard Heights subdivision. This is a 39 lot subdivision of 2,200 acres. The Board reviewed comments submitted by SMRPC and the Code Enforcement Officer. The following issues were noted:

- The plans were drawn at 1" = 400' (required 1" = 60') because of the size of the project. At this scale, the details on the plan were difficult to read. The Board requested that the scale be changed to 1" = 200'.
- List of abutters is incomplete. The zoning of the property is not shown.
- The status of all of the roads needs to be determined. The Board noted that Section 2.06 of the Zoning Ordinance states that "all lots shall abut upon an existing road which meets all municipal and other applicable governmental regulations or

standards, or, if landlocked, shall have a legally recorded access right-of-way, of no less than 50' in width to a public or private road." The applicant stated that it was their intention to make sure that all lots have a deeded 50' wide access to get to an existing accepted road. Their proposal is to not make any improvement to the roads. A homeowners association would need to be formed for road maintenance.

- The applicant stated that they plan to submit the project for DEP review.
- The applicant stated that the lots are to be marketed as recreational and timber lots. The Board noted that each of these 39 lots is a potential subdivision.
- The possibility of donating land to the town or a recreational easement was discussed. The applicant stated that they have had a meeting with the snowmobile club and are interested in creating a recreational easement.
- The effect on wild life needs to be addressed.
- Traffic issues need to be addressed.
- The applicant's request for waivers was reviewed by the board:
 - Item 12 - Connection with water supply - Not an issue
 - Item 13 - Connection with sewer - Not an issue
 - Items 14, 15, 19, 20, 21, 22, 23, 24 and 26 will depend on the status of the road and consultation with professional to determine the feasibility of hydro and geo tech studies.

A site walk will be held on Saturday, December 3, 2005. Everyone is to meet at the Town Hall at 9 a.m.

A workshop will be held on Tuesday, December 6, 2005, at 7:30 p.m. to discuss this project with a representative from another engineering firm (Sevee & Maher or DeLuca Hoffman).

III. MINUTES OF PREVIOUS MEETINGS

A motion was made by Judy Carll to accept the minutes for the meeting held October 19, 2005. The motion was seconded by Everett Whitten and unanimously carried.

IV. REPORT OF OFFICERS

V. OLD BUSINESS

VI. COMMUNICATION

Winslow Meadows - Peer Review
Sevee & Maher Engineers, Inc.

VII. MISCELLANEOUS

VIII. NEW BUSINESS

IX. ADJOURNMENT

A motion was made by Tim Nelson to adjourn the meeting at 9:25 p.m. The motion was seconded by Roland Denby and unanimously carried.

Approved Date: _____

TOWN OF WATERBORO PLANNING BOARD

*AGENDA
November 16, 2005
7:30 p.m.*

I. ROLL CALL

Board Members Present: David Benton Judy Carll Donald
Day
Roland Denby Susan Dunlap
Everett Whitten

Board Members Absent: Tim Nelson

Others Present: Sam Pasquarelli Franklin Tarbox
Ryan Cloutier Lynn Johnson
Jonathan Raymond Patti Berry
Tina Smith

II. APPOINTMENTS

Susan Dunlap, Chair, called the meeting to order at 7:30 p.m.

Ø **Gayle Carter, Todd Smith, Jill Smith, Map 41, Lot 28
Rebuilding two camps in the Shoreland Zone**

Sam Pasquarelli addressed the board regarding a request to rebuild two camps on Map 41, Lot 28, located at 22 Laddie Lane. The applicant proposed to remove two existing buildings and replace with two new buildings each 30% larger. The new buildings will be placed on full foundations and will be no closer to the lake than the existing structures. Everett Whitten made a motion that the Planning Board approve the request to remove and replace the existing buildings with the stipulation that a survey be provided showing locations of the existing and proposed structures. The expansions of the buildings are not to exceed 30%. The motion was seconded by David Benton and unanimously carried.

Ø **Franklin Tarbox, Map 32 Lots 71Z and 71L**
Setback reduction to build garage

Franklin Tarbox addressed the board regarding a setback reduction to construct a 20 x 20 garage at 26 Landry Road. In accordance with Section 2.08 of the Zoning Ordinance, the Planning Board has authority to review this setback reduction request. The property is an undersized lot of record containing 15,990 square feet and located in the AR Zone. Everett Whitten made a motion to approve the request for setback reduction. The applicant must provide a survey placing the structure no closer than 10' to the private right of way and no closer than 10' to the adjacent Whitehurst property. The motion was seconded by Roland Denby and unanimously carried.

Ø **Winslow Meadows Final Plan, Map 8, Lot 23-1**
Ryan Cloutier

Ryan Cloutier, SGC Engineering, addressed the board regarding the Winslow Meadows subdivision. The board reviewed the final plan checklist. David Benton made a motion to accept the final plan as presented. The motion was seconded by Judy Carll and unanimously carried.

Ø **Amendment to River Bend subdivision, Map 13, Lot 56**
Lynn Johnson

Lynn Johnson, Henry Holmes, Inc., addressed the board regarding a change in the setbacks in the River Bend subdivision. According to Section 8 of the Zoning Ordinance, the Planning Board has the authority to reduce setbacks in a cluster subdivision. The applicant proposed to reduce the setback from River Bend Drive to 50' and presented letters from the owners of Lots 2 and 3 stating the change is acceptable. A motion was made by Judy Carll to approve the amended River Bend subdivision application which reduced the setback on Riverbend Drive from 75' to 50', in accordance with the Zoning Ordinance. The motion was seconded by Everett Whitten and unanimously carried.

III. MINUTES OF PREVIOUS MEETINGS

A motion was made by Everett Whitten to accept the minutes for the meeting held November 2, 2005. The motion was seconded by Judy Carll and unanimously carried.

IV. REPORT OF OFFICERS

V. OLD BUSINESS

VI. COMMUNICATION

The board reviewed a letter from Jennifer Roberts. Mrs. Roberts is an abutter to the proposed Ossipee Hill Terrace subdivision. She has requested that the Planning Board hold another public hearing to review this subdivision. It was the consensus of the Board that another public hearing will be held due to the many changes proposed to this subdivision.

VII. MISCELLANEOUS

VIII. NEW BUSINESS

IX. ADJOURNMENT

A motion was made by Everett Whitten to adjourn the meeting at 9:05 p.m. The motion was seconded by David Benton and unanimously carried.

Approved Date: _____

TOWN OF WATERBORO PLANNING BOARD

*AGENDA
November 2, 2005
7:30 p.m.*

I. ROLL CALL

Board Members Present: David Benton Judy Carll Donald Day
 Roland Denby Susan Dunlap Tim
Nelson
 Everett Whitten

Others Present: Mark Noonan Matt MacGown William Welch
 Katherine Joyce John Swan
 Jonathan Raymond
 Patti Berry Tina Smith

II. APPOINTMENTS

Susan Dunlap, Chair, called the meeting to order at 7:30 p.m.

Ø Setback reduction
 Mark & Elaine Noonan, Map 45, Lot 1421

Matt MacGown addressed the board regarding a setback reduction for Map 45, Lot 1421. The property is located on Crescent Drive in Lake Arrowhead. The lot is 18,000 square feet and located in the VR Zone. The Planning Board has authority to hear this under Section 2.08 of the Zoning Ordinance because the lot is under the minimum lot size of 20,000 square feet required in the VR Zone. The applicant is requesting a setback reduction from the road to 25'; the ordinance requires 40'. The applicant is able to meet all other setbacks, including 100' from the water.

The Board reviewed information provided by the Code Enforcement Officer and the plan provided by the applicant and noted that the septic system was not shown on the plan. It does not appear that the septic system can be placed in the allotted space between the structure and the road and meet the required setbacks from the road and the building.

A letter from an abutter, Lou Ryzman, was reviewed by the Board. Mr. Ryzman is opposed to a setback reduction for this lot and viewed it as a 'violation of current building codes.' The Board noted that it is a lot owner's right to request a setback reduction and that granting a setback reduction is not a violation of the building code. Mr. Ryzman also has some questions about the Lake Arrowhead regulations. The Planning Board does not enforce any of the Lake Arrowhead restrictions.

After discussion, Tim Nelson made a motion that the applicant have a boundary survey done to include placing the home and septic system on the lot. The applicant is to present this information for Planning Board review at another meeting. The motion was seconded by Everett Whitten and unanimously carried.

Ø Relocate existing building within Shoreland Zone
Anthony & Kathleen Manfredi, Map 38, Lots 38 and 39

Mr. William Welch addressed the board regarding the relocation of an existing building. Anthony and Kathleen Manfred, Map 38 Lots 38 and 39, would like to move their 26'6" x 35' home with attached deck. Their property along West Shore Road has been affected by excavation of the road. They are requesting to move the camp from its partial foundation and place it on a full foundation on the portion of their property that has been lowered by this excavation. After discussion and review of information provided by the Code Enforcement Officer, Everett Whitten made a motion that the Planning Board approve the request to relocate the existing building with the stipulation that the applicant provide a survey showing that the relocated building is no closer to the water than the existing structure. The motion was seconded by Judy Carll and unanimously carried.

Ø Preliminary Plan - Bernard Heights East/Bernard Heights West
Les Bois Carthage, Map 11, Lots 66T and 67T
Map 14, Lots 43T, 44T and 45T; Map 17, Lot 4'

Katherine Joyce (Perkins Thompson Hinckley & Keddy) and John Swan (Owen Haskell, Inc.) addressed the board regarding the Bernard Heights subdivision. This is a 39 lot subdivision of 2,200 acres. The Board reviewed comments submitted by SMRPC and the Code Enforcement Officer. The following issues were noted:

- The plans were drawn at 1" = 400' (required 1" = 60') because of the size of the project. At this scale, the details on the plan were difficult to read. The Board requested that the scale be changed to 1" = 200'.
- List of abutters is incomplete. The zoning of the property is not shown.
- The status of all of the roads needs to be determined. The Board noted that Section 2.06 of the Zoning Ordinance states that "all lots shall abut upon an existing road which meets all municipal and other applicable governmental regulations or

standards, or, if landlocked, shall have a legally recorded access right-of-way, of no less than 50' in width to a public or private road." The applicant stated that it was their intention to make sure that all lots have a deeded 50' wide access to get to an existing accepted road. Their proposal is to not make any improvement to the roads. A homeowners association would need to be formed for road maintenance.

- The applicant stated that they plan to submit the project for DEP review.
- The applicant stated that the lots are to be marketed as recreational and timber lots. The Board noted that each of these 39 lots is a potential subdivision.
- The possibility of donating land to the town or a recreational easement was discussed. The applicant stated that they have had a meeting with the snowmobile club and are interested in creating a recreational easement.
- The effect on wild life needs to be addressed.
- Traffic issues need to be addressed.
- The applicant's request for waivers was reviewed by the board:
 - Item 12 - Connection with water supply - Not an issue
 - Item 13 - Connection with sewer - Not an issue
 - Items 14, 15, 19, 20, 21, 22, 23, 24 and 26 will depend on the status of the road and consultation with professional to determine the feasibility of hydro and geo tech studies.

A site walk will be held on Saturday, December 3, 2005. Everyone is to meet at the Town Hall at 9 a.m.

A workshop will be held on Tuesday, December 6, 2005, at 7:30 p.m. to discuss this project with a representative from another engineering firm (Sevee & Maher or DeLuca Hoffman).

III. MINUTES OF PREVIOUS MEETINGS

A motion was made by Judy Carll to accept the minutes for the meeting held October 19, 2005. The motion was seconded by Everett Whitten and unanimously carried.

IV. REPORT OF OFFICERS

V. OLD BUSINESS

VI. COMMUNICATION

Winslow Meadows - Peer Review
Sevee & Maher Engineers, Inc.

VII. MISCELLANEOUS

VIII. NEW BUSINESS

IX. ADJOURNMENT

A motion was made by Tim Nelson to adjourn the meeting at 9:25 p.m. The motion was seconded by Roland Denby and unanimously carried.

Approved Date: _____

TOWN OF WATERBORO PLANNING BOARD

*Meeting Minutes
October 19, 2005
7:30 p.m.*

I. ROLL CALL

Board Members Present: David Benton Judy Carll Donald
Day

Everett Whitten Roland Denby Susan Dunlap

Board Members Absent Tim Nelson

Others Present: Frank Heacock John Hutchins
Bruce Lewis
Lisa Barden Robert Barden Patti Berry
Jonathan Raymond Tina Smith

II. APPOINTMENTS

Susan Dunlap, Chairman, called the meeting to order at 7:34 p.m.

Ø **Setback reduction**
Mark & Elaine Noonan, Map 45, Lot 1421

This item was removed from the agenda because the applicant did not notify abutters in a timely manner.

Ø **Setback reduction**
Sunnyside Cottages, Map 28, Lot 17A

Frank Heacock addressed the board regarding a setback reduction for Sunnyside Cottages. The applicant would like to construct a 28' by 34' home with attached garage and porch. The lot is not within 100' of the lake and is zoned AR. This is a legal non conforming lot of record containing 13,950 square feet. The streets shown on the plan are 'paper' streets, not actually constructed; however, some adjoining landowners have a right of way over these streets. The home will use the same water system as Sunnyside Cottages and will have its own septic system. After discussion, Everett Whitten made a motion to establish the following building envelope: 25' from Ossipee Street, 10' from 'nd street, 20' from lots 16 and 17; the structure must also maintain a minimum 20' setback from any other structure. The motion was seconded by Roland Denby and unanimously

carried.

Ø **Preliminary Plan**
 Sand Crossing Subdivision, Map 1, Lot 26T

John Hutchins from Corner Post Land Surveying addressed the board concerning the Preliminary Plan for the Sand Crossing subdivision. This proposed subdivision is four lots on 16.5 acres. The main issue is the status of the road. The determination must be made if the road has been abandoned or discontinued, and what portion of the road is affected. The applicant has been asked to research the town records and provide adequate information to determine the current status of the road.

Ø **Final Plan**
 Birch Woods Subdivision, Map 11, Lot 17

Bruce Lewis met with the Board regarding the final plan for the Birch Woods subdivision. The Board reviewed the comments from SMRPC; the Road Maintenance Agreement and Town Road Entrance Permit were previously received. The applicant must seek approval from the E911 Coordinator regarding the road name and house numbering. A minor correction to note 23 (removing duplicate wording) will be made to the mylar. Everett Whitten made a motion to grant the following waivers: dead end road length of 700', rebar monummentation except for four granite monuments, on site monitoring wells not required. The motion was seconded by Judy Carll and passed unanimously.

Everett Whitten made a motion to accept the final plan with the following items to be provided: signature of owner/developer, references to the detail sheets and their dates, approval of the road name. The motion was seconded by David Benton and unanimously carried.

III. MINUTES OF PREVIOUS MEETINGS

A motion was made by Judy Carll to accept the minutes for the meeting held September 21, 2005. The motion was seconded by Everett Whitten and unanimously carried (David Benton and Susan Dunlap abstained as they did not attend the meeting.)

A motion was made by Roland Denby to accept the minutes for the meeting held October 5, 2005. The motion was seconded by David Benton and unanimously carried (Everett Whitten abstained as he did not attend the meeting.)

IV. REPORT OF OFFICERS

V. OLD BUSINESS

Ø **Preliminary Plan**

Ossipee Hill Terrace, Map 4, Lot 12A

Lisa and Robert Barden met with the board regarding the preliminary plan for the Ossipee Hill Terrace. The plan has been changed from duplex apartments to condominium units; placement of all of the buildings has changed; the road has been changed to a driveway. The Board reviewed the site plan prepared by Sebago Technics. The well exclusion zone on sheet 3 impacts the neighboring properties. Other issues included the road frontage; 900' of road frontage would be required for six units, this may be reduced by 50% for cluster subdivisions. A fire cistern would also be required. Comments from Patti Berry (CEO) and SMRPC were given to the applicant. They will review comments and checklists with Sebago Technics prior the next review of the subdivision.

VI. COMMUNICATION

VII. MISCELLANEOUS

VIII. NEW BUSINESS

IX. ADJOURNMENT

A motion was made by David Benton to adjourn the meeting at 9:55 p.m. The motion was seconded by Everett Whitten and unanimously carried.

TOWN OF WATERBORO PLANNING BOARD

*Meeting Minutes
October 5, 2005
7:00 p.m.*

Board Members Present:	David Benton	Judy Carll	Donald Day
	Roland Denby	Susan Dunlap	
Board Members Absent:	Tim Nelson	Everett Whitten	
Lyman Planning Board:	Roger Irving	Christal Tuttle	
	Ronald Stewart		
Others Present:	John Riordan	William Kany	Rick Lockwood

The Waterboro Planning Board held a joint meeting with the Lyman Planning Board at the Lyman Town Office. John Riordan, SGC Engineering, spoke on behalf of the applicant. The purpose of the meeting was to review an application from Denwood Builders for a division of Lot 6 of the Bartlett Pines subdivision. They are proposing to subdivide Lot 6 into three lots; one lot will consist of the property and home currently owned by Frank Goodreau and two additional lots. The Lyman subdivision regulations require underground utilities and sidewalks.

Roger Irving stated that the applicant had agreed to the underground utilities during the site walk and that the sidewalk can be a four foot sidewalk delineated by a white line. The applicant requested a waiver of the sidewalk requirements because there are no sidewalks in the existing subdivision. The Lyman CEO explained that the sidewalk requirement is not a waivable item.

The applicant proposed to install a tank to the left of the intersection for fire suppression. Sue Dunlap stated that there should be a minimum of a 20,000 gallon fire cistern that would be maintained by the homeowners association.

There was discussion about the financial impact to current lot owners in the subdivision because it will change the amount of association fees that they pay. Attorney William Kany stated that the two new lots will pay for the maintenance of the fire tank and new section of road and will contribute to Bartlett Pines 1 and 2 fees. Sue Dunlap responded that the Waterboro subdivision ordinance requires that interested parties consent to the

proposed changes.

Ronald Stewart motioned to have the utilities go underground for the two new lots. Christal Tuttle seconded; all in favor. (Lyman Planning Board)

The subdivision checklists were reviewed. Christal Tuttle motioned to approve the preliminary plan for a subdivision pending the test pit data, the 20,000 gallon cistern and the utilities being underground. Ron Stewart seconded; all in favor (Lyman Planning Board)

David Benton motioned to have the hydrological study done at a later date. The motion was seconded by Judy Carll and carried unanimously.

A public hearing was scheduled for Wednesday, October 26, 2005, at 7 p.m. in Lyman.

TOWN OF WATERBORO PLANNING BOARD

*AGENDA
September 21, 2005
7:30 p.m.*

I. ROLL CALL

The meeting was opened at 7:30 p.m. by Tim Nelson, Vice Chair

Board Members Present: Judy Carll Donald Day Roland
Denby

Tim Nelson Everett Whitten

Board Members Absent: David Benton Susan Dunlap

Others Present: Lisa Barden Robert Barden
Charles Brown

John Caramihalis Jonathan Raymond Tina
Smith

II. APPOINTMENTS

Ø **Ossipee Hill Terrace (Map 4, Lot 12A) - Preliminary Plan
Lisa and Robert Barden**

Charlie Brown, Sebago Technics, addressed the Board regarding the changes to the project. The units are now proposed to be condominiums with a private driveway serving them. The entrance will be in the same location. The location of the neighboring wells and septic systems are shown on the plan. The three units have been relocated to accommodate well exclusion zones, abutters' wells and septic systems, and nitrate plumes. DEP will allow up to 4,300 square feet of the pond to be filled to construct the access road; the proposed area of fill is 4,270 square feet.

Mr. Brown requested a waiver of the high intensity soil survey. After discussion, Judy Carll made a motion that the Board not waive the requirement of the high intensity soil survey. The motion was seconded by Roland Denby and unanimously carried.

A letter submitted by Sebago Technics in reponse to concerns raised at the August 2005 Planning Board meeting and by Paul Schumacher, SMRPC, was received in the office on September 19, 2005. This did not allow the board members ample time to review these

items. Judy Carll made a motion to table further review. The motion was seconded by Everett Whitten and unanimously carried. The applicant will be placed on the agenda for the next available meeting.

Ø **Winslow Meadows (Map 8, Lot 23-1) - Preliminary Plan**
John Caramihalis

John Caramihalis addressed the board regarding the Winslow Meadows subdivision. Tim Nelson reviewed the checklist. The board requested that a detail sheet be added to the plan showing the basic erosion and sedimentation information. The applicant must seek approval for the road name with the 911 Coordinator, Patti Berry. A street sign will also be required. A motion was made by Everett Whitten to send the application for peer review. The motion was seconded by Roland Denby and unanimously carried.

A motion was made Everett Whitten to accept the preliminary plan. The motion was seconded by Roland Denby and unanimously carried.

III. MINUTES OF PREVIOUS MEETINGS

Judy Carll made a motion to accept the minutes for the meeting held September 7, 2005. The motion was seconded by Everett Whitten and unanimously carried.

IV. REPORT OF OFFICERS

V. OLD BUSINESS

VI. COMMUNICATION

VII. MISCELLANEOUS

VIII. NEW BUSINESS

IX. ADJOURNMENT

A motion was made by Judy Carll to adjourn to the Workshop portion of the meeting at 8:00 p.m. The motion was seconded by Everett Whitten and unanimously carried.

TOWN OF WATERBORO PLANNING BOARD

*AGENDA
September 7, 2005
7:30 p.m.*

I. ROLL CALL

Board Members Present: David Benton Judy Carll Donald Day
 Roland Denby Susan Dunlap Tim
Nelson
 Everett Whitten

Others Present: Brad Elliott Butch Gannett
 Jonathan Raymond
 Tina Smith

II. APPOINTMENTS

Ø Selah Subdivision (Map 6, Lot 33) - Final Plan Brad Elliott

Brad Elliott met with the board for final approval of the Selah subdivision. Sue Dunlap reviewed the final checklist. All of the outstanding items were resolved. The erosion control plan and road cross sections were printed on 8 ½" by 11" paper. The Board requested that these items be placed as page 2 of the final full sized plan. A motion was made by Tim Nelson to approve the plan with the addition of the second page. The motion was seconded by Everett Whitten and carried unanimously. The applicant will bring the mylars showing page 1 of 2 and page 2 of 2 to the office and the Planning Board members will sign them.

Ø Butch Gannett - School Project - Alfred Road Entrance

Butch Gannett spoke to the board about a possible change to the school entrance. According to the approved plan there was a turn lane; DOT has done a study and is recommending that the turn lane be removed for safety reasons. After discussion, the Board agreed that any change should be submitted for review. Preferably, this review should be done by the same person who did the previous traffic study of this project.

Butch Gannett also advised that the School Board will tour the new school site. He will

make arrangements for the Planning Board to join them.

III. MINUTES OF PREVIOUS MEETINGS

Donald Day asked that the minutes for the meeting held August 17, 2005, be corrected to add Juliette Grant as an attendee. Tim Nelson moved to accept the minutes, as amended. Judy Carll seconded and the motion carried unanimously.

IV. REPORT OF OFFICERS

V. OLD BUSINESS

VI. COMMUNICATION

A letter from Brian & Lori Gagne was reviewed by the Board. The property (Map 8, Lot 2) they would like to purchase is currently zoned General Purpose. Their proposed use, automobile repair facility, is neither permitted nor conditional in this zone. The minutes of the public hearings for the General Purpose Zone will be reviewed to make sure this use was not omitted. A letter will be sent to them.

VII. MISCELLANEOUS

A workshop will be held at the next meeting, September 21, 2005, to review the proposed General Purpose Zone and road standards.

There will be a joint meeting with the Lyman Planning Board on Wednesday, October 5, 2005, at 7 p.m. to review the revision to the Bartlett Pines II subdivision. This meeting will be held in the Lyman Town Office

Jensen Baird Gardner & Henry will be conducting their *Municipal Client Seminar* on Thursday, September 22, 2005. Sue Dunlap, David Benton and Tim Nelson will attend

The Planning Board's appointment to *Taylor House Committee* was discussed. Roland Denby is the current appointee but does not feel he can continue. By consensus, Judy Carll was appointed.

VIII. NEW BUSINESS

IX. ADJOURNMENT

A motion was made by Tim Nelson to adjourn the meeting at 8:35 p.m. The motion was seconded by Everett Whitten and unanimously carried.

TOWN OF WATERBORO PLANNING BOARD

*Meeting Minutes
August 17, 2005
7:00 p.m.*

I. ROLL CALL

Board Members Present:	David Benton	Judy Carll	Donald
Day	Roland Denby	Susan Dunlap	
Tim Nelson	Everett Whitten		
Others Present:	Tom Seery	Ken Grant	
Juliette Grant			
Rodger Allen	Annette Allen	Jonathan Raymond	
		Tina Smith	

II. PUBLIC HEARING - 7:00 P.M.

Susan Dunlap called the Public Hearing to order at 7:05 p.m. The purpose of this hearing is to receive public comment regarding a possible zone change to the General Purpose District. Under consideration is the area along Route 5 between the Center Waterboro Village District and the East Waterboro Village District. Sue Dunlap explained that the process is in the very early stages and the Planning Board is trying to get input from interested citizens. A letter in support of the change was received from Bob Fay.

Tom Seery addressed the Board. He explained that he, along with his neighbors (Ken Grant, Rodger Allen, Annette Allen) originally submitted a request to the Board of Selectmen to change their lots from Agricultural to Village Zone. Their properties are located on the north side of Sokokis Trail (Map 8, Lot 7, Lot 7A and Lot 7B). Ken Grant added that both sides of the road should be the same zone. His home is located in the AR Zone across from the diner in the General Purpose. This has caused problems with headlights and noise.

Sue Dunlap explained that changing to a General Purpose Zone would be in keeping with the Comprehensive Plan. The General Purpose Zone would allow uses of 100,000 square feet or less of store area, manufacturing area or warehousing. Conditional use permits would include areas over 100,000 square feet. She added that the Planning Board would conduct a workshop and public hearings before the proposed change would be submitted to the Board of Selectmen.

There being no further comment, the public hearing was closed at 7:38 p.m.

III. APPOINTMENTS

Ø Selah Subdivision (Map 6, Lot 33) - Preliminary Plan Brad Elliott

Brad Elliott met with the Board regarding the Selah Subdivision. He submitted a letter from the Post Office approving the mailbox location.

Sue Dunlap reviewed the Preliminary subdivision checklist. The following items were noted:

- Ø Remove 'proposed' from plan on turn around
- Ø Pavement width changed to 22'
- Ø Final plan should have additional pages for the road and erosion control
- Ø Scale needs to be no smaller than 1" = 60'

Brad Elliott will place stones around the cemetery to serve as the 25' buffer.

A motion was made by Everett Whitten, seconded by Roland Denby and unanimously carried to allow the dead end road to exceed the 600' maximum. The road is 754' feet long.

IV. MINUTES OF PREVIOUS MEETINGS

A motion was made by Tim Nelson to approve the minutes for the meeting held August 3, 2005. The motion was seconded by Judy Carll and unanimously carried.

V. REPORT OF OFFICERS

Election of Officers

A motion was made by Tim Nelson to elect Sue Dunlap as Chairman. The motion was seconded by David Benton and unanimously carried.

A motion was made by Dave Benton to elect Tim Nelson as Vice Chairman. The motion was seconded by Judy Carll and unanimously carried.

A motion was made by Judy Carll to elect Everett Whitten as Secretary/Treasurer. The

motion was seconded by David Benton and unanimously carried.

VI. OLD BUSINESS

Scott Dube presented a mylar for a revision to Bartlett Pines Phase II subdivision. Butch Gannett had explained the situation to the board at a previous meeting. The building envelopes as shown on the original plan were incorrectly drawn. Lots 1 and 2 were corrected. Sue Dunlap stated that the right of way over the Hirsch property has not been defined and should only be referenced on the plan.

After a review of the mylar, a motion was made by Tim Nelson to accept a corrected mylar which included signature and seal of the surveyor and a correction to the right of way over the Hirsch lot. The motion was seconded by Everett Whitten and unanimously carried.

Sue Dunlap advised that she attended the Planning Board meeting in Hollis for their review of the Martell subdivision. A portion of one lot is in Waterboro. The proposed 50' right of way has been eliminated from the final plan.

VII. COMMUNICATION

VIII. MISCELLANEOUS

IX. NEW BUSINESS

After discussion, it was agreed that the Planning Board packets would be hand delivered to the Board members.

X. ADJOURNMENT

A motion was made by Tim Nelson to adjourn the meeting at 8:45 p.m. The motion was seconded by Everett Whitten and unanimously carried.

TOWN OF WATERBORO PLANNING BOARD

*Meeting Minutes
August 3, 2005
7:30 p.m.*

I. ROLL CALL

Board Members Present: David Benton Judy Carll Roland Denby
 Susan Dunlap Tim Nelson Everett
Whitten

Others Present: Robert Barden Lisa Barden John
McCaw
 Jennifer Roberts Tina Smith
 Jonathan Raymond

II. PUBLIC HEARING - 7:30 P.M.

Ossipee Hill Terrace

Sue Dunlap called the public hearing to order at 7:38 p.m.

Lisa Barden stated that they are planning to develop three duplex units on the 12.27 acre parcel. All of the units will be positioned before the brook; the balance of the acreage will not be developed. The road will be placed all the way to the far right side of the property; buildings will be situated on the left. Each unit will have two or three bedrooms and its own driveway. The road will be 550' and end in a hammer head turn.

Jennifer Roberts expressed her concerns regarding her mother's house (Cibelli-McNeil) which is currently under construction. The well for units 5 and 6 is less than 100' from their proposed leach field. The placement of their well has not yet been determined.

John McCaw asked about the use of the woods road. He does not currently have a right a way over this property, but would like to.

Sue Dunlap explained that the Board just returned from a site walk of this property. The following list of concerns will be forwarded to the developer

- Ø Unit 1/2
 Setback from the pond
- Ø Unit 3/4
 Setback from the wetland; measured 8' on the back and 0' on the

- Ø front
Unit 5/6
Distance from well to Cibelli-McNeil septic and well
Building side setback of 35
- Ø Location of septic from the road
Measured 8'
- Ø Road width of 18'
Sebago Technics to engineer how much to fill
4,300 square feet that DEP allows to be filled
- Ø Impact on neighboring properties of filling in pond

Sue Dunlap closed the public hearing at 8:25 p.m.

III. APPOINTMENTS

- Ø **Ossipee Hill Terrace - Map 4, Lot 12A**
Robert & Lisa Barden

IV. MINUTES OF PREVIOUS MEETINGS

A motion was made by Tim Nelson to approve the minutes for the meeting held July 20, 2005. A motion was seconded by Everett Whitten and unanimously carried.

V. REPORT OF OFFICERS

VI. OLD BUSINESS

VII. COMMUNICATION

A memo from the Selectman was reviewed that requested a Zoning change. Owners of Tax Map 8 Lot 6, Lot 7A and Lot 7B are requesting a change from Agricultural to Village zone. After discussion, the Board decided to hold a Public Hearing to discuss a possible zone change to the General Purpose District. The area along Route 5 between the Center Waterboro Village District and the East Waterboro Village District will be discussed.

VIII. MISCELLANEOUS

IX. NEW BUSINESS

X. ADJOURNMENT

At 8:45 p.m., Tim Nelson made a motion to adjourn the meeting. The motion was seconded by Everett Whitten and unanimously carried.

TOWN OF WATERBORO PLANNING BOARD

*Meeting Minutes
July 20, 2005
7:30 p.m.*

I. ROLL CALL

Board Members Present: David Benton Judy Carll Roland Denby
 Tim Nelson Everett Whitten

Board Members Absent: Susan Dunlap

Others Present: Brad Elliott Steve Johnson
 Ryan Cloutier
 Butch Gannett Tina Smith

II. PUBLIC HEARING - 7:30 P.M.

Selah Subdivision

Everett Whitten opened the public hearing at 7:30 p.m. Steve Johnson, an abutter to the Selah subdivision, said that he supported the project.

David Benton stated that items from the preliminary checklist were not complete for the site walk. Incomplete items included proper right of way turn around access, street elevation and grades, stakes not placed at the pavement width.

As there were no other comments, the public hearing was closed at 7:38 p.m.

III. APPOINTMENTS

Ø Selah Subdivision (Map 6, Lot 33) - Preliminary Plan

Brad Elliott reviewed the preliminary subdivision plan with the Board. He stated that the Groundwater Impact Study had been conducted by Sweet Associates. He also had a note from the Post Office approving an installation on the road for the four boxes. The Fire Department has agreed to the name of *Selah Lane* for the private road. The Board asked that the following items be added to plan: utility easement, 911 address numbers shown at 50' intervals, proper right of way turn around access, fence and 25' buffer around the cemetery. The Board also required the road elevations and erosion control measures.

Ø **Winslow Meadows (Map 8, Lot 23-1) - Preliminary Planning Board**

Ryan Cloutier, SGC Engineering, reviewed the preliminary plan for Winslow Meadows with the Board. The plan now shows Lot 1 and Lot 2 sharing access on the 50' right of way. Lot 3 and Lot 4 have a shared access; Lot 5 has its own access. The Board requested that these accesses be widened. The applicant requested a waiver of the Drainage Plan, High Intensity Soil Survey and Hydrogeologic Impact Study. After discussion, Tim Nelson made a motion that the Board not grant the requested waivers. The motion was seconded by David Benton and carried unanimously. The Preliminary Subdivision Plan checklist was reviewed by the Board. Outstanding items included the Hydrogeological Impact Study, Erosion Control and Stormwater Drainage Plans, street signs and locations. Deed restrictions will include a 25' buffer and shared driveway access. The Road Commissioner will make the determination of the required culverts.

Ryan Cloutier stated that Adam Blaikie & Associated is reserving fee in the land for the 50' wide right of way. This right of way will require a street name. The plan as presented showed proposed locations for the homes and septic fields. The Board suggested that these locations be taken off the plan or a note added which stated that the houses are shown for demonstration purposes.

Tim Nelson made a motion to send out the Hydrogeological and Nitrate Studies for peer review as soon as they are provided by the applicant. The motion was seconded by David Benton and unanimously carried.

IV. MINUTES OF PREVIOUS MEETINGS

A motion was made by Judy Carll to accept the minutes for the meeting held July 6, 2005. The motion was seconded by Tim Nelson and unanimously carried.

V. REPORT OF OFFICERS

VI. OLD BUSINESS

**Gary Shelton (Map 32, Lot 1-8) Setback reduction, 16 Betty Lane
Letter from Natalie Burns, Jensen, Baird, Gardner & Henry**

The letter from Natalie Burns stated that the Zoning Board of Appeals would need to decide on Mr. Shelton's request for a setback reduction. The Board agreed that any monies paid be applied to the ZBA application.

VII. COMMUNICATION

A letter was received from the Hollis Planning Board stating that they would be reviewing the Hidden Brook subdivision (Kevin Martel) at their meeting on July 26, 2005. Mr.

Martel also owns property in Waterboro with access through the Hollis portion of this subdivision.

Butch Gannett addressed the Board concerning the Bartlett Pines subdivision, Phase II. This plan was approved by both the Lyman and the Waterboro Planning Boards in 2001. The Waterboro portion of the subdivision was in the A&R zone and stated that the setbacks were 75' front and 35' side and rear. The envelopes were incorrectly drawn on the plan. The Board agreed that BH2M should redraw the plan to agree with the notes.

VIII. MISCELLANEOUS

IX. NEW BUSINESS

X. ADJOURNMENT

Tim Nelson made a motion to adjourn the meeting at 9:09 p.m. David Benton seconded the motion and it carried unanimously.

TOWN OF WATERBORO PLANNING BOARD

*Meeting Minutes
July 6, 2005
7:30 p.m.*

I. ROLL CALL

Board Members Present:	David Benton	Judy Carll	Roland Denby
	Susan Dunlap	Tim Nelson	
Jonathan Raymond	Everett Whitten		
Others Present:	Chris Walker	Ron Woodward	Brad
Elliott			
	Lisa Barden	Robert Barden	Tina
Smith			

II. APPOINTMENTS

Ø **Gary Shelton (Map 32, Lot 1-8) Setback reduction, 16 Betty Lane**
Chris Walker, American Dreamspace

Chris Walker addressed the board regarding a sideline setback reduction in order to place a sunroom addition on the home at 16 Betty Lane.

The property consists of two lots of the Birch Crest subdivision, lot 1-8 is 21,663 sq ft and lot 1-9 is 32,519 sq ft. The dwelling received an occupancy permit in 2000. The assessor has joined the two lots; however the combined lot is less than the 80,000 sq ft requirement of the AR zone. Tim Nelson states that this is clearly a variance issue as it doesn't meet the criteria of Section 2.08 or Section 3.03 of the ordinance. Sue Dunlap feels that the Planning Board has the authority to reduce the setback because the lot is non-conforming. After discussion, a motion was made by Everett Whitten to request clarification from the town attorney. The motion was seconded by Tim Nelson and unanimously carried (David Benton abstained).

Ø **Ossipee Estates (Map 3, Lot 58) - Revision to final subdivision plan**
Ron Woodward, GWG Properties

Ron Woodward, GWG Properties, addressed the board regarding the Ossipee Estates

subdivision. The plan received final subdivision approval on February 2, 2005. Three of the eight lots in the subdivision had septic plans approved that would require a pretreatment system. Mr. Woodward presented documentation from R.W. Gillespie & Associates, Inc. showing revised test pit and disposal field locations proposed for Lot 2, Lot 6 and Lot 7. After a review of the information, a motion was made by Tim Nelson to accept the plans as revised. The motion was seconded by Jonathan Raymond and carried unanimously.

Ø **Selah Subdivision (Map 6, Lot 33) - Preliminary Plan**
 Brad Elliott

Brad Elliott addressed the board regarding the Selah subdivision. The property is identified as Tax Map 6, Lot 33 and located off Middle Road. Sue Dunlap reviewed the Preliminary Subdivision Checklist and noted the following items were outstanding: information on the hydrogeology study, mail delivery information, storm sewers, catch basins and culverts. A site walk was scheduled for Wednesday, July 20, 2005, at 6:00 p.m. During the site walk, the Board will review the proposed road layout and turnaround, driveway locations and sidewalks. The applicant will notify abutters of the site walk and public hearing. The Board requested that lot corners and driveways be marked prior to the site walk. The peer review will be requested when the road layout and hydrogeology information is received.

Ø **Ossipee Hill Terrace (Map 4, Lot 12A) - Preliminary Plan**
 Lisa and Robert Barden

Robert and Lisa Barden addressed the board regarding Ossipee Hill Terrace. The property is identified as Tax Map 4, Lot 12-A. The applicants are proposing to develop three duplexes (six units, 1200 sq ft each) on 12.27 acres. Sue Dunlap reviewed the Preliminary Subdivision checklist and noted the following items were outstanding: width of adjacent streets, deed description of parcel being subdivided, hydrogeological impact study, utility easement location, mail delivery information, erosion control and stormwater drainage plan, street signs and locations. The edge of the pavement appears to be 104' from the edge of the brook, this will need to be measured considering the 100' shoreland setback. The water shed for Shaker Pond was also questioned. The applicant will have the engineer address these concerns.

As this is a cluster subdivision, the balance of the land must be set aside; it cannot be sold separately from the buildings or used for any other purpose. A homeowner's association may need to be formed to assure the maintenance of the road. A growth permit will be required for each unit.

A site walk was scheduled for Wednesday, August 3, 2005, at 6:30 p.m. The applicant will notify abutters of the site walk and public hearing. During the site walk, the Board will

review the proposed road layout, driveway locations and sidewalks. The Board requested that the road, building and lot corners be marked prior to the site walk.

III. MINUTES OF PREVIOUS MEETINGS

Everett Whitten made a motion to accept the minutes for the meeting held June 15, 2005. The motion was seconded by Roland Denby and unanimously carried.

IV. REPORT OF OFFICERS

V. OLD BUSINESS

VI. COMMUNICATION

VII. MISCELLANEOUS

VIII. NEW BUSINESS

IX. ADJOURNMENT

Tim Nelson made a motion to adjourn the meeting at 9:37 p.m. The motion was seconded by Judy Carll and unanimously carried.

TOWN OF WATERBORO PLANNING BOARD

*Meeting Minutes
June 15, 2005
7:30 p.m.*

I. ROLL CALL

Board Members Present: Judy Carll Kurt Clason Roland Denby
 Susan
Dunlap Tim Nelson Jonathan Raymond
 Everett Whitten

Others Present: Doug Foglio, Jr. Charles Brown Eric Jarosz
 Tina Smith

Board members (Susan Dunlap, Kurt Clason, Roland Denby, Everett Whitten, Judy Carll) had conducted a site walk at 6:30 p.m. at the Alden Pines Condominiums. There were no members of the public in attendance.

II. APPOINTMENTS

7:30 p.m. Public Hearing

Ø **Alden Pines Condominiums (Map 1, Lot 31T)**
 Foglio Land Development Co., LLC

Susan Dunlap opened the public hearing at 7:30 p.m. There were no members of the public in attendance. Charles Brown, Sebago Technics, explained that since their last meeting with the board on June 1, 2005, the building plans have been altered. They will be two bedroom residences, including an office on the second floor, with an oversized one-car garage. The community center has been eliminated and replaced with another dwelling unit, making 20 units in total. Names have been assigned to the two roads, Alden Pines Drive and Sylvia Circle. The landscape plan has been altered to conform to the revised size of the buildings. The project will proceed in two phases, as shown on the plan. Note 14 was added to the plan addressing the requirements of the FFHA as approved by the Selectmen. The signature block was also added to the plan. The septic designs were updated for two bedroom units.

Doug Foglio Jr. added that the association agreement was not yet finished. Sue Dunlap received assurance from Ken Cole that this association is the only type that the FFHA allows the town to monitor and the secretary of the condominium association must keep a

record of the residents.

There being no further comments, the public hearing was closed at 7:44 p.m.

The Board began a review of the check list of the preliminary subdivision plan for Alden Pines. The internal roads will always be considered driveways owned and maintained by the condominium association. The CMP easement has been shown on the plan. Conditional use will also be required for this plan because it is a multifamily residence in the Residential Zone. A motion was made by Kurt Clason to accept the preliminary subdivision plan dated June 15, 2005, stipulated as a community for older persons, no persons under the age of 18 may reside full time on these premises. The motion was seconded by Everett Whitten and unanimously carried.

A motion was made by Everett Whitten to send the plan for limited peer review, excepting storm water management; DEP storm water permit should be finalized in July. The motion was seconded by Tim Nelson and unanimously carried.

Ø **Janice K. Jarosz (Map 24, Lot 25) - Setback reduction**

The board then met with Eric Jarosz regarding the property located on Blueberry Road.

The Board reviewed the following information: DEP Field Determination Form ID 3843 a plat showing *Plan of Camp Lots of Ronald Jarosz on Middle Branch Pond* filed in the York County Registry of Deeds Plan Book 27, Page 59 and showing a Lot #8 as a right of way (current Map 24, Lot 25); statement from CMP to the Code Enforcement Officer (Butch Gannett) that the power line right of way is 15' wide

After a procedural discussion, the applicant withdrew the application from consideration. The applicant will send a letter to the Board stating that they have withdrawn their application.

III. MINUTES OF PREVIOUS MEETINGS

A motion was made by Judy Carll to accept the minutes for the meeting held June 1, 2005. The motion was seconded by Jonathan Raymond and carried (Kurt Clason abstained from voting).

IV. REPORT OF OFFICERS

V. OLD BUSINESS

VI. COMMUNICATION

VII. MISCELLANEOUS

VIII. NEW BUSINESS

IX. ADJOURNMENT

Approved Date: _____

TOWN OF WATERBORO PLANNING BOARD

Meeting Minutes

June 1, 2005

7:30 p.m.

I. ROLL CALL

Board Members present: Judy Carll Roland Denby Susan
Dunlap

Jonathan Raymond Everett Whitten

Board Members absent: Kurt Clason Tim Nelson

Others Present: Doug Foglio, Jr. Charles Brown John
Caramahalís Tina Smith

II. APPOINTMENTS

Ø Alden Pines Condominiums (Map 1, Lot 31T)

As the first appointment was not present, the Board reviewed the Alden Pines Condominiums application. Doug Foglio, Jr. explained that the project is a 20 unit condominium complex located on 22.7 acres, Tax Map 1, Lot 31T. The building plans may be downsized from 2,100 square feet to 1,400 square feet. The proposed community center will likely be eliminated. The project will require a stormwater permit through the Maine Department of Environmental Protection.

Charles Brown, Sebago Technics, reviewed the subdivision plans with the Board. He also presented letters from Sweet Associates, Randy Dyer Well Drilling, Biddeford Savings Bank, and Waterboro Fire Chief Birkemose. Sue Dunlap reviewed the subdivision checklist. Items still outstanding include a common box for mail delivery. The developer needs to check with the Post Office and get a letter regarding placement. The developer also needs to establish a road name and 911 address.

A site walk will be held at 6:00 p.m. on Wednesday, June 15, 2005 and will be followed by a public hearing at 7:30 p.m.

Ø Winslow Meadows (Map 8, Lot 23-1)

John Caramihalis met with the Board regarding the Winslow Meadows subdivision. Mr. Caramihalis has added the fire tank to the subdivision plan as the Fire Chief did not grant the requested waiver. Sue Dunlap reviewed the checklist and noted outstanding items. Driveways for lots one and two need to be on the right of way and the building setback lines for those lots will need to be corrected. The developer agrees to do a nitrate study but seeks a waiver on the high intensity soil survey. The Board will seek a professional opinion on the granting of this waiver. The Board requested a no-disturb 25' green belt, excepting the curb cuts. Mr. Caramihalis added that there will be no deed restrictions on home sizes; lots will sell for \$45,000 to \$50,000.

III. MINUTES OF PREVIOUS MEETINGS

A motion was made by Judy Carll to accept the minutes for the meeting held May 18, 2005. The motion was seconded by Roland Denby and passed with all in favor.

IV. REPORT OF OFFICERS

V. OLD BUSINESS

The Board discussed the proposed changes to the Growth Management Ordinance. The Selectmen will conduct a public hearing on Tuesday, June 7, 2005 to increase the number of growth permits issued to 80. They are also proposing to change Section 5B to read: **older persons as defined by 42 USCA Section 3607.**

This proposed change would again allow dwelling units without growth permits for persons aged 55 or older. However, this change would allow 20% of the residents to be of any age. This is in contradiction to the purposes stated in the Growth Management Ordinance. It also calls into question the conversion of these units eliminating the age restriction and requiring a growth permit. The Planning Board does not support this change as it is contrary to the purposes stated in the ordinance.

A motion was made by Jonathan Raymond to send a letter to the Board of Selectmen stating the Board's opinion of the proposed change. The motion was seconded by Everett Whitten with all voting in favor. (A letter will be drafted and emailed to each board member for review.)

VI. COMMUNICATION

Letter from Charles L. Brown, Sebago Technics
Dated May 17, 2005 RE: Foglio, North Waterboro Pi

VII. MISCELLANEOUS

VIII. NEW BUSINESS

IX. ADJOURNMENT

A motion was made by Everett Whitten to adjourn the meeting at 9:40 p.m. The motion was seconded by Judy Carll and unanimously carried.

Approved Date: _____

TOWN OF WATERBORO PLANNING BOARD

*MINUTES
May 18, 2005
7:30 p.m.*

I. ROLL CALL

Board members present:	Judy Carll	Roland Denby	Susan Dunlap
	Tim Nelson	Everett Whitten	
Board members absent:	Kurt Clason	Jonathan Raymond	
Others present:	Troy Jipson	Jennifer Jipson	James Gendron
	Gordon Daney, Jr.	Helene Boucher-Daney	
	Tina Smith		

II. APPOINTMENTS

Ø Troy Jipson (Map 17, Lot 9C) - Setback reduction

The Board met with Troy and Jennifer Jipson. The Jipsons are seeking a front setback reduction to 55' in order to build a garage on their property. This lot is a non-conforming lot of record in the F&A Zone bordering the Little Ossipee River. In February 2003, a front setback reduction to 55' was granted to the previous owners (Travis and Karen Tremblay) in order to construct the house. The Jipsons explained that the house has a daylight basement and could not be placed closer to the back of the lot because of the steep banking behind the house; the garage also cannot be placed closer to the back of the lot.

The Board had been advised by the town attorney that Maine's Law Court, in Sawyer v. Town of Cape Elizabeth, found that the only way to modify dimensional requirements is to seek a variance from the Board of Appeals. After discussion, a motion was made by Judy Carll to table the application awaiting further clarification from the town attorney. The motion was seconded by Everett Whitten and unanimously passed. The board requested that the applicant seek approval from Saco River Corridor Commission. After that approval is received, the Board will determine whether the application should be placed before the Planning Board or the Zoning Board of Appeals.

Ø Helene Boucher-Daney (Map 3, Lot 62-2) - Conditional Use

Helene Boucher-Daney addressed the Board regarding a Conditional Use application to process firewood on their property at 21 Andrews Lane (F&A zone). The applicants will have tree length wood delivered to them; they will cut and split the wood.

The abutters, Mr. & Mrs. Gendron, have a 50' by 200' right of way over this property. After discussion, the Board stated that the conditional use cannot obstruct the easement and the abutters must have access to their property. The right of way issues are a civil dispute.

Tim Nelson made a motion to allow the conditional use with the following stipulations: The hours of operation will be Monday through Friday, 8 a.m. to 7 p.m.; no cutting or processing to be done on Saturday or Sunday; not to exceed 50 cord of wood stored on the property. The motion was seconded by Judy Carll and unanimously carried.

Ø **Sketch Plan - Sand Crossing (Map 1, Lot 26T)**

The preliminary plan for the Sand Crossing subdivision was presented to the Board. There will be four lots on 16.51 acres. The checklist was reviewed. Two items remain open, the anticipated price range and the status of the road. The review from SMRPC noted that the third lot has a shallow building envelope. The possibility of stream protection and resource protection areas needs to be evaluated.

III. MINUTES OF PREVIOUS MEETINGS

A motion was made by Judy Carll, seconded by Susan Dunlap and unanimously carried (Tim Nelson abstaining) to approve the minutes for the meeting held May 4, 2005

IV. REPORT OF OFFICERS

V. OLD BUSINESS

Sue Dunlap reported on the site walk conducted on the Jarosz property, Blueberry Road Map 24, Lot 25. The survey of the property line remains in question with a 6' difference being noted. The applicants will meet with the board when the survey line has been determined.

VI. COMMUNICATION

VII. MISCELLANEOUS

VIII. NEW BUSINESS

IX. ADJOURNMENT

A motion was made by Tim Nelson, seconded by Judy Carll and unanimously carried to adjourn the meeting at 9:10 p.m.

Approved Date: _____

TOWN OF WATERBORO
PLANNING BOARD MEETING MINUTES
May 4, 2005 at 7:30 p.m

I. ROLL CALL

Board Members Present: Judy Carll Roland Denby Susan
Dunlap
 Jonathan Raymond Everett Whitten
 Kurt Clason (at 8:15 p.m.)

Board Members Absent: Tim Nelson

Others Present: Randy Ross, Roger Bertin, Jr., Wendy Carter, John Carter,
 Richard Menelly, Marian Menelly, Janice Amabile,
 Diane Brooker, Matt Brooker, Lisa Parker, Janice Jarosz,
 Eric Jarosz, Dennis DeMatteo, Barbara Thompson,
 Ed Benway, Tina Smith

II. APPOINTMENTS

Ø **Bradley Merrill (Map 21, Lot 36A) - Set back reduction**

Doug Foglio addressed the Board on behalf of the applicant. The property is located at 18 May Street in the Village Zoning district. The lot is under the required minimum lot size of 80,000 square feet. The applicant is proposing to replace the existing 12' X 60' traile located on the lot with a 12' X 70' trailer and is requesting setback reductions. A motion was made by Roland Denby, seconded by Everett Whitten and carried with a unanimous vote to change the setbacks as follows: (facing May Street) 18' on the right; 25' on the left, 10' on the rear; front setback to remain at 40'. (As there was a quorum, Sue Dunlap did not vote.)

Ø **Janice K. Jarosz (Map 24 Lot 25) - Set back reduction**

Eric Jarosz addressed the board on behalf of the applicant. The applicant is seeking a setback reduction to place a house on the lot. After discussion, it was determined that there was some question regarding the lines as established by the surveyor. Therefore, it was impossible to determine the sideline setback reduction that would be required. As there were significant comments from abutters, the Planning Board scheduled a site walk to be held on Saturday, May 14, 2005, at 9 a.m.

Ø **John Caramihalis - Winslow Meadows Sketch Plan (Map 8, Lot 23-1)**

The Board then met with John Caramihalis, representing Adam Blaikie & Associates, LLC. The applicant presented a five-lot subdivision at the intersection of Townhouse Road and Roberts Ridge Road. The total area to be developed is 11 acres. A 50' right of way will be retained by Mr. Winslow to access his other property. It was suggested that the driveways be ganged using three accesses on the Roberts Ridge Road, instead of five; one driveway between Lots 2 and 3, one driveway between Lots 4 and 5.

A site walk was scheduled for Wednesday, May 18, 2005 at 6:30 p.m.

III. MINUTES OF PREVIOUS MEETINGS

A motion was made by Kurt Clason, seconded by Judy Carll and unanimously carried to approve the minutes for the meeting held April 20, 2005

IV. REPORT OF OFFICERS

V. OLD BUSINESS

Ø **Matt Brooker - West Hill II Amendment**

Matt Brooker met with the Board regarding the West Hill II Amendment. The applicant is dividing Lot 1 into Lot 1A and Lot 1B. Mr. Brooker presented a letter from Chief Birkemose stating that the pond at Ashley Way would be an acceptable fire protection source with the installation of a dry hydrant stand pipe.

Kurt Clason made a motion to accept the plan as drawn, Third Amended Subdivision Plan of West Hill II. The motion was seconded by Roland Denby and unanimously carried.

Ø **Ed Benway - Oakwood Ridge Final Subdivision Plan**

Ed Benway presented the final plan for the Oakwood Ridge subdivision. The final plan was changed to include the 50' wide right of way and the two cisterns as approved by the Fire Chief. After discussion, a motion was made by Kurt Clason to approve the Oakwood Ridge subdivision as provided April 2005. In addition, the Avery Road covenants and the agreement with the Town Selectmen stipulating that Avery Road is a private road must be recorded with the subdivision. The motion was seconded by Roland Denby and unanimously carried.

VI. COMMUNICATION

Ø **Letter to Patti Berry from Natalie Burns, Jensen, Baird, Gardner & Henry, dated 4-20-05 regarding cluster subdivisions**

VII. MISCELLANEOUS

Sue Dunlap stated that she has received many phone calls from abutters regarding the new middle school site and the possible cutting of the buffer strip. After discussion, it was agreed that a letter be sent to the Selectmen raising these concerns.

VIII. NEW BUSINESS

IX. ADJOURNMENT

A motion was made by Everett Whitten, seconded by Judy Carll and unanimously carried to adjourn the meeting at 9:35 p.m.

Approved Date: _____

Planning Board Meeting Minutes
April 6, 2005
7:00 p.m.

I. ROLL CALL

Board Members Present: Judy Carll Kurt Clason Roland Denby
 Susan Dunlap Tim Nelson
 Jonathan Raymond
 Everett Whitten

Public Present: Dwayne Woodsome

Others: Tina Smith

II. APPOINTMENTS

7:00 p.m. PUBLIC HEARING

Susan Dunlap, Chairman, called the Public Hearing to order at 7:00 p.m. The purpose of the hearing was to discuss proposed changes to the Site Plan Review Ordinance, Land Subdivision Regulations and Growth Management Ordinance.

Sue Dunlap began by reviewing the proposed article changes to amend the Site Plan Review Ordinance. Changes to the fee structure will be based on the size of the project. Dwayne Woodsome questioned whether this increase would take care of expenses. He stated that the budget should be decreased; administrative costs for the board should come from the developer and not from taxes. Sue Dunlap responded that any costs for peer review or consultants are borne by the developer. Adjustment to the budget may be made over time, but any monies currently received over budget are returned to the general fund.

The board then discussed Site Plan Review Standards; #16 should read Site Plans greater than 100,000 sq. ft. will be required to provide access to abutting property for possible future development.

No external storage in front or side of parking lot. It was the consensus of the Board that there should not be storage in any areas designated as parking; site plan approval could designate storage areas.

Land Subdivision Regulations; delete reference to major or minor subdivisions.

Growth Management Ordinance; changes the number of permits available to 80

Sue Dunlap added that the Selectmen have authority to make changes to the ordinances and it is not necessary to be presented at the Town Meeting.

The public hearing was closed at 7:26 p.m

7:30 p.m. Informational Meeting with Jeff Amos, Sebago Technics
RE: Goodall Hospital Medical Office Building, Map 5, Lot 5

The Board then met with Jeff Amos, Sebago Technics, and David Whitney, Goodall Hospital. The proposed plan is for a 14,000 square foot medical office building. The property is located on Route 202 and contains 20.36 acres (Map 5, Lot 52) and is in the Village zone. The facility will employ 24; 12 doctors and 12 support staff. The proposal is to include a family practice, center for women's health, radiology and physical therapy facilities.

Jeff Amos stated that they wanted to get Planning Board input prior to finalizing the design. They are proposing to have the water line extended to the facility; it is approximately one-quarter of a mile from the intersection of Routes 202, 5 and 4 and the location of a 12" water line. The building will have an on-site septic system. The buildings currently located on the site will be removed.

The Department of Transportation will require an entrance permit; the entrance to the site is 200 feet from Bennett Hill Road. Jeff Amos stated that traffic under 100 vehicles per hour would not require a traffic study. Tim Nelson suggested that given the number of employees and the possible number of clients per hour, the Board would want to see a traffic study.

The Board reviewed the plan and stated that the road access to the balance of the site would be through the majority of the parking lot. There should be only one entrance to the site that would serve this facility and any future expansion.

In summary, the Board would like to see a proposal for the pick up of medical waste; future plans for the site including a statement that potential expansion would not create a second entrance; traffic study.

III. MINUTES OF PREVIOUS MEETINGS

March 16, 2005

A motion was made by Kurt Clason, seconded by Jonathan Raymond and unanimously carried (Sue Dunlap and Tim Nelson abstained as they were not in attendance at the March 16 meeting) to accept the minutes for the meeting held March 16, 2005.

IV. REPORT OF OFFICERS

Sue Dunlap reported on the site walk that was held on Saturday, March 26, 2005. Board members in attendance were Judy Carll, Kurt Clason, Roland Denby, Susan Dunlap, Jonathan Raymond and Everett Whitten. Also in attendance were Ed Benway and several abutters to the Oakwood Ridge subdivision. Due to the snow, they were not able to walk all of the property lines. There were concerns on the condition of the road; the Selectmen are working with the developer on this. Also mentioned were an association that would be responsible for the maintenance of the road and the procedure for placing the remaining land in a land trust.

V. OLD BUSINESS

VI. COMMUNICATION

Letter from Peggy L. McGehee of Perkins, Thompson, Hinckley & Keddy
RE: Genest Concrete Works, Inc. (dated 3/23/05)

Letter from Natalie L. Burns to Peggy L. McGehee
RE: Genest Concrete Works, Inc. (dated 3/25/05)

Memo from J. T. Lockman, Southern Maine Regional Planning
Commission RE: Birch Woods, Final Plan

VII. MISCELLANEOUS

The Board reviewed an amendment to the Ossipee Landing Subdivision. There was an error on the signed plat that did not accommodate the placement of the homes in the cluster subdivision. A new mylar was presented for signing, but it was the consensus of the board the change be reviewed by the town's attorney to assure that this new wording would remedy the situation.

VIII. NEW BUSINESS

IX. ADJOURNMENT

Kurt made the motion to adjourn at 8:12 p.m. Everett seconded and the motion passed with a unanimous vote in favor.

Approved Date: _____

Planning Board Meeting Minutes
March 16, 2005
7:00 p.m.

I. ROLL CALL

Board Members Present: Kurt Clason Roland Denby
Judy Carll

Everett Whitten Jonathan Raymond
Board Members Absent: Susan Dunlap Tim Nelson

Public Present: Karl Hoose Robin A. Hoose Troy
Ireland
Sabrina Schultz William Blake Scott
Sampson
Shawn Stephenson

Others: Ed Benway Patti Berry Tina
Smith

II. APPOINTMENTS

7:00 p.m. PUBLIC HEARING, Oakwood Ridge Subdivision Map 3 Lot
16

Kurt Clason, Vice Chair, called the Public Hearing to order at 7:01 p.m. He welcomed the members of the public attending the hearing and introduced Ed Benway, the owner of the proposed subdivision. Mr. Benway explained that the subdivision contained 12 lots, each lot being a minimum of two acres with 200' of road frontage.

Karl Hoose, 228 Avery Road, addressed the board. He stated that Avery Road is currently a discontinued town road and he has invested money in its development and maintenance. He would like to see a plan in place to widen, upgrade and maintain the road on a regular basis. With the addition of thirteen homes, considering two vehicles per family, the road will not support the added use. Both Star Hill and Avery Road need to be upgraded to make this a viable subdivision. Star Hill is a public road that the Selectmen have agreed to upgrade; the Town will pay 50% of the cost to improve the road. Emergency vehicles will have a problem on the road because it is too narrow and has a sharp turn.

Ed Benway responded that they have an opinion from a traffic engineer stating that the improvements to the road will handle the added traffic. Also, he is trying to meet with a representative of the fire department regarding access of emergency vehicles

Troy Ireland, 122 Star Hill Road, stated that there is not enough room to widen the road and provide a ditch between the stone walls. There is also no place to plow snow.

Scott Samson stated that he has lived on Star Hill Road since October. He has a three year old and a one year old, and his family moved there for privacy and safety. The proposed 13 houses means additional traffic. He is concerned that others with property on the road will begin subdividing their property as well and questions if there will be an increase in the number of permits available for additional subdivisions. He also questioned why the developer is not being required to improve both Star Hill and Avery Roads since they both provide access to these lots.

Patti Berry advised that there is a proposal to increase the number of permits for subdivisions to 30 per year but there will only be three permits available per subdivision

William Blake, who lives on Star Hill Road, addressed the Board. He stated that he is concerned about the potential growth of the road for the future. Between the property he owns and that owned by John Perry, there is potential for another 12 lots. He also suggested that the driveways be ganged and setbacks increased.

Sabrina Schultz addressed the Board. She has two children; one in Junior High and one in High School; they must walk to the corner to get the school bus. As more traffic is added, there are safety issues. She wants to maintain the character of the area, preserving the stone walls and old cemetery.

Ed Benway added that the homes must be a minimum of 2,500 square feet with a two car garage. They are also proposing to place two 10,000 gallon cisterns for fire suppression. The cisterns would be placed on Avery Road. Mr. Benway will seek approval from the fire department.

Shawn Stevenson, who has lived in the area for five years, questioned whether the proposed \$120,000 is sufficient to upgrade the roads. The road has been repaired since he has lived there and has already deteriorated. Where will the town be when the road falls apart again?

William Blake questioned the proposed agreement between the Selectmen and the developer. Why were sections of the document crossed out? In his opinion, the developer should put up the entire \$120,000.

Kurt Clason explained that the Planning Board was not involved with the proposed agreement between the Selectmen and Ed Benway. The site walk was rescheduled for Saturday, March 26, 2005, at 9 a.m. (Snow date Saturday, April 2, 2005, at 9 a.m.) The Public Hearing was closed at 7:40 p.m

7:30 p.m. Private Cemetery - Jack E. Haubois, Jr. Map 4, Lot 45A

The Board then met with Leo Harriman. Mr. Harriman was speaking on behalf of Mr. Jack E. Haubois and his request for a private family cemetery on Tax Map 4, Lot #45A. Mr. Haubois is critically ill and has asked Mr. Harriman to seek approval for a 24' X 24 private cemetery. The Board reviewed a letter submitted by Edie Anne Hutchinson citing Maine Law Title 13, Chapter 83. After discussion, a motion was made by Everett Whitten to approve the conditional use permit in accordance with Maine Law Title 13, Chapter 83 re: Cemetery Corporations, Subchapter 11, 1141 and 1142. The motion was seconded by Roland Denby and passed unanimously.

III. MINUTES OF PREVIOUS MEETINGS

February 2, 2005 - Roland Denby made a motion to approve the minutes; seconded by Everett Whitten. Motion carried with a unanimous vote.

March 2, 2005 - Judy Carll made a motion to approve the minutes; seconded by Everett Whitten. Motion carried with a unanimous vote.

IV. REPORT OF OFFICERS

V. OLD BUSINESS

VI. COMMUNICATION

- Letter from Dearborn Construction, Intent to File
- Letter from Patti Berry, CEO to Michael Park, Map 41, Lot 30
- Expense/Revenue Summary Report

VII. MISCELLANEOUS

VIII. NEW BUSINESS

A public hearing was scheduled for Wednesday, April 16, 2005, at 7 p.m. to review the proposed changes to the Site Plan Review Ordinance, Land Subdivision Regulations and Growth Management Ordinance.

IX. ADJOURNMENT

Everett Whitten made a motion to adjourn the meeting at 8:12 p.m. Judy Carll seconded and the motion passed with a unanimous vote in favor.

Approved Date: _____

Planning Board Meeting Minutes

March 2, 2005

7:00 p.m.

Public Hearing

Called to order at 7:04 p.m. Attendance from the board is as follows: Sue Dunlap, Tim Nelson, Roland Denby, Kurt Clason, Everett Whitten, Judy Carll, Jonathan Raymond. Sue mentioned that we had a Site Walk on Saturday with several members from the public. Doug Foglio, Jr. will provide a list of those in attendance. Charles Brown outlined the project scheduled for approximately half of the area in North Waterboro. Project will be 190 acres to the north and 45 acres to the south. Access will be from existing timber road from Route 5. The only mining will occur at the southern side. All areas of the operation will be internally drained. Mr. Moore mentioned that MDEP has already approved the project. Maine Conservation agency has no issues as a yarding area for deer and have issued a letter to Mr. Brown. The state biologist in Gray will make a study, but due to the recent cutting, he doubts there is a wintering area for deer. Mr. Brown has sent the project on February 17 to Saco River Commission. Mr. Brown demonstrates what the ten acre mining would look like.

Alan Kobaly, an abutter, spoke. He asked about gating the property. He appreciates that but wants to ensure it does not turn into an ATV park. His second issue was what is going to be constructed to cross Woodsome Brook. He is concerned about silt going into the brook. Mr. Brown responds that they will be gating the project at both entrances deep enough so that three trucks could wait. For the brook crossing, they are allowed by DEP to go linear 75' to upgrade/repair and stabilize the bank. There is an erosion control plan as part of the permit. Doug Foglio explained that since the pit will go down, the erosion will flow away from the brook. Mr. Kobaly then asked why two entrances. Mr. Brown explained that there were two entrances and they want to maintain if they choose to make one egress/exit.

Mr. Linscott brought in another paper. He is concerned about pollution from the area where the site walk stated. He is concerned that over a 100 year period, there will be pollution from the trucks that will go through the gravel to the four-season brook. He is concerned that DEP will not actively pursue monitoring of the project. His property is straight line from the operation and within 500'. He is concerned about the loss of value from the operation. A relocated header side would mitigate this. The Board has the option to make stricter requirements. There is almost no natural buffer left after the previous logging operation. He would like to move the quarry 500' westward and no operation occur to the south of the entrance road. He also wants the site monitored and recorded by the town for pollution and noise. Mr. Foglio responds by showing how the road access will be below grade starting 500' from the right of way. At 400' the operation will be 20' below grade. Mr. Foglio explains that DEP will do mandatory inspections. Mr. Kobaly explained that the fault of the Dillon operation lies with the town

since he called Patti Berry and complained several times. Mr. Foglio then read his letter in response to the Linscott's question (sent 2-28-05, 5 pages). Sue then asked to go back to the entrance and asked if there would be an impact to moving the road northward. Mr. Foglio states that they are complying with town regulations and that moving it 100' would not change the noise much. Sue asked how far the Chadbourne site is from her house. He responds that it is within 400'. Sue states that she rarely hears noise except for the back-up alarms. Mrs. Linscott would like for noise levels to be monitored during the summer from her porch. Mr. Linscott reemphasized his concern on pollution from leaking fluids from the trucks. Mr. Foglio explained that Foglio, Inc. tries to be responsible and are conscientious of environmental issues. He explained that any pollutants would have to run up a 20' berm before getting to the stream. Mr. Brown explained that the road will be cut into the ground and that it will be paved. Sue asked Charles when the last traffic study was done and what the rates were. Mr. Brown does not personally have the data with him. Sue states that the increased truck noise has already occurred on Route 5 and that this operation will not affect it. Mr. Linscott still is concerned about the pollution from the operation for 100 years. Mr. Kobaly explained Mr. Linscott's request as moving the pit further to the west. Mr. Foglio explained that the extraction really will not occur before 400' from Route 5. The two acre parcel Mr. Linscott is talking about will be reclaimed soon and will not be traveled on again. Everett stated that we have had the discussion before about leaking fluid from the trucks and it is far less than what is dropped by the trucks on Route 5. Myron Edgerly explained that they had a truck leak and in the process of cleaning it, the state confirmed that traffic causes more pollution. Public hearing closed 8:16 p.m.

II APPOINTMENTS

Oakwood Ridge Subdivision - Map 3 Lot 16

The Selectmen met with the applicant and negotiated a change in the road. As explained by Doug Foglio, Sr., both parties came up with a mutual agreement; a sum of \$60K to be used by the town from the applicant and matched by the town for improvements. Ideally, the town would like to do the work this summer. Road will be widened and curbing added without disturbing the stone walls. The town's portion, if the project were to be done this year, would come from an article. The applicant's funds must be deposited within 30 days of final approval or the plan becomes null and void. Everett asked about the wording for the warrant so that the public understands the need. Doug Foglio, Sr. states he will try his best. Ed Benway, Steve Everett and Peter Bishop from Land Trust Building, LLC are present. Mr. Benway said that they have sent in an erosion control letter and a letter from the postmaster for a bulk mail system.

Sue went over the checklist for past discrepancies. Mr. Benway stated that he had attempted more than six times to get a written recommendation by the fire chief for fire suppression. Tim asked if the delineated wetland was wooded and Steve explained that most of it is wooded. Discussion ensued about Avery Road and any development that

would occur. Since this is a private road, there is no planned development. The only excavation for erosion control would be the grading of Avery Road and for the fire easement. Tim asked about the additional house building on a private road and is it safe for emergency vehicles. Tim is not comfortable with making a decision until we have the fire chief's decision. Since the applicant has tried on numerous occasions to get anything from the chief, Tim recommended that the applicant go to the town administrator to get a decision from the chief. Tim recommends that the project go to peer review, John seconded. Vote was unanimous. Also, we need a recommendation from the chief for the passability of Avery Road and the type of fire suppression. Public hearing could be March 16 or April 6. Earliest for site walk would be March 12 at 9 a.m. Applicant will check with secretary for actual date of public hearing; set at 7 p.m. on whichever date is chosen.

Foglio - North Waterboro Pit Map 16, Lots 1, 4 and 9T

Discussion for permitting resumed. Sue asked about decibel readings and would like to see readings for the site now, before operation begins. Mr. Foglio states that this would interest them. Concerns from the public hearing were answered at that time. The applicant needs to get letters from the Conservation Agency and State Biologist to the Board. Tim asked about posting and restricting access. Mr. Foglio wants to limit liability. He then stated that they would like conditional use permit since the project was satisfied by enough other state agencies to not need peer review. The applicant has asked for a prolonged hydro study to allow for five acres at a time as opposed to the whole site now. Applicant provided copy of DEP permits #577 and #578 for the site (gravel and quarry).

Kurt made a motion to approve the conditional use permit as proposed by Sebago Technics due to oversight by DEP and that the applicant's request for hydro study will be ongoing. As required by DEP, the applicant is to provide the letters from Conservation Agency and State Biologist. Tim seconded the motion. Vote was unanimous. Sue proposes to amend the motion to waive the requirement to have a gate.

III MINUTES OF PREVIOUS MEETINGS

A motion was made by Everett to accept the minutes for the meeting held January 5; Roland seconded. The vote was unanimous with Tim abstaining.

Tim motioned to approve the minutes for the meetings held January 29, February 2 and February 16; Everett seconded. The vote was unanimous with Kurt abstaining.

IV REPORT OF OFFICERS

V OLD BUSINESS

Sue talked about articles for town meeting. There is a discrepancy between what board recommends and what was written for articles; in particular for site plan > **100,000** and subdivisions (there is no major/minor subdivision). Sue will talk with Lisa to correct. The Selectmen will have to do a public hearing 30 days before the town meeting.

VI COMMUNICATION

VII MISCELLANEOUS

VIII NEW BUSINESS

IX ADJOURNMENT

Everett motioned to adjourn at 10:20 p.m.; Roland seconded. Motion carried with all in favor.

Approved Date: _____

Planning Board Meeting Minutes

February 17, 2005

I. ROLL CALL

Chairman, Susan Dunlap called the meeting to order at 7:25 p.m. Attending board members are, Susan Dunlap, Tim Nelson, Everett Whitten, Roland Denby, Judy Carll, Kurt Clason. Jonathan Raymond was absent.

Public attendees as follows: Mr. And Mrs. Linscott, Myron and Brenda Edgerly, David Benton, and an unnamed abutter to the property. Richard and Lisa Barden were also in attendance.

II. APPOINTMENTS

The first appointment is a review of conditional use application of Douglas Foglio Sr. on map 16 lots 1, 4 and 9T for a Mineral extraction operation.

Charles Brown from Sebago Technics presents the overview of the project representing the applicant. Project site is located in North Waterboro off Route 5, just south of the Little Ossipee River. The overall project area is 532 acres and the proposed extraction area covers 234 of those acres. The intention is to extract to a depth of 20'. Several monitoring wells have been installed and it has been determined that the water table is approximately 25 feet deep. There are three extraction areas. One gravel area and two small quarries for rock mining. The property was previously logged prior to the applicant's purchasing it. The remainder of the property is not intended to be touched at this time. The closest point of the operation to Little Ossipee River is 600 feet.

The applicant has acquired two entrance permits from the Department of Transportation. The applicant applied for a change of use to the entrances previously granted for logging access roads.

The public portion of Garland Hill Road is not intended to be used as ingress and egress for this operation. A portion of Garland Hill Road that has been discontinued is intended to be used on the applicant's property. It is their contention that the discontinued portion as town records show, is owned by the abutting property owners.

There is not any evidence or documented endangered species in that area. DEP required the applicant to confirm with Maine Natural Resources that there are no endangered species in the area of extraction.

The intention of this operation is to excavate the existing ground dropping the level approximately 20 feet and keeping the existing contours of the land. The pit is designed to be internally drained. There will be no run off or erosion into any streams or brooks.

The reclamation slopes will be 4/1 as required by town regulations.

There is a culvert on Route 5 that DOT is requiring the applicant to replace as it was crushed during the logging operation.

Roland Denby asks how far down is the water table? Charles Brown answers that there are approximately 60 monitoring wells on this site. The water table ranges from 15-35 feet. There will be one monitoring well for each 5 acre of extraction area.

Roland Denby asks as the work progresses when and how do they plan to reclaim the extraction area? Charles Brown answers that the state of Maine DEP regulates pits and only allows 10 acres to be open faces at any one time. This is in addition to stockpiling. They will have to reclaim at every increment before moving into another area. The stockpiling areas are shown on the plan.

The ground will be reclaimed by topsoil from onsite, seeded and sides will be sloped at a 4/1 ratio.

Roland Denby asks if there is going to be an area used to service equipment without dropping oils? Douglas Foglio Jr. replies that as a rule their company does not have fuel storage at their pit sites. They do occasionally change oils onsite. They prepare a gravel pad and then they remove the gravel and add it to reclaim materials.

Roland Denby asks if there will be any blasting? Doug Foglio replies yes there will be in the quarries.

Charles Brown adds that the state DEP will require secondary containment areas for fuel exchanges.

Charles Brown adds that areas that are not being mined are going to be left in their natural state. Additionally, the reclaimed areas will support regrowth of trees from that lot will occur.

Tim Nelson states that it is his preference that conservation mix be used as a silt barrier as opposed to silt fences.

Doug Foglio Jr. replies that they use stump grindings typically anyway, as DEP prefers this practice over the use of silt fencing. They will be grinding the stumps from this site and they will market the conservation mix that is generated from the grindings.

A review of the application provided by Sebago Technics dated February 16, 2005 is to be made part of this record.

Susan Dunlap states that the next steps under the ordinance is to hold a public hearing, a site walk and peer review. Susan states that due to previous volatility the planning board should give the public opportunity to see the site and ask questions at the public hearing.

Susan would like the applicant to follow up with Inland Fisheries and Wildlife with a clarification on the deer wintering yard, or and endangered wildlife habitat.

Susan states that the applicant has a gate on his plans. The ordinance does require a gate. The planning board waived the gate requirement on all previous pits for safety reasons. Susan feels that the town should be responsible for the safety risks and accident potential that research has proven with gated pits.

Susan asks if the snowmobile club has any trails through this property? Charles Brown states that there are no mapped trails through any portion of this property.

Susan states that the ordinance requires acoustical buffers, and this will need to be addressed. Susan states she realizes this is a huge site and most likely the natural buffers will work, but it needs to be specifically sited.

Susan states to the applicant that he should be aware that a performance bond will be required.

Susan adds that she saw in the application that there is a question about waiting the hydro-geological study. She doesn't think that will happen.

Charles Brown states that they would like to do hydro studies in phases as the project progresses as opposed to a study of the entire site.

Susan states that the board would be open to considering that.

Irmgard Linscott shows Susan the letter that she received as an abutter from the applicant and asks what her purpose for being at this meeting is. Susan explains that it is required by the ordinance that abutters be notified of this application being made to the town.

The board is asked if abutters can raise questions. Susan states that the board will hold a public hearing in the future for that specific purpose.

An unnamed abutter asked whether the applicant has submitted this application to the Saco River Corridor yet. Charles Brown states that he spoke with someone from that office recently, and they will be sending a copy of this project to them. However, none of the extraction area is within 500 feet of the river so it is outside of the corridor.

Kurt Clason asks what the proposal is for closing the two quarries to avoid water holes? Charles Brown states that they will not be mining into the water table. Kurt states that if it is rock and they mine a hole, won't it fill with water? It was explained to the board that the mining will be into slopes of rock, not down into the ground.

Susan asks if these are quarries because of the material extracted as opposed to the method of extraction. Doug Foglio Jr. answers yes.

Doug Foglio Jr. states that this project has already received DEP approvals and permits. This is a combined site of 700 acres and they are preserving 400 acres. They will be lowering the ground elevation approximately 20 feet. They will continue to allow recreational use of this property. This excavation is a long way away from roads and homes. Doug explains that the state will require them to maintain certain noise limits. They will be required to give decibel readings at the property lines, and in his experience he bets it won't even register at the property lines.

The site walk is scheduled for February 26, at 9 a.m. The public hearing is scheduled for March 2 at 7 p.m. The applicant will post the legal notice for the public hearing and notify abutters. The public hearing notice must be posted at least 10 days prior. The abutter's

notices must be sent at least 7 days prior to the meeting.

Doug Foglio Jr. requests that in the interest of time and because of concerns about previous site walks and the potential for altercations if the public could save their questions for the public hearing. Susan Dunlap assured the applicant there would be no altercations. She did state that she won't demand that no questions be asked onsite, if something specific comes up, but that most of the questions should be made at the public hearing for recording purposes.

Doug Foglio Jr. states that he would like to address the deer yard issue. If the states have maps that say there was a deeryard, this property has been logged and except for the buffers, there are no trees. The property was logged before they purchased it. There is no deeryard on this property if there ever was.

Richard and Lisa Barden for sketch plan review of subdivision application on map 4 lot 12A. Lisa Barden reviews her sketch plan with the board. This is a 12.27 acre parcel off Ossipee Hill Road on tax map 4 lot 12A. They are asking to construct three duplex units on this lot, with an internal access road. They are designing this project as a cluster development.

Everett Whitten asks if they are selling these units or is this rental units. Lisa Barden replies that they are building them for rental units and may sell them separately in the future.

Roland Denby asks if they are intending these to be an elderly housing project? Lisa Barden replies that they had considered it but they are not at this time.

The structures are planned to be 1200 square feet of living area with garages to the front of the duplexes. Each unit would have its own garage. The road will be constructed to town specs with the hopes of it being accepted in the future. They have the means to maintain this as a private road. The road length is approximately 550 feet.

The applicant will be provided with a set of Road Design Standards.

Tim Nelson made the motion to accept the sketch plan for Ossipee Hill Terrace and that the time frame to submit the preliminary plan is 6 months from this date. Tim adds to the motion that when the preliminary plan is submitted to the town, the secretary automatically sends the plan to either the town planner if one has been hired, or to Southern Maine Regional Planning for a review of the checklist prior to scheduling the review with the planning board. Everett Whitten seconds the motion. Motion carries with a unanimous vote in favor.

III. MINUTES OF PREVIOUS MEETINGS

The minutes of previous meetings were not reviewed because there weren't enough members who attended those meetings to vote on them tonight. They will be put on the agenda for the next meeting.

IV. REPORT OF OFFICERS

V. OLD BUSINESS

Before the next appointment Susan asks the board what they would like to do with the proposed articles for town meeting. Kurt Clason made a motion to send the articles as voted at the January 5 planning board meeting to Natalie Burns for wording and legal review and then get the articles to the selectmen prior to February 23 deadline. Roland Denby seconds. Motion carries with a vote of 4-0-2 with Judy Carll abstaining and Tim Nelson stepped out of the room.

CEO, Patti Berry requested the planning board to review the wording of section 7 that applies to 30% expansion. She considered requesting a zoning change to allow the CEO to approve 30% expansions that did not involve foundation construction. When she reviewed the wording and discussed this with Mike Morse at DEP, it appears that the CEO has always had the authority to approve expansions that did not require the planning board to determine, if the camp is to be moved to the greatest practical extent. Mike Morse confirmed that is how most towns review these applications. CEO grants all that don't involve that planning board decision. The board is comfortable with this interpretation.

VI. COMMUNICATIONS

There is an invitation from Corner Post Land Surveying to the board for 2/18 for an open house.

There is a letter from the CEO to the Genest Concrete attorney, Peggy McGehee in reply to her request for a decision from the planning board on their application.

VII. MISCELLANEOUS

VIII. NEW BUSINESS

Tim Nelson requests to discuss the process by which applicants are scheduled with the planning board. Tim suggests that preliminary plans are sent automatically to a planning review for checklist review prior to being scheduled with the planning board. The board discusses this. Tim made the motion to that affect. Judy Carll seconded the motion. Motion carries with a unanimous vote in favor.

IX. ADJOURNMENT

Tim Nelson made the motion to adjourn at 8:50 p.m. Everett Whitten seconds. Meeting adjourns.

APPROVAL DATE: _____

TOWN OF WATERBORO
PLANNING BOARD MEETING MINUTES
February 2, 2005
7:00 pm

Public Meeting

There was no attendance to the Public Meeting including the Planning Board Members except Sue Dunlap due to an error in the agenda sent home.

Regular Meeting

Chairman, Susan Dunlap called the meeting to order at 7:30. Attendance from the board is as follows: Susan Dunlap, Tim Nelson, Kurt Clason, Jonathan Raymond, Roland Denby and Everett Whitten.

II Appointments

7:30 Free Baptist Church for final plan review on Map 7 Lot 70 Review of the height waiver was discussed. Height modifications Paragraph 8.01 states that the Planning Board can modify the height by 50%.

A waiver was also requested for the hydro-study. Usage will be less than 800 gallons/day as verified by Grace & Curtis Lake. It is noted that Owens McCullough agrees with the hydro-study waiver and suggested adding a meter.

Sue spoke to Owens McCullough via phone on 2/2/05, he is okay with the 1/18 revisions from Dana Morton.

Tim Nelson made a motion to approve the waiver for the hydro-study provided that the Department of Human Services Health Engineer accepts the documentation of decreased water flow to less than 800 gal/day and requires a water meter be installed. Kurt seconds. Motion carries a 5 to 1 vote in favor with Everett opposing

Kurt made a motion to accept the plan as drawn including the height modification. Jonathan seconds. Motion carries a 6-0 vote in favor.

7:45 Final Plan Review "Ossipee Estates" Map 3 Lot 58 Sue turned the meeting over to Kurt as he has been handling this project.

John Hutchins with Corner Post responded to Sevee & Maher Engineers, Inc. The addition of Gallo, Jr. was placed in the title block. The registry is now requiring the owner

of record to be noted on the plan.

The road width varies and is noted on the plan. John claims he can not find any sight distance requirements in the ordinance. The Road Ordinance on Sight Distances was read to the applicant including a 30% waiver allowed by the Planning Board in Articles 4 & 5 of the Road Ordinance.

Applicant expressed a desire to have a reduction in the sight distance as long as the road commissioner agrees and is on-site. A waiver on lots 1 and 2 is needed for the sight distance.

Everett made a motion to approve the sight distance waiver up to 30% for lots 1 and 2. Jonathan seconds. Roland asks for information on who will build the driveways with concern that the homeowner might not properly build up the driveway. Ron W. says that they may not actually install the drives themselves but may sell the lots with no driveways. No further discussion. Motion carries a 6-0 vote in favor

Kurt reviews and completes the checklist.

Everett made a motion to approve the final plan with no conditions. Tim seconds. Motion carries a 6-0 vote in favor

8:00 Sketch Plan "Selah Subdivision" Map 6 Lot 33 Jonathan notes that he knows the applicant. Board does not feel this is an issue. The board explained the subdivision process to the applicant stating that when they have firmer plans the board would hold a site walk and a public hearing. It was recommended that they look into a hydro study as they will likely require it

The checklist was reviewed. The items needed on the plan are the locations of the cemetery and public access.

III MINUTES OF PREVIOUS MEETINGS

No minutes were reviewed

IV REPORT OF OFFICERS

V OLD BUSINESS

VI COMMUNICATION

Perkins, Thompson, Hinckley re: Genest Concrete Works, Inc

Communication was not reviewed. The application is incomplete and they need to follow the new rules as the board voted on in 2004.

VII MISCELLANEOUS

VIII NEW BUSINESS

Tim made a motion to postpone discussion of the 2 30% expansions, Map 45 Lot 1355 for Christina Sanfason and Map 31 Lot 15 for Nicholas & Margurite Ferraris. Kurt seconds. Motion carries a 6-0 vote in favor

IX ADJOURNMENT

Tim made a motion to adjourn the meeting at 8:30 p.m. Kurt seconds. Motion carries a 6-0 vote in favor.

Approved Date: _____

Planning Board Minutes
January 5, 2005
7:00 p.m.

Public hearing - Duane Morin - Free Baptist Church Map 7 Lot 70

Vice Chairman, Kurt Clason, called the Public Hearing to order at 7:00 p.m. Attendance from the board is as follows, Roland Denby, and Everett Whitten. Tim Nelson, Teresa Lowell and Jonathan Raymond are absent. Kurt announces that the chair, Sue Dunlap is next door at a Hiring Board Meeting but will be joining the meeting later

Duane Morin, representing the Church introduces himself and describes the project. The proposed church will be a 10,000 square foot building that will accommodate approx. 230 people. The proposed church will have a fellowship hall, a section for Sunday school classrooms and a serving kitchen.

The applicant states that the field the church is to be located in is currently hayed every year and will continue to be used for that purpose.

The applicant explains that there will be separate entrance and exits into the church with the church itself located 200 feet back from the road. There will be 52 parking spaces with additional area for parking on grassy areas if the need arises. The parking lot will be a gravel lot and there will be a detention pond installed to prevent stormwater runoff from leaving the site.

Mr. Morin states that the well has been determined to be a community well and therefore needs to be located 300 feet from the septic system. The original location of the well has been moved to reflect this requirement.

Kurt states that at the sitewalk the board confirmed that neither the entrance nor the exit to the church would line up with the abutters driveway across the street.

Mr. Morin states that the pack lights that will be mounted on the church will be shielded to contain any light on the property. The applicant states that the width of Route 5 had been added to the plan as suggested by Sebago Tech and that Sebago Tech has concurred that the request for a waiver for the Hydro study is appropriate. Mr. Morin states that if necessary, 8 additional parking spaces could be added. Kurt feels that the parking proposed will be adequate.

The applicant states that he will be submitting a height modification request in writing, as the steeple will over the 35 foot limit on the allowed height by the town. The applicant further states that Sebago Tech would prefer to see the parking lot paved. Due to financial

reason, this is not possible at this time but cement curb stops will be used to define the parking spaces.

The applicant feels that all of the issues that Sebago Tech noted have been adequately addressed.

Before ending the public hearing, Kurt asks if there are any questions from the members of the public that are present. There are no comments from the public and the public hearing closes at 7:20 p.m.

Sue returns from the Hiring Board meeting and opens the regular meeting at 7:30 p.m.

II. APPOINTMENTS

Bonnie and David Wickham - Request for screening at Sully's Restaurant Bonnie and David Wickham state that the headlights from the restaurants parking lot are currently shining right into their house. Bonnie reads from Article 5 of the Zoning Ordinance. She would like clarification as to why Sully's Restaurant does not need to meet the requirements put forth in this section.

Sue informs the applicant that the Planning Board only has the authority to enforce these requirements in the case where they are reviewing a site plan or a conditional use. Sue further states that the board has no authority to enforce requirements for site plan when one is not required. This building had a previous business that was a permitted use. When Sully's opened it was also a permitted use, therefore no review was required.

Sue reads Section 5 of the Ordinance and discusses the possibility that the Code Enforcement Officer might have the authority to enforce this section. The wording of this section is vague and Patti Berry states that this section implies that the planning board has authority in this case.

Sue Dunlap states that for the record it should be known that several of the members of the Planning Board have eaten at Sully's Restaurant, but feel that this causes no bias on the part of the board.

An abutter asks if the restaurant increases its water usage would that trigger a requirement for site plan review. Patti states that is unclear but that the restaurant currently is close to the maximum water use amount before requiring site plan review.

Sue feels there must be some way to work things out in this area. The board reviews pictures that the applicant has supplied of the parking area in reference to its location to her deck and yard.

Again Sue states that while it is out of the ordinary, she feels the Board might try to be of

help in suggesting an amicable solution to this problem. Sue suggest the board send Jane Harriman, the owner of Sully's Restaurant, a letter requesting that she voluntarily construct a stockade type fence to shield the Wickham's yard from headlights.

Kurt motions to have the planning board secretary draft a letter requesting that the owner of Sully's Restaurant voluntarily construct a stockade type fence of suitable height to block headlights from the parking lot from going onto the Wickham's property. Everett seconds and the motion carries with a unanimous vote in favor. It is noted that the Planning Board Chair, Sue Dunlap voted in this matter in order to have a voting quorum.

Harold Blake request for subdivision amendment on Map 4 Lot 6 Mr. Blake introduces himself to the board and the board reviews the revised subdivision plans that Mr. Blake has provided for the board. Sue states that she believes Mr. Blake is required to get approval from everyone in the subdivision. The board reviews the original subdivision plan. Patti Berry states that the section that required "interested parties" to be notified does not mean everyone in the subdivision. Patti feels that interested parties means people in the subdivision that own common land, have a shared road maintenance agreement or something similar.

The board reviews various different copies of subdivision plans from the original file. There appears to be a discrepancy in the date on the revised plan. The date printed on the revised plan does not reflect the date on the signed plan on file. The new plan needs reference the recorded plan. The applicant first needs to determine which plan is the correct and recorded plan. The applicant is also directed that he needs to show the whole subdivision on the new amended plan.

SAD 57 Final Plan Review for Massabesic Middle School Sue states that the traffic study has been sent to peer review and the peer reviewer has provided comments. Sue states that the applicant has run the higher numbers provided by Gorrill-Palmer but that has not changed the original conclusions.

Sue states that she is concerned that the left turn bypass lane, located on Main Street turning onto Old Alfred Road, will not be long enough. The applicant answers that it is anticipated to be with the proper signage. The anticipated stacking of vehicles at that intersection for vehicles turning left coming off the Old Alfred Road is anticipated to be 9 10 cars at peak times. Peer review suspects that this stacking may be due on part to left turners (19 at peak hour) exiting Old Alfred Road delaying the right turning traffic (441 in the peak hour). Peer review suggests the Old Alfred Road approach be flared/widened enough to allow the right turning traffic to get past a single left turning vehicle. The applicant states that the cost of such a project is not something the building budget can afford.

The applicant states that the School cant be held responsible for remedying an already existing condition such as at this intersection. The applicant states that according to their

figures the school will not be significantly contributing to this already existing condition. Sue would like to state for the record that cost should not and will not be a factor when it comes to safety issues if indeed there was proof that the school was contributing to the problem. The applicant states that the figures are close to the same and that the addition of the new school will not be changing the level of service at this intersection

The original traffic study indicated that dedicated turn lanes into the school at both entrances were recommended. The peer reviewer feels that these dedicated turn lanes would only create more crash concerns. Kurt also feels that the dedicated turn lanes would create more problems, as vehicles pulling out of the school would have no visibility if there were a vehicle turning in and another vehicle continuing straight. Also discussed is the possibility of traffic backing up if there is no bypass lane. The pro's and con's of both scenarios are discussed. The board also discusses the possibility of putting in the bypass lanes now, and if after a period of time they appear to be creating more of a problem, remove them at that point. The board also inquires as to whether the school might be willing to add them at a later date if it appears there is a need for them. The applicant suggest that putting them in now would be more practical. The applicant states that it takes approximately 5 years to determine if there is a problem. The board feels if there is a problem it should be evident fairly quickly.

The board reviews all the other outstanding issues with the peer review and determines that all other issues have been adequately addressed.

Sue motions to approve the site plan as presented with the condition that an accident assessment be done 2 years after the opening of the school, with the appropriate corrective action taken if any is needed. Everett seconds and the motion carries with a unanimous vote. Sue Dunlap is voting tonight so there is a quorum vote. Sue states for the record that the plan will still also need to be signed

III. MINUTES OF PREVIOUS MEETING

None approved

IV. REPORT OF OFFICERS

V. OLD BUSINESS

VI. COMMUNICATION

The board reviews a letter from Henry Holmes requesting to change the age restriction on his 2 approved projects, River Bend and Sokokis Gardens, to either 55 years or 62 years at their option. The board feels that this should be a request for an ordinance change, as they have no authority to grant one person permission to deviate from the ordinance. The board discusses the fact that the ordinance was just changed from age 55 to age 62. Patti states that the original change to this applicable section of the Growth Ordinance was to

clarify that this age restriction exemption was not for single lots, but for subdivisions that were approved with an age restriction. The board states that there were other reasons for changing the age but they are willing to re-examine this issue

VII. MISCELLANEOUS

VIII. NEW BUSINESS

IX. ADJOURNMENT

Everett made the motion at 10:15 p.m. to continue this meeting to Monday, January 10 at 7:00 p.m. Roland seconded and the motion passed with a unanimous vote in favor.

Approved Date:_____

TOWN OF WATERBORC
PLANNING BOARD MEETING MINUTES
January 19, 2005
7:30p.m.

Chairman, Sue Dunlap called the meeting to order at 7:30 p.m. Attendance from the board is as follows, Jonathan Raymond Roland Denby, Everett Whitten and Tim Nelson, Kurt Clason is absent.

II. APPOINTMENTS

7:30 p.m. - Sketch Plan Les Bois Carthage - 19 Lot Sub on Map 11 Lots 66T & 67T, Map 14 Lots 43T, 44T & 45T and Map 17 Lots 66T & 67T

The applicant introduces himself and describes the project. The subdivision encompasses 2000 acres. The lots are intended to be sold off as wood lots that have deeded road frontage on various roads.

Sue states that the owner of this property appeared before the Planning Board in the past with a conceptual subdivision plan for three to four hundred homes. The previous plan was presented along with a request to circumvent the growth ordinance in exchange for the possibly deeding half the land over to the town. This original conceptual plan never progressed.

Sue asks if the applicant has been in contact with the abutting property owner on the Hollis side, Mr. Martell. The applicant states that they have not. Sue also asks if the applicant has met with the road review committee. The applicant has not.

The board asks if any consideration has been given to placing restrictions on snowmobiles in the area. There are several members present from the local snowmobile club that are concerned that the snowmobile trails that run throughout this land will now have limits placed on them or be posted. The applicant states that they intend to protect the snowmobile people's interest as best they can. The applicant states that as far as posting the property, after the lots are sold they really have no control over whether they are posted or not. The applicant also states that they are interested in protecting the snowmobile trails by deed. Sue states that this is a very large parcel of land, perhaps the largest undeveloped, contiguous tract of land in town. The board would like to express their interest in preserving these trails and possibly bringing a proposal to the town to donate or preserve land for public use. The representative for the applicant states that he will pass this information on to the owner of the property.

At this time the board reviews the checklist for sketch plan and determined that it is complete. Roland motions to accept the sketch plan. Tim seconds and the motion carries with a unanimous vote in favor.

Keith Montpass - Setback Reduction on Map 28 Lot 39 Keith Montpass introduces himself and describes his proposal. He would like to place a single story garage on a parcel of land that is 65.57'x 90.31'. The board reviews the location of the lot.

This is an accessory structure on a parcel that does not have a primary structure thus an accessory is not allowed and we do not have the authority to review

The board reviews Article 2.7 of the zoning ordinance that gives the planning board the authority to reduce side and rear setbacks on accessory structures on legal, non-conforming lots of record. The board agrees that since this is a parcel that does not have a primary structure, an accessory is not allowed and they do not have the authority to grant setback reductions in this case. The applicant is directed to apply and meet with the zoning board of appeals to request a setback reduction. Tim states that he would like to see the fee the applicant has paid to meet with the planning board applied to the zoning board of appeals fee.

Doug Foglio Jr. - Sketch plan - 20 Unit cluster subdivision on Map 1 Lot 31T Doug states that there is a new survey on this parcel and the lot is 21.6 acres. This is a cluster subdivision that will consist of 10 duplexes, which will be a total of 20 living units. The units will be served by a 20 foot wide private road. The applicant feels that sidewalks will not be necessary and would only create future maintenance issues. There will be a cluster mailbox location proposed to service this subdivision.

The applicant states that the buildings themselves will be sold and the land will be shared with the owners holding 1/20th interest in the lot. There will be an association fee charged and the property will be maintained by the association. The applicant explains that there is an old fire pond on the property that they will be checking the capacity of the pond to possibly locate a dry hydrant to service these units. The applicant will be meeting with road review to get a recommendation.

The board reviews the sketch plan checklist at this time. There are 2 items that are still to be decided, the name of the subdivision and the anticipated price range. Tim motions to accept the sketch plan, noting the 2 items still yet to be decided. Everett seconds and the motion carries with a unanimous vote in favor.

III. MINUTES OF PREVIOUS MEETING

December 15, 2004 - Jonathan motions to approve the minutes. Everett seconds and the motion carries with a unanimous vote.

January 5, 2005 - The board is not prepared to act on approving the minutes of this meeting.

IV. REPORT OF OFFICERS

V. OLD BUSINESS

Harold Blake request for subdivision amendment on Map 4 Lot 6 Mr. Blake introduces himself to the board and the board reviews the revised subdivision plans that Mr. Blake has provided for the board. Mr. Blake appeared before the board at the January 5 meeting and was asked to re-submit an amendment plan that included the whole subdivision and referenced the original recorded subdivision book and page number. The board reviews the new plans in relation to the spaghetti lot definition in the land use regulations. Tim motions to recess while the Chair excuses herself from the meeting. Jonathan seconds and the motion carries with a unanimous vote in favor. After an approximately 10 minute recess the board re-adjourns. Everett motions to approve this subdivision amendment as presented. Tim seconds and the motion carries with a unanimous vote in favor.

VI. COMMUNICATION

VII. MISCELLANEOUS

VIII. NEW BUSINESS

IX. ADJOURNMENT

Everett made the motion to adjourn 9:10 p.m. Jonathan seconded and the motion passed with a unanimous vote in favor.

Approved Date:_____

