

**TOWN OF WATERBORO**  
**PLANNING BOARD**

*Meeting Minutes*  
*January 4, 2006*  
*7:30 p.m.*

**I. ROLL CALL**

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

Others Present:              Dennis Boucher              Jonathan Raymond      Tina  
Smith

**II. APPOINTMENTS**

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

Ø      ***Setback Reduction, Map 32, Lot 1-6***  
   ***Dennis Boucher***

The applicant has requested a setback reduction in order to construct a 22 X 26 storage garage on property at 24 Betty Lane. After a review of information provided by the applicant, a letter from the CEO, and information contained in the lot file, the Board requested that the applicant provide a drawing showing the exact location of the building on the lot, the septic system, and the proposed garage. David Benton made a motion that the additional information be reviewed at the next meeting, allowing each member time to visit the site. The motion was seconded by Judy Carll and unanimously carried.

**III. MINUTES OF PREVIOUS MEETINGS**

A motion was made by David Benton to accept the minutes for the meeting held November 16, 2005. The motion was seconded by Judy Carll and unanimously carried.

**IV. REPORT OF OFFICERS**

**V. OLD BUSINESS**

**VI. COMMUNICATION**

Letter to Selectmen from CEO; Les Bois Carthage subdivision

**VII. MISCELLANEOUS**

**VIII. NEW BUSINESS**

Due to the resignation of Everett Whitten, the Secretary/Treasurer position on the Planning Board is vacant. After discussion, Sue Dunlap made a motion to nominate Judy Carll for Secretary/Treasurer. The motion was seconded by Tim Nelson and unanimously passed.

**IX. ADJOURNMENT**

A motion was made by David Benton to adjourn the meeting at 8:10 p.m. The motion was seconded by Tim Nelson and unanimously carried. (The Board then began the workshop session for the Planning Board Bylaws and changes to the General Purpose Zone.)

Approved Date: \_\_\_\_\_

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motion was made by David Benton to grant a side setback reduction to 10'. The 75' front setback and 10' side setback must be verified by a survey. The motion was seconded by Roland Denby and unanimously carried.

Ø Alden Pines Condominiums, Map 1, Lot 31T  
Charlie Brown, Sebago Technics

Charlie Brown and Doug Foglio, Jr., discussed the final plan application for Alden Pines Condominiums with the board. The checklist provided by Southern Maine Regional Planning Commission was reviewed.

A motion was made by Judy Carll to grant final approval with the following changes to be made to the plan, before signing:

- Item 6.2.1.26D Add guidelines from Sweet Associates to General Notes section of the subdivision plan and on sheet 7 of the plan set
- Remove wording for the 'Community Center'
- Add note relative to necessary Department of Environmental Protection Permit prior to construction of wells within the wetland area.

The motion was seconded by Donald Day. (David Benton questions whether he should vote; advised if he does not receive monetary gain, there's no conflict. Tim Nelson said he will be eligible to vote). The motion passed unanimously

### **III. MINUTES OF PREVIOUS MEETINGS**

Judy Carll made a motion to accept the minutes for the meeting held January 4, 2006. The motion was seconded by Roland Denby and unanimously carried.

### **IV. REPORT OF OFFICERS**

### **V. OLD BUSINESS**

### **VI. COMMUNICATION**

A legal workshop has been scheduled for January 26, 2006, at 7 p.m.

### **VII. MISCELLANEOUS**

### **VIII. NEW BUSINESS**

**Recommendation to Selectmen, Change in Zoning Ordinance Section 2.03**

The Board reviewed a proposed change to Section 2.03 of the Zoning Ordinance. The ordinance currently states: "A building permit shall expire six (6) months from the date of its issue unless substantial work (actual construction) has commenced. The proposed change would read: "A building permit shall expire one (1) year from the date of its issue unless substantial work (actual construction) has commenced." Judy Carll made a motion to endorse this change to Section 2.03 of the Zoning Ordinance. The motion was seconded by David Benton and unanimously carried.

#### **IX. ADJOURNMENT**

A motion was made by Roland Denby to adjourn the meeting at 8:10 p.m. The motion was seconded by Judy Carll and unanimously carried.

Town of Waterborc  
Planning Board Minutes  
February 15, 2006

**I. ROLL CALL:**

Board members present: Susan Dunlap                      Judy Carll      Donald Day  
   Roland Denby                      David Benton

Board members absent:      Tim Nelson

Others present:                      Patti Berry, CEO

**II. APPOINTMENTS**

There were no appointments scheduled for tonight's meeting.

**III. MINUTES OF PREVIOUS MEETINGS**

The board discussed the minutes of February 1 and thought there might be a discrepancy in the minutes. Susan stated she would check with the secretary and the minutes will be discussed at the next meeting.

**IV. REPORT OF OFFICERS**

**V. OLD BUSINESS**

Dennis Boucher, Tax Map 32 Lot 1-6 - Front yard setback reduction

The application was brought back by the code enforcement officer at Mr. Boucher's request. He had asked for a front yard setback at a previous meeting and was not granted one. It was his understanding that if he brought back a survey with the exact measurements of the reduction he needed the board would consider it. The board decided that the intent of the approval to reduce the side setback to 10 feet was the limit of its approval and the front yard setback of 75 feet still stands.

**VI. COMMUNICATIONS**

There is a posting for a public hearing on the proposed change to the GP zone scheduled for February 28 at the selectmen's meeting. Susan Dunlap requests that there is some attendance at that hearing from the planning board.

**VII. MISCELLANEOUS**

**VIII. NEW BUSINESS**

**IX. ADJOURNMENT**

David Benton made the motion to adjourn the meeting and go into a workshop to review proposed zoning changes. Judy Carll seconds. Motion carries with a unanimous vote in favor.

**X. APPROVED DATE: \_\_\_\_\_**

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**V. OLD BUSINESS**

*Ø Dennis Boucher, Tax Map 32, Lot 1-6  
Front yard setback reduction*

Judy Carll made a motion to reconsider the front yard setback reduction request for Dennis Boucher. The motion was seconded by Dave Benton and unanimously carried. In the previous review of the request, the Board did not grant a front yard setback reduction because they assumed the garage could be attached to the house. Patti Berry showed pictures of the home. The garage cannot be attached to the house because there are currently three bedrooms along this side of the home; attaching the garage would block the egress windows for these bedrooms. Based on this additional information, Judy Carll made a motion to reduce the side setback to 10' and the front yard setback to 47' from the easement, as shown on the survey. The motion was seconded by Roland Denby and carried with a 4-1 vote.

**VI. COMMUNICATION**

A letter was received from the Fire Chief Matthew Bors. The Waterboro Fire Department has adopted the Knox Box Rapid Entry System and has forwarded information on this system to the Planning Board. They encourage the installation of a Knox Box in all new commercial properties.

**VII. MISCELLANEOUS**

**VIII. NEW BUSINESS**

**IX. ADJOURNMENT**

A motion was made by Tim Nelson to adjourn the meeting at 8:10 p.m. The motion was seconded by Roland Denby and unanimously carried.

**Approved Date:** \_\_\_\_\_

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*Notice of Intent to File - DOT Traffic Movement Permit Application*

**VII. MISCELLANEOUS**

**VIII. NEW BUSINESS**

**IX. ADJOURNMENT**

A motion was made by Dave Benton to adjourn the meeting at 8:25 p.m. The motion was seconded by Tim Nelson and unanimously carried.

**Approved Date:** \_\_\_\_\_

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Parking lot is 280 feet long

- ü The hydro study is currently being done.
- ü Mike Fraser, Waterboro Fire Marshall, questioned the access to the back of the building for emergency vehicles. He suggested an additional gated road with a Knox box installed.
- ü Fire hydrants should be placed along the access road.
- ü Entrance to the parking lot needs to be wider (24') with a larger turning access for emergency vehicles, and to allow others to exit the parking area when emergency vehicles are entering.
- ü Location of the propane tanks should be at the rear of the complex; or centrally located for this and future buildings.
- ü Knox boxes installed and a monitored fire alarm system
- ü Buildings will be sprinkled; this should be marked on the building plans. Ken Lamoreaux will check with the sprinkler company regarding front and rear locations
- ü The traffic study has been completed by Diane Morabito.
- ü Requested information on hazardous waste disposal.

Tim Nelson made a motion that we approve a setback reduction that will allow the building location as shown on the plan pending receipt of adequate buffer/screening provisions. The motion was seconded by David Benton and unanimously carried.

A site walk has been scheduled for 6 p.m. on Wednesday, May 3, 2006. This will be followed by a public hearing at 7 p.m. and a regular board meeting at 7:30 p.m

Ø ***Robyn Provencher***

***Informational meeting - Subdivision feasibility***

Robyn Provencher discussed a possible subdivision of property on Cody Lane (Tax Map 13, Lot 49). Ms. Provencher owns ±35 acres and has a house on this property. The Chair explained to her that any opinions expressed at this information meeting are strictly opinions; only a vote of the board matters in the subdivision review process. Ms. Provencher's house lot must be shown on the plan. Her lot can be considered as the first outsale and exempt from any restrictions or deeds covenants placed on the subdivision. The subdivision would be subject to review and, at that time, possible waivers of requirements would be determined by the Board. The road would be subject to adherence to the Street Design Ordinance. The Board does not review a two-lot or three-lot subdivision differently; each is subject to the same requirements.

### **III. MINUTES OF PREVIOUS MEETINGS**

A motion was made by Judy Carll to accept the minutes for the meeting held March 15, 2006. The motion was seconded by Tim Nelson and unanimously carried.

#### **IV. REPORT OF OFFICERS**

#### **V. OLD BUSINESS**

Sue Dunlap noted that the Selectmen's minutes indicated that Dwayne Woodsome and Bob Fay were appointed to the Subcommittee for Contract Zoning. Tim Nelson and David Benton volunteered to be the Planning Board's representatives on this subcommittee.

The Board discussed the Selectmen's meetings at which the change to the General purpose Zone was reviewed. The Planning Board followed the procedure regarding amendments as outlined in Section 13.04 of the Zoning Ordinance. The Planning Board reviewed the information provided by the Selectmen and forwarded a recommendation to the Board of Selectmen. The Selectmen questioned at what point, in the process, the proposal should have been forwarded to the Town Counsel for review. As the Planning Board followed the procedure, they feel they are due an apology; they presented findings, as requested, and were not asked to write an amendment to the ordinance

#### **VI. COMMUNICATION**

#### **VII. MISCELLANEOUS**

#### **VIII. NEW BUSINESS**

#### **IX. ADJOURNMENT**

A motion was made by Dave Benton to adjourn the meeting at 8:55 p.m. The motion was seconded by Tim Nelson and unanimously carried.

# TOWN OF WATERBORO PLANNING BOARD

*MINUTES*  
*May 3, 2006*

## **6:00 p.m. - Site Walk**

## **7:00 p.m. - Public Hearing**

### **I. ROLL CALL**

Board Members Present:	David Benton	Judy Carll	Donald Day
	Roland Denby	Susan Dunlap	Tim Nelson
Others Present:	Frank Goudreau	Karen Banks	Evan Grover
	Deneiker Smith	Marie Lepper	Dennis Chadbourne
	Demetria Chadbourne	Melville Knight	Darcy Knight
	Ken Lamoreaux	Tina Smith	

Sue Dunlap opened the public hearing at 7:00 p.m. Ken Lamoreaux reviewed the plan for the Goodall Medical Office Building. The following items were noted:

- ü A fire lane access road has been added to the plan. It will be constructed of PermaTurf panels over a gravel road. There will be an access control gate with Knox Box. Two additional fire hydrants are now shown on the plan.
- ü The septic field has been designed to accommodate this building and future buildings that may be added to the site.
- ü Applicant is scheduled to meet with the Zoning Board of Appeals regarding a variance request to change the size of the parking spaces.
- ü The DEP is currently reviewing the Stormwater Management Plan
- ü Signage is shown on the plan.
- ü The building will be condominium units. Those units under the control of Goodall (Health Partners) will be considered tax exempt. Units controlled by private businesses (pharmacy, medical services that are not part of Health Partners) will be subject to property taxes.
- ü Any additions, or changes, at this site must return to the Planning Board for approval.

- ü Public water will be extended to the site.
- ü Abutters were properly notified of this project.

There was no further discussion and the public hearing was closed at 7:25 p.m.

## **7:30 p.m. - Board Meeting**

### **II. APPOINTMENTS**

#### **Ø *Goodall Medical Office Building***

***Ken Lamoreaux, The Sheridan Corporation***

The Board reviewed the checklist. Additional materials received since the last meeting

- ü Letter from Goodall Hospital regarding disposal of medical waste; no radio-active materials will be at this facility
- ü Letter from Waste Management regarding waste during the construction phase, as well as normal waste removal services
- ü Wastewater Mounding Analysis and Nitrate Impact assessment as prepared by R.W. Gillespie & Associates, Inc.
- ü Plan showing propane tanks relocated to the side of the property

Pedestrian walkways and islands were discussed by the board. Judy made a motion that additional walkways and islands not be required, based on the rationale that they wouldn't add to the safety as pedestrians must still walk in the lane to get to the island. The motion was seconded by Don Day and passed with a 4-1 vote (Tim Nelson voted no).

A peer review of the Stormwater Management Plan, Hydro study and Nitrate study was discussed by the board. Tim nelson made a motion that DeLuca Hoffman or Sevee & Maher be contracted to conduct this review. The motion was seconded by Dave Benton and unanimously carried.

The Board reviewed the buffer/screening provisions as shown on the plan and determined they were adequate to allow the setback reduction waiver as voted during the April 5, 2006, meeting.

### **III. MINUTES OF PREVIOUS MEETINGS**

Tim Nelson made a motion to accept the minutes for the meeting held April 5, 2006. The motion was seconded by Judy Carll and unanimously carried.

### **IV. REPORT OF OFFICERS**

## **V. OLD BUSINESS**

Mike Polakewich, Lyman CEO, presented the Bartlett Pines Phase III subdivision plan for Planning Board signature.

## **VI. COMMUNICATION**

### *Ø Selectmen's Meeting Minutes from April 18, 2006, regarding change in Shoreland Zoning setback requirement*

The Board reviewed a request from the Selectmen regarding a reduction in the Shoreland Zoning setback. Currently the town requires a setback of 100' from rivers, lakes and streams; the state requires 100' from rivers and lakes and 75' from streams. The original request for the change was from a property owner at Lake Sherburne, the requested change would not remedy her situation.

The Board also received the Maine Shoreland Zoning Ordinance amended May 1, 2006. This will be discussed at the next meeting

### *Ø Section 2.03 of the Zoning Ordinance, changed 3-7-06*

## **VII. MISCELLANEOUS**

## **VIII. NEW BUSINESS**

## **IX. ADJOURNMENT**

A motion was made by Tim Nelson to adjourn the meeting at 8:20 p.m. The motion was seconded by David Benton and unanimously carried.



Ø *Shoreland Zoning Ordinance*  
*Workshop*

**III. MINUTES OF PREVIOUS MEETINGS**

A motion was made by Tim Nelson to approve the minutes for the meeting held May 3, 2006. The motion was seconded by Judy Carll and unanimously carried.

**IV. REPORT OF OFFICERS**

**V. OLD BUSINESS**

**VI. COMMUNICATION**

**VII. MISCELLANEOUS**

**VIII. NEW BUSINESS**

**IX. ADJOURNMENT**

A motion was made by Tim Nelson to adjourn the meeting at 8:25 p.m. The motion was seconded by Judy Carll and unanimously carried.

# TOWN OF WATERBORO PLANNING BOARD

## MEETING MINUTES

June 7, 2006

### I. ROLL CALL

David Benton called the meeting to order at 7:30 p.m

Board Members Present: David Benton                      Judy Carll                      Donald Day  
   Roland Denby                      Teresa Lowell

Board Members Absent: Susan Dunlap                      Tim Nelson

Others Present: Amy Robitaille                      Ken Lamoreaux  
                         Jonathan Raymond  
                         Tina Smith

### II. APPOINTMENTS

#### Ø *Day Care Conditional Use Map 11 Lot 83-5 Amy Robitaille*

The Board met with Amy Robitaille regarding a conditional use permit to operate a day care at 660 Townhouse Road. The applicant stated that she would like to operate the daycare Monday through Friday from 6:30 a.m. to 6:00 p.m. Following state guidelines, she will provide daycare for 6 to 8 children. The applicant also stated that she will probably have a part-time assistant. The state licensing representative will meet with the applicant during the coming week.

A motion was made by Teresa Lowell, seconded by Judy Carll, and unanimously carried by the board to approve the Conditional Use Permit application of Amy Robitaille to operate a day care facility at 660 Townhouse Road with the following conditions

- A fence is constructed at no less than 4' in height, within thirty (30) days
- Hours of operation will be Monday through Friday, 6:30 a.m. to 6:00 p.m
- Applicant will maintain state daycare license

#### Ø *Lakeside Community Church - Site Plan Steve Brook*

The applicant did not attend the meeting.

Ø *Goodall Medical Office Building*  
*Ken Lamoreaux, The Sheridan Corporation*

Ken Lamoreaux met with the Planning Board regarding the Goodall Medical Office Building. The applicant stated that the Zoning Board of Appeals did not grant a variance to change the size of the parking spaces, so the plan has been revised. The proposed parking spaces are 11' x 18.2' to meet the 200 square foot requirement. The parking area will include 105 spaces, exceeding the 69 spaces required. The private road will be named Goodall Drive; the public meeting room in the building will be named the "Wakefield Conference Room." The Traffic Movement Permit was issued by the Maine Department of Transportation. The applicant advised that the DEP is reviewing the stormwater application. An interim peer review was received from Sevee & Maher. No action was taken by the Board pending receipt of the final peer review and DEP approvals. The applicant will meet with the board in two weeks.

Ø *Workshop*  
*Changes to Shoreland Zoning Ordinance*  
*LD 1535 Rate of Growth Ordinance*

### III. MINUTES OF PREVIOUS MEETINGS

A motion was made by Roland Denby to approve the minutes for the meeting held May 17, 2006. The motion was seconded by Donald Day and carried by the board (Teresa Lowell abstained.)

### IV. REPORT OF OFFICERS

### V. OLD BUSINESS

Ø *Renewal of Conditional Use Permit*  
*Sunnyside Cottages LLC*

The board reviewed the conditional use permit approved at the October 19, 2005, meeting for a setback reduction for Sunnyside Cottages LLC. The conditional use permit, which expires six months from the date of issue, does not allow the applicant to apply for a building permit available July 1, 2006. A motion was made by Judy Carll to reissue the conditional use permit with the same restrictions. The motion was seconded by Roland Denby and unanimously carried.

### VI. COMMUNICATION

### VII. MISCELLANEOUS

**VIII. NEW BUSINESS**

**IX. ADJOURNMENT**

A motion was made by Judy Carll to adjourn the meeting at 8:05 p.m. The motion was seconded by Teresa Lowell and unanimously carried.

# TOWN OF WATERBORO PLANNING BOARD

*Meeting Minutes  
June 21, 2006  
7:30 P.M.*

## I. ROLL CALL

Board Members Present:     Judy Carll                     Donald Day                     Roland Denby  
                                      Susan Dunlap                     Tim Nelson                     Teresa Lowell

Board Members Absent:     David Benton

Others Present:             Paul Tebbetts   Ken Lamoreaux             Tina Smith  
                                      Jonathan Raymond

## II. APPOINTMENTS

Ø     *Setback Reduction - Map 38 Lot 35  
       Paul Tebbetts, 261 West Shore Road*

Paul Tebbetts met with the board seeking a setback reduction in order to construct a 28' x 52' three-car garage on his property. The applicant supplied a site plan showing the distances from the new property lines to the proposed garage. There has been extensive excavation in the area. The property owners bought the adjacent land and have relocated the road and added a strip of land to each of their lots. In the process of the excavating, the applicant's garage was torn down. The applicant would like to relocate the garage due to the placement of the new driveways. The plan provided by the applicant showed the garage sited 105' from the lake; 10' from the Richard property line and 50' from Welch property line. Total lot size is 31,375 sq ft; coverage would be less than 20% at 6,127 sq ft (house 1,111 sq ft, proposed garage 1,456 sq ft, parking area 1,560 sq ft; driveway 2,000 sq ft). There is a wood shed on the Richard property which is currently 15' from the property line. Mr. Tebbetts advised that the septic system is located on the left hand side of the property away from the proposed garage. The Board questioned a right of way that was shown on BH2M plan. The Board scheduled a site walk for Thursday, June 29, 2006 at 6 p.m. at 261 West Shore Road. The Board asked the applicant to stake the proposed garage prior to the site walk.

Ø ***Setback Reduction - Map 24 Lot 25***  
***Janice Jarosz, Blueberry Road***

The applicant withdrew.

Ø ***Goodall Medical Office Building***  
***Ken Lamoreaux, The Sheridan Corporation***

Ken Lamoreaux met with the board seeking final approval of the Goodall Medical Office Building site plan. The Board reviewed comments on the peer review from Sevee & Maher R. W. Gillespie & Associates, and Sheridan Corporation, as furnished by the applicant. Sue Dunlap noted that in the June 15, 2006 letter from Sheridan the Disposal System placement was questioned by Sevee & Maher. Tim Nelson noted that the septic system plan must be submitted to the CEO for a state permit and, as a condition of approval, that the applicant also submit a maintenance plan.

Sue Dunlap reviewed the site plan checklist and noted that all requirements have been satisfied.

A motion was made by Tim Nelson to accept the final plans as presented under the condition that the applicant provides an agreement for maintenance and upkeep of the septic system to the LPI. The motion was seconded by Roland Denby and passed with five votes in favor (Teresa Lowell abstained).

**III. MINUTES OF PREVIOUS MEETINGS**

A motion was made by Teresa Lowell to accept the amended minutes for the meeting held June 7, 2006. The motion was seconded by Roland Denby and passed with four votes in favor (Tim Nelson and Susan Dunlap abstained).

**IV. REPORT OF OFFICERS**

**V. OLD BUSINESS**

**VI. COMMUNICATION**

**VII. MISCELLANEOUS**

**VIII. NEW BUSINESS**

## **IX. ADJOURNMENT**

A motion was made by Tim Nelson at 8:30 p.m. to recess the meeting and continue at the site walk on Thursday, June 29, 2006 at 6 p.m. at 261 West Shore Road. The motion was seconded by Teresa Lowell and unanimously carried.



(Mr. Tebbetts returned to the meeting stating that he had taken measurements at his property. No further action was taken by the Board as the meeting was adjourned.)



reduction to place a 24' x 24' garage on their property at 51 Oak Lane. This is a 30,000 sq ft lot in an R Zone. The applicants are requesting a 12' side setback. This would leave 12' between the proposed garage wall and the existing deck. The applicant's contractor advised them that it would be more expensive to attach the garage to the home due to the site work that would be required. Teresa Lowell noted that the measurements on the drawing provided by the applicant do not add up correctly. After discussion, David Benton made a motion that the Planning Board visit the site. The motion was seconded by Teresa Lowell and unanimously carried. The applicants were requested to have the proposed garage site and the property line staked. The Planning Board will meet with the applicants at the site on Wednesday, August 2, 2006 at 6:30 p.m.

Ø            ***Setback Reduction - Map 47 Lot 51***  
***Annette Mahoney for George and Patricia Gagne***

The Board met with Annette Mahoney and Paul Wheeler regarding a setback reduction to construct a home on Tax Map 47, Lot 51. This is a 21,703 sq ft lot in an AR Zone. The applicant provided a survey prepared by Stephen Everett and a septic design for a three bedroom home. The applicant is requesting that the board establish a building envelope in order for a home to be placed on the lot. The applicant stated that neighboring lots have been granted variances establishing side setbacks of 23'. After discussion, David Benton made a motion that the Planning Board visit the site. The motion was seconded by Tim Nelson and unanimously carried. The applicants were requested to have a building site (27' including the drip edge) and property line staked. The Planning Board will meet with the applicants at the site on Wednesday, August 2, 2006 at 7:15 p.m.

Ø            ***Sketch Plan Application - Stonewall Estates Map 7, Lot 9***  
***John Hutchins, Corner Post Land Surveying***

John Hutchins presented a sketch plan for the Stonewall Estates subdivision. This is a proposed four lot subdivision on the Ossipee Hill Road. The property is owned by Thomas Hay who resides out of state. The subdivision will consist of three lots (80,000 sq ft with 150' frontage) and one lot containing 49.5 acres. John Hutchins stated that the owner currently has one lot for sale which is not part of this subdivision. The owner is interested in retaining the large lot for a possible future subdivision. Sue Dunlap explained that any division of that lot would be considered a revision to this plan and subject to review by the Planning Board.

Teresa Lowell stated that the elevations on the small map do not match those shown on the large map. Sue Dunlap noted that *Individual Sprinkler Systems* will be required (Application Item #27).

The comments from Southern Maine Planning Commission were reviewed. The

applicant requested waivers of *Drainage Plan and Stormwater Management, Soil Erosion and Sedimentation Control Plan, Geologist Report/Hydrogeologic Impact Study*. The board discussed the possibility of granting these waivers and the shared driveways; final decisions will not be made until the preliminary plan and the site walk are completed.

### **III. MINUTES OF PREVIOUS MEETINGS**

A motion was made by Teresa Lowell to accept the minutes for the meeting held June 21, 2006. The motion was seconded by Tim Nelson and carried (Dave Benton abstained).

A motion was made by Teresa Lowell to accept the minutes for the meeting held June 29, 2006. The motion was seconded by David Benton and carried (Tim Nelson abstained).

### **IV. REPORT OF OFFICERS**

### **V. OLD BUSINESS**

#### **Ø Setback Reduction - Map 38 Lot 35**

*Paul Tebbetts, address Street 261 West Shore Drive*

Mr. Tebbetts met with the board regarding his request for a setback reduction in order to construct a 28' X 52' garage. The lot contains 31,375 sq ft and is located in the AR Zone. The applicant submitted a drawing that located the proposed garage 40' from the Welch property line, 10' from the Richard property line and 105' from the lake. The applicant explained that there is still excavation to be completed at the property; his yard will be lowered approximately 2.5 feet and he will construct a retaining wall approximately 40' long from 4' high tapering down. The Richards driveway will be raised approximately one foot. This will minimize the drop off between the property lines and alleviate the runoff issues.

Mr. Tebbetts explained that his request seems to be in keeping with setbacks normally granted by the Planning Board. Sue Dunlap answered that the Board is struggling because there seems to be an alternative placement for the garage and that the proposed structure is significantly larger than any of the neighboring structures and that does affect the lakeside community atmosphere. Tim Nelson stated that he strongly feels that this should be reviewed by the ZBA.

David Benton made a motion that the conditional use/setback reduction be granted with the following conditions:

Ø A survey be conducted to confirm all measurements prior to any building permits

being issued

- Ø The garage is placed at least 105' from the lake
- Ø Front dripedge of the garage maintain a 40' setback from the Welch property line and be no closer than 10' to the Richard property line
- Ø No living space within this structure
- Ø The structure be no larger than 28' wide by 52' long

The motion was seconded by Roland Denby and passed 6-1 with Tim Nelson opposed.

## **VI. COMMUNICATION**

## **VII. MISCELLANEOUS**

Sue Dunlap noted that the survey for Lake Sherburne properties referenced variances granted in 1987. The ordinance states that variances expire six months from the granting date unless substantial work has commenced. A variance shall not be valid for a longer period of time but may be reissued for two additional years (Section 10.07). Board will request clarification from the CEO.

## **VIII. NEW BUSINESS**

## **IX. ADJOURNMENT**

A motion was made by David Benton to adjourn the meeting at 9:50 p.m. The motion was seconded by Tim Nelson and unanimously carried.

Approved Date: \_\_\_\_\_

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**TOWN OF WATERBORO  
PLANNING BOARD**

*Meeting Minutes  
August 16, 2006  
7:30 P.M.*

**I. ROLL CALL**

Planning Board

Members Present:     David Benton             Donald Day             Roland Denby  
   Teresa Lowell             Tim Nelson

Members Absent:     Judy Carll                             Susan Dunlap

Others Present:     Paul Brochu                     Dorothy Brochu         Paul Wheeler  
   Annette Mahoney             Jonathan Mistos         Diane Mistos  
   Richard Boissonneault         Susan Boissonneault

**II. APPOINTMENTS**

Tim Nelson, Vice-Chair, called the meeting to order at 7:35 p.m

**Ø *Setback Reduction - Map 49 Lot 11H  
51 Oak Lane, Paul and Dorothy Brochu***

Paul and Dorothy Brochu reviewed the project. The board conducted a site walk on August 2, 2006. Neighbors have been notified and there is no opposition to the reduced sideline setback for a 24' x 24' garage. Drip edges are 1' each side for an overall width of 26'. Tim Nelson and Teresa Lowell discuss and measure the dimensions as drawn and labeled on the scaled plan. Teresa Lowell motions to approve application to build the garage with the distance between deck and garage drip edge no greater than 12'. Roland Denby seconded and the motion passed unanimously. (See additional information on the following page)

(David Benton joined the meeting at this time.)

**Ø *Setback Reduction - Map 47 Lot 51  
Annette Mahoney and Paul Wheeler***

*for George and Patricia Gagne*

Annette Mahoney and Paul Wheeler, representing the applicants, recap the project requesting two sideline setback reductions to build a 24' wide home with 6" side drip edges for a total width of 25'. Lot is a non-conforming lot of record, approximately 75' wide. The board conducted a site walk, August 2, 2006. Representatives for applicants state they have received septic approval from the state. Discussion of Section 2.08 and previous variances granted by the ZBA in 1987 on lots 4a and 5a; the board is not convinced these variances are still valid. David Benton made a motion to approve the 25' wide home with 24' sideline setbacks for subdivision lot 6a (Tax Map 47, Lot 51). The motion was seconded by Roland Denby and unanimously carried.

Ø *Setback Reduction - Map 35 Lot 1*

*Richard and Susan Boissonneault*

Richard and Susan Boissonneault are requesting a 15' side setback for a garage. Richard hands abutter notices to Tim Nelson. Jon Mistos, abutter on the NE side speaks; he is concerned with drainage onto his property and questions if a survey or site walk has been done. The board scheduled a site walk for September 6, 2006, at 6:30 p.m. The board requests that the applicant mark the four corners of the garage and the lot line. The applicant will be required to have a survey done before approval.

Ø *Setback Reduction - Map 49 Lot 11H*

*51 Oak Lane, Paul and Dorothy Brochu*

Paul and Dorothy Brochu have returned. They state the 12' distance requested was intended to be measured from the steps rather than the deck. Tim Nelson motions to reconsider the decision; Deve Benton seconds and the motion passes unanimously. The plan is reexamined. David Benton motions to approve the application to build the garage with distance between deck and garage drip edge no greater than 16'. The motion was seconded by Roland Denby and passed unanimously.

### **III. MINUTES OF PREVIOUS MEETINGS**

A motion was made by Teresa Lowell to approve the minutes for the meeting held August 2, 2006. The motion was seconded by Donald Day and passed unanimously

(The minutes for the meeting held July 19, 2006, are awaiting review of the tape to clarify a motion.)

**IV. REPORT OF OFFICERS**

**V. OLD BUSINESS**

**VI. COMMUNICATION**

- Ø *Moratorium on Outdoor Dining - Letter from CEO*
- Ø *Letter to Eva Sawtelle from CEO regarding daycare*
- Ø *Amendments to Chapter 1000, State of Maine Guidelines  
For Municipal Shoreland Zoning Ordinances*

Correspondence is mentioned, Board questions if Eva Sawtelle has responded to letter from CEO regarding the daycare fence.

**VII. MISCELLANEOUS**

General discussion of Section 2.08, variances, setback reductions, conforming and non-conforming lots. The board will discuss at the next meeting, with the full board, to set a workshop with Natalie.

**VIII. NEW BUSINESS**

**IX. ADJOURNMENT**

A motion was made by David Benton to adjourn the meeting at 8:40 p.m. The motion was seconded by Tim Nelson and passed unanimously.

Approved Date: \_\_\_\_\_

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**TOWN OF WATERBORO  
PLANNING BOARD**

***MEETING MINUTES***

***October 18, 2006***

***7:00 p.m.***

**I. ROLL CALL**

Planning Board

Members Present:	David Benton	Judy Carll	Donald Day
	Roland Denby	Susan Dunlap	Teresa Lowell
	Tim Nelson		

Others Present:	Paul Roberts	David Lowe	Tina Smith
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Susan Dunlap, Chair, called the meeting to order at 7:00 p.m.

**II. APPOINTMENTS**

- Ø ***Sketch Plan - McLaughlin Subdivision, Tax Map 14, Lots 40I and 40M  
William J. Gallot, Roaring Brook Consultants***

Paul Roberts, Roaring Brook Consultants, addressed the board regarding the proposed McLaughlin subdivision. The 9.78 acre parcel will be divided into four lots. The applicant stated that Starrett Pierce was the original owner of the property and surveyed and sold lots from 1965 to 1990. These lots front on the Pierce Road, a 50' wide private right of way. The plan shows a pond which the applicant proposes to use for storm water detention and as a fire pond. The dimensions of the pond have been deducted from the 80,000 square foot lot. The Board suggested that most likely a cistern will be required.

Documentation from 1990 and 1991 was reviewed by the board stating that these lots were part of an illegal subdivision. The owners of the lots were advised, at that time, that they would need to seek approval as a one-lot subdivision from the Planning Board. After discussion, Tim Nelson made a motion to seek advice from town's legal counsel to see how we should proceed with this request. The motion was seconded by Teresa Lowell and unanimously carried.

- Ø ***Setback Reduction - 16 Betty Lane, Tax Map 32, Lot 1-8  
Gary Shelton***

At the request of the applicant, this item was removed from the agenda.

### **III. MINUTES OF PREVIOUS MEETINGS**

#### **Ø *September 20, 2006***

A motion was made by Teresa Lowell to accept the minutes for the September 20, 2006 meeting. The motion was seconded by Judy Carll and carried 4-0 (Susan Dunlap, Tim Nelson, and David Benton abstained).

#### **Ø *October 4, 2006***

A motion was made by Judy Carll to accept the minutes for the meeting held October 4, 2006. The motion was seconded by Roland Denby and carried 6-0 (Tim Nelson abstained).

### **IV. REPORT OF OFFICERS**

### **V. OLD BUSINESS**

### **VI. COMMUNICATION**

Ø **Notice from SMRPC - Shoreland Zoning Workshop**

Ø **Notice from SMRPC - Boardsmanship Workshop**

### **VII. MISCELLANEOUS**

### **VIII. NEW BUSINESS**

Ø ***Legal Workshop***

***Natalie Burns, Jensen Baird Gardner & Henry***

### **IX. ADJOURNMENT**

A motion was made by Tim Nelson to adjourn the meeting at 7:45 p.m. The motion was seconded by Teresa Lowell and unanimously carried. The Board then began the legal workshop with Natalie Burns.



After discussion, a motion was made by Tim Nelson to approve the new structure as follows:

- Ø must be located at least 60' from the water
- Ø side setback to be at least 10' from the Saulnier property line
- Ø side setback to be at least 15' from the Mazzola property line
- Ø setback to be at least 30' from the right of way
- Ø all measurements are to be from the drip line of the structure
- Ø all measurements are to be confirmed by a surveyor
- Ø expansion to be no more than 30% larger than existing structure and meeting all other state and local codes

The motion was seconded by Teresa Lowell and unanimously carried.

### **III. MINUTES OF PREVIOUS MEETINGS**

Ø *November 1, 2006*

A motion was made by Teresa Lowell to accept the minutes for the meeting held November 1, 2006. The motion was seconded by Judy Carll and carried (Tim Nelson abstained).

### **IV. REPORT OF OFFICERS**

### **V. OLD BUSINESS**

### **VI. COMMUNICATION**

Ø **Letter from Verrill Dana**  
**filing 80B Complaint for Jane Harriman**

Ø **Memo from Selectmen**  
**Building Committee**

The Board reviewed a memo from the Selectmen requesting an appointee from the Planning Board to the Building Committee. This committee will look into the need for a new North Station. The Board appointed David Benton.

Ø **Email from Natalie Burns**  
**Regarding Starrett Pierce division of land**

### **VII. MISCELLANEOUS**

Sue Dunlap shared information from the Shoreland Zoning Workshop she attended. A workshop session will be scheduled for the next meeting to discuss proposed changes to the ordinance.

**VIII. NEW BUSINESS**

**IX. ADJOURNMENT**

A motion was made by Teresa Lowell to adjourn the meeting at 8:20 p.m. The motion was seconded by Tim Nelson and unanimously carried.

**TOWN OF WATERBORO  
PLANNING BOARD**

***MEETING MINUTES***

***December 20, 2006***

***7:00 p.m.***

**I. ROLL CALL**

Planning Board

Members Present:	David Benton	Judy Carll	Donald Day
	Roland Denby	Susan Dunlap	Tim Nelson
	Teresa Lowell		

Others Present:	Steve Stearns	Dana Morton	Don Boilard
	Tina Smith	David Lowe	

Susan Dunlap, Chair, opened the meeting at 7 p.m.

**II. APPOINTMENTS**

**Ø *Revised Site Plan***

***Massabesic Middle School Entrances  
Steve Stearns, Pinkham & Greer***

Steve Stearns addressed the board regarding the changes to the site plan for the middle school. He explained that MDOT added a traffic island but would not authorize construction of the turn lane on Old Alfred Road. The original plan showed turning lanes at both entrances. At the Old Alfred Road entrance, the traffic counts did not warrant the turn lane and the right of way was not wide enough to accommodate a turn lane. Mr. Stearns added that the wetland compensation area needed to be relocated because of the high groundwater table.

Board members voiced their concerns about the placement of the power pole and the pavement extending to the edge of the ditch. Sue Dunlap stated that one of the conditions of approval was that the school be in a 35 mph zone; a 50 mph zone is not acceptable. Steve Stearns will contact MDOT to find out when they will replace the 35 mph zone signs. The board also asked about the bus traffic at each of the school entrances. Dana Morton will get this information from the school. Board members stated that there was originally supposed to be an even split in the traffic at each of the entrances.

Don Boilard addressed the Board regarding his concerns as an abutter to the school. He feels that the blasting at the school has damaged his house and affected the quality of his well water. He stated that since they began blasting for the school his drinking water has had a bad smell and taste and he has had to install a water treatment filter. He claims that the blasting has also affected the ground water levels. Mr. Boilard has contacted Dana Morton and submitted an insurance claim, but no one is willing to take responsibility. He stated he would like to have all of the water drained from the area to alleviate problems with mosquitoes. Mr. Boilard complained that his children could hear the frogs and that was keeping them from sleeping. Trees on his property were also cut without his permission.

Sue Dunlap responded that the Planning Board has no jurisdiction to take action on any of the things requested. Mr. Boilard's complaints would be civil issues with the contractors. Ms. Dunlap also noted that the town has contracted with DeLuca-Hoffman to conduct a peer review of the water quality report prepared by Pinkham & Greer.

Teresa Lowell made a motion to approve the amended plan as presented, with the conditions that the 35 mph road signs be placed as they were prior to the selection of the site and the bus traffic be split 50/50 accessing both entrances. The motion was seconded by Tim and Nelson and passed 6-1 (Don Day opposed).

### **III. MINUTES OF PREVIOUS MEETINGS**

#### *Ø November 15, 2006*

Teresa Lowell made a motion to accept the minutes for the meeting held November 15, 2006. The motion was seconded by Tim Nelson and unanimously carried.

### **IV. REPORT OF OFFICERS**

### **V. OLD BUSINESS**

### **VI. COMMUNICATION**

### **VII. MISCELLANEOUS**

#### *Ø Schedule a Public Hearing*

A motion was made by Tim Nelson to schedule a public hearing to review the proposed amendment to the Zoning Ordinance, Section 13.04 Contract Zoning, and proposed amendments to the Growth Management Ordinance. The motion was seconded by Teresa Lowell and unanimously carried. After discussion it was decided that the meeting would be scheduled for Wednesday, January 17 with a snow date of Thursday, January 18; or Wednesday, January 24 with a snow date of Thursday, January 25.

## **VIII. NEW BUSINESS**

The board reviewed a proposed ordinance on *Special Amusement Permits* and a proposed Zoning Ordinance amendment for *Outdoor Dining*. The Board requested a letter from the Selectmen regarding the scheduling of a public hearing

The next meeting of the board will be a workshop on Shoreland Zoning to be held on January 3, 2007. It was the consensus of the board that Planning Board workshops not be televised.

## **IX. ADJOURNMENT**

Tim Nelson made a motion to adjourn the meeting at 8:30 p.m. The motion was seconded by Judy Carll and unanimously carried.