Town of Waterboro

TOWN OF WATERBORO
NOTICE OF PUBLIC HEARING

The Town of Waterboro Board of Selectmen will hold public hearings at the Town Hall on Tuesday, February 22, 2011, beginning at 6:00 p.m. The purpose of these hearings is to receive public comment regarding the following proposed changes to the Zoning Ordinance:

- Rezoning Request, Michael Allen, JD's Package Store
  Map 25, Lots 5 and 5-1

- Specialized Medical Clinic and Medical Marijuana Grow-Only Facility
  Article 3 and Article 14

Copies of the proposed changes are available during regular business hours in the Selectmen's Office.

Board of Selectmen

24 Townhouse Rd. East Waterboro, Maine 04030 • Tel. 247-6166 • Fax 247-3013
www.waterboro-me.gov
email:waterboro@waterboro-me.gov

JD'S
PACKAGE STORE
& REDEMPTION

PO BOX 328, ROUTE 5, E. WATERBORO, ME 04572
207-247-3991

October 19, 2010

Board of Selectmen
Town of Waterboro
24 Townhouse Road
Waterboro, ME 04030

Proposed Rezoning of Lots 5 & 5-1, Tax Map 25

Dear Board of Selectmen:

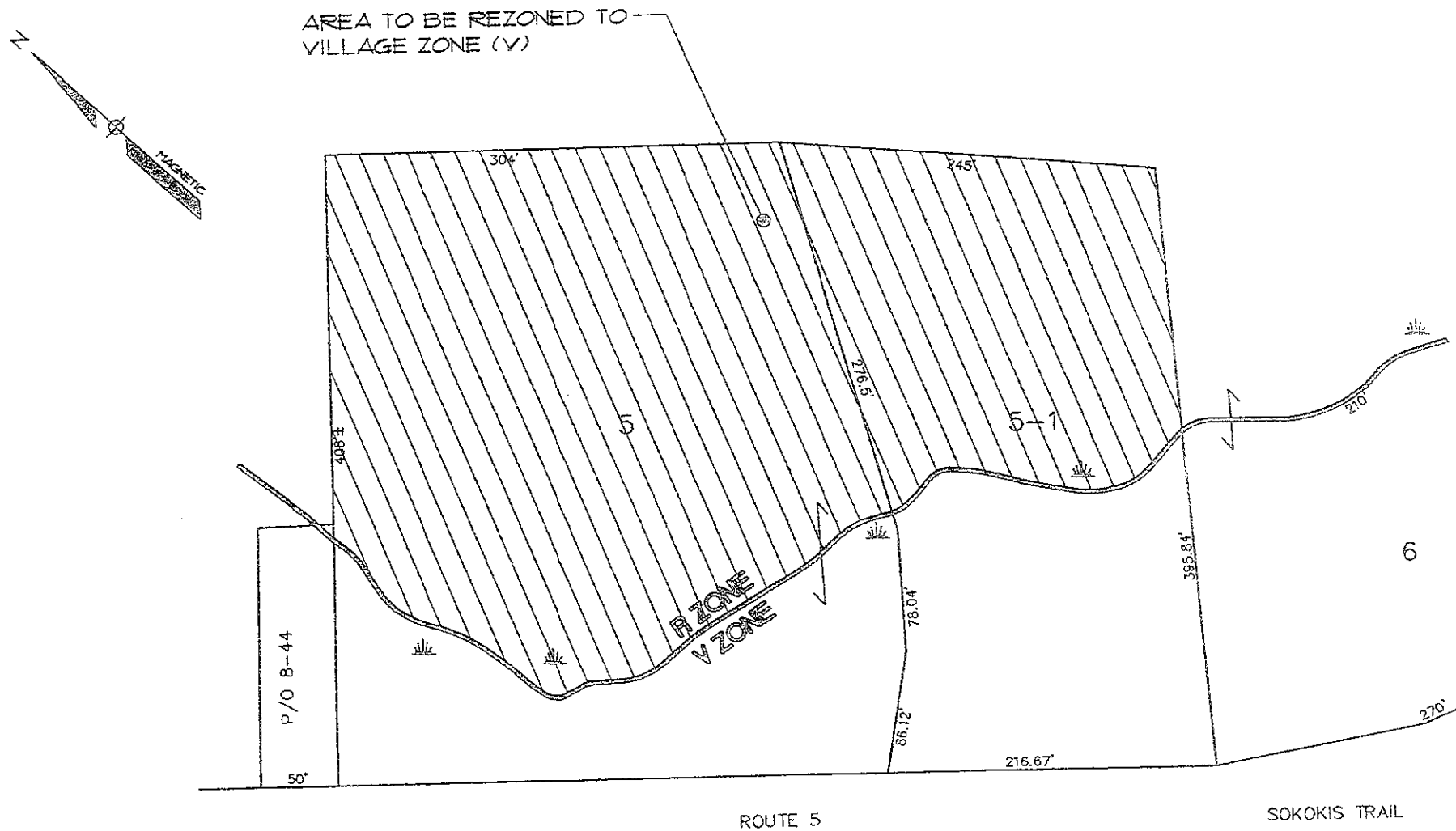
Please consider this letter as my request to consider the rezoning of Lots 5 & 5-1 as shown on Tax Map 25. As President of J.D'S. Package Store, Inc., the owner of the two parcels, I am requesting that the back portions of these two lots that are zoned Residential (R) be changed to the zoning of Village (V) consistent with the portions of the lots that front on State Road 5 (see attached map). The purpose of this rezoning is to facilitate the commercial development of these lots. We have done some preliminary planning and I have attached a conceptual site plan for your reference for a project on lot 5.

Examining the 2003 Update to the 1990 Town of Waterboro Comprehensive Plan, this request is consistent with that update specifically in regards to the Land Use Element. The Land Use Element states that relative to Goal 1 that one of the growth areas is "the area along Route 5 extending from Waterboro Center to East Waterboro and out to the Lyman Town Line." Relative to Goal 2, commercial development of these parcels for commercial ensures "the future of sensitive rural areas." Relative to Goal 5, commercial development of these parcels "protect residential and lake areas from undesirable uses, noises, etc., that are contrary to residential life." It is also in harmony with Goal 1 of the Finance and Economic Development Element as it promotes "small business in Village areas".

Please schedule this request before the Board of Selectmen and the Planning Board at your earliest possible convenience. If you have any questions relative to my request, do not hesitate to contact me. Thank you for your time and consideration.

Sincerely,

Michael S. Allen, President
JD'S Package Store, Inc.



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REZONING SKETCH

OF LOTS 5 & 5.1, TAX MAP 25

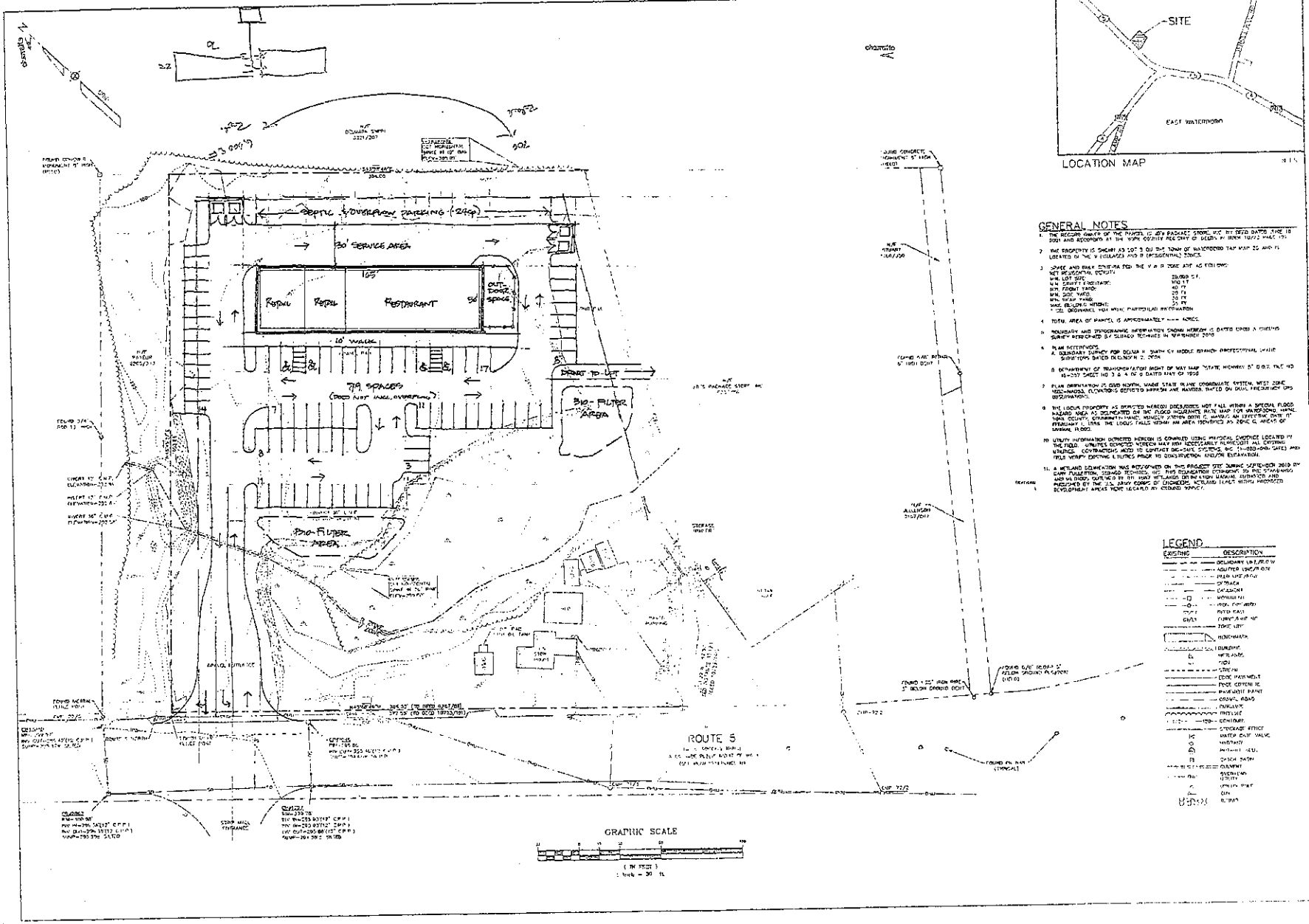
LOCATION:
SOKOKIS COMMERCIAL PROPERTY
ROUTE 5, WATERBORO, ME

FOR:
J.D.'S PACKAGE STORE, INC.
P.O. BOX 328, WATERBORO, ME 04030

SCALE:	1"=100'
DATE:	10-07-2010
SHEET:	1 OF 1

10270SK01.dwg, TAB: Layout1

9/17/10, 10:28 A



GENERAL NOTES

1. THE RECORD OWNER OF THE PARCEL IS J.D.'S PACKAGE STORE, INC. BY DEED DATED JUNE 18 2001 AND RECORDED AT THE YORK COUNTY REC DIV OF DEEDS IN BOOK 10012 PAGE 151.
2. THE PROPERTY IS SHOWN AS LOT 3 ON THE TOWN OF WATERFORD TAX MAP 25 AND IS LOCATED IN THE V (VILLAGE) AND R (RESIDENTIAL) ZONES.
3. SPACE AND BULK CRITERIA FOR THE V & R ZONE ARE AS FOLLOWS:

NET RESIDENTIAL DENSITY	
MIN. LOT SIZE	20,000 S.F.
MIN. STREET FRONTAGE	100 FT
MIN. FRONT YARD	40 FT
MIN. SIDE YARD	20 FT
MIN. REAR YARD	30 FT
MAX. BUILDING HEIGHT	35 FT

* SEE DIAGRAMS FOR MORE PARTICULAR INFORMATION

4. TOTAL AREA OF PARCEL IS APPROXIMATELY ___ ACRES.
5. BOUNDARY AND TOPOGRAPHIC INFORMATION SHOWN HEREON IS DATED BASED ON FIELD SURVEY PERFORMED BY SEBAGO TECHNICS IN SEPTEMBER 2010
6. PLAN REFERENCES:
   A. BOUNDARY SURVEY FOR DELUCA & SMITH BY MIDDLE BRANCH PROFESSIONAL LAND SURVEYORS DATED DECEMBER 2, 2004
   B. DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP "STATE HIGHWAY 5" D.O.T. FILE NO 16-237 SHEET NO 3 & 4 OF 9 DATED MAY OF 1956
7. PLAN ORIENTATION IS GRID NORTH, MAINE STATE PLANE COORDINATE SYSTEM, WEST ZONE. MECHANICAL ELEVATIONS DEPICTED HEREON ARE MAPPED, BASED ON DUAL FREQUENCY GPS OBSERVATIONS.
8. THE LOCUS PROPERTY AS DEPICTED HEREON DOES/DOES NOT FALL WITHIN A SPECIAL FLOOD HAZARD AREA AS DELINEATED ON THE FLOOD INSURANCE RATE MAP FOR WATERBORO, MAINE, YORK COUNTY, COMMUNITY-PANEL NUMBER 230171 C, BEARING AN EFFECTIVE DATE OF FEBRUARY 1, 1984. THE LOCUS FALLS WITHIN AN AREA IDENTIFIED AS ZONE C, AREA OF MINIMAL FLOOD.
9. UTILITY INFORMATION DEPICTED HEREON IS COMPILED USING PHYSICAL EVIDENCE LOCATED IN THE FIELD. UTILITIES DEPICTED HEREON MAY NOT NECESSARILY REPRESENT ALL EXISTING UTILITIES. CONTRACTORS, NOTIFY CONTACT DIG-SAFE SYSTEMS, INC. (1-888-344-7233) AND FIELD VERIFY EXISTING UTILITIES PRIOR TO CONSTRUCTION AND/OR EXCAVATION.
10. A WETLAND DELINEATION WAS PERFORMED ON THIS PROJECT SITE DURING SEPTEMBER 2010 BY GARY FULLERTON, SEBAGO TECHNICS, INC. THIS DELINEATION CONSISTED OF THE STANDARD ARMY CORPS OF ENGINEERS WETLAND DELINEATION MANUAL METHODS AND WAS BASED ON THE 1987 ARMY CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL. PRECEDED BY THE U.S. ARMY CORPS OF ENGINEERS, WETLANDS DEPARTMENT, WITHIN PROPOSED DEVELOPMENT AREAS WERE LOCATED BY SEBAGO TECHNICS.

LEGEND

EXISTING	DESCRIPTION
	BOUNDARY LINE / R.O.W.
	ADJACENT LINE / R.O.W.
	BLDG. LINE / SETBACK
	CUT BACK
	EASEMENT
	MONUMENT
	IRON PIN / PIPE
	BITUMINOUS
	ZONE LINE
	BENCHMARK
	BUILDING
	WETLANDS
	TREE
	STREAM
	EDGE HARDWOOD
	EDGE CONIFER
	PARKING PAVING
	CURBS, ROAD
	DRIVEWAY
	PATH / WALK
	CONTOURS
	STORAGE TANK
	WATER GATE VALVE
	HYDRANT
	WATER SHUT OFF
	CATCH BASIN
	CULVERT
	DRAINAGE
	UTILITY
	UTILITY POLE
	GUY
	BUSHES

NOT FOR CONSTRUCTION

PROGRESS PRINT

REV.	BY	DATE	STATUS

Sebago Technics

Engineering Environmental Consultants

PROJECT NO.	DESIGN	DRAWN
1022-SEC		VEC

EXISTING CONDITIONS PLAN

SITE NAME
ROUTES
WATERBORO, MAINE

J.D.'s PACKAGE STORE, INC.
P.O. BOX 24
WATERBORO, MAINE 04087

DATE	SCALE
9-17-2010	1"=30'

SHEET 1 OF -

ADD: following definitions to Article 14 of Zoning Ordinance

Specialized Medical Clinic: A facility that dispenses, acquires, possesses, cultivates, manufactures, delivers, transfers, transports, sells or supplies methadone, medical marijuana or other medical drugs to patients. Such dispensary may also supply educational materials and provide to registered primary caregivers of those patients at the same facility. Ancillary or accessory uses for such a specialized medical clinic may include, but are not limited to, counseling services associated with the medical conditions being treated, processing and cooking facilities for preparing the marijuana and other registered drugs. In all cases, accessory uses must remain secondary, individually and in aggregate, to the primary use. Specialized medical clinics shall require a conditional use application and site plan review as set forth in Articles 2 and 4 and must be located on Route 5 or Route 202 in the General Purpose Zone.

Medical Marijuana Grow-Only facility: A facility that engages only in the growing and processing of medical marijuana in accordance with State law, but does not dispense marijuana processing of medical marijuana may include, but are not limited to, the preparation of tinctures, ointments, and food products containing medical marijuana. Medical Marijuana Grown-Only facilities shall require a conditional use application as set forth in Article 4 and must be located on Route 5 or Route 202 in the Agricultural/Residential (A/R) Zone.

Add: to appropriate subsections of Article 3, the appropriate zones for any medical clinic and grow only facilities.