

PLANNING BOARD

Town of Waterboro

JANUARY 13, 1999
MINUTES
PUBLIC HEARING

I ROLL CALL

Doug Foglio called the meeting to order at 7:05p.m. noting the attendance of Susan Dunlap, Everett Whitten, Dwayne Woodsome, Roland Denby and John Roberts.

II PUBLIC HEARING

Judy Courtway was present for a Public Hearing for a change use permit. Judy would like to convert her existing residential garage to a small repair shop.

Doug opened the hearing to the public for questions, concerns and/or comments. There were no comments.

Doug noted that Judy currently held letters from Jimino in Windham to recycle the used anti-freeze and coolant, and a letter from TWM who will be handling the removal of oil.

Everett Whitten made a motion to approve the conversion of their existing garage to a small service station under the following conditions:

1. Business will be limited to 2 (two) employees at all times;
2. No outside storage of any type including but not limited to unregistered vehicles;
3. Anti-freeze and waste oil is to be stored inside the garage in the proper storage unit/containers until licensed pick-ups;
4. Code Enforcement Officer is to follow-up in 6 (six) months to verify that all conditions are being adhered to.

Roland Denby seconds. Motion carries a unanimous vote in favor.

The Planning Board will continue with the Regular Meeting at this time.

APPOINTMENTS

7:30 Hannaford Bros.

Vicki Bell is present with engineers to request a Final Site Plan Approval. All state permits have been received.

Items 1-15 in the Site Plan Review application have been addressed on pages 8-12 in the Site Plan Application. Deluca-Hoffman will write a state of fact coinciding with our numbers. A copy of the update has been attached for our records.

Planning Board

P.O. Box 130, Waterboro, Maine 04087 • 247-6166 • FAX 247-3013
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Email: waterboro@mix-net.net

**Planning Board
January 13, 1999
Page Two**

John Roberts made a motion to grant Hannaford Bros. a final approval under Section 3.04 and Article 4 of the Waterboro Zoning Ordinance with the following conditions:

1. Hannaford Bros. Co. agrees to enter into an agreement with the Waterboro Water District for the extension of the public water main down Route 202 to the project site.
2. That Hannaford Bros. Co. agrees to provide an updated traffic review of the conditions at the Route 5/202 intersection during the first July-August period which is a minimum of 6 months after the store opening.
3. That Hannaford Bros. Co. receives and complies with all applicable permits including local, state and federal, including but not limited to MeDEP, U.S. ACOE, U.S. EPA, Building Permit, MDOT Developer-State agreement.

Everett Whitten seconds. Motion carries a unanimous vote in favor.

8:00 Conrad Cyr for Robin Perry, Map 43 Lot 913

Conrad Cyr is present for Robin Perry to request a sideline setback reduction to place a 10' x 20' deck.

Everett Whitten made a motion to grant a 7' sideline setback reduction to be reduced from 35' to 28'. All other setbacks must be met. John Roberts seconds. Motion carries a unanimous vote in favor.

8:15 Robert Hindle, Map 19 Lot 7

Robert Hindle is present with the AMVET's organization. They would like to use the existing buildings as follows:

1. Front building will be used to hold their regular meetings. A liquor license will be requested.
2. The small front building will be used during the summer months to sell lobsters and steams for take out only.

Doug has requested that this application be reviewed to determine if a Conditional Use Permit is needed. The planning board members are to follow-up with this request and notify Mr. Hindle of their decision.

**8:30 Joanne Semo, Robert and Stephanie Kuni, Gold Mine Acres Subdivision
Map 4 Lot 3C**

Joanne, Robert and Stephanie are present with a Sketch Plan approval request to re-subdivide the 1 lot subdivision currently known as Gold Mine Acres.

John Roberts made a motion to approve the amended Gold Mine Acres Sketch Plan with the following conditions:

1. The right of way is to never be a public road, all maintenance is to be done by the owners.

The following waivers have been requested and granted:

1. Hydro-geological study;
2. Contour interval study;
3. Nitrate Test;
4. The 600' minimum length of the right of way;
5. Waive the cul-de-sac radius turn for a hammer head turn;
6. Water holes or dry hydrant;
7. Soil characteristics

8:45 Ben Chretien - Conditional Use Permit, Map 40 Lot 7

Ben Chretien presented to the Planning Board an application for a sideline setback reduction to construct a 20' x 22' garage on a grand-fathered lot.

Dwayne Woodsome made a motion to grant an 8' setback under Section 2.08 of the Waterboro Zoning Ordinance.

Roland Denby seconds. Motion carries a 4-1-0 vote approving the Conditional Use with John Roberts opposed.

9:15 Shawn Shoemaker - Conditional Use Permit,

No Show

III MINUTES OF PREVIOUS MEETING

John Roberts made a motion to approve the December 9, 1999 minutes as written. Dwayne Woodsome seconds. Motion carries a unanimous vote in favor.

IV NEW BUSINESS

V REPORT OF OFFICERS

VI OLD BUSINESS

VII COMMUNICATION

The following communications were received:

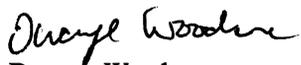
- Request from Eagles to remain open 1 additional hour on Super Bowl Sunday. Roland made a motion to grant the additional hour on Super Bowl Sunday, January 31, 1999 only, hours are to resume on Monday February 1, 1999. Everett Whitten seconds. Motion carries a unanimous vote in favor.

- Pine Tree bill of \$450.00 for Interpretation costs. Dwayne Woodsome made a motion to pay the Pine Tree bill of \$450.00 for services rendered at the Shop 'n Save Public Hearing. Susan Dunlap seconds. Motion carries a unanimous vote in favor.
- Bill from Sebago Technics for \$2,204.67 for services rendered to date. Susan Dunlap made a motion to pay the Sebago Technics bill of \$2,204.67. Dwayne Woodsome seconds. Motion carries a unanimous vote in favor.
- Letter from Karen Lovell re: McCandless Matter
- Letter to Vickie Bell re: Sebago Technics bill
- Memo from Steve Kasprzak re: Shop 'n Save Traffic
- Letter from Federal Emergency Management Agency
- Letter from DEP re: Leighton Excavating
- Review of Town Owned Properties. Dwayne Woodsome visited a large majority of the sites listed before Christmas with the Selectmen, Conservation Committee members and LAC members. What the conservation suggests be sold on Hunter road should not, they are very wet properties. Dwayne mentioned that he voiced his opinion to the Selectmen on Tuesday, January 12, 1999. Lisa has typed a list of the properties visited which will be included in the next meeting list of communications.

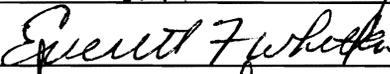
VIII ADJOURNMENT

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

Respectfully submitted,


Dwayne Woodsome
Treasurer/Secretary
Waterboro Planning Board

APPROVED: _____

 _____
 _____
 _____

WATERBORO PLANNING BOARD'S FINDINGS OF FACT ATTENDANT WITH THE PLANNING BOARD DECISION OF JANUARY 13, 1999

With respect to the fifteen Site Plan Review Standards of the ordinance, the following Findings of Fact have been made by the Planning Board:

- The proposed use meets the definitions or requirements set forth in the Zoning Ordinance.*

Finding – The proposed project is located within the Town's Village District and is defined as a "Retail and Service Stores II use and is a permitted use for the lot since the lot size exceeds 40,000 s.f. The proposed lot size is 10 acres. The layout of the proposed building and parking area meets the definition, space, and bulk requirements set forth in the zoning ordinance. The following table summarizes the zoning ordinance requirements for the project:

Zoning Compliance Summary

Zone: Village District

Permitted Use: Retail and Service Store II

Standard	Required	Proposed
Minimum Lot Area	40,000 s.f.	437,505 s.f. (10.04 acres)
Minimum Street Frontage	100 ft.	1,074.16 ft. (Route 202) 397.35 ft. (Route 5)
Minimum Front Setback	50 ft.	98.59 ft. (Route 202)
Minimum Side Setback	20 ft.	75 ft.
Minimum Rear Setback	20 ft.	N/A
Maximum Building Height	35 ft.	<35 ft.

Standard	Required/Allowed	Proposed
Parking Spaces:		
Number	1 space per 200 s.f. gross floor area (47,770 x 1/200 = 239 spaces) plus 1 space per 3 employees (assume 50/3 = 16 spaces – Total = 255	1 space per 177 s.f. gross floor area (269 spaces)
Size	10' x 20'	10' x 20'
Setback	25 ft. from roadway	35 ft. from roadway
Loading Spaces:		
Number	1 space per 2,500 s.f. commercial floor area* (47,770 x 1/2,500 = 20 spaces)	1 space per 2,389 s.f. gross floor area* (20 spaces)
Size	500 s.f.	500 s.f. (10' x 50')

*The ordinance does not define commercial floor area for use in computing loading space requirements. Use of the gross floor area in this computation results in grossly conservative results. A sketch demonstrating the area is available to meet the loading spaces required by the Town was presented to the Planning Board.

Post-It® Fax Note	7671	Date	1-20	# of pages	4
To	LISA	From	Steve		
Co./Dept.		Co.	DeLuca-Hoffman		
Phone #		Phone #			
Fax #		Fax #			

Signage	
Criteria	Requirements
Size:	
Signs Requiring Permits	300 s.f. maximum limit each 4 signs maximum 340 s.f. total signage
Signs not Requiring Permits	20 s.f. maximum limit 2 signs maximum
Height:	
Wall Signs	25 ft.
Freestanding Signs	25 ft.
Setbacks:	No signs within Right of Way

**Hannaford Bros.
Co. will apply for
signage
separately.**

Landscape Requirements	
Requirement	Provided
"... all outside parking and loading areas servicing more than 20 vehicles shall be screened from view by suitable landscaping materials - evergreen shrubs or trees, fencing, walls, berms or any combination thereof. Such screening shall be at least four (4) feet high."	The grading plan and the landscape plan feature a combination of berming, fencing and landscaping to meet or exceed this ordinance requirement.

- The proposed use will not create fire safety hazards and adequate access to the site, or to the buildings on the site, for emergency vehicles; adequate dry hydrants; or adequate access offsite dry hydrants is provided.*

Finding - The proposed project will provide sufficient fire protection and emergency access.

- The proposed exterior lighting will not create hazards to motorists traveling on adjacent public streets and adequate for the safety of occupants or uses of the site and will damage the value and diminish the usability of adjacent properties.*

Finding - The proposed project has been designed with adequate parking area illumination to provide a minimum 3 foot candle coverage. The proposed shoe box style fixture will minimize glare to passing traffic and nearby uses.

- The provisions for buffers and onsite landscaping provide adequate protection to neighboring properties from detrimental features of the development.*

Finding - The proposed project will be sufficiently landscaped along the Route 5 and Route 202 frontage. Landscaped berms with post and rail fence and vegetative plantings will be provided along the berms and within the parking fields and access drive end caps. Natural vegetation buffering will be maintained at the rear of the site to provide shielding from adjacent properties and to provide buffering to the wetland and stream natural resources.

- The proposed use will not have a significant detrimental effect on the use and peaceful enjoyment of abutting property as a result of noise, vibrations, fumes, odor, dust glare or other cause.*

Finding - The project is considered a minor generator of noise, odors, fumes or dust glare as evidenced by Sections 6, 7, 10 and 11 of the MeDEP application which were included in Attachment H of the site plan application and will not have a significant detrimental effect on the use and peaceful enjoyment of abutting property as a result of noise, vibrations, fumes, odor, dust glare or other cause..

6. *The provisions for vehicular loading and unloading and parking and for vehicular and pedestrian circulation on the site and onto adjacent public streets will not create hazards to safety or impose significant burdens on public facilities which could be avoided by reasonable modification of the plan.*

Finding – The proposed project includes the construction of approximately 269 parking spaces at 10' wide by 20' long, which exceeds the Town of Waterboro Standards. Access drive aisle will be provided to allow ease of circulation and access in and out of the parking area from both Routes 5 and 202. Adequate maneuvering area for a WB-62 tractor-trailer truck is provided at the loading area located at the rear of the store. Hannaford Bros. Co. will be responsible for offsite roadway improvements including the following;

Offsite Roadway Improvements:

- Left turn bypass lane on Route 202 at Old Alfred Road.
 - Left turn lanes on Route 202 at Main Street Site Driveway and Woodsomes Feed n' Needs Store.
 - Revise approach geometry on Route 202 at Route 5.
 - Install an overhead flashing beacon at Route 202 and Route 5.
 - Install left turn bypass lane on Route 5 at Site Driveway.
 - Install flashing beacon stop sign on Townhouse Road at Route 5.
7. *The bulk, location, height or design of proposed buildings, structures or paved area, or the proposed uses thereof, will not have a significant detrimental effect on private development on adjacent properties, or on the value of adjacent properties which could be avoided by reasonable modification of the plan.*

Finding – The proposed building size and height are within the limits allowed by the Waterboro Zoning Ordinance and are not considered to have a detrimental effect on private development of adjacent properties or the value of adjacent properties.

8. *The design of the site will not result in significant flood hazards or flood damage and is in conformance with applicable flood hazard protection requirements; and storm water detention pond(s) are adequate.*

Finding – The proposed project does not include placement of fill within a floodplain nor will it result in significant flood hazards based on the results of a formal stormwater management report. The project will include a formal stormwater runoff collection system and water quality treatment facilities that will convey stormwater runoff from the site to Cooks Brook. The site's peak development flows will discharge in advance of the greater watershed peak flow. Downstream peak flows from the Cooks Brook watershed will not be increased.

9. *Adequate provision has been made for the disposal of wastewater or solid waste or for the prevention of ground or surface water contamination.*

Finding – The project has made adequate provisions for wastewater disposal by the design of an engineered onsite subsurface wastewater disposal system. Solid waste removal during construction and during store operation will be provided by Yarmouth Rubbish and Recycling as evidenced by Section 5 of the MeDEP Application, were contained in Attachment I of the application.

10. *Adequate provision has been made to control erosion or sedimentation.*

Finding – An erosion and sediment control plan and report meeting State standards were included in Attachment J of the application.

11. *Adequate provision has been made to handle storm water runoff or other drainage problems on the site.*

Finding – A formal stormwater management report and design computations were contained in Attachment G of the application. The site's design include adequate provisions to handle stormwater runoff and drainage from the site in accordance with State regulations and requirements.

12. *The proposed water supply will meet the demands of the proposed use or for fire protection on the site.*

Finding – MeDEP Section 13 in Attachment E to the application presents evidence that the project will include adequate water supply for domestic and fire protection purposes. The Planning Board requested Hannaford Bros. Co, pursue the extension of the public water main. Hannaford Bros. Co. has considered this option. The Planning Board makes this finding based upon Condition 1 of this approval.

13. *Adequate provision has been made for the transportation, storage and disposal of hazardous substances and materials as defined by state law and Waterboro Hazardous Waste Ordinance.*

Finding – The proposed project will not involve the transportation, storage and disposal of hazardous substances and materials as defined by State law and Waterboro Hazardous Waste Ordinance.

14. *The proposed use will not have an adverse impact on significant scenic vistas or on significant wildlife habitat which could be avoided by reasonable modification of the plan.*

Finding – As outlined in MeDEP application Section 18 contained in Attachment D to the application, the project will maintain a naturally wooded wildlife corridor along Cooks Brook at the rear of the site. No Scenic vistas will be adversely impacted by the development

15. *The project will not increase nitrate nitrogen concentrations in surface or groundwater at the property line of the site in excess of 5 mg/l. If groundwater contains contaminants in excess of the primary drinking water standards and the project is to be served by onsite groundwater supplies, the applicant shall demonstrate how water quality will be improved or treated to meet applicable standards.*

Finding – A Geohydrologic Study by Sevee & Maher Engineers, Inc. shows that the project's wastewater disposal area and nitrate plumes will not exceed the 5 mg/l threshold at the property line. Hannaford Bros. Inc. will provide wastewater pretreatment prior to discharge to disposal field chambers.

PLANNING BOARD

Town of Waterboro

JANUARY 20, 1999
MINUTES
REGULAR MEETING

I ROLL CALL

Dwayne Woodsome called the meeting to order at 7:40 p.m. noting the attendance of Roland Denby, Everett Whitten and Susan Dunlap.

II APPOINTMENTS

7:30 DOUG FOGGIO JR. present for Suzanne J. Foglio - SITE PLAN REVIEW

Doug presented to the board a Sketch Plan for a 5 lot subdivision to be called "Justin Way". A letter requesting a waiver of the Hydro-study for the purpose of the project, letter attached. The road will contain a 50' R.O.W. accessing the back being #7. Lots are to be numbered 3 - 7. A request to waive the 600' R.O.W. was also requested.

Everett Whitten made a motion to grant the Hydro-study waiver under section 6.2.1-#26 in the Land Subdivision Regulations on Justin Way, a 5 Lot subdivision. Roland Denby seconds. The motion carries a unanimous vote in favor.

Susan Dunlap motion to waive the 600' R.O.W. under Section 9.3.1.6 in the Land Subdivision Regulations with R.O.W. not to exceed a length of 1500'. Everett Whitten seconds. Motion carries a unanimous vote in favor.

Everett Whitten made a motion to approve the Sketch Plan as presented. Roland Denby seconds. Motion carries a unanimous vote in favor.

8:15 KASPRZAK INC. PRELIMINARY PLAN FOR TOWNHOUSE WOODS PHASE II

Bob Georgitis presented to the planning board the Preliminary Plan for Townhouse Woods Phase II on the Townhouse/Buxton Road. The new plan consist of 22 lots versus the original 23 lots with 11 lots being located in a cul-de-sac with only 1 main road entrance/exit. Due to the size of the development a DEP application has been filed.

A conservation easement will be granted to the Town but not to be for Town use. This easement would prevent the owners from clear cutting, building and/or filling on the conservation portion of their land.

A waiver for the pier review of the Hydro-study has been requested. Due to the cost and need for a Hydro-study with DEP a third Hydro-study would deem unnecessary. A waiver for the centralized mail delivery has also been requested.

Everett Whitten made a motion to waive the Planning Boards pier review of the Hydro-study. Roland Denby seconds. Motion carries a unanimous vote in favor.

Bob was directed to the E. Waterboro Post Office for a letter stating that they would be willing and able to deliver to each individual residents versus a centralized mail unit. When letter is received the Planning Board will reviewed for a vote.

**PLANNING BOARD
JANUARY 20, 1999 MINUTES
PAGE TWO**

III MINUTES OF THE PREVIOUS MEETINGS

Everett Whitten made a motion to accept the January 13 minutes subject to the fill-in of the additional waivers on Gold Mine Acres 8:30 appointment. Roland Denby Seconds. Motion carries a unanimous vote in favor 2-0-1 with Duane abstaining.

*LMM 2/19/99
omitted in
error*

IV NEW BUSINESS

V REPORT OF OFFICERS

VI OLD BUSINESS

The Conditional Use Permit for Judy Courtway was reviewed for clarification. The conditions currently read "No outside storing of any type of vehicle registered/unregistered is to be permitted". This would forbid any registered vehicle waiting for repair to be in the driveway.

Everett Whitten made a motion to reword that condition to read "No outside storage of any type including but not limited to unregistered vehicles." Roland Denby seconds. Motion carries a unanimous vote in favor.

VII COMMUNICATION

Pine Tree invoice of \$405.00 for services rendered at the Public Hearing of December 9, 1998 was reviewed. Susan Dunlap made a motion to pay the \$405.00 invoice for Pine Tree. Everett Whitten seconds. Motion carries a unanimous vote in favor.

VIII ADJOURNMENT

Susan Dunlap made a motion to adjourn the meeting at 9:30 p.m. Everett Whitten seconds. Motion carries a unanimous vote in favor.

Meeting adjourned.

Respectfully submitted:

Dwayne Woodsome
Dwayne Woodsome
Secretary/Treasurer
Planning Board

ACCEPTED:

Roland E. Denby
Everett Whitten
Susan Dunlap

PLANNING BOARD

Town of Waterboro

**JANUARY 28, 1999
MINUTES
REGULAR MEETING**

I ROLL CALL

Dwayne Woodsome called the meeting to order at 7:35 p.m. noting the attendance of Roland Denby, Everett Whitten, Susan Dunlap, Duane Fay.

II APPOINTMENTS

8:15 Dale Witman, Brenda Charland and Willis Lord came before the Planning Board to discuss the use of the Town owned properties and receive their opinion on what should be sold, kept and for what reasons.

III MINUTES OF THE PREVIOUS MEETINGS

Everett Whitten made a motion to re-approve the 1/13/99 minutes after the addition of the waivers to Gold Mine Acres. Roland Denby seconds. Motion carries a unanimous vote in favor.

Roland Denby made a motion to approve the 1/20/98 minutes as written. Everett Whitten seconds. Motion carries a unanimous vote in favor 3-0-1 with Duane abstaining.

IV NEW BUSINESS

V REPORT OF OFFICERS

VI OLD BUSINESS

Everett Whitten made a motion to amend the previous Conditional Use for the Eagles and re-issue grant with a 2 hour time extension on Super Bowl Sunday. Roland Denby seconds. Motion carries a unanimous vote in favor, 3-0-1 with Duane abstaining due to conflict of interest.

VII COMMUNICATIONS

The following letters of communication were reviewed:

- Letter from Hannaford Bros. regarding additional funds.
- Zoning changes - Roland Denby made a motion to hold off on any zoning changes until time allowed for the board to better review the changes. Duane Fay seconds. Motion carries a 3-1-0 with Sue opposed. Susan Dunlap made a motion to have Lisa contact Karen Lovell and see how to reword the Site Plan Review response time so that we may have a warrant for the Public Meeting on February 23, 1999. Duane Fay seconds. Motion carries a unanimous vote in favor.

**PLANNING BOARD
MINUTES
JANUARY 28, 1999
PAGE TWO**

VIII ADJOURNMENT

Susan Dunlap made a motion to adjourn the meeting at 9:50 p.m. Roland Denby seconds. Motion carries a unanimous vote in favor.

Meeting Adjourned.

Respectfully submitted:

Dwayne Woodsome
Dwayne Woodsome
Secretary/Treasurer
Planning Board

ACCEPTED: 2-10-99
Susan Dunlap
Roland E. Denby
Marie [unclear]

PLANNING BOARD

Town of Waterboro

FEBRUARY 10, 1999

MINUTES

PUBLIC HEARING

I ROLL CALL

Dwayne Woodsome called the Public Hearing to order at 7:02 p.m. noting the attendance of John Roberts, Roland Denby, Susan Dunlap and Duane Fay. Also in attendance are Stephen Kasprzak, Bob Georgitis and , it is noted that there are 3 members of the public including Elias Smith, Jr. present.

PUBLIC HEARING

Steve Kasprzak described Townhouse Woods Phase II as a 22 lot subdivision on 75 acres located on the Buxton Road a.k.a. Townhouse Road. Steve presented a map denoting the lot locations, open areas and the brook and wetland areas.

Elias Smith had a concern with hydrants in the area to serve the area homes. Steve noted that there is access from the snowmobile trail to the brook which may be an acceptable location for a dry hydrant. Elias agreed.

Dwayne opened the meeting to the public for questions and/or comments. No questions/concerns were generated.

Dwayne adjourned the Public Hearing of Kasprzak's Townhouse Woods Phase II at 7:12 p.m.

Dwayne called the regular Planning Board meeting to order at 7:15 p.m.

Preliminary Plan checklist for Townhouse Woods Phase II was reviewed. Upon finding all necessary information to be complete, Susan Dunlap motioned to accept the Preliminary Plan for Townhouse Woods Phase II. Duane Fay seconds. Motion carries a unanimous vote in favor of 3-0-1 with John Roberts abstaining.

II APPOINTMENTS

8:00 GOLD MINE ACRES - FINAL REVIEW

Upon reviewing the Final Plan for Gold Mine Acres, with all the necessary information as requested on the Final Plan Checklist, John Roberts made a motion to approve the Gold Mine Acres Subdivision plans dated January 19, 1999. Duane Fay seconds. Motion carries a unanimous vote in favor. Applicants and Board Members sign the subdivision plans to be recorded at the York County Registry of Deeds.

8:30 WILLIAM HANSON Jr. - MAP 13 LOT 43

William Hanson Jr. has presented to the Planning Board a sketch plan of the property located on Map 13, Lot 43 which falls in the AR/F&A zones. He is interested in placing an office building, a garage for parking the company oil truck and a separate storage unit building for rentals. The buildings are all to be located on the AR zone portion of the said property.

Upon review, Susan Dunlap made a motion to ask the Towns' Attorney Karen Lovell the following:

1. What are we conditioning?
2. With the property being in a broken zone, which requirements are needed, AR or F&A?
3. Being a "Commercial Complex" will it need a Site Plan Review or a Conditional Use or both?

P.O. Box 130, Waterboro, Maine 04087 • 247-6166 • FAX 247-3013

<http://www.mix-net.net/~waterboro/>

Email: waterboro@mix-net.net

**PLANNING BOARD
MINUTES
FEBRUARY 10, 1999
PAGE TWO**

John Roberts seconds. Motion carries a unanimous vote in favor.

John Roberts made a motion to have William Hanson return under "Old Business" after we hear from Karen. Lisa is to let William know what paperwork will be needed. Susan Dunlap seconds. Motion carries a unanimous vote in favor.

8:45 CLEMENT DESFORGES - MAP 47 LOT 189/190

Clement Desforges is requesting a setback reduction in the AR zone of a grandfathered lot. Clement would like to place a 21' x 18' addition to the side of his home. The front yard setback of the addition will be 58' and the sideline 20'. John Roberts made a motion allowing Clement Desforges to construct a 21' x 18' addition with a front yard setback to be no closer than 58' to the road and a sideline setback to be no closer than 20' to the line labeled as 195.77. Duane Fay seconds. Motion carries a unanimous vote in favor.

9:00 PAUL L'HEUREUX - 6 MONTH REVIEW OF THE EAGLES

Paul L'Heureux is present for a 6 month review as stated in the Conditional Use Permit granted on December 10, 1997 and dated December 16, 1997.

After reviewing the letters from the Code Enforcement Office and DHS (attached) John Roberts made a motion that having no complaints, we grant the Eagle's a positive 6 months review and increase the seating capacity to the State allowed capacity to 60. John Roberts also motions to allow the Eagles to remain upon until 1:00a.m. on Super Bowl Sundays. The paving will be completed to the road and to include an additional 4 spaces. Susan Dunlap seconds. Motion carries a unanimous vote in favor of 3-0-1 with Duane Fay abstaining.

III MINUTES OF PREVIOUS MEETINGS

Roland Denby made a motion to approve the 1/28/99 minutes as written. Duane Fay seconds. Motion carries a unanimous vote in favor.

IV NEW BUSINESS

The writing of an article for section 2.08 was noted. More information is needed in order to determine the proper wording of the article. No action is taken on the article at this time.

V REPORT OF OFFICERS

Dwayne Woodsome presented the Appropriations Report to the members noting that the interpreter has been paid in full by the town. We are to see if Hannaford Bros. will help defray the costs. Susan Dunlap made a motion to approve the Appropriations Report as received. Roland Denby seconds. Motion carries a unanimous vote in favor of 3-0-1 with John Roberts abstaining.

**PLANNING BOARD
MINUTES
FEBRUARY 10, 1999
PAGE THREE**

VI OLD BUSINESS

Clarification of the Minutes dated October 14, 1998 and Conditional Use permit issued on October 21, 1998 was noted due to a clerical error. Pursuant to Title 5 Section 95B the Minutes and Conditional Use Permit was amended by Lisa Morse.

Sally Williams, Attorney for Dube, requested to have 5 minutes of the boards time to discuss the matter of Richard Johnson's setback reduction. Dwayne Woodsome stated that per the advice of the Town's Attorney we are only to note the changes made and that no other discussion is to be permitted.

VII COMMUNICATION

The following letters were reviewed.

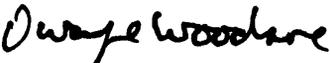
- Dearborn Bros. Construction letter to abutters regarding the Informational Meeting to be held at the Town Hall on Thursday, February 11, 1999.
- DEP letter for MSAD #57 regarding the Boiler Plant Air Emissions License

VIII ADJOURNMENT

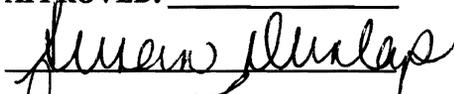
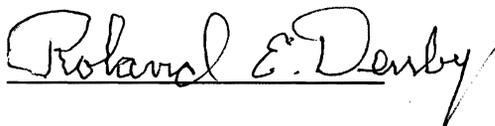
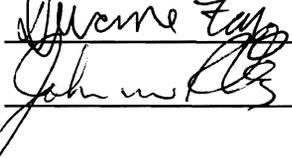
John Roberts made a motion to adjourn the meeting at 9:45 p.m. Susan Dunlap seconds. Motion carries a unanimous vote in favor.

Meeting adjourned.

Respectfully submitted,


Dwayne Woodsome
Secretary/Treasurer
Waterboro Planning Board

APPROVED: _____

	
_____	_____
	_____
_____	_____

PLANNING BOARD

Town of Waterboro

MINUTES

MARCH 10, 1999

REGULAR MEETING

I ROLL CALL

John Roberts called the meeting to order at 7:35 p.m. noting the attendance of Susan Dunlap, Roland Denby, Everett Whitten, Dwayne Woodsome and Duane Fay. John also notes the attendance of a few public members for the purpose of video taping the meeting.

II MINUTES OF PREVIOUS MEETING

Dwayne Woodsome made a motion to accept the February 25, 1999 meeting minutes as written. Duane Fay seconds. Motion carries a 4-0-1 vote with Everett Whitten abstaining.

III APPOINTMENTS

7:45 TOM SOULE & RICHARD DOUGHTY, Map 5 Lot 53A Storage Facility

It is noted that Bob Gobel, an abutter, and his Attorney, Ronald Ayotte are present.

Tom Soule and Richard Doughty along with Brad Lodge, Surveyor, with a sketch plan of the proposed storage facility to be located on Map 5 lot 53A Route 202/4. The plans consist of 9 storage units, 3 of which will be built upon approval. The grounds will consist of a fenced area with security access codes for the renters. Within the fenced area the grounds will consist of tar around and between the buildings. Lighting will be limited to the buildings, there will be not apparent run-off lighting. The largest unit will be 10'x30', no storing of ammunition, toxic chemicals, hazardous wastes etc. will be permitted in the storage facility.

John Roberts noted some concern with disrupting the neighbors by placing the office on the 1st unit on the left with 24 hr access. He wanted to know what the possibilities were of placing the office on the middle building. Tom noted that by placing the office on the middle building would disrupt the traffic flow around the buildings. Tom also noted that he can plant evergreens between his property and the abutter to provide a screen.

Everett asked for an estimate of traffic that the storage facility will create on a daily basis. Tom noted that with 100 units an estimate of 10 cars a day will travel the facility. He also stated that it was unusual for renters to visit the unit on a regular basis, those who will visit on a regular basis are business people who use the facility for equipment storage.

Susan Dunlap motion to have Tom plant evergreens of sufficient screening quality to the end of the first building to provide a buffer. Everett Whitten seconds. Motion carries a unanimous vote in favor 5-0-0.

Upon reviewing the check list, Tom is to return with notations on lighting buffers, signs and a letter from Paul regarding the surface drainage.

Roland Denby made a motion to accept the plans as a Sketch Plan. Duane Fay seconds. Motion carries a unanimous vote in favor 5-0-0.

PLANNING BOARD

Town of Waterboro

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8:00 Gerard Lapierre - Map 4 Lot 5

Gerard Lapierre presented to the Planning Board an application to construct a 24' x 26' garage on the northeast side of his grandfathered property. Gerard requested a front yard setback reduction of 15'. Everett Whitten made a motion to approve a 20' front yard setback reduction. Roland Denby seconds. Motion carries a unanimous vote in favor 5-0-0.

8:15 Dana Morton representing Alan Moulton of Moulton Lumber, Map 11 Lot 18

Dana Morton is representing Alan Moulton of Moulton Lumber for a proposed 6 lot subdivision "Forest Acres". The property is located on the corners of the Webber Road and Townhouse Road. The subdivision will consist of 4 driveways on the Webber Road and 2 driveway on the Buxton Road.

After review of the sketch plan, Dwayne Woodsome made a motion to send the plans to the Road Review Committee for greenbelt information. Duane Fay seconds. Motion carries a unanimous vote in favor 5-0-0. Duane Fay made a motion to accept the sketch plan as presented. Everett Whitten seconds. Motion carries a unanimous vote in favor 5-0-0. Dwayne Woodsome made a motion to present the plans at a public hearing set for March 25, 1999 at 7:30p.m.. Everett Whitten seconds. Motion carries a unanimous vote in favor 5-0-0.

Dwayne Woodsome made a motion to request that the Road Review Committee be present for the Public Hearing. Susan Dunlap seconds. Motion carries a unanimous vote in favor 5-0-0.

8:30 Dana Morton representing Bill Hanson - Map13 Lot 43

Dana has presented to the planning board a sketch plan to build a 40'x80' garage with 1 20'x40' office space and 1 20'x40' storage area both attached to the garage. A proposed 35'x100' self storage unit and a future sited area for another 35'x100' self storage unit. Dwayne Woodsome made a motion to write a letter to the Town's Attorney requesting what the requirements are on a 50' right-of-way setback, does it require a 75' (front yard) setback or a 35' (sideline) setback. Susan Dunlap seconds. Motion carries a unanimous vote in favor 5-0-0.

Bill is to return on March 25, 1999 for the Public Hearing.

9:00 Bill Thompson representing Cal Knudson - Map 5 Lot 27.003

Bill Thompson is representing Cal Knudson on a 6 lot subdivision on Map 5 Lot 27.003 on the Deering Ridge Road. Bill has requested the Planning Board waive the cul-de-sac and the 600' right-of-way for a 1200' right-of-way. The planning Board is unable to waive the cul-de-sac at this time. Dwayne Woodsome motion to send the plans to the Fire Department for their input on the 1200' right-of-way. Duane Fay seconds. Motion carries a unanimous vote in favor 5-0-0. Lisa is to notify Bill Thompson upon hearing from the Fire Department of their decision and schedule a Public Hearing at that time.

Duane Fay made a motion to approve the sketch plan as presented. Everett Whitten seconds. Motion carries a unanimous vote in favor 5-0-0.

IV NEW BUSINESS

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V REPORT OF OFFICERS

VI OLD BUSINESS

Copy of previous Attorney rulings on split zones to be used with Bill Hanson.

VII COMMUNICATION

The following letters of communication have been reviewed:

- Letter to Steve Foglio from Attorneys Murray, Plumb and Murray regarding illegal gravel pits.
- Letter from Karen Lovell re: Extractive Industry and Land Reclamation Ordinance.
- Copy of letter to Murray Plumb & Murray from Bernstein, Shur regarding illegal gravel pits.
- ME State Planning Office's "Model Excavation Ordinance".
- Municipal Complex Study Committee
- Extractive Industry, and Land Reclamation Ordinance

The discussion on the proposed Gravel Pit Ordinance led to the Planning Board Stating that the Town's ordinance was passed in 1989.

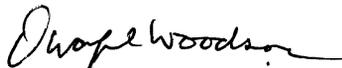
Dean Waterhouse began to discuss the problems he has encountered with his property and Les Leighton's proposed "Trailer Park". Dwayne Woodsome informed Dean that in order to further discuss the Gravel Pits and the Trailer Park he needed to set up an appointment to be placed on the Planning Board Agenda.

- Letter from Vickie Bell, Hannaford Bros.
- Copy of the letter sent to Wes Leighton from Steve Foglio.

VIII ADJOURNMENT

Dwayne Woodsome motion to adjourn the meeting at 10:45 p.m. Susan Dunlap seconds. Motion carries a unanimous vote in favor 5-0-0. Meeting Adjourned

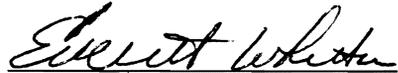
Respectfully submitted,


Dwayne Woodsome
Secretary/Treasurer
Waterboro Planning Board

ACCEPTED: 3/25/99







PLANNING BOARD

Town of Waterboro

MEETING MINUTES MARCH 25, 1999

I ROLL CALL:

John Roberts called meeting to order at 7:30 p.m. noting the attendance of Everett Whitten, Dwayne Woodsome, Roland Denby and Susan Dunlap. It is noted that Steve Foglio is also present at this meeting.

The is no attendance for the Public Hearing at this time, the regular meeting is called to order.

II APPOINTMENTS:

8:00 DAVE GREATON - REPRESENTING RENALD COLLIN, MAP 44 LOT A467

Dave Greaton presented to the Planning Board an application for a front and rear setback reduction.

Dwayne Woodsome made a motion to grant Dave Greaton a 40' front yard setback on Keystone Drive and a 30' setback to lot A468. All other setbacks must be met. Everett Whitten seconds. Motion carries a unanimous vote in favor 4-0-0.

8:15 DAVID STANTON - MAP 21 LOT 19 "OFFICE COMPLEX"

Dave Stanton presented to the Planning Board a request to convert the home located on Map 21 Lot 19 in South Waterboro to a single business "Office Complex". The business to be conducted is the Marketing of a Credit Card Service and the Sales of ATM Machines with Check Guarantee Service. The home consist of 3 rooms on the main floor and 4 rooms on the 2nd floor. The rooms are approximately 14' x 14'. The structures and features of the home will remain the same, the only renovations to be done will be to update the existing wiring and heating systems.

Dwayne Woodsome made a motion to approve the "Office Complex" under Section 3.04 Subsection 3.04.01 item 3 meeting all zoning criteria's for square footage in the Zoning Ordinance. Everett Whitten seconds. Motion carries a unanimous vote in favor 4-0-0.

THE REGULAR MEETING IS TABLED AT THIS TIME, JOHN ROBERTS CALLS THE PUBLIC HEARING TO ORDER AT 7:50 P.M. Noting the attendance of one member of the public, Bob Gobiell along with Steve Foglio.

PUBLIC HEARING

DANA MORTON - REPRESENTING WILLIAM HANSON MAP 13 LOT 43 ZONED AR/FA

Dana Morton presented an updated plan for the 40' x 80' garage with a 20' x 40' storage area and 20' x 40' office space with two 35' x 100' self storage units. The plans have been changed at the Planning Boards request to meet the 75' right of way setbacks created by Mr. Hanson.

Dwayne Woodsome made a motion to approve the Preliminary Sketch Plan as presented and waive *item* #8 on the site plan check list. Roland Denby seconds. Motion carries a unanimous vote in favor 4-0-0. Dana Morton and William Hanson will return for the Final Plan approval at the next meeting under "Old Business".

**TOM SOULE AND RICHARD DOUGHTY WITH BRAD LODGE OF NADEAU & LODGE
LAND SURVEYORS - MAP 5 LOT 53A**

Tom, Richard and Brad are present with a revised plan for the Storage Facility with the changes requested by the Planning Board Members to meeting the 75' right-of-way setback.

John Roberts noted the letter from Paul Demers for the Stormwater & Erosion Control designs was written with the intention of placing 9 storage units, the updated plan presents only 8 storage units. John recommended that the last paragraph be changed to correspond with the plans presented.

Dwayne Woodsome noted his concern with the water flow to Cooks Brook, where the water is currently dispersed throughout the property it will be condensed to an area such as the detention pond. The entire flow will now be directed to Cook's Brook. John Roberts noted that some of the water will evaporate prior to flowing to Cook's Brook, the detention pond will consist of approximately ½ acre.

Phase I will consist of approximately 1 acre which does not require DEP approval, any construction on Phase II will require DEP approval.

Dwayne Woodsome made a motion to adjourn the Public Meeting at 8:40p.m. Everett Whitten seconds. Motion carries a unanimous vote in favor.

Regular meeting reopened at 8:40 p.m.

III OLD BUSINESS:

Dwayne Woodsome asked the board to review the Site Plan for Tom Soule and Richard Doughty for the Storage Facility to be located on Routes 202 & 4.

Dwayne made a motion that the grades at the entrance of the road and ditch lines be shown on the plans, and that after the completion of Phase I they will return to the Planning Board for review after they receive DEP approval for the entire project before being issued a building permit for Phase II and III. The purpose is to ensure the Board and the abutters that the drainage design is working properly. Included in the motion is to grant a waiver on #8 of the Site Plan requiring a TOPO map showing contours. Roland Denby seconds. Motion carries a unanimous vote in favor 4-0-0.

The following items are needed for Final Plan:

1. Grades and ditch lines at entrance of road;
2. Approximate placement of Utility poles;
3. Cover sheet for septic design

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WESLEY LEIGHTON - MAP 4 LOT 13-1 OSSIPEE HILL ROAD

Wesley Leighton presented to the Planning Board a plan for 3 - 2 unit buildings to be located on Map 4 Lot 13-1 on the Ossipee Hill Road.

John Roberts noted that he felt the plan presented did not fall under Site Plan as presented by Wesley. He stated that the buildings would fall under sub-division, John then proceeded to read the sub-division definition in the Zoning Ordinance.

John also noted that an on-site review of the property would not be necessary, Steve Foglio has already walked the property and the Board Members are all familiar with the location.

Everett Whitten made a motion to waive the hydro-impact study and requested that a statement of the hydro study be submitted. Roland Denby seconds. Motion carries a unanimous vote in favor 4-0-0.

WESLEY LEIGHTON - MAP 21 LOT 18 ROUTE 202 & 4 ZONED VILLAGE

Wesley present to the Planning Board a plan to construct a General Office building on an undersized lot (85' x 58') located on Map 21 Lot 18. Wesley stated that although he now owns the property it currently has an active building permit held by Jack Pierce. John Roberts informed Wesley that the permit would only be active if Jack Pierce still owned the property.

Dwayne Woodsome made a motion to send Karen Lovell a letter asking her if Wesley sold the property back to Jack Pierce, would the building permit still be valid. If Jack were to build, could he also renew the permit to the specs the Wesley presented rather than the garage that the permit was pulled on. Susan Dunlap seconds. Motion carries a unanimous vote in favor 4-0-0.

Wesley is to return at the next meeting under "Old Business".

IV MINUTES OF THE PREVIOUS MEETING

Everett Whitten made a motion to accept the March 10, 1999 minutes as written. Susan Dunlap seconds. Motion carries a unanimous vote in favor 4-0-0.

V CORRESPONDENCE

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VI ADJOURNMENT

Everett Whitten made a motion to adjourn the meeting at 9:45 p.m. Susan Dunlap seconds. Motion carries a unanimous vote in favor 4-0-0.

Meeting Adjourned!

Respectfully submitted,

Dwayne Woodsome
Dwayne Woodsome
Planning Board
Secretary/Treasurer

ACCEPTED: 4-14-99

Susan Dunlap _____
Roland C. Dunlap _____
Everett F. Whitten _____

PLANNING BOARD

Town of Waterboro

MEETING MINUTES
APRIL 14, 1999

I ROLL CALL

Doug Foglio Sr., called the meeting to order at 7:40 p.m. noting the attendance of Everett Whitten, Roland Denby, Dwayne Woodsome, Susan Dunlap and Elias Smith as requested by the Planning Board.

II APPOINTMENTS

8:00 Marie Melanson - Map 21 Lot 22 - Conditional Use Permit

Marie presented to the Planning Board a request to convert the previous "Country Clipper" into a "Take-out/Delivery" Italian Sandwich Shop. She does not intend on placing any dining tables, there will simply be a service counter and kitchen area. She plans on serving hot/cold subs and pasta dishes.

The State has already approved the shop as per the existing septic design. The apartment in the rear will no longer be used as rental property, she intends on using that space as storage. There is currently two uses on the property which would require more parking, she is requesting only one use.

Dwayne Woodsome noted that parking in the front of the property cannot be considered due to the State R.O.W.

Dwayne Woodsome made a motion to allow Marie Melanson to operate a "Take-out/Delivery" Shop on Map 21 Lot 22 located on the Goodwins Mill Road under Section 3.04, Subsection 3.04.01 Item 2 with the following restrictions:

1. No parking is to be allowed on State Pavement;
2. A sign is to be placed (at owners expense) against the store noting Pick up & Delivery parking only;
3. 140 sq. ft. of customer space in the front of the building;
4. Eliminate the rental residence in rear and have building as a single use establishment with customer and employee parking on both sides of the building.
5. Upon termination of this use, the building will revert to a residential structure.

Everett Whitten seconds. Motion carries a unanimous vote in favor.

III OLD BUSINESS

Tom Soule, represented by Paul Demers, Map 5 lot 53A Final Approval of East Waterboro Self Storage

Tom Soule is in for Final Approval on the Site Plan presented to the Board for the East Waterboro Self Storage units on Route 202.

The plans presented have been adjusted to the Planning Boards requests of March 10, 1999. The changes are as follows:

- The addition of the elevations at the entrance;
- The location of the utility poles;
- The addition of a notation stating that DEP and Planning Board approval is needed in order to proceed with Phase II and III of the Storage Facility.

Doug noted his concerns with future DEP approvals, he does not feel that the DEP will be part of the peer review in the future. Doug is requesting that Tom Soule and Richard Doughty are made aware that the

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Towns peer review will be required in addition to the DEP's review at the applicants expense.

The question of the type of erosion control which will be present was raised and the capacity of the front detention pond. Paul Demers stated that 4" of loam and seed with 6" of excavation will be brought to the Phase I site, the front detention pond will have the capacity of 19,000 c.f. of water. The 2nd (rear) detention pond is approximately 180' x 130' and approximately 1 - 1 1/2' deep, a capacity of approx. 30,000 c.f.

Dwayne Woodsome made a motion to approve Phase I of III phases of the East Waterboro Self Storage Site Plan Review under Section 3.06.02 item 17 with the following requirements:

1. DEP and Planning Board review of Phases II and III be completed prior to acquiring the Building Permits.
2. All drainage measures and erosion control be completed before an Occupancy Permit is granted by the Code Enforcement Officer.

Everett Whitten seconds. Motion carries a unanimous vote in favor.

Cal Knudson - Subdivision Plan - Map 5 Lot 27.003

Cal Knudson has presented a revised subdivision plan. The original plan noted 6 lots, the current plan is 3 lots located on the Deering Ridge Road.

Doug Foglio stated that he received a call from Fred Faye with concerns of the driveway entrance. Fred stated that there was little to no sight distance to the left of the drive. Cal said he would call Fred and arrange to meet him on the property to discuss his concerns.

Elias Smith noted his concerns of the lack of water access for fire purposes. The nearest fire pond is located on the corner of Townhouse Road and Deering Ridge Road. Elias would like to see some sort of on-site water as in a 5,000 gal water suppression tank for 3 or more lots to access in the event of a fire. Cal stated he'd be interested in helping the town place a fire pond to hold the 5,000 gal of water year round.

Cal was asked if the road would be a Private R.O.W. or requested to be Town maintained road and the type of utility service to be made available for the 3 lots. Cal stated that the road will be maintained by a the Road Association to consist of the lot owners with overhead utility poles.

Roland Denby asked if all three lots were to be sold. Cal stated that his lot would be located on Lot 3 of the subdivision.

Dwayne Woodsome noted that he would like to see a notation on the subdivision plan stating that the lots can not be resubdivided. Cal stated that if the notation is required to approve the subdivision than he will request a future 4th lot with the waiver of the hydro-study. Cal would like the option to place a 4th lot in the future. Dwayne noted that the future development of the 3 lot subdivision as presented will not be allowed with the waiver of the hydro study.

The Board did not wish to approve or waive any request until a site walk was done on the property. The Site Walk is scheduled for Tuesday, April 20, 1999 at 6:00 p.m. Elias Smith and Fred Faye will be invited to be present for the site walk. Cal is to return under "Old Business" at the April 22, 1999 meeting.

**Planning Board
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Doug Foglio turned the meeting over to Dwayne at this time due to the conflict of interest of the next appointment.

Doug Foglio Jr. is presenting Suzanne Foglio who is also present for the Preliminary and Final Approval of the subdivision "Justin Way".

The Board Members reviewed the Preliminary and Final checklist needed for the Subdivision review. Upon finding the checklist complete Everett Whitten made a motion to accept the Preliminary Subdivision plan as presented. Roland Denby seconds. Motion carries a unanimous vote in favor.

Everett Whitten made a motion to accept the Final Subdivision plan with the request that a line be added for Suzanne's signature as required by the Registry of Deed. The Planning Board members agreed that they would sign the approved plan at the next meeting. Roland Denby seconds. Motion carries a unanimous vote in favor.

IV MINUTES OF THE PREVIOUS MEETING

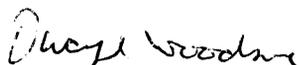
Everett Whitten made a motion to accept the March 25, 1999 meeting minutes as written. Susan Dunlap seconds. Motion carries a unanimous vote in favor.

V CORRESPONDENCE

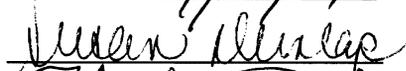
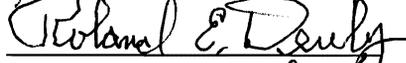
VII ADJOURNMENT

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

Respectfully submitted;


Dwayne Woodsome
Planning Board
Secretary/Treasurer

ACCEPTED: 4/22/99




DW/lmm

PLANNING BOARD

Town of Waterboro

MEETING MINUTES
APRIL 22, 1999

I ROLL CALL

Doug Foglio called the meeting to order at 7:30 p.m. noting the attendance of Roland Denby, Everett Whitten, Duane Fay and Dwayne Woodsome. Susan Dunlap entered at 7:50 p.m.

II OLD BUSINESS

Cal Knudson is present to submit the three (3) lot subdivision located on the Deering Ridge Road Map 5 Lot 27.003. Cal has presented to the Planning Board a request for the following waivers:

1. Waive the 600' length for a right-of-way to 1200';
2. That a cul-de-sac be waived to allow for a hammerhead turn;
3. The hydrogeology study be waived.

Cal also stated that Bartlett Pine Road is being proposed as a Private Road. The lot owners will be given a right-of-way over this road to access their lots, and will be responsible for the maintenance of the road by means of a formal Road Association to be formed upon final approval of the plan.

Dwayne Woodsome made a motion to accept the Three (3) Lot subdivision of Cal Knudson "Bartlett Pond" as a sketch plan. Roland Denby seconds. Motion carries a unanimous vote in favor.

Dwayne Woodsome made a motion to schedule a Public Hearing contingent of the Town Hall's availability. The Public Hearing has been set for Thursday, May 13, 1999 at 7:15p.m. Everett Whitten seconds. Motion carries a unanimous vote in favor.

It is noted that the following members were present for the Site Walk on Tuesday, April 20, 1999 at Bartlett Pine Subdivision: Doug Foglio Sr., Susan Dunlap, Dwayne Woodsome. Roland Denby and Everett Whitten visited the site on Thursday afternoon, 4/22/99.

Bill Hanson - Final Plan Review

Bill Hanson was present for a Final Site Plan Review of the property located on Route 5, Map 13 Lot 43. Upon review of the Site Plan checklist and finding it to be complete Duane Fay made a motion to accept the Plan as Final. Everett Whitten seconds. Motion carries a unanimous vote in favor. Planning Board Members sign the approved Site Plan.

II APPOINTMENTS

8:00 Diane & Eric Herrle with "Waterboro Against the Pits Committee"

Dale Witman, Willis Lord, Brenda Charland and Millard Genthner are also present for this portion of the Planning Board Meeting.

Diane, Eric and other Committee Members are present to discuss possible Zoning changes to the Waterboro Gravel Pit Ordinance.

Planning Board

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Doug began the discussion by stating that the changes were submitted to the Selectmen and forwarded to the Planning Board. Doug opened the floor to the Committee to explain their proposed changes.

Dwayne Woodsome made a motion that if any personal issues are raised the meeting will be adjourned immediately. Everett Whitten seconds. Motion carries a unanimous vote in favor.

Diane stated that the document they presented she felt speaks for itself. She stated that she felt this meeting was to be a workshop to work through the changes.

Doug noted that the order of the workshop is to review their request versus what the Town currently has as an ordinance. Duane Fay stated that the current Waterboro Ordinance give the Planning Board a very tight control over the new gravel pits (Section 4.04).

Eric Herrle mentioned that he went through the Town, State and area Town Gravel Pit Zoning Ordinances. What they are proposing is that we remove section 4.04 of our Zoning and replace it with the one they our proposing. The Committee feels that the one they have proposed is the best of all the area community ordinances brought into one.

Doug asked for an example of the what they would like to see changed.

Eric used Section 12.04 of the Town's ordinance which gives the Planning Board authority to oversee that the work is being completed. The Committee's proposed ordinance states in Section 12 item 12.1 "...In no instance shall the amount of the guarantee be less than 125% of the estimated cost of rehabilitation.....". Doug asked what base of rehabilitation is to be considered. Are they suggesting the "entire project" or an estimate on what is in operation. Eric noted the entire project.

Willis Lord states that after 5 acres the DEP automatically becomes involved. The intent of the State guidelines was that after 5 acres the pits will than fall under State guideline jurisdiction.

Doug noted that having an ordinance that does not conform to performance standards of the State makes enforcement of the gravel pits difficult and solely on the town.

Eric Herrle - Than 12.1 should state 125% of 5 acres. Doug noted that the State does not require anything under 5 acres. Doug also noted that the Extractive Industry voluntarily raised the fee amount of licensing to enable more frequent inspections, there are currently 98% of the pits in compliance with the State Ordinance.

Eric asked how the Planning Board intended on going through the revisions in the future? Doug said they would review it Article by Article and that it would take many meetings, the Board will raise questions and possibly with the Committee's detail and the Boards questions Town Approval may be granted.

It was noted that under the Gravel Pit Ordinance there are no rules, what is stated is the Law. It needs to go before the legislature in order to become in effect.

Susan Dunlap requested that the Committee provide us with a marked up copy with the areas of changes that they are requesting to make it easier for the Planning Board to see the changes that is being requested.

Dwayne mentioned that a lot of the deadlines cannot be handled by the Planning Board within 30 days. It will take 1+/- years for the Board to review the plans and have them ready for town approval.

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April 22, 1999
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Dwayne motioned to move the May 27th meeting ahead to May 20th due to the Holiday Weekend. Susan Dunlap seconds. Motion carries a unanimous vote in favor. The Committee will return under "Old Business" to further discuss the changes they are requesting.

9:00 William Welch Map38 Lot 36

William Welch has presented to the Planning Board a request to construct a 30' x 30' garage in the Shoreland Zoning area of Ossipee Lake.

Everett Whitten motion to grant Mr. Welch the authority to build a 28' x 32' garage, the foundation of the garage is to be tied into the house on the shoreline setback being 83' (the dimensions of the garage have been changed to better conform to the required setbacks). The structure will be no closer than 85' to the water on North shoreline, 45' to Richard's property, 40' to the Giles property and 110' to the Welch/Gile shoreline. All DEP erosion control management practices must be taken. A permit may be issued after Roland Denby visits the proposed site and gives an approval of the plan as discussed above. Duane Fay seconds. Motion carries a unanimous vote in favor.

VI MINUTES TO THE PREVIOUS MEETING

Dwayne Woodsome made a motion to approve the April 14, 1999 Minutes as modified. Roland Denby seconds. Motion carries a unanimous vote in favor.

VII COMMUNICATION

The "Certificate of Disposal/Recycling" letter of communication was reviewed.

VIII MISCELLANEOUS

No decisions were made at this time regarding the Boards use of the term Preschool, is it a Private school or Home Occupation?. It will be placed on the next agenda for discussion.

A revised plan of West Hill II Subdivision will be placed on the next agenda. The developer needs a re-approval due to a change in the R.O.W.

Lisa is to contact Walt Stimpson and see if he is available to attend a workshop to update the Waterboro Zoning Ordinance on Thursday, May 13 at 8:00.

IX ADJOURNMENT

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

Planning Board
April 22, 1999
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Respectfully submitted,

Dwayne Woodsome
Dwayne Woodsome
Secretary/Treasurer
Waterboro Planning Board

ACCEPTED: *[Signature]*

Richard C. Deby
Meme Fay

DW/lmm

PLANNING BOARD

Town of Waterboro

MAY 12, 1999
REGULAR MEETING
MINUTES

I ROLL CALL:

Doug Foglio called the meeting to order at 7:35 p.m. noting the attendance of Dwayne Woodsome, Duane Fay, Roland Denby and John Roberts.

II APPOINTMENTS:

7:30 Donald and Diane Holden Map 32 Lot 39

Donald and Diane Holden are present with an application to build a 24' x 24' garage with an attached 8' x 16' shed on their property located on Tax Map 32 Lot 39 Zoned AR-Shoreland. A front yard setback of 40' and a sideline setback of 10' is requested to Lot 38.

Under section(s) 2.08, 3.03 and 4.02 Dwayne Woodsome made a motion to grant the Holden's a front yard setback of 40' to the road and a sideline setback of 10' to Lot 38 with the exception that they acquire a joint agreement with Mr. Berry (Lot 38) agreeing to a joint 10' sideline setback. A copy of the agreement is to be attached with the Setback Reduction form and recorded at the Registry of Deeds. Roland Denby seconds. Motion carries a unanimous vote in favor.

7:45 Owen Grant Map 14 Lot 11T

Owen Grant is present with an application for a front-yard setback reduction on his Grandfathered Lot located on Map 14 Lot 11T. Mr. Grant would like to build an 8' x 12' porch which would bring him to approximately 42' from the road.

Under Section(s) 2.08, 3.03 and 4.02 John Roberts made a motion to grant Mr. Grant a front yard setback reduction to 40'. All other setbacks must be met. Duane Fay seconds. Motion carries a unanimous vote in favor.

8:00 CC Development - Setback Reductions

Map 46 Lot 2087 - Alan Bolduc of CC Development is requesting a setback reduction to build a 24' x 40' ranch style home on Map 46 Lot 2087.

Under Section(s) 2.08, 3.03 and 4.02 Dwayne Woodsome made a motion to grant CC Development sideline setbacks of 25' on both sides. All other setbacks must be met. John Roberts seconds. Motion carries a unanimous vote in favor.

Map 46 Lot 2200 - Alan Bolduc of CC Development is requesting a setback reduction to build a 24' x 40' ranch style home on Map 46 Lot 2200.

Under Section(s) 2.08, 3.03 and 4.02 John Roberts made a motion to grant CC Development sideline setbacks of 25' on both sides. All other setbacks must be met. Dwayne Woodsome seconds. Motion carries a unanimous vote in favor.

**Planning Board
May 12, 1999
Page Two**

Map 46 Lot 2074 - Alan Bolduc of CC Development is requesting a setback reduction to build a 24' x 40' ranch style home on Map 46 Lot 2074.

Under Section(s) 2.08, 3.03 and 4.02 John Roberts made a motion to grant CC Development sideline setbacks of 25' on both sides. All other setbacks must be met. Duane Fay seconds. Motion carries a unanimous vote in favor.

8:30 Dave Greateon - Setback Reductions

Map 45 Lot 1776 - Dave Greateon of Great American Reality is representing Raymond Marcotte. A setback reduction is requested to build a 24' x 34' cape style home on Map 45 Lot 1776.

Under Section(s) 2.08, 3.03 and 4.02 Dwayne Woodsome made a motion to grant Raymond Marcotte sideline setbacks of 30' on both sides. All other setbacks must be met. Roland Denby seconds. Motion carries a unanimous vote in favor.

Map 43 Lot 793 - Dave Greateon of Great American Reality is representing Fernard Champagne. A setback reduction is requested to build a 24' x 34' cape style home on Map 43 Lot 793.

Under Section(s) 2.08, 3.03 and 4.02 Dwayne Woodsome made a motion to grant Fernard Champagne sideline setbacks of 30' on both sides. All other setbacks must be met. Roland Denby seconds. Motion carries a unanimous vote in favor.

Map 44 Lot A539 - Dave Greateon of Great American Reality is representing Fernard Champagne. A setback reduction is requested to build a 24' x 34' cape style home on Map 43 Lot A539.

Under Section(s) 2.08, 3.03 and 4.02 Dwayne Woodsome made a motion to grant Fernard Champagne sideline setbacks of 30' on both sides. All other setbacks must be met. Roland Denby seconds. Motion carries a unanimous vote in favor.

III NEW BUSINESS

IV MINUTES TO THE PREVIOUS MEETING

Roland Denby made a motion to approve the April 22, 1999 meeting minutes as written. Noting that as requested Roland and Everett verified the property dimensions on the Welch Property Map 38 Lot 36. John Roberts seconds. Motion carries a unanimous vote in favor.

V OLD BUSINESS

Doug Foglio and John Roberts removed themselves from the meeting at 8:55. The meeting is handed over to Dwayne Woodsome as acting Chairman.

Susan Dunlap entered the meeting at 9:00

Kasprzak Landbank is present for the Final Subdivision Plan for Townhouse Woods Phase II.

Upon reviewing the Final Subdivision Checklist and finding all to be in order and complete Roland Denby made a motion to approve the Final Subdivision Plan for Townhouse Woods Phase II contingent on the

entrance permit for Killock Drive. There shall be no conveyance or issuance of building permits for lots 12 - 22 until the proposed Killock Drive is constructed through and including base paving in accordance with the approved plans and the Town of Waterboro Road Standards, the completed work is reviewed and approved by the Town Road Commissioner with the assistance of the Road Review Committee and a savings account in the name of the Town of Waterboro is submitted containing the funds necessary for completing the surface paving of Killock Drive.

Duane Fay seconds. Motion carries a unanimous vote in favor.

Subdivision Plans are signed by the Board Members.

VI COMMUNICATION

The following letters of communications were reviewed:

- DEP correspondence "Findings of Fact and Order" on Phase II Subdivision of Kasprzak's Townhouse Woods Phase II
- Letter from Marilyn Petersen regarding Moulton Subdivision noting concerns
- Reimbursement request for Registry Fees to Suzanne Foglio and Tom Soule
- Various letters of communication to Town from Bob Fay
- Ad for Public Hearing dated May 13, 1999

VII MISCELLANEOUS

VIII ADJOURNMENT

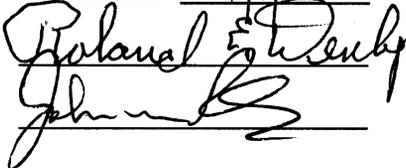
Roland Denby made a motion to adjourn the meeting at 10:15 p.m. Duane Fay seconds. Motion carries a unanimous vote in favor.

Respectfully submitted,


Dwayne Woodsome
Planning Board
Secretary/Treasurer

DW/lmm

ACCEPTED: 6/9/99



PLANNING BOARD

Town of Waterboro

PUBLIC HEARING MAY 13, 1999

Doug Foglio, Chairman, called the Public Hearing to order at 7:15 p.m. noting the attendance of Susan Dunlap, Everett Whitten, Dwayne Woodsome, John Roberts, Duane Fay and Roland Denby. There are 12 (twelve) members of the public also present.

Doug informed the public that the purpose of the Public Hearing was to inform the public of two proposed subdivisions that have been brought to the Planning Board for review and approval. No decisions will be made tonight, this is an informational meeting only.

Cal Knudsen - Owner/Developer of Bartlett Pines

Cal Knudsen approached the public noting that his proposed three (3) lot subdivision is located on the Deering Ridge Road in the Agriculture/Residential and Conservation zone. The three lots will consist of two 2 acre lots and one 18 acre parcel with approximately 3 ½ acres of common land. The property has 400' of frontage on Bartlett Pond. The road as a private right-of-way being 1200' in length to be maintained by three (3) single family homes.

Three waivers have been requested and are as follows:

1. Length of the right-of-way to allow the 1200' versus 600';
2. For the right-of-way to have a hammer head turn versus a cul-de-sac;
3. Hydrogeological study

Questions:

Don Boissoneault - What types of homes will you allow in the development? Cal - Homes of approximately 1600 sq. ft. with attached garages. No modular and/or mobile homes will be permitted.

Pat Boissoneault - Will the common area be available for public access? Cal - No. It will be for use by the lot owners.

Rick Madruga - What is the location of the development? Cal - It is approximately 9/10 of a mile from Route 202 just over the Lyman line near the small cemetery.

Don Boissoneault - Can you clarify the zoning and acreage requirements? Doug - The A/R zone 80,000 sq. ft..

Rick Madruga - What are the road frontage requirements? Doug - The AR zone requires 150' of road frontage.

There were no further questions. Doug called the first meeting to a close at 7:30 p.m.

Dana Morton - representing Alan Moulton, Forest Acres Subdivision

Dana Morton is representing Alan Moulton for a proposed 6 (six) lot Subdivision called Forest Acres on the corners of Buxton and Webber Roads.

**Planning Board
Public Hearing
May 13, 1999
Page Two**

The proposed subdivision will consist of 6 (six) single family homes with each lot being over 80,000 sq. ft. The property is located 1 ½ miles down the Buxton Road. The site drainage is excellent and soils consisting of gravel and sands.

Being that the subdivision is within 500' of Ossipee Lake the lake frontage and setbacks need to equal to 500'. Seeing that there is no lake frontage the building envelopes need to be 500' back from Ossipee Lake.

The Road Review Committee had a concern with the width of the Town's right-of-way and requested that we allowed for 66'. The surveys show the Buxton Road as being 50' and the Webber Road as 66'. The setback line on the Buxton Road will be moved back 16'. The Webber Road will consist of 4 driveways and 2 on the Buxton Road.

Questions/Comments

Rick Madruga - How many feet on the Buxton Road does the property have? Dana - 1,166 ft.

Doug noted that he would like to see all the driveways on the Webber Road.

Cheryl Hazard - Why? You don't live there and deal with the existing traffic. Doug - Because the Buxton Road is a major traveled road.

Cheryl - What is the total acreage? Dana - 12.33 acres.

Cheryl - Will there by property designated for a ball park/field? Dana - There will be a conservation easement to the town. The owner is currently offering a lot for Habitat for Humanities, if they deny it they will then turn to the town.

Dwayne Woodsome - We currently have a subdivision that has offered land to the town for a field and it was denied. Even if the Developer designated one lot for recreation it doesn't mean that it will be used as such.

Doug - Did you (Cheryl) buy a lot in a subdivision? Cheryl - Yes, but we are near the lake. The only hiking area on the Webber Road is Ossipee Pines.

Doug - We don't want you to think that we don't understand what you are trying to state. The liabilities for injuries are a major concern and the Parks and Rec has stated that they are unable to maintain any more rec areas. To determine what subdivisions have designated land for recreational purposes one would need to return to the Town Meeting minutes to see when and where these properties are located.

Cheryl - Doesn't the town have a maximum number of lots when a recreational area is needed. John Roberts - I feel you have been misinformed, the Town does not have a maximum lot number before a recreational area is made available.

Rick Madruga - There are snowmobiles and ATV's who are currently using the trail through the property. What will happen to that trail? Alan - Is it a state authorized trail? Rick - I thought it was several years ago, there has been state snowmobile signs on the trail. Alan - Anyone can use those sign, in order for it to be an authorized trail the landowner needs to grant the use, our family has not.

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May 13, 1999
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Jill - I'm not interested in a rec area, I'm interested in a large track of land. With this subdivision what other changes can we expect for development. John Roberts - There is no way a Planning Board can stop a developer from developing land when all the setback requirements can be met.

Joseph Waite - Why are you donating a lot to Habitat? Alan - My mother got involved with Habitat and it is her wish. My grandfather was involved with the YMCA who used this property frequently. It is more of a sentimental value to the family.

Joseph - I've seen the other Habitat homes built and they are not quality homes. Alan - People need to help build, maintain and pay for the homes.

Joseph - I would rather see you sell the property to someone who will build a quality home.

Cheryl - Will there be stipulations/restrictions required on the homes built? Alan - Yes, there will be restrictions and requirements.

Rick Madruga - Is there anything that will confirm that all requirements will be met? Doug - Yes, we have a Code Officer and all the homes need to meet BOCA codes.

Joseph - Do you plan on putting a sq. ft. requirement on the homes with garages etc.? Alan - The people will build what they want, if a garage is wanted than they will build one.

Dwayne Woodsome noted that it is possible that not all the lots will be developed, some buyers may wish to purchase double lots.

Doug - Will you put restrictions on Mobile and Modular homes? Alan - No Mobile and/or Modular homes will be allowed.

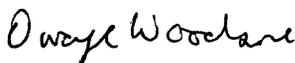
No further questions at this time, Doug has closed the second Public Hearing at 8:08 p.m.

The Planning Board Members will now meet with Sebago Tech for the purpose of reviewing the Town's Zoning Ordinance.

Upon discussion it is requested that Sebago Tech review the Zoning Ordinance and piece together what they feel changes and adjustments need to be made. Lisa and Steve will review previous Town Minutes since 1977 and located all proposed, voted/denied changes that has gone through the Ordinance. Sebago Tech will contact us when they have a heads up on the project.

Susan Dunlap made a motion to adjourn at 9:30 p.m. Duane Fay seconds. Motion carries a unanimous vote in favor. Meeting adjourned.

Respectfully submitted,



Dwayne Woodsome
Secretary/Treasurer
Waterboro Planning Board

Planning Board
Public Hearing
May 13, 1999
Page Four

ACCEPTED 6/9/99
Colonel E. D. Dealy
Ernest Whitten
J. H. [unclear]

Juan Delep

PLANNING BOARD

Town of Waterboro

MAY 20, 1999
REGULAR MEETING

I ROLL CALL

Doug Foglio, Chairman, called the meeting to order at 7:35 p.m. noting the attendance of Dwayne Woodsome, Roland Denby, Everett Whitten and Duane Fay. Susan Dunlap entered the meeting at 9:30 p.m.

II APPOINTMENTS

9:00 Virginia Giarusso Map 44 Lot 535

Virginia Giarusso has presented a request for a sideline setback reduction on Map 44 Lot 535 in Lake Arrowhead.

Duane Fay made a motion to grant Virginia Giarusso a sideline setback of 28' on both sides of the property. All other setbacks must be met. Everett Whitten seconds. Motion carries a unanimous vote in favor.

III MINUTES OF THE PREVIOUS MEETING

No minutes were reviewed at this meeting.

IV NEW BUSINESS

V REPORT OF OFFICERS

VI OLD BUSINESS

7:30 Kim and Dorothy Janotta, Jan Tech Homes, West Hill II Subdivision

Kim and Dorothy Janotta, not present, have submitted a revised West Hill II Subdivision Plan. The revision consists of a change in the right-of-way to access lots 3 and 4.

Abutters Jack and Jackie Saunders are present to note their concerns. Jack stated that he was told by the property owner of lot 3 and 4 (Denoted as Map 6 Lots 29-30 and 29-40 on the Town of Waterboro Tax Map) that the subdivision was no longer a subdivision and the Private Right of Way was no longer in existence.

Doug noted that he researched the property and subdivision and stated that the developer (Jan Tech) came to the Town Code Officer regarding moving the private road. Than Code Officer (Rob Baker) said it was okay, however he had no authority in granting Jan Tech the change in subdivision plans.

Mr. & Mrs. Saunders contacted the Code Officer, Steve and Doug visited the property and clearly noted that the road had been moved with the approval of lot #5.

The Saunders claim that they had made an arrangement with Jan Tech that there would never be a house where one is currently being proposed. They also feel that having the right of way locked eliminates access to abutters and the culverts have not been installed per subdivision plans.

Roland Denby requested a copy of the Saunders' deed.

Dwayne Woodsome noted the interest in having a Public Hearing and site walk for the members that are not familiar with the property. Dwayne also noted that he was not aware of what authority the Planning Board has on a private right-of-way. The notes on the 1993 West Hill Subdivision clearly noted that the right-of-way was always to be a Private Right of Way so road standards to not come into effect.

Dwayne made a motion to schedule a Public Hearing on June 9 at 7:30 and requested that all Board Members individually site walk the property prior to the next meeting. Jan Tech is to notify all the abutters of the change and the Public Hearing, return receipts are requested. Duane Fay seconds. Motion carries a unanimous vote in favor.

8:15 Wes Leighton Map 21 Lot 18

Wes Leighton is present for setback reductions to construct a 40' x 20' two story building on Map 21 Lot 18 located on Route 202 in So. Waterboro.

Doug asked where the abutters wells were located and what source of water did he plan on using? Wes stated that both abutters are on public water and he also intended on hooking up to well water.

Doug asked how many uses will the building be maintaining? Wes noted that he planned on using the building solely for 1 business, a Travel Agency. Wes also noted that he has already worked with DHS for an acceptable septic design with a 750gal tank.

Duane Fay asked if he planned on paving the parking area. Wes stated he planned on having 8 parking spots, 4 of which are required. The paved area will be over concrete chambers with a manhole cover over the tank for the septic system.

Everett Whitten made a motion to approve the construction of a single use office building with 10' rear and right sideline setbacks. Plans are to be corrected to include the 8 designated parking spots with the rear of lot remaining loamed and seeded, public water supply and H2O septic design. Roland Denby seconds. Motion carries a unanimous vote in favor.

8:00 Review of Gravel Pit Ordinance with Eric & Diane Herrle (This business was taken at 8:45 due to a delay in the first appointment).

Doug noted that the process would be time consuming. The Planning Board Members will cover section by section noting questions/concerns as we go along.

Upon review of the noted sections, the following comments, questions and concerns were noted:

Section 1. TITLE - Reviewed. No questions

Section 2. PURPOSE AND INTERPRETATION - Reviewed.

Duane Fay - "Noting in this ordinance shall prohibit the Planning Board from imposing stricter standards when deemed necessary to accomplish the purposes of the ordinance". This creates an open ended phrase.
Eric Herrle - There are no quick answers. Stated that the board cannot go less but may go stricter.

Neither the Planning Board or Town has the authority to issue waivers from this point per the written interpretation.

Section 3. DEFINITIONS

Extractive Industry: Topsoil, rock, sand, gravel, and/or similar earth materials” Doug noted that these items cannot have the same specifications, there should be different criteria’s for different products. Eric noted that these are definitions of what might be considered an extractive industry.

Land Reclamation: Doug stated the fought with the State Legislature not to reclaim as buildable as understood in “natural state or allows full utility of land”. The property should remain forever wild.
Denise - The intention is so that people do not dig a hole and leave it, they want it safe when complete.
Doug - The slopes all need to be at a grade and re-vegetated state. **Eric -** We will remove that section.

Duane - What is the problem with our reclamation specifications? **Eric -** I’m not sure, I would like an explanation on the difference with the grade slopes.

Doug - Did you propose any amount of money to revise this ordinance? **Eric -** No. **Doug** the changes that will have to be made in the Zoning Ordinance will be expensive, some sections of the ordinance work together will other sections.

Active Status: “Six months per year” **Dwayne -** In the event of illness, someone may be unable to operate for more than six months (as in private pits) and taxed outrageously. Do you want to put someone out of business or help them get back on their feet? **Eric -** Point taken, this section may be changed.

Rehabilitation Plans: Reviewed, no questions.

Section 4. EXTRACTIVE INDUSTRIES

What is the reason for this section? There seems to be a wide interpretation to what is active, open, closed. You are requiring people to state if the are active or not, what will verify their statements?

Section 4.3 -Dwayne - Section 4.3 requires all active pits to re-file under new revisions? **Eric -** No. If you look further in the ordinance (16.2) it states that legal active pits are exempt from most of this ordinance.

Doug - DEP will not enforce this ordinance. They would not enforce anything beyond their own ordinance. **Diane** DEP will not touch anything under 5 acres.

Dwayne - The time frame in section 4 needs to be reevaluated. If a pit is active, why do they need to file anything until they go beyond 5 acres? **Eric -** Section 4.3 should be eliminated.

Section 5. RECLAMATION PROJECTS

This section is to be revisited at a later date.

Section 6. ADMINISTRATION

Roland - Who will handle the functions? **Doug** - We handle the plan but we have no power of enforcement. The Code Enforcement Officer handles the enforcement and returns to the Planning Board stating that the plan is not being followed, Planning Board can then revoke the permit.

The Pit ordinance review is called to a close, we will continue the review on June 24 at 8:00 where we will begin with section 7.

9:45 Cal Knudson - Bartlett Pond Subdivision

Doug read a note left by Susan Dunlap earlier stating that Larry Jacobson remembered a condition on the original subdivision that a Public Access was to be available from the lots to the pond. Upon researching the original subdivision plan it is noted that Lot #3 has a 10' Right of Way.

Cal asked what is required for him to receive preliminary and final subdivision approval.

Doug noted that he would like the Board Members and Cal come to an agreement with the property so that a notation is placed on the subdivision plan that the property is never to be re-subdivided.

Cal has stated that if a 4 lot subdivision comes to an agreement that he will put a note on the plan that the property will never be re-subdivided.

Doug stated that a statement of opinion for a hydro-geological and nitrate study on the 4 lots would be satisfactory to the board members.

Cal is to return with the following information for a preliminary subdivision plan approval:

- A Hydro-geological statement of opinion;
- A Nitrate study statement of opinion;
- The fourth lot on the subdivision plan;
- A note stating that the property is never to be re-divided again;
- Row Width
- Size of turn around
- Fire pond/holding tank per Fire Chief and Road Commissioner's written request with its location; and
- Letter from mail carrier for delivery

VII COMMUNICATION

VIII MISCELLANEOUS

Dwayne Woodsome made a motion to have the Code Enforcement Officer contact Judy Courtway, Map 4 Lot 28 regarding a violation to the Conditional Use Permit issued in January 1999. The Permit stated on item 2 that no outside storage of any type including but not limited to unregistered vehicles was to be permitted. Everett Whitten seconds. Motion carries a unanimous vote in favor.

IX ADJOURNMENT

Duane Fay made a motion to adjourn the meeting at 10:45 p.m. Roland Denby seconds. Motion carries a unanimous vote in favor.

Meeting adjourned!

Respectfully submitted,

Dwayne Woodsome
Dwayne Woodsome
Planning Board
Secretary/Treasurer

DW/lmm

ACCEPTED

6/9/99

Roland E. Denby
Ernest Whitka
John

Duane Denby

PLANNING BOARD

Town of Waterboro

REGULAR PLANNING BOARD
JUNE 9, 1999

I ROLL CALL

Doug called the regular Planning Board Meeting to order at 8:00 p.m. noting the attendance of Everett Whitten, Roland Denby, Dwayne Woodsome and Elias Smith, Fire Chief. John Roberts entered the meeting at 8:15. There were also 8 members of the public present for the public hearing including Kim and Dorothy Janotta, Jack and Jackie Sanders and Mr. & Mrs Matt Brooker as land owners in the Subdivision.

II OLD BUSINESS:

8:00 JAN TECH - West Hill II Subdivision Revision

Owens McCoullough with Sebago Tech is present to review the revisions made to the West Hill II Subdivision Plan. The only major revision was to the location of Ashley Way, a private right-of-way. There were minor changes in lot sizes of Lots 3 and 4 both owned by Mr. and Mrs. Matt Brooker. Other minor changes were in the area summary block, note 18 and the revision block.

Everett Whitten noted his concern with the erosion that was occurring on lot 3. Matt Brooker referred the Planning Board Members back to the letter he had sent dated June 8, 1999.

Upon review of the revised subdivision plan of West Hill II and finding everything to be in order, Dwayne Woodsome made a motion to approve the revised plan presented on June 9, 1999 with an amended date of 5/7/99. Everett Whitten seconds. Motion carries a unanimous vote in favor 3-0-0.

III APPOINTMENTS

8:00 Deerwatch Subdivision - Map 6 Lots 2-5 and 2-6

It is noted that a rear abutting property owner is also in attendance to this meeting.

Brad Lodge is presenting a revised subdivision plan for Deerwatch Subdivision owned by Thomas Toye. The revision requests consists of the adjustment of sidelines between lots 5 & 6 owned by Thomas Toye to accommodate the setback violation.

Everett Whitten asked how much of the foundation is in violation. Brad noted that approximately 3 - 4' of the foundation is in violation of the sideline setback.

No action will be taken tonight. Dwayne Woodsome made a motion to hold a Public Hearing to inform the land owners in the subdivision of the lot line change with lots 5 & 6. Return receipt is requested. Roland Denby seconds. Motion carries a unanimous vote in favor.

8:15 John Hatch - Informational appointment only, Map 35 Lot 25

John Hatch presented to the Planning Board pictures of an existing 24' x 24' mobile home on Ossipee Lake, the design of what he would like to place on the property using the same footprint along with a plot plan. Mr. Hatch also plans on moving the septic design back further from the lake.

**Planning Board
Regular Meeting
June 9, 1999
Page Two**

John Roberts asked if the trailer currently has the deck shown on the plot plan. Mr. Hatch stated that it was not. John Roberts noted that the deck would not be allowed. It will bring the setbacks closer to the water. John also stated that the new footprint may need to be moved back approximately 2' from the lake.

Shoreland frontage property falls under the 30% expansion rules and regulations. With the dimensions given, Mr. Hatch may expand to 898.80 sq. ft or 28 x 32 single story with the boat house under the Southern Maine Shoreland Zoning Regulations.

No other action was taken.

8:30 SAD 57 - Map 7 Lot 80A Presented by Dana Morton and Dee Lebel

Dee Lebel, Business Manager for SAD 57 has presented the board with a plan to place a portable classroom at the Waterboro Elementary School. Each portables have 2 classrooms with 2 exit doors.

Roland Denby questioned what happened in the winter for snow removal? Dee said they plow around the buildings.

Dwayne Woodsome questioned the tarring of the second drive, how were they able to tar the second drive when they were not permitted from DEP to tar under the present portables? John Roberts noted that the tarring issue was with the Jr. High. Dee also noted that the 2nd drive at the Elementary School is a safety issue.

Dwayne questioned the age of the children using the portable classrooms. Dee stated that they were 5th & 6th graders.

John Roberts made a motion to approve under Section 3.04 the placement of a portable classroom at the Waterboro Elementary School according to the plans dated 2/26/98 with the following requirements:

- That note #5 is changed from "Unit shall be connected to electrical and data services of existing building (except fire alarm)" to "Unit shall be connected to electrical and data services of existing building including fire alarm.
- That the portable classrooms are numbered and recorded with the Waterboro Fire Department.

Everett Whitten seconds. Motion carries a unanimous vote in favor 4-0-0.

SAD 57 - High School, Map 1 Lot 39 - Presented by Dana Morton and Dee Lebel

Dana Morton presented the site plan to place 2 portable trailers to be used as 4 classrooms at the Massabesic High School. The High School is working on enlarging the bus parking area, the sidewalks with lawns and trees, curbs in front of the portables so that they are not hit by buses and a porch will be placed between the 2 new portables.

The Massabesic High School is currently working with DEP to receive an after-the-fact permit for the tarred areas.

Planning Board

**Regular Meeting
June 9, 1999
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John Roberts feels that the Planning Board should refrain from making any decisions on the High School portables until a DEP permit is received.

Dana noted his concern of the Planning Board not rendering their decision upon receipt of the DEP permit. The paving went over the allowable quote due to the paving of the road to the bus barn. Upon reviewing the current tarred situation they discovered many areas needing improvement before the permit is issued by DEP of which they are in the process of correcting. A few of the corrections needed are:

- This school has the largest concentration of children with a well located within a 900' circle of the waste disposal system.
- The fuel tanks buried nearby

The contract to extend the Town Water to the High School has gone out to bid. Bids have been received but not accepted as of yet.

Before DEP does its final review, Dana would like to correct a few more issues.

John Roberts made a motion to approve under Section 3.04 the placement of 2 portable classrooms at the Massabesic High School according to the plans dated 2/26/98 with the following requirements:

- That note #5 is changed from "Unit shall be connected to electrical and data services of existing building (except fire alarm)" to "Unit shall be connected to electrical and data services of existing building including fire alarm."
- That the portable classrooms are numbered and recorded with the Waterboro Fire Department.

Everett Whitten seconds. Motion carries a unanimous vote in favor 4-0-0.

IV APPROVAL OF PREVIOUS MINUTES

Dwayne Woodsome made a motion to approve the May 12, 13 and 20 meeting minutes as written. Everett Whitten seconds. Motion carries a unanimous vote in favor. 4-0-0.

V NEW BUSINESS

VI REPORT OF OFFICERS

VII COMMUNICATIONS

VIII ADJOURNMENT

Dwayne Woodsome made a motion to adjourn the meeting at 9:45 p.m. Everett Whitten seconds. Motion carries a unanimous vote in favor 4-0-0. Meeting adjourned.

Respectfully submitted,


Dwayne Woodsome
Secretary/Treasurer
Waterboro Planning Board

**Planning Board
Regular Meeting
June 9, 1999
Page Four**

ACCEPTED: 7/14/99

John R. [Signature]
Russell [Signature]
Ronald E. [Signature]

PLANNING BOARD

Town of Waterboro

JUNE 9, 1999
PUBLIC MEETING
AND
REGULAR MEETING

Doug Foglio Sr. called the public meeting to order at 7:45 p.m. noting the attendance of Everett Whitten, Roland Denby, Dwayne Woodsome and Elias Smith, Fire Chief. John Roberts entered the meeting at 8:15. There were also 8 members of the public present for the public hearing including Kim and Dorothy Janotta, Jack and Jackie Sanders and Mr. & Mrs Matt Brooker as land owners in the Subdivision.

Doug noted that he and the engineer walked the site today. Doug also met with the Town's Attorney on Tuesday and reviewed the process for the revision. A copy of the Attorney ruling is attached.

Site walks were done by Doug and Lisa on May 24, Everett and Roland on June 1.

Doug opened the meeting to the public for questions and/or comments noting that we received 3 letters pertaining to the revisions. The letters received were from the Janotta's, Sander's and Brooker's all property owners of West Hill and West Hill II Subdivision.

Mr. Janotta noted his wish to have the revisions approved this evening.

No other questions or comments were made by the public members.

Roland asked Mr. Janotta if he had received any written approval from the Code Officer to move the Road. Mr. Janotta said he did not.

Dwayne Woodsome asked why the pond was not shown on the revised plan. Mr. Janotta said the pond was still there, he had hand drafted it on the previous plan and did not draft it on the revision but was still present.

Doug mentioned that his only comment is on the locked gate and the entrance of lots 3 and 4. Although we cannot control the gate the property should remain accessible in the event emergency vehicles need to access the property below.

Dwayne noted that there really is no need for other non-emergency vehicles to be on the private drive.

Doug called the Public Meeting to a close at 7:55 p.m.

PLANNING BOARD
Town of Waterboro

MINUTES
REGULAR MEETING
JUNE 24, 1999

Susan Dunlap, Everett Whitten and Roland Denby were the only Planning Board Member present for this meeting. Due to the inability to obtain a quorum the meeting appointments were rescheduled.

Brian Huntress was present for informational purposes only. The attending Board Members choose to speak with Mr. Huntress.

Brian is presenting a possible road revision to a grandfathered subdivision "Wild Acres". When the subdivision was approved it fell in the Village Zone. Under the current zoning revision the subdivision now falls in the AR zone.

The proposed road revision would increase the lot size of Lot 1 by 14,480 sq. ft. and Lot 2 by 10,340 sq. ft. making them less non-conforming. Roland referred to section 2.08 of the Zoning Ordinance.

When questioned on the increase of sideline footage from 150' to 226' Mr. Huntress noted that the added footage came from a 75' x 405' strip of land that was separately purchased to allow for the approved turn.

The 1975 subdivision plans are currently grandfathered, any change in the subdivision would create a new subdivision which would need to meet the current setbacks. Do these 2 non-conforming lots of record become 1 due to the fact that they are not built?, or does the R.O.W. and approved subdivision prevent the joining of the lots? When an application is pulled, do they fall under the approved Village setbacks or fall under the new AR zone.

Mr. Huntress will return to the Planning Board if he still chooses to continue his plan to correct the R.O.W.

Respectfully submitted,

Dwayne Woodsome
Dwayne Woodsome
Secretary/Treasurer
Waterboro Planning Board

DW/lmm

ACCEPTED:

Roland E. Deely
Everett Whitten
Susan Dunlap

PLANNING BOARD

Town of Waterboro

PUBLIC HEARING
JULY 14, 1999

ROLL CALL

John Roberts called the meeting to order at 7:30 p.m. noting the attendance of Roland Denby, Everett Whitten and Susan Dunlap. Brad Lodge is presenting the Deerwatch Subdivision revisions for Thomas Toye. There are 2 members of the public which are not abutters to Deerwatch Subdivision. Dwayne Woodsome entered the meeting at 7:50 p.m.

PUBLIC HEARING - DEERWATCH SUBDIVISION REVISIONS

Brad is presenting a lot line revision to Deerwatch Subdivision located on Map 6 Lots 2-5 and 2-6. The sideline revision is needed due to an error made by the contractor and the placement of the foundation.

John referred to section 7.4.1 in the Land Subdivision Regulations and noted that any revisions cannot be made unless the entire proposed revised plan is present. John also noted that all interested parties need to "sign-off" and agree to the revision. Interested parties is referred to as "any property owner in the Deerwatch Subdivision". These letters are not present.

Mr. Huntress noted his opinion on the nonsense of having to notify and receive approval from all members/owners of the subdivision when the property line change does not effect their property in any manner.

With no further questions from the board John called the Public Hearing to a close at 7:45 and called the regular meeting to order at this time.

II OLD BUSINESS

Brad Lodge requested the approval for the lot revisions of lots 2-5 and 2-6 of the Deerwatch Subdivision.

After further discussion Everett made a motion to:

1. Allow the presented revised survey plan to meet the requirements of Section 7.4.1 of the Subdivision Ordinance so long as it is tied into the original approved plan at the Registry of Deeds.
2. A letter from all Subdivision property owners approving the revisions is received.

Roland seconds. Motion carries a 3-0-0 vote in favor.

Brad will return on July 22 with the necessary information for final plan approval.

George & Brian Huntress - Wild Acres Subdivision

George & Brian Huntress are present with the Subdivision Wild Acres which was approved on November 12, 1975. They would like to eliminate the need to tar the road on the Subdivision as recommended by Frank R. Goodwin in the letter dated September 22, 1975 item 2.

Everett Whitten made a motion to waive the condition #2 on the letter dated September 22, 1975 written by Frank R. Goodwin. Also noted in the motion is Section 7.5.1 which states "The approval by the Planning Board of the subdivision plans shall not be deemed to constitute or be evidence of any

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Email: waterboro@mix-net.net

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Page Two**

acceptance by the Town of any street, easement, park, playground, recreation area or other open space area shown on such plan and the Final Plan shall bear a statement to this effect." Roland Denby seconds. Motion carries a 3-1-0 vote in favor.

III MINUTES OF PREVIOUS MEETINGS

Everett Whitten made a motion to approve the June 9, 1999 minutes as written. Dwayne Woodsome seconds. Motion carries a unanimous vote in favor.

Roland Denby made a motion to approve the notes taken June 24, 1999 as written. Everett Whitten seconds. Motion carries a 3-0-1 vote in favor.

IV APPOINTMENTS

Gerard Lemieux is present with an application to place a spiral staircase on the outside of his camp on Map 38 Lot 27 on Ossipee Lake.

After reviewing the file it is noted that Mr. Lemieux was in front of the Planning Board on August 8, 1990. A letter from Tim Nelson, CEO was also reviewed noting that a spiral staircase is not allowed under BOCA or Life Safety Codes for use as a fire escape.

After further discussion, Dwayne Woodsome made a motion to allow Mr. Lemieux build a staircase that would meet all BOCA codes and shoreland setbacks. Everett Whitten seconds. Motion carries a 4-0-0 vote in favor.

Dwayne made a motion to send the Code Officer a note requesting that before and after photos be taken for the file. Susan Dunlap seconds. Motion carries a 4-0-0 vote in favor.

V NEW BUSINESS

VI REPORT OF OFFICERS

VII COMMUNICATION

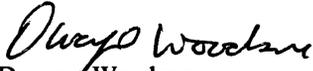
VIII MISCELLANEOUS

IX ADJOURNMENT

Dwayne Woodsome made a motion to adjourn the meeting. Susan Dunlap seconds. Motion carries a 4-0-0 vote in favor.

Meeting adjourned at 9:15 p.m.

Respectfully submitted,


Dwayne Woodsome
Secretary/Treasurer
Planning Board

Planning Board
July 14, 1999
Page Two

DW/Imm

ACCEPTED: _____

Roland E. Daulton _____
Susan M. Mearns _____
Carol Woodman _____

PLANNING BOARD

Town of Waterboro

REGULAR MEETING
JULY 22, 1999

I ROLL CALL

Doug Foglio called the meeting to order at 7:35 p.m. noting the attendance of Susan Dunlap, Duane Fay, Everett Whitten, Roland Denby and introducing our newest member Todd Morey.

II APPOINTMENTS

The 9:00 appointment, Mike Frechette, did not show.

III MINUTES OF THE PREVIOUS MEETING

IV NEW BUSINESS

V OLD BUSINESS

Cal Knudsen - Map 5 Lot 27.003 Bartlett Pines Subdivision

Cal Knudsen is present for a Preliminary and Final Plan approval of the 4 (four) lot subdivision, Bartlett Pines, located on the Deering Ridge Road.

The only changes to the plan consisted of the relocation of the fire pond now located on the Deering Ridge Road and the addition of Item 16 in the notes stating that the lots are never to be redivided.

Upon review of the Preliminary checklist the following items need to be address:

1. Developers Signature line is missing;
2. Item 5 of the Restrictions should include rock and/or brick
3. Item 16 of the Restrictions needs to read: Further subdivision of the subject lots by any lot owner is specifically prohibited.
4. Item 8 of the Restrictions should read "...shall have been approved in writing by the Grantor, his heirs and assigns...."

Duane Fay moved to approve the preliminary plan with the corrections to be made on the Deed Restrictions as listed above before being recorded. Everett Whitten seconds. Motion carries a 5-0-0 vote in favor.

Upon review of the Final Checklist Duane Fay made a motion to approve the Final Plans of Bartlett Pines 4 lot Subdivision with the deed restrictions to be changed as listed in the Preliminary motion prior to being recorded. Everett Whitten seconds. Motion carries a 5-0-0 motion in favor.

Mylar and copies were signed by the Developer and the Planning Board Members.

Deerwatch Subdivision - Final Plan Approval on Revisions

Brad Lodge of Middle Branch Surveyors is representing Thomas Toye in a Final Plan Review of the subdivision consisting of a lot line change to Map 6 lots 2-5 & 2-6.

Planning Board
July 22, 1999
Page Two

Upon review of the Final Checklist Everett Whitten moved to approve the revised subdivision plan as presented dated 5/27/99, additional copies are to be made with the signed mylar. The Mylar will be registered after a 7 day waiting period for the purpose of receiving any correspondence from the Subdivision landowners. Roland Denby seconds. Motion carries a 5-0-0 vote in favor.

Wes Leighton - clarification of Conditional Use granted on May 20, 1999

Wes Leighton had previously presented to the Planning Board a Site Plan applicaiton for an office building/retail space for the property located on Map 21 Lot 18. The Conditional Use approval stated only the office building.

Duane Fay made a motion to change the Conditional Use to read " a 40' x 20' two story building to be used as a single use office or retail building. Everett Whitten seconds. Motion carries a 5-0-0 vote in favor.

The Gravel Pit Ordinance review was canceled. It will be rescheduled at a later date.

VI REPORT OF OFFICERS

VII COMMUNICATION

VIII MISCELLANEOUS

IX ADJOURNMENT

Duane Fay made a motion to adjourn the meeting at 9:35. Susan Dunlap seconds. Motion carries a 5-0-0 vote in favor. Meeting adjourned.

Respectfully submitted,

Dwayne Woodsome
Dwayne Woodsome
Secretary/Treasurer
Waterboro Planning Board

DW/lmm

ACCEPTED:

[Signature]
[Signature]
[Signature]

Susan Dunlap
Roland E. Denby

PLANNING BOARD

Town of Waterboro

AUGUST 11, 1999
REGULAR MEETING

I ROLL CALL:

Doug Foglio called the meeting to order at 7:35 p.m. noting the attendance of Susan Dunlap, Roland Denby, Dwayne Woodsome and Todd Morey. Duane Fay entered the meeting at 9:30 p.m.

II APPOINTMENTS:

8:00 BRIAN HUNTRESS - MAP 8 LOT 13E

Brian Huntress presented to the Planning Board an application for a setback reduction to a Grand-fathered Subdivision Lot in Wild Acres. After reviewing the plans presented Dwayne Woodsome made a motion under section 2.08 and 4.02 to grant Mr. Huntress a front yard setback of 50'. Front yard is to be determined as the property line facing Lot 13D (as shown on the Tax Map) also known as Lot 1 on the Wild Acres Subdivision plan. Todd Morey seconds. Motion carries a 4-0-0 vote in favor.

8:30 TORREY PEARSON - MAP 45 LOT 1509, SHORELAND SETBACK

Torrey Pearson presented an application for a shoreland setback reduction from 100' to 70' to Lot 1509 in Lake Arrowhead Estates. After further discussion Dwayne Woodsome made a motion to have Doug take the following questions to Ken Cole, Town's Attorney.

- Does the Town have the authority to reduce Shoreland Setbacks on Lake Arrowhead because Saco River Corridor does? We have no authority to do so on any other lake/pond.
- Why does Saco River have the authority to do so?

If there are any further questions DEP will then be notified. Todd Morey seconds. Motion carries a 4-0-0 vote in favor.

Torrey Pearson will return under "Old Business" and we will notify him of the decision.

8:45 MELISSA PARANDELIS - MOBILE HOTDOG CART

Melissa Parandelis is present for approval to sell hotdog from a mobile trailer on different sites around town. Dwayne asked what the hours of operation would be. Melissa noted lunchtime and 11p.m. - 12 a.m. for the 3rd shift workers.

Dwayne expressed his concern with parking and Doug noted that he would like to have specific locations versus various locations. Permission from property owners is also recommended.

Susan Dunlap made a motion that we take the issue to the Town's Attorney and that we will notify Melissa if there is a problem with the current zoning. Todd Morey seconds. Motion carries a 3-2-0 vote in favor with Dwayne and Duane opposed.

Dwayne feels that there is no problem with the current zoning that would not allow a mobile cart. Duane Fay feels that we should not take it to the Town's Attorney for his opinion. Susan noted it would set a precedent for future mobile facilities.

III MINUTES OF PREVIOUS MEETING

Roland Denby made a motion to approve the July 14 minutes as written. Susan Dunlap seconds. Motion carries a 3-0 vote in favor with 2 abstaining

Duane Fay made a motion to approve the July 22 minutes as written. Todd Morey seconds. Motion carries a 5-0-0 vote in favor.

IV NEW BUSINESS

V REPORT OF OFFICERS

The Election of Officers was postponed until the September 8 meeting.

VI OLD BUSINESS

Forest Acres Subdivision

Dana Morton is representing Allen Moulton in a 6 (six) lot subdivision located on the corners of the Buxton and Webber Roads. The Preliminary and Final Plan approval is being requested.

Dana stated that he has received a hydro study by R. W. Gillespie noting no impact to Ossipee Pond and no nitrates were noted to be of any significance as per the Town's requirements.

After review of the preliminary check list the following items were found to be omitted:

- Developer/Owner signature line
- Provisions for mail delivery

Dwayne Woodsome made a motion to accept the hydro study as submitted without the peer review. Roland Denby seconds. Motion carries a 4-0-0 vote in favor.

Dana Morton requested that the second soil test be waived due to the consistency of the soils and that they are essentially the same.

Dwayne made a motion to grant the waiver of the second test pit as requested. Susan Dunlap seconds. Motion carries a 3-1-0 vote in favor.

Dwayne made a motion to accept the Preliminary Plan as presented noting the omitted items listed above. Roland Denby seconds. Motion carries a 4-0-0 vote in favor.

Susan made a motion to require a minimum of 50' of driveway on either the State of Town entrance road before any permit is pulled. Roland Denby seconds. Motion carries a 4-0-0 vote in favor.

After reviewing the Final Subdivision Checklist the following items are noted to be omitted:

- Developer/Owner signature line
- Driveway entrance permits from the Town and State

Other recommendations made were as follows

- that notation #8 states that no multi-family dwellings shall be allowed, single family homes only.
- Driveways be placed by the developer prior to pulling any building permits

Dwayne made the motion to approve the final plan noting the necessary changes needed for signatures:

- Signature line
- Provision for mail delivery
- State and Town Road entrance permits
- Addition of item 8, single-family homes only

Roland seconds. Motion carries a 4-0-0 vote in favor.

Forest Acres Subdivision will return under old business when all the necessary changes/recommendations are made.

Bartlett Pond Subdivision

Cal Knudsen has represented the plan that was previously approved on 7/22/99. Due to it not being registered with the registry of deeds the board did not feel it necessary to notify the abutters. The only changes noted was the lots sizes.

Susan made a motion to accept the plan dated July 30, 1999 as the final plan to be recorded. Todd seconds. Motion carries a 5-0-0 vote in favor.

Doug turned the meeting over to Dwayne as acting Chairman due to a communication being presented regarding his own gravel pit.

VII COMMUNICATION

The following correspondence was reviewed:

- Notice of Intent received by Sebago Technics for Doug Foglio, Sr.
- Memo from Patti informing Departments of the change in Law Firm
- The request from Patti that a Planning Board Member be appointed to the Municipal Complex Committee. We will request a schedule of meetings to allow the Board to better commit their time to the Committee.

It was requested that Lisa review the minutes of the Zoning Ordinance review meeting with Sebago Technics to determine the procedure that was to be taken.

Susan made a motion to change the August 26, 1999 meeting to August 25, 1999. Todd seconds. Motion carries a 5-0-0 vote in favor.

Susan made a motion to send Jan Weigman a letter stating that in a Public Hearing they stated that they would not charge the townspeople a fee to hook on to the water line when it is extended to the Shop 'n Save site. Roland seconds. Motion carries a 5-0-0 vote in favor

*Planning Board
August 11, 1999
Page Four*

VIII MISCELLANEOUS

A meeting to review the Pit Ordinance will be scheduled in September when all the Board members are present to set a date.

IX ADJOURNMENT

Roland made a motion to adjourn the meeting at 11:30 p.m. Susan seconds. Motion carries a 5-0-0 vote in favor. Meeting adjourned.

Respectfully submitted,

Dwayne Woodsome
Dwayne Woodsome
Treasurer/Secretary
Planning Board

ACCEPTED: _____

Richard E. Daily

[Signature]

[Signature]

[Signature]

[Signature]

PLANNING BOARD

Town of Waterboro

AUGUST 25, 1999
REGULAR MEETING

I ROLL CALL

Doug Foglio Sr. called the meeting to order at 7:50 p.m. noting the attendance of Susan Dunlap, Todd Morey, Roland Denby and Dwayne Woodsome.

II APPOINTMENTS

8:00 Renald Collin Map 44 Lot A446

Renald Collin and David Legasse are present for a front yard setback reduction on Keystone Dr. and a rear setback reduction to lot A447.

Under Section 2.08 and 4.03 Dwayne Woodsome made a motion to grant a 43' front yard setback on Keystone and a 28' rear setback to Lot 447. All other setbacks must be met. Susan Dunlap seconds. Motion carries a 4-0-0 vote in favor.

8:15 Renald Collin Map 42 Lot A240/241

Renald Collin and David Legasse are present for after-the-fact setback reductions. A reduction of 3' on Mayfair and 4' on Deerfield Drive is being requested. David noted that the error occurred when the excavator adjusted the position of the house to meet the septic setback.

Dwayne made a motion to postpone the decision until an agreement between the Planning Board and Selectmen is made. If the applicant wishes to go before the Selectmen to enter into a consent agreement he may do so by calling Pam Witman. Susan Dunlap seconds. Motion carries a 4-0-0 vote in favor.

Doug noted that he and Lisa will write up a violation/consent agreement and violation fee schedule for the Selectmen to review at Tuesdays Selectmen meeting. The agreement will be used by the Planning Board, ZBA and Selectmen. Any Planning Board Member who wishes to attend Tuesday's meeting to discuss the agreement with the Selectmen may do so.

8:30 Brian & Linda Bruce Map 7 Lot 6B

Brian and Linda have presented a plan to create a right-of-way to the back portion of their property in order to sell off the back 2 acres. In placing the right-of-way they would be creating a front-yard setback violation with the existing home. They are requesting a front-yard setback reduction to the right-of-way. The Planning Board referred to Section 3.03 of the Zoning Ordinance under easement and exemptions. The Planning Board does not have the authority to grant a front yard setback reduction from the right-of-way because it is a conforming lot. The right-of-way is creating a non-conforming lot. A front yard setback reduction is not granted.

PLANNING BOARD
AUGUST 25, 1999
PAGE TWO

8:45 Patti Berry, Town of Waterboro Gravel Pit, Bennett Hill Road

Also present for this portion of the meeting is Willis Lord, Steve Foglio, CEO, Charlie Brown with Sebago Technics and Eric Herrle.

Patti presented to the Planning Board questions regarding what is necessary for the Town to acquire a Conditional Use Permit for the Gravel Pit on the Bennett Hill Road in Waterboro. The Town would like to have the entire parcel of property (138 acres) permitted to extract all the gravel that is available on the property.

The following questions were forwarded by Patti:

1. Does the Planning Board want 5' or 10' contour lines on the topographical survey? **5' intervals**
2. There are two existing test wells on the site. How many test wells will be required for this pit? **Test Pits are required every 5 acres. Elevation and location markers are needed on top of the test well and located on the map.**
3. Will the town have to do a hydrological survey? **Yes** The town intends to stay 5' above the water table. To go any further into the water table would be in violation of DEP regulations without a variance to do so.
4. How far into the pit does the town have to pave? **A minimum of 100' needs to be paved.**
5. What kind of signs will be required? **Trucks entering signs on the Bennett Hill Road 250' before the entrance.**
6. The Town would like to have a 2-1 slope in the reclamation plan. **A 2-1 slope for reclamation is required.**

Doug informed the board that the Town's immediate intent is to acquire a cost-estimate so they may present it to the townspeople for approval.

Due to the Town's intent to go beyond the 5 acres Section 4.04 of the Zoning Ordinance comes into effect. Restoration/reclamation plan is needed showing whether it will have internal or external drainage, it should be completely internally drained. A hydrogeological survey is for ground water elevation not for quantity of flow. State mandates that you stay 5' above the ground water level.

A time-frame stating what intervals of excavation, restoration, reclamation will occur. What portion of the excavating will remain open at any one time. When applying for your state license 10 active acres at one time is the maximum allowed.

Doug noted that the Town will need to immediately apply to DEP. Will the Board require that the town to go through the York County Soil Conservation to get their plan approved or will we let the second part of the regulations require them to go directly to DEP to approve it. Dwayne and Todd both felt that DEP would be preferred.

Hours of operation will also need to be discussed. Limiting the hours will make it difficult due to the need for emergency use during winter months.

**PLANNING BOARD
AUGUST 25, 1999
PAGE THREE**

Charlie Brown asked if they would need to apply for ledge excavating due to the possible large amounts of ledge as you go into the pit on the right. Doug noted that it was up to the selectmen if they wished to do so immediately. Charlie also noted that the Town does not distinguish between the two but the State does.

The Town will need to notify abutters by return receipt mail, 2 (two) individual letters will be needed, 1 for the Town's conditional use permit and 1 for DEP.

Doug turned the meeting over to Dwayne Woodsome at this time due to the conflict of interest with the next appointment being his own pit.

9:00 Charlie Brown, Sebago Technics and Doug Foglio Jr., Conditional Use Permit for the Chadbourne Pit owned by Doug Foglio Sr.

Charlie Brown and Doug Foglio Jr. are presenting an application for a conditional use permit to operate a Gravel Pit on the Townhouse Road, Map 11 Lot 44 formerly owned by Shawn Shoemaker. The parcel in question contains 66.5 acres total. It is proposed that 14.7 acres will be used for gravel extraction. The access to the pit will be over the current access road that has been partially upgraded for the Shoemaker home, and extends to the pit area.

Dick Swett of Swett Associates is currently working on the hydrogeological study. No waivers are being requested at this time. The contour intervals on the plan are based on the U.S.G.S. sheets and are verified by _____ and Graves.

The purpose of the meeting was to introduce the project to the Planning Board and receive their feedback on the necessary requirements.

The plan presented is the basics of the restoration plan showing the re-grading of the pit with the 2-1 contours. There are several different used areas, 1 will be a stump grinding area on the northwest side of the pit, the intent will be to grind the existing stumps to the site and establish a temporary grinder setup area. The wood chips will be used as a retainer during the construction. The stock pile area is also shown.

Wetlands have been located and flagged and are noted on the plan. Dwayne asked how far from the Pond is the Pit located. Charlie noted that the location is approximately $\frac{1}{4}$ - $\frac{1}{2}$ of a mile to the pond. Susan questioned approximately how far down the Deering Ridge Road does the pit go. Charlie said it was approximately 500ft from the brook.

Doug Jr. noted that they would like the option to go to either the York County Conservation or DEP depending on what direction they chose to go. Dwayne noted that if they do not go to YC Conservation than they do have to go to DEP.

Roland asked if they will maintain the pit in block operation intervals. Doug Jr. said yes, for the time being.

Dwayne stated that he had two concerns for dust control, the Hanson and Shoemaker's home. Doug Jr. noted that paving will be placed beyond the corner of the Hanson's property which will eliminate dust to either property.

PLANNING BOARD
AUGUST 25, 1999
PAGE FOUR

A Public Hearing will be scheduled after the hydro study is acquired. Abutters will need to be notified by certified, return receipt mail. After the Public Hearing the plan will return to the Planning Board under Old Business.

A site walk is scheduled on September 8, 1999 at 6:30p.m. with members to meet at the town hall. The site walk is to be posted in the Smart Shopper.

III MINUTES OF PREVIOUS MEETINGS

No minutes to the meeting were reviewed at this time.

IV NEW BUSINESS

V REPORT OF OFFICERS

VI OLD BUSINESS

Bill Hanson's Site Plan was signed by Roland, Dwayne and Sue. Signatures still needed are Doug, Everett and Duane.

VII COMMUNICATION

The memo from the Code Enforcement Officer was reviewed requesting clarification of Home Occupations in the A/R zone. Susan Dunlap made a motion to have Lisa prepare the necessary documents to have Home Occupations added to the A/R zone for the next Special Town Meeting. Roland Denby seconds. Motion carries a 3-0-0 vote in favor. The Land Use chart will be used until it is removed.

VIII MISCELLANEOUS

Steve Foglio asked the board if they felt a 4800 sq. ft. steel building meeting all setbacks with just under 2 acres needs to go before the Planning Board under Site Plan? After reviewing the Site Plan Ordinance it is noted that under I Procedure item A it does require Site Plan review.

The need to appoint or extend the appointment outside the Planning Board Committee is needed for the Taylor House at the Sept. 8, 1999 meeting.

IX ADJOURNMENT

Roland made a motion to adjourn the meeting at 10:35. Todd Morey seconds. Motion carries a 4-0-0 vote in favor.

Respectfully submitted



Dwayne Woodsome
Secretary/Treasurer

DW/lmm

PLANNING BOARD
AUGUST 25, 1999
PAGE FIVE

ACCEPTED: _____

Richard E. Dealy

Susan Dealy

Robert J. Dealy

PLANNING BOARD

Town of Waterboro

SEPTEMBER 8, 1999
REGULAR MEETING
AND
SITE WALK

At 6:30 p.m. a site walk was done at the Chadbourne Pit located on the Buxton Road and owned by Doug Foglio Sr. In attendance were the following: Sally Holbrook, Amanda Holbrook, John Milligan, Gail Hennessey, Lisa Faith, Francis Bernard, Roger Teachout, Doug Foglio Jr., Charlie Brown with Sebago Technics, Doug Foglio Sr., Dwayne Woodsome and Susan Dunlap.

I ROLL CALL

Doug called the meeting to order at 8:15 p.m. noting the attendance of Dwayne Woodsome and Susan Dunlap. Due to the lack of quorum the appointments scheduled will be heard and discussed but not voted on.

II APPOINTMENTS

7:45 John Taflas Map 41 Lot 1B - Setback Reduction

Dave Nichols of ME Best Homes Inc. is representing John Taflas. Dave is presenting an application to construct a 24' x 30' garage with a 16' sideline setback. The proposed lot has a grandfathered home but due to the layout of the land they do not wish to attach the garage to the home. Upon discussion Dwayne Woodsome mentioned the need to do an onsite. The date of the site walk will later be determined.

Concern to consider is the location of the area homes for the road setback. Mr. Nichols will be scheduled to return under "Old Business" at the September 23, 1999 meeting. A site walk is scheduled for 6:30 on September 23, 1999.

8:15 Robin Chase and Roy Russells Map 48 Lot 4 - Shoreland expansion

Robin and Roy have presented to the Planning Board a sketch and photos of the existing and proposed camp on Northwest Pond. They have proposed to remove the existing 24' x 20' cottage, and rebuild it on a foundation with a bulkhead access approximately 2' further back than the existing front of the cottage. They wish to maintain the 6 x 5 outhouse. The attached shed will be removed and added to the living space.

Doug noted that they cannot rebuild a camp on the Shoreland Zone without upgrading the septic system.

The cottage currently has 837 sq. ft. x 30% = 251.10. An expansion of 1,088.10 sq. ft. is allowed. The Planning Board recommended building a 24 x 22 2 story with a 5' x 6' notch for a bathroom. The rebuilt cottage is not to exceed 1,088 sq. ft.

The existing deck is not to be removed and a survey is recommended noting the before and after dimensions of the property and structures.

Todd Morey entered the meeting at 9:15 p.m. The meeting is commenced with a quorum.

Dwayne Woodsome made a motion to approve up to 1,088 sq. ft. of house to be moved with a minimum sideline setback of 10' on one side and 30' on the other. The existing deck is to remain intact, the new structure will be moved back 2' - 3' further back from the existing front of the cottage, then attach the existing deck to the new structure. A class D survey is needed before removing the existing camp and again when completed. An HHE200 is also required. Upon the final inspection the town will be given a copy of the before and after survey for the file. Todd Morey seconds. Motion carries a 3-0-0 vote in favor.

8:30 Cal Knudsen - Sketch Plan for Stone Gate Subdivision Map 5 lot 27.001

Cal Knudsen presented a sketch plan for a 3 lot subdivision to be called Stone Gate located on the Deering Ridge Road. The proposed subdivision is part of the original Bartlett Brook Subdivision. The lots would consist of Lot 1 - 2.07, Lot 2 - 2.05 and Lot 3 - 17 acres. The only waiver being requested at this time is the length of the road.

Todd noted that he would like to see all the lot plans for the existing 21 acre parcel. The subdivision will hold the same restrictions that the property will never be re-subdivided.

Dwayne Woodsome is recommending a Hydro-study.

Cal is to return under "Old Business" on September 23 with a complete subdivision plan not to be re-subdivided.

III MINUTES OF PREVIOUS MEETING

No minutes were reviewed at this meeting.

IIIV NEW BUSINESS

V REPORT OF OFFICERS

VI OLD BUSINESS

Forest Acres final plan approval will be completed at the next Planning Board Meeting.

VII COMMUNICATION

No communications were reviewed at this meeting.

VIII MISCELLANEOUS

Taylor House appointment will be done at the next meeting.

IX ADJOURNMENT

Dwayne Woodsome made a motion to adjourn the meeting at 11:00 p.m. Todd Morey seconds. Motion carries a 3-0-0 vote in favor.

Planning Board
September 8, 1999
Page Three

Respectfully submitted,

Dwayne Woodsome

Dwayne Woodsome
Secretary/Treasurer

DW/lmm

ACCEPTED:

9/23/99
[Signature]
[Signature]
[Signature]

[Signature]

PLANNING BOARD

Town of Waterboro

SEPTEMBER 23, 1999
SITE WALK
AND
REGULAR MEETING

At 6:30 p.m. a site walk was done at the property owned by John Taflas for the purpose of viewing the proposed site for a 24' x 30' garage. In attendance was Everett Whitten, Dwayne Woodsome, Roland Denby, Todd Morey, Duane Fay and Lisa Morse. Sue Dunlap visited the site on September 22, 1999. It is noted that the septic tank and field sits between the house and proposed entrance of the garage. The front yard setback as staked is approximately 28'.

I ROLL CALL

Doug Foglio Sr. called the meeting to order at 7:30 p.m. noting the attendance of Roland Denby, Everett Whitten, Todd Morey, Dwayne Woodsome, Duane Fay, Susan Dunlap, Willis Lord, Millard Genthner and Don Day.

II APPOINTMENTS

Todd Morey excused himself for the first meeting with Jan Wiegman and Peter Heddrick due to a conflict of interest with Shop 'n Save and Delucca Hoffman.

Jan Wiegman discussed the agreement with the Planning Board for placing the warning flashing stop lights at the corner of the Townhouse Road and Route 5 and a 3-way blinker at Rtes 202 and 5. The state has requested that the Town maintain the 2 lights proposed. DEP felt that current conditions were sufficient that due to the Town's request they feel the Town should maintain the lights. The annual cost is between \$600 and \$800 dollars each per year.

Doug asked if Shop 'n Save was requesting that Waterboro immediately incur the maintenance fees or will Shop 'n Save maintain for a period of time. Jan noted that the maintenance would be implemented when the lights were activated. A manufactures defect warranty will cover the lights for the first year.

Willis stated that if Buxton can be warranted for the need of 3 traffic lights why can't Waterboro, what did Buxton do to have the lights approved. Peter Heddrick stated that in warranting a traffic light the location needs to meet several of the 11 criteria's. The issues were addressed at the meeting and also reviewed by Sebago Tech. A 6 month and 1 year study will be done once the store is operational. Doug also noted to Willis that Rte 5 and 202 is a 3-way where as Buxton is a 4-way intersection.

Sue felt that the current decision was not a major issue, it will be reviewed again in 6 months and 1 year. It may be determined at that time if a traffic light is needed.

At this time the Board can only make a recommendation to the Selectman as to whether or not the Town should pay for the maintenance. Doug feels that Shop 'n Save should maintain for the first year until the trial period is completed than the Town can take it over.

Duane Fay asked if a traffic survey was completed for the Townhouse Road that recommended the flashers. Doug stated that it was previously recommended by the Road Review Committee that trees in the vicinity be removed and warning flashers be installed.

Dwayne presented that even if the Selectmen signed an agreement the Town cannot begin paying the maintenance fees until the Town Meeting in March when it is presented to the Townspeople.

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**Planning Board
September 23, 1999
Page Two**

Everett motioned that the Board recommends to the Selectmen that the Town acquire the maintenance on the lights beginning when the lights are turned on. Duane Fay seconds. Motion is denied with a 2-0-3 vote.

Dwayne Woodsome made a motion to recommend to the Selectmen that the lights be maintained after the 1st year of operation. Susan Dunlap seconds. Motion is passed with a 3-0-2 vote.

Doug noted to Jan that the Planning Board has received many complaints about the water hook-up fees that Hannaford Bros. is charging the Townspeople in order to tie-in to the extended water main. He stated that Hannaford Bros., (Vicki Bell) stated on several occasions that they would not charge the Townspeople to tie-in. Jan does not recall stating that Hannaford would not charge for the hook-up. He noted that the Water District could not charge due to Hannaford was already paying for the line. The range for extending the line is approximately \$300 - \$340,000. The PUC approved an X amount of dollars that Shop 'n Save could charge to tie-in because a private extension was being done. The PUC approved Hannaford's recommendation to charge a lower fee than the initial amount approved by the PUC. Hannaford is not allowed to charge a connection fee if someone is connecting after 10 years. Lisa is asked to review the Public Meeting tapes to clarify the statement from Vicki.

Doug stated that the Planning Board has pointed out that they have been misled by the statements at the meeting.

Todd Morey has re-entered the Meeting.

III MINUTES OF PREVIOUS MEETINGS:

Roland Denby made a motion to approve the August 11, 1999 minutes as written. Dwayne Woodsome seconds. Motion carries a 6-0-0 vote in favor.

Dwayne Woodsome made a motion to approve the August 25, 1999 minutes as written. Duane Fay seconds. Motion carries a 6-0-0 vote in favor.

Dwayne Woodsome made a motion to approve the September 8, 1999 minutes with modifications to the 8:15 appointment to read "... rebuild it on a foundation with a bulkhead access approximately 2' further back from existing camp footprint." Todd Morey seconds. Motion carries a 3-3-0 vote in favor with 3 abstain due to not being present at the meeting.

IV NEW BUSINESS

Dwayne noted that a special workshop to review the State Gravel Ordinance to prepare it for the Town Meeting for voters approval needs to be scheduled. After further discussion the workshop will be on Monday, October 11, 1999.

V REPORT OF OFFICERS

VI OLD BUSINESS

Forest Acres final plan was reviewed, approved and signed by the Planning Board Members.

Duane Fay signed the Bill Hanson sketch plans.

John Taflas - Map 41 Lot 1B

Upon doing a Site Walk the proposed location for the garage will create vehicle passage over the septic tank and field. The Board has no authority to grant a reduction so close to the system. It is advised that Mr. Taflas re-purpose the location of the garage. Mr. Taflas is to return under "Old Business" with a new location after speaking with the Code Officer. A Class D survey is recommended.

8:00 Torrey Pearson Map 45 Lot 1509

Torrey Pearson is present to receive the Planning Boards decision on the property located on Map 45 lot 1509 Diamond Drive. Torrey has received approval from SRCC to place a 36' x 40' cape with a 36' x 10' deck 70' from the normal high water mark. A shoreland and front yard setback is needed.

Dwayne Woodsome made a motion to grant Torrey an 85' shore front, 40' front yard and 30' sideline setbacks. A Class D survey is to stake the foundation footprint of all buildings. A 4' x 4' landing with no more than 3 steps will not be considered in the front yard setback. Everett Whitten seconds. Motion carries a 4-0-2 vote in favor with Todd and Sue opposed.

8:30 Cal Knudsen - Map 5 Lot 27.001

Cal presented questions to the Planning Board regarding placing a Planned Unit Development (P.U.D.) on the property located on Map 5 Lot 27.001 on the Deering Ridge Road. The Planning Board noted that a P.U.D. is permitted in the A/R zone.

Cal is to return with a sketch plan of the P.U.D.

VII COMMUNICATION

The following communications were reviewed:

- The letter from the Town's Attorney regarding the Herrle Gravel Pit Proposal
- The invitation from Jensen Baird Gardner & Henry - Biennial Municipal Client Seminar.
- Journal Tribune editorials
- Memo from Lisa requesting that Members call when they will be absent from a meeting.
Dwayne Woodsome noted that he may be late for the Workshop on October 11 due to the Fryburg fair. Duane Fay stated that if he was at a meeting than he was. He was not going to be expected to call otherwise.

VIII MISCELLANEOUS

- Appointment for the Taylor House was not completed

IX ADJOURNMENT

Roland made a motion to adjourn the meeting at 11:00 p.m. Todd Morey seconds. Motion carries a 6-0-0 vote in favor.

Planning Board
September 23, 1999
Page Four

Respectfully submitted,

Dwayne Woodsome

Dwayne Woodsome
Secretary/Treasurer
Waterboro Planning Board

DW/lmm

ACCEPTED: _____

Muan Dunlap
Richard J. Derby
Raymond J. ...

Everett Whitten

PLANNING BOARD

Town of Waterboro

WORKSHOP

OCTOBER 11, 1999

Doug Foglio called the workshop to order at 7:30 p.m. noting the attendance of Susan Dunlap, Dwayne Woodsome, Everett Whitten, Roland Denby, Todd Morey, Millard Genthner and Steve Foglio.

Doug feels that this Gravel Extraction Ordinance is not what the Town should have as an ordinance. The ordinance first needs definitions of the terms used.

Everett noted the in order to have a new ordinance passed it will require hours of operation or it may be defeated.

Millard made a few recommendations as noted below:

Active Status: A minimum of 450 yards of material is to be extracted over a 3 year period to maintain its active status.

Hours of Operation: Monday - Friday 6:00 a.m. to 6:00 p.m.

Saturday 7:00 a.m. to 2:00 p.m.

Sundays and Holidays - Closed

Blasting: A notification of blasting to the area residents as to the approximate time and day as to when the blasting will occur.

Emergency Clause: In case of an emergency, caused by mother nature, operations at the gravel pits may be allowed.

Definition of a working pit: "Working Pit" means the extraction area, including side slopes, of an excavation for borrow, clay silt or topsoil. "Working pit" does not include a stockpile area or an area that has a permanent fixed structure such as an office building, permanent processing facility or fixed fuel storage structure.

Discussion of Millard's recommendations are as follows:

Active status needs to be defined between a Non-municipal approved pit and a municipal approved pit. An annual fee (approx. \$50 - \$100) to include an annual review of the active gravel pits by the Code Enforcement Officer.

Hours of operation should state "The processing of materials is prohibited between Saturday 2 p.m. to Monday 6 a.m."

All gravel pits should be required to pave a minimum of 200' of their entrance.

The Extractive Ordinance Workshop is complete at this time. Another workshop has been scheduled for Monday, October 18, 1999 at 7:30 p.m.

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Workshop
October 11, 1999
Page Two

Steve Foglio presented the new Flood Plain Ordinance. This ordinance is imposed by the Federal Government. The Town has no choice but to adopt it. Failure to adopt this ordinance will effect the Flood Insurance Coverage that many residents are required to have.

Dwayne made a motion to schedule a Public Hearing on Thursday, October 28 at 7:30 p.m. to discuss the Flood Plain Management Ordinance. It is also recommended that the board reads through the ordinance prior to the hearing. Susan seconds. Motion carries a 5-0-0 vote in favor.

An ad in the Smart Shopper should read:

The Planning Board will hold a Public Hearing for the purpose of reviewing the proposed changes to the Flood Plain Management Ordinance for the Town of Waterboro. It is imperative that the residents requiring Flood Insurance attend this meeting to ensure Flood Insurance Coverage. A copy of the Flood Plain Management Ordinance is available in the Code Office for your viewing.

Dwayne made a motion to adjourn the meeting at 9:33 p.m. Susan seconds. Motion carries a 5-0-0 vote in favor.

Respectfully submitted,

Dwayne Woodsome
Secretary/Treasurer
Planning Board

DW/lmm

PLANNING BOARD

Town of Waterboro REGULAR MEETING

WEDNESDAY

October 13, 1999

*Duplicate
Required*

I ROLL CALL

Doug Foglio called the meeting to order at 7:30 p.m. noting the attendance of Dwayne Woodsome, Roland Denby, Everett Whitten Todd Morey and Steve Foglio. Also present are Tim Neill and Frank Faith of the Deering Ridge Road.

II APPOINTMENTS

7:45 ROBERT FAREWELL Map 32 Lot 14 represented by Steve Foglio.
Steve stated that Robert Farewell presented to the Code Office an application to place a foundation under their existing cottage on Little Ossipee Lake. Because it is within 100' of the water it requires Planning Board approval.

Doug noted that by placing a foundation under an existing camp it will be converted to year round use. In order to do so an HHE200 will be required in order to verify an acceptable septic system. All erosion control measures are also needed.

Dwayne made a motion to table the decision until more information is received. The additional information needed is:

- Septic Plan design
- Lot size
- All setbacks

Everett seconds. Motion carries a 4-0-0 vote in favor.

Any Planning Board member and the Code Officer who wish to visit the site may do so at any time.

8:00 RENALD COLLIN, represented by Dave Greaton on Map 45 Lot 1474 Setback Reduction
Dave Greaton presented a building envelope for Map 45 Lot 1474. A sideline setback is requested to 30' on the left and 25' on the right.

Roland made a motion to grant Renald Collin a sideline setback reduction of 30' on both sides. The structure will also need to be moved back in order to meet this setback. It is also recommended that the building be laid out by a surveyor. Everett seconds. Motion carries a 4-0-0 vote in favor.

8:15 JOSEPH VITKO - Setback reduction on Ossipee Lake Lot Map 38 Lot 30
Joseph Vitko presented the board with an application to build a 2 bedroom home on Ossipee Lake.

Doug noted that due to the Shoreland Zoning he will need to acquire DEP approval before the Planning Board can take any action. A site walk is scheduled for Monday, October 18, 1999 at 6:00 p.m.

Mr. Vitko is to return under "Old Business" after he receives DEP approval.

8:30 JOYCE JONES - Map 30 Lot 71V "Brunetti's Restaurant"
Joyce Jones is present to inquire about the possibilities of converting Brunetti's into a fast food take-out, bait & tackle store with most of the building being used as a private residence.

After review of the existing file Dwayne made a motion to take a copy of the file to Ken Cole for his opinion. Joyce is to return under "Old Business" on November 10, 1999. Roland seconds. Motion carries a 4-0-0 vote in favor.

8:45 MERCER BONNEY of Mitchell & Assoc. for a 13 lot subdivision on Map 5 Lot 34, 34-2 & 34-3 Mercer Bonney is presenting a 13 lot single family home subdivision on the property located on Map 5 Lots 34, 34-2 & 34-3 owned by Hughey's Inc. The proposed subdivision is located on a 73 ½ acre parcel. All lots will have between 3 to 8 acres and falls under the Residential and Agricultural/Residential zone.

Waivers being requested are for a 2100' length and 18' width (with grass shoulders) of the road. The road is to be tarred. Mercer stated that she spoke with the Lyman Planning Board secretary and they would like to meet with the Waterboro Planning Board at some point to discuss the subdivision seeing that part of the properties are located in Lyman. Homes will not be located in Lyman due to the acreage requirements and lack of road frontage.

Roland noted that several of the lots are spaghetti lots which is illegal in the State Mandates.

Dwayne noted that 2 firetrucks would have difficulty passing each other on this road as presented. Immediate concern is with the width of the road.

The possibilities of extending the road through to the Jellerson Road is minimum due to the wetlands.

Mr. Kinney would prefer to have the town maintain the road, in the event the town would be unwilling the association would manage it. Dwayne stated that the road width waiver would not meet town specifications.

A dry hydrant will be necessary. A copy of the plans should be sent to Frank Birkemose (Fire Chief) for review.

Mercer noted that there is a possibilities that shared driveways will be created in order to minimize the impact on the wetlands. Doug stated that the Planning Board will require a written statement from the homeowners stating that they will not return for single drive access. The Planning Board will also require the developer to install all driveway entrances 50' before any building permits will be granted.

Ford Pond is not a great pond, it falls just over 8 acres with surrounding wetlands creating the freshwater.

Roland asked what is available in the upland for a building envelope. It was noted that one could build 100' with a conditional setback reduction or 250' without a conditional setback reduction permit.

It is also suggested by the Planning Board that an alternate access turn for emergency vehicles be created, preferably near the hydrants.

Doug suggested the possibility of creating part of the development as a P.U.D. in order to minimize the disturbance on the wetlands.

Mercer is to return under "Old Business" when she has completed the updates.

III MINUTES TO PREVIOUS MEETINGS

Everett made a motion to accept the September 23, 1999 meeting minutes. Dwayne seconds. Motion carries a 4-0-0 vote in favor.

IV NEW BUSINESS

V REPORT OF OFFICERS

Everett made a motion to elect Sue Dunlap as Vice-Chairman with the remaining officers to remain the same. Todd seconds. Motion carries a 4-0-0 vote in favor.

VI OLD BUSINESS

Doug turned the meeting over to Dwayne at this time for review of the communications due to the correspondence received from the Deering Ridge Road property owners.

VII COMMUNICATION

The following communications were reviewed:

- Selectmen Minutes
- Shoreland Zoning News
- Letter from Deering Ridge property owners
- Communication from Attn. Ken Cole re: Herrle vs. Town of Waterboro & Foglio
- Communication from Scott Treworgy re: Road revision on West Hill II. Roland made a motion to have Doug review the West Hill II communications with the Town Attorney. Everett seconds. Motion carries a 4-0-0 vote in favor.

VIII MISCELLANEOUS

- Appointment for the Taylor House. Roland informed the Board that he would maintain his position with the Taylor House although he feels he is unable to help in the areas that are most needed.
- The ordering of the new Planning & Land Use Laws for the year 2000
- For informational purposes Doug has gone to the assessor and requested a list of all Town owned properties. It is estimated that the Town properties are worth \$2,264,000.00 and consists of approximately 177 lots. In 1987 the taxpayers voted approximately 800+ lots be sold.
- The information packet that Doug received at the Jensen, Baird seminar on September 29, 1999 was briefly discussed.
- Another workshop was scheduled on Monday, September 11, 1999 for Monday, September 18, 1999 to further review the Extraction Ordinance.

PLANNING BOARD

Town of Waterboro

OCTOBER 28, 1999

PUBLIC HEARING

AND

REGULAR MEETING

Doug called the Public Hearing to order at 7:30 p.m. noting the attendance of Susan Dunlap, Everett Whitten, Todd Morey, Roland Denby, Dwayne Woodsome and Louis Sidell from the State Planning Office.

There was two members from the public in attendance, however they were not required to have flood insurance coverage.

Lou began by explaining that the Town of Waterboro adopted the Floodplain Ordinance in 1987 and since has not been updated. If the community fails to amend this ordinance FEMA may discontinue insurance coverage. It was pointed out that if more than 50% of the structure was damaged it must be rebuilt in conformance with the ordinance.

Board Questions/Comments

Dwayne Woodsome - If you are to bring a home up to elevation in a subdivision you will tend to have only 1 or 2 homes that will be elevated. Also by elevating a home you will then need steps and stairways which on some lots won't meet our zoning setbacks.

Doug noted that the largest problem is that our maps are not updated. These maps need to be updated so that the Town or the residents aren't required to spend large amounts of money trying to prove that their home is not in the flood zone. As a board we have been asked for our opinion, as a board we would also like to see these maps updated.

Lou stated that there is a new program that has been created. Since 1990 there have only been 9 residents in the Town of Waterboro that has applied for a correction in their elevation. If the Town has significant information and TOPO maps we would be willing to endorse the Town's request to have the maps updated. Even if he endorsed the request it would not guarantee that FEMA would immediately grant the update. It all depends on the funds available.

Doug asked why this has such a great importance at this time that we pass these updates. Lou stated that it has always been important to update the ordinance. The town has just become lax in keeping the Flood Ordinance current.

Currently the deadline of December 31, 1999 was given to the Town. Lou felt that an extension may be possible. He stated that if an extension letter was forward directly to him he would be willing to get it to FEMA. If an extension is not granted than the Town will have to hold a Special Town Meeting.

Doug called the Public Hearing to a close at 8:15 and called the regular meeting to order.

Susan made a motion to recommend that the Selectmen request a 3 month extension taking us to April 1, 2000. If an extension is not granted than a Special Town Meeting will then have to take place. Upon noting the interest at the Public Hearing it would be beneficial for the taxpayers and the Town to wait until the regular Town Meeting. Everett Whitten seconds. Motion carries a 5-0-0 vote in favor.

II APPOINTMENTS

8:00 Joe Calvo Map 2 Lot 6E/F - Joe and Melisa Calvo are requesting a Condition Use Permit to operate a sawmill on their property. Dwayne asked the location of the brook on their property. Joe noted that only a portion of the back property is touched by the brook.

The lot size is approximately 4.3 acres. Map 2 Lot 6E will maintain the sawmill, his home is on Lot 6F. There will be no problem in meeting all boundary lines.

Member concerns are on the sawdust and the location of the brook.

Roland asked if he will be cutting rough boards and planing. Joe stated that the mill is currently successful just as a rough board mill.

Susan noted concern with the noise of the rough cutting and possibly future planing, that it would create complaints from the neighbors. Joe noted that the mill will be in the woods. Neighbors will not be able to see the building.

Everett made a motion to do an onsite on Thursday November 4 to meet at the Milkroom at 3:00. Susan seconds. Motion carries a 5-0-0 vote in favor.

The Code Officer is to check with the State in regards to sawdust regulations.

Joe and Melisa are to return under "Old Business" on November 10.

8:15 Mike Diaz Map 42 Lot 240-241 Mike presented an application to build a deck on his property. The property has previously gone before the Selectmen for a dimensional setback violation and has received an Agreement for penalty in lieu of legal action letter that was granted to the builder.

Due to the existing violation agreement the board is unsure in the procedure to take. Dwayne motioned to send this application and previous penalty action letter to the Attorney. Does the Board have the authority to grant a setback reduction on the same sideline that the violation was originally created? Would the previous owner who was denied a setback reduction on an existing violation have reason for a lawsuit for the fine that was imposed? Everett seconds. Motion carries a 5-0-0 vote in favor.

Due to other commitments Doug has excused himself from the meeting and turned over to Sue at this time.

8:30 Roy and Charlene Michaud Map 36 lot 21 Roy and Charlene are present with an application for a setback reduction to build a garage. The proposed area is currently a tarred parking lot. He has it staked out where he hopes to put the garage.

Due to the location of the property and the right of way that is owned by the Michaud's Dwayne has made a motion to have an on-site, the on-site can be done at the members convenience before the next meeting. Todd seconds. Motion carries a 4-0-0 vote in favor. Mr. & Mrs. Michaud are to return under "Old Business" on November 10.

III MINUTES TO PREVIOUS MEETINGS

Everett made a motion to accept the October 13, 1999 minutes as written. Roland seconds. Motion carries a 4-0-0 vote in favor.

IV NEW BUSINESS

V REPORT OF OFFICERS

VI OLD BUSINESS

Dwayne made a motion to reapprove the Forest Acres subdivision plan dated 6/11/99 due to the owner address being incomplete for registry. Everett seconds. Motion carries a 3-0-1 with Todd abstaining, vote in favor. Plans are signed.

The Vitko sitewalk was discussed and noted that very little capabilities for meeting setbacks was found. Mr. Vitko is to return under "Old Business" after getting written DEP approval.

VII COMMUNICATION

The following communications were reviewed:

- October 12, 1999 Selectmen minutes
- Maine DEP Grant Program
- New Planning and Land Use Booklets
- State of ME Public Workshops on Subdivision Laws

VIII MISCELLANEOUS

Everett made a motion to schedule Gravel Ordinance workshops every Monday through November. Dwayne seconds. Motion carries a 4-0-0 vote in favor.

Lisa informed the board that the Town's Attorney will be present at our November 15, 1999 workshop to review the Site Plan Ordinance.

IX ADJOURNMENT

Everett made a motion to adjourn at 9:45 p.m. Dwayne seconds. Motion carries a 4-0-0 vote in favor.

Respectfully submitted,

Dwayne Woodsome

Dwayne Woodsome
Secretary/Treasurer

DW/lmm

ACCEPTED: 12/8/99

Dwayne Woodsome
[Signature]
[Signature]

Robert E. Penby
Everett F. Whitten

PLANNING BOARD

Town of Waterboro GRAVEL ORDINANCE

WORKHOP

NOVEMBER 1, 1999

Present are Todd Morey, Doug Foglio Sr., Dwayne Woodsome, Everett Whitten, Roland Denby and Frank Faith.

Suggestion for changes:

Section III

#2: change 60' to 100'

#5: a hydrogeological survey on all externally drained pits and internally drained pits going closer than 2' of the water table shall be required.

ADD: from the Sanford ordinance items a, c and h.

- a: methods of removal or processing;
- c: type and location of temporary structures;
- h. cleaning, repair and/or resurfacing of streets used in removal activity which have been adversely affected by said activity.

Any gravel extraction operations not located on a state road or highway....

Request to selectmen that no through signs for trucks over 30gvw permitted. Local deliveries only for Deering Ridge and Webber Road.

PLANNING BOARD

Town of Waterboro

NOVEMBER 10, 1999
REGULAR MEETING

I ROLL CALL

Doug Foglio Sr. called the meeting to order at 7:30 p.m. noting the attendance of Todd Morey, Dwayne Woodsome, Everett Whitten, Roland Denby and Steve Foglio.

II APPOINTMENTS

8:30 Dave Greaton, Map 42 lot A-16. Dave Greaton is representing Renald Collin on Map 42 Lot A-16. An application is presented requesting sideline setback reductions.

Upon review of the application Everett Whitten made a motion to grant Renald Collin a left sideline setback of 25' and a right setback of 30'. All other setbacks must be met. A surveyed layout of the building envelope is recommended with a copy forwarded to the Code Office for the file. Todd Morey seconds. Motion carries a 4-0-0 vote in favor.

8:45 Jay DePaul setback reduction - Cancelled

9:00 Architectural Skylight Map 4 Lot 30 - Kevin Johnson is presenting a Site Plan application for Architectural Skylight Co., Inc. The proposed site will include a 55' x 75' addition to be used as a loading/receiving dock.

Doug noted his concern that the site may require DEP approval due to its size.

Upon review of the plan presented it is found that the following is needed:

1. Oil & water separator;
2. Diagram of the maneuvering areas need to be clarified;
3. Indicate the paved, graveled and parking areas;
4. Indicate outdoor lighting;
5. A complete drainage plan; and
6. A written request to extend the paving requirement until spring will also be needed.

Dwayne made a motion to accept the site plan as presented and to submit to the board a completed plan noting the items 1 thru 6 above. Roland seconds. Motion carries a 4-0-0 vote in favor.

Everett made a motion to cancel the November 25, 1999 meeting due to the Holiday. Roland seconds. Motion carries a 4-0-0 vote in favor.

November 10, 1999
Planning Board
Page Two

Dwayne made a motion to have a special meeting on Monday, November 22 to replace the Thursday, November 25 meeting due to the Holiday. Architectural Skylight is to be the only appointment on this meeting, it is to be followed by our regularly scheduled workshop. Everett seconds. Motion carries a 4-0-0 vote in favor.

III MINUTES OF PREVIOUS MEETINGS

No minutes were approved

IV NEW BUSINESS

Steve Foglio presented a letter that was recently sent to Robert Hindle, Map 19 Lot 7. The letter clarified the recent violations on the property and felt it necessary to inform the Board that a Site Plan has been triggered because a 5th structure/use is now being placed on the property.

Steve had some questions on the E. Waterboro Self Storage. Mr. Soule, owner, was under the assumption that the rental of U-haul trucks was discussed and also approved with the site plan. Doug noted that it was not, he will need to present his interest to the Board.

Dwayne also stated that he thought he could not rent until the paving was completed, Section 5.03, he currently has "rents available" signs on the property.

Steve will inform Mr. Soule of his need to return to the Planning Board and look into the paving of the property.

V REPORT OF OFFICERS

VI OLD BUSINESS

7:45 Joe Calvo - Map 2 Lot 6E/F The site was visited by Roland and Everett on November 4, 1999. Sue called and stated that she waited until 3:30 but apparently must have missed them.

Roland stated that the sawmill site was marked. The existing mill was also visited. Roland and Everett noted that he did not feel that the noise level was excessive. Everett stated the you were not able to hear anything until they got fairly close to the building. While inside and standing approximately 20 ft. away from the machinery they were able to maintain a conversation without the need of significantly raising their voices.

November 10, 1999
Planning Board
Page Three

Doug asked Joe if the mill will be placed on a separate lot from the house. Joe stated yes, that it was a separately deeded lot.

When asked what he planned to do with the sawdust Joe noted that at the original meeting he stated that the sawdust was to be stored upstairs. The existing sawmill cannot hold onto his sawdust because there is such a demand for it.

Everett made a motion that the abutters be notified by return receipt mail with a copy of the letter, list of abutters and the return receipts be given to the Board for the file. The letter is to reference that a Public Hearing has been scheduled on December 8 at 7:30, any questions, comments, and/or concerns are to be forward to the Planning Board before the meeting. Following the public hearing Mr. Calvo will be placed under "Old Business" to vote on his application. Roland seconds. Motion carries a 4-0-0 vote in favor.

8:00 Joyce Jones - Map 30 Lot 71V - Discussion of the correspondence received from the Town's Attorney reflected that yes, inhibiting the property and the sale of bait is permitted. However, any food sales are not allowed unless it can be proven that the food sale retained its grandfathered status. After much discussion and review of the Attorney's recommendation Joyce will return under "Old Business" on December 8 where she will present to the board her finalized request for the property.

8:15 Roy and Charlene Michaud - Map 36 Lot 21 Todd, Roland, Everett and Dwayne visited the site. They noted an existing paved area which will hold a 24' x 30' garage. There is approximately 16' to Penny Lane which is owned by the Michauds. Due to the slope of the land and the location of the leach field there really is no alternative location of the site unless the leach field or telephone poles were moved.

Dwayne made a motion to have Mr. Michaud redraw the plans clearly noting of the location of the garage and its setbacks. Mr. Michaud is to return on Monday evening when the Town's Attorney is present. Roland seconds. Motion carries a 4-0-0 vote in favor.

VII COMMUNICATION

No communications were reviewed.

VIII MISCELLANEOUS

IX ADJOURNMENT

November 10, 1999
Planning Board
Page Four

Dwayne made a motion to adjourn. Everett seconds. Motion carries a 4-0-0 vote in favor. Meeting adjourned at 10:30 p.m.

Respectfully submitted,

Dwayne Woodsome

Dwayne Woodsome
Secretary/Treasurer
Planning Board

ACCEPTED 12/8/99

Douglas J. Taylor
For

Richard E. Derby

Everett F. White

PLANNING BOARD

Town of Waterboro

NOVEMBER 15, 1999
WORKSHOP

Doug Foglio Sr., called the workshop to order noting the attendance of Susan Dunlap, Everett Whitten, Dwayne Woodsome, Roland Denby, Todd Morey and the Town's Attorney Ken Cole.

Ken Cole is present to discuss the Site Plan Ordinance and several other questions that the board has.

1. Ken presented the board with a copy of Gorham's Site Plan for future review. He finds that the Town's Site Plan is very ambiguous, it lacks boundaries and guidelines.

Doug noted that when the ordinance was initially enacted it was triggered at 2,000 sq. ft. At some point it was amended and removed. The Site Plan currently has no trigger.

Contract Zoning was discussed.

Dwayne Woodsome noted that have a multi-use building trigger the site plan over single use.

The board is to review the Site Plan presented by Ken Cole and return with feedback.

2. The Gravel Extraction ordinance that the board has been working on was reviewed. Recommendations from Ken were:
- Possibly changing the notification of abutters to a broader spectrum;
 - We may want to "require" a public hearing versus "reserving the right";

Lisa to give Patti disk so she can E-mail Gravel Ordinance to date. Ken will work on the outline of the ordinance.

3. The question on the Diaz property Map 42 Lot 240 - 241 on whether the Planning Board could issue a setback reduction for a deck when a penalty agreement has already be given by the Selectmen. Ken will write a letter stating that the new front yard setback is 47' and that a deck could be built without Planning Board approval if it stayed within the 47'.
4. A right-of-way created prior to ownership of a property. Ken referred to the letter submitted by Karen Lovell on the Chretien property. He felt the same standards applied.

PLANNING BOARD

Town of Waterboro REGULAR MEETING

WEDNESDAY

October 13, 1999

*Duplicate
Required*

I ROLL CALL

Doug Foglio called the meeting to order at 7:30 p.m. noting the attendance of Dwayne Woodsome, Roland Denby, Everett Whitten Todd Morey and Steve Foglio. Also present are Tim Neill and Frank Faith of the Deering Ridge Road.

II APPOINTMENTS

7:45 ROBERT FAREWELL Map 32 Lot 14 represented by Steve Foglio.
Steve stated that Robert Farewell presented to the Code Office an application to place a foundation under their existing cottage on Little Ossipee Lake. Because it is within 100' of the water it requires Planning Board approval.

Doug noted that by placing a foundation under an existing camp it will be converted to year round use. In order to do so an HHE200 will be required in order to verify an acceptable septic system. All erosion control measures are also needed.

Dwayne made a motion to table the decision until more information is received. The additional information needed is:

- Septic Plan design
- Lot size
- All setbacks

Everett seconds. Motion carries a 4-0-0 vote in favor.

Any Planning Board member and the Code Officer who wish to visit the site may do so at any time.

8:00 RENALD COLLIN, represented by Dave Greaton on Map 45 Lot 1474 Setback Reduction
Dave Greaton presented a building envelope for Map 45 Lot 1474. A sideline setback is requested to 30' on the left and 25' on the right.

Roland made a motion to grant Renald Collin a sideline setback reduction of 30' on both sides. The structure will also need to be moved back in order to meet this setback. It is also recommended that the building be laid out by a surveyor. Everett seconds. Motion carries a 4-0-0 vote in favor.

8:15 JOSEPH VITKO - Setback reduction on Ossipee Lake Lot Map 38 Lot 30
Joseph Vitko presented the board with an application to build a 2 bedroom home on Ossipee Lake.

Doug noted that due to the Shoreland Zoning he will need to acquire DEP approval before the Planning Board can take any action. A site walk is scheduled for Monday, October 18, 1999 at 6:00 p.m.

Mr. Vitko is to return under "Old Business" after he receives DEP approval.

8:30 JOYCE JONES - Map 30 Lot 71V "Brunetti's Restaurant"
Joyce Jones is present to inquire about the possibilities of converting Brunetti's into a fast food take-out, bait & tackle store with most of the building being used as a private residence.

After review of the existing file Dwayne made a motion to take a copy of the file to Ken Cole for his opinion. Joyce is to return under "Old Business" on November 10, 1999. Roland seconds. Motion carries a 4-0-0 vote in favor.

8:45 MERCER BONNEY of Mitchell & Assoc. for a 13 lot subdivision on Map 5 Lot 34, 34-2 & 34-3 Mercer Bonney is presenting a 13 lot single family home subdivision on the property located on Map 5 Lots 34, 34-2 & 34-3 owned by Hughey's Inc. The proposed subdivision is located on a 73 ½ acre parcel. All lots will have between 3 to 8 acres and falls under the Residential and Agricultural/Residential zone.

Waivers being requested are for a 2100' length and 18' width (with grass shoulders) of the road. The road is to be tarred. Mercer stated that she spoke with the Lyman Planning Board secretary and they would like to meet with the Waterboro Planning Board at some point to discuss the subdivision seeing that part of the properties are located in Lyman. Homes will not be located in Lyman due to the acreage requirements and lack of road frontage.

Roland noted that several of the lots are spaghetti lots which is illegal in the State Mandates.

Dwayne noted that 2 firetrucks would have difficulty passing each other on this road as presented. Immediate concern is with the width of the road.

The possibilities of extending the road through to the Jellerson Road is minimum due to the wetlands.

Mr. Kinney would prefer to have the town maintain the road, in the event the town would be unwilling the association would manage it. Dwayne stated that the road width waiver would not meet town specifications.

A dry hydrant will be necessary. A copy of the plans should be sent to Frank Birkemose (Fire Chief) for review.

Mercer noted that there is a possibilities that shared driveways will be created in order to minimize the impact on the wetlands. Doug stated that the Planning Board will require a written statement from the homeowners stating that they will not return for single drive access. The Planning Board will also require the developer to install all driveway entrances 50' before any building permits will be granted.

Ford Pond is not a great pond, it falls just over 8 acres with surrounding wetlands creating the freshwater.

Roland asked what is available in the upland for a building envelope. It was noted that one could build 100' with a conditional setback reduction or 250' without a conditional setback reduction permit.

It is also suggested by the Planning Board that an alternate access turn for emergency vehicles be created, preferably near the hydrants.

Doug suggested the possibility of creating part of the development as a P.U.D. in order to minimize the disturbance on the wetlands.

Mercer is to return under "Old Business" when she has completed the updates.

III MINUTES TO PREVIOUS MEETINGS

Everett made a motion to accept the September 23, 1999 meeting minutes. Dwayne seconds. Motion carries a 4-0-0 vote in favor.

IV NEW BUSINESS

V REPORT OF OFFICERS

Everett made a motion to elect Sue Dunlap as Vice-Chairman with the remaining officers to remain the same. Todd seconds. Motion carries a 4-0-0 vote in favor.

VI OLD BUSINESS

Doug turned the meeting over to Dwayne at this time for review of the communications due to the correspondence received from the Deering Ridge Road property owners.

VII COMMUNICATION

The following communications were reviewed:

Selectmen Minutes
Shoreland Zoning News
Letter from Deering Ridge property owners
Communication from Attn. Ken Cole re: Herrle vs. Town of Waterboro & Foglio
Communication from Scott Treworgy re: Road revision on West Hill II. Roland made a motion to have Doug review the West Hill II communications with the Town Attorney. Everett seconds. Motion carries a 4-0-0 vote in favor.

VIII MISCELLANEOUS

- Appointment for the Taylor House. Roland informed the Board that he would maintain his position with the Taylor House although he feels he is unable to help in the areas that are most needed.
- The ordering of the new Planning & Land Use Laws for the year 2000
- For informational purposes Doug has gone to the assessor and requested a list of all Town owned properties. It is estimated that the Town properties are worth \$2,264,000.00 and consists of approximately 177 lots. In 1987 the taxpayers voted approximately 800+ lots be sold.
- The information packet that Doug received at the Jensen, Baird seminar on September 29, 1999 was briefly discussed.
- Another workshop was scheduled on Monday, September 11, 1999 for Monday, September 18, 1999 to further review the Extraction Ordinance.

PLANNING BOARD

Town of Waterboro

OCTOBER 28, 1999

PUBLIC HEARING

AND

REGULAR MEETING

Doug called the Public Hearing to order at 7:30 p.m. noting the attendance of Susan Dunlap, Everett Whitten, Todd Morey, Roland Denby, Dwayne Woodsome and Louis Sidell from the State Planning Office.

There was two members from the public in attendance, however they were not required to have flood insurance coverage.

Lou began by explaining that the Town of Waterboro adopted the Floodplain Ordinance in 1987 and since has not been updated. If the community fails to amend this ordinance FEMA may discontinue insurance coverage. It was pointed out that if more than 50% of the structure was damaged it must be rebuilt in conformance with the ordinance.

Board Questions/Comments

Dwayne Woodsome - If you are to bring a home up to elevation in a subdivision you will tend to have only 1 or 2 homes that will be elevated. Also by elevating a home you will then need steps and stairways which on some lots won't meet our zoning setbacks.

Doug noted that the largest problem is that our maps are not updated. These maps need to be updated so that the Town or the residents aren't required to spend large amounts of money trying to prove that their home is not in the flood zone. As a board we have been asked for our opinion, as a board we would also like to see these maps updated.

Lou stated that there is a new program that has been created. Since 1990 there have only been 9 residents in the Town of Waterboro that has applied for a correction in their elevation. If the Town has significant information and TOPO maps we would be willing to endorse the Town's request to have the maps updated. Even if he endorsed the request it would not guarantee that FEMA would immediately grant the update. It all depends on the funds available.

Doug asked why this has such a great importance at this time that we pass these updates. Lou stated that it has always been important to update the ordinance. The town has just become lax in keeping the Flood Ordinance current.

Currently the deadline of December 31, 1999 was given to the Town. Lou felt that an extension may be possible. He stated that if an extension letter was forward directly to him he would be willing to get it to FEMA. If an extension is not granted than the Town will have to hold a Special Town Meeting.

Doug called the Public Hearing to a close at 8:15 and called the regular meeting to order.

Susan made a motion to recommend that the Selectmen request a 3 month extension taking us to April 1, 2000. If an extension is not granted than a Special Town Meeting will then have to take place. Upon noting the interest at the Public Hearing it would be beneficial for the taxpayers and the Town to wait until the regular Town Meeting. Everett Whitten seconds. Motion carries a 5-0-0 vote in favor.

II APPOINTMENTS

8:00 Joe Calvo Map 2 Lot 6E/F - Joe and Melisa Calvo are requesting a Condition Use Permit to operate a sawmill on their property. Dwayne asked the location of the brook on their property. Joe noted that only a portion of the back property is touched by the brook.

The lot size is approximately 4.3 acres. Map 2 Lot 6E will maintain the sawmill, his home is on Lot 6F. There will be no problem in meeting all boundary lines.

Member concerns are on the sawdust and the location of the brook.

Roland asked if he will be cutting rough boards and planing. Joe stated that the mill is currently successful just as a rough board mill.

Susan noted concern with the noise of the rough cutting and possibly future planing, that it would create complaints from the neighbors. Joe noted that the mill will be in the woods. Neighbors will not be able to see the building.

Everett made a motion to do an onsite on Thursday November 4 to meet at the Milkroom at 3:00. Susan seconds. Motion carries a 5-0-0 vote in favor.

The Code Officer is to check with the State in regards to sawdust regulations.

Joe and Melisa are to return under "Old Business" on November 10.

8:15 Mike Diaz Map 42 Lot 240-241 Mike presented an application to build a deck on his property. The property has previously gone before the Selectmen for a dimensional setback violation and has received an Agreement for penalty in lieu of legal action letter that was granted to the builder.

Due to the existing violation agreement the board is unsure in the procedure to take. Dwayne motioned to send this application and previous penalty action letter to the Attorney. Does the Board have the authority to grant a setback reduction on the same sideline that the violation was originally created? Would the previous owner who was denied a setback reduction on an existing violation have reason for a lawsuit for the fine that was imposed? Everett seconds. Motion carries a 5-0-0 vote in favor.

Due to other commitments Doug has excused himself from the meeting and turned over to Sue at this time.

8:30 Roy and Charlene Michaud Map 36 lot 21 Roy and Charlene are present with an application for a setback reduction to build a garage. The proposed area is currently a tarred parking lot. He has it staked out where he hopes to put the garage.

Due to the location of the property and the right of way that is owned by the Michaud's Dwayne has made a motion to have an on-site, the on-site can be done at the members convenience before the next meeting. Todd seconds. Motion carries a 4-0-0 vote in favor. Mr. & Mrs. Michaud are to return under "Old Business" on November 10.

III MINUTES TO PREVIOUS MEETINGS

Everett made a motion to accept the October 13, 1999 minutes as written. Roland seconds. Motion carries a 4-0-0 vote in favor.

IV NEW BUSINESS

V REPORT OF OFFICERS

VI OLD BUSINESS

Dwayne made a motion to reapprove the Forest Acres subdivision plan dated 6/11/99 due to the owner address being incomplete for registry. Everett seconds. Motion carries a 3-0-1 with Todd abstaining, vote in favor. Plans are signed.

The Vitko sitewalk was discussed and noted that very little capabilities for meeting setbacks was found. Mr. Vitko is to return under "Old Business" after getting written DEP approval.

VII COMMUNICATION

The following communications were reviewed:

- October 12, 1999 Selectmen minutes
- Maine DEP Grant Program
- New Planning and Land Use Booklets
- State of ME Public Workshops on Subdivision Laws

VIII MISCELLANEOUS

Everett made a motion to schedule Gravel Ordinance workshops every Monday through November. Dwayne seconds. Motion carries a 4-0-0 vote in favor.

Lisa informed the board that the Town's Attorney will be present at our November 15, 1999 workshop to review the Site Plan Ordinance.

IX ADJOURNMENT

Everett made a motion to adjourn at 9:45 p.m. Dwayne seconds. Motion carries a 4-0-0 vote in favor.

Respectfully submitted,

Dwayne Woodsome

Dwayne Woodsome
Secretary/Treasurer

DW/lmm

ACCEPTED: 12/8/99

Dwayne Woodsome
[Signature]
[Signature]

Robert E. Penby
Everett F. Whidden

PLANNING BOARD

Town of Waterboro GRAVEL ORDINANCE

WORKHOP

NOVEMBER 1, 1999

Present are Todd Morey, Doug Foglio Sr., Dwayne Woodsome, Everett Whitten, Roland Denby and Frank Faith.

Suggestion for changes:

Section III

#2: change 60' to 100'

#5: a hydrogeological survey on all externally drained pits and internally drained pits going closer than 2' of the water table shall be required.

ADD: from the Sanford ordinance items a, c and h.

- a: methods of removal or processing;
- c: type and location of temporary structures;
- h. cleaning, repair and/or resurfacing of streets used in removal activity which have been adversely affected by said activity.

Any gravel extraction operations not located on a state road or highway....

Request to selectmen that no through signs for trucks over 30gvw permitted. Local deliveries only for Deering Ridge and Webber Road.

PLANNING BOARD

Town of Waterboro

NOVEMBER 10, 1999
REGULAR MEETING

I ROLL CALL

Doug Foglio Sr. called the meeting to order at 7:30 p.m. noting the attendance of Todd Morey, Dwayne Woodsome, Everett Whitten, Roland Denby and Steve Foglio.

II APPOINTMENTS

8:30 Dave Greaton, Map 42 lot A-16. Dave Greaton is representing Renald Collin on Map 42 Lot A-16. An application is presented requesting sideline setback reductions.

Upon review of the application Everett Whitten made a motion to grant Renald Collin a left sideline setback of 25' and a right setback of 30'. All other setbacks must be met. A surveyed layout of the building envelope is recommended with a copy forwarded to the Code Office for the file. Todd Morey seconds. Motion carries a 4-0-0 vote in favor.

8:45 Jay DePaul setback reduction - Cancelled

9:00 Architectural Skylight Map 4 Lot 30 - Kevin Johnson is presenting a Site Plan application for Architectural Skylight Co., Inc. The proposed site will include a 55' x 75' addition to be used as a loading/receiving dock.

Doug noted his concern that the site may require DEP approval due to its size.

Upon review of the plan presented it is found that the following is needed:

1. Oil & water separator;
2. Diagram of the maneuvering areas need to be clarified;
3. Indicate the paved, graveled and parking areas;
4. Indicate outdoor lighting;
5. A complete drainage plan; and
6. A written request to extend the paving requirement until spring will also be needed.

Dwayne made a motion to accept the site plan as presented and to submit to the board a completed plan noting the items 1 thru 6 above. Roland seconds. Motion carries a 4-0-0 vote in favor.

Everett made a motion to cancel the November 25, 1999 meeting due to the Holiday. Roland seconds. Motion carries a 4-0-0 vote in favor.

November 10, 1999
Planning Board
Page Two

Dwayne made a motion to have a special meeting on Monday, November 22 to replace the Thursday, November 25 meeting due to the Holiday. Architectural Skylight is to be the only appointment on this meeting, it is to be followed by our regularly scheduled workshop. Everett seconds. Motion carries a 4-0-0 vote in favor.

III MINUTES OF PREVIOUS MEETINGS

No minutes were approved

IV NEW BUSINESS

Steve Foglio presented a letter that was recently sent to Robert Hindle, Map 19 Lot 7. The letter clarified the recent violations on the property and felt it necessary to inform the Board that a Site Plan has been triggered because a 5th structure/use is now being placed on the property.

Steve had some questions on the E. Waterboro Self Storage. Mr. Soule, owner, was under the assumption that the rental of U-haul trucks was discussed and also approved with the site plan. Doug noted that it was not, he will need to present his interest to the Board.

Dwayne also stated that he thought he could not rent until the paving was completed, Section 5.03, he currently has "rents available" signs on the property.

Steve will inform Mr. Soule of his need to return to the Planning Board and look into the paving of the property.

V REPORT OF OFFICERS

VI OLD BUSINESS

7:45 Joe Calvo - Map 2 Lot 6E/F The site was visited by Roland and Everett on November 4, 1999. Sue called and stated that she waited until 3:30 but apparently must have missed them.

Roland stated that the sawmill site was marked. The existing mill was also visited. Roland and Everett noted that he did not feel that the noise level was excessive. Everett stated the you were not able to hear anything until they got fairly close to the building. While inside and standing approximately 20 ft. away from the machinery they were able to maintain a conversation without the need of significantly raising their voices.

November 10, 1999
Planning Board
Page Three

Doug asked Joe if the mill will be placed on a separate lot from the house. Joe stated yes, that it was a separately deeded lot.

When asked what he planned to do with the sawdust Joe noted that at the original meeting he stated that the sawdust was to be stored upstairs. The existing sawmill cannot hold onto his sawdust because there is such a demand for it.

Everett made a motion that the abutters be notified by return receipt mail with a copy of the letter, list of abutters and the return receipts be given to the Board for the file. The letter is to reference that a Public Hearing has been scheduled on December 8 at 7:30, any questions, comments, and/or concerns are to be forward to the Planning Board before the meeting. Following the public hearing Mr. Calvo will be placed under "Old Business" to vote on his application. Roland seconds. Motion carries a 4-0-0 vote in favor.

8:00 Joyce Jones - Map 30 Lot 71V - Discussion of the correspondence received from the Town's Attorney reflected that yes, inhibiting the property and the sale of bait is permitted. However, any food sales are not allowed unless it can be proven that the food sale retained its grandfathered status. After much discussion and review of the Attorney's recommendation Joyce will return under "Old Business" on December 8 where she will present to the board her finalized request for the property.

8:15 Roy and Charlene Michaud - Map 36 Lot 21 Todd, Roland, Everett and Dwayne visited the site. They noted an existing paved area which will hold a 24' x 30' garage. There is approximately 16' to Penny Lane which is owned by the Michauds. Due to the slope of the land and the location of the leach field there really is no alternative location of the site unless the leach field or telephone poles were moved.

Dwayne made a motion to have Mr. Michaud redraw the plans clearly noting of the location of the garage and its setbacks. Mr. Michaud is to return on Monday evening when the Town's Attorney is present. Roland seconds. Motion carries a 4-0-0 vote in favor.

VII COMMUNICATION

No communications were reviewed.

VIII MISCELLANEOUS

IX ADJOURNMENT

November 10, 1999
Planning Board
Page Four

Dwayne made a motion to adjourn. Everett seconds. Motion carries a 4-0-0 vote in favor. Meeting adjourned at 10:30 p.m.

Respectfully submitted,

Dwayne Woodsome

Dwayne Woodsome
Secretary/Treasurer
Planning Board

ACCEPTED 12/8/99

Douglas J. Taylor
[Signature]

Richard E. Derby

Everett F. White

PLANNING BOARD

Town of Waterboro

NOVEMBER 15, 1999
WORKSHOP

Doug Foglio Sr., called the workshop to order noting the attendance of Susan Dunlap, Everett Whitten, Dwayne Woodsome, Roland Denby, Todd Morey and the Town's Attorney Ken Cole.

Ken Cole is present to discuss the Site Plan Ordinance and several other questions that the board has.

1. Ken presented the board with a copy of Gorham's Site Plan for future review. He finds that the Town's Site Plan is very ambiguous, it lacks boundaries and guidelines.

Doug noted that when the ordinance was initially enacted it was triggered at 2,000 sq. ft. At some point it was amended and removed. The Site Plan currently has no trigger.

Contract Zoning was discussed.

Dwayne Woodsome noted that have a multi-use building trigger the site plan over single use.

The board is to review the Site Plan presented by Ken Cole and return with feedback.

2. The Gravel Extraction ordinance that the board has been working on was reviewed. Recommendations from Ken were:
- Possibly changing the notification of abutters to a broader spectrum;
 - We may want to "require" a public hearing versus "reserving the right";

Lisa to give Patti disk so she can E-mail Gravel Ordinance to date. Ken will work on the outline of the ordinance.

3. The question on the Diaz property Map 42 Lot 240 - 241 on whether the Planning Board could issue a setback reduction for a deck when a penalty agreement has already be given by the Selectmen. Ken will write a letter stating that the new front yard setback is 47' and that a deck could be built without Planning Board approval if it stayed within the 47'.
4. A right-of-way created prior to ownership of a property. Ken referred to the letter submitted by Karen Lovell on the Chretien property. He felt the same standards applied.

PLANNING BOARD

Town of Waterboro

NOVEMBER 22, 1999
SPECIAL MEETING/
WORKSHOP

Susan Dunlap called the Special Meeting to order at 7:35 p.m. noting the attendance of Dwayne Woodsome, Everett Whitten, Roland Denby, Todd Morey.

Kevin Johnson Sr. Project Manager and Leon Murray, Vice President of Engineering with Architectural Skylight is presenting the Site Plan noting the revisions requested by the board. The addition will hold 3 trailers for curing of the windows. Any outside storage would be for a limited time, the job is set to be complete in March 2,000. Kevin Johnson has presented a letter defining the scope of work to be done and a extension waiver for paving.

Doug entered at 7:45, Sue turned the meeting over to Doug.

When asked if the truck would be staying in the addition Kevin state he did not feel that the truck will be sitting there. The trailers will more than likely be dropped off.

Doug noted that if he voted, he would make a motion to table this request due to the fact that the excavating work has not ceased since their initial appointment on November 10, 1999. Doug also asked where the stumps that were removed from the property were being disposed of, as per the Waterboro Stump Ordinance, the stumps need to be disposed of on site or at the Town Dump, not in another town.

Kevin mentioned that he and his company should not be penalized for going through the only process that he knew which was simply through a building permit as done in the past. They were not at all aware that a site plan would be needed. As far as a Stump Ordinance, they were also not aware of such an ordinance and are not sure where the stumps were taken to. They can found out if needed.

A letter was sent to Architectural Skylight regarding the possibility of needing State Stormwater Drainage approval.

The 2.94 acres of "Structure" noted consists only of the building and paved areas. They did not figure the gravel area in this amount. The gravel area will set them over the 3 acre limit that triggers DEP approval/review.

To date no erosion control or silt fence measures have been taken during the process of the site work that has been done.

**November 22, 1999
Special Meeting
Page Two**

Again, Kevin and Leon feel that they should not be penalized for the process that has been taken due to their unawareness of the need for Site Plan.

Doug turned the meeting over to Sue due to Architectural Skylights feelings that there is some resentment by Doug at the present time, Doug will also refrain from voting.

Todd noted that they could possibly apply for a temporary 180 day permit with the Town to allow them to construct the building which will also allow them to work on their erosion control and site location with DEP. A final site plan approval will not be granted until all DEP permits have been received.

Doug feel that the board can issue a partial site plan approval with the final approval being granted after a statement of fact or no jurisdiction is received from DEP which would need to be received within 180 days.

Dwayne made a motion to grant a "Temporary conditional site plan" approval to build the proposed building with the following conditions

1. DEP approval of ^{p.c.f. 12/8/99} non-jurisdictional statement shall be received by the Planning Board within 180 days of the date of the temporary permit;
2. Roof drains shall sheet flow off the gravel surface. Downspouts shall outlet onto a splash pad to prevent erosion;
3. Drainage from all disturbed areas shall be conveyed to the existing swale via sheetflow over the graded gravel surface. Any underground drainage structures or conduits shall be capped until final approval has been granted by the Planning Board.
4. All erosion control measures shall be in place within 48 hours and inspected by the Code Enforcement Officer.
5. No work in the existing drainage swale to the Brook shall be permitted, except erosion control measures, until the Planning Board has issued a final permit.

The following is not to be completed until final approval is granted:

1. No expansion or paving shall be completed on any part of the site including the parking & maneuvering area other what is needed to utilize the building until final approval from the Planning Board has been granted.

The building may be used during the 180 day temporary conditional use period and upon the final approval from the Planning Board.

**November 22, 1999
Special Meeting
Page Three**

Everett seconds. Motion carries a 4-0-1 vote in favor with Doug abstaining.

SAD 57 request to paved. Dwayne made a motion to table the SAD 57 request to pave until written guarantee from DEP is received. Steve is to notify Dana Morton and Mr. Dee of the boards intent. Todd seconds. Motion carries a 4-0-1 vote in favor with Doug abstaining.

Dwayne made a motion to adjourn the special meeting and not continue with the regularly scheduled workshop as planned. Todd seconds. Motion carries a 5-0-0 vote in favor.

Respectfully submitted,

Dwayne Woodsome
Dwayne Woodsome
Secretary/Treasurer
Planning Board

ACCEPTED: 12/8/99

Doug Steinhilber
[Signature]
Allen Dunlap

Robert E. Dooly
Everett F. Whittier

PLANNING BOARD

Town of Waterboro

December 8, 1999

Public Hearing/
Regular Meeting

I ROLL CALL

Doug Foglio Sr., called the meeting to order at 6:30 p.m. noting the attendance of Todd Morey, Dwayne Woodsome, Tim Neil, Roland Denby, Everett Whitten, Walt Stinson and Nancy Gilbert with Sebago Tech, and Mike Yandell with Gorham Savings Bank.

II APPOINTMENTS

6:30 Sebago Tech and Gorham Savings Bank This meeting is strictly informational. Gorham Savings Bank is interested in purchasing the property located on Tax Map25 Lot 6 on Route 5. They would like the information needed in order to present a Site Plan to the Board and their recommendations if any. The property is located between JD Package and Bonnet & Bows and consists of 1.1 acres in the Village district.

Mike informed the Board that if Gorham Savings purchased the property they would be looking at placing a 2,200 to 2,400 sq. ft. building with a 2 bay drive thru. It would have a 16' wide entrance and 2 exits, 1 for thru traffic and a left turn lane and 1 right turn lane.

Nancy stated that a stream borders the rear of the property which meets the DEP definition of a Stream. They have contacted Bill Eaton, the traffic consultant that reviewed Shop 'n Save, to receive his findings and input on the traffic study.

Gorham Saving is requesting the process needed with regard to the traffic, drainage and peak requirements. Does the Board also feel that the public water line be extended to the site or strictly maintain the 2 wells currently on the property.

Doug noted that the Board position would be that with the site development the improvement of the water supply would also be recommended. A hydrant for the site which would also provide a sprinkler system would be useful. The extension of the water line would depend on Shop 'n Save and their possible fee to hook-up to the line. They did pay for the extension to their site.

In a public hearing the major issues that would possibly come forward would be the sight distance, traffic flow and the water supply.

Doug asked if they planned to construct the bank on a full foundation, Mike stated that they planned on an on-grade slab.

Nancy questioned the setbacks to the brook, DEP and the resource protection recommend a 25' minimum.

Doug stated that according to DEP the shoreland zone does not belong to the Town of Waterboro, it is imposed by DEP to the Town.

Nancy questioned that if a DEP ruling was received on the site would the Board accept that as a DEP permit for setbacks? The census of board was yes.

The next step if they decide to go forward will be through Site Plan.

8:00 Cal Knudsen - Stone Gate Subdivision Cal has presented a sketch plan for a 3 lot subdivision on the Deering Ridge Road. The lot sizes consist of 2.26, 2.06 and 16.36 acres.

Dwayne asked if a notation stating that the lots are never to be redivided will be on the plan? Cal said no, that with the 3rd lot being 16.36 acres he would like to reserve the right to further divide the property at a later date. His main concern at this time is to develop the first two lots. Doug noted to Tim that in the past they have previously waived a hydrogeological study for a 3 lot subdivision. He also presented the history of this property stating that this parcel is part of a previous 3 lot subdivision that did not undergo a hydrogeological survey.

Cal feels that a hydro study is not needed due to the topography and consistency of the land. Cal also states that the odds are that he will not further subdivide the land any further, however he does not wish to put it in writing so that it would prevent him from dividing it in the future.

The right-of-way is presented as 500' and will remain a private road.

Doug noted that he would like to see the right-of-way width at 75' and the hammerhead 75' wide and long instead of 50' as presented.

Dwayne noted that any further extension of this right-of-way will require him to bring the road up to Town Road Standards.

Dwayne made a motion that we accept the sketch plan. The 75' hammerhead is to be discussed at the next meeting. Everett seconds. Motion carries a 6-0-0 vote in favor.

8:45 Greg Jones - Map 43 Lot 944 Greg Jones is present for a front-yard setback reduction on his property located on Ridgeway Circle. Approval from Saco River Corridor has been received.

After reviewing the plan presented Dwayne made a motion to grant a 37' front yard setback to Ridgeway Circle. A building setback survey is to be done with the foundation being laid out by the surveyor. A copy of the survey is to be forwarded to the Code Office for the records. Everett seconds. Motion carries a 6-0-0 vote in favor.

III MINUTES OF PREVIOUS MEETINGS

Dwayne made a motion to approve the minutes of October 28, 1999 as written. Everett seconds. Motion carries a 5-0-1 approving vote with Tim abstaining.

Dwayne made a motion to approve the minutes of November 10, 1999 as written. Roland seconds. Motion carries a 4-0-2 approving vote with Tim and Sue abstaining.

Everett made a motion to approved the minutes of November 22, 1999 as corrected. Todd seconds. Motion carries a 5-0-1 approving vote with Tim abstaining.

Due to the misplaced minutes, the following meeting minutes will be voted as Duplicate Originals.

Dwayne made a motion to re-approve the September 8, 1999 minutes as presented. Todd seconds. Motion carries a 3-0-3 approving vote with Tim, Everett and Roland abstaining due to their absences at the meeting.

Roland made a motion to re-approve the August 11, 1999 minutes as presented. Todd seconds. Motion carries a 4-0-2 approving vote with Tim and Everett abstaining due to their absences at the meeting.

Todd made a motion to re-approve the August 25, 1999 minutes as presented. Roland seconds. Motion carries a 4-0-2 approving vote with Tim and Everett abstaining due to their absences at the meeting.

IV NEW BUSINESS

Doug turned the meeting over to Sue for review of the following request due to his involvement with Kasprzak, Inc.

The request from the Selectmen was reviewed regarding the Townhouse Woods II property offered by Kasprzak, Inc. Dwayne made a motion that the Board recommends to the Selectmen that the land offered by Kasprzak is placed on the town floor for town vote in March. Everett seconds. Motion carries a 5-0-1 with Doug abstaining.

V REPORT OF OFFICERS

Dwayne reviewed the appropriation report as presented.

VI OLD BUSINESS

Joe Calvo - Map 2 Lot 6E upon completion of the Public Hearing, Todd made a motion to allow Joe Calvo operate a single saw sawmill on his property with the following conditions:

- The building is to be locked when not in use;
- Minimum of a 100' natural uncut buffer around the property line is kept;
- All sawdust is disposed properly per State Sawdust Ordinance;
- Any further expansion beyond a single saw sawmill will require Planning Board Approval.

Everett seconds. Motion carries a 6-0-0 vote in favor.

Roy and Charlene Michaud - Map 36 Lot 21 Roy Michaud has relocated the proposed garage so that a 35' setback from the right-of-way is needed. Everett made a motion to approved the new proposed location of the garage, dated 12/8/99, granting Roy a front yard setback of 35' to the right-of-way, 36'4" and 40' setbacks from the side are shown. Todd seconds. Motion carries a 5-0-1 approving vote with Sue abstaining.

VII COMMUNICATION

The following communications were reviewed:

- Letter from the State Planning Office
- Memo from Patti Berry with attachment
- Letter from Ken Cole to Steve Foglio
- Letter from Ken Cole to Planning Board re: Collin Setback
- Copy of letter to Dearborn Bros. from Patti Berry
- Memo from DEP re: proposed amendments to the Shoreland Zoning Ordinance
- Memo from Patti re: Taping of meetings.

VIII MISCELLANEOUS

Dwayne made a motion to book the January 12 and January 27 meeting as full in order to complete the ordinance review in hopes to schedule the Public Hearings with sufficient time for review before the Town Meeting. Everett seconds. Motion carries 6-0-0 vote in favor.

Doug stated that on Wednesday, December 8, 1999 he delivered the Gravel Ordinance disk to Ken Cole. Ken is to format what we have put together to date and offer any recommendations as he sees fit.

IX ADJOURNMENT

Dwayne made a motion to adjourn the meeting at 10:30 p.m. Roland seconds. Motion carries a 6-0-0 vote in favor.

Respectfully submitted,



Dwayne Woodsome
Secretary/Treasurer
Planning Board

DW/Imm

ACCEPTED:

12/23/99
Roland E. Donly
Everett Whittle
Jim Davis

Dwayne Woodsome
[Signature]

PLANNING BOARD

Town of Waterboro PUBLIC HEARING DECEMBER 8, 1999 "CALVO SAWMILL"

In attendance for the public hearing were Joe Calvo, applicant, David Wescott, Dwayne & Heather Foglio and a non-abutter from the Ossipee Hill Road.

Doug informed the public that under Section 3.06 Subsection 3.06.02 Article 8, wood processing facilities is a permitted use with a conditional use permit from the Planning Board.

Receipts for the notification of abutters and a copy of the letter sent has been received and will be placed on file.

It is noted by Roland and Everett that they visited the proposed site. Upon visiting the site they also stopped at the existing mill while in operation. Roland and Everett described the noise level as minimal while in operation.

Due to being an abutter, Doug Foglio Sr., has withdrawn himself from the Public Hearing at this time and has turn the hearing over to Sue Dunlap.

Sue first wants to clarify the letter that was sent to the abutters. The letter states that a sawmill is a permitted use in the agricultural/residential zone. It should have stated that it is permitted with receipt of a conditional use permit from the Planning Board.

Joe explained that he owns 2 lots, the sawmill will be located on the back lot which does not include his home. He stated that the sawmill will be operated on a part-time basis that he plans on using it as supplemental income. This is a single rough cut saw operation, there will not be a plainer on site.

Heather Foglio stated that their biggest concern is safety, kids walk down the right-of-way every day. She did not want to worry that they may wonder off with curiosity and get hurt.

Joe noted that the building will be more than 100ft from the right-of-way. It will be in an enclosed building that will be locked when not in use.

Sue questioned what his plans for the sawdust will be and Joe noted that it will be stored internally.

David Westcott asked how the raw materials would be delivered to the property. Joe noted that the raw materials will come on a logging truck. The noise should be kept at a minimum stating again that this will be a part-time operation.

Heather asked the board what the restrictions/limitations would be if Joe decided to expand the operation from a single saw to multiple saws. Dwayne Woodsome mentioned that a requirement can be noted in the Conditional Use Permit that will require him to return to the board if an expansion in structure or an additional saw is requested.

There are no further comments or questions from the public. Sue Dunlap closed the public meeting at 8:00 p.m.

PLANNING BOARD

Town of Waterboro

DECEMBER 23, 1999
REGULAR MEETING

I ROLL CALL

Dwayne Woodsome called the meeting to order at 7:10 p.m. noting the attendance of Todd Morey, Roland Denby, Everett Whitten and Tim Neill. Payson MacCormack is also present from Lake Arrowhead Community to discuss the rezoning of Lake Arrowhead. Sue Dunlap entered at 7:40 p.m.

II APPOINTMENTS

Payson first asked why the Board wanted to rezone Lake Arrowhead. Is it to reduce the workload or improve the character of LAC?

Dwayne noted that a larger amount of lots in LAC are nonconforming to the Town's current Ordinance. Rezone the area would create these lots as buildable without meeting with the Planning Board. It would also save everyone time and money. The approximate setbacks would be 25' side and rear and 40' front. This would in fact reduce the Planning Board's workload but would also possibly allow homeowners to build a garage on their lots increasing the property values.

Payson stated that LAC has no objection as long as it improves the quality of LAC. Contractors will be able to increase the size and position of the homes being built.

Roland asked if LAC has their own building requirements, regulations in the Deed? Payson stated that the regulations are in the deed covenants. They also make sure that the Town's rules and regulations along with their own regulations are met when a permit is issued.

Payson noted that if they feel that the rezoning does not provide the benefits that expect/approve they can increase their own restrictions to meet their own liking of the area. Their current restrictions require the home to be on a full foundation and provide a minimum of 750 sq. ft. of living space.

Payson also asked if the rezoning will be retroactive to also effect the current homes in LAC? Dwayne stated that he believed it would. If the current owners are able to meet the new setbacks they would then be able to an addition if they wished.

8:00 James Gerry, Map 1 Lot 18 - Jim is present for informational purposes only. He would like to request permission to release a parcel of property without creating a subdivision in order to pay back taxes. The shop and the property behind the shop currently owes approximately \$5,000.00 in taxes, \$3,500 of the taxes are in arrears. He

P.O. Box 130, Waterboro, Maine 04087 • 247-6166 • FAX 247-3013
<http://www.mix-net.net/~waterboro/>
Email: waterboro@mix-net.net

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believes that he has approximately 2 years before he can sell off another parcel of land without going through subdivision. The property is approx. 450' x 100' after setbacks.

Dwayne suggested the possibility of doing a 1 lot subdivision. No further discussion was done. Jim is to return to the Planning Board with a 1 lot subdivision if he chooses to proceed.

Dwayne turned the meeting over to Susan Dunlap who entered the meeting at 7:40 p.m.

8:30 Maxime Peightal, Map 31 Lot 2 Shoreland - Maxine is present along with her contractor Jim Carll. Maxine is looking to receive Planning Board approval to place a new roof over the existing concrete one on her boathouse. Jim proceeded to explain to the Board that the existing concrete roof leaks and is full of cracks. Jim stated that Steve Foglio, Code Enforcement Officer, checked with DEP and no permits were required.

Dwayne made a motion to approve the request to place a new roof over the existing roof not to expand the square footage under Section 9.03. All DEP erosion control and debris measures are to be taken. Roland seconds. Motion carries a 5-0-0 vote in favor.

8:45 Ed Dogget, Map32 Lot 24 Shoreland - Ed is requesting Planning Board approval to place a foundation under the existing cottage on Ossipee Lake. The front portion of the camp currently has a full basement. The back portion which measures approximately 33 x 14.5 is the area the foundation is needed, it currently has a crawl space.

Dwayne noted that by placing a full foundation under a seasonal cottage converts it to year round use. By doing so a new septic design will be required. Ed stated that the septic design has already been done. He did not intend on replacing the existing design at this time but will do so if it is required.

Dwayne made a motion under section 9.03 to allow Ed to put a foundation under the 33 x 14.5 portion provided that an adequate septic design is installed. All erosion control measures are to be taken. Roland Denby seconds. Motion carries a 5-0-0 vote in favor.

III MINUTES OF PREVIOUS MEETINGS

Dwayne made a motion to approve the minutes of December 8 as written. Everett seconds. Motion carries a 5-0-0 vote in favor.

IV NEW BUSINESS

V REPORT OF OFFICERS

VI OLD BUSINESS

Discussion of the Stonegate Subdivision will be continued at the next meeting when Doug is present for clarification.

VII COMMUNICATION

Ken Cole's correspondence was reviewed regarding the rezoning of LAC.

VIII MISCELLANEOUS

Dwayne made a motion to cancel the December 27 workshop and continue the workshops beginning January 3, 2000. Everett seconds. Motion carries a 5-0-0 vote in favor.

Everett made a motion to have Ken Cole attend the January 3 workshop to make final revisions and adjustments to the Gravel Ordinance and the rezoning of LAC. Todd seconds. Motion carries a 5-0-0 vote in favor.

Dwayne made a motion to approve internet access for Lisa's computer. A lot of the information that is being postponed during a meeting could readily be available making the Boards work less time consuming. Dwayne will request placement on the December 28 Selectmen's meeting. Dwayne and Sue will attend the meeting and present the request to the Selectmen.

The advantages discussed where:

- Immediate access to needed information during a meeting;
- E-Mail access between Planning Board/CEO and Town's Attorney;
- Access to Code Office regulations;
- State Statutes and rules and regulations;
- Less communication through the Town Attorney where information can be readily accessed.

Todd seconds. Motion carries a 5-0-0 vote in favor.

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IX ADJOURNMENT

Dwayne made a motion to adjourn the meeting at 9:35 p.m. Everett seconds. Motion carries a 5-0-0 vote in favor.

Respectfully submitted,

Dwayne Woodsome

Dwayne Woodsome
Secretary/Treasurer
Planning Board

ACCEPTED: _____

Susan Allsup

[Signature]

Roland E. Dewby

Everett Whitten

Tom Davis
