

**TOWN OF WATERBORO**  
*PLANNING BOARD*

*Meeting Minutes*  
*January 24, 2007*  
*7:00 p.m.*

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

**I. ROLL CALL**

Planning Board	David Benton	Judy Carll	Roland Denby
Members Present:	Susan Dunlap	Teresa Lowell	
Members Absent:	Donald Day	Tim Nelson	
Others:	On sign-up sheet		
	Ken Cole	Tina Smith	

**II. PUBLIC HEARING**

Ø *Proposed amendment to the Zoning Ordinance, Section 13.04 Contract Zoning, and proposed amendments to the Growth Management Ordinance.*

Susan Dunlap asked those in attendance to sign the sheet on the clipboard and added that copies of the proposed amendments were available. Ms. Dunlap explained that a few years ago the Selectmen looked into Contract Zoning and Impact fees. Impact fees were not able to be used by the town. The Growth Ordinance was enacted and has been adjusted as necessary, the number of permits was changed and the exemption for housing for older persons. The proposed Contract Zoning ordinance would apply to both commercial and residential development and allows the town to negotiate with developers.

During 2005 the Planning Board had a workshop with the Selectmen and discussed a proposed Contract Zoning ordinance. The selectmen established a committee comprised of Planning Board members, Selectmen and community members. The committee was looking to manage the largest parcels of land in town; no names were associated with the parcels. The committee determined that Contract Zoning would apply to parcels of 500 acres or larger. In exchange for considerations given to the town, the subdivider could receive additional growth permits. Ken Cole added that any extra growth permit given, even if given in exchange for something else, would count toward the total number. These additional permits must count toward the town's average and increase the number to be given out in following years.

Dwayne Woodsome stated that Lake Arrowhead doesn't need the 20 growth permits they are currently given. That number could be changed. There are ways of working with the numbers as they are now.

Ken Cole added that any increase in the number of permits given would be part of the agreement with the developer. The state mandated that you increase the numbers of permits to 105% of your ten year average; these increased numbers could be used for contract zoning agreements.

Dwayne Woodsome said that we could have a conversation with Lake Arrowhead to decrease the number of permits given to them.

Evan Grover said that there should be a way to designate a group of permits just for subdivision contract zoning. The commercial development projects could, as an example, reduce setbacks in exchange for something for the town.

Sue Dunlap added that we are under no obligation to have a contract zone agreement, if it is decided it is not in the town's best interest. It is a negotiation tool we don't have at this time.

Jon Gale said that 70 new houses could add 140 students to the schools. These numbers don't go away after 20 years.

Sue Dunlap said one of the concerns was that the legislature had been talking about forcing towns to get rid of their growth ordinance.

Bob Fay said that the State Planning Office is against growth ordinances, not the legislature.

Ken Cole added that the underlying premise is that there is always a risk that legislation might change.

Dwayne Woodsome said that people shouldn't get hung up that this will be used every day; but it does allow the tools to negotiate.

Evan Grover questioned the use of contract zoning for residential; we have already had some commercial projects we could have used it on.

Bob Fay said that the availability for residential projects would be very limited, may be to only five parcels.

Teresa Lowell said we should create another category within the growth ordinance for contract zoning use.

Dwayne Woodsome said landowners may purchase adjacent tracts of land to meet the

500 acre requirement.

Sue Dunlap said if the town were presented with a development for 200 houses, the contract zone would allow us to look into it and see if there is anything in it for the town.

Todd Abbott said that perhaps the requirement should not be 500 acres, but the number of house to be developed. This would depend on the zone the development was located and access to town water.

Sue Dunlap stated that the board would be interested in knowing how everybody feels about going forward with the documents as written, with a change to the growth ordinance.

Jon Gale asked the Planning Board members to state what they thought of the proposed amendments.

Dave Benton said both ordinances are tools that work together. He thought that Contract Zoning should apply to both commercial and residential applications.

Judy Carll said that Contract Zoning is an important tool for the town. She stated that she was still on the fence because the residential uses will raise the 10 year average but thought the growth ordinance could contain a separate slot for the conditioned permits.

Teresa Lowell stated this was an important tool that would be good for the town. She would vote for a change to accept the Contract Zoning for commercial and residential. She stated that another category should be added to the growth ordinance for the contract zoning permits, 5 or 10 more per year. The high point is the long term reduction of homes.

Roland Denby stated that the zoning ordinance now has specific uses that can be put in each area. Contract Zoning gives the Selectmen and Planning Board means to negotiate.

Sue Dunlap stated that she has mixed feelings on it. We should have tools to negotiate but is not in favor of anything that will ratchet up the number of permits given out. Stated she would be in favor of reallocation of the permits issued.

The straw poll of the audience showed everyone in favor.

Sue Dunlap stated that we will look at the proposed amendments, try to incorporate changes with Ken Cole and have another public hearing.

The public hearing was closed at 8:10 p.m

### **III. APPOINTMENTS**

Ø *Amended Sketch Plan*  
*Les Bois Carthage*  
*Katherine Joyce, Perkins/Thompson*

Katherine Joyce addressed the board regarding an amended sketch plan on behalf of the applicant, Les Bois Carthage. She explained that the applicant has submitted other plans involving the whole parcel; this plan is for a section located next to the Ossipee Landing subdivision. The current plan is for ten 15-acre lots.

Owen Haskell provided a plan showing the proposed subdivision in relation to the other holdings of the applicant.

Katherine Joyce added that the applicant still favors the idea of contract zoning, but this phased subdivision would allow them to begin the subdivision on a small scale and continue with a mutually beneficial agreement.

The Board noted that the Ossipee Landing subdivision was approved in 2003. This subdivision was out of the original parcel and approved less than 5 years ago.

The applicant was asked if there would be a restriction from further division placed on these lots. Katherine Joyce responded that Lot 10 could be further divided.

Owen Haskell added that there would be a 40' recreational easement on some of the parcels, as shown on the plan. He added that Huff Lane would be brought up to town standards for a gravel road. Sue Dunlap added that there would need to be a turn around for emergency vehicles at the end of the road after the last driveway.

The applicant will discuss fire protection measures with the Waterboro Fire Chief.

#### **IV. MINUTES OF PREVIOUS MEETINGS**

Ø *December 20, 2006*

Teresa Lowell asked that the conditions of approval for the school's amended plan be added to the minutes.

#### **V. REPORT OF OFFICERS**

#### **VI. OLD BUSINESS**

David Benton advised the Board that signs have been placed within 300' of the new school. There are now two 15 mph zones. The school will install lights which will flash during certain periods of the school day.

## **VII. COMMUNICATION**

A proposal was received from Southern Maine Regional Planning Commission to revise the Shoreland Zoning Map and ordinance to comply with the state's minimum standards. The total cost is \$6,930. The Board discussed if the money could be allocated from our budget, or allocated from another account. A motion was made by David Benton to request the money and made a determination where the money could come from. The motion was seconded by Teresa Lowell and unanimously carried.

## **VIII. MISCELLANEOUS**

### **Ø *Memo regarding Special Amusement Ordinance and Outdoor Dining Amendments***

Teresa Lowell made a motion that a Public Hearing be scheduled for Tuesday, February 20, 2006 at 6:30 p.m. for the Special Amusement Ordinance and Outdoor Dining Amendment. The motion was seconded by Judy Carll and unanimously carried.

## **IX. NEW BUSINESS**

On Wednesday, January 31, 2007, at 7:00 p.m. the board will conduct a workshop with Ken Cole, this will followed by a board meeting

## **X. ADJOURNMENT**

A motion was made by Teresa Lowell to adjourn the meeting at 9:40 p.m. The motion was seconded by David Benton and unanimously carried.

**TOWN OF WATERBORO**  
*PLANNING BOARD*

*Meeting Minutes*  
*January 31, 2007*  
*7:00 p.m.*

*Workshop Session*

Susan Dunlap, Chair, called the meeting to order at 8:15 p.m.

**I. ROLL CALL**

Board Members

Present:                    David Benton                    Judy Carll  
                                 Susan Dunlap                    Teresa Lowell

Others Present:        Tina Smith

**II. APPOINTMENTS**

**III. MINUTES OF PREVIOUS MEETINGS**

Ø     *December 20, 2006*

Teresa Lowell made a motion to approve the minutes for the meeting held December 20, 2006. The motion was seconded by David Benton and unanimously carried.

**IV. REPORT OF OFFICERS**

**V. OLD BUSINESS**

Teresa Lowell made a motion to recommend approval of the Contract Zoning Ordinance as written. The motion was seconded by David Benton and unanimously carried.

**VI. COMMUNICATION**

**VII. MISCELLANEOUS**

Ø     *Schedule a Public Hearing*

Teresa Lowell made a motion to schedule a public hearing for Wednesday, February 21, 2007 at 7:00 p.m. (snow date Thursday, February 22, 2007 at 7:00 p.m.) to discuss

changes to the Growth Management Ordinance. The motion was seconded by David Benton and unanimously carried.

**VIII. NEW BUSINESS**

**IX. ADJOURNMENT**

A motion was made by Judy Carll to adjourn the meeting at 8:30 p.m. The motion was seconded by Teresa Lowell and unanimously carried.

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

*Meeting Minutes*  
*February 21, 2007*  
*7:00 p.m.*

Susan Dunlap, Chair, called the Public Hearing to order at 7:00 p.m

**I. ROLL CALL**

Board Members

Present:	David Benton	Judy Carll	Roland Denby
	Susan Dunlap	Teresa Lowell	

Absent: Tim Nelson

Others Present:	William Porter	Roger Lauzier
	Tina Smith	David Lowe

**II. PUBLIC HEARING**

Ø *Proposed amendment to the Growth Management Ordinance*

This was a follow-up public hearing called to discuss proposed additional changes to the Growth Management Ordinance. At the first hearing, input was received and these changes were incorporated into the proposed amendment. All board members agreed that the new document reflects input received at the first public hearing. There were no members of the public in attendance.

The public hearing was closed at 7:16 p.m

Sue Dunlap advised the board that Don Day has resigned; his resignation was received with regret. The Board of Selectmen has appointed Kurt Clason to the Planning Board.

**III. APPOINTMENTS**

Ø *Map 36, Lots 1 and 1A - 22 East Shore Road Extension*  
*Place foundation under cottage*  
*William D. Porter III*

William Porter addressed the board regarding the placement of a foundation under his

camp located at 22 West Shore Road Extension. The cottage measures 36' X 30' and is approximately 48' from the water. The camp was built in 1961, no changes have been made to the structure since it was built. A septic system was installed in 1991. An 8' x 30' boat house on the property was replaced in 1981 with a 12' X 20' building located about 10' from the water. The board viewed pictures supplied by the applicant.

Teresa Lowell made a motion to approve the application for relocation with the following stipulations:

- Ø Erosion control measures in accordance with best practices
- Ø Revegetation of the site
- Ø No storage of excavation materials on lake side of structure
- Ø Finished grade to be no steeper than current grade
- Ø Structure must not be raised more than 3'
- Ø CEO conducts preconstruction and post construction inspections.

The motion was seconded by David Benton and carried unanimously.

- Ø ***Map 45, Lot 1768 - 67 Fairview Drive***  
***Setback reduction***  
***Roger Lauzier representing Kathleen Sangillo***

Roger Lauzier addressed the board regarding a setback reduction in order to construct a 16' X 24' garage at 67 Fairview Drive. After discussion, Teresa Lowell made a motion that the item be tabled until clarification is received from the CEO. The motion was seconded by David Benton and unanimously carried.

- Ø ***Revised Preliminary Development Plan - Phase I***  
***Les Bois Carthage***  
***Katherine Joyce, Perkins/Thompson***

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

Representatives from the Cemetery Committee were at the meeting and provided a list of cemeteries that are located on the land owned by Les Bois Carthage. The list will be forwarded to Katherine Joyce.

#### **IV. MINUTES OF PREVIOUS MEETINGS**

- Ø ***January 24, 2007***

A motion was made by Teresa Lowell to accept the minutes for the meeting held January 24, 2007. The motion was seconded by Judy Carll and unanimously carried.

- Ø ***January 31, 2007***

A motion was made by Teresa Lowell to accept the minutes for the meeting held January 31, 2007. The motion was seconded by Judy Carll and unanimously carried. (Roland Denby abstained from voting, Sue Dunlap voted in favor.)

**V. REPORT OF OFFICERS**

**VI. OLD BUSINESS**

**VII. COMMUNICATION**

- Ø *Memo from SMRPC - Subdivision Review Workshop*
- Ø *Information from Hollis Planning Board regarding revision to the Hidden Brook subdivision*

**VIII. MISCELLANEOUS**

A memo was received from the Board of Selectmen regarding a request for funding. A workshop will be set up to discuss reworking the budget to allow funds for the Shoreland Zoning update.

**IX. NEW BUSINESS**

**X. ADJOURNMENT**

A motion was made by David Benton to adjourn the meeting at 8:45 p.m. The motion was seconded by Teresa Lowell and unanimously carried.

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

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

*Meeting Minutes*  
*March 7, 2007*  
*7:00 p.m.*

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

**I. ROLL CALL**

Planning Board	David Benton	Judy Carll	Kurt Clason
Members Present:	Roland Denby	Susan Dunlap	Teresa Lowell
	Tim Nelson		
Others:	Katherine Joyce	John Swann	Lester Berry
	Barry Murry	David Woodsome	
	Tina Smith	David Lowe	

**II. APPOINTMENTS**

Ø *Revised Preliminary Development Plan - Phase I*  
*Les Bois Carthage*  
*Katherine Joyce, Perkins/Thompson*

John Swan, representing Owen Haskell Inc., addressed the board regarding the proposed subdivision. Mr. Swann gave the board copies of an overview of the holdings, showing the proposed full scale development based on approval of Contract Zoning. The current phase of the development was 11 lots and is now 13 lots. The 13<sup>th</sup> lot was created after discussion with the Fire Chief. This proposed 5 acre lot may be donated to the town for a fire/rescue substation. He reviewed the comments from Southern Maine Regional Planning Commission and made the following comments:

Item 10 - Two test pits have not been completed for each lot; will be done as the weather allows

Item 14 - Information has been included on plan but the written stormwater management narrative is not yet completed

Item 26 - The applicant is requesting a waive:

Section 8.7- Proposed donation of a parcel to the town for a fire station and one 10,000 gallon cistern. Board questions whether requirements of the subdivision ordinance can be waived. The Fire Chief was not available to attend this meeting so will be invited to the next board meeting.

Mr. Swann agreed to mark the cemeteries on the plan. There is a cemetery on lot 5 and they proposed a 50' buffer strip. The other cemeteries on the list provided by the Cemetery Committee are on other holdings, not on the property currently under review.

A fence must be placed around the cemeteries. Cemetery Committee members expressed preference for a stone wall around the cemeteries.

Mr. Swann has proposed to place a turn around on Lot 11 so the developer can eliminate another 300' of road construction. There is a possibility that Lot 12 may be sold to an abutter. Teresa Lowell questioned whether the proposed gravel road was allowed by the ordinance. The applicant stated that they are requesting a waiver of pavement on the road. This is to be a private road maintained by the home owners.

The plan states that no Phase 1 lots are to be further divided except Lot 12  
The applicant has not yet contacted the Post Office regarding mail delivery  
The applicant has not yet contacted the school district regarding school bus stops.  
The site distance on Lot 4 was questioned, location of the driveway needs to be restricted.  
There is a 40' recreation easement, as shown on the plan.  
The width of New Dam Road must be shown on the plan.

A motion was made by Tim Nelson to require a hydro study for these 12 lots. The motion failed for lack of a second.

After discussion, a motion was made by David Benton to get an opinion from an engineering firm regarding the hydro study, specifically if a full study or limited study should be required and the reason for their recommendation. The motion was seconded by Roland Denby and passed 5-1. J. T. Lockman, SMRPC, will also be contacted for clarification.

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

- The names of the owner, subdivider and surveyor need to be added to the plan.
- The names of abutting property owners need to be added to the plan.

The applicant was advised that a bond will be required for construction of the road.

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

Lester Berry, BH2M, addressed the board regarding the site plan for Lakeside Community Church. The applicant explained that they are proposing to building a 6,000 sq ft (60' x 100') building on a 200' wide lot. The church will have 140 seats, 50 dinin, seats, and 71 parking spaces.

Sue Dunlap reviewed the site plan checklist, noting the following

- Ø Applicant is submitting plans for approval to the State Fire Marshall; applicant will set up meeting with fire chief

- Ø The second floor is not handicapped accessible
- Ø Applicant has DOT entrance permit
- Ø Reference to classrooms on previous plan has been removed
- Ø Applicant must submit lighting plan to confirm that proposed exterior lighting creates no hazards to motorists or occupants of neighboring properties.
- Ø Stormwater management plan is pending
- Ø Requesting waiver of nitrate study and hydrogeological impact study
- Ø The pastor's residence will not be located on this site
- Ø Plan needs to show location of utilities
- Ø Width of Sokokis Trail needs to be on plan
- Ø Stop sign must be added

Kurt Clason made a motion to waive the 35' height requirement. The motion was seconded by Teresa and unanimously carried.

A site walk has been scheduled for Wednesday, March 21, 2007, at 6 p.m. The applicant will mark the property lines and location of building.

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

Ø *February 20, 2007*

Ø *February 21, 2007*

These were held over until the next meeting.

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

### **V. OLD BUSINESS**

A motion was made by Tim Nelson to affirm the Planning Board's support of the Contract Zoning Ordinance and amendment to the Growth Management Ordinance. The motion was seconded by Teresa Lowell and carried with no dissenting vote (Kurt Clason abstained).

### **VI. COMMUNICATION**

### **VII. MISCELLANEOUS**

### **VIII. NEW BUSINESS**

### **IX. ADJOURNMENT**

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



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

*Meeting Minutes*  
*March 21, 2007*

**6:00 p.m**      **Site Walk**

**Lakeside Community Church**

Board Members Present:	David Benton	Judy Carll	Kurt Clason
	Susan Dunlap	Teresa Lowell	
Others Present:	Tina Smith	Barry Murry	

The applicant staked the location of the building and the property line. No members of the public were in attendance. There was discussion about the location of a crossover culvert on Route 5.

**Meeting to continue at Town Hall Annex upon completion of site walk**

**I. ROLL CALL**

Board Members Present:	David Benton	Judy Carll	Kurt Clason
	Susan Dunlap	Teresa Lowell	Tim Nelson

Board Members Absent:      Roland Denby

Others Present:	Barry Murry	Roger Lauzier
	David Lowe	Tina Smith

**II. APPOINTMENTS**

Ø                                      **Lakeside Community Church**

**Site Plan**  
**Steve Brook**

The following items were discussed:

- Location of the septic system has not yet been determined, may be to the rear of the lot.
- Lighting plan must be submitted
- State Fire Marshall to review plans
- Hydro study being conducted by R. W. Gillespie & Associates
- Septic study being conducted by Al Frick
- Stormwater plan has been submitted to DEP
- Elevation of the back parking lot is 8' above the tiered drive-in
- Town Fire Chief will be asked to attend the next meeting

- Note on plan indicating underground utilities
- Width of Route 5 needs to be added to plan
- Stop sign needs to be located
- Landscaping plan
- DOT entrance permit
- The board will require a peer review of the hydro study

A motion was made by Tim Nelson that the applicant provide an 'As Built' prior to the issuing of the occupancy permit by the CEO. The motion was seconded by Teresa Lowell and unanimously carried. A Public Hearing was tentatively scheduled for April 18<sup>th</sup>, pending receipt of the open items.

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

#### **Ø February 20, 2007**

There was not a quorum of members present to vote.

#### **Ø February 21, 2007**

A motion was made by Teresa Lowell to accept the minutes for the meeting held February 21, 2007. The motion was seconded by Judy Carll and carried 4-0 (Teresa Lowell, Judy Carll, David Benton and Susan Dunlap)

#### **Ø March 7, 2007**

Corrections were required.

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

### **V. OLD BUSINESS**

#### **Ø Map 45, Lot 1768 - 67 Fairview Drive**

##### ***Setback reduction***

##### ***Roger Lauzier representing Kathleen Sangillo***

Roger Lauzier met with the board regarding a setback reduction to construct a 16' x 24' garage at 67 Fairview Drive. A letter was received from Patti Berry, CEO, stating that this is a nonconforming lot of record in the VR zone. Teresa Lowell questioned when the lot was created; it was part of the Lake Arrowhead subdivision. Based on information provided and the letter from the CEO, David Benton made a motion to allow the sideyard setback to be reduced to 14', measured from the drip edge of the structure. The motion was seconded by Tim Nelson and unanimously carried.

### **VI. COMMUNICATION**

### **VII. MISCELLANEOUS**

**VIII. NEW BUSINESS**

Ø **Land Use Density - Contract Zoning**  
(Not discussed, Roland Denby not present.)

**IX. ADJOURNMENT**

A motion was made by Tim Nelson to adjourn the meeting at 7:45 p.m. The motion was seconded by Teresa Lowell and unanimously carried.

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

**MEETING MINUTES**

*April 11, 2007*

*7:30 p.m.*

**I. ROLL CALL**

Board Members

Present:                 Judy Carll                     Kurt Clason                     Roland Denby  
                              Susan Dunlap                 Teresa Lowell

Absent:                 David Benton   Tim Nelson

Others Present:        Richard and Susan Boissonneault  
                              Jon and Diane Mistos  
                              Steve Horn                 Paul Roberts  
                              David Lowe                 Tina Smith

**II. APPOINTMENTS**

Ø                         *Setback Reduction - Map 35, Lot 1*  
                              *14 Wagon Wheel Lane*  
                              *Richard & Susan Boissonneault*

The applicants previously met with the board on September 6, 2006. At that site walk and meeting, it was determined that a survey would be required before proceeding with the application process. The applicant submitted a boundary survey dated February 7, 2007, and prepared by Civil Consultants.

Sue Dunlap asked Mr. Mistos if he still had concerns about drainage. Jon Mistos, an abutter to the property, answered that he agreed to the placement of structure as long as it was plotted by a surveyor.

Roland Denby explained that the paper road shown on the plan was not to be obstructed. Municipalities were allowed to take action to eliminate paper roads but Waterboro never followed the procedures required to do so.

After discussion, Kurt Clason made a motion that the Planning Board grant a side setback reduction with the following stipulations:

- Structure must be located at least 100' from the high water mark
- Side setback be reduced to 15' (lot line with Map 35, Lot 2)

- Structure is to be 26' X 26' garage with storage above, no living space
- All measurements are from drip edge of building
- Location of structure to be confirmed by surveyor

The motion was seconded by Teresa Lowell and unanimously carried.

- Ø ***Sketch Plan - Property of Gail and Lee Dezan - Map 3, Lot 12-3  
West Road  
Steve Horne, Middle Branch LLC***

The Board met with Steve Horne regarding the Dezan subdivision. The applicant is proposing to subdivide 33.5 acres into three lots. There will be two building lots of 1.80 acres each and one wood lot of 29 acres. The applicant requested a waiver of the pavement requirements and would like to construct a low volume gravel road. The applicant stated that they have no intention of asking for a building permit for lot 3.

Sue Dunlap reviewed the sketch plan portion of the subdivision checklist. She explained the requirements of the Preliminary Plan (hydro study, road maintenance agreement, contour lines) and that any requests for waivers would be discussed at that time.

- Ø ***Preliminary Plan - McLaughlin Subdivision  
Pierce Road - Tax Map 14, Lots 40I and 40M  
William Gallot, Roaring Brook Consultants***

Paul Roberts from Roaring Brook Consultants met with the board to discuss the McLaughlin subdivision. This is a proposed four lot subdivision of 9.78 acres. Sue Dunlap reviewed the preliminary plan portion of the subdivision checklist noting that the widths of roads were not shown on the plan. The board members expressed their concern over the right to use the existing right of way and who will maintain this road. Information on the status of the road must be determined before the board will schedule the site walk and public hearing.

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

- Ø ***February 20, 2007***

- Ø ***March 7, 2007***

- Ø ***March 21, 2007***

Carried over to next meeting

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

### **V. OLD BUSINESS**

### **VI. COMMUNICATION**

**VII. MISCELLANEOUS**

The board discussed applicant's request for waivers, particularly waivers of hydro studies. After discussion, the consensus of the board was that applicants could be given the following option:

- Applicants who state that each lot would not be further divided and only one single family home placed per lot, the board could grant a waiver
- If the applicant would not make the above concessions, the hydro study would be conducted based on the maximum use and density of each lot for that zone

**VIII. NEW BUSINESS**

**Ø Land Use Density - Contract Zoning**

Carried over to next meeting.

**IX. ADJOURNMENT**

A motion was made by Teresa Lowell to adjourn the meeting at 10:15 p.m. The motion was seconded by Kurt Clason and unanimously carried.

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

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

*Meeting Minutes*  
*April 18, 2007*  
*7:30 p.m.*

The meeting was called to order at 7:35 p.m. by Sue Dunlap, Chair

**I. ROLL CALL**

Board Members

Present:	David Benton	Judy Carll	Kurt Clason
	Roland Denby	Susan Dunlap	Teresa Lowell

Absent: Tim Nelson

Others Present:	Bill Thompson	Mike Fraser	Joe Stanley
	Tina Smith		

**II. PUBLIC HEARING**

Members of the public were asked to sign the attendance sheet.

Ø *Lakeside Community Church*  
*Site Plan - Map 13, Lot 51-1*

Bill Thompson, BH2M, reviewed the site plan for Lakeside Community Church. He was unable to provide updated plans because of the power failure. The nitrate studies have been completed by R.W. Gillespie. The septic system has been relocated to the rear of the lot.

There were no comments from the audience; the public hearing was closed at 7:45 p.m.

**III. APPOINTMENTS**

Ø *Lakeside Community Church*  
*Site Plan - Map 13, Lot 51-1*

Steve Brook asked Mike Fraser about the necessity of the 5,000 gallon cistern. Mike Fraser explained that this is a wood frame structure; water would need to be brought in, the cistern would be a fall back in order to allow them to maintain a water supply. The dry hydrant located .6 mile from the site may not be accessible throughout the winter and may be dry in summer. Mr. Brook stated that the state fire marshal is not requiring an additional cistern and is satisfied with the sprinkler system. There was a question of whether the tank supplying the sprinkler can also be used as a cistern. It was agreed to

wait until all of the information requested on the sprinkler system is furnished.

The plan needs to include the width of Route 5, location of septic system, stop sign, and lighting plan. Fire protection issues are to be discussed at the next meeting.

Ø *Preliminary Plan - Stonewall Estates Subdivision*  
*Ossipee Hill Road - Map 7, Lot 9*  
*John Hutchins, Corner Post Land Surveying*

Joe Stanley from Corner Post Land Surveying met with the Board to discuss the Stonewall Estates subdivision. This is a 4 lot subdivision of 55 acres. The Board reviewed comments prepared by J.T. Lockman of Southern Maine Regional Planning Commission. Board members expressed their concern about two town culverts adjacent to this subdivision and the elevation of the driveways. Sue Dunlap reviewed the preliminary plan portion of the subdivision checklist noting the following items

Applicant requested waiver for stormwater management plan

Applicant requested waiver for soil erosion and sediment control plan

The hydro study is pending

Board question legality of restricting pre-fab homes

Letter from fire chief

Test pits are located too close to each other

Outsale lot may need to be shown on the plan

Applicant stated that they would be selling house lots only. Mr. Stanley was not sure if the abutters had been notified. Applicant is to confirm that this process has been completed. The board tentatively scheduled a site walk for May 2, 2007 at 6 p.m. with a public hearing to follow. The board asked that temporary markers be placed to show location of the lots and driveways. The board will request attendance from a member of the Road Review Committee for the site walk. A proposed 50' green belt will be discussed at the site walk

#### **IV. MINUTES OF PREVIOUS MEETINGS**

Ø *February 20, 2007*

The board acknowledged the notes from the public hearing held February 20, 2007.

Ø *March 7, 2007*

A motion was made by Teresa Lowell to accept the minutes for the meeting held March 7, 2007. The motion was seconded by Kurt Clason and unanimously carried.

Ø *March 21, 2007*

A motion was made by Teresa Lowell to accept the minutes for the meeting held March 21, 2007. The motion was seconded by David Benton and unanimously carried.

**V. REPORT OF OFFICERS**

**VI. OLD BUSINESS**

**VII. COMMUNICATION**

**VIII. MISCELLANEOUS**

**IX. NEW BUSINESS**

*Ø Land Use Density - Contract Zoning*

The board discussed the proposed contract zoning amendment. It was the consensus of the board that negotiations for subdivision must be for a specific type of home on a specific sized lot. Uses not currently allowed in a zone will not be allowed by contract zoning. We must make a strong statement that there is never to be more than one home per lot. We should require that restrictions be put in every deed.

**ADJOURNMENT**

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

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

*Meeting Minutes*  
*May 2, 2007*  
*7:30 p.m.*

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

**I. ROLL CALL**

<b>Planning Board</b>	David Benton	Judy Carll	Kurt Clason
<b>Members Present:</b>	Roland Denby	Susan Dunlap	Teresa Lowell

**Members Absent:** Tim Nelson

<b>Others Present:</b>	Les Berry	Joe Stanley	Lt. Mike Fraser
	Tina Smith	David Lowe	

**II. APPOINTMENTS**

Ø *Lakeside Community Church*  
*Site Plan - Map 13, Lot 51-1*

The Board met with Les Berry, BH2M, regarding the site plan for Lakeside Community Church. The peer review was submitted by Sevee & Maher and they concur with the conclusions of the nitrate study conducted by Gillespie & Associates.

The applicant received comments from the DEP. They are requiring that the trench be pumped through a dirt bag which will be removed upon completion of construction; underdrain is to discharge on site. The applicant expects final approval from DEP shortly.

Lt. Mike Fraser, representing the fire department, stated that they have come to an agreement regarding fire protection issues. The applicant will place a 5,000 gallon cistern location to be approved by the fire department at time of placement. The sprinkler system will require a 3,000 gallon tank which will be placed under the floor of the building.

The applicant provided the lighting plan and information on the sprinkler system.

The plan included the location of the stop sign, relocation of the septic system and the width of the pavement on Route 5. The board questioned whether the width of the right of way needed to be included. After discussion and review of the ordinance, it was the

consensus of the board that the width of the pavement was acceptable because the ordinance doesn't specifically require ROW measurement.

A motion was made by Kurt Clason to approve the plan as submitted pending final approval from DEP. The motion was seconded by Judy Carll and carried unanimously. (Board members will be called in to sign the final plan when DEP approval is received.

Ø *Preliminary Plan - Stonewall Estates Subdivision*  
*Ossipee Hill Road - Map 7, Lot 9*  
*John Hutchins, Corner Post Land Surveying*

Joe Stanley, Corner Post Land Surveying, met with the board to discuss the Stonewall Estates subdivision. He explained that this is a four lot subdivision; three lots of approximately 80,000 sq ft each and one lot of 49.5 acres.

The applicant explained that the large lot is due to the slope of the land and a stream on the property which make getting to the rear of this lot difficult. The large lot (49.5 acres) will have one building site along the Ossipee Hill Road with the balance of the property to remain untouched.

The applicant stated that the developer (Mr. Hay) will not be building houses, he is planning to sell house lots only. There will be a restriction placed on mobile homes; modular homes will be allowed.

The board questioned the test pits stating that they are not far enough apart. The lot shown as an outsale must be included. All lot splits within the last five years must be shown on the subdivision plan. The applicant agreed to add this lot to the plan.

It was determined that the abutters were not correctly shown on the plan. Mr. Stanley is to confirm that the Wright's were notified. The board tentatively scheduled a site walk for May 23, 2007 at 6 p.m. with a public hearing to follow. The board asked that temporary markers be placed to show location of the lots and driveways.

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

Ø *April 11, 2007*

A motion was made by Teresa Lowell and seconded by Kurt Clason to accept the minutes for the meeting held April 11, 2007. The motion carried (David Benton abstained from voting).

Ø *April 18, 2007*

A motion was made by Teresa Lowell to accept the minutes for the meeting held April 18, 2007. Sue Dunlap asked that the minutes be corrected to include discussion of the test pit locations and an outsale lot for the Stonewall Estates subdivision. Teresa Lowell withdrew her motion.

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

Sue Dunlap reported that the Contract Zoning amendment and changes to the Growth Management Ordinance were approved at the town meeting. The Planning Board budget was also approved. The Finance Committee recommended that the Planning Board review their fee schedule. A workshop will be set up to review these fees and discuss possible changes.

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

#### **VI. COMMUNICATION**

#### **VII. MISCELLANEOUS**

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

#### **IX. ADJOURNMENT**

Teresa Lowell made a motion to adjourn the meeting at 8:55 p.m. The motion was seconded by Kurt Clason and unanimously carried.

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

***MEETING MINUTES***  
***May 23, 2007***

- Ø ***6:00 p.m. Site Walk***  
***Stonewall Estates subdivision***  
***Ossipee Hill Road, Tax Map 7, Lot 9***

**Public Hearing to follow at Town Hall Annex upon completion of site walk**

- Ø ***Public Hearing***  
***Stonewall Estates subdivision***  
***Ossipee Hill Road, Tax Map 7, Lot 9***

**I. ROLL CALL**

Board members

Present:	David Benton	Kurt Clason	Judy Carll
	Roland Denby	Teresa Lowell	
Absent:	Susan Dunlap	Tim Nelson	
Others:	John Hutchins	Frank Gooding	Larry Baker
	Mary-Ann Baker	Patti Berry	David Lowe

The chair (Susan Dunlap) and vice chair (Tim Nelson) were not in attendance. Teresa Lowell made a motion to appoint Kurt Clason as temporary chair for this meeting. The motion was seconded by Judy Carll and unanimously carried.

Kurt Clason called the public hearing to order. He stated that the board just completed a site walk for the Stonewall Estates subdivision. There was no public attendance at either the site walk or public hearing.

John Hutchins, Corner Post Land Surveying, addressed the board. He explained that there were now five lots in this subdivision. One lot, which had previously been marked as an outsale lot, has now been added to the subdivision. There are now four lots of 80,000 sq ft each and one lot of 49.5 acres. He noted the following items

- Road construction will not be required. Driveways will be sited for lots on Ossipee Hill Road.
- Hydro study is now being conducted.
- Additional test pits are being done to meet the required distance between test pits
- Applicant will meet with the fire chief

There were no further comments and the public hearing was closed at 6:58 p.m.

## II. APPOINTMENTS

### Ø *Revision to subdivision plan Riverbend*

Frank Gooding addressed the board regarding a revision to the Riverbend subdivision. The property is now owned by York LLC. The applicant is requesting that the age restriction be changed to '*Individuals who are 55 years of age or older*' in accordance with the revised Growth Management Ordinance. This restriction would apply to the 8 condominiums (4 duplex units). The applicant advised that one duplex unit has already been constructed. He stated that the condominium association will be in place before the first condo is occupied.

Teresa Lowell made a motion to approve the application showing the change of owner and age restriction. The motion was seconded by Judy Carll and passed unanimously. The board members signed a mylar and copy of the revised plan.

### Ø *Site Plan Review Revision - Baker Automotive Map 4, Lot 41*

The applicants were not yet present. The board reviewed a copy of the approved sketch plan that was marked to show the proposed expansion. The proposed 60' x 40' addition would include three work bays. This addition will be placed on existing pavement and there will be no addition to the impervious area. No additional fill will be required. Patti Berry stated that the applicants have more than the required parking area. The applicant is not expanding the types of service that are currently offered.

Larry and Mary-Ann Baker arrived at the meeting. Mr. Baker addressed the board stating that the addition to the building may require fill to match the foundation out back but he would not extend the fill beyond the existing paved area. There would not be additional pavement but existing pavement be torn up and redone. Patti Berry stated that the items on the checklist wouldn't change from existing approved site plan. She did not go over entire list as this construction wouldn't change original site plan approval

David Benton made a motion to approve the site plan with the condition that there be no additional pavement. The motion was seconded by Judy Carll and unanimously carried.

## III. MINUTES OF PREVIOUS MEETINGS

### Ø *April 18, 2007*

David Benton made a motion to approve the minutes for the meeting held April 18, 2007 with a note to include the rank of Lieutenant for Mike Fraser and his title as Waterboro Fire Marshal. The motion was seconded by Teresa Lowell and unanimously carried.

Ø *May 2, 2007*

Teresa Lowell requested a change to these minutes

**IV. REPORT OF OFFICERS**

**V. OLD BUSINESS**

**VI. COMMUNICATION**

**VII. MISCELLANEOUS**

**VIII. NEW BUSINESS**

**IX. ADJOURNMENT**

A motion was made by Teresa Lowell to adjourn the meeting. The motion was seconded by David Benton and unanimously carried.

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

**MEETING MINUTES**

**June 6, 2007**

**7:30 p.m.**

**I. ROLL CALL**

Board members

Present: David Benton Kurt Clason Judy Carll  
Roland Denby Susan Dunlap Teresa Lowell

Absent: Tim Nelson

Others Present: John Cote Sandra Cote Christopher Lancaster  
Kimberly Lancaster Rita Cote Mark Wyckmans  
Donna Wyckmans Roger Lauzier Patti Berry  
Tina Smith David Lowe

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

Susan Dunlap asked board members about the site walk she was unable to attend. Kurt Clason explained that the board members spent about 40 minutes at the Stonewall Estates subdivision site. He added that the site was well marked. The land slopes away very quickly from the road and driveways may require 6' to 7' of fill to have a 20' area level with the road. There was no public attendance at the site walk or public hearing.

**II. APPOINTMENTS**

Ø ***Revision to Cathedral Pines Subdivision***  
***John & Sandra Cote, Map 9, Lot 6-1***  
***24 Bradburn Road***

John Cote addressed the board regarding a revision to the Cathedral Pines subdivision. Mr. Cote had agreements for his proposed revision signed by lot owners in the subdivision. The original subdivision for three lots was approved June 1986. One of these lots was divided by divorce decree and this revision would create the fifth lot. Mr. Cote said that this revision will divide his property into a 5.92 acre lot and a 2.92 acre lot. There is currently a doublewide being refurbished on the smaller of his proposed lots.

The board discussed a hydro study. In reviewing the original subdivision file, it does not appear that a hydro study was done. Sue Dunlap stated that developers would be

required to do a hydro study and questioned what options there were. The property is located in the AR zone and the lots are much larger than required by zoning. The applicant stated that he will put only one house on each lot.

After discussion, Judy Carll made a motion to waive the hydro study with the stipulation that Mr. Cote make no further division to these lots and that only one single family house is placed on each lot. The motion was seconded by Kurt Clason and unanimously carried. The applicant must have a mylar prepared for board approval showing the entire subdivision. Notes on the plan must include the division of lot 3 and that the hydro study was waived with the stipulation that there is no further division to these lots (proposed as 6-1A and 6-1B) and that only one single family house is placed on each lot.

Ø ***Conditional Use Permit - Daycare***  
***Kimberly Lancaster, Map 6, Lot 31-1A***  
***676 Middle Road***

Kimberly and Christopher Lancaster addressed the board regarding a daycare facility in their home. They are requesting approval from the state to provide daycare for 12 children.

The board advised that the applicant will need a fence of no less than 4' in height to enclose the outdoor activity area of the facility. The applicant will also need verification from the CEO that the septic system is large enough to handle the additional usage.

The board questioned the site distances from their driveway. Fred Fay will be contacted to see if signs will be required.

The applicant will send notification to their abutters and return for the meeting of June 20, 2007.

Ø ***Relocation of Building***  
***Rita Cote, Map 39, Lot 8***  
***54 Ina Way***

Rita Cote addressed the board regarding relocation of a building in the shoreland zone. The lot contains 1.19± acres and is in the AR zoning district. The applicant has proposed to raze an existing 10' X 22' shed located within 25' of the shoreline. The replacement structure will be 30% larger and situated a minimum of 35' from the shoreline. The existing and proposed structures are three-sided and do not have measured volume.

Patti Berry stated that she visited the site with Kara Moody, DEP. The proposed building will be placed on sauna tubes and will not require much ground disturbance. The area where the existing building is situated will be revegetated. The DEP Permit by Rule was

approved May 29, 2007. The Planning Board verified that the abutters were notified

The board questioned the right of way as shown on the plan. The applicant stated that the road ends at their property line and from that point it is their driveway. Their home is the last one on the road.

After discussion, David Benton made a motion that the Planning Board approve the request to replace the existing building with the stipulation that the new structure be placed no closer than 35' from the shoreline. The motion was seconded by Kurt Clason and unanimously carried.

Ø ***Setback Reduction***  
***Marc & Donna Wyckmans, Map 49, Lot 11R***  
***40 Hemlock Avenue***

Marc and Donna Wyckmans addressed the board regarding a setback reduction to construct a garage on their property at 40 Hemlock Avenue. The building permit had been issued, but the CEO issued a 'Stop Work' order when she visited the site and realized that the structure did not meet the setback from the road. The measurements appear to have been taken from the asphalt.

Sue Dunlap stated that the board would not proceed until a survey was submitted. The board must know how much of a setback reduction is required and this cannot be determined without the survey. The applicant stated that three pins are in place. Sue Dunlap said that all non-conforming lots of record require a survey. The applicant may return when the survey is completed; their application will be reviewed as 'Old Business.'

**III. MINUTES OF PREVIOUS MEETINGS**

Ø ***May 2, 2007***

A motion was made by Kurt Clason to accept the minutes for the meeting held May 2, 2007. The motion was seconded by Teresa Lowell and unanimously carried.

Ø ***May 23, 2007***

A motion was made by David Benton to accept the minutes for the meeting held May 23, 2007. The motion was seconded by Teresa Lowell and unanimously carried.

**IV. REPORT OF OFFICERS**

**V. OLD BUSINESS**

## **VI. COMMUNICATION**

## **VII. MISCELLANEOUS**

The Selectmen's minutes of May 15, 2007, were reviewed by the Board. The selectmen are discussing hiring a town planner. The Planning Board will review job descriptions and discuss at the next meeting.

## **VIII. NEW BUSINESS**

## **IX. ADJOURNMENT**

A motion was made by David Benton to adjourn the meeting at 9:35 p.m. The motion was seconded by Judy Carll and unanimously carried.

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

***MEETING MINUTES***

***June 20, 2007***

***7:30 p.m.***

**I. ROLL CALL**

Board members

Present:	David Benton	Kurt Clason	Judy Carll
		Roland Denby	Susan
Dunlap	Tim Nelson		
Absent:	Teresa Lowell		
Others:	Kimberly Lancaster	Christopher Lancaster	
	Anne Worth	Mark Wyckmans	
	Donna Wyckmans		
	Roger Lauzier	Patti Berry	Tina
Smith			
	David Lowe		

**II. APPOINTMENTS**

Ø ***Conditional Use Permit - Daycare***  
***Kimberly Lancaster, Map 6, Lot 31-1A***  
***676 Middle Road***

Kimberly Lancaster met with the board to discuss a conditional use permit to operate a daycare for up to 12 children at her home on Middle Road. The applicant provided proof that the abutters were notified of the Planning Board review of the application.

After discussion, a motion was made by Kurt Clason to approve the Conditional Use Permit application of Kimberly Lancaster to operate a day care facility with the following conditions:

- Applicant will maintain state daycare license
- CEO verifies that applicant provided letter from site evaluator that certifies the septic system is large enough to handle the additional usage
- A fence be maintained for the outdoor play area at no less than 4' in height

The motion was seconded by Judy Carll and unanimously carried.

Ø ***Conditional Use Permit - Daycare***  
***Anne Worth, Map 5, Lot 1***  
***Main Street***

Anne Worth addressed the board regarding a conditional use permit to operate a daycare at property located on Main Street (Map 5, Lot 1). The applicant provided proof that the abutters were notified of the Planning Board review of the application. Anne Worth is representing unnamed clients who would like to operate a daycare facility for 40 children; hours of operation will be Monday through Friday from 7 a.m. to 5:30 p.m. They propose to construct a 40' x 80' building including a full kitchen and fenced-in area. The board stated that this would require site plan review.

1.

After discussion, Sue Dunlap made motion to approve the Conditional Use Permit application of Anne Worth to operate a day care facility with the following conditions:

- Applicant will maintain state daycare license
- A fence to be maintained for the outdoor play area at no less than 4' in height and attached to the building with entrance provided.
- A pool will not be allowed at this facility

The motion was seconded by Kurt Clason and carried 5-1 (Tim Nelson opposed).

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

Ø ***June 6, 2007***

A motion was made by Kurt Clason to accept the minutes for the meeting held June 6, 2007. The motion was seconded by David Benton and carried 5-0. (Tim Nelson abstained)

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

### **V. OLD BUSINESS**

A motion was made by Tim Nelson to hear the setback reduction request from the Wyckmans' as they did not notify to be placed on the agenda. The motion was seconded by Judy Carll and unanimously carried.

The applicants previously met with the board regarding a setback reduction to construct a garage on their property at 40 Hemlock Avenue, Tax Map 49, Lot 11R. The property is within the R (Residential) zoning district and is a non-conforming lot of record. The applicant provided proof that the abutters were notified of the Planning Board review of the application.

After discussion, a motion was made by Kurt Clason to approve a 26' setback reduction

from the front property line as shown on the plan provided by Sebago Technics; measurements are from the drip edge of the structure. The motion was seconded by Tim Nelson and unanimously carried.

**VI. COMMUNICATION**

Ø **June 8, 2007 Memo from Nancy Brandt, RE: Town Planner**

The board discussed the proposed job description for the Town Planner. A memo will be sent to Nancy Brandt with the board's input.

Ø **June 12, 2007 Letter from David J. Ballou, RE: McLaughlin Subdivision**

Ø **May 2007 Expense Report**

**VII. MISCELLANEOUS**

A public hearing was scheduled for July 18, 2007, at 7:30 p.m. to review a request to change uses in the General Purpose Zone.

**VIII. NEW BUSINESS**

**IX. ADJOURNMENT**

A motion was made by Kurt Clason to adjourn the meeting at 9 p.m. The motion was seconded by Tim Nelson and unanimously carried.

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

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The public hearing was closed at 7:38 p.m

After discussion, a motion was made, seconded and unanimously carried to recommend to the Board of Selectmen that this use be added to the conditional uses in the General Purpose Zone.

### III. APPOINTMENTS

Ø *Hidden Brook Subdivision, Map 14, Lot 25A*  
*Joint meeting with Hollis Planning Board*  
*Andy Morrill, BH2M*

Andy Morrill, BH2M, addressed the board regarding a revision to the Hidden Brook subdivision. The original subdivision was approved as a four-lot minor subdivision by the Hollis Planning Board. The Waterboro Planning Board waived review of the original subdivision because all of the structures would be located in Hollis. Neither town is willing to relinquish review authority for this subdivision revision.

Waterboro issues:

- Need recommendation from Fire Chief regarding fire protection measures to be used; pond located one-half mile or more from site.
- Subdivision abuts Carthage property; Sue Dunlap said there should be a deed restriction that the road can be used only for access to the lots of this subdivision.
- Hollis and Waterboro road standards have differing requirements for the road. The road is located in Hollis and serves a home in Waterboro.
- Hydro study has not been done.
- Municipal services
- Further development to be prohibited.

Hollis issues:

- With the additional lot, this would be considered a major subdivision.
- Lots in a major subdivisions may not access an existing street (Section 11.3 H)
- The proposed right of way is an easement across the Martell lot and will require a maintenance agreement.
- Applicant will move existing trailer to meet setback from the right of way
- Performance bonds
- Stormwater management

Jamie Oman Saltmarsh suggested that the applicant meet with each board and review their subdivision checklist and request waivers, as needed, from each town. A joint meeting was scheduled with the Hollis Planning Board for Tuesday, August 14, 2007, 7 p.m. at the Hollis Community Building.

Ø *Preliminary Plan - Stonewall Estates Subdivision  
Ossipee Hill Road - Map 7, Lot 9  
John Hutchins, Corner Post Land Surveying*

John Hutchins met with the board to discuss the Stonewall Estates subdivision. The following items were noted:

- Ø Hydro study has been completed
- Ø Each lot must have two test pits located at least 50 feet apart. Lot 1 needs a second test pit.
- Ø The entire tract must be shown on the plan.
- Ø Proposed driveways need a level area (20') to access the Ossipee Hill Road
- Ø Applicant asked for waiver of stormwater drainage plan; will need opinion from Road Review Committee and Road Commissioner.
- Ø Need input from the Fire Chief
- Ø Well exclusion line on abutter's property; well on abutters property (Williams) not shown on plan.
- Ø No further development will be allowed on Lot 5.

**IV. MINUTES OF PREVIOUS MEETINGS**

- Ø *June 20, 2007*

This item was held over to the next meeting.

**V. REPORT OF OFFICERS**

**VI. OLD BUSINESS**

**VII. COMMUNICATION**

- Ø Memo from the Selectmen regarding Planning Board fees

**VIII. MISCELLANEOUS**

**IX. NEW BUSINESS**

**X. ADJOURNMENT**

**XI.**

A motion was made by Teresa Lowell to adjourn the meeting at 10:35 p.m. The motion was seconded by Judy Carll and unanimously carried.

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

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**TOWN OF WATERBORO  
PLANNING BOARD**

***MEETING MINUTES***

*September 5, 2007*

*7:30 p.m.*

**ROLL CALL**

	Board members		
Present:	Judy Carll	Kurt Clason	Roland Denby
	Susan Dunlap		Teresa Lowell
Absent:	David Benton	Tim Nelson	
Others:	Charles Pierce	Dan Welch	
	Patti Berry		
	David Lowe	Tina Smith	

Susan Dunlap, Chair, called the meeting to order at 7:40 p.m.

**APPOINTMENTS**

Charles Pierce (Map 6, Lot 16-6)  
607 West Road  
Conditional Use - Used Car Sales

Charles Pierce met with the board to discuss a conditional use application to run a used car business on his property at 607 West Road. The applicant is proposing to use an existing structure and parking area to run a used car sales business. He will be licensed by the state and meet the requirements for a used car dealer; 5,000 square feet of display area, 64 sq ft office area, work area equipped with a basic set of tools, sign. The property is within the (AR) Agricultural Residential zoning district. The Zoning Ordinance requires that this use have direct access to a state-aid highway (West Road). The Planning Board verified that the applicant's abutters were notified.

After discussion, Kurt Clason made a motion to approve the application for a used car business with the following stipulations:

No more than 10 cars are offered for sale at any time

No hazardous materials on site

No parts cars

Six parking spaces to be provided for customers; access and turn around provided so that no vehicles will be backing onto West Road

The motion was seconded by Judy Carll and carried unanimously

Dan Welch (May 38, Lot 12)  
98 Logan Circle  
Relocation of a structure in the shoreland zone

Dan Welch met with the board regarding his property on Logan Circle. He currently has a structure located 18' from the water. He would like to tear down the existing building, replace it with a new home using the 30% expansion, and locate it 23' from the water

Kurt Clason made a motion to schedule a site walk for Tuesday September 11, 2007, at 6:30 p.m. The motion was seconded by Teresa Lowell and unanimously carried.

### **MINUTES OF PREVIOUS MEETINGS**

June 20, 2007

A motion was made by Kurt Clason to accept the minutes for the meeting held June 20, 2007. The motion was seconded by Roland Denby and carried (Teresa Lowell abstained from voting)

July 28, 2007

A motion was made by Judy Carll to accept the minutes for the meeting held July 18, 2007. The motion was seconded by Roland Denby and carried (Kurt Clason abstained from voting)

### **REPORT OF OFFICERS**

### **OLD BUSINESS**

### **COMMUNICATION**

### **MISCELLANEOUS**

### **NEW BUSINESS**

### **ADJOURNMENT**

At 8:35 p.m., Teresa Lowell made a motion to continue the meeting to Tuesday, September 11, 2007, at 6:30 p.m. in order to conduct a site walk at 98 Logan Circle. The motion was seconded by Kurt Clason and unanimously carried.

*MEETING MINUTES*

September 11, 2007  
6:30 p.m.

(The Planning Board meeting held September 5, 2007 has been continued to September 11, 2007 at 6:30 p.m.)

**Dan Welch (Map 38, Lot 12)**  
**98 Logan Circle**  
**Relocation of a structure in the shoreland zone**

The meeting was reconvened at Logan Circle to conduct a site walk

Present:	David Benton	Judy Carll	Kurt Clason
	Susan Dunlap		Teresa Lowell
Absent:	Roland Denby	Tim Nelson	
Others:	Dan Welch	Patti Berry	Tina Smith

The applicant staked the location of the proposed structure. He would like to locate the new dwelling 23' from the shoreline and meeting the sideyard setback; the building will be 20' from the leach field which was replaced in 2002. Several trees will need to be cut down to relocate the building. The CEO will determine that the project meets the DEP requirements and does not exceed 20% lot coverage and that the proposed structure does not exceed the allowed 30% expansion. The existing building was measured.

A motion was made by Teresa Lowell to adjourn the meeting at 7:15 p.m. The motion was seconded by David Benton and unanimously carried.

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

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**TOWN OF WATERBORO  
PLANNING BOARD**

***MEETING MINUTES***

***September 19, 2007***

***7:30 p.m.***

**ROLL CALL**

Planning Board	David Benton	Judy Carll	Kurt Clason
Members Present:	Susan Dunlap	Teresa Lowell	
Absent:	Roland Denby	Tim Nelson	
Others:	Dan Welch	John Swann	Jim
Katsiaficas	Steve Brook	Lt Mike Fraser, Waterboro Fire Marshal	
	Patti Berry	Tina Smith	David Lowe

Susan Dunlap, Chair, opened the meeting at 7:35 p.m.

**APPOINTMENTS**

***Revision to Site Plan***

***Lakeside Community Church, Map 13, Lot 51-1***

***Sokokis Trail***

The applicant was not present, so the Chair moved to the next item on the agenda.

***Relocation of Structure in Shoreland Zone***

***Dan Welch, Map 38, Lot 12***

***98 Logan Circle***

Dan Welch addressed the board regarding a relocation of a structure in the shoreland zone. The board conducted a site walk on September 11, 2007, and noted the following items:

Trees will need to be removed in order to relocate the structure. The CEO will verify which trees are to be removed and stipulate what should be replanted.

The applicant will relocate the driveway in order to access the garage in the basement of the proposed structure. The applicant has not determined if he will retain the current driveway configuration. The CEO will verify that the lot coverage does not exceed 20%.

The proposed structure will meet the sideyard setback of 35'.

The CEO will determine that the proposed structure does not exceed the allowed 30% expansion

David Benton made a motion that the Planning Board approves the request to remove the existing building and relocate the proposed structure 23' from the shoreline. The applicant must adhere to erosion control measures and revegetate the property. The Board determined that the proposed structure will be moved to the greatest practical extent. The motion was seconded by Kurt Clason and unanimously carried.

***Preliminary Subdivision Plan***

***Les Bois Carthage***

***Bernard Heights Phase 1***

John Swann (Owen Haskell, Inc.) and Jim Katsiaficas (Perkins/Thompson) representing Les Bois Carthage, met with the Board to discuss the Bernard Heights, Phase 1, subdivision. This is a 12 lot subdivision of a portion of the land owned by Les Bois Carthage.

The following items were noted:

Information has been submitted to York County Soil & Water; no response has been received.

Test pits for all of the lots have been completed.

A second 10,000 gallon cistern has been proposed at the end of the Huff Road.

The proposed subdivision road is almost 3,000' feet in length. A waiver will be required to exceed the 600' dead end limit. Lt Fraser stated that the turn around must be large enough to accommodate fire equipment.

John Swan stated that the Huff Road now intersects New Dam Road at a 30° angle.

They plan to relocate so it intersects at a 90° angle. The road may have to be realigned in order to meet the 25' buffer around the cemetery. The applicant stated that they would like to begin construction of the road this fall. They will provide a construction schedule.

Hydro study has not been done. Teresa Lowell said that part of the discussion on waiving the hydro study was the uses allowed on each lot. John Swann will contact the owner to see if they will agree to a restriction of a single family house on each lot. He added that all lots, except Lot 12, are restricted from further subdivision.

Jim Katsiaficas stated that the developers intend to form a home owners association. These documents are to be filed at the courthouse.

A 40' recreational easement was shown on the plan. This is being relocated in lieu of using Huff Road.

John Swan contacted the school and they said that the bus will pick up students at the corner; he will contact the Post Office regarding mail delivery

Sue reviewed the check list. The following items must be noted on the plan

Soil Engineer, Professional engineer, seal of approval  
Abutting homeowners, including across the streets  
Detail page  
Measurements for New Dam Road and Huff Road; measurement for recreational  
easement  
Two test per lot separated by 50'.

A site walk was scheduled for Tuesday, September 25, 2007 at 5:30 p.m. The Public Hearing was scheduled for Wednesday, October 3, 2007 at 7:30 p.m. Jim Katsiaficas will notify abutters.

***Revision to Site Plan***

***Lakeside Community Church, Map 13, Lot 51-1  
Sokokis Trail***

Steve Brook addressed the board regarding a change to the site plan for the Lakeside Community Church. He stated that they will be able to complete the tar for the parking lot but may not be able to get the striping of the parking lot and lights in the rear of the building completed before cold weather. He also questioned whether this time of year is optimum for the planting of shrubs. He added that the lawn should be complete.

Judy made a motion that an occupancy permit be granted with the following items outstanding

Painted lines in the parking lot  
Lights in the rear of the building  
Planting of shrubs

These items must be provided by July 30, 2008 or the occupancy permit will be revoked. The motion was seconded by Teresa Lowell and passed unanimously.

The applicant was reminded that the 'As Built' must be provided before an occupancy permit will be issued.

**MINUTES OF PREVIOUS MEETINGS**

***September 5, 2007***

(The minutes of the meeting held September 11, 2007, were not included. Tabled until the next meeting)

**REPORT OF OFFICERS**

Sue Dunlap reported that she attended the Public Hearing regarding fee changes conducted by the Selectmen on September 18, 2007. The question came up about a law prohibiting a Planning Board from making a profit. It was unclear if this determined by project or at the end of the year. The board will get a legal opinion. The Selectmen tabled



road will need to be moved slightly to allow the buffer around the cemetery.

At 6:50 p.m., a motion was made by Teresa Lowell to adjourn the meeting. The motion was seconded by Sue Dunlap and unanimously carried.

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

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

***MEETING MINUTES***

***October 3, 2007***

***7:30 p.m.***

**ROLL CALL**

Planning Board	Judy Carll	Kurt Clason	
Members Present:	Susan Dunlap	Teresa Lowell	
Absent:	David Benton	Roland Denby	Tim Nelson
Others:	John Swann	Jim Katsiaficas	Dwight
Anderson			
	Paul Fortin	Lee Dezan	Brad Lodge
	Jon Gale	Frank Allen	Tammy Macedo
	Patti Berry	Tina Smith	David Lowe

Susan Dunlap, Chair, opened the public hearing at 7:30 p.m.

**PUBLIC HEARING**

***Subdivision Plan - Les Bois Carthage***

***Bernard Heights Phase 1***

***Map 17 Lot 4T-14 and Map 14 Lot 44T***

John Swann addressed the board regarding the Bernard Heights subdivision. The board is currently reviewing Phase 1. This is a 12 lot subdivision of a portion of the land owned by Les Bois Carthage. Each of the lots is larger than the 5 acres required by the zone. The applicant is proposing to building 3000' of private road to town standards for a gravel road. The road is to remain private and maintained by the homeowners association. More than four miles of a 40' wide recreational easement is to be given to the town. All but one lot (#12) will be restricted to 'No Further Division.' (This lot is being reserved because the abutter might want to acquire some additional land.) A 25' wide buffer will be reserved around the cemetery; posts and chains will be set up to identify the cemetery site.

A letter from Patti Berry, Code Enforcement Officer, was discussed. The Ossipee Landing subdivision was developed from a portion of property owned by Les Bois Carthage. Bernard Way, a road in this subdivision, was originally intended to internally connect those lots with the next phases of the subdivision. Paul Fortin, part owner of the property, stated that originally they were working for a totally different division of the property. Based on the request of the town of Waterboro, they have moved away from

the small lots. Teresa Lowell stated that looking at the history, if we are going to have a road that comes to an abrupt stop, will the plan change for the remainder of the scope of this project? She stated that she was not satisfied with the explanation and would like to see a diagram of how Bernard Way was going to serve 200 one-acre lots. John Swann stated that it was not the applicant's intention to pick up more lots.

There being no questions from the public, Sue Dunlap closed the public hearing at 7:55 p.m.

## **APPOINTMENTS**

***Subdivision Plan - Les Bois Carthage  
Bernard Heights Phase 1  
Map 17 Lot 4T-14 and Map 14 Lot 44T***

Sue Dunlap opened the regular meeting, noting the absence of Roland Denby, Tim Nelson and David Benton.

Jim Katsiaficas stated that the applicant does not have a plan to continue Huff Lane and they are proposing a 3,000' long dead end road, the small number of lots does not support extending Huff Lane to the Chadbourne Ridge Road. The applicant has proposed two 10,000 gallon cisterns and an 18' road width; the Fire Department is requesting two 30,000 gallon cisterns and a 24' wide road. Kurt Clason suggested providing a turn out area so that one truck could pull over and allow another truck to pass. Sue Dunlap stated that we have three issues: fire protection, questions on Bernard Way and the original intention of the development, and the safety issue of the 3,000' road. The Planning Board agrees that we would like to preserve the 'ruralness' of this area and have encouraged the large lots and not required paving of the road. But the question is how do people get out of the further lots in the event of an emergency. The Fire Chief has made a recommendation to the board of what is necessary for public safety.

Teresa Lowell stated that she has a problem with the 3,000' dead end road and suggested that Huff Lane be extended to the Chadbourne Ridge Road. She added that the zoning ordinance has parameters of a 600' dead end road and we would be disregarding the ordinance to waive this requirement. Paul Fortin stated that he has no problem in adding the 'No Further Division' requirement to Lot 12, agreed to add turn around areas on the road and put in the two 30,000 gallon cisterns; the fire department would maintain the fire cisterns. He is willing to grant a 50' wide easement following the existing Huff Lane. It is very likely that this undeveloped portion of the road may be improved in the process of hauling gravel for the road. Jim Katsiaficas added that this easement would be for the use of the land owners or Carthage Lumber.

John Swann stated that the stone walls would be gone if the entire road is widened and suggested a turn around on Lot 9. Sue Dunlap asked if the concept for the property is

going to change again. Are other lots going to be connected? Paul Fortin suggested that after this phase is approved, we schedule a work session to review future phases.

Sue Dunlap asked what would happen to the land in the crescent between the existing road and the proposed road. John Swan said that they need to figure that out but are not creating another lot. It may be incorporated as part of the right of way, or as common land owned by the homeowners association.

Sue Dunlap stated that there were waivers that the board needed to approve by vote. They are: hydro study, road length, scale of map, pavement. The board agreed that the hydro study could be waived as long as each lot only had a single family residence. A motion was made by Kurt Clason to approve these waivers. The motion was seconded by Judy Carll. Teresa Lowell asked that the motion be modified to include the 50' wide easement (extending Huff Lane to Chadbourne Ridge Road). Kurt Clason modified his motion to include the 50' wide easement, in accordance with Section 9.3.1.2 of the subdivision ordinance. Judy Carll seconded the modified motion and it passed unanimously.

The plan has been sent to York County Soil and Water Conservation District, no response from them yet. Jim Katsiaficas stated that he is preparing the homeowners association documents. The deeds and plan will include 'No further division' on each lot.

Kurt Clason made a motion to accept the preliminary plan as proposed; to include two 30,000 gallon cisterns to be maintained by town after initial filling, turn out spaces, turn around for the fire truck to be a minimum radius of 45'; no further development of Lots 1 through 11; Lot 12 may be further divided. The motion was seconded by Teresa Lowell and carried unanimously.

***Preliminary Subdivision Plan  
Property of Gail and Lee Dezan  
Map 3 Lot 12-3 - West Road  
Steve Horne, Middle Branch LLC***

Brad Lodge, Middle Branch, addressed the board regarding the Dezan subdivision plan. This is a three lot subdivision of 33.14 acres. There will be a 400' private road built to low volume standards. The comments from Southern Maine Regional Planning Commission were reviewed.

The applicant would like to build a home on the third lot and maintain it for his own use.

Further division of this lot will need to come to the Planning Board for approval. Sue Dunlap stated that in the past the hydro study has been waived for three lot subdivisions. She added that if a waiver is granted, the record must clearly show that when the lots are further divided a hydro study would be required on the full acreage and the following wording added to the plan: Further division of lot 3 will require a hydrogeological study

of the entire parcel. Kurt Clason would like to see a hydro study done due to the small size of two of the lots. After discussion, it was agreed that decisions on the waivers would be made after the site walk.

The board reviewed the checklist and noted the following items:  
Title needs to be added to the plan (Dezan subdivision)  
Engineer/Soil Scientist references need to be added to the plan  
Width of West Road should be shown on the plan  
Review of plan by York County Soil and Water Conservation District  
Greenbelts will be added to the plan  
Waiver for low volume road

The applicant proposed sprinkler systems for fire protection. The applicant stated that they plan to begin construction Spring 2008, or as soon as growth permits are available

A site walk was scheduled for Tuesday, October 9, 2007 at 5:00 p.m. The board requested that the applicant mark the corners of the lots and the center line of the road. The public hearing will be held on Wednesday, October 17, 2007, at 7:30 p.m.

Tammy Macedo asked to address the board. She explained that she lives across the road from the proposed subdivision. She asked about the 50' green belt along the road; the applicant agreed to mark out this area so she could see the area covered. Ms. Macedo also expressed concerns about the curve in the road, the speed at which traffic moves through the area, school bus stops, and sight distances from driveways. Sue Dunlap advised that West Road is a state road and they set speed limits; speeding is an enforcement issue.

### ***Goodall - Phase II***

#### ***Informational meeting***

#### ***Ken Lamoreaux, Sheridan Corporation***

Ken Lamoreaux addressed the board regarding a proposed site development plan for the Goodall Medical Office building site. They are proposing four additional office buildings which would house medical and dental offices. There is also the possibility of other offices and a bank. Ken Lamoreaux explained that Goodall will own the facility. He has been advised that DOT will not allow another entrance but will allow another turn lane. The septic system was designed to accommodate all of these buildings. Mr. Lamoreaux had met with DEP and will email a copy of their check list. The peer review of Goodall's previous site plan was discussed. Mr. Lamoreaux asked whether the same procedures would be followed and questioned the value of someone else reviewing the plan. He stressed that Goodall invests in good companies to do their plans and the DEP has already reviewed them.

## **MINUTES OF PREVIOUS MEETINGS**

*September 5 and 11, 2007*  
*September 19 and 25, 2007*

The review of the minutes was held over to the next meeting.

**REPORT OF OFFICERS**

**OLD BUSINESS**

**COMMUNICATION**

*Letter from Patti Berry, CEO, regarding Bernard Heights*  
*Memo from Road Review Committee, regarding Stonewall Estates*

**MISCELLANEOUS**

**NEW BUSINESS**

**ADJOURNMENT**

At 10:45 p.m., Kurt Clason made a motion to continue the meeting to Tuesday, October 9, 2007, at 5:00 p.m. in order to conduct a site walk for the Dezan subdivision. The motion was seconded by Teresa Lowell and unanimously carried.

***MEETING MINUTES***  
***October 9, 2007***  
***5:00 p.m.***

(The Planning Board meeting held October 3, 2007, has been continued to October 9, 2007 at 5:00 p.m.)

**SITE WALK**

***Preliminary Subdivision Plan***  
***Property of Gail and Lee Dezan***  
***Map 3 Lot 12-3 - West Road***  
***Steve Horne, Middle Branch LLC***

Planning Board	David Benton	Judy Carll	Kurt Clason
Members Present:	Roland Denby	Susan Dunlap	Teresa Lowell

Absent: Tim Nelson

Others: Lee Dezan Brad Lodge

The Site walk for the Dezan subdivision commenced at approximately 5:10 p.m. No members of the public were present.

The group walked the centerline of the internal road and beyond, viewing the house lots and locating the wetlands. There was discussion regarding a hydro study, future development, the wetlands. Any waivers granted would be worded very explicitly on the plans. MDOT has granted an entrance permit, the Board questioned if MDOT has confirmed sight distance. The Board discussed the internal road, possible impact of exiting car headlights on neighbor across the street and whether findings of the MDOT traffic study in the area would result in a speed limit reduction on West Road.

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Kurt Clason motioned to adjourn at 6:11 PM, seconded by Judy, all in favor.

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

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

***MEETING MINUTES***  
***October 17, 2007***  
***7:30 p.m.***

**ROLL CALL**

Board Members

Present:           David Benton           Judy Carll           Kurt Clason  
                      Roland Denby                   Susan Dunlap           Teresa  
Lowell

Absent:                           Tim Nelson

Others Present:    Lee Dezan           Brad Lodge           Matthew Tarring  
  John Hutchins           Ben Bragdon (from  
*The Reporter*)  
                      David Lowe           Tina Smith

**PUBLIC HEARING**

***Dezan Subdivision***  
***Map 3 Lot 12-3 - West Road***  
***Steve Horne, Middle Branch LLC***

Susan Dunlap, Chair, called the public hearing to order at 7:35 p.m. Brad Lodge, Middle Branch LLC, addressed the board regarding the Dezan subdivision. This is a proposed three lot subdivision on West Road, just beyond Federal Street. Access to the lots will be by a private way, to be built to low volume standards. The road is 490' long and will have a hammerhead turnaround.

There were no questions and Sue Dunlap closed the public hearing at 7:38 p.m.

**APPOINTMENTS**

***Dezan Subdivision***  
***Map 3 Lot 12-3 - West Road***  
***Steve Horne, Middle Branch LLC***

Sue Dunlap reviewed the Preliminary Plan checklist noting the following items  
Title to be 'Dezan subdivision  
Engineer's stamp to be added to final plan

Homes to have sprinkler systems, need Fire Department approval  
Width of West Road to be added to plan

Change to Note 8 -: For further division, a Hydro study **will be required**. (The board seated at time of review will have option to waive.)  
Confirmation that York County Soil & Water Conservation District is reviewing this plan  
Culvert size not specified on DOT permit; applicant will place 15" culvert at the entrance of the private road; check with the Road Commissioner for recommendation  
Add note on green belt to the plan

A motion was made by Teresa Lowell to approve the preliminary plan, with notes to be added to the plan on the green belt, culvert and waiver of hydro. The motion was seconded by David Benton and unanimously carried.

***Stonewall Estates Subdivision***  
***Ossipee Hill Road, Tax Map 7, Lot 9***  
***John Hutchins, Corner Post Land Surveying***

John Hutchins addressed the board regarding the Stonewall Estates subdivision. He received the recommendations from the Road Review Committee and has added the requested changes to the plan. He stated that the applicant will be selling lots and will require homes to be constructed with sprinkler systems; Note 12 on the plan will be changed to include the recommendations from the Fire Department. The hydro study has been completed.

Due Dunlap reviewed the checklist and the comments from SMRPC, noting the following items:

Hydro study complete; peer review will not be required, SMRPC concurs.  
No bond required because there are no improvements on site.  
Easements will need to be accepted by Town of Waterboro and put in the deed for each lot  
Further division of Lot 5 would require Planning Board review

Kurt Clason made a motion to grant waivers for the Stormwater Management Plan and Soil Erosion and Sedimentation Control Plan. The motion was seconded by Teresa Lowell and unanimously carried.

A motion was made by Teresa Lowell to approve the final plan pending receipt of a mylar which includes the Fire Department recommendation. The motion was seconded by Kurt Clason and unanimously carried.

**MINUTES OF PREVIOUS MEETINGS**

*September 5 and 11, 2007*

A motion was made by Teresa Lowell to accept the minutes for the meetings held September 5 and 11, 2007. The motion was seconded by Roland Denby and carried unanimously. (David Benton abstained.)

*September 19 and 25, 2007*

A motion was made by Teresa Lowell to accept the minutes for the meetings held September 19 and 25, 2007. The motion was seconded by Kurt Clason and carried unanimously. (Roland Denby abstained.)

**REPORT OF OFFICERS**

**OLD BUSINESS**

**COMMUNICATION**

**MISCELLANEOUS**

**NEW BUSINESS**

**ADJOURNMENT**

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

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

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

***MEETING MINUTES***  
***November 7, 2007***  
***7:30 p.m.***

**ROLL CALL**

Board Members

Present:           David Benton           Judy Carll           Kurt Clason  
                      Roland Denby                   Susan Dunlap           Teresa

Lowell

Absent:           Tim Nelson

Others Present:   Donna Castaldo       Glenn Charette       John Malone  
                      Patti Berry           David Lowe           Tina Smith

Susan Dunlap, Chair, called the meeting to order at 7:35 p.m.

**APPOINTMENTS**

***Day Care Conditional Use***  
***Map 5 Lot 6 - 337 Main Street***

***Donna Castaldo***

Donna Castaldo addressed the board regarding a conditional use permit to operate a daycare center. She explained that she currently operates a daycare from her home and will be moving to this location. Ms. Castaldo would like to use all of the space in the building and also remodel the garage at a later date to be used as part of the daycare. She would like to operate from 7 a.m. to 5:30 p.m. According to state requirements she could accommodate 22 children in the existing building, with an additional 18 children when the garage is remodeled. The number of employees depends on the age of the children.

The property is located within the General Purpose zoning district and contains 36,300 sq ft. The owner of record is Goodall Hospital; the applicant has a purchase and sales agreement. The applicant provided proof that the abutters were notified.

A motion was made by Kurt Clason to approve the Conditional Use Permit application of Donna Castaldo to operate a child care center/nursery school with the following conditions:

No more than 40 children  
Six dedicated parking spaces for staff and drop-off  
Play ground with 4' fence adjoining the child care center/nursery school

The motion was seconded by Judy Carll and passed unanimously.

***Waterboro Village Pediatrics - Site Plan***  
***Map 8, Lot 43A - 43 Sokokis Trail***  
***Glenn Charette***

Glenn Charette addressed the board regarding a site plan for Waterboro Village Pediatrics. The property is 1.3 acres and is located in the Village Zone. The applicant is requesting a waiver for the nitrate study. A nitrate study was conducted in 2003 for the original site plan application. The conditions of approval from 2003 were that they provide proof that their water passes safe drinking standards. Board members question the location of the well and the distance of the nitrate plume and whether they should require that they be placed on town water.

Dave Benton asked to abstain because he is on the Water District board. Teresa Lowell makes a motion to accept Dave's abstention. The motion is seconded by Kurt and carried unanimously.

Mr. Charette explained that the septic system will be relocated and enlarged to accommodate the increase in numbers of doctors and patients. Kurt Clason noted that according to the septic plans the design flow would increase from 590 gallons per day to 870 gallons per day and that the existing well is to be discontinued. Kurt added that the nitrate plume on the original study came to the edge of the field and questions where it would be based on the new design.

John Malone, an abutter to the property, expressed his concerns about paving of the existing gravel parking lot, location of the seasonal brook and additional storm water runoff.

Mr. Charette stated that the parking area would remain gravel; the building roof line will change with the drip edge on the parking lot side but will not worsen the existing conditions.

Teresa Lowell made a motion that the request for waiver of the hydro study be denied. The motion was seconded by Kurt Clason and carried unanimously.

The Board stated that the application would be placed on the agenda for the November 28, 2007 meeting if the information from R. W. Gillespie & Associated was received by November 21<sup>st</sup>.

Teresa Lowell made a motion for Dave Benton to return to the Board. The motion was seconded by Kurt Clason and carried unanimously.

**MINUTES OF PREVIOUS MEETINGS**

*October 3 and 9, 2007*

A motion was made by Teresa Lowell to accept the minutes of October 3 and 9, 2007 (corrected to read 50' easement extending from Huff Road to Chadbourne Ridge Road). The motion was seconded by Judy Carll and passed unanimously.

**REPORT OF OFFICERS**

**OLD BUSINESS**

**COMMUNICATION**

**MISCELLANEOUS**

**NEW BUSINESS**

**ADJOURNMENT**

A motion was made by Kurt Clason to adjourn the meeting at 8:55 p.m. The motion was seconded by Teresa Lowell and passed unanimously.

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

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# TOWN OF WATERBORO PLANNING BOARD

## MEETING MINUTES

November 28, 2007

7:30 p.m.

### ROLL CALL

Board Members

Present:	David Benton	Judy Carll	
	Susan Dunlap	Tim Nelson	
Absent:	Kurt Clason	Roland Denby	Teresa Lowell
Others Present:	Glenn Charette	Jarrold Trudeau	Robert Coffill
	Patti Berry	David Lowe	Tina Smith

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

### APPOINTMENTS

#### *Waterboro Village Pediatrics - Site Plan Map 8, Lot 43A - 43 Sokokis Trail Glenn Charette*

Glenn Charette addressed the board concerning the site plan application for Waterboro Village Pediatrics.

Sue Dunlap made a motion to have Dave Benton seated on the board for the remainder of this application's review as there is no question of conflict of interest. The motion was seconded by Judy Carll and passed unanimously (3-0).

Sue Dunlap stated that a site walk or public hearing was not required by the board as this was an expansion of an already permitted project. The only outstanding item is the hydro study. Glenn Charette stated that the study has been updated by Gillespie & Associates.

The results show that the nitrates didn't reach the property line at either the 5 or 10 ml level.

The board calculated the number of parking spaces needed. Based on 4 professionals (4 spaces each) and 8 staff (1 for every three), 19 spaces would be required. Each space must be 200 square feet, paved and marked.

The Board of Selectman will need to accept a performance bond of \$75,000 (based on \$310,000 cost of the project).

A motion was made by Tim Nelson to accept the plan as discussed with the following conditions:

Applicant must be hooked up to public water

19 Paved parking spaces

Performance bond, no greater than 25% of the cost of the project

The motion was seconded by Judy Carll and passed unanimously.

The mylars were not available to be signed; applicant will provide

***Setback Reduction - Property of Patricia Coffill***

***Map 33, Lot 26 - 7 Esther Lane***

***Jarrold Trudeau***

Jarrold Trudeau addressed the board regarding a second setback reduction. The applicant is seeking approval, after the fact, for construction of a paved patio which is 1'6" from abutting property (Saulnier); 11' from abutting property (Mazzola) and 16'8" closer to the lake than the existing structure.

Patti Berry, CEO, stated that during an inspection, she allowed the applicant to place patio pavers in front of the door, but 'don't go crazy.' When she returned for a later inspection, she saw the patio and sent a violation letter.

Sue Dunlap added that this patio encroaches toward the water; the Planning Board allowed the applicant to move the camp to the greatest practical extent. She also stated that a patio was not included in the building permit.

The Board urged the applicant to get a survey done by a professional to include accurate measurements for the building, patio and the high water mark and abutting property lines. The applicant can provide this information to the Planning Board for review, or may apply to the Zoning Board of Appeals.

At 8:50 p.m. Tim Nelson made a motion to adjourn the meeting and move forward with the workshop session. The motion was seconded by Dave Benton and passed unanimously.

***Workshop***

***Planning Board Fees***

**MINUTES OF PREVIOUS MEETINGS**

***October 17, 2007***

***November 7, 2007***

There was not a quorum of members present to approve the minutes.

**REPORT OF OFFICERS**

**OLD BUSINESS**

**COMMUNICATION**

*Memo from Patti Berry, CEO, regarding amendments to the Zoning Ordinance*

**MISCELLANEOUS**

**NEW BUSINESS**

**ADJOURNMENT**

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

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

***MEETING MINUTES***

***December 5, 2007***

***7:30 p.m.***

**ROLL CALL**

Board Members

Present:

David Benton

Judy Carll

Teresa Lowell

Tim Nelson

Absent:

Kurt Clason

Roland Denby

Susan Dunlap

Others Present:

Jim Katsiaficas

John Swan

Bob Gobeil

David Lowe

Tina Smith

Tim Nelson, Vice Chair, called the meeting to order at 7:30 p.m

**APPOINTMENTS**

***Setback Reduction - Gerald Belik***

***Map 47 Lot 126 - 19 Log Cabin Lane***

The applicant was unable to attend. A site walk was scheduled for January 5, 2008, at 9 a.m. Board members will meet at the town hall parking lot and carpool to the site

***Final Subdivision Plan - Les Bois Carthage***

***Bernard Heights Phase 1***

***Map 17 Lot 4T-14 and Map 14 Lot 44T***

John Swan and Jim Katsiaficas addressed the board regarding the Bernard Heights subdivision.

Tim Nelson reviewed the checklist, noting the following items

Board to determine amount of bond.

Bond to be approved by Board of Selectmen

Statement of waivers to be added to plan

Drainage easements and buffers to be shown on final plan (must be added to individual lot deeds)

Declaration of Covenants to add maintenance of stormwater management

Change to 4.6 of Declaration of Covenants (no further division)  
Mail delivery to be approved by Post Office

Bob Gobeil stated that the road should be tarred and sidewalks provided.

Tim Nelson stated that there have been a number of meetings, including public hearings on this project. The board has agreed to allow the applicant to have a gravel road based on volume.

The applicant was instructed to provide a plan with the changes as requested.

**MINUTES OF PREVIOUS MEETINGS**

*October 17, 2007*

*November 7, 2007*

*November 28, 2007*

There was not a quorum of members present to approve the minutes.

**REPORT OF OFFICERS**

**OLD BUSINESS**

**COMMUNICATION**

**MISCELLANEOUS**

**NEW BUSINESS**

**ADJOURNMENT**

A motion was made by Judy Carll to adjourn the meeting at 8:35 p.m. The motion was seconded by David Benton and unanimously carried.

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

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

***MEETING MINUTES***  
***December 19, 2007***  
***7:30 p.m.***

**ROLL CALL**

Board Members

Present:                 David Benton                 Judy Carll                 Kurt Clason  
                              Susan Dunlap                 Teresa Lowell

Absent:                         Roland Denby                 Tim Nelson

Others Present:         Douglas Mooers             Scot Link                 Roger Chick  
                              Jean Chick                 Jim Katsiafiacas         Patti Berry  
                              David Lowe

Susan Dunlap, Chair, called the meeting to order at 7:32 p.m.

**APPOINTMENTS**

***Setback Reduction - Jim Toothaker***  
***Map 33 Lot 16-2 - 164 East Shore Road***  
***Douglas Mooers of ABC Construction***

Douglas Mooers addressed the board. He is representing Jim Toothaker, the property owner. The applicant is proposing to add a 14' x 40' lean to on the existing 30' x 50' garage. This addition is to be used for boat storage. The applicant is asking for a side yard setback reduction to 15'.

The records show that a permit was issued in 1994 to build the existing garage. The Planning Board had allowed a front setback reduction to 25'; the structure was to meet the 35' side and rear setbacks. It appears that the existing structure was built in violation of these setbacks. The board needs an opinion from the town attorney before they can grant an additional setback reduction to a building already in violation.

The board discussed the paper roads shown on the plan. Patti Berry stated that the rights of way still exist (20 years from 1997). Sue Dunlap would like to see evidence that the neighboring lots are not served by these paper roads.

Kurt Clason made a motion to table the application until the applicant provides additional

information (ownership of abutting parcels, possibility of Selectmen vacating road). The motion was seconded by Teresa Lowell and unanimously carried.

***Site Plan Review- L&M Floors & More  
Map 19 Lot 15 - 961 Main Street  
Scot Link***

Scot Link addressed the board regarding the site plan application. They are proposing a retail floor store with 1900 square feet of customer area and two employees (old TK Machine building) at 761 Main Street. The lot is located in the Village zone. Most of the lot is paved with the exception of the septic area. There is a fence on the back property line which is owned by an abutter. The applicant has been working with the Fire Department and Code Enforcement Officer.

Sue Dunlap reviewed the checklist noting the following

- ü Needs street widths for Route 202 and Ansel Drive
- ü Specifications for lighting plan
- ü Note on plan stating that snow removal will not affect abutters
- ü It will be the responsibility of the applicant to keep the fence abutting rear of property in satisfactory condition
- ü Signature block to be added to plan

The applicant is to provide an updated plan to be reviewed at the next board meeting.

***Site Plan - Lakeside Community Church  
Map 13, Lot 51-1 - 1248 Sokokis Trail***

Patti Berry stated that Lakeside Community Church is asking for an extension to put in the secondary tank for the sprinkler system. They propose to have the tank installed before the June 30, 2008 deadline. The primary tank and fire alarms have been installed.

After discussion, a motion was made by Teresa Lowell to approve the request based on the recommendation from the Fire Chief and extend the date to comply for installation of the secondary tank to June 30, 2008. The motion was seconded by Kurt Clason and unanimously carried.

***Final Subdivision Plan - Bernard Heights Phase 1  
Map 17 Lot 4T-14 and Map 14 Lot 44T  
Jim Katsiaficas - Perkins/Thompson***

Jim Katsiaficas met with the board to discuss the Bernard Heights subdivision.

The Board of Selectmen did not accept the performance guarantee he proposed. He stated that this is the standard form as provided by Hartford Insurance. The town attorney advised him that it doesn't adequately protect the town. They will continue to work on an agreement.

The Board questioned whether the subdivision needs to be reviewed by DEP. The Little Ossipee Landing subdivision was a portion of this property and would exceed the 15 lot limit for site location review. The applicant will confirm the date of approval of the previous subdivision. He stated that this subdivision will be reviewed by DEP for storm water permit.

The applicant stated that the outstanding items have been addressed. Waivers have been added to the plan. Drainage easement and buffers have been shown on the plan and added to the declarations and covenants. Maintenance of stormwater management has been added to covenants.

Sue Dunlap reviewed the subdivision checklist and noted that the only outstanding item was the performance bond.

Judy Carll made a motion to approve the Bernard Heights Phase I subdivision plan pending an agreement to be reached between the applicant and the Board of Supervisors on the performance bond for the project. The motion was seconded by Kurt Clason and unanimously carried.

## **MINUTES OF PREVIOUS MEETINGS**

### ***October 17, 2007***

A motion was made by Teresa Lowell to accept the minutes for the October 17, 2007 meeting. The motion was seconded by Judy Carll and unanimously carried.

### ***November 7, 2007***

A motion was made by Kurt Clason to accept the minutes for the November 7, 2007 meeting. The motion was seconded by Judy Carll and unanimously carried.

## **REPORT OF OFFICERS**

## **OLD BUSINESS**

## **COMMUNICATION**

## **MISCELLANEOUS**

**NEW BUSINESS**

**ADJOURNMENT**

A motion was made by Kurt Clason to adjourn the meeting at 9:25 p.m. The motion was seconded by Judy Carl and unanimously carried.

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

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