

TOWN OF WATERBORO
PLANNING BOARD
MEETING MINUTES
March 2, 2016
7:00 p.m.

I. ROLL CALL

Present: Kurt Clason Katy Mann Lee Nelson Judi Carll Dwayne Prescott
Judy Wirth Steve Letellier

Absent:

Others: Gary Lamb Sandra Guay Brigit McCallum Patricia Pebble
Lee Jay Feldman Glenn Charette David Lowe Tammy Bellman

Kurt Clason called the Planning Board meeting to order at 7:03pm on March 2, 2016.

Kurt stated that a full quorum has been reached by the Planning Board with the members present.

II. MINUTES OF PREVIOUS MEETINGS

- **January 6, 2016** – Judi Carll made the motion to accept the minutes as written. Katy Mann seconded. No discussion. Vote 4 – 0 – 2 (Letellier not member and Prescott absent).
- **February 17, 2016** – Judi Carll made the motion to accept the minutes as written. Dwayne Prescott seconded. No discussion. Vote 5 – 0 – 2 (Clason and Wirth absent).

III. NEW BUSINESS & PUBLIC HEARINGS

- **Public Hearing – Maine State Statute Citations Up-dated in Site Plan Review Ordinance, Town of Waterboro Zoning Ordinance and Town of Waterboro Land Subdivision Regulations of the Planning Board** – Kurt Clason opened the Public Hearing at 7:05pm. Kurt reviewed the changes being made. Lee Jay gave an overview – revising the ordinances to be in agreement and up-date with the appropriate citations. There have been no wording changes within the ordinances. The errata sheet has been reviewed by Natalie Burns, Town Attorney. The public was offered copies. Referencing old citations from MRS 30 from 1998 and the new citation is MRS 30-A and the appropriate sections.

Patricia Pebble – wanted to know if there were any substantive changes that we would need to know about being on Little Ossipee Pond and what we would need to do in the future. Lee Jay – no these are just the Maine State Statute Citations, you will probably want to hear Glenn’s presentation on Shoreland Zoning.

Kurt closed the Public Hearing for Maine State Statute Citations Up-date at 7:10pm.

Kurt Clason opened the Planning Board meeting.

There was no discussion on the Maine State Statute Citations being up-dated.

Kurt Clason made the motion to accept the Maine State Statute Citations Up-Date be amended as proposed and move forward to the Board of Selectmen for their approval. Katy Mann seconded the motion. No discussion. Vote 7 – 0 to pass the Maine State Statute Citations Up-Date on to the Board of Selectmen for their approval. Tammy will provide the information to the Board of Selectmen.

IV. OLD BUSINESS

- **Shoreland Zoning Ordinance – Glenn Charette, CEO** – Glenn gave an overview of the process thus far – Waterboro’s draft cannot be less strict than the Maine Department of Environmental Protection’s (MDEP) Chapter 1000. The Saco River Corridor Commission (SRCC) covers Lake Arrowhead and the map shows the territory covered by SRCC. Lee Jay added that the SRCC was a state Legislative created commission. The Waterboro Ordinance has 85-90% MDEP wording. The Planning Board would approve then to the Board of Selectmen with MDEP having the final approval.

Glenn continued – the Preliminary Draft HAS been approved by Mike Morse with MDEP. Resource Protection and the Shoreland Map is typically 75 feet from the high water mark – some have been reduced – two shoreland districts have been eliminated. Lee Jay offered that the State Shoreland Zone is 250 feet from the high water mark with 100 feet regulated.

Glenn – two shoreland districts are no longer valid – limited commercial and stream protection; the regulated districts are limited residential, general development and resource protection.

- The Land Use Table reflects the changes. The ordinance is less restrictive within the districts – for example a non-conforming structure – cannot increase the non-conformity; 30% rule in place with square footage added: if the structure is within 25’ of high water mark you are allowed 30% expansion up to 800 square feet; if structure is within 75’ of high water mark 30% expansion up to 1000 square feet and a structure within 100’ of high water mark 30% expansion up to 1500 square feet. Limited square footage has done away with volume restriction. Height is restricted if within 25’ of high water mark can go up to 15’ in height with a 25’ height total – this prevents the rear or back lot views from being blocked. The Code Office gets into more detail when the building permit application comes to be processed.

- Relocation within Shoreland – about the same; revegetation is required – in any development in shoreland - more strict – needs to be native to the state, trees 4.5 feet tall with 3’ diameter; a new tree for each one removed or unless 5 or more trees removed then can be 3 replaced to one taken down. On a new house the Certificate of Occupancy is not issued until the revegetation has been completed.

- Piers, docks, and wharfs – pretty simple 6 feet wide by 30 feet long cumulative; i.e.: out 20 feet with two five foot fingers. This includes commercial docks.

Dwayne – what needs a permit? Glenn – a dock is a structure – any structure developed in shoreland needs a permit in theory every new dock needs a building permit to be constructed or laid out – not sure what Waterboro will be doing yet.

Glenn - Permanent piers, docks, wharfs not approved without Planning Board approval. Permanent is in water 7+ months temporary is less than 7 months.

- Campgrounds were added to the Shoreland Ordinance. Campground Shoreland guidelines follow what the Planning Board has been working on within the Zoning Ordinance.

- Land Use Table – removed commercial/industrial uses – would not want paint and body shops, laundromats, etc around the lakes/ponds.

- Roads and Driveways – quite a bit more strict cannot hot-top – have to remain gravel – water runs too fast on the hot-top. Lee Jay – MDEP does not recognize permeable asphalt.

Glenn – MDEP Chapter 1000 has been in effect since February, 2016. The time limit for town approval/adoption has not been given – but waiting until the last minute not a good option/plan.

– when is a violation a violation? Worked with Mike on this one and a violation is a violation when the Code Enforcement Officer see it – even if it is ten years ago when it was originally done.

Kurt – driveway slope 20%? Glenn – yes – different than Waterboro’s new Highway Entrance Ordinance.

Glenn – sign criteria – does not match Waterboro’s sign ordinance.

- Mineral exploration is quite a bit stricter.

- Septic now needs to be 100 feet from high water mark. Sedimentation control by law; a shoreland certification needs to be provided to work in shoreland. Homeowners, public works departments are exempt.

- Bridge and culvert sizes added. Municipalities do not need a culvert permit.

- Hazardous trees are anything damaged by weather and/or disease. An arborist letter is required in Waterboro and an inspection by the CEO. The property owner must provide a revegetation plan. There are criteria within the Chapter 1000 as to what I go by. Revegetation criterion has been added – if it affects the canopy then will require 2 or 3:1 replacement in the plan. The canopy around the lake is the ultimate protection. No canopy the erosion is significantly increased.

- Administrative Chapter has been added – this gives direction to the Code Office. Let’s us know what is required for paperwork, permits, timelines, etc – the Zoning Board of Appeals is the only one that can hear an administrative appeal to the Code Officer’s decision, not the Selectmen.

- A lot of definitions have been added – basal area, tree measurement, basement, canopy, dock, wharf, pier, mooring, footprint, temporary, permanent, driveway, normal high water line – to give you a few of them.

Dwayne – the driveway references serving a single family dwelling or one two family dwelling; what about a second family home? Glenn – plays into the e911 addressing which requires numbers at the end of the driveway. Lee Jay – my gut feeling is it serves up to 2 single family dwellings.

Lee Jay – The definitions of the Shoreland Ordinance do not affect the Town of Waterboro Zoning Ordinance – the definitions pertain to the Shoreland Ordinance. The Shoreland Zoning Ordinance is a standalone ordinance.

Kurt scheduled the Public Hearing for the Shoreland Ordinance for April 6, 2016 at 7pm. Glenn will do a hand-out with the highlights of the Shoreland Zoning Ordinance.

V. COMMUNICATION

VI. MISCELLANEOUS

VII. ADJOURNMENT

- Judi Carll made the motion to adjourn at 1942 (7:42pm). Judy Wirth seconded the motion. No discussion. Vote 7 - 0 in favor. Meeting Adjourned to the Commercial Design Standards and Guidelines PowerPoint workshop.

Approved Date: _____

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