

MINUTES

Jan. 31, 1984

Selectmen's Meeting

Present: Chmn. Andrew Woodsome, Jr. , Robert Fay, Jean Chick

Selectman Dennis Abbott telephoned the office to inform the Board that he had just returned from London, England, but would not be attending this evening's meeting *AS HE HAD BEEN WITHOUT SLEEP FOR ~~NEAR~~ 24 HOURS.* Selectmen voted to purchase a more suitable tape recorder to record the Annual Town Meeting.

Hazardous Waste Ordinance: Present Selectmen Woodsome, Fay, Atty. Paul McElhinney, Planning Board members, Roland Denby; Kathy Moody; Mike Hammond & Frank Griggs.

Atty. McElhinney explained that the Proposed Ordinance was a very comprehensive one that gives the Town control and knowledge and calls for licenses. He said a dozen or so communities have adopted this Ordinance. This Ordinance does not prohibit, can be permitted if the Planning Board so desires.

Several changes were made:

Page 2 Sec. IV- C-1 Exemptions, discussed, nothing changed.
Page 2 Sec. V A-2a, within 500 ft. changed to 200 ft.
Page 2 Sec. V A-1 will read 100 yr. flood Zones, 500 will be deleted.
Page 3-M. Agrees that, will be added before notification.
Page 3 -E, C.E.O. will be added.
Page 4-A-1 Requirements Expanding to read hiring of registered geologist for monitoring wells, paid for by the applicant, Town of Waterboro to receive reports. Wells shall be monitored 3 times a year, twice plus the annual, be hired by either the Planning Board of the C.E.O. Motion made by Fay, seconded by Griggs, voted passed.
Page 4-B-1 fee of \$100.00 Motion by Denby seconded by Fay. Voted, Passed. Reason for the cost of \$100.00 being the expenditures for public hearing, notices, attorney fees, cost of building heat and lights Cost of notification will be added.
Page 5-4 Requirements, Hammond made the motion Denby seconded to combine the two paragraphs, voted passed.
Page 7-C Fay made the motion that fee be set for \$50.00, seconded by Denby. Voted, passed.

Atty McElhinney will draw up the proposed application and he will rewrite the necessary changes to the Proposed Ordinance and try to get it finished and back to the Selectmen by the end of next week. Hearing will need to be held 10 days before the Town Meeting.

Waterboro Vs Jones: Atty. McElhinney had requested that the Planning Board members, ZBA members Leroy Darling, William Williams, C.E.O's Van Foglio and David Silva be present. The Planning Board members present, Hammond, Denby, Moody, Griggs, ZBA, Leroy Darling, Charlotte Lake. C.E.O. Van Foglio were present.

In 1980 C.E.O.Mark Caldwell during his revaluation work he was doing for the Town discovered an illegal building on property at Lake Sherburne owned by Robert & Rebecca Jones, violation notice was sent, hearing held,etc. Now at the present time the court day is coming near and Atty,McElhinney wants the Town's decision on how he should pursue this issue. Should he try to settle out of court through the Jones attorney or go on to court. If court cost to the Town to be at least \$2,000. If taken to court McElhinney does not think the Judge will make the Jones remove or move the building.

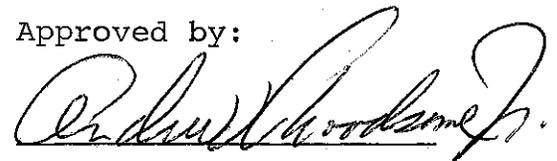
Motion made by Fay that if only a deterrent for others to try to violate the Zoning Ordinance spend the \$2,000. and go to court. Seconded by Griggs.

Atty.McElhinney asked that the C.E.O.Foglio do an onsite inspection, measure the side lines etc., and if C.E.O.notifies him he will plan to go up to the property with Van.Atty.McElhinney will need some information on the case. Dates of Comprehensive Plan,Zoning Ordinance, tape of the 1/27/81 ZBA hearing.

So.Maine Finishing Corp.:Selectman Fay asked Atty.McElhinney for any information he had on this matter. McElhinney said that the motion to close down denied,summery judgement denied.Pretrial filed. Should be heard within 6 months. Gannett still promising to get the treatment plant done. Consent decree with the D.E.P. signed by Gannett, McElhinney believes he is buying time for progress toward completing the Treatment Plant.

Elderly Housing:Planning Board member Hammond visited Atty Elliott's office with the Zoning changes for his review. The change necessary to accept elderly housing on a smaller sized lot will be one of the proposed changes, but must pass State Plumbing Code.

Approved by:



Robert C. Fay
Selectmen, Town of Waterboro