

SELECTMEN'S MEETING MINUTES
April 25, 1989

Regular meeting of the Waterboro Board of Selectmen.

PRESENT: Chairman Andrew C. Woodsome, Jr., Robert C. Fay, Dennis G. Abbott

REPORT OF STANDING COMMITTEES:

Chairman Woodsome has some concerns over the balance of the CEO office account. CEO Van Foglio has been asked to come in and discuss the situation with the Board. The Assistant CEO is putting in more hours than Van.

NEW BUSINESS:

FRED FAY: The Board inform Fred of the inspection that was done at the dump by DEP. Several violations were found. One was the gates by the Town barn were left open. Sel. Woodsome inspected the dump also and found well burnt cans. Fred told the Board that when there is a dump attendant there then he will go down and push the pile of brush up but it is not to be left burning when there is no one around attending it. Sel. Abbott feels that if a cable is put up and people have to go out of their way to get to the stump dump then that should be sufficient. Sel. Woodsome feels it should be fenced off. Fred asked the Board about the McLucas Road. Mr. Allen can not get into his lot due to the mud and he wants to know if he should put money in the road. Sel. Abbott stated that as far as he knows, Town money was only spent on the McLucas Road up to the turn to go to the tower. Chairman Woodsome feels the Road Review Committee should be involved with the McLucas Road and other projects. Suggested getting an agenda put together for that committee. Have Sebago Technics survey the road by Helen Carpenters and the New Dam Road where the Road Review Committee has asked to be fixed. Fred will bring in a list of projects and then put an agenda together and given to the Road Review Committee. Chairman Woodsome has been contacted by Dave Wescott concerning the damage done to his lawn during the fire at the Leather Mill. Mr. Wescott has been in to discuss this with the Board and the Board told him that Fred would be done to smooth out his lawn and bring a load of loam. Dave told Chairman Woodsome that all Fred brought was clay. Fred told the Board that he took down a load of loam mixed with clay so Dave could replant his lawn. Sel. Fay made a motion to take a load of loam down to Dave Wescotts. Motion was not seconded.

RENALD COLLINS: Attorney Bob Furbish represented the Town. Mr. Collins and his attorney explained his problem. Mr. Collins attorney stated that it was a mistake and it was not done on purpose.

Mr. Collins did receive a variance but still he doesn't meet the zoning requirements. Attorney Richard Hull's letter outlines options that can be taken. The best option is for Mr. Collins to enter into a consent judgement. Mr. Collins showed the Board a plan where the house sits. There is also a minor encroachment on one side of the house. Sel. Abbott told Mr. Collins of a similar situation where the developer was made to move the road over. Mr. Collins attorney stated that one lot owner objects to moving the road. Sel. Abbott made a motion that the Board of Selectmen take no action and Mr. Collins go back before the Planning Board to change the subdivision plans. Sel. Fay seconded. Mr. Collins told the Board that he would have to go back to DEP with any changes and the Planning Board is booked up to October. Sel. Abbott stated that the Planning Board is a part time Board and many hours are put in with working with developers and there is no reason why the house is not where it should be as shown on the subdivision plans. Board voted unanimously to take no action and for Mr. Collins to go back before the Planning Board to change the subdivision plans.

WILLIS WENTZELL: Mr. Wentzell was denied by the Zoning Board of Appeals. He built a house on a lot in Lake Arrowhead and the house sits 47 feet and it should sit 50 feet. He needed a three foot variance. The pins were obstructed when he went to lay out the house. A brook runs behind the lot and to keep 100 feet from the high water mark of the brook then he had to crowd the house, and he encroached on the front yard setback. The house is 24x32. The thirty two feet faces the road. Chairman Woodsome stated if he had built a smaller house could he have made the zoning requirements. DEP told Mr. Wentzell that in the near future the 100 foot requirement from a brook will be changed to 125 or 130 feet. He is being held up on his financing and he has not received his occupancy permit. Sel. Abbott stated that he does not want to discuss a non-enforcement letter. Mr. Wentzell told the Board that the house is sold, the inside is done except for the floors and he wanted to close the end of April. He has contacted abutting land owners and they are not willing to sell. Attorney Furbish told the Board of some choices that they have. They can either go to court and issue a consent judgement, a non-action letter is non-binding, or if the Board ignores it then Mr. Wentzell will either have to tear the house down or move it to a bigger lot. He also can pay a fine for each day the house is in violation. Sel. Fay asked who pays for the consent decree. Attorney Furbish told the Board that the person in violation will have to pay court fees plus attorney fees. If the CEO is certified then the CEO can file with the court if not then an attorney will have to handle. The time frame is about a month in District Courts. Attorney Furbish will write a policy for the Selectmen to adopt at their meetings. The Board voted that all future zoning violations will be handled through the courts.

EPA: Paul Giroulx from EPA and Ed Antz DEP was in to update the Board on the clean up at the Leather Mill. They are about 85% done. They keep finding asbestos in the cellar. Need only two or three people now. Ed Antz would like to clean out the cellar hole and bulldoze charred debris into the cellar hole. Tony has told them that he would like to fill in the cellar and pave it to be used as a parking lot. Sel. Abbott suggested that the wood be moved at Tony's expense to the stump dump and burnt there. Paul Giroulx suggested putting it into a container and hauling it off. Chairman Woodsome would like to check with the Division of Air Bureau on burning the charred wood at the dump. Ed Antz told the Board that he will check into it and will give an answer to the Board in writing. Ed told the Board that if all the ask and rocks are buried into the cellar it would fill the cellar about 1/2 full. Chairman Woodsome would like a letter stating that the cinder blocks and the debris have been tested and what the results are before burying it. Ed Antz stated that Biddeford Demolition is ready to start next week, figure the site would be steel free by May 8th or by the end of May at the latest. There are some drums, pails and jugs left on site and Clean Harbor have looked at them and will come down sometime and take care of them. Ed told the Board that Tony is giving them the run around. When he saw someone picking up steel into a dumpster he cancelled Biddeford Demolition thinking he did not have to contract anyone. They will keep their eye on the steel cleanup, if anything is found in the rubble the EPA will take care of it. A meeting has been scheduled with the Selectmen if needed on May 9th. They will contact Dwayne Morin when they are ready to ship and burn at the stump dump area.

TIM NELSON & DWAYNE MORIN: Tim & Dwayne showed the Board a flyer that they receive on a class called Reviewing and Assessing Hazardous Waste Sites. It is a one day call at Amherst College and it costs \$75.00 each. Chairman Woodsome made a motion that the Chairman of Hazardous Waste be contacted and asked to attend with them. The Board voted to pay for three people to attend.

Board signed the warrant for payment of bills and payroll.

Board voted to purchase shades for the Selectmen's office windows.

approved


