

**SELECTMEN'S MEETING MINUTES
OCTOBER 19, 1993**

Regular meeting of the Waterboro Board of Selectmen.

PRESENT: Chm. Frank R. Allen, Jr., Dennis G. Abbott, John C. Monteith.

Also present: Selectmen's Assistant Dwayne Morin and Assessor's Agent Bob Konczal.

REPORT OF STANDING COMMITTEES:

DWAYNE MORIN: Dwayne explained to the Board the problem that occurred printing the tax bills. Two part bills were ordered but when the bills were ready to be printed it was found that NDS had sent one part bills. So an additional billing will have to be done in April for the May deadline. NDS will print 8,000 two part tax bills because they didn't order the correct bills at no charge to the town. The problem is that there is not enough one part bills for the April billing so additional bills will have to be ordered. D.E.P. has sent a report on the lagoons and the retesting shown nothing. There was a lab error in the first testing. Sander: Dwayne asked the Board if the Board wanted someone local to install the sander or have Howard Fairfield do the installing for \$2,900. Board voted that if someone local can do cheaper have them do it or if not Howard Fairfield can install it. Nature Conservancy: Dwayne has talked to the Conservancy and they would like to make a donation to the town instead of taxes. The Board needs to set a option, so it doesn't vary every year. Need an agreement of the parties for service charges for budgeting purposes. Commonwealth Dynamics: Atty. Karen Lovell has reviewed and she agrees with Commonwealth, can only charge out of pocket expenses that has occurred. Walton: Dwayne updated the Board on the Walton case. Four years ago Mr. Walton wanted to swap one lot for three waterfront Lake Arrowhead lots and was voted down at town meeting. He sued the town and found that the lot will hold a septic system which was designed by Glen Foye. Now D.E.P. has pulled his permits because the designed is not valid for that lot. Atty. Elliott will write a letter to Mr. Walton's attorney for a reasonable offer but not three waterfront lots for one lot.

MARTHA LARIVERE: Martha was in to see the Board about doing a newsletter. It has been awhile since the last newsletter and asked the Board if there are any news. Martha will meet with Dwayne in the morning to discuss the upcoming newsletter.

The Board at this time adjourned to the Town Hall to meet with The Nature Conservancy.

Selectmen's mtg.
10/19/93 Page 2

NATURE CONSERVANCY: Julie Henderson and Kent Wommack represented the Nature Conservancy. Also present was two residents of Buff Brook Estates. Discussed service charges, and the Selectmen would like a set formula to know where the town stands each year. Julie told the Board that in other towns they have a five year fixed rate donation. Bob Konczal

stated that if there is a formula now that the town is using, why not use that formula and not have a different one. The Conservancy now owns about 5% of the Town. Kent stated that the Conservancy would like to work with the town. The barrens is one of its biggest conservation projects in southern Maine. Julie feels the Conservancy is eligible for tax exemption and should only make a yearly donation. Julie stated that the average donation in the other towns in \$300. a year. Chm. Allen would like to see a ten year plan. Sel. Abbott told them that the service charge will change as per the mill rate in the town and would not be much of a year to year change. Julie asked when the last reval was done in the town and Sel. Abbott told her 1980. Kent asked what are the chances the tax rate will go up significantly. Sel. Abbott told him that this year is the first increase in four years. Dwayne told them that the biggest increase for the Conservancy will be next year where they have added additional acreage. Sel. Abbott told them that his concerns are, if additional property is going to be bought will the property in Waterboro be sold to purchase it. Kent told Sel. Abbott that some lands are donated and the Conservancy do pay taxes and would pay taxes so it could be sold for such purpose of purchasing other lands. Sel. Abbott also has concerns over the new additional property being part of an approved subdivision. Kent told the Board that the Conservancy did not buy the remaining subdivision to develop it, would like to get the subdivision unapproved. Sel. Abbott told them that if the residents that live there are in agreement, would need to go before the Planning Board and the biggest role will be for the residents of Buff Brook Estates. Julie asked individually if Sel. Abbott is in favor of it. Sel. Monteith stated that he is not in favor of it due to it would effect elderly people on a fixed income i.e. someone is paying \$800. a year taxes on a half acre lot and the Nature Conservancy is paying \$600. for all their acreage. Sel. Abbott told her that it would depend on the best interest for the residents. Kent told the Board that the Conservancy is not trying to stop developing, only protecting special areas in the state, also wants the town to be cognizant of police and fire protection as other land owners. Julie told the Board that there is one town, which will remain anonymous, the Conservancy gives them the amount donated and the town works out a formula to fit the donation amount. Sel. Abbott told her that the Town of Waterboro will set the formula, not the Nature Conservancy. Julie stated that the Conservancy doesn't feel that have a legal obligation, just an obligation itself.

Selectmen's mtg.
10/19/93 Page 3

Julie also stated that doesn't have a problem with a formula only if other towns which the Conservancy owns property in and has a high valuation will say you have a formula with Waterboro we would like a set formula also. Bob Konczal has talked to Selectmen Ruth Ham from Shapeleigh and is willing to do the same formula as Waterboro uses. Kent asked what point when the town does a reval, if agree to this formula won't the service charge rise. Dwayne stated that more valuation reduces the tax rate. Sel. Abbott told them that as long as the townspeople say no to a reval, even if the state pushes, there will be no reval even if it means loosing tree growth or veterans reimbursement from the state. Sel. Abbott told them that they have consumed a subdivision that has a tax base, and not in position that the town can go up and maintain the roads and have concerns over the folks that live there. Chm. Allen also

told them that they are only considering the two parcels now and will not consider the other until after 4/1/94 at that time will all be considered one parcel. Sel. Abbott told them that they will not treat the second parcel any different from the first. Concerns that the Conservancy has marketable subdivision lots. Julie told the Board that they will meet with the residents and then will set up another meeting with the Board within a month or so. Also asked what will happen if not all of the residents in the subdivision sign off to unapprove the subdivision, even if the Conservancy had shown good faith. Sel. Abbott told them that all residents will need to sign off.

The Board at this time adjourned back to their office to conduct business.

PEOPLE'S HERITAGE BANK: Jim Lemieux represented the bank concerning Map 32 Lot 71Y. Bank took the property over from Robert McAuliffie, Jr. and now has a buyer when zoning violations was found. Earl Pennel came in for a permit, and Van told him that he would need to go before the Planning Board and he did. The Planning Board looked at it and okayed for him to build and Van issued him a permit for a 24 x 44 house. The Planning Board told him he could build if he met the sideline and setback requirements. The lot is not wide enough for the building, the lot is about 5 feet short. Van told the Board that this is after the fact and can't go through the Zoning Board of Appeals. The violations are: Front yard setback of 35 feet, which should be 75 feet, rear setback of 23 feet, which should be 35 feet, and North side/front setback of 27 feet which should be 75 front or 35 feet side. Sel. Abbott asked if the Planning Board could have gone by the setbacks before zoning. Sel. Abbott make the motion to enter into a consent decree with a \$1.00 fine and any other costs to be borne by Peoples Heritage Bank. Sel. Monteith seconded, voted, passed.

Selectmen's mtg.
10/19/93 page 4

PLOWING: Board discussed and voted to go out to bid on the plowing for the town hall parking lot, Friendship Park, road at Friendship Park and the dump. Also to include the shoveling of the town offices.

SIGNED:

The Board signed the warrant for payment of bills and payroll.

ADJOURNMENT:

The motion for adjournment was made at 9:15 p.m.

Approved: _____
