

TOWN OF WATERBORO  
PLANNING BOARD

WATERBORO, MAINE

March 13, 1975  
Regular Meeting  
Minutes

This meeting was opened at 7:50 p.m. by Chmn. Gannett; other members present were Wade Junkins, Daniel Sanford and Frank Goodwin. Daniel Willett, a member up until March 8th when he was elected to the office of Selectman, was there. It was noted that the Board consists of only four members.

HUNTRESS, GEORGE

Mr Huntress presented a sketch (a copy on file) of a possible subdivision of land off Old County Rd. which is off Rte. 5 and consisting of 2 lots, numbered 2 and 3, approximately 25 thousand sq. ft. each and accessed by a proposed road 500 ft. long and 50 ft. wide leading from the Old County Rd. at the southerly corner of his property to a proposed 75 ft. turn-around at the two lots in the northerly corner of his property. Lot #1, which is also shown on the sketch, was sold to the Stevensons a year or better ago and would not be a part of any proposed subdivision. This lot is said to be about 30 ft. short of the turn-around but, when this is made a subdivision, Huntress will deed this strip to the owner of lot 1, so that it will abut the turn-around. The Chmn. referred to the plot of land calling it a preliminary plan. Mr. Huntress corrected him stating that was just a sketch and that he was presenting it more for guidance than anything else. At his request, it was explained to him what additional information would be needed for an acceptable Preliminary Plan and he was given a copy of the latest Regulations to follow. The Chmn. explained that the Moratorium is still in effect and that, if such a plan were to be submitted, the Board, before it can consider its adequacy, would first have to consider lifting the Moratorium, since it prevents the consideration of a Plan until the moratorium is lifted. Mr. Huntress indicated that he was not asking or expecting the Board to do so; he was only looking for some appropriate advice. He inquired if the lots were of adequate size and were layed out properly. The Chmn. pointed out the faulty relationship of the lots to the turn-around; that the 25000 sq. ft. lots were were of a type of soil on which the State Plumbing Code recommended 40000 sq. ft. lots if in-ground sewage disposal was to be employed, and that this would be a basis for the Board strongly recommending the larger lots. Mr. Huntress stated that such a ruling would make the venture uneconomical for him. He further stated that he was planning to build a \$35000 house. When asked who was to own the access road, he said he planned to build it so that the Town would accept it. He was given a copy of "Roadway Design and Construction Stds." showing typical pavement build-up, drawn up by Land Use Consultants, Inc.



# MINUTES OF SPECIAL MEETING, FEB. 22

The Chmn enumerated the topics covered, asked if all had a copy. A motion was made, seconded and unanimously voted to approve them.

# MINUTES, ZONING HEARING, MAR, 1.

The Chmn., asking for and receiving no suggestions for corrections, declared them accepted unless objected to.

# LITTLE OSSIPEE ESTATES--David Eon

The Secy. brought up the matter of Mr. Eon's failure to conform to the Regulations and put before the Board 3 letters: one to Mr. Eon calling his attention to his non-conformity and the Board's consequent action; one to Mr. Pazolt, Building Inspector, recommending that no building permits be issued for any lots in this subdivision and one to the Central Maine Power Co. advising that no power services be made to any of these lots until Mr. Eon has conformed to the satisfaction of the Board.

The Secy. stated that he had researched the filings at the Registry and found that the deed restriction relative to cutting of trees had not been filed and that at least lots 1,2,3, and 4 had been deeded without this deed restriction. He had talked with the Register of Deeds and one of her assistants who knew of no other filing except the Final Plan, and they suggested that the Board file the restriction itself or get Mr. Eon to do so.

It was moved, seconded and unanimously voted that these letters be sent as read and such action as stated therein be approved and taken. The Chmn. directed the Secy. to send copies of the three letters to Atty. Peter Plumb in response to his inquiry of Feb. 13th, to Atty. Ward Hanscom, counsel for Stan Harmon, to Roger Elliott, counsel for Waterboro and to the Selectmen.

# NEXT ZONING HEARING

The Secy. submitted a letter to the Portland Press Herald asking for advertisement of a hearing on the proposed Zoning Ordinance and the Subdivision Regulation Amendments, to be held in the Town House at 7:30 p.m. on Monday, March 24, 1975. He also submitted a notice of the same for the convenience of the Selectmen for posting in Town. The Chmn. of the Board of Selectmen declined to sign the notice unless reference to the Subdivision Regulation Amendments were omitted since the amendments had not yet been completed. This item was stricken on both the letter and the notice. The notice was signed by all members of the Planning Board and given to the Chmn. of the Board of Selectmen for signing and posting. The letter was given to Daniel Willett for delivery to the P.P. Herald.

# WEST WINDS ACRES

The Secy. produced a copy of a public notice to the effect that Mr. Garland had filed an application with the D.E.P. under the "Site Location of Development Law" for his West Winds Acres subdivision.

# MORATORIUM--Law Suit

Chmn. Gannett read a notice of Superior Court Civil Action, Docket No. 593/74, Home Builders Assoc, Inc. vs Waterboro



Planning Board, jointly and severally, that the Plaintiffs are appealing from the original order of Judge Spencer granting Defendants "motion to dismiss" entered in this action on Feb. 5, 1975. Atty. Elliott is handling the case for the Board. This notice is on file.

STARRETT O. PIERCE

The Chmn. read a letter from Michael Wilson, written on a York-Cumberland Housing Development Corporation letter-head, referring to an attached reproduction of a warranty deed from Pierce to a Michael Gordon Guest conveying to Guest a tract of land on Bradeen's Ridge on the Old Limington Rd. The letter refers to Mr. Pierce as being Mr. Guest's "great uncle" and states that Mr. Pierce has "given" land to some of Mr. Guest's cousins. The purpose of the letter was to get the Board's assurance that Mr. Guest, who intends to build in the near future, would not have to go through a subdivision. Discussion developed an uncertainty as to the real status of Mr. Pierce's property and the "intent" of this transaction and the stated gift conveyances. It was felt that the Board should up-date its information on this property. The Chmn. suggested that, unless any Board members disagreed, a letter be written to Bldg. Insp. Pazolt acquainting him with the matter and recommending that he issue no building permits on land conveyed in any way until the Board is convinced the status of all transactions meet the requirements of the Statute. The Board was in unanimous agreement.

DANIEL SANFORD

The Chmn., having unanimous agreement of the Board, directed the Secy. to write a letter to the Board of Selectmen noting the April 1st termination date of Daniel Sanford's term on the Planning Board recommending him for, and respectfully requesting his reappointment.

Meeting adjourned.

Respectfully submitted,

*Frank R. Goodwin*  
Frank R. Goodwin, Secy.

*Unanim. Apprd Apr 9, 1974*