

TOWN OF WATERBORO  
PLANNING BOARD

WATERBORO, MAINE

MINUTES

Regular Meeting, June 9, 1976

*Public Hearing on Brookside & Revisions to Subdiv. Reg.  
See Tape for proceedings*

Meeting called to order at 9:00 p.m., by Chann, Foglio, others present were Raymond Kellett, Ronald Dyer, Phillip Gardner, Stephen Kasprzak, James Hamilton and Frank Goodwin. Also in attendance were Code Enforcement Officer, Jerry Simpson, Town Counsel Roger Elliott, Fernald Payeur, Atty. Peter Plumb, David Haynes and William Flynt.

BROOKSIDE SUBDIVISION

Atty. Plumb submitted to the Board, as submitted at a public hearing held prior to the Regular Meeting, Exhibit "A" titled "Brookside Subdivision Abutting Land Owners"; Exhibit "B" Return Receipt Cards evidencing receipt of notice by abutters of the intentions of the Developer and of the submission and approval of a Preliminary Plan for Brookside Subdivision, including also unclaimed letters containing notices; Exhibit "C", a copy of the notice sent to abutters and finally, an affidavit by Mr. Plumb and attested by Sylvia E. Polvinen on June 9, 1976, that he, personally, undertook to serve notices not only to those 65 listed as abutters in Exhibit "A", but also to Land Management Inc., owners of property directly across the (Old Buxton) Road from the subdivision. All exhibits were received by the Board and deemed to be in accordance with Mr. Plumb's affidavit. The return receipt cards were, by agreement of the Board, returned to Mr. Plumb, but the original of the affidavit and a copy of each Exhibit "A" and "C" were retained by the Board. Mr. Plumb also presented a copy of the proposed Conservation Easement which, being identical to a previously accepted for Beaver Ridge, was found to be acceptable for Brookside.

The manner in which the Developer was to provide surety against default on proposed improvements was discussed, Mr. Dyer moved, Mr. Kellett seconded and the Board unanimously voted that:

At least ten (10) days prior to the issue of any building permit, the Developer shall provide an amount of surety for improvements based upon the following formula:

1. Ten dollars (\$10.00) per linear foot for all roads not brought to finished gravel grade in accordance with Town specifications.

2. Three dollars (\$3.00) per linear foot for any road brought to finished gravel grade but not tarred to Town specifications.
3. At such time as any road covered by paragraph 1 above is brought to finished gravel grade, the amount of surety for such section or sections shall be reduced to three dollars (\$3.00) per linear foot.
4. All road construction shall be completed satisfactory to Town specifications within three (3) years from the date of posting of the surety.
5. Upon written approval by the Town Road Committee to the Planning Board and the Developer that any road has been completed in accordance with Town specifications and standards all surety applying to said roads(s) shall be released.

It was agreed that approval of the Final Plan assumed that condition 5 under covenant in each deed would be revised as follows:

Inserted as the second sentence will be: "Access to either lot shall be only from Brookside Road".  
Inserted as the fourth sentence will be: Compliance with this section may be enforced by the Town of Waterboro.

These changes are written in ink on a sample deed which was presented by Mr. Plumb, reviewed and otherwise approved by the Board. Mr. Kellett moved, Mr. Gardner seconded and the Board unanimously voted to approve the Final Plan, dated May 1976, for Brookside Subdivision.

BRIAN HUNTRESS

The Huntresses had been having some difficulty with a bank relative to whether or not their property was in subdivision status due to conveyance, back and forth, of a parcel between him and his father George Huntress ( an abuttor ). Observing that such conveyances between relatives and/or between abuttors without subdivision approval was allowed, Mr. Kellett moved, Mr. Dyer seconded and the Board unanimously voted to direct the Secretary to write Mr. Huntress to this effect.

Meeting adjourned at 10:30 p.m.

Respectfully submitted,

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

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Approved by:

Ronald Dyer  
Philip M. Linder  
J. Hamilton