

TOWN OF WATERBORO
PLANNING BOARD

WATERBORO, MAINE

CORRECTED COPY

Regular Meeting of the Planning Board

Meeting called to order at 7:55 p.m. May 9, 1984

I Rollcall: Frank Griggs, Mike Hammond, Mary Elizabeth Smith in attendance. Roland Denby, Vice Chairman conducted the meeting. Roland Denby designated Mary Elizabeth Smith to vote.

II The minutes of the previous meeting of April 26, 1984 were read and Roland Denby requested that a change be made. Corrected copies will be made and sent out.

III Appointments:

1. 8:00 p.m. Debbie Dyer
2. 8:15 p.m. Paul Gendron
3. 8:30 p.m. Raymond Dolbec
4. 8:45 p.m. Carl Sellers
5. 9:00 p.m. Terrance Hackett

IV Communications

1. Brochure from American Planning Association.
2. Original deed from Harmony Homes to Oliva & Deanna Perreault.

V Reports of Committees.

There were no reports at this meeting.

VI New Business:

1. Debbie Dyer: Mrs. Dyer was given copies of the letters from Attorneys Elliott and Hanscom, and a copy of the latest letter from the Planning Board to Attorney Elliott. Roland Denby told Mrs. Dyer that the Board has not resolved Mr. Dolbec's subdivision yet. There is a difference in opinions between Mr. Dolbec's lawyer and the Town lawyer. Mrs. Dyer asked how much longer this was going to take because of a financial problem should the Dyer's have to move. The Board told Mrs. Dyer that if Mr. Dolbec would go along with it, the Board could accept his map as a sketch plan and a preliminary plan for her one (1) lot subdivision. The Board told Mrs. Dyer that the Board has been looking at this property for some time, and that Mrs. Dyer would have to have a name for her one (1) lot subdivision. The Board told Mrs. Dyer that they would need eight (8) copies of a linen. Frank Griggs made the motion to accept this as a sketch plan and a preliminary plan. Mike Hammond seconded. Unanimously approved. Mike Hammond made the motion that the Board waive the letter to all the abutters for this as they have already been notified by Mr. Dolbec. Frank Griggs seconded. Unanimously approved. Mrs. Dyer has an appointment with the Board at their next meeting at 8:00 p.m.

2. Paul Gendron: Mr. Gendron sent a letter to the Board stating that he objected to the proposed subdivision by Patricia Dolbec. Roland Denby told Mr. Gendron that due to the fact that Mr. & Mrs. Dyer have been informed by the Town's attorney that they have to proceed on a one (1) lot subdivision that they are doing this. Raymond Dolbec joined this meeting. Mr. Dolbec told Mr. Gendron that the proposed subdivision are all three (3) acre lots. Roland Denby told Mr. Gendron that

there will also be a twenty-five (25) foot green belt, and that this would help screen the property. Mr. Denby asked Mr. Gendron for his comments. Mr. Gendron told the Board that he was worried about a population explosion and having people walking across his property to use the lake. He told the Board that he has owned this property for 25 years. Mike Hammond asked Mr. Gendron if there was a right-of-way. Mr. Gendron said that there is a private right-of-way that has never been opened. Mike Hammond then told Mr. Gendron that if it is not open to the public then he would have the right to restrict his property. Mr. Gendron told the Board that the right-of-way has trees, and at the end of this right-of-way there is a swamp. Roland Denby told Mr. Gendron that the Board is trying to limit the access to the road by having three (3) driveways instead of five (5) driveways. Mr. Denby asked Mr. Gendron if he was opposed to this subdivision. Mr. Gendron said that "just due to the fact that there is going to be a lot of company there". Roland Denby told Mr. Gendron that the Board is tied to certain procedures, and that as long as Mr. Dolbec meets the subdivision regulations the Board has to approve it. Mr. Dolbec said that he could put a note on the plan to the effect "any use of lake will be used only through the Town right-of-way." Mr. Dolbec asked Mr. Gendron if that would make him more comfortable. Mr. Gendron said that yes it would. Roland Denby asked Mr. Gendron if there was anything further he would like to bring up to the Board. Mr. Gendron said no. Roland Denby told Mr. Gendron that the Board would consider his remarks. Mr. Gendron asked if it was possible for him to have a copy of the map. Mr. Dolbec provided Mr. Gendron with one. Mr. Denby told Mr. Gendron that a Board member mentioned to him that he could post his land. Mary Elizabeth Smith said that he could post if every fifty (50) feet. Mr. Gendron said that he believed that it was already posted but not every fifty (50) feet.

3. Raymond Dolbec: Mr. Dolbec presented the Board with the preliminary plan that he brought last month, and told the Board that there had not been any alterations since then. The Board went through the list required for a preliminary plan, and when restrictions was brought up, Mr. Dolbec said that there was a restriction on this property on no mobilehomes on the deed when he bought it. Roland Denby said that Mrs. Gerry called him on the phone and posed no objections but just wanted to know what was going on. On public open spaces Mr. Denby asked the Board how they felt about it having none. Mr. Denby said that seeing this subdivision is along this highway, it did not seem to be conducive. Mike Hammond said that his opinion was that with lots of their size he didn't think that it was necessary. Mike Hammond made the motion to waive #7—public open spaces. Mary Elizabeth Smith seconded. Unanimously approved. Roland Denby asked if there were any drainage problems on the land. Mr. Dolbec told the Board that when we received the heavy rain that there is a little pocket and that was not any standing water in it, but that the hole in the pit was filled. Mr. Denby then asked what Mr. Dolbec was putting in for boundary markers. Mr. Dolbec stated that right now there were no markers except nails and flags. He said that he was going to put in pins after this was approved. Roland Denby said that the Board wanted either steel pins or iron pipes put in before final approval. Mr. Denby also told Mr. Dolbec that the Board needed to talk about the two (2) different opinions between Attorneys Elliott and Hanscom. He said that the Board has got to make a decision. Mr. Denby then finished going through the list and told Mr. Dolbec that he thought that Mr. Dolbec had complied with all of these things. Mr. Dolbec said that he had a complaint with having to send registered letters to the abutters. He said that certified letters would be less expensive. Mr. Dolbec gave the Board a copy of the registered letter receipts. Mr. Denby said that as soon as the Board resolved the difference between the lawyers that they would give Mr. Dolbec an answer by next meeting. Mr. Dolbec said that as far as he was concerned that the whole thing could be dropped and that he could proceed with this. Mr. Dolbec questioned the fact that the Board requested linen.

Mr. Denby told him that the Board needed something that would be acceptable by the Registry of Deeds. Mr. Dolbec said that he worked with mylar, and that he would call Rodney Chadbourne to see if mylar is acceptable. The Board then discussed Mr. & Mrs. Dyer's lot with Mr. Dolbec, and Roland Denby said that he thought it would have to be split out and renamed. Mr. Dolbec asked about putting a note "a portion of Pigeon Brook". Mike Hammond asked Mr. Dolbec when he proposed bringing in his final plan. Mr. Dolbec told the Board that he had it with him. Mr. Denby then asked about putting a notation "that this also includes Dyer's Acres." Mr. Dolbec said that it would be acceptable to him. The Board decided to use the same map as Mr. Dolbec's for the Dyer's proposed subdivision. The Dyer's will just have to change the title. Mr. Dolbec has an appointment with the Board at their May 24, 1984 meeting at 8:00 p.m.

4. Terrance Hackett, Sr.: Mr. Hackett would like to build a 30' x 30' garage on property located on Map 41, Lot #6, Zoned AR. Grandfathered lot. Mr. Hackett told the Board that his problem was distance. If the garage was placed to meet the setbacks then it would block off access to the beach. He said that he can be one hundred (100) feet back by taking down two (2) large pine trees. The Board asked about attaching it to his house. Mr. Hackett said that it would block access to the beach, and his wife was worried about having it so close to the house. Mr. Hackett said that he would not be bothering any neighbors on any side. Frank Griggs made the motion that the Board approve this under Section 3.03 of the Zoning Ordinance. Mary Elizabeth Smith seconded. Unanimously approved.

5. Carl Sellers: Mr. Sellers is at the meeting on behalf of Donald Barker. Property located on Map 36, Lot 29, Zoned AR. The Board found that Metaphysics, Inc. owns the property and wanted to know who Metaphysics Inc. is. Mr. Denby said that the lot lines were not put on the drawing, and without them the Board has no idea how close the property lines are to the house. Mr. Sellers asked about getting the second floor approved. Roland Denby said that the Board would like to know who Metaphysics Inc. is as the deed shows that they own the property, and the Board needs clarification on the lot lines. Mary Elizabeth Smith said that if Metaphysics Inc. is a personal company, she would have some questions about a company building on a lake in an AR Zone. Roland Denby also brought up the fact that the Board was concerned about the foundation on the lakeside of the house. He asked Mr. Sellers if they were planning to renovate the foundation. Mr. Sellers said with sonotubes. Roland Denby asked if that would be enough support. Mr. Sellers said the tubes with the footings would help with the weight. Mary Elizabeth Smith mentioned an old sonotube half-way back. Mike Hammond said that the structural part was not the Board's concern, that it was up to the Building Inspector. Roland Denby agreed. Roland Denby stated that the Board needed to have two (2) things straightened out: 1. who Metaphysics Inc. is., and 2. how the building is positioned on the lot, and where the lot lines are. Mary Elizabeth Smith asked if the Board could ask for a certified copy of the deed from the Courthouse. Roland Denby said that he thought the Board should have one. Mike Hammond asked Mr. Sellers if the Barker's could come to the next meeting with him and have them bring in a copy of the deed. Mr. Sellers has an appointment with the Planning Board at the May 24, 1984 meeting at 8:45 p.m.

6. Roland Denby told the Board that they had to come to a consensus on the Dolbec subdivision. Mr. Denby suggested that the Board study the letters from the two attorneys. Frank Griggs made the motion that the Board table this until the next meeting so that the Board members could individually study the letters and vote on this at the next meeting. Mary Elizabeth Smith seconded. Unanimously approved.

VII Communications:

1. Brochure from American Planning Association. The Board acknowledges receipt of this.

2. Original deed from Harmony Homes to Oliva and Deanna Perreault. The Board noted that the deed has no restrictions on this at all. The Board acknowledges receipt of this.

VIII Adjournment.

The meeting adjourned at 10:30 p.m.

Respectfully submitted,

Michael Hammond
Michael L. Hammond
Secretary/Treasurer

Michael Hammond
Frank Giggos
Mary Elizabeth Smith
Roland E. Deuby