

TOWN OF WATERBORO
PLANNING BOARD
WATERBORO, MAINE

CORRECTED
MINUTES

Regular Meeting of the Waterboro Planning Board

Meeting called to order at 7:32 p.m. September 11, 1985

- I Rollcall: Charlot Lake, Mike Hammond, Larry Jacobsen, Dwayne Woodsome and John Roberts. Roland Denby Chairman.
- II The minutes of the August 14, 1985 and the corrected minutes of the July 25, 1985 meeting were unanimously approved.
- III Appointments:
- 8:00 p.m. Albert Cassino
 - 8:15 p.m. Donald Sylvestre
 - 8:45 p.m. Doug Ake
 - 9:15 p.m. Hazen O'Clair
 - 9:45 p.m. Brunetti's Restaurant
 - 10:00 p.m. Leopold Nolette
- IV Communications:
1. Check from the Town for the Planning Board checkbook. The Treasurer will deposit this in the checkbook.
 2. Bills from the Morley Store for supplies. Charlot Lake made the motion that the Treasurer pay them. Mike Hammond seconded. Unanimously approved.
 3. Application to be placed on the agenda. Rodney Chadbourne—preapplication of a sketch plan of proposed 4 lot subdivision on Route 202. Mr. Chadbourne was placed on the agenda of the Sept. 26, 1985 meeting at 8:00 p.m.
 4. Application to be placed on the agenda. Fred Bearham—has a grandfathered lot, would like to put a 28' x 28' two-story structure with a daylight basement. Mr. Bearham was placed on the agenda of the Sept. 26, 1985 meeting at 8:15 p.m.
 5. Application to be placed on the agenda. Albert Dube—wants to install a 14' x 24' deck on front of his house, and a 8' x 8' shed on the back of his house. Mr. Dube was placed on the agenda of the Sept. 26, 1985 meeting at 8:30 p.m.
 6. Application to be placed on the agenda. Bernadette A. Williams—wants a permit to open a wholesale business at her home on Route 202. Mrs. Williams was placed on the agenda of the Sept. 26, 1985 meeting at 8:45 p.m.
 7. Application to be placed on the agenda. Maxine Peightal—wants permission to build a garage on an existing foundation. Mrs. Peightal was placed on the agenda of the Sept. 26, 1985 meeting at 9:00 p.m.
 8. Application to be placed on the agenda. Stuart Gannett—wants to build a 24' x 80' addition. Mr. Gannett was placed on the agenda of the Sept. 26, 1985 meeting at 9:15 p.m.
 9. Application to be placed on the agenda. Robert Gobeil—wants to build a 16' x 22' garage. Mr. Gobeil was placed on the agenda of the Sept. 26, 1985 meeting at 9:30 p.m.

10. Application to be placed on the agenda. Donna Morrill—wants a permit to place a mobile home on a temporary basis on rented land for one (1) year. Ms. Morrill was placed on the agenda of the Sept. 26, 1985 meeting at 9:45 p.m.

11. Application to be placed on the agenda. Joanne Kozlowski—wants a permit to add a 12' x 16' bathroom. Ms. Kozlowski was placed on the agenda of the Sept. 26, 1985 meeting at 10:00 p.m.

12. Application to be placed on the agenda. Walter Getchell—wants a permit to build an attached garage to be 11 feet from the lot line and 32 feet from the road. Mr. Getchell was placed on the agenda of the Oct. 9, 1985 meeting at 8:00 p.m.

13. Application to be placed on the agenda. Schiavi Homes—wants to present a plan for a substandard lot in Lake Arrowhead. Schiavi Homes was placed on the agenda of the Oct. 9, 1985 meeting at 8:15 p.m..

14. Application to be placed on the agenda. Jerry Grier & Forrest Owen—proposed subdivision. Mr. Grier & Mr. Owen was placed on the agenda of the Oct. 9, 1985 meeting at 8:30 p.m.

15. Application to be placed on the agenda. Peter Harriman—wants a building permit for Lot 1495 Old Portland Road, Lake Arrowhead. Mr. Harriman was placed on the agenda of the Oct. 9, 1985 meeting at 9:00 p.m.

V New Business:

1. Donald Sylvestre: Property located on Map 32, Lot 11. This is a 50' x 120' lot. Mr. Sylvestre would like to put a foundation under an existing cottage in Johnsons Cove off the West Shore Road. The Board asked if he was planning to winterize it. Mr. Sylvestre told the Board that he was a little bit at a time. The Board mentioned a Conversion Permit. The Board asked what was under the camp now. Mr. Sylvestre answered posts. The Board asked about excavating. Mr. Sylvestre told the Board that he would be putting in footings. The Board asked him if he wanted a full cellar. Mr. Sylvestre does want a seven (7) foot full cellar. The Board asked Mr. Sylvestre if he drove to his cottage the same way that Mr. Nolette did. Mr. Sylvestre said that he did not as Mr. Nolette has a private road. The Board asked Mr. Sylvestre if he would be adding any rooms. Mr. Sylvestre said that he planned on a family room and a workshop. They will also put in the plumbing and maybe the washer. Dwayne Woodsome made the motion that the Board approve this as presented under Section 9.03 of the Zoning Ordinance. Charlot Lake seconded. Unanimously approved.

2. Albert Cassino: Property located on Map 32, Lot 18. This is a 75' x 100' lot. Mr. Cassino would like to put a full basement under his cottage. The Board asked about excavating. Mr. Cassino said that they would be excavating. The Board asked what they were going to be doing with the extra soil. Mr. Cassino said that if his neighbors did not want it the contractor would take it. The Board asked about his spreading it over his land. Mr. Cassino said that his lot was too small to spread it. The Board asked if he would be disturbing anything other than around the building. Mr. Cassino said that he would not. The Board told Mr. Cassino that if he gave the soil to his neighbor it would be the neighbors responsibility to handle it so it will not go into the lake. The Board also told him that anything within one hundred (100) feet of the lake would require permits from the DEP. The Board asked if they would be adding rooms to the basement. Mr. Cassino said they would be using it for storage. The Board

asked what the size of the cottage is. Mr. Cassino said that it was 24' x 30', and that it was 30' from the lake. This cottage sits in the middle of the lot. Mike Hammond made the motion that the Board approve this as presented under Section 9.03 of the Zoning Ordinance. Charlot Lake seconded, Unanimously approved.

3. Doug Ake: Property located on Map 32, Lot 47. This lot is 100' x 100'. Mr. Ake showed the Board a copy of his proposed deed and a contract for sale. The Board told Mr. Ake that this application would need approval from DEP before the Board can do anything. Mr. Ake asked if it would make any difference if he stayed 100' from the lake for septic system purposes. The Board told Mr. Ake where this lot was less than 20,000 square feet they did not know whether or not he could get sewerage on the lot or not. Mr. Ake asked about the grandfathered clause. The Board told him that did not concern the septic system. The Board told him the septic system has to be on a lot that is over 20,000 square feet unless approved by the DEP. The Board asked if there was a building on this lot. Mr. Ake told him no. The Board told him he would have to start with Human Services. The Board told Mr. Ake to see Van Foglio and obtain an application.

4. Hazen O'Clair: Property located on Map 14, Lot 40, Zoned AR. This lot is 72' x 600' (43,200 square feet). Mr. O'Clair would like to put a trailer on this lot. The Board asked if this would be a full time home. Mr. O'Clair said that it would be. The Board asked who owned this property before him. Mr. O'Clair told the Board that Starrett Pierce sold him the property, and that when he bought it, Mr. Pierce had told him he probably would not be able to build on it. The Board told Mr. O'Clair that he needed 80,000 square feet to build. The Board was concerned that this lot may have been created under violation of the Subdivision Laws. This could be an illegal lot, and the Board told Mr. O'Clair to get in touch with Mr. Pierce and also find out what kind of a deed he has from Mr. Pierce. The Board told Mr. O'Clair that as of 1977 lots should not be created of this size. Charlot Lake made the motion that this application be denied under Section 3.03 of the Zoning Ordinance. Mike Hammond seconded. Unanimously approved.

5. Brunetti's Restaurant: Mr. Ricker would like to put a 15' x 7' addition on this restaurant for his dishwasher. Roland Denby read the minutes from the previous meetings. A lengthy discussion followed regarding the previous meeting. Mr. Ricker asked what the Board had found out about the law. The Board said that it was discussed at the Special Meeting they attended the evening before, and that this law is in Title 12. This is a public law and is part of the shoreland zoning. Mr. Ricker has a non-conforming use which cannot be expanded upon. Mr. Ricker asked the Board if he obtained permission from the State if the Board would go along with it. The Board told him it would still be up to a vote of the Board. Mr. Ricker told the Board that his attorney has a copy of the law and that he would give him a call. Mr. Ricker then asked about the cellar under the restaurant where he currently has his wine, beer and soft drinks stored if he could put his dishwasher down there. The Board told him to put in an application for this specific application and that they would take a look at it. Dwayne Woodsome made the motion that the Board deny this application under Section 9.03 of the Zoning Ordinance. Larry Jacobsen seconded. Unanimously approved.

6. Leopold Nolette: Mr. Nolette told the Board that he had been before the Zoning Board of Appeals, and that they had denied him with reference to setback dimensions. Mr. Nolette asked if he could put a boardwalk from the house to the door of his garage. The Board told Mr. Nolette that he had told them that he wanted to put a breezeway. Mr. Nolette told the Board that he could not put in a breezeway the way it is. The way that he wanted it, (which was denied by the PB and ZBOA), he could

have put in a breezeway. He said that this way he could not because there was 36' in between the house and the garage. The Board told Mr. Nolette that the Board could not consider this as he has plenty of land, and if you have enough land to build on you have to comply with the setbacks. Mr. Nolette told the Board that he would sell the land. The Board told him that that would be an illegal sale.

7. Mr. Toothaker's application. Charlot Lake made the motion that the Board deny this application under Section 3 regarding retaining walls of the Public Laws of 1984, #5 under Structures. Charlot Lake read this to the Board. Dwayne Woodsome seconded. Unanimously approved.

8. On August 29, 1985 Roland Denby and Larry Jacobsen of the Planning Board, Mr. Bayer from the DEP, Van Foglio, and Ken Corthell from the ZBOA held an on-site inspection on Toothaker's lot and the Webber Road property.

9. On September 10, 1985 there was a meeting with the DEP and Attorney Lovell on the Great Pond Act. Roland Denby, Charlot Lake, Mike Hammond, Larry Jacobsen and Dwayne Woodsome attended from the Board.

10. Roland Denby also asked the Board members to contact the Secretary if they could not attend a meeting. At the August 22, 1985 meeting only two (2) members attended and a meeting could not be held without a quorum.

VI Adjournment.

This meeting adjourned at 10:26 p.m.

Respectfully submitted,



Michael L. Hammond
Secretary/Treasurer

Agenda for Sept. 26, 1985 meeting:

8:00 p.m. Rodney Chadbourne
8:15 p.m. Fred Bearham
8:30 p.m. Albert Dube
8:45 p.m. Bernadette Williams
9:00 p.m. Maxine Peightal
9:15 p.m. Stuart Gannett
9:30 p.m. Robert Gobeil
9:45 p.m. Donna Morrill
10:00 p.m. Joanne Kozkowski

