



TOWN OF WATERBORO
PLANNING BOARD

WATERBORO, MAINE

Regular Meeting of the Waterboro Planning Board

Meeting called to order at 7:30 p.m. February 27, 1986

- I Rollcall: Larry Jacobsen, Ernest Roberge and John Roberts in attendance. Roland Denby Chairman. John Roberts and Ernest Roberge were empowered to vote.
- II Corrections were requested of the minutes of the February 12, 1986 meeting. Corrected copies will be made.
- III Appointments:
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| 8:00 p.m. | Rev. Clyde W. Park |
| 8:15 p.m. | Thomas Contois |
| 8:30 p.m. | Earl Pennell - cancelled Forrest Merrill |
| 9:00 p.m. | Hazen O'Clair |
| 9:30 p.m. | Andrew Holmes |
| 9:45 p.m. | Rodney Chadbourne |
- IV Communications:
1. Communication from A. Solnit & Associates - Consultation Workshops regarding two books that are available - 'Job of the Commissioner' and 'Project Approval'. The Board acknowledges receipt of this.
 2. Notice from Maine Association of Planners regarding their Spring Workshop on 'Beaches and Sand Dunes'. The Board acknowledges receipt of this.
 3. Mr. Denby appointed Larry Jacobsen to contact the representative of York Cumberland Housing Development Corp., requesting that he come before the Board.
 4. Mr. Denby appointed John Roberts to look over Subdivision regulations regarding possible fee changes.
 5. Mr. Denby appointed Dwayne Woodsome to contact Carl Sellers and request that he come before the Board.
 6. Mr. Denby reported that Earl Pennell has given him more documents. The Board agreed that copies of these forms from Earl Pennell should be sent to Attorney Karen Lovell. Dwayne Woodsome arrived at this time.
 7. Amendment to the February 12, 1986 minutes regarding Donald and Jean Horton - Map 21, Lots 26b & 26c, Zoned V. Amended motion to read - John Roberts made the motion to approve provided Lots 26b & 26c stay together. Ernest Roberge seconded. Unanimously approved.

V New Business:

Rev. Clyde W. Park: Map 25, Lot 10, Zoned V
Rev. Park requested a variance to add 30' on the back of the Free Baptist Church building. This addition would bring them within 35' of the brook that runs between the church property and the Ray Smith property. The Board stated that 20' minimum sidelines were required. The Board requested a drawing of building placement on lot and proposed extension. The Board stated that Rev. Park may have to go to the Board of Appeals for a variance.

Thomas Contois: Map 20, Lot 23, Zoned V
Mr. Contois requested permission to open a Gun Shop on Ricker Lane in an existing 18'x36' building. The Gun Shop will be about 50' from Mr. Contois' house. The lot size is 73,083 sq. ft. Mr. Contois said that the shop would have no facilities and that a large parking lot already exists. He also said that for security there will be bars on the windows, an alarm system and a security light in back. John Roberts made the motion to approve under Subsection 3.04.02 - A 1. Seconded by Dwayne Woodsome. This motion was unanimously approved.

Forrest Merrill: Map 21, Lot 36a, Zoned V, grandfathered.
Mr. Merrill presented a letter to the Board from the Department of Human Services regarding his property on May Street, Waterboro. They suggest that Mr. Merrill should have a chamber disposal area installed instead of a bed system as this would require one half the square footage. Mike Hammond arrived at this point. The Board stated that if Mr. Merrill followed the recommendations of the State Department of Human Services the septic system would be adequate. John Roberts made the motion to approve under Section 2.08 provided the recommendations are adhered to. Seconded by Larry Jacobsen. Five (5) approved, one (1) abstained.

Hazen O'Clair: re - Starrett Pierce Property. Map 32, Lot 39a, Zoned AR.
The Board asked Mr. O'Clair to find out when the deeds he had submitted had been recorded also the date of purchase and return them to the Board. Mr. Denby said that he had researched all records and talked to the Selectmen regarding the Starrett Pierce property. The Selectmen suggested turning everything over to the Town Attorney. Mr. Denby has found that several of the property owners (Frank Allen, Lionel Sullivan, Ivory Libby and Arthur Capparello) deeds were not included. Mr. O'Clair said that the Attorney had searched back 40 years and that he believed these aforementioned owners purchased the land over 30 years ago. Mr. O'Clair said that Mr. Pierce had bought the land in 1945 or 1946. The Board asked Mr. O'Clair to get deeds with information back to Board as soon as possible. To speed up process of getting papers into the hands of the Attorney the Board suggested that Mr. O'Clair leaves copies of deeds with Board and phoned Mr. Denby with the asked for dates. Dwayne Woodsome made the motion to send all papers on Starrett Pierce property to Attorneys for evaluation. Ernest Roberge seconded. Unanimously approved.

Andrew Holmes: Map 8, Lots 34 & 35
Mr. Holmes presented blueprinted map to Board. He stated that he originally had 41 acres and has sold one lot size 2.01 acres and wishes to know if he can sell a second 2 acre lot. Mr. Holmes has lived on this property for six months. Mr. Holmes' Attorney told him to come before the Planning Board. The Board stated that Mr. Holmes needs to go before DEP because he has more than 20 acres. The Board stated that Mr. Holmes has

a subdivision. The Board suggests that Mr. Holmes wait 5 years before he sells another lot. Mr. Holmes said that he was told to get a signed testimony stating that he plans to live on property for 5 years. He has done this and it was witnessed by Van Foglio. The Board suggests that Mr. Holmes purchase a copy of subdivision regulations and read them. That he will need to submit a sketch plan to Planning Board, then a preliminary plan, then a final plan. Then make an appointment to come before the Board. The Board told Mr. Holmes to bring his deed and any other information he may have including a bigger plan if he has one.

Rodney Chadbourne: Subdivision - New England Log Homes of Maine Country Estates. 17.4 acres - 9 Lots. Mr. Chadbourne stated that original subdivision did not include Linda McKelvey's lot. The buyers Attorney recommended that Linda McKelvey's lot be included. Gary Holcombe arrived at this point. He is an interested buyer. The Board stated that there is an illegal subdivision if there are 3 lots already. Three parcels have already been deeded. Mr. Chadbourne believes that Mr. Goodrich owns title to road. The Caffyns are in the process of getting the rights to the road. The Board asked how wide the road was and Mr. Chadbourne said that it was a 12' gravel road. The Board asked if a right of way constituted a legal road. They also noted that lots 7,8 and 9 were landlocked lots. Mr. Chadbourne stated that he has the necessary 150' frontage for each lot. He proposed three driveways onto Webber Road. Mr. Chadbourne said that there was an oversight in deed to Caffyns that they didn't get the right of way. The deed reads 'up to the right of way'. The right of way will be acquired said Mr. Chadbourne also soil tests have been taken. The Board asked if road is a deeded right of way that goes to a public road. Mr. Chadbourne said that it was. The Board said that the road has to be brought up to standard. Mr. Chadbourne said that landlocked lots need to have 50' right of way to Webber Road. Mr. Chadbourne does not feel that the ordinance reads that he has to bring road up to Town standards, and that he is making a private right of way to be maintained privately. Mr. Denby proposes to put the plan before Southern Maine Regional to check road ordinance to see what type of road is needed. The Board suggests that the plan be submitted to our Attorney for a reading. The Board feels that unless these roads are originally created according to specifications there can be a problem. Mr. Chadbourne stated that there is a 30' greenbelt and that he is trying to keep the character of the area in the layout of the houses. Setback is 75'. Copies of soil tests were given to Board. The Board asked if any of the lots were within 250' of lake. Mr. Chadbourne said that pieces of lot 9 were. The Board stated that page 2 of the Land Subdivision Regulations must be met. Mr. Chadbourne asked if the Board would be willing to phase the subdivision. The Board said that because the back lots are landlocked it probably wouldn't work, but it will be considered.

- 1) check legality of initial parcel of land and make sure that the whole parcel is not part of an illegal subdivision.
- 2) clarify whether we need 50' wide roads which have to be up to Town standards.
- 3) Mr. Chadbourne wants to know if 50' private right of way is sufficient to service lots.
- 4) see if Road Standard Ordinance passed in 1984 applies. A determination based on traffic has to be made as to which of the four standards applies. Larry Jacobsen made the motion to bring the last four items recorded to the Attorney also any other problems which may arise. Mike Hammond seconded, unanimously approved.

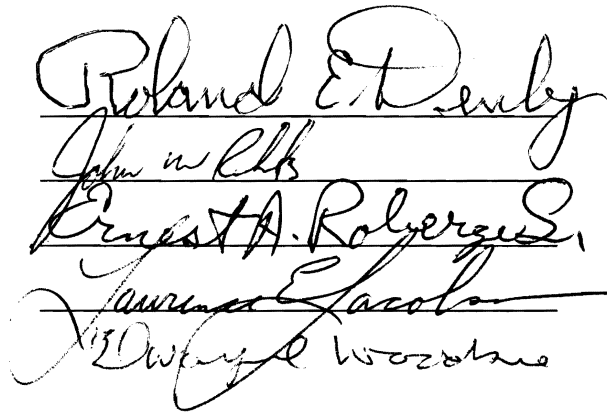
VI Adjournment:

Motion to adjourn made by Mike Hammond, seconded by Larry Jacobsen.
Unanimously approved. The meeting adjourned at 10:45 p.m.

Respectfully submitted,



Michael L. Hammond
Secretary/Treasurer



Agenda for March 12, 1986's meeting:

- 8:00 p.m. York Cumberland Housing
- 8:15 p.m. David Sheppard
- 8:45 p.m. William Gurrisi
- 9:00 p.m. Carl Sellers
- 9:30 p.m. Earl Pennell