

TOWN OF WATERBORO
PLANNING BOARD

WATERBORO, MAINE

Regular Meeting of the Planning Board

October 23, 1986

Meeting called to order at 7:40 p.m.

- I Rollcall: Roland Denby, Larry Jacobsen, Mike Hammond, Doug Foglio, Chairman and John Roberts, Alt. John Roberts was empowered to vote.
- II Minutes of the September 25, 1986 meeting were accepted as read.
- III Appointments:
- 8:00 p.m. Zoel Labrie
8:20 p.m. Garnsey Bros. R.E. Tom Hammond
8:30 p.m. Roland Gendron
8:45 p.m. Clinton Presby - CANCELLED
9:00 p.m. Bernadine Gerry
9:15 p.m. Mary Chase
9:30 p.m. Donald Nevers - DID NOT SHOW
9:45 p.m. Lesley Leighton - DID NOT SHOW
10:00 p.m. Robert R. Stukas
10:15 p.m. Dorothy Dugas
10:30 p.m. Paul Tebbetts
- IV Communications:
1. Applicant's Notice of Intent to file with Saco River - Marlene and Robert Belmore. Board acknowledges receipt of this.
 2. Letter from Smith & Elliott, P.A. re: Section 2.08 of the Zoning Ordinance and Planning Board responsibilities. Board acknowledges receipt of this letter.
 3. Letter to Ronald D. Bourque, Esq., from Karen Lovell, Att., re: Earl Pennell. Board acknowledges receipt of this letter.
 4. Letter to Karen B. Lovell from Ronald D. Bourque re: Earl Pennell. Board acknowledges receipt of this letter.
 5. June & August issues of Maine Enterprise Magazine. Board acknowledges receipt of these magazines.
 6. Letter from Karen Lovell re: her meeting with the Zoning Board of Appeals. The Board acknowledges receipt of this letter.
 7. Request from DEP to complete survey. Board acknowledges receipt of this survey request.
 8. s.m.r.p.c. newsletter - October 1986. The Board acknowledges receipt of this newsletter.
 9. Letter from U.S.M. - Conference to be held Nov. 20, 1986 at Sheraton Inn in Sth. Portland from 3-9 p.m. The Board acknowledges receipt of this letter.
 10. Maine Assn. of Planners - meeting Wed. Oct. 8 from 2-4 p.m. at the Augusta Civic Center. The Board acknowledges receipt of this.

11. Maine State Planning Office - Advisory Bulletin No. 4. The Board acknowledges receipt of this.
12. Invitation from U.S. Department of Housing and Urban Development to attend workshop to be held Thursday, October 23, 1986 from 9-12 at the Ramada Inn in Portland. The Board acknowledges receipt of this invitation.
13. Copy of letter sent to Dana Blackburn from Department of Human Services. The Board acknowledges receipt of this letter.
14. Letter from Asst. C.E.O. to Louis Bureau re: trailer on property. The Board acknowledges receipt of this letter.
15. Letter from C.E.O. to Cynthia L. Jerome re: foundation being improperly erected. The Board acknowledges receipt of this letter.

V Report of Treasurer:

Treasurer reported a balance of \$527.67 in checking account. Town Treasurer reports a balance of \$1,180.37 as of 9-30-86. Roland Denby reported that he had taken Howard Andersons lot plans to Selectmen for tax purposes, also that he has purchased film for camera.

At the meeting on Wednesday, October 22, with Selectmen, Planning Board and Zoning Board of Appeals members and Town Attorneys Karen Lovell and Roger Elliott, it would appear according to Town Counsel that the Planning Board have the right to review, make recommendation and then pass the applicants request on to the Zoning Board of Appeals. After some discussion on this matter, Roland Denby made the motion that as a Board we remove ourselves from this process. When grandfathered lots have a side line deficiency the applicant should be referred directly from the C.E.O. to the Zoning Board of Appeals. John Roberts seconded. Three (3) votes for and one (1) abstained.

Larry Jacobsen made the motion that we use the \$25. fee for Planning Board appointments towards cost of Z.B.O.A. hearing. If applicant decides not to go to Zoning Board, then the fee to be refunded. John Roberts seconded. Unanimously approved. Mike Hammond arrived at this point.

John Roberts made the motion that with Selectmen's approval, we have this decision checked by another Attorney, and have him or her inform us of his/her opinion. Roland Denby seconded. Unanimously approved. The Chairman of the Planning Board will take the responsibility of hiring another Law firm. John Roberts voting power removed at this point.

VI New Business:

Zoel Labrie: Map 28, Lot 48, Zoned AR

Mr. Labrie has changed his plans so that the proposed 26'x28' garage will conform to the legal side line setbacks, as it will be attached to the existing building. He wants to build a 4' addition next to the front entrance. Mike Hammond made the motion to approve under Sections 3.03 and 7.01 with the condition that the dimensions on plan be followed as per Zoning Ordinance. Dwayne Woodsome seconded. Unanimously approved.

Garnsey Bros. Real Estate - Tom Hammond:

Mr. Hammond requests permission to build a house 24'x40' on Saw Mill Lane, Map 20, Lot 18D, Zoned V.

A plan of proposed house showing front, side and rear setback and side line dimensions was given to Board. Mike Hammond made the motion to approve under Sections 2.08 and 3.03. Larry Jacobsen sec-

ended. Unanimously approved.

Roland Gendron: Map 41, Lot 27, Zoned AR 2 acres±

Mr. Gendron requests permission to build a house on his lot on Silas Brown Road. There is a cottage already in existence. Mr. Gendron wants to build a second house. Mr. Gendron's alternative to building a new house would be to expand his existing cottage and the Board is not empowered to approve this request.

Bernadine Gerry: Map 9, Lot 6, Map 48, Lot 16, Zoned AR

Final check list for Cathedral Pines Subdivision was satisfactorily checked off. The 25' green belt, easement for a turnaround and 30' right-of-way to water, as requested by the Board, were included in the Final Plan. The Board was satisfied with the Final Plan. John Roberts was empowered to vote and made the motion. that the Board accept Cathedral Pines as shown on Final Plan. Roland Denby seconded. Unanimously approved. Roland Denby will see that Final Plan is registered with the Registry of Deeds. Fee of \$100 received from Bernadine Gerry at this time.

Mary Chase: Map 33, Lot 17, Zoned AR grandfathered.

Mr. & Mrs. Chase want to winterize their camp and build a one room 30'x30' addition. The Board told them that their septic system would have to be brought up to State standards. The Board noted that lot line dimensions could be met. The Board told Mr. & Mrs. Chase that they must stay 100' from high water mark. The Board cannot give the Chase's permission to add on if they would be less than 100' from water and 20' from property line and 20' from abutters. The lot size is 38,000 sq. ft. ±. Mike Hammond made the motion to approve under sections 2.08, 3.03 and 7.01 with the conditions that the Chase's bring in an updated plan of their proposed addition, and have a State approved septic system. Roland Denby seconded. Unanimously approved.

Robert R. Stukas: Map 21, Lot 18, Zoned V.

Mr. Stukas showed Board plan of proposed Real Estate Office. Antique Shop on Rte 202 has been purchased and Mr. Stukas would like to jack it up and put a foundation underneath. This would be for one business only. The existing building is 20'x45' (900 sq. ft.) A water point well is in the corner of the building. The form HHE 200 that Mr. Stukas showed to the Board stated that this well is to be abandoned. Mr. Stukas needs State variance for water said the Board. A well setback release form, signed by neighbors was shown to the Board. Mr. Stukas said that there will be angled parking with eight spaces in front and one on the side. Lower floor will be an office and upstairs there will be a meeting room. Mr. Stukas needs a Conditional Use permit. Mr. Stukas will have one employee, a secretary, and there will be three independent contractors-salespersons. Mike Hammond made the motion to approve under sections 4.01 and 4.02 with the conditions that there be 10 parking spaces and a legal water system, Mr. Stukas may raise building and put a foundation underneath. Roland Denby and Dwayne Woodsome seconded. Unanimously approved.

Dorothy Dugas: Map 38, Lot 28, Zoned AR

Mrs. Dugas and contractor Conrad Belanger showed plans to the Board. The Board told them that the Selectmens Variance to use Town land for a septic system has been rescinded due to the fact that it was given for an original plan to square off existing house, raise it up and put in a cement foundation, and not build any closer to water. The lot is 70'x85'x130'x100' approx. The existing house is 20'x25'. The presented plan shows a 35'x34' house with porch.

Dugas - cont'd:


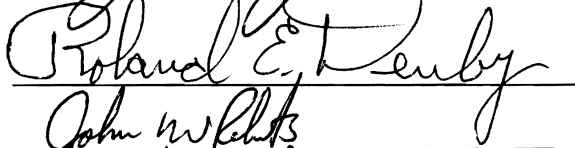
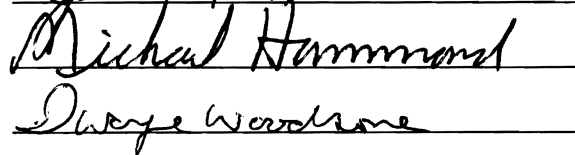
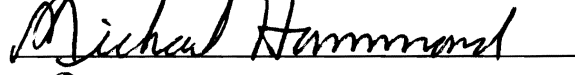
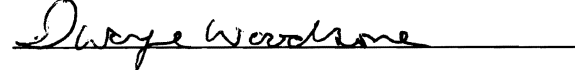
The Selectmen approved for original building not a 4 bedroom structure - This will have to be reviewed again. The HHE 200 is for a 3 bedroom house. No decision was made.

Paul Tebbetts: Map 47, Lot 149, Zoned AR, grandfathered.

Mr. Tebbetts requests permission to build a 12'x28' addition on cottage owned by Ed. Brower on Lake Sherburne. Mike Hammond made the motion to approve under sections 2.08 & 3.03 as per plan from Paul Tebbetts for Ed. Brower. Dwayne Woodsome seconded. Unanimously approved.

VII Adjournment: The motion to adjourn was made at 11:15 p.m.

Respectfully submitted,

Lawrence Jacobsen,
Secretary/Treasurer.

Agenda for November 12, 1986's meeting:

8:00 p.m. Peter C. Doyle
8:15 p.m. Ronald & Anna Warren
8:30 p.m. Robert D. Agan