

TOWN OF WATERBORO
PLANNING BOARD

WATERBORO, MAINE

Special Meeting of the Waterboro Planning Board Nov. 5, 1987

Meeting Called to Order at 7:47 P.M.

I Rollcall Roland Denby, Anna Jackson, Dwayne Woodsome, Larry Jacobsen, Mike Hammond. Anna Jackson was empowered to vote.

Old Business Discussed the on site inspection of Mr. Zappala's lot. The proposed addition of an RV Port when built would leave a 24 ft. sideline allowance. The adjacent lot is very high and this proposed addition would not be intrusive. Recommend that Mr. Zappala get a written release from his neighbor before any action taken by the board. Lot is grandfathered and because of this Mr. Zappala could go within 10 ft. of his line.

Crabtree Acres: C and F&A Zone Sandra Niles would like to buy last lot and split it into (3) lots. One to be kept by parents and the remaining land to be split between two daughters. Lot is 28 acres. Would they have to go through subdivision? Dependent upon restrictions. (1979 Subdivision) Would they need a release from everyone in the subdivision? Board suggested that Mr. Timmis seek a legal opinion.

IV Appointments 8:00 P.M. Westridge Commons Public Hearing Review. Mr. Hall has a receipt for sketch plan. Act on Public Hearing. Mr. Hall was bothered that he might have got off on the wrong foot. His intension is to someday turn this subdivision into condominiums. Set up for couples fundamentally. He was also concerned with the concerns of the neighbors. Has toyed with the idea of changing sketch plan to single family housing units to be designed with same cluster layout with possibly 19 units. If Condominiums who would maintain the buildings? Mr. Hall explained that there would be an association formed. There would be a monthly cost to the owner's. If payment not made the Assoc. would put a lien on the property and it could not be sold until the lien was taken off. Each owner of the Condo's would hold a 1/40 interest in the common land with the Assoc. to be the owner. The Assoc. would have the power under the law to establish reasonable rules and guidelines, such as noise,

pets, parties, change to structure etc. If these rules were reasonable they could handle such problems and the rules would be enforceable in a court of law. Mr. Hall will supply Board with a copy of By-Laws for attorney review. How would Mr. Hall protect himself from empty rents? A person would be hired (possibly a retired person) to look after the property. Did Mr. Hall intend to have an underground electrical service to the subdivision? Yes, if allowed by Central Maine Power. The location of the sewerage disposal to be in the center of the cluster. Upon completion of the project, if done well, the intent of Mr. Hall is that one side of the cluster would not be able to see the other. Mr. Hall's intent is to leave as much of the area untouched as possible. Utilizing the existant trees as much as possible. Why the positioning as close to sidelines? Mr. Hall's Engineer after inspecting the lot suggested that this was the best possible location because of the lie of the land. A community well or possibly individual well's would supply the water to development. Would know more after geological study. Mail boxes to be housed at the entrance of development a possibility, however, Mr. Hall has not yet checked with the Post Office as to regulations. Dumpsters as shown would need to have a screen of some sort. Usually dumpsters are an eyesore. Mr. Hall assured the Board that upon Final Plan Acceptance all of these foreseen problems would be well taken care of. Would buses go into development? Mr. Hall's intension is that the development remain private property with maintainence the responsibility of the owner of the cluster unit (himself or an association). Some Board members felt that an apartment complex would have less impact on the surrounding area than (19) individual housing units. Mr. Hall felt that the surrounding neighbors were speaking from the heart and not the head at the Public Hearing. It was generally stated that single family housing with three bedrooms would have more children than two bedroom rental units. The wildlife in the area was an expressed concern at the Hearing. Mr. Timmis had researched the information provided by Ms. Ferris and had found much of the information did not pertain to the area. He felt that leaving approximately 65 acres open for wildlife to be the most successful for this area. Mr. Timmis also stated that there were no minor tributaries. Taxes were discussed. Assessing of Condo's versus Single Family Houses. Mr. Hall felt that the value would be about the same for whichever way the land would be developed. Clarification of type of development this Proposal was. Cluster or Planned Unit Development. PUD required sideline setbacks to be 125 ft. whereas Cluster required 35 ft. setbacks. Board and Mr. Hall referred to Zoning pages 16, 39, 61 and 64. PUD usually housed store or office space as well as housing units. Cluster to have living space only. Would this unit have any influence on the surrounding homes taxes? Would it increase or decrease property valuation? Mr. Hall felt that it would not increase valuation . Usually a decrease to be reflected. This was a conditional permit and therefore should not make difference to surrounding land and home owners. Cluster

development on Pgs. 40, PUD 2nd paragraph was read also pg. 41 these references answered questions of any further future subdivision of remaining 65 acres. The Condo documents between owners and assoc. plus the town and developer had more than clarified and stipulated no further future subdivision of remaining 65 acres. Legal restrictions could not be placed on developer to never allow the rental units to become condo units. Traffic? A count on West Rd. from DOT definitely would help. A copy of document from the State concerning road would be provided by Oak Point Assoc. What was Mr. Hall's feeling on pets? Mr. Hall said not usual with rentals. Mr. Ron Woodard felt that the following things had not been brought up that were addressed at the Public Hearing: Road concerns, 40 two bedroom units would definitely produce more traffic than 19 three bedroom single housing units. Also felt that there would be less children from the 19 houses versus 40 rental units. People at the Public Hearing were not opposed to development but consideration should be taken to the surrounding area. Another person in attendance commented that the West Road should not be developed at all. Chairman asked why develop the lot on West Rd instead of the back of the lot on the New Rd. Mr. Hall had been instructed that the New Rd. was only 13 ft. wide and that he should not access any development to that road. Mr. Hall stated that if upgrading of the West Rd. became necessary because of development of his property he would be willing to pay his fair share. The entire West Rd. needs upgrading and Mr. Hall doubted that his development would be the cause of needing the upgrading. Mr. Hall had chosen to use a cluster with circular drive instead of a road because he felt it easier to maintain. The West Rd. is currently 18-20 ft. wide. There is plenty of room for widening of this road. Stone walls would have to be removed if the road upgraded because they fall within the easement. Some states require that the stone walls be moved instead of removed, however, Maine not one of those states.

Mr. Hall will have to seek DEP approval. Future Public Hearings would be scheduled at a later time. Board members made comments addressing the rentals versus single family housing. In favor as well as against. Mr. Hall went with three bedroom family units due to bank approval. Mr. Hall welcomed the board members and or any future neighbors to view his development on Blacksmith Road in Wells. Just be aware that the parcel of land had been stripped prior to Mr. Halls' having bought it. Mr. Hall was looking for some direction. His first plan submitted had carved the piece of property up with single housing units. His second a cluster leaving 65 acres undeveloped. Board members felt that within the next 10 years a small community would probably exist in Ross Corner. Oak Point Assoc. to send a copy of water quality erosion control to DEP.

V Adjournment Motion for adjournment was made at 10:00 P.M.

Respectfully submitted,

Lawrence Jacobsen
Secretary/Treasurer

Michael Herrmann
Richard E. Derby
Anna Jackson
