

PLANNING BOARD

Town of Waterboro

REGULAR MEETING

JANUARY 11, 1995

Meeting called to order by Chairman John Roberts at 7:17 p.m.

I ROLL CALL: Present were Roland Denby, Larry Jacobsen, Dwayne Woodsome,
Judi Carll, Cindy Allen and John Roberts, Chairman.

II MINUTES OF PREVIOUS MEETINGS: Roland Denby moved and Judi Carll seconded a motion to accept December 14, 1994 minutes. Vote was 3/0/2 in favor.

III COMMUNICATION AND BILLS:

1. Technical Reports (Check List for Ordering)
2. Letter Re: Smith Property on Ossipee Lake - Violation
3. Letter Re: Letter of Credit Deer Acres Renewal
4. Info from American Planning Assoc.
5. Letter from CEO Re: Setback Violation

IV REPORT OF OFFICERS:

V APPOINTMENTS:

7:15 PM GUY LITALIEN MAP 32 LOT 21 AR ZONE

7:30 PM SEBASTIAN AMABILE MAP 24 LOT 12 AR ZONE

7:15 p.m. Guy Litalien Map 32 Lot 61 Ossipee Lake

Mr. Litalien has a lot on Lake Ossipee near Brunetti's. An existing structure 10' x 25' is to be removed and Mr. Litalien is requesting permission to construct a 1 1/2 story 24' x 30' main building with an 8' x 30' front porch. A new septic design is on file that will be installed on a rear parcel for which Mr. Litalien has received an easement from an abutter.

It would appear that Mr. Litalien will have an open loft area measuring 10' x 24' which would add 240 sq. ft. onto the 960 sq.ft. for the first floor including the front porch. This totals 1,200 sq. ft. of area. The existing structure has 250 sq. ft. 30% of that would allow an addition 75 sq. ft. to be added under the 30% Rule.

John Roberts informed Mr. Litalien that the State of Maine has mandated a 30% rule on the Town which allows expansion up to 30% of all structures that fall within 100 feet of the normal high water mark of ponds, streams, lakes etc. Mr. Litalien explained that the

existing structure is not a dwelling. The lot is an old lot that has been in the family for years. Would the lot have any rights as a grandfathered lot?

The 30% Rule is for the lifetime of a structure and the Planning Board does not have the right to grant the request. Mr. Litalien could seek a variance through the Zoning Board of Appeals and the State. An application was given to Mr. Litalien.

Mr. Litalien explained that he would like to place a cottage on this lot that would be equal to his neighbors. The Board members explained that the rules and regulations were different when the neighbors constructed the cottages. A new structure would have to meet the 100 ft. minimum setback from the normal high watermark of Ossipee Lake. The lot does not show sufficient dimensions to allow the required setback. It was explained to Mr. Litalien that the Zoning Board of Appeals forwards a copy the request for variance to the State of Maine DEP.

Building Office to provide minimum living space for Mr. Litalien. Believed 400 sq. ft. minimum.

Cindy Allen moved and Roland Denby seconded a motion to deny the request of Guy Litalien under Section 7.01, Paragraph 2 A. and B. and that the \$25.00 Application Fee be applied to the Variance Fee. Vote was 5-0-0 in favor.

7:30 p.m. Sebastian Amabile Map 24 Lot 12 AR Zone

The Amabiles received approval last year for an addition to a pump house which totaled 56 sq. ft. The Amabile's would now like permission to add an 8' x 12' addition to an existing porch which would be an addition 96 sq. ft. of area. The cottage is 1 1/2 stories and measures 20' x 37' which would give them 1,256 sq. ft. of area times 30% allowing them for 376 sq. ft. of addition. The Amabiles have indicated that the addition will go no closer to the normal high water mark. If approved the total amount of expansion would equal 18.4% to date.

Members asked where the property line of the abutter is located. Mr. Amabile indicated that the abutters had actually constructed a portion of their cottage on his property and Mr. Amabile had to quit claim property to the abutter so the cottage is actually on the property line.

Judi Carll moved and Cindy Allen seconded a motion to approve the Amabiles Request under Section 7.01 Paragraph 2, B. 1. A. and C. Vote was 5-0-0 in favor.

VI OLD BUSINESS:

VII NEW BUSINESS:

Dwayne reviewed the proposed changes in the Subdivision Regulations with those present. All proposed changes have been underlined to assist the members in the review.

Under the Minor Subdivision John Roberts and Dwayne Woodsome suggested including something in the language that would allow the Planning Board to require if deemed necessary (a sensitive area) the right to request a full blown Hydro study. Dwayne Morin asked the Board's permission to have John Tewhey review the changes that dealt with water studies. The Board members felt that the request was valid. Dwayne will have John Tewhey review the proposed changes.

Landscaping plans within greenbelts was discussed with differing opinions as to the degree of cutting within greenbelts and the enforcement of cutting within the greenbelts.

VIII ADJOURNMENT:

A motion was made and seconded to adjourn at 8:42 p.m.

Respectfully submitted,

Dwayne Woodsome
Dwayne Woodsome
Secretary/Treasurer

John Roberts

James E. ...

Walter ...

Guthrie Allen

