

PLANNING BOARD

Town of Waterboro

REGULAR MEETING

JULY 27, 1995

Meeting called to order by Vice Chairman, Roland Denby at 7:21 p.m.

I ROLL CALL: Present were Everett Whitten, Judi Carll, Dwayne Woodsome and Roland Denby.

II MINUTES OF PREVIOUS MEETINGS:

III COMMUNICATION AND BILLS:

1. Quinlan Publishing Company
2. Letter to & from Smith Elliott Smith & Garmey, P.A
Re: Town Meeting Action
3. Letters from Verrill & Dana Re: Maine Cranberry Company
4. Letter from DEP Re: Peverill Violation
5. Letters from CEO Re: Shoreland Violations

IV REPORT OF OFFICERS AND COMMITTEES:

V APPOINTMENTS:

- 7:00 p.m. Steve Harlow Map 45 Lot 1357 R Zone
- 7:15 p.m. Ivory Libby Map 14 Lot 40H AR Zone
- 7:30 p.m. Jon Boutet Map 32 Lot 70 AR Zone
- 7:45 p.m. Everett Whitten Map 5 Lot 40T AR Zone

7:00 p.m. Steve Harlow Map 45 Lot 1357 R Zone

Mr. Harlow is requesting permission to enclose the underneath portion of a deck and an addition. Since the addition falls within 100 ft. of the normal high water mark of Lake Arrowhead Mr. Harlow has applied to S.R.C.C. for a permit and he falls under Section 7.01 of the Waterboro Zoning Ordinance 30% Rule.

Plans for the expansion were reviewed. Mr. Harlow indicated his plan to place a window instead of stairs. Mr. Harlow also plans to have a surveyor locate his property line to insure he maintains the 10 ft. side property line setback. Mr. Harlow's abutter is approximately 15 ft. from the side property line and further away from the water. Mr. Harlow indicated that to nearest point of neighbors deck is 28 ft.. Mr. Harlow's home was constructed in 1973.

Everett Whitten moved and Judi Carll seconded a motion to approve the property owners request, property owner to ascertain the location of lot line and go no closer than 10 ft. to the property line and no closer than 20 ft. to neighbors home under Sections 2.08, 3.03, 7.01 2. B. 1. a. & b. and as per Saco River Corridor Commission Permit utilizing soil & erosion control methods. Vote was 3-0-0 in favor.

7:15 p.m. Ivory Libby Map 14 Lot 40H AR Zone

Regina Libby and Warren Libby were before the Board to request permission to place a structure on a substandard lot. An HHE 200 Application is on file along with a deed for the property. A plot plan is on file indicating that setbacks of 75 ft. front 35 ft. side and rear can be maintained. Members of the Board thought that this lot had previously been before the Board and a septic system could not be designed for the lot. Dwayne Morin indicated that the State Plumbing Code changed as of May 1, 1995 allowing a septic design over a water table of 12 inches and prior to that date it was within 15 inches.

Everett Whitten moved and Dwayne Woodsome seconded a motion to approve as per plan presented under Section 2.08 meeting all setbacks. It was explained to the Libby's that a class D survey would be required once a slab had been placed to insure correct placement of the slab. Vote was 3-0-0 in favor.

7:30 p.m. Jon Boutet Map 32 Lot 70 AR Zone

Mr. Boutet is requesting permission to replace an existing deck and add an 8 ft. extension going no closer to the normal high water mark of Ossipee Lake. Board members present noted they could not grant permission for structures to go closer to the water. Open space under deck. Plans on using 4" x 4" pressure treated timber to be placed on existing concrete slab. Dwayne Morin indicated this was okay on lot coverage. Mr. Boutet informed the Board members that he has a full basement (open room) first floor and a loft. The expansion of the deck would be 5.4% with lot coverage 11.3%.

Judi Carll moved and Everett Whitten seconded a motion to approve under Section 2.08, 7.01 2. B. 1. a. as presented. Vote was 3-0-0 in favor.

7:45 p.m. Everett & Bonnie Whitten Map 5 Lot 40T AR Zone

Don Ford's gravel pit was closed by DEP in 1990 due to the proximity to a forested wetland and the fact that the extraction exceeded five acres. DEP entered into a consent agreement with Mr. Ford and the excavator. The old pit has been reclaimed and DEP is satisfied.

Everett and Bonnie now wish to continue the extraction by removing three knolls. The knolls would be removed and excavation would remain at existing ground level of that

around the knolls. Filter fabrics would be utilized near wet areas and they plan on utilizing Maine State D.O.T. Reclamation plan #657 which was also presented in a similar project off Silas Brown Road by Mr. Foley that has now been taken over by Foglio Excavation.

Hydrogeologic Study - Planning Board has the right to waive. The intent is to remove the three knolls without reaching water table. Would this constitute the need for a hydrogeologic study? All abutters were notified by certified mail of the meeting tonight. Planning Board felt a Public Hearing would be a good idea since other gravel projects had a public hearing. Everett Whitten indicated that the project is 1/4 of a mile through the woods. The site is not visible from the road or within view of existing houses. Precedent has been set by the board to hold public hearings. Dwayne Morin offered to video the site for the August 9, 1995 Planning Board meeting. Planning Board members to take a look at the site between now and next meeting.

Bonnie asked if other projects had to meet same criteria she was informed they were. Contractor has indicated the plans on taking 4 to 5 loads per day. The Whitten's have indicated the only reason for reopening the project is monetary need. Bonnie believed this to be a slow process over a long period of time.

Dwayne Woodsome moved and Judi Carll seconded a motion to hold an on site prior to the next meeting and a Public Hearing on August 9, 1995 at 7:00 p.m. Vote was 3-0-0 in favor.

Everett Whitten abstained from voting. The Whitten's have a license from DEP.

Dwayne Morin indicated that the Planning Board could work on lessening restrictions by possibly accepting state law for grave pits. If the Town has the same laws as the state the town could request permission to permit pits under 30 acres in size. The state has spent a lot of time and money on regulations and they are less restrictive than our performance standards in our ordinance.

VI OLD BUSINESS:

Foglio Extraction Project

The Planning Board approved this project contingent on the presentation of a new plan being drawn up and presented. This has been completed. Signs have been installed the road has been striped and the first 75 ft. of the road entrance into project has been paved.

Judi Carll moved and Everett Whitten seconded a motion to accept the new plan noted as Foglio Extraction plan, as previously requested at May 27, 1993 meeting. Vote was 4-0-0 in favor.

VII NEW BUSINESS:

VIII ADJOURNMENT:

Meeting adjourned at 8:42 p.m. :

Respectfully submitted,

Dwayne Woodsome
Secretary/Treasurer

Roland E. Dealy
Everett Whitta
Justin Carr

