

PLANNING BOARD

Town of Waterboro

Regular Meeting

October 26, 1995

Meeting was called to order by Chairman, Cindy Allen at 8:07 p.m.

- I ROLL CALL:** Present were Everett Whitten, Roland Denby, Dwayne Woodsome, Judi Carll, and Cindy Allen, Chairman.
- II MINUTES OF PREVIOUS MEETINGS:** September 28, 1995, October 11, 1995
Roland Denby moved and Everett Whitten seconded a motion to accept 9/28/95 with changes and 10/11/95 minutes . Vote was 4-0-0 in favor.

Roland had prepared the budget all members received a copy. Everett Whitten moved and Judi Carll seconded a motion to forward the budget to the Selectmen. Vote was 3-1-0 in favor of the motion. Dwayne Woodsome commented that the budget could go to the Finance Committee. This year the Selectmen have requested the budget requests.

II COMMUNICATION AND BILLS:

1. Letter from Dianne Holden, Town Clerk
2. Letter to Ralph Fralic Re: Setback Violation
3. Notice of Intent to File an Application from SRCC

IV REPORT OF OFFICERS:

V APPOINTMENTS:

Public Hearing 7:00 p.m. Piscataqua Cellular Map 14 Lot 43 F&A Zone
Public Hearing held and placed under Old Business

7:30 p.m. Robert Jones Map 4 Lot 29 AR Zone

7:45 p.m. Kirk Butterfield, Bill Speed Sketch Plan Map 13 Lot 17 F&A Zone

7:30 p.m. Robert Jones Map 4 Lot 29 AR Zone

Mr. Jones is requesting permission to have a junkyard on his property. Previous approval for this lot include permission to have farm equipment on the property. Mr. Jones would like to revise his Conditional Use Permit by adding a junkyard. Tim Nelson noted that since this would be a third use on the property (farm equipment, trailer storage, repair work on trucks) Site Plan Review would be required. Previous permit specified no storage. Trailers are parked on the property since they are not always on the road.

The trailers are not sold for on site storage. Mr. Jones changes motors and other part repair to maintain vehicles because of that he needs to store older trucks for use of the parts. He has been notified that he now has an illegal junkyard. Mr. Jones stated there are only two large junkyards for trucks that he knows of. He also stated that he keeps his property very neat and at one time held a license with the state for a junkyard.

Mr. Jones file was reviewed. Mound area requested 200 ft. from the road - a 6 ft. berm installed - 10 ft. and trees about 20 ft. in height. Mr. Jones stated the junkyard would be mostly for his own use. Board members asked if Mr. Jones would be crushing vehicles - he indicated no. He would haul them out whole. A cement pad is required for the area where the vehicle is dismantled the fluids would be stored in barrels and hauled off by a company dealing with these materials.

Dwayne Morin indicated to the Board that since this was a change of use this should go through Site Plan Review. A copy of the Site Plan Review Ordinance was given to Mr. Jones. The Conditional Use would follow as a part of the process. This would also allow for a Public Hearing and a Site Walk. Dwayne Morin and Tim Nelson could help Mr. Jones through the process.

Chairman, Cindy Allen expressed this could come back through the Board. An application fee is required. Mr. Jones doesn't care where on the property the junkyard would need to be located. A copy of the state law governing Junkyards was also provided. A concern that the Board would look at is the view from Strawmill Brook Road as well as from Route 202/4.

7:45 p.m. Kirk Butterfield, Bill Speed Sketch Plan Map 13 Lot 17 F&A Zone

Kirk Butterfield and Bill Speed were in attendance to present a five lot subdivision in a cluster type style. The lots would be about 2 acres in size with the remaining density to remain in a conservation area which includes a wetland area and would provide a buffer from abutters. DEP has been consulted on different ways to handle the conservation easement. Board members questioned location of driveways. Could they be common. The subdivision directly across the road has lots that maintain over 300 ft. of frontage. The Board could check this during a site walk. There has been discussion regarding the cemetery and possibly deeding it to the town.

Judi Carll asked why they had not presented five acre lots. Aesthetically this seems to be more appealing. The average density per lot would calculate to approximately 6 acres. One lot has already been sold from the original parcel. If they maintained the required acreage the lots would be very deep which would give the lots more of a spaghetti lot appearance.

Landowners would hold an easement like the Pace Landing subdivision and the Middle Road apartment complex. A home owner association is also a possibility.

A Site Walk was scheduled for Sunday Afternoon on November 5th, 1995 at 1:30 p.m. The Planning Board asked for the corners of the lot to be flagged.

Roland Denby moved and Everett Whitten seconded a motion to accept Sketch Plan. Vote was 4-0-0 in favor.

VI OLD BUSINESS:

1. Piscataqua Cellular Map 14 Lot 43 F&A Zone

Letter of notification of the Public Hearing were placed on file. A variance has been granted by the Zoning Board of Appeals for the entire parcel. Sideline setbacks would be met approximately 375 ft. from Michael Guest and approximately 620 ft. off Lewis Lane. It would be the Chadbourne Ridge Road setback of 514 ft. that could not be maintained. Approximately 192 ft. from the front lot line the land drops significantly. If they went to the knoll they would be about 300 ft. from Lewis Lane.

Because of the permissive nature of the language in 8.01 the Planning Board can deal with the request. It states : Whenever possible, the approval of a request to exceed the height limitations in a particular district should be compensated for by increasing the setback requirements from all lot lines by that distance which maintains the original height to setback relationship. It states should be not shall be. This allows the Planning Board discretion. Because of the configuration of the lot they cannot meet setback in its strictest interpretation. All criteria should be viewed together.

Visibility aspect - if the tower is pushed to the knoll it would be more visible and 40 ft. higher above the tree line. If the tower sits lower the trees will act as a buffer.

Trees to be cut within the compound are possibly 12 6 to 8 inches for the installation of the driveway and possibly a few in the area of the tower and station.

Road Issue - Letter from the Road Review Committee regarding the status of the road was placed on file. The road is currently a seasonal road. The Town doesn't maintain it.

Dwayne Woodsome moved and Everett Whitten seconded a motion to allow Piscataqua Cellular Telephone Corp. the proposal as presented dated July 20, 1995 under Sections 3.09 #44, 4.02, 4.03, 8.01 and as per the variance granted for height not to exceed 180 ft. dated August 29, 1995 to include antenna, wires, etc. Chadbourne Ridge to be re-graveled and graded from the turn-around to the entrance to the site approximately 600 ft., under the direction of the Road Commissioner and the Road Review Committee to insure the ditch line be functional from the site. This section of Chadbourne Ridge Road is currently seasonal. Parking area also be maintained suitable to the Road Commissioner and the Road Review Committee and not interfere with snowplow turnaround or Town Road. Tower transmission not to interfere with anything and monitored by F.C.C. Vote was 4-0-0 in favor.

On Site to be completed at Robert Jones property immediately following the on site at Thyng's Mill Road. Sharon to contact Mr. Jones.

VII NEW BUSINESS:

Dwayne Morin presented a suggestion from the Board of Selectmen regarding structures that have not met the required setbacks in each zone. South Portland has instituted , effective as of January

1996 a clause that allows all houses on the in place on the effective date to be declared okay as they set on lots. As part of this all new construction must present a copy of a mortgage survey verifying that setbacks have been maintained. The selectmen would like the Planning Board to consider presenting this for the Annual Town Meeting. Dwayne Morin will put something together for the meeting.

New regulations will have to be followed for Mr. Jones. A junkyard permit has not been issued by the Town of Waterboro for Mr. Jones.

Dwayne informed the Planning Board members that as of December 22, 1995 he would no longer be working for the Town of Waterboro. He has accepted a position as Town Manager for North Berwick, Maine.

VIII ADJOURNMENT: Meeting adjourned at 9:48 p.m.

Respectfully submitted,

Dwayne Woodsome
Dwayne Woodsome
Secretary/Treasurer

Cynthia Lallen
Robinson E. Tenby
Everett Whetten

