

PLANNING BOARD

Town of Waterboro

REGULAR MEETING

MAY 8, 1996

Meeting called to order by Chairman, Cindy Allen at 7:20 p.m.

An On Site was held at 6:30 p.m. for Townhouse Woods Subdivision presented by Kasprzak Landbank located on the Townhouse Road.

- I ROLLCALL:** Present were Larry Jacobsen, Roland Denby, Everett Whitten, Judi Carll, and Cindy Allen Chairman.
- II MINUTES OF PREVIOUS MEETINGS:** March 28, 1996, and April 10, 1996 and the minutes of March 13, 1996 were approved just need to be signed.
- III COMMUNICATION AND BILLS:**
 - 1. Minutes and Decision from the Zoning Board of Appeals
 - 2. Traffic Study from Sebago Technics on Townhouse Woods Subdivision
- IV REPORT OF OFFICERS:**
- V APPOINTMENTS:**
 - 6:30 p.m. Site Walk Townhouse Woods Subdivision
 - 7:30 p.m. Frank Foss Map 45 Lot 1470 R Zone
 - 7:45 p.m. Merrill's Store Site Plan Review
 - 8:00 p.m. Fernand Champagne Map 42 Lot A139 R Zone
 - 8:15 p.m. Frank Eukitis Map 32 Lot 71A AR Zone

7:30 p.m. Frank Foss Map 45 Lot 1470 R Zone

Mr. Foss is requesting permission to construct a home in Lake Arrowhead Subdivision. The home proposed is a 24' x 30' two story home. It appears that setbacks can be maintained.

Larry Jacobsen moved and Everett Whitten seconded a motion to grant the request and allow a 1 ½ ft. reduction in the sideline setbacks bordering lots 1469, 1474 and 1471 which would be a 33 ½ ft. sideline setback in place of the 35 ft. required, approval under section 2.08 and 4.02. Vote was 3-0-0 in favor.

7:45 p.m. Merrill's Store Site Plan Review

Mr. MacKenzie is proposing a 24' x 60' addition to Merrill's Store in North Waterboro. Mr. MacKenzie has presented a phase 1 to be a 24' x 30' addition, construction of phase 1 to start immediately, phase 2 unsure of time limit. The board considered granting permission for the entire proposal or it could grant approval for phase 1 and review phase 2 under Old Business when Mr. MacKenzie is ready.

Roland Denby moved and Everett Whitten seconded a motion to approve the site plan as presented under Section III C. of Site Plan Ordinance and all of Section II. Vote was 3 in favor none opposed and 1 abstention.

8:00 p.m. Fernand Champagne Map 42 Lot A139 R Zone

Mr. Champagne is proposing construction of a home in Lake Arrowhead Subdivision. All setbacks can be maintained since the lot has sufficient frontage to allow for setbacks. Property located on New Dam Road.

Roland Denby moved and Judi Carll seconded a motion to approve the request under Section 2.08 with setbacks requirements under Section 3.03 and 3.05 to be met. Vote was 4-0-0 in favor.

8:15 p.m. Frank Eukitis Map 32 Lot 71A AR Zone

Mr. Eukitis is requesting permission to place a new roof on an existing non-conforming structure which is located within 100 ft. of the normal high water mark of Ossipee Lake. This is basically a volume addition under the 30% expansion rule. Walt Wilson from Saco has worked with Mr. Eukitis on the design. A leak around an existing stone chimney is the main reason for the change in the pitch and design. Mr. & Mrs. Eukitis indicated that they are not adding any bedrooms. They basically have a very low pitch roof and it is unsafe since the leak has caused the floor to rot. As presented it would be a 55% increase in volume. After discussion on alternatives since the Planning Board cannot authorize expansion greater than 30%, Larry Jacobsen moved to allow Mr. Eukitis to come back under Old Business after he has gone back to his architect to make changes. Vote was 4-0-0 in favor.

VI OLD BUSINESS:

1. *Townhouse Woods Subdivision Site Walk*

An impact study is in the process - Steve Kasprzak indicated that they were checking for gravel packed wells and/or drilled wells prior to completion of the statement. A Public Hearing is scheduled for May 23, 1996 at 7:30 p.m.

Preliminary Plan has been submitted. It was explained that customarily Preliminary Plan is not reviewed until the Impact Statement has been reviewed and the Public Hearing is held since changes may be necessary. Larry Jacobsen indicated that he felt uncomfortable until he had gone on the site walk. Trees a concern. Steve Kasprzak has indicated no provisions made for common land. Larry indicated other subdivisions have been required to allow for up to ten percent of the development. Steve indicated he planned on placing a deed covenant for a fifty foot green belt along the road allowing five cuts for drives and utilities. There is very little growth other than pine.

Steve Kasprzak indicated he would prefer to address the dedication of land to the Town during Phase II of development. He indicated that a 125 ft. setback is proposed. Townhouse Road is a four rod road. The pine trees are within the right of way.

Roland Denby asked if the Buxton Road/Townhouse Road is an extension of the Ossipee Hill Road. Steve indicated his research had not gone that far.

2. *Maine Cranberry Site Walk Scheduled for May 15, 1996 at 6:30 p.m.*

Planning Board members to meet at the site. A contract from Woodard & Curran was presented by Tim Nelson as requested at a previous meeting. Tim indicated that this is a similar contract to the Town of Alfred's with this company. Judi Carll moved and Everett Whitten seconded the motion to approve the contract of Woodard & Curran. Vote was 4-0-0 in favor.

3. *Thyng's Mill Carpenter's Woods Subdivision Map 13 Lot 17 F & A Zone*

Bill Speed present representing the developer. It was his understanding from the Sketch Plan approval that the driveway placement was approved. Is the Sketch Plan approval still valid.

Also Kurt believed that it was discussed that the town would push the trees over and the developer would take care of them - there was no action taken only discussed. A bond could potentially held for years. Bill Speed indicated to those present that a development completed on the New Road required placement of driveways and now they are in poor shape. Some have washed out others have trees growing within the drive cut. If the lots are not marketed and built on within a reasonable amount of time the placement of the driveways is a waste. He believed that concerns were 1) to provide for a safe location and 2) that driveways be constructed to a specification to allow for proper site distance to be met. Bill Speed indicated that in theory it works to require the placement of the driveway at the time of the sale. Advice of attorney to set conditions of approval of the plan. Drives situated for proper site distance. Roland Denby noted that drives coming out of the low area appeared to be quite a project.

Bonds - letters of credit - road entrance at the discretion of the Road Commissioner - location and specification for construction under Section of the Road Ordinance.

The orchard area believed to be owned by the heirs of Chester Chadbourne. The developer would have interest by virtue the taxes being paid for several years probably a quiet title would be an option for the quarter of an acre. This area is included in the green space. To disclaim ownership the land would have to be taxed as unknown for twenty years before the town could take the land.

According to Maine State Law the Planning Board could ask the developer to comply with requests regardless of whose property is involved. Bill Speed asked if it was determined that there was no safety problem what would happen. A traffic engineer to take a look, cutting trees may not solve the problem. If speed is obeyed and people stayed in their own lane the problem would be minimized. The developer can't enforce the law. Bill indicated he appreciated Gary Rhoades concern. Roland Denby thought a traffic engineer was a good idea. This is a very emotional issue. Believed they could meet suggestion of the traffic engineer. Expert opinion believed to be the best option available at the time possibly to place the wording for the driveways on the plan. Board will wait for the report and go from there.

Dianne Holden indicated a meeting on May 22 for Shoreland Zoning was available to Planning Board members and Zoning Board of Appeals members. Class from 7:00 - 9:00 p.m. Larry Jacobsen, Dianne Holden, Everett Whitten, Roland Denby and Cindy Allen would be interested in going to this class.

Dianne Holden noted that after the hearing on Robert Jones before the Zoning Board of Appeals is was noted that maybe the Planning Board should have been present to explain the action taken by the board. It was very confusing.

Chris Vaniotis indicated to the Board members at the meeting held that the Waterboro Planning Board does a lot more than most other Planning Boards in surrounding communities. This was food for thought. Possibly the planning board to use Chris Vaniotis instead of Harry Center.

Tim Nelson noted to the Planning Board that there is information from the Town of Gorham regarding Robert Jones operation of business, injunctions etc. Would the board like Tim to gather the information.

Roland Denby moved and Larry Jacobsen seconded the motion to have Tim Nelson gather information available from the Town of Gorham. Vote was 4-0-0 in favor.

VII NEW BUSINESS:

VIII ADJOURNMENT: It was moved and seconded to adjourn at 9:35. Vote unanimous.

Respectfully submitted,

Dwayne Woodsome
Secretary/Treasurer







