

# **PLANNING BOARD**

## **Town of Waterboro**

### **REGULAR MEETING**

**MAY 23, 1996**

Meeting called to order by Chairman, Cynthia Allen at 8:20 P.M.

- I ROLL CALL:** Present were Judi Carll, Larry Jacobsen, Everett Whitten, Roland Denby, John Roberts and Chairman Cindy Allen.
- II MINUTES OF PREVIOUS MEETINGS:** April 10, 1996 April 25, 1996, and May 8, 1996
- III COMMUNICATION AND BILLS:**
  - 1. News from Natural Resources Council of Maine
  - 2. Notice of Intent to File from Saco River Corridor Commission
  - 3. Letters from Tim Nelson to Paulette Davis Re: Shoreland Violations
  - 4. Note from Abutter to Townhouse Woods Subdivision
  - 5. Minutes of Alfred Planning Board Meeting
- IV REPORT OF OFFICERS:**
- V APPOINTMENTS:** No appointments scheduled due to Public Hearings
- VI OLD BUSINESS:**
  - 1. Townhouse Woods Subdivision
  - 2. Maine Cranberry Company
  - 3. West Hill II Final Plan Submission
  - 4. Victor and Fred O'Clair Subdivision Preliminary Plan

### **Maine Cranberry Company Map 1 Lot 25 AR Zone**

The focus in Alfred is dealing directly with the performance standards. It was noted that generally, concerns with use of pesticide management Bob Cleaves noted that was being addressed. Abutters have raised concerns in both communities. If there are similar issues possibly both towns could share the information instead of asking for separate information for each town. Mr. Cleaves would check with Alfred since he would be meeting with them next week.

Bob Cleaves asked if the Board could give him an idea of time for approval. Mr. Cleaves noted a Public Hearing would be held in Alfred on May 28, 1996 he expected they would be speaking to standards in the ordinance. The record closes in Alfred after the second hearing. Mr. Cleaves hopes they are nearing the end. Mr. Cleaves indicated he is anxious with the time limit, he would like to close on financing by August 1, 1996. Most of the clearing and construction would take place in September and October.

Timing is crucial due to the fact that they cannot plant after June. If they miss the fall timeline the project may be at risk. He indicated his appreciation of the Board for expressing concerns and work towards approval in June.

Correct mailing address should be Maine Cranberry, 86 Highland Road, S. Portland, ME 04106.

When its appropriate address concerns with ordinance and other concerns, review of the project in Alfred is not complete. No pre-agenda. Believe that they are dealing with interpretation of their by-laws as to how the answers are given. Dan will be addressing those issues. Most of the cranberry beds are to be located in Alfred. The structures with the storage of fertilizers will be located in Waterboro. This would fall under hazardous waste review, believed most of the concerns have been addressed.

Sandcrossing road - improvements proposed would be minimal. Travel over the railroad bed? Judi Carll mentioned this since during the onsite inspection an abutter to this project indicated that he owned the a portion of the railroad bed. It was noted by board members that they were amazed that there was very little interest shown.

Concerns needing review by Dan Garson for Waterboro would be pesticides to be stored on site and control over the number and types of pesticides and the intake mechanism utilized for the protection of the stream that water would be drawn from.

Tim Nelson asked who would be inspecting the site during actual construction? The corp usually comes in during construction. The main concern would be the use of erosion and sedimentation control around the brook where the sediment could be a problem. Standards will be in place. Advice from Dan Garson would be to have a grading plan and an as built as a condition of the permit.

Also were there ways to minimize the consultant review? It was noted by Dan Garson that most reports are annual - the board could condition the approval that rather than submitting raw data the could request a narrative of the State and Federal report since they will be monitoring for the same results. Also require the applicant to provide state and federal compliance in a summary.

There will be a manager on site to manage the bogs. Fertilizer will be stored in a separate building from the office and living area. They have not worked everything out regarding the managers schedule. Chemicals stored on site - a list should be made available to the Fire Department. The chemical storage will also be reviewed by the State Fire Marshal's Office and they will build to BOCA building standards. This project falls under Site Plan Review due to the combined use of commercial and residential.

Mr. Cleaves noted that he is currently working with Mr. James Gerry on an additional 5 to 10 acres to help with the water quality. The more protection that can be provided to the site the better. The intake will be on Mr. Gerry's land and it was noted that a copy of an easement would be required for the file.

It was noted that Mr. & Mrs. Robert Jones should be notified that they would be required to pay for town counsel to attend the June 12, 1996 meeting as allowed under the Site Plan Review, Section III, B. when expert opinions are deemed necessary. The attorney will be present for expert opinion, assistance and guidance in interpretation of state and location regulations regarding this proposed site plan request. Sharon to notify Mr. & Mrs. Jones by letter.

#### **Victor and Fred O'Clair Subdivision Preliminary Plan Map 14 Lots 40N & 40P**

Tim has reviewed the plans presented and has found that the deeds reference different owners. It appears that two additional parties have died however the parties were divorced and there may be heirs that need to be included on the plan for signature. A common well is intended, note #4 on the plan might need to be changed to reflect this as well as a deeded easement for use between the lots for the common well. A new deed or verification of actual ownership to be presented for the files. Updates to the mylar may be required.

John Roberts moved to have Sharon write a letter to the O'Clairs that the five issues be addressed and corrections or additions be made to the plans. Preliminary and Final Plan acceptance can be requested under Old Business. Vote was 5-0-0 in favor.

Tim Nelson also explained that Paulette Davis has constructed a deck on an existing roof without permits. A new foundation at the rear of cottage was installed without permits or inspections, a patio is being worked on at the front of the cottage facing the lake. It appears that when they did the foundation work they went around the septic line. The area to the front of the patio facing the lake needs to be stabilized with junipers or like plants.

#### **Dianne Holden Town Planner/Selectmen's Assistant**

Dianne indicated the need to set up a meeting for the Zoning Board of Appeals and the Planning Board for a workshop possibly with Southern Maine Regional Planning Commission as suggested by the Board of Selectmen to see what services they provide. Date set for July 10, 1996 meeting.

It was noted by the board members that starting in September they need to dedicate more time for planning. Possibly to schedule one meeting every two months that would be set aside for that purpose.

Dianne noted that Dennis Abbott went to SMRPC and he noted that for they are reviewing subdivision plans for a couple of towns. They are assessing a fee to the towns, Dianne noted that fee could be passed on to the developer and asked if that was something the board would like to consider. John Robert noted no offense, but that is why there was a Town Planner hired. Dianne noted workload may be an issue and also noted that the suggestion was brought up by Dennis. The Executive Director of SMRPC worked as a planner previously.

John Roberts moved and Judi Carll seconded a motion to accept April 10, 1996 minutes. Vote was 4-0-0 in favor.

Is there a means provided for the containment of chemicals if a spill were to occur? Dan to review and forward comments to the board.

#### **West Hill II Final Plan Submission Map 6 Lot 29 AR/C ZONE**

Tim Nelson - Sharon and Owen McCullough have reviewed the plans submitted. Owen noted the areas changed or added. Notes 15, 16 and 17 with the minimum construction standards, addition of signature lines, addition of bulk and space as required by the Waterboro Zoning Ordinance. All seems to be in order.

John Roberts moved and Everett Whitten seconded a motion to approve Preliminary and Final plan of West Hill II Subdivision dated February 8, 1996 with last revision dated May 23, 1996 with the condition that no building permit be issued until the monumentation has been set and a letter from Sebago Technics verifying that monumentation has been set for lots under Article IV and Article VII of the Waterboro Subdivision Regulations. Vote was 5-0-0 in favor. The plans were signed by those in attendance and fees collected. Sharon to register the plans at the registry and the Janotta's to reimburse the town for the registry fees.

#### **Frank Eukitis Map 32 Lot 71A AR Zone**

Mr. & Mrs. Eukitis proposed a gambrel roof on an existing cottage which exceeded the board's authority at a previous meeting. They have a new proposal which is about ½% over the allowed 30% rule. The reason it is over is due to the building codes which required a specific width for hallways and ceiling height which requires placement of a dormer to maintain comply with the codes. As proposed approximately 2 ft. of an existing vintage fieldstone chimney will have to be removed. The proposal is dated May 23, 1996.

John Roberts moved and Judi Carll seconded a motion to approve the plan submitted by Mr. & Mrs. Eukitis dated 5/23/96 under section 2.08, 4.02 and 7.01 2.B.1.a. of the Waterboro Zoning Ordinance. Vote was 5-0-0 in favor. Plans submitted will meet all codes.

#### **VII NEW BUSINESS:**

##### **1. Tim Nelson, Code Enforcement Officer/Building Inspector/Plumbing Inspector**

Tim informed the Board members that this would be his last meeting with the Board since he has accepted a job as Code Enforcement Officer/Building Inspector/Plumbing Inspector/Electrical Inspector with the Town of Standish. He will be starting his new position on June 3, 1996.

He noted to those present that SAD #57 will be presenting a plan to locate additional mobile classrooms and a proposal for the installation of lights for the soccer field and football field. They have a scheduled meeting with the Zoning Board of Appeals on May 29, 1996 for a variance request. If three acres of non-vegetated area is present on a parcel this would fall under DEP review. Tim informed those present that they be aware of this regulation.

Cindy Allen asked for clarification of the Site Plan acceptance of Merrill's County Store. She believed they approved the entire project however the minutes were not clear.

**VIII ADJOURNMENT:** Motion to adjourn at 10:01 p.m.

Respectfully submitted,

Dwayne Woodsome  
Secretary/Treasurer

Cynthia Allen  
Lawrence E. Jacobs  
Rolando E. Deery

Everett Whitten

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