

PLANNING BOARD

Town of Waterboro

REGULAR MEETING

JULY 10, 1996

Meeting was called to order by Vice Chairman, Roland Denby at 7:40 p.m.

- I ROLL CALL:** Present were Larry Jacobsen, Everett Whitten, Judi Carll, Douglas Foglio and Roland Denby, Vice Chairman from the Planning Board. Others present were Selectman, Dale Witman and Dave Kruegar from the Zoning Board of Appeals.
- II MINUTES OR PREVIOUS MEETINGS:** June 12, 1996 and June 27, 1996 minutes.
- III COMMUNICATION AND BILLS:**
- IV REPORT OF OFFICERS:**
- V APPOINTMENTS:**

7:30 p.m. Southern Maine Regional Planning Commission (SMRPC)

Present from SMRPC were Dan Fleichman and Paul Schumacher, Executive Director. They explained that they can assist the towns within their region with planning issues, writing of grants, assistance with technical reviews of site plans, subdivisions. They have scheduled appointments with one community and reviewed all projects until the board felt comfortable with their expertise.

Dan indicated that Dianne and Sharon had noted an interest in grant writing and possibly checklist development. Dan indicated that he is familiar with zoning issues and the general area. The regional commission as an organization is made up of towns that created the commission. They are present to do what is asked of them by the towns. Towns in York County formed the organization. Besides planning they run a cooperative purchasing program for road salt, culverts, copy paper and have bulk purchasing power. Waterboro has not been involved in the past few years. The town pays \$1,000 to the county for the services of the commission. Most towns would save three times that amount if they participated in the co-op. Legal issues? Dan indicated that Attorney Madge Baker left a few years ago and has not been replaced. They do have attorneys that can be called if necessary.

SMRPC can assist with the deciphering of zoning laws to help towns straighten inconsistencies. They can render assistance with reviewing plans to see if they meet the standards. Whatever range of services the towns need. Fees? On something they can answer generally it would be covered by their funding. If they were to re-write ordinances there would be a cost incurred. Roland Denby indicated that the financial portion would be up to the selectmen unless for subdivisions or site plans the money would come by means of the selectmen. In some areas the state funding allows for certain tasks without a fee for example, shoreland zoning, code enforcement training, subdivision review, flood plain management, mobile home park laws. Technical assistance for instance if the board needs help on review to comply with shoreland zoning this could be covered under the state funding.

A re-write of the ordinance or to be at planning board meetings would not be covered. There is no clear cut line as to when a charge would be incurred. Paul is the executive director and is full time with three other people SMRPC has an office manager/bookkeeper.

SMRPC assists towns that don't need a full time planner but still need the assistance from time to time at a reasonable rate. If the board had a more specific description of services needed they could look at it and give an estimate. The town of Lyman recently wanted some assistance some area were covered and some there was a fee incurred to the town.

There was interest expressed in holding a workshop for zoning board of appeals and planning boards these areas would fall under the general scope of funding. They generally are held at Massabesic High School and would be open to towns within the region to make it more cost effective.

One area of concern noted was that in the coming change in the site location law. This would be a new responsibility of local planning boards. Currently five or more lots of 20 or more acres goes to DEP for review as well as 3 or more acres of unvegetated area on a lot. Total de-regulation is planned for the year 2003. It was noted that this is to be the first step in a phase out for towns having over 2500 population and have capacity for review. DEP will still be present on a request basis for technical assistance.

Paul and Dan indicated that they have written both state and federal grants. They also try to provide service for private foundation grants.

It was asked of Paul and Dan if they had copies of model site plan reviews. They indicated they had models of zoning and subdivision and zoning provisions. They did indicate that they have a zoning ordinance with performance standards. Doug Foglio indicated concern with existing site plan review ordinance and conditional uses.

Town Planner - It was indicated that a decision to hire Pat Sicard, a past member of the Finance Committee has been made by the selectmen. It will be September 1, 1996 before she will be on board however Dianne will serve until that time.

It was noted that the board is currently dealing with multi-level - three or four minor/major subdivisions with no proposed roads.

It was noted that hydrogeologic studies were big - now working with DEP and others it is being found that there is not as much impact as they thought years ago.

Statute - states certain information to justify findings. Information needed justification by the ordinance. Douglas noted that section 2.08 allows authority on grandfathered lots to the Planning Board. Difficult for laymen with attorneys involved. That is why SMRPC was founded. Waterboro's ordinance was reviewed by the attorneys and with six months the same firm was shooting holes it. Area businesses have noted that the town isn't doing much for the business people possibly grants could be looked at.

The zoning ordinance was meant to protect your neighbors. You can raise agriculture products however they cannot be sold unless the property is located on a state aid road. These are the discrepancies that should be taken care of. Flood plain definition needs to take place. An example was given by Mr. Foglio of expense that was incurred by property owner to prove the elevation prior to the issuance of permits. It was noted that they had to go five miles to find the nearest USCS elevation mark.

Paul and Dan indicated that possibly a letter to FEMA could help Waterboro with floodplain management since it is difficult to administer and presented inequities to the property owners because of the lack of detailed flood elevations particularly around Little Ossipee Pond.

If the board has specific areas they need assistance with SMRPC would give an estimate on the process. Between Dan and Paul they would feel comfortable that they could assist the Town of Waterboro with interpretations. An informational notebook was presented for the town by SMRPC.

VI OLD BUSINESS:

1. Dennis Babb

Mr. Babb has presented a new plot plan for location of an above ground swimming pool. The pool would still meet the setback granted by the board but since it was different than the board approved Sharon is asking the board to confirm the location.

Doug Foglio moved and Judi Carll seconded a motion to allow Dennis Babb to place the pool as long as it is no closer to the property lines than previously approved. Vote was 4-0-0 in favor.

1. Wayne Gautreau

Steve Lambert who is the acting building officer until a person is hired to fill that position felt that the board could have had the applicant locate the shed closer to the driveway. Mr. Gautreau has indicated that to do so would mean the removal of approximately four trees on the property. This would also be a concern since the entire lot is within 100 ft. of Ossipee Lake.

Larry Jacobsen moved and Everett Whitten seconded a motion to re-affirm the approval granted Mr. Gautreau at the June 27, 1996 meeting. Vote was 4-0-0 in favor.

1. Brunnetti's Restaurant

Sharon explained that the Code Enforcement Office has received several inquiries since the approval granted by the board for Brunnetti's Restaurant. Some of the proposals do not fit the exact criteria set forth in the Planning Board's approval. Would the board be able to act on other proposals presented. The board would be allowed to review different proposals. They only acted on the one presented.

VII NEW BUSINESS:

VIII ADJOURNMENT: The meeting was adjourned at 9:55 p.m.

Respectfully submitted,

Dwayne Woodsome
Secretary/Treasurer

Richard E. Levy
Ernest Whitten

Richard E. Levy
Ernest Whitten