

PLANNING BOARD

Town of Waterboro

REGULAR MEETING

May 14, 1997

Meeting called to order by John Roberts, Vice Chairman at 8:15 p.m.

- I **ROLL CALL:** Present were Roland Denby, Larry Jacobsen, Judi Carll and Vice Chairman, John Roberts.
- II **MINUTES OF PREVIOUS MEETINGS:** April 24, 1997
- III **COMMUNICATION AND BILLS:**
 - 1. **Letter from Dianne Holden Re: TOWN PLANNER Maine's Community Calendar of Scarborough**
- IV **REPORT OF OFFICERS:**
- V **APPOINTMENTS:**

7:30 Map 13 Lot 59 -1 AR Zone Genest Concrete Public Hearing

John Roberts indicated to the Beaubien's that the Planning Board cannot act on requests in a Public Hearing and noted if they wanted to stay the Project will be taken up on the regular agenda. The applicant is requesting a Conditional Use Permit for Expansion of Existing Sand & Gravel Borrow Pit .

Roland Denby noted the rights and easements on the deed presented to the board by Mr. Genest.

The DEP Permit requires a 100 ft. setback from the wetland to buffer and also requires a sedimentation pond.

There is no current plan of action as to the location where the project of extraction will start. Just an overall plan for the entire project. DEP permit is to dig to the sedimentation plan and show financial capability.

Saco River Corridor Commission Permit? Mr. Genest attended the meeting and received the verbal permit however he has not received a written permit. The permit is believed to be for a period of 10 years. Currently the Executive Director is out of town. DEP will be inspecting the parcel for open area, size and reclamation.

John Roberts referred to the letter from Southern Maine Regional Planning Commission who reviewed the project for the Planning Board. General consensus was that the project fit within the Comprehensive Plan guidelines. Screening both sides of the new entrance road was discussed or the possibility of placing the screening at the property line nearest the Hansons to help screen the dust. The location of the trees to be planted should not block visibility for trucks pulling out onto Route 5.

A note was made regarding the status of the old access road and the need to close is off so no one can use it.

Larry Jacobsen moved and Roland Denby seconded the motion that the developer plant a landscape buffer between the new access road and the property line abutting the Hanson property back to the existing tree line. Vote was 3-0-0 in favor of the motion.

Buffers to wetlands were addressed in the permits from S.R.C.C. and D.E.P. Sharon Abbott asked about environmental issues with wildlife. A previous developer had indicated deer yards. Wouldn't this be a concern? John Roberts noted that the area was small and the board had no control. The parcel is approximately 71 acres and 36.4 acres was planned for this project with a five acre area opened at one time.

Roland Denby moved and Judi Carll seconded a motion to issue a Conditional Use Permit to Genest Concrete Works Partnership to expand a borrow pit and that all requirements placed by D.E.P. and S.R.C.C. be complied with, that the plan include the standard note used by the board linking the paperwork on file with the approval, that the banks downgrade to a minimum pitch and loam and seed and utilize drainage swales and silt fence be used, all environmental measures be complied with, noise, dust, erosion control also the documentation of withdrawal of the four lot subdivision is executed and recorded and comes before the board for signature prior to the issuance of the Conditional Use Permit for the Extraction Expansion.

Discussion: Would the property be gated? None planned but if a problem starts the developer would consider gating an option however the people having access would be notified and provided with a key if necessary.

Working the pit on the weekend? Mr. Genest indicated that they do not operate past 3:30 p.m.

Survey of the property completed? A copy of the financial capacity should be forwarded for the records.

8:00 Map 33 Lot 43 AR Zone Richard Massucco

The applicant is requesting permission to raise the existing cottage sill 2 ft. 3 inches to add a foundation under the remaining portion of the cottage. Sharon indicated that the only concern that Ralph Stanley noted was the elevation of the sill and Mr. Massucco had returned with 2 ft. 3 inches above existing elevation when finished.

Judi Carll moved and Roland Denby seconded the motion to approve the Massucco's to raise the sill by 2 ft. 3 inches to allow for a new foundation under Section 7.02 2.B.1.B. and the owner utilize sedimentation control measures during construction. Vote was 3-0-0 in favor of the motion.

A caution or recommendation - applicant have a fixed bench mark prior to the commencement of the project. Mr. Massucco indicated that there is a partial foundation which will remain and is a fixed mark.

8:30 Map 47 Lot AR Zone Charles Harris

Since Mr. Harris is not here the Board moved the Carpenters Woods project ahead of this appointment.

VI OLD BUSINESS:

1. Carpenter Woods Subdivision

Judi Carll asked about a public hearing? John Roberts noted this should not be necessary since a previous hearing had been held for a five lot subdivision. Project has been scaled back since then to three lots.

Present were Bill Speed, Curt Butterfield and Attorney Rick Hull. Copies of plans showing drainage swale - topography - and layout information was provided and placed on file.

Judi Carll moved and Roland Denby seconded a motion to approve a scale of 1" - 100'. Vote was 3-0-0 in favor of the motion.

Preliminary Plan Checklist reviewed. Logs presented for all test pits. Deed in the application packet.

Check Historical Society - Fencing as previously noted at prior meetings.

Bill Speed provided the board with a copy of the plan showing the road layout from Surveyor Jeff Ross noting a three rod road.

Rural delivery - Judi Carll noted that the area now has rural delivery.

Hydro Impact Statement presented and placed on file. John Tewhey & Associates for an independent review given approval by the developers. Sharon noted she would forward the information to Mr. Tewhey by the end of the week. If any revisions were required to the plans contact Bill Speed.

Larry Jacobsen moved and Roland Denby seconded a motion to accept the Preliminary Plan of Carpenters Woods Subdivision. Vote was 3-0-0 in favor of the motion.

It was noted that signature lines for the owners and the Planning Board members would need to be added to the Final Plan.

8:30 Map 47 Lot AR Zone Charles Harris

Mr. Harris is requesting permission to square off an existing structure that falls within 100 ft. of Lake Sherburne by adding a deck. Mr. Harris is unable to attend any of the Board meetings and has asked if the board can act on his request in his absence. Concerns of the board were the age of the structure and the addition going closer to the water.

Larry Jacobsen moved and Judi Carll seconded the motion to approve the proposed deck provided that it go no closer than the existing building and that it meet the appropriate sideline setback for the age of construction for original building under Section 7.02 2.B.1.A. Vote was 3-0-0 in favor of the motion.

Other items needing attention under Old Business were:

The Milk Room

The board tabled action on a Findings of Fact that Christopher Vaniotis had forwarded to the board for consideration. Mr. Stanley had indicated to Sharon Abbott that he was waiting for a decision from the board on this matter prior to him issuing a permit for a sign for the project.

The file was reviewed and John Roberts noted that Christopher Vaniotis had noted items in his letter to the board on page 2 item #2 and he did not feel that the board's action was any different and did not need to utilize the Findings of Fact that was forwarded at a later time.

Roland Denby moved and Judi Carll seconded the motion to approve April 24, 1997 minutes as read. Vote was 3-0-0 in favor of the motion.

Pat Sicard informed the board members that the court has ruled on a portion of the case of Simamonak vs. Venduro Foglio, Lawrence Morrill and Kerry Perkins by dismissing it.

Pat also noted that she is currently working on a Risk Management Plan. She also asked for input from the board to work on identifying a long range plan that would help future businesses who would benefit from some of the grants available. Pat asked for two volunteer to help identify perspective area. Business - Community Development Grants etc. There are also private foundations that assist municipalities.

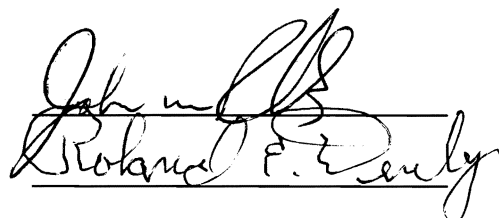
The board members asked if there was any talk about hiring a Town Planner? Pat Sicard indicated that she would be handling everything but land use planning.

VII NEW BUSINESS: Paper Streets - It was noted that if no applicants for the meeting that the May 22, 1997 meeting be a workshop for Paper Streets. Sharon will contact SMRPC for more information on this issue for the workshop. Meeting to start at 7:30 p.m.

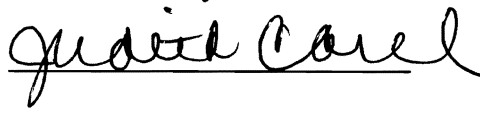
VIII ADJOURNMENT: Meeting adjourned at 10:00 p.m.

Respectfully submitted,

Dwayne Woodsome
Secretary/Treasurer



Handwritten signature of Roland F. Denby, with a horizontal line underneath.



Handwritten signature of Judi Carll, with a horizontal line underneath.