

PLANNING BOARD

Town of Waterboro

MEETING MINUTES

APRIL 8, 1998

I ROLL CALL

Chairman, Doug Foglio calls the meeting to order at 7:40. Attending from the Planning Board are: Duane Fay, Roland Denby, Everett Whitten, John Roberts.

II APPOINTMENTS

Jefferson Orcutt Conditional use application Map 45 Lot 1335. Mr. Orcutt is requesting a 10' conditional use from the side setback line to enlarge his house towards the North side to stay within the Saco River Corridor Commission's requirement to be no closer than 80' to the shoreline. John Roberts made the motion to grant a conditional use 20' towards lot 1336 with the requirement that the building be laid out by a surveyor before and after building to guarantee it meets with the Saco River Corridor Commission's 80' setback from the shoreline. Everett Whitten seconds. Motion carries with a unanimous vote in favor. Jefferson will have to get an amended permit from Rob Baker.

III MINUTES OF PREVIOUS MEETINGS

The minutes of February 26 regular meeting are reviewed. Roland Denby made the motion to accept the minutes as written. Everett Whitten seconds. Motion carries with a unanimous vote in favor. The minutes are signed.

IV COMMUNICATIONS AND BILLS

1. Memo from the Board of Selectmen regarding a meeting with the Planning Board set up for April 14th at 7:30. Dwayne Woodsome and Roland Denby will attend that meeting with the Selectmen to discuss the Planning Board secretary.
2. Letter from Karen Lovell regarding her meeting with Rob Baker is discussed. Rob discussed with Karen section 9.04 of the ordinance dealing with abandonment. It was interpreted that this does not apply to residences, only to uses being abandoned.
3. Memo from Southern Maine Regional Planning is discussed. Doug wants to know what we should do about it. It is his opinion that we drop them a note back and state that when something is submitted to us for an application for Shop N Save that we will let them review it. We may need their assistance so should not just ignore their memo. John Roberts states that we can charge the developer with the fees incurred for reviewing plans.
4. Notice of pre-application meeting with Hannaford Brothers to DEP for a traffic study. Doug and Everett would like to go to this meeting. Patti will post a notice that members of the Planning Board will be attending this meeting.

V REPORT OF OFFICERS

VI OLD BUSINESS

1. The revised set of plans for the Welch property subdivision are compared to the first set and reviewed for the requested changes to the title block. The plans look good and are signed.
2. Doug explains the Shop N Save issue to the visitor to this meeting, Katie from Thyngs Mills Road. Doug explains that no permits have been applied for yet.

V NEW BUSINESS

1. There are plans in the attic that the alarm security people told Patti were a fire hazard. Doug will help Patti sort them out and decide what else to do with the plans.
2. Doug would like to meet with Karen to go over some issues: 1. The letter from Chris Vaniotis and his interpretation of landlocked lots and frontage requirements. Section 2.06 of the Zoning Ordinance. It should be worded instead of "landlocked" it should say lots with no road frontage or roads with frontage by right of way only. 2. The proposed cluster development on Route 117 should be reviewed by Karen. 3. Conforming lots with non conforming structures. Duane Fay will go with Doug if he can. Patti will arrange a meeting with Karen.

At this time Duane Fay made the motion to continue this meeting next week on Thursday, April 16th at 7:30 to 9:00 to review the zoning ordinance.

April 16 Continuation.

I ROLL CALL

Chairman Doug Foglio call the meeting back to order at 7:45. Attending from the Planning Board are: Dwayne Woodsome, Roland Denby, Duane Fay, Everett Whitten. Doug Foglio states that this continuation was called to go over zoning changes and to go over the events from last week.

VI OLD BUSINESS

1. Chairman Foglio reports on his visit to the town attorney. Karen reviewed the proposed Dixon cluster development on Map 17 Lot 17. Her legal opinion is that this has tremendous problems. How to provide services to the development. It is 10-12 miles from any fire stations. This proposal is to go into a private road off Route 117 into the subdivision from the Limington town line. This creates problems. Any roads into a subdivision over 900' from a public road have to get a waiver. The school buses getting there would be a problem. The private road is not up to town specs. Karen will send the Planning Board a letter stating her concerns that there is not access and can't provide services. The second issue discussed with Karen was landlocked lots and frontage requirements and the letter from Chris Vaniotis. We want to say that landlocked lots need no frontage. Karen said we need to reword the meaning of landlocked. Doug states that we need to say for a single residence only doesn't need frontage and if the lot is split then will have to provide frontage. It also states that frontage has to be public or private road or waterbody, it should say "lake" or something more definitive than waterbody.
2. A third set of plans for the Welch property were submitted for Planning Board signature. The change in this set of plans is the statement that monuments have been set. On the prior set of plans it states that monuments are to be set. Plans are compared, reviewed and signed.
3. Doug informs Don Day who is present that the road crew found an old cemetery on Ross Corner Road on the left side going North to South 30-40 feet beyond the driveway of the log cabin on Hendersen Hill. Don will talk with Al Hutchinson and see that it gets added to his list if it is not already on it. Doug would like to make sure that Don gets a copy of the cemeteries on Clark's Bridge Carpenter Woods Subdivision and the cemetery on the Webber Farm property.
4. Doug reports on the pre-application meeting that he and Everett Whitten attended on April 15th for Hannaford Brothers to DEP. It was a road entrance permit hearing. We will get the minutes of this meeting mailed to us. Everett states that the DEP's and DOT's biggest concern was the left turns into Woodsome's and proposed entrance to Shop N Save and the left turns into JD's Package Store and the proposed entrance to Shop N Save. Doug informed the board

members that with the permission of Dennis Abbott, Doug invited Walt Stinson to attend this pre-application meeting with him and Everett. Dwayne Woodsome made the motion to approve the Chairman to invite an engineer or an attorney to attend meetings with him in the next month along with up to two members of the Planning Board if possible, that it is up to his discretion. Duane Fay seconds. Motion carries with a unanimous vote in favor. Doug states that the meeting was informational only. It was a pre-application traffic study. They were looking at what areas may be affected. Duane Fay asks what is the next step? Doug says that Hannaford Brothers will be told what they need for information to make a complete application, and what studies need to be done.

5. Dwayne Woodsome reports on his and Roland Denby's meeting with the Selectmen about the secretary. They weren't very clear on what they would or would not do but Dwayne told the Selectmen what the Planning Board wanted. The Selectmen will inform the Planning Board when the interviews are and will invite the Chairman of the Planning Board to participate in the interviews.
6. Laurie Pace from Thyngs Mills Road, who is present, questions how big businesses can come into town and how can we prevent a Walmart from coming in. Doug explains that there are various businesses in Waterboro, about 135 small businesses not including home businesses. If you go into the Zoning Ordinance and look at the different zoning districts and what is permitted uses and conditional uses one would see that this was designed to allow for businesses in certain zones. Laurie asks if we could change the zoning to stop the bigger stores from coming in. Doug says yes but doesn't know if it would hold up in court; that remains to be seen. Doug states that we can limit what can be done if people vote in changes. Doug thinks that there is no greater right in this country than the right to free enterprise. When Hannaford Brothers applies to this town it will come before the Planning Board as a site plan review. Doug feels there should be a tier review but at this time there isn't one. A tier review is different review processes for different size site plans. Roland Denby adds that the whole purpose of the Zoning Ordinance is that it is designed to control development and to confine the businesses to the village district so that the rural areas stay as rural areas. Doug adds that it gets frustrating to the Planning Board when we try to make changes and can't get the public involved in participating at all in the process.

VIII ADJOURNMENT

Dwayne Woodsome made the motion at adjourn the meeting at 9:45. Duane Fay seconds. Meeting is adjourned.

Respectfully submitted,

Dwayne Woodsome
Secretary/Treasurer

4/23/98




