

# PLANNING BOARD

## Town of Waterboro

March 8, 2000  
Regular Meeting

### I ROLL CALL

Sue Dunlap called the meeting to order at 7:35 p.m. noting the attendance of Dwayne Woodsome, Todd Morey, Roland Denby, Everett Whitten and Tim Neill. Doug entered at 8:00 p.m.

Sue began by reviewing the letter sent by Tony Vigue regarding the audio tape for the February 21, 2000 Public Hearing and the reason for the inability to air it.

Dwayne noted to the Board that we now have our own video recorder that may be used to record the regular meetings and taken during on-sites.

### II MINUTES OF PREVIOUS MEETING

Dwayne made a motion to approve the January 31 minutes with the clarification made on page 2 re: L4 and the right-of-way. Todd seconds. Motion carries a 5-0-0 vote in favor.

Dwayne made a motion to approve the January 27, 2000 meeting. Everett seconds. Motion carries a 4-0-1 vote in favor, Todd abstained due to being absent.

### III OLD BUSINESS

Joe Calvo is present to clarify his recent Conditional Use approval to operate a saw mill on his property. Item #2 on the approval stated a 100' uncut buffer from the property lines. Joe feels that he may have misunderstood the Board when this was discussed. Leaving a 100' uncut buffer around the property would not allow him to place a building on the property to operate the sawmill. Joe believes that he needs to meet 75' from the right of way and 35' from the side and rear with 100' from the brook. Doug explained that when a conditional use application is received the Planning Board has the authority to increase the setbacks depending on the application.

Joe also questioned the extension of his driveway to the site. Doug mentioned that Joe stake out the boundary and call Lisa to have Roland & Everett make arrangements to visit the site again to see what is left for the building envelope. Joe will return under "Old Business" when this has been done.

**Sue turned the meeting over to Doug at 8:27 p.m.**

Sue made a motion to re-approve the Conditional Use Application for Old Home Days for the year 2000 with the following amendments:

- Prior to the fair the committee provides an estimate of attendees so they may be adequate restroom facilities and sufficient security personal for traffic control.

Todd seconds, motion carries a 5-1-0 vote in favor with Dwayne opposed.

The following questions will be sent to Ken Cole regarding the request for a Used Car Lot by Trina and Russell Waterman:

- Is the parcel part of the subdivision?

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<http://www.mix-net.net/~waterboro/>  
Email: [waterboro@mix-net.net](mailto:waterboro@mix-net.net)

- If the parcel is part of the subdivision, does it need to conform to the deed restrictions the run with the remaining lots?
- Signs are not currently allowed on the right-of-way, the Waterman's own the right-of-way with rights of passage granted to lots 3 and 4. Does the ownership of the right-of-way grant him the authority to place a business sign on it?
- Whether the property is part of the subdivision or not? and the deed restrictions do not apply to the property can the Board deny the application due to the great opposition received on the matter.

#### **IV APPOINTMENTS**

##### **8:00 Hughey's Inc. Subdivision on Ford Mill Pond**

**Everett has requested to abstain during the Hughey's appointment. He is an abutter and has received communications via mail and phone regarding the property.**

John Mitchell of Mitchell & Associates, Doyle Marchand and Wes & Gwendolyn Hughey-Kinney are presenting a revised plan for the Hughey's Inc. subdivision on Ford Pond, Rte 5.

Doug noted that Steve Foglio, Mercer Bonnie with Mitchell & Assoc., Steve Arnold and himself visited the site in November to get a clear understanding of where the wetlands are located.

John Mitchell stated that the property in questions consists of 73.5+/- acres with 10 acres being in Lyman. The subdivision as proposed consists of 9 house lots, non of which will be located in Lyman, and approximately 47 acres of open space.

Sue questioned the no disturbance areas. If these are no disturbance areas how to you propose to place a road. John Mitchell stated that the area is less than 4,300 sq. ft. which is permitted by a permit by rule with DEP.

Doug asked how much of the road did the owner anticipate on keeping private. John stated that the initial intention was to build the road as a private road with maintenance agreements.

Doug noted his concern with restricting public access to the pond, the road may be combined with public access only to the entrance of Ford Pond.

Doyle Marchand discussed the hammerhead turn at the end of the two of the drives.

Dwayne asked if the cul-de-sac will have trees in the center. John Mitchell asked how the Board would feel if the center was left at a natural state.

Doug asked if the cul-de-sac had a 75' radius. John says yes.

John further stated that the gravel road is shown as 24' wide. Environmentalists seem to prefer the narrower gravel roads.

Doug noted that he would like to see the private road paved in approximately 400' from Route 202 & 5 to avoid tracking the gravel onto the main road with the second entrance for lot 1 paved approximately 100' in.

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Roland questioned if the Lyman portion is to be retained out of the subdivision. Doyle stated that there are not clear intentions to develop the 10 acres. If someone does approach the board for development it is in the hands of the Planning Board.

Dwayne noted that it would be on the Lyman property and Lyman does have a copy of the plans at this time for review.

Doyle asked the Board what they would like to see done with the Lyman property. Dwayne stated that the Board can give their input but a joint meeting would be required with Lyman. Doug stated that he would like to see it included in the open space, cut the right of ways short of the Lyman line and deed parts of the land to lots 9 and 4 so it would create an unbuildable lot in Lyman. There is also questions and confusion on which Town would provide emergency services, access is through Waterboro but structure would be in Lyman.

Todd noted that there is a potential for 4 lots of open space with it noted in the deeds as open space/conservation district.

Doyle suggested that the building envelopes on lot 4 & 9 be kept in Waterboro.

Doug asked the Board if they agreed that not seeing the Lyman property developed was a fair request. The Board all felt the it was a fair request. Doyle meet with the applicants privately, upon return they also agreed to the request

Dwayne noted that need for some type of hammerhead turn or parking space at the end of the paved area for the public access to Ford Pond to use.

Roland asked if there would be deed restrictions on the property. Doyle stated that there will be and he would provide the Board with a copy when they were drafted.

Doug stated that the plan will also need to go to the Fire Chief for his review.

The following will also need to be determined:

- CMP Power source - Overhead or Underground
- Signage
- Deed Restrictions

**8:45 David Weisenbach Map 45 Lot 1655, 1662, 1663** Is presenting an application for a 12' shoreland setback reduction.

Sue questions that the lot, combined, has over 40,000 sq. ft. Due to the now conformance of the lot she feels the Planning board may not be the one to hear this request.

After much discussion of the 3 lots, combined or not, Sue made a motion to send the information to the Town Attorney for legal interpretation, the Zoning Ordinance states (Section 9.05) Two or more contiguous lots of record in common ownership on the date of enactment of this ordinance shall be combined and treated as a single lot or parcel of land. Lake Arrowhead continues to charge fees as individual lots, does the Town have the authority to combine the lots for consideration of this request?

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Doug stated that the Board will reconsider the request under "Old Business" pending the decision of the Attorney. There is adequate information here that the Weisenbach would not have to return from Pennsylvania for the board to render their decision. Doug also feels that if the Town is going to require the lots to be combined than an amendment to the subdivision must be done so that the assessment is done on a single lot by the Town and Lake Arrowhead.

**V REPORT OF OFFICERS**

The appropriations report was reviewed by Dwayne.

**VI NEW BUSINESS**

**VII COMMUNICATIONS**

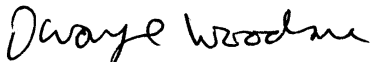
The Selectmen meeting minutes of February 15 and 22 were reviewed.

**VIII MISCELLANEOUS**

**IX ADJOURNMENT**

Todd made a motion to adjourn the meeting at 12:00 a.m. Sue seconds. Motion carries a 6-0-0 vote in favor. Meeting adjourned.

Respectfully submitted,

  
Dwayne Woodsome  
Treasurer/Secretary

DW/lmm

ACCEPTED: \_\_\_\_\_

