

PLANNING BOARD

Town of Waterboro

JUNE 14, 2000
PUBLIC HEARING
&
REGULAR MEETING

Douglas C. Foglio, Sr., called the Public Hearing to order at 7:35 p.m. In attendance are Todd Morey, Tim Neill, Everett Whitten, Roland Denby, Dwayne Woodsome and Sue Dunlap. Members of the public present are Dennis Breen, applicant, Beverly St. Michael, Ken Grant, Rick Madruga and Mr. Breen.

Dennis Breen presented to the residents that he intended to operate a part-time sales/service station with approximately 3 - 4 cars for sale at one time. He plans on doing light duty maintenance from approximately 3:30 - 8 p.m. including Saturdays.

Ken Grant, neighbor, is concerned with the hours of operation for repair work. Currently Dennis will work on vehicles sometimes late. He feels his only concern is the hours of operation.

Beverly St. Michael, neighbor, states that Mr. Breen has been a wonderful neighbor but does not wish to have a used car lot 20' from her well. Ms. St. Michael stated that she was told 5 years ago that she was unable to build a 2 car garage so close to her well. Ms. St. Michael also feels that the corner is not a safe location to operate a used car lot. It would be dangerous for someone shopping to park their vehicle on the side of the road.

Ken Grant stated that there have been accidents in the past where the vehicles have flipped over in that yard.

Tim Neill asked Mr. Grant what he felt would be reasonable hours of operation. Mr. Grant noted 9:00 p.m.

Sue referenced a letter received by Annette Allen for the record. Ms. Allen referenced "reasonable beauty of a property". Sue questioned a recent law suit about ones opinion on "reasonable". As noted in the settlement we can not justify what one's opinion may be (see attached ruling).

Doug also noted that Ms. Allen raises other questions that are note worthy and feels that an onsite should be scheduled for the board to view the property. The board will be able to see where the area of operation will take place.

Beverly St. Michael asked if the location of the cars will be displayed near her property line or on the opposite site. Dennis clarified that yes it would be near her property line.

Roland noted that the lot is just about an acre.

Sue again noted the letter from Ms. Allen, item "b" states that there is insufficient acreage for the zone. This is a non-conforming lot of record. It was created before the zoning ordinance, even though the lot is non-conforming the use is a permitted use with Conditional Use Permit.

Doug referred to item "e" stating that they are dealing with cyanide from an old tannery. Doug clarified that there it was not a tannery. Item "g" referenced the property on Rte 202, again Doug noted that the property on "202" was strictly for a repair and service and the surrounding properties are all vehicle service of some sort.

With no further questions from the Board Members or the public Doug called the Public Hearing to a close at 7:53 p.m.

REGULAR MEETING

II APPOINTMENTS

8:15 Robert Heggerick Map 41 Lot 29 - Steve Foglio is representing Mr. Heggerick for an application to build a deck on an existing concrete pad 23' from the high water mark. Mark Clark with DEP stated that there will not be any soil disturbance, a DEP Permit by Rule is not required. The deck will not be any closer to the water than the existing slab, stair access was not requested.

Everett made a motion under Section(s) 2.08, 3.03, 7.01 and 9.03 to approve the 8' x 28' deck not to exceed the existing concrete footprint with no outside stairway, contingent on getting a non-jurisdictional letter from DEP. Sue seconds. Motion carries a 6-0-0 vote in favor

8:30 John Hatch - Map 35 Lot 25 - Mr. Hatch presented a plan to replace an existing mobile home with a new home. At the June 9, 1999 meeting the Board told Mr. Hatch that he could build up to an 898.80 sq. ft. structure which would use the 30% expansion allowed.

With the updated plan presented Sue made a motion under Sections 2.08, 3.03 7.01 and 9.03 to allow Mr. Hatch build a home and open deck not to exceed 898.8 sq. ft. using the total 30% expansion allowed. The standard size entry deck is not to be considered in the expansion. Home and open deck is not to be closer than 56' from the water with 30' sideline setbacks. Todd seconds. Motion carries a 6-0-0 vote in favor.

8:45 Ralph Petit - Map 43 Lot 23 - Mr. Petit presented an application to build a 10' x 24' addition on sono-tubes to be used as a recreational area. The maximum expansion allowed is 241.5 sq. ft., a 10' x 24' addition will cover 240 sq. ft. of the maximum allowed.

Dwayne made a motion under Section 2.07, 3.03, 7.01 and 9.03 to allow Mr. Petit to place a 10' X 24' addition. All erosion control measures must be taken. Addition is not to be any closer to the water than existing structure and built under Saco River Corridor Commission standards. Everett seconds. Motion carries a 6-0-0 vote in favor.

III MINUTES OF PREVIOUS MEETINGS

Everett made a motion to approve the May 17, 2000 Special Meeting minutes as written. Roland seconds. Motion carries a 6-0-0 vote in favor.

Sue made a motion to approve the May 25, 2000 Regular Meeting minutes with the corrections made to the phrasing of the Farwell vote. Everett seconds. Motion carries a 6-0-0 vote in favor.

Dwayne made a motion to approve the May 31, 2000 minutes as written. Tim seconds. Motion carries a 6-0-0 vote in favor.

IV REPORT OF OFFICERS

Dwayne reviewed the appropriations report.

Election of Officers was done by secret ballot vote which resulted in the following:

Chairperson:	5 Doug Foglio	1 Sue Dunlap	1 No vote
Vice Chairperson:	6 Sue Dunlap	1 Doug Foglio	
Secretary/Treasurer:	7 Dwayne Woodsome		

V OLD BUSINESS

Ethel Abbott - Map 32 lot 26 had presented an application to place 14' x 16' deck on the water side of the camp. Upon doing a site walk on June 14, 2000, Sue Dunlap made a motion to approve the application under Sections 2.08, 3.03, 7.01, 9.03 and the DEP Permit by Rule to construct a 14' x 16' deck to be no closer than 28' from the water. All erosions control measures are to be taken during the construction phase. Everett seconds. Motion carries a 6-0-0 vote in favor.

Special Town Meeting items - Todd Morey motioned to change the wording "in operation on March 11, 2000" to "on or before March 11, 2000". Sue seconds. Motion carries a 5-0-1 motion in favor with Dwayne abstaining.

Dwayne made a motion to send the Overlay Zoning and Housekeeping items to Special Town Meeting, as per the Public Hearings, on June 24, 2000. Sue seconds. Motion carries a 6-0-0 vote in favor.

VI COMMUNICATION

The following communications were reviewed:

- Letter from Zoe Anderson
- Correspondence from Town Website
- Selectmen minutes of May 23, 30 and June 6
- Correspondence from Ken Cole regarding wording for Overlay of Bennett Hill Road

VII MISCELLANEOUS

Dwayne recommended purchasing a video camera like the one being used in the Selectmen's office and meeting tables to better position the members with the space available.

Everett made a motion to purchase a video camera and tables not to exceed \$2,500. Tim seconds. Motion carries a 6-0-0 vote in favor.

VIII NEW BUSINESS

IX ADJOURNMENT

Sue made a motion to adjourn at 10:05 p.m. Todd seconds. Motion carries a 6-0-0 vote in favor.

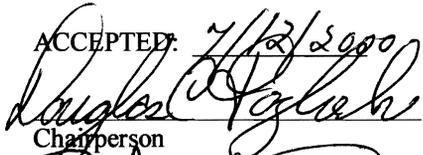
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Respectfully submitted,

Dwayne Woodsome
Planning Board
Secretary/Treasurer

DW/lmm

ACCEPTED: 7/12/2000


Chairperson



