

Town of Waterboro

Planning Board Meeting Minutes

May 24, 2001

Vice Chairman, Susan Dunlap called the Public Hearing portion of the meeting to order at 7:35 p.m. Attending from the Planning Board are: Susan Dunlap, Tim Neill, Todd Morey, Roland Denby. Doug Foglio and Dwayne Woodsome entered the meeting shortly after it started. 27 members of the public are present.

Susan Dunlap introduces Bill Thompson of BH2M who has been hired by owner Andre Cote to subdivide lot 11/42 into 14 house lots at the end of Brookside Drive.

Bill Thompson explains the project. It is a 14-lot subdivision, which will have its own fire protection either by fire ponds or cisterns (holding tanks). The land is covered by mixed woods. The project covers 27 ½ acres out of the total 331 acre parcel.

Susan Dunlap asks Bill Thompson if he has a copy of the recommendations from the Waterboro Fire Chief. Mr. Thompson does have that copy. Susan states to the public that the recommendations are to loop the road around so that it is not a dead end. The fire chief also states that a Hammerhead turn is unsatisfactory to serve that many lots. The letter from the fire chief is made part of the record as written:

May 17, 2001

To Waterboro Planning Board,

Re: Recommendations from Fire Chief on proposed Meadowbrook subdivision

- a. There should either be a fire pond that supplies a sustained yield of 120,000 gallons of water year round, or install three 10,000 gallon cisterns to be placed as follows: the first one being at the very beginning of the proposed extension of the road, the second in the area of the proposed fire pond and the third at the end of the subdivision by lot 14.
- b. If any additional lots are added in the future a 10,000 gallon cistern should be installed to service every additional five lots.
- c. I would feel more comfortable for fire protection if the road looped from the right of way between lots 3 and 5 to where the hammerhead turn is proposed.
- d. A hammerhead turn is unsatisfactory for fire protection on a road, which services this many lots.

Fire Chief, John Littlefield

Chairman, Doug Foglio states that he would like to make the letter from the Road Review Committee part of the record at this time.

- Peter Harriman requested that the letter be read and Susan Dunlap reads the following letter:

**Road Review Committee
Meeting Minutes for
April 11, 2001**

Attending: Fred Fay, Road Commissioner, David Benton, Tim McCoy, Russell Lowell, Willis Lord, Bob Gobeil, and Doug Foglio representing the Planning Board.

The purpose of this meeting is to get a recommendation from the Road Review Committee regarding a subdivision application, which requests an extension of Brookside Drive.

Doug Foglio explains the applicant's request for a 14-lot subdivision extending Brookside Drive a considerable distance and continuing to be a dead end road.

After some discussion the Road Review Committee will send the following recommendation to the Planning Board for their review of this subdivision.

The typical sections in the blueprints were fine for the proposed road except the shoulders should be 4' instead of 3'.

The hammerhead turn should be a circle or a cul de sac with a radius of 100'.

In reality it would be a betterment to the road and a better situation of the road looped rather than came to a dead end to service these proposed houses.

The Committee recommends that there be a drainage study done for the existing development road to be sure the impact of a new road does not force water onto existing properties.

The existing road should be repaired or replaced including the culverts attached to the catch basin at the beginning of the Brookside Drive where it connects to Townhouse Road.

Brookside Drive is currently an 18' road and the committee recommends it be upgraded to a minimum of 24' paved road including shoulders and ditching.

The general feeling of the committee is that to add 14 more homes to a road that was built to handle the existing 18 would be disastrous to the existing road, unless the road is rebuilt and brought up to standard.

These minutes will be forwarded to the Planning Board for their information in reviewing this subdivision application.

Respectfully submitted, David Benton

- Doug Foglio adds that he also sent a letter to the Planning Board members stating his concerns about allowing a Hammerhead turn in this development. Doug read the letter and it also becomes part of the record as attached:

May 11, 2001

To: Planning Board Members,

I am writing to express my concerns about the proposed hammerhead turn on the application for Meadowbrook Subdivision presented by Andre Cote.

I am urging you to be very cautious as a Board in the use of hammerhead turns. They were not designed or ever intended for use in larger subdivisions. They were designed for smaller subdivisions. I believe this subdivision would not be serviced well with the number of houses proposed being 14 on top of 18 existing homes. Allowing a hammerhead turn for this number of homes could result in serious problems.

I am strongly urging you to require a full circle turnaround at the very least in this subdivision.

Douglas Foglio, Planning Board Chairman

At this time the floor is opened up to comments and questions from the public as follows:

- Brett Davis states that he has concerns that two variances have already been granted to this road to make it longer than is allowed and there has never been a third issued. To widen the road will take chunks out of the abutting property. The trucks that will have to travel the road to do the building up there. The vast majority of the neighborhood is opposed to this subdivision. He wonders how it will affect the wetlands. Where will this subdivision expand?
- Doug Foglio states he would like to clarify that Brookside Drive is already a 50' right of way. The widening of this road will not take land from anyone. The Town of Waterboro since 1973 or 1974 has required a 50' right of way.
- Susan Dunlap states that the planning board grants waivers not variances. The ZBA is the only authority that can grant variances.
- Rachel Curtis states that she lives at the end of Brookside and she has safety concerns for any houses past what is there already. The dirt road is on her front lawn already and there has been two accidents there. She has two small children and her neighbors have two small children. She has a problem with the road being widened and having more traffic on the road.
- Kyle Curtis shows on the plan where his house is and states if he had known before he bought the house that this was possible he wouldn't have bought there.
- Doug Foglio states again that there is an existing right of way of 50'. Doug adds that on the original plan of Brookside Drive there is a 50' right of way to this property out beyond. Mr. Cote owns between the Curtis and Skelton lots.
- Steve Face asks what is the difference between a right of way and a public road.
- Roland Denby replies that the right of way for Route 5 and Old Alfred Road is 66' and most state roads are 100'.
- Doug Foglio adds that Ted Plummer owned the property and sold it to Mr. Cote.
- Steve Face asks who owns the right of way.
- Susan Dunlap states Mr. Cote owns the right of way and now he is exercising his right to improve on the right of way. This will be a private road until town meeting approves it as a town road.
- Doug Foglio adds that Mr. Cote owns a 50' strip of land which the neighbors have a right to use.

- Steve Face states that four years ago they subdivided some land up there and noted that there are no recreational facilities in that area. The roads are not wide enough.
- Susan states that we can ask the property owner to offer land for recreation area. Susan adds that the Parks and Rec. department would be the department to talk to about this.
- Doug Foglio states that town meeting has addressed some of the road issues. The town approved to spend \$400,000 on Townhouse Road. There was a parcel of land on Townhouse Road near the end of Brookside Drive that was given by Kasprzak Inc. and accepted at town meeting that was offered for a recreational field. The Board of Selectmen have not taken up on any of the offers to build the recreational field. The Planning Board set the wheels in motion to have a recreational area and it hasn't been followed through with.
- Steve Face asks if there is any other access to this land that won't affect all of these families.
- The answer is yes. There is other access through Deering Ridge Road.
- Peter Harriman states that he doesn't think Mr. Cote owns clear title to that right of way. There was an exclusive right of way of 50' laid out in Brookside subdivision. Grace Smith and Theodore Plummer sold the property to himself, Peter Harriman. When Mr. Cote bought the Plummer property he bought the right of way. There was legal paperwork done 18 months ago to clear up the right of way through the Smith property. He doesn't know who has clear title to the right of way. Peter Harriman, Andre Cote and Grace Smith has rights to the right of way.
- Peter Harriman asks what is the status of Brookside Drive.
- Doug Foglio answers that it is a town road, maintained by the town since it was accepted by town meeting.
- Peter Harriman states that there is a piece of property that is a conservation area in the development that is owned in common by all owners. The area has never been developed as a recreation area.
- Cathy Brandt states that she is concerned about who will maintain the right of way if there are 14 new houses.
- Doug Foglio explains that Cote's Road would begin at the circle and go out through to the new houses. That this will be a private road until the town accepts it by town meeting vote.
- Jim Fergeson states that he has lived on Brookside Drive for 15 years. The road is now is pretty poor shape. There are 18 houses there. There is 3/4" to 2" of emulsified asphalt sprayed tar and he does not remember any maintenance on this road being done. The ditches have not been maintained. There is a big bump where the culvert at the beginning of the road crosses and had been like that for 15 years. The ditches need to be stabilized. For 15 years he hasn't complained but now that they are talking about adding 14 more homes to travel this road he doesn't think its right. What is the design criteria for a cul-de-sac and what is a school bus supposed to do. What are our options? What rights do we have on Brookside, when they bought this property as a dead end? Does this plan meet all of the state guidelines? Does this plan meet the requirements of a growth plan?
- Doug Foglio answers that Mr. Cote has the right to come through Brookside Drive. Doug adds that he thinks it would be irresponsible of the Board to allow the development without first making stipulations regarding Brookside Drive prior to development. Doug reads the recommendations of the Road Review Committee again at this time.
- Jim Fergeson asks what about stabilizing the slopes? He asks is there any rights to keep this road as a dead end.
- Doug Foglio answers that the limit to the length of dead end roads is 600' and the planning board has to vote to waive the requirement of 600'. Doug adds that he feels this is the key issue in this proposal. The board made waivers for the existing subdivision of Brookside Drive.
- Jim Fergeson asks how long is Brookside Drive now.
- The answer is approximately 2100'

- Dwayne Woodsome asks would the neighbors rather see a through road from Deering Ridge Road to Townhouse Road through Brookside Drive? Because Mr. Cote owns all the way through and could possibly develop a through road.
- Jim Fergesen states that if he has the choice he would rather see a dead end.
- Doug Foglio explains that on the original plan the road is 2210' long and these lots were created before zoning. It was obvious at the time that there are three 50' rights of way to reserved land which left access to the rest of the property for future development. There were areas left for expansion. If there were to be any more houses added to this road it would have to be built up to a different type of road. More than 25 houses on a road changes a road from a rural road to a collector road. The Planning board must follow the road and subdivision standards and is the reason that they asked the road review committee to evaluate this proposal of the road servicing 18 and going to add 14 more homes. The Board has asked the developer to consider other ideas such as a cluster development, or to use a loop or possibly bring the road out to Deering Ridge Road. That is why we are here tonight to get input to give the board ideas of how we can use our regulations to keep harmony between property owners.
- Jim Fergesen asks what would be the traffic pattern?
- Doug Foglio states that the board has authority to require a design for the best flow of traffic. The board usually asks the developer for authority to send his plans out to peer review to verify their studies to make sure the plan meets town standards.
- Peter Harriman states that he thinks that they all should listen to what Mr. Woodsome said. Mr. Cote owns out to Deering Ridge Road and to bring that road out and open it up there would be a tremendous amount of traffic and Mr. Cote would have no obligation to do anything to Brookside Drive. We all received notice from the realtor before the property was publicly listed. Mr. Cote bought it. We want to be careful what we do.
- Sheryl Roux asks who will be responsible for maintaining the road.
- Doug Foglio replies that it depends on whether it is a private road or whether it is public if it is accepted by the town. If it were private an association would be formed and the maintenance would be split between property owners.
- Sheryl asks if Mr. Cote would have to upgrade Brookside Drive?
- Doug Foglio replies that would be part of the approval of the subdivision. It depends on how it is worded. The Planning Board's authority ends once the subdivision is approved. It then becomes the responsibility of the Code Enforcement officer to enforce the regulations.
- Sheryl states that she wanted to live on a dead end road and that is why she moved to Brookside Drive. Her concern is with traffic. Sheryl presents the Planning Board with a petition recording 30 names from the subdivision requesting that the subdivision be denied. The petition is entered into the record of the Subdivision application.
- Valerie Olsen states that she has lived on Brookside Drive for 15 years and asks Mr. Cote if he plans to eventually come out onto Deering Ridge Road.
- Mr. Cote replies that he is not prepared to answer that.
- Kathy Brandt asks who takes care of the right of way in between Brookside Drive and the new subdivision.
- Doug Foglio states that it will either be maintained by the town if it is accepted as a town road or privately maintained.
- Brett Davis asks where the equipment will come in to do the work on the houses and the new road.
- Bill Thompson answers through Brookside Drive.
- Steve Face states that Jim Ferguson touched on the traffic concerns and the children's safety with adding an average of 30 more vehicles on that road.
- Roland Denby asks if their deeds said anything about access to the back lot. The right of way to his parcel was there when their houses were built. Roland asks if there were any deed

restrictions. Nobody knew. Doug Foglio proceeded to research the Brookside Drive file for the deed restrictions.

- Susan Dunlap states that she feels extending this road to exit onto Deering Ridge Road would be extremely unsafe. There are already numerous accidents on Deering Ridge Road. She would want to know what the state requirements for site distance is.
- Doug Foglio explains that the Planning Board requires a copy of the deed restrictions prior to approving subdivisions. He found the deed covenants for the existing deeds in Brookside and they are as follows:
 1. can't cut trees over 4" in diameter.
 2. No trailers or mobile homes – single family residences only.
 3. no junk or abandoned vehicles or trash stored on the properties.
- Kathleen Skelton Face states that this is personal to the people of this neighborhood. She wishes there was another access to this land. She asks the developer to keep their concerns in mind.
- Dan Charette states that he moved to Brookside Drive because it was a dead end. He asked why Mr. Cote refused to answer the question whether he intended to extend the road through to Deering Ridge Rd. He feels that because he wouldn't answer the question that Mr. Cote intends to keep developing right through and the road will be destroyed.
- Willis Lord states that the first thing he wants to say is that statement about the proposed ballpark on the Kasprzak land that the Selectmen stopped it is a mis-statement. The town already named the park Millard Genthner ballpark. Willis adds that he went out and measured Brookside Drive and he had to sweep sand off the road to find about 20' wide road of sprayed tar. Willis thinks the board should make provisions to keep the kids out of the road. To make the road wide enough to have a bike lane along side of the road. Willis thinks Brookside Drive should be rebuilt with a walking/bike path on new roads in subdivisions. Willis announces that there is going to be a public hearing on June 5 on proposed amendments to the street design ordinance to require a five foot walking/bicycle lane. Safety has to be a factor that the Planning Board should insist on in the future.
- Doug Foglio states that in defense of the Planning Board, safety has always been a concern when they review plans. Doug adds that the wider the street is built the faster people are going to go on it.
- Andre Cote states that the last thing he intends to do is ruin these people's neighborhood. He is moving to Waterboro to enjoy the openness and this is going to be his own yard as well. His original intention is not to take the road through to Deering Ridge Road. His sole purpose in developing this land is to recoup some of the money he spent when he bought this parcel. He is not going to lose his options. If they can come to some sort of compromise to make this work for all he would be receptive to an agreement not to take the road through. If this project costs him too much money he will have to develop more of the land to recoup that money.
- Steve Face asks Mr. Cote if he is accessing his home off Brookside Drive.
- Mr. Cote answers that he is coming in off Deering Ridge Road.
- Steve Face asks Mr. Cote if he owns the right of way.
- Mr. Cote replies that he believes that he does own it. He bought 350 acres and has a quitclaim deed between the Plummers and Mr. Harriman. The whole purpose of the deed transfer was to give him access to the property. The Plummers had to gain access and they sold those access rights to him.
- Steve Face asks Mr. Cote why he is moving from Biddeford to Waterboro.
- Mr. Cote answers for a change.
- Sheryl Roux asks why did he choose to access the property for development at Brookside Drive and not Deering Ridge Road.
- Mr. Cote replies that he will address the safety concerns with the board.
- Steve Face asks if this goes through is there something that can be done for speed bumps.

- Willis Lord asks how many kids under 18 live in this development.
- Steve Face answers at least 20.

The public hearing portion of this meeting is closed at 9:25 p.m. The Secretary will send Mr. Cote a copy of the public hearing minutes and he will address these issues in his preliminary plan application. When this subdivision is on the agenda this meeting will be posted in the Smart Shopper. Doug wants everyone to understand that it will not be an open forum. The public can attend but they won't be allowed to speak.

At this time a ten minute recess is taken before getting to the regular meeting appointments.

**Regular Meeting
March 24, 2001**

II. APPOINTMENTS

Lucien Frechette for a Conditional Use / Setback reduction on map 29 lot 28. This application is to remove an existing garage and build a 24 x 40 garage with living space upstairs.

The letter from Jim Webster, Code Enforcement Officer is reviewed stating his concerns that this would be adding another living unit and he could not issue a permit under those conditions. Dwayne Woodsome states that this application has all the ingredients for a house. Doug Foglio states that the Planning Board does not have authority to allow two residences on one lot.

Mr. Frechette presents a letter of agreement between himself and the abutting property owner, Stacey Cote. The agreement states that Mr. Frechette will not rent out the room above the garage. Tim Neill states that doesn't change the ordinance that does not allow two residences on one lot.

Dwayne states we can allow the garage and if they wanted to put a bathroom in that would probably be alright.

Susan Dunlap states that these two camps are still on two separate pieces of property. The permit states this is one lot when it actually is two lots. This is a mis-statement on the application.

Roland Denby reports that during the site walk Jim Webster talked with Mrs. Frechette and Jim stated if they didn't have kitchen facilities he wouldn't have a problem with their floor plan. Roland adds to Mr. Frechette to remember that the sideline has to be figured from the drip edge.

Doug states that the two lots should be joined together into one lot. Doug asks Mr. Frechette if this garage can be set 10' from the property line. Mr. Frechette states he would rather keep it where the existing garage is. Doug states he thinks the only time the Planning Board has allowed anyone to build within 10' of the property line is when there is an existing structure. This is removal of one building and building a new one. Doug reviews Section 2.08 regarding the Planning Board having authority to require a survey and a plot plan to set the building corners. The CEO gets a copy of this and the plot plan would be recorded along with the Conditional Use permit. The purpose for this is then there is no question in the future as to why this doesn't meet Waterboro Zoning.

Dwayne Woodsome made a motion to approve this Conditional Use / Setback reduction Under Section 2.08 and section 3.03 to allow Lucien Frechette to construct a 24 x 40 garage with the following conditions:

1. Garage must be constructed no closer than 10' to the sideline abutting lot 29.
2. A complete bathroom facility is allowed on the second floor.
3. A great room with fireplace is allowed on the second floor.
4. A building layout survey which marks out the corners of the building per this Conditional Use permit shall be submitted to the Code Enforcement officer prior to the issuance of a building permit.
5. A certified and sealed plan of the foundation, insuring the required setback is met shall be provided to the Code Enforcement Officer prior to the issuance of an occupancy permit.
6. An amended floor plan shall be submitted to the Code Enforcement Office prior to the issuance of a building permit.
7. An HHE200 shall be submitted to the Code Enforcement Officer to ensure that the area will support a new septic system if it becomes necessary.
8. A letter from the abutter shall be submitted and become part of the file stating that they are aware and agree to the garage being placed 10' from the property line.
9. Lots 27 and 28 shall be combined together as one lot and a deed shall be presented to the Code Enforcement Officer prior to the issuance of a building permit.
10. All other setbacks to be met.

Tim Neill seconds the motion. Motion carries with a vote of 3 in favor and 2 opposed. Susan Dunlap and Todd Morey vote in opposition.

The next appointment is Cal Knudsen with Preliminary application for Bartlett Pines II subdivision on Map 5 lot 31.

Present from the Lyman Planning Board are Steve Stearns, Rod Hammond and Steve Brown. There is discussion regarding the Gammons property in Lyman which abuts where Cal intends to take the road out onto Deering Ridge Road. Doug Foglio feels that the road should be paved in beyond the Gammons house as their home is pre-existing and their house should remain dust free. This proposed road should not affect them.

Cal is questioned whether Cal Vista Drive will be paved. Cal states that he proposed this as a gravel road but he doesn't have a problem with what they are asking to pave beyond the Gammon's house.

Steve Stearns asks Cal to submit a plan to the Lyman fire chief for his recommendations to add to the Waterboro fire chief's recommendations. Steve adds that Cal will need to check with Carol at the Lyman town hall regarding the name of the road for E-911 purposes.

Steve Stearns states that he would like to see that the residents of the road be responsible for the maintenance of the road. Cal states that he has a road association agreement that goes with every lot. Every property owner would be responsible for 1/6th of the maintenance. The deed that goes to each lot will make reference to the road maintenance agreement. Steve Stearns states that the road maintenance agreement for Waterboro residents refers to the portion of the road that is in Lyman and it should be very clear that this is a private way and will remain a private way.

Doug Foglio states that the Planning Board will make sure the agreement refers to both roads.

Steve Stearns asks for a typical road section. He wants to make sure the standards will cover the road standards for Lyman. The road will be 20' with 3' shoulders. Cal states that he does not have the road layout done yet. Cal adds that he would like to keep this road consistent with the Waterboro road.

The Preliminary checklist is reviewed and the following is a list of items that Cal will need to submit prior to any further review of this plan.

1. the name of the subdivision
2. the date
3. the name and address of the hydro geologist
4. the widths of Deering Ridge Road and Bartlett Pines Drive
5. the locations and sizes of existing utilities.
6. deed description of parcel being developed.
7. building setback lines
8. location and size of proposed utilities easements
9. proposed restrictive deed covenants
10. proposed parks, playground or other public areas.
11. proposed street layout (in conformance with Waterboro Road Ordinance)
12. street elevations
13. street grades
14. sidewalks
15. three copies of erosion control and stormwater drainage plan
16. street signs and locations

There is discussion about the existing cemetery. Cal states he would like to provide for historical people to do maintenance on the cemetery.

Steve Stearns asks Cal if the stone wall signifies anything. Cal replies that it does not.

Doug asks who is going to pay the taxes on the common land that is in Lyman when the house lots are in Waterboro. How is Lyman going to access the common land?

Steve Stearns asks doesn't the same thing apply to the road. No because Cal is going to retain ownership of the road and will grant a right of way over the road. So the assessor will assess that to him. Steve Stearns asks why Cal wouldn't retain ownership of the common space as well. Cal asks wouldn't that be creating a non-conforming lot? Steve S. answers that lot 6 could include the road as one piece of property.

Doug states that we have to have the lot that is in Lyman identified by acreage on the map.

Willis asks how can Lyman accept this as a town road. Steve answers they can't.

There is discussion as to how this subdivision should be ruled on where the lot exists in two towns. Steve S. says state law says dividing a lot into 3 or more lots creates a subdivision no matter if the lot is in two towns. There is discussion how to deal with this approval between the two towns. Doug states we will check with our attorney and get back to Cal and to the Lyman Planning Board.

After reviewing the checklist the board tabled preliminary approval until the applicant submits all the required information and this will be brought back under old business.

Dwayne Woodsome made the motion to continue this meeting on June 4, 2001 at 7:30 to finish this posted agenda only. Todd Morey seconds. Motion carries with a unanimous vote in favor.

Meeting is recessed at 11:45 p.m.

CONTINUATION

June 4, 2001

Susan Dunlap calls the meeting to order at 7:35 p.m. Noting attendance of Dwayne Woodsome, Roland Denby, Todd Morey, Tim Neill. And Teresa Lowell.

This meeting was recessed from the May 24th meeting to finish the agenda.

NEW BUSINESS

Jim Webster submitted a question to the Planning Board asking for a recommendation on a request from **Gorham Savings Bank**. Gorham Savings requested a temporary occupancy permit so they could open on June 14. This traffic light won't be installed by then and they are requesting a temporary occupancy permit so they can open. The Planning Board is not in favor of that and would not recommend a temporary occupancy.

OLD BUSINESS

The Planning Board begins the review of the reclamations plans.

The first plan to be reviewed is **Glenn Bean's pit**. The letter that was sent to Glenn Bean stating the requirements was reviewed. The only question the board had was there is no name on the brook that is shown on the plan and the slopes are stated on the plan as 2-1. The board will have to clarify that the slopes are to be 4-1. The checklist for Reclamation Plan survey is reviewed next. There is no erosion control plan submitted with his plan. There was discussion regarding the survey requirement. Glenn submitted a statement of guarantee that the lot lines have not changed since he purchased the property.

Dwayne Woodsome made the motion to approve the Glenn Bean Sr. Reclamation plan subject to submitting the following information:

- adding the zones to the map
- provide an erosion control plan
- show 4-1 slopes on the cross section of the pit area

These three items to be checked before final approval is signed. The deadline to submit the information is June 22 and to be taken up at the June 28 meeting. Roland Denby seconds the motion. Motion carries with a unanimous vote in favor.

Susan Dunlap states that according to legal advice the board has received, the board has the authority to grant an extension.

The next pit to be reviewed is the **Arrowhead pit owned by Frank Jewett and operated by Jon Jewett**.

All the items required in the February 13 letter have been received. Todd Morey states that he would like to see the well marked on the map and the distance from the well to the pit area. Todd would also like to see the distance from the wetlands marked on the map.

The reclamation checklist is reviewed and all items on the checklist are received. Todd states that he has a problem with not requiring a survey of the property. Dwayne mentions that one of the subdivisions which was surveyed should show this property. Sokokis Estates subdivision surveys are reviewed and it does show the Jewett property line. A copy of this survey will be put in the Arrowhead pit file.

Todd Morey makes the motion to approve the reclamation plan for Arrowhead Pit operated by Jon Jewett upon the receipt of the location and type of wells shown on the map and the measurement from the well to the pit area, and the measurement to the limits of the wetlands on the property, and to have a survey of Sokokis Estates put in this file. The deadline to submit this information is June 22 and to be reviewed by the board at the June 28 meeting. Tim Neill seconds the motion. Motion carries with a vote of 3-1 with Todd Morey opposing.

The Town of Waterboro Municipal Pit on Bennett Hill Road is reviewed next. The letter of February 13 is reviewed first. The board has not received the hydro geological study from Sebago Technics. There is no statement regarding whether there will be standing water at the completion of the reclamation. There is an area of working pit that is in the shoreland and this will need to be reclaimed as soon as conditions permit.

Tim Neill made the motion to approve the reclamation plan of the Town of Waterboro Municipal pit under the conditions:

- the time limit to reclaim the area that is in the shoreland is September 1, 2001 and this will have to be confirmed by the code enforcement officer.
- The requirement of the gate is up to the discretion of the property owner.
- A statement regarding the standing water shall be submitted to the board.
- The hydro-geological study shall be submitted to the board.

The deadline to submit this information is June 22 and will be reviewed June 28 for final approval. Todd Morey seconds the motion. Motion carries with a unanimous vote in favor.

NEW BUSINESS

Todd Morey brought up to the board the fact that there is a public hearing tomorrow night held by the Selectmen to amend the Street Design Ordinance to require a 5' paved walk/bike path on each side of any road within a subdivision. Todd states he is in favor of making space for kids to be safe and applauds the effort but disagrees with the method. He thinks this is the wrong way to go. He thinks this should be tabled for special town meeting and have consultation with the planning board and the road review committee and brought to an annual town meeting. Todd feels that 34' of pavement is too wide. He is not convinced that is a safe way to accomplish the goal. With no separation between the bike lane and the road there is nothing to separate the kids from the traffic. The wider you pave a road the faster the traffic will go.

Dwayne Woodsome made the motion for the Planning Board to send a memo to the Selectmen for tomorrow nights public hearing that the board does not agree this article be taken up at special town meeting. To table it until annual town meeting. That this is a serious safety hazard. The Planning Board request this to be read at the public hearing. Roland Denby seconds. Motion carries with a unanimous vote in favor.

OLD BUSINESS

The Forest Owen/ June Broomhall pit is discussed at this time. There has been no reclamation plan submitted to this office. Dwayne Woodsome made the motion to deny the reclamation of the June Broomhall/ Forest Owen pit based on lack of completion of the reclamation plans and based on the fact that the property owner did not comply with the deadlines or extensions. Tim Neill seconds. Motion carries with a unanimous vote in favor.

MINUTES OF PREVIOUS MEETINGS

Dwayne Woodsome made the motion to approve the minutes of May 9, 2001. Todd Morey seconded. Motion carries with a vote of 3-0-2 with Tim Neill and Susan Dunlap abstaining.

OLD BUSINESS

At this time Dwayne Woodsome excuses himself from the meeting as the last pit to be reviewed is the MacDonald pit. Even though this isn't really a conflict of interest because Dwayne doesn't own the pit anymore, he feels it would be better if he was not involved.

After a brief review of the plans of the **MacDonald Pit on Bennett Hill Road**, Todd Morey made the motion to request the owner in to explain how this reclamation plan complies with the letter of requirements and the ordinance. The meetings are full until July so an appointment will be set for a July meeting. Tim Neill seconds. Motion carries with a unanimous vote in favor.

MISCELLANEOUS

Susan Dunlap reports that she may be late getting to the next week's meeting.

ADJOURNMENT

Todd Morey made the motion to adjourn the meeting at 10:05. Tim Neill seconds. Motion carries with a unanimous vote in favor.

APPROVED

Date: 5/28/01

Dwayne Woodsome

Everett Whittier

Susan Dunlap

Roland E. Dewby

Douglas J. G. [Signature]

Tim Neill
