

PLANNING BOARD

Town of Waterboro Meeting Minutes August 23, 2001

I. ROLL CALL

Susan Dunlap called the regular Planning Board meeting to order at 8:45 noting attendance of Dwayne Woodsome, Todd Morey, Roland Denby, Everett Whitten, Tim Neill, and Ken Danforth.

II. APPOINTMENTS

Charles Binnette for Lakeside Market with a conditional use application on Map 28 Lot 33A. Mr. Binette is applying to move the gas pumps and install a new gas tank in the ground. This property is located in the AR zone. Dwayne Woodsome explains that the Binnette's purchased the abutting property and made a non-conforming lot a conforming lot. This property received a variance in 1996 to place the canopy for the tanks to within 19' of the front property line along Route 5. This request for change is moving the canopy back to the abutting lot making the setback 34 feet from Route 5. The applicant is also requesting to install a bigger gas tank. Dwayne Woodsome states that this would make a safer situation because the tankers would not need to refill the tanks as often and reduces the risk of spills. Sue Dunlap states that the applicant has received DEP permits to do this work already.

Everett Whitten made the motion to approve the application of Lakeside Market to move the pumps and canopy back and to install new gas tanks per the diagram presented pursuant to section 3.06.02 (15), and 2.08 of the Waterboro Zoning Ordinance with the following condition:

The applicant shall submit an as built survey to the code enforcement office upon completion of the installation of the tanks and canopy so the town has a record of where the tanks have been placed.

Tim Neill seconds the motion. Motion carries with a unanimous vote in favor.

Cal Knudsen with application for subdivision amendment of Bartlett Pines Subdivision on Deering Ridge Road on Tax Map 5 Lot 27-3. Cal explained he would like to deed the 10' buffer strip between Bartlett Pines Road and the abutting property to the abutting lot, which he has since purchased and now owns. Bartlett Pines would remain a 50' road.

Sue Dunlap informs the people present that the town has received advice from the town attorney that this request for amendment does not need approval by owners of property in the subdivision because it does not change the road in which they all have interest in maintaining through the road maintenance agreement that runs with their deeds. This gives the Planning Board the authority to follow their normal procedures in reviewing this amendment request.

Sue Dunlap asks Cal why he is requesting this amendment. Cal replies to give the abutting lot which he owns access to Bartlett Pines. Cal reminds the board that the road maintenance agreement that is referred to in the deeds of lots in Bartlett Pines subdivision states that the road may be used in the future for access to further development and houses.

Sue Dunlap reviews the procedure from the subdivision regulations regarding amendments. The procedure for amending an already approved subdivision is to follow the final plan procedure for subdivision review. There is a discussion regarding whether the board would require a public hearing on this change.

Mr. Kelly who is a property owner in the subdivision asks if breaking this strip away from lot 4 would be further subdividing lot 4? Dwayne Woodsome answers no it is not creating another building lot.

Tim Neill made the motion to proceed with the final plan review of this plan without holding a public hearing. Ken Danforth seconds the motion. Motion carries with a vote of 5 in favor and 1 opposed with Dwayne Woodsome opposing.

The checklist for final plan was reviewed. Finding everything in order, Tim Neill made the motion to approve the Amended final plan of Bartlett Pines Subdivision. Everett Whitten seconds the motion. Motion carries with a unanimous vote in favor.

Richard Pierce application to amend a conditional use permit issued on 6/26/01 on Map 11 Lot 60 for a 30% expansion in the shoreland zone. Jim Webster issued a building permit allowing Mr. Pierce to reduce the size of his deck and the condition use permit states that the deck is to be removed. Dwayne Woodsome made the motion to deny the request from Mr. Pierce and that Mr. Pierce re-apply for a conditional use permit to get this changed. Ken Danforth seconded the motion. Motion carries with a unanimous vote in favor.

IV. REPORT OF OFFICERS

Dwayne Woodsome reviewed the expenses of the Planning Board as of July.

V. OLD BUSINESS

VI. COMMUNICATIONS

1. Dwayne Woodsome noted the memo from the board of selectmen requesting that a member of the Planning Board be appointed to serve on the Transfer Station Committee. Everett Whitten stated that he was interested in serving on that committee. Dwayne Woodsome made the motion to appoint Everett Whitten to represent the planning board on the Transfer Station Committee. Ken Danforth seconded the motion. Motion carries with a unanimous vote in favor.

2. Sue Dunlap reviews the notices of planner's conferences that are available in September. Dwayne Woodsome made the motion that any board member and Patti may attend the seminars and the board pays the fees. Tim Neill seconds the motion. Motion carries with a unanimous vote in favor.

3. Sue Dunlap reports that Sebago Technics has finished with their initial review of the zoning ordinance and would like to schedule another workshop with the board. Ken Danforth suggested that some work be done to the road design ordinance so that in the future the board has a clearer set of guidelines to follow when reviewing subdivision applications.

At this time Dwayne Woodsome brings up the fact that a site walk scheduled with the road review committee and the planning board and applicant Andre Cote was cancelled at the last minute and that he was very upset about that. He felt the meeting was scheduled for the applicant to review his request to develop land at the end of Brookside Drive with the road review committee. There was some confusion among the board members as to the reason the meeting was set. Sue Dunlap attempted to explain that the reason she, as acting chairman of the board, cancelled the meeting because she called the board members and realized that a majority of the board would not be able to attend the site walk. Sue thought that combined with the fact that the

waiver for the extension of Brookside Drive was denied, postponement of the meeting seemed to be the best option. Sue believed the purpose of the meeting was for the whole planning board and the road review committee to meet and review these road plans. Dwayne did not accept this as a valid reason. Todd Morey stated that he did not believe that it was the planning board's responsibility to set up meetings with the road review committee, and that if the applicant wishes to set up a meeting he is free to do so. Due to the heated nature of this discussion, Sue Dunlap called for a motion to adjourn the meeting. Agenda items not covered in this meeting will be added to the next meeting. Everett Whitten made the motion to adjourn at 10:20 p.m. Ken Danforth seconded the motion. Meeting adjourns.

APPROVED:

Date: 9/27/01

<u>Robert E. Dwyer</u>	<u>[Signature]</u>
<u>Everett Whitten</u>	<u>[Signature]</u>
<u>Sue Dunlap</u>	<u>Dwayne Woodson</u>
<u>Ken Danforth</u>	