

Planning Board Meeting  
Minutes for  
November 14, 2001

**I. ROLL CALL**

Chairman, Susan Dunlap called the meeting to order at 7:35 p.m. noting attendance of Ken Danforth, Dwayne Woodsome, Tim Neill, Everett Whitten, Roland Denby and Todd Morey.

Susan Dunlap reports that the Comprehensive plan committee is asking that all committees review an executive summary from 1990 on. The committee would like to meet with all committees to get their input regarding the questions about the summary. A copy is made for all board members and Sue asks everyone to review it and be prepared to provide input after the first of the year to the comprehensive plan committee.

**II. APPOINTMENTS**

**7:30 p.m. Michael Frechette with a Site plan application for Conant House Realty on map 28 lot 4.** Mr. Frechette reports that he did the mailing to the abutters notifying them of this meeting and provided the proof of mailing of the notices to Patti. It is noted that a letter from abutting property owner Winifred and Frank Heacock was received and had no objections to the use on that property. A final plan was presented with the following changes as requested by the board at the last meeting:

- A note was added to the plan stating, "No exterior lighting will illuminate off the property."
- A note was added to the plan stating "There will be no residential use of this property while it is being used as a business."
- The 5 total required parking spaces were all placed to the left side of the building.
- The note regarding employees was amended to read, "The total number of employees during normal business hours is 2 to 3."

Applicant amended the original application to read 715 sq. ft.

Everett Whitten made the motion to approve the Site Plan application of Michael Frechette to change the use of a residential building on Map 28 lot 4 on Route 5 to a real estate office for Conant House Realty with the following conditions:

1. There shall be no on street parking.
2. The lighting on the property shall be turned off by 10 p.m.
3. The applicant has a period of 12 months from this date to pave the driveway. If they decide after that period of time to pave the applicant will be subject to the current regulations.

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

**8:00 p.m. Cal Knudsen with the final plan of Bartlett Pines Phase II subdivision application off Deering Ridge Road.** There is discussion as to whether the board can review this final plan without the Lyman planning board according to state law. Dwayne Woodsome refers to MRSA title 30A section 4403 1A which states: If any portion of a subdivision crosses municipal boundaries, all meetings and hearings to review the application must be held jointly by the reviewing authorities from each municipality. The reviewing authorities in each municipality upon written agreement, may waive the requirement under this subsection for any joint meeting or hearing. It is noted that the Lyman planning board was informed in writing of this meeting, however they are having a meeting in Lyman on the same night. However, Waterboro did not receive a waiver from this requirement in writing.

Susan Dunlap informs Cal that the board has received a letter from Richard Cook regarding the setting of CMP poles in Stonegate subdivision. The poles have not been set yet and the Cook's bought property in the subdivision and are in the process of building. Susan adds that it is her understanding that the fire pond required in Stonegate is not holding water and this needs to be resolved as well for the protection of the property owners. Susan Dunlap quoted section 8.6.3 of the Subdivision regulations which states: No plan by the subdivider shall be approved by the Planning Board as long as the subdivider is in default on a previously approved Plan.

Cal states that he has signed the easements to set the poles and paid CMP with check number 1039. Cal adds that he has spoken a number of times with the Waterboro Fire Chief and due to the lack of rain this year, Cal is not sure what the board expects. Cal states that the fire chief has told him to wait until we get a significant rain and see if the pond fills up.

Dwayne Woodsome states that we need to set a joint meeting with the town of Lyman. Dwayne asks if Cal will be willing to agree to no further subdividing of this property. Cal replies that he is not willing to agree to that. He has amended the plan by removing the lots on the Lyman side of the lot. Cal states he is fully aware that if he intends to further subdivide in the future that he will have to come back before both towns again.

Dwayne Woodsome states that he wants to see either an agreement to no further subdivision of this property or to submit the total plan right up front. Because the tax burden for the roads, the fire protection will be on Waterboro residents because the road is only accessed through Waterboro with some residents of the subdivision paying taxes to Lyman. Dwayne feels that the board has the responsibility to Waterboro taxpayers before making a decision on this subdivision.

Dwayne Woodsome made the motion to close this appointment due to the regulations set forth in the state law. Todd Morey seconds the motion. Motion carries with a unanimous vote in favor. Todd Morey adds that we either need to set a meeting with Lyman or get a waiver from them to review this plan without them.

Cal informs the board that he is going over to the Lyman meeting tonight and he has an appointment for Dec. 5 to review the revised final plan with Lyman.

Cal Knudsen leaves the meeting at this time. Richard Cook, who is present, asks to speak to the board regarding his concerns with the setting of the poles and the fire pond's lack of water. After a brief discussion Mr. Cook is informed that the board will look into his concerns.

The board agrees they will attend the Dec. 5 Lyman planning board meeting. Todd Morey made the motion to send the Lyman board a letter explaining the town's position regarding the state law and that Waterboro should hold joint meetings or get a waiver, and to send a letter to Cal Knudsen quoting section 8.6.3 of the subdivision regs to inform him that the board does not have authority to act on this subdivision application until the Stonegate subdivision is completed according to the approved plans.

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

### **III. MINUTES OF PREVIOUS MEETINGS**

Dwayne Woodsome made the motion to approve the minutes of October 25, 2001 as written. Everett Whitten seconds the motion. Vote is 5-0-1 in favor with Todd Morey abstaining.

### **IV. REPORT OF OFFICERS**

**V. OLD BUSINESS**

**VI. COMMUNICATIONS**

Susan Dunlap reviews the following communications to the board.

1. The board received information regarding pesticides and the need for testing of old apple orchards for their review on a subdivision application off West Road.
2. Roland Denby provided a report from Maine DOT regarding the status of West Road for the same subdivision off West Road for the board's review.
3. A memo from the selectmen is reviewed that states that the relocating of telephone poles are conditional uses and these applications will be forwarded to the planning board prior to the selectmen approving them. Todd Morey made the motion that from now until May 1 all request for the replacement of utility poles for electric, telephone and cable lines have a blanket conditional use permit until May 1 provided they are located within public or private rights of way and that the Secretary, Dwayne Woodsome will sign the permits. Everett Whitten seconds the motion. Motion carries with a vote of 5-0-1 with Dwayne Woodsome abstaining.
4. The memo from Bob Fay asking to meet with the planning board is reviewed. It is agreed that a workshop will be held from 7-7:30 before the regular planning board meeting on Dec. 12 to meet with the selectmen.
5. The selectmen's meeting minutes for November 8 were given to the board members.

**VII. MISCELLANEOUS**

Dwayne Woodsome reports that the Conditional Use committee is holding a public hearing on November 27, at 7 p.m. to review their proposed changes in conditional uses allowed in the zoning districts. Dwayne urges all the planning board members to attend to have input.

Dwayne Woodsome made a motion to have Patti send a post card to all board members on the upcoming meetings for this month. Nov. 27, public hearing for Conditional Uses, Dec. 5 meeting in Lyman, Dec. 12 regular planning board starts at 7. Everett Whitten seconded the motion. Motion carries with a unanimous vote in favor.

**VIII. NEW BUSINESS**

**IX. ADJOURNMENT**

Dwayne Woodsome made the motion to adjourn at 9 p.m. Everett Whitten seconded the motion. Motion carries with a unanimous vote in favor.

Approved Date: 12/12/01

<u>Dwayne Woodsome</u>	<u>Everett Whitten</u>
<u>Roland Denby</u>	<u>Susan Dunlap</u>
<u>Everett Whitten</u>	<u>[Signature]</u>
<u>[Signature]</u>	