

Town of Waterboro

Planning Board Meeting Minutes August 22, 2002

I. ROLL CALL

Chairman, Susan Dunlap calls the meeting to order at 7:40 p.m. noting attendance of Tim Neill, Everett Whitten, Kurt Clason and Dwayne Woodsome.

II. APPOINTMENTS

7:30 p.m. Barbara Hamor with a conditional use application to pave her driveway and build ramps on each side of her porch for access to her camp within the shoreland zone.

A findings of fact that was done for the board's information is reviewed as follows:

Findings of Fact:

1. The name of the applicant is Barbara Hamor.
2. Mailing address is Po Box 371.
3. Town of East Waterboro
4. State of Maine 04030
5. Telephone number is 247-6029
6. The name of the property owner is Barbara Hamor.
7. The location of the property is Banks Drive off East Shore Road.
8. The property is further denoted as Assessor's tax map 33 lot 13.
9. The property is within the Agriculture and Residential (AR) zoning district.
10. The applicant has demonstrated a legal interest in the property by providing a copy of recorded deed book 4000 page 245.
11. The applicant has proposed to construct two ramps for access to house and pave the driveway to the porch.
12. Original application submitted May 21, 2002.
13. Applicant met with Planning Board on June 12, 2002 as noted in minutes of that meeting.
14. Applicant was informed to apply to DEP for a permit by rule prior to any further review from the board.
15. Applicant applied for and was granted a permit by rule signed by Dawn Buker from DEP on July 17, 2002 to pave driveway and seasonal ramps.
16. It appears from a site plan in the building file that the camp is 17 feet from the high-water mark of Ossipee Lake.
17. Lot size is approximately 136,454 square feet and is a conforming lot of record.
18. Section 7.01 subsection 14 of the zoning ordinance regulates driveways in the shoreland zone.
19. Section 7.05 of the zoning ordinance regulates wheelchair ramps, which do not meet town setback requirements.

Based on the above facts, Kurt Clason made the motion to approve the construction of the two ramps to be no closer to 20 feet from the water and all erosion control measures taken prior to construction the throughout the completion of the work.

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Everett Whitten seconds the motion. Motion carries with a vote of 3-1 in favor with Dwayne Woodsome opposing.

8:00 p.m. ~~Andy Cote~~ with final plan for ~~Meadowbrook~~ Subdivision. Bill Thompson from BH2M is also present to address the board. Bill states that the plan has received preliminary approval and there have been no engineer changes since then. Dwayne Woodsome addressed the ownership of the fire pond and that there is no reference on the plan to it. Andy Cote stated that that the pond will be owned and maintained by a homeowners association.

Sue states that the deed covenants should be noted on the face of the plan.

Sue brought up the road mapping that had been discussed at previous meetings where the applicant would make record of the existing conditions of Brookside Drive. Bill Thompson states that doing the road mapping is not a problem and they agreed to do it but didn't want to put the expense into it until they received final approval.

Bill Thompson states that there are some shared driveways on the plan at the request of DEP.

The final plan checklist is reviewed and found that the following is still needed on the plan before signing:

1. Restrictive covenants on the plan.
2. The road mapping of existing conditions of Brookside Drive
3. DEP stormwater management permit has not been received yet.
4. Statement regarding ownership of the fire pond on the plan

Based on the above findings Dwayne Woodsome made the motion to approve the final plan of Brookside Drive with the changes as listed made to the mylar before the board will sign it, and that a note be added to the plan that the fire pond will be completed as per plan approval within 18 months and that Brookside Drive be maintained at current conditions with a benchmark to be established and be monitored by the Road Commissioner and the Selectmen and be reviewed on a yearly basis until the completion of the project. Everett Whitten seconds the motion. Motion carries with a unanimous vote in favor.

9 p.m. ~~Jeffery Morrell~~ with a conditional use / Setback reduction application on map 47 lot 55.

The prepared findings of fact of the property up to this point is reviewed by the board as follows:

1. The name of the applicant is Jeffrey Morrell.
2. Mailing address is 17 Hillcrest Drive.
3. Town of Kennebunk
4. State of Maine 04043
5. Telephone number is 468-2568
6. The name of the property owner is Jeffrey Morrell
7. The location of the property is North Shore, Lake Sherburne lot 2A on the subdivision plan recorded on plan book 53 page 5 at York County Registry of Deeds.
8. The property is further denoted as Assessor's tax map 47 lot 55.
9. The property is within the Agriculture and Residential (AR) zoning district.
10. The applicant has demonstrated a legal interest in the property by providing an unrecorded copy of a deed from May of 2002.
11. The applicant has proposed to construct a gambrel garage with partial foundation and walk out cellar with well and septic at this time with hopes of building a house in the future.
12. Original building permit application submitted August 6, 2002.

13. Applicant is applying for a setback reduction to 55 feet from the front yard setback requirement of 75 feet.
14. This lot is in an approved subdivision called Lake Sherburne created before 1977.
15. The lot size is approximately 22,000 square feet making this a non-conforming lot of record as the required lot size is 80,000 square feet.
16. Applicant provided two proposed site plans from Corner Post land surveying dated July 2, 2002, showing the boundaries of the lot and two possible placements of the garage.
17. Subdivision file shows a variance was granted for various lots on March 10, 1987.
18. The first lot noted on the decision is that Lot 2A must meet set backs from section 3.03 and class D survey be made.

This building permit application is for a garage that they eventually want to turn into a house. There is discussion regarding the previous zoning board of appeals ruling on this property. Dwayne Woodsome made the motion to table this application and check with the town attorney to see if the planning board has authority to review this application after the ZBA has made a ruling on it. Tim Neill seconds. Motion carries with a unanimous vote in favor.

9:10 p.m. Roy Michaud with a Conditional Use / 30% expansion application on map 36 lot 21. Application is to make an addition to the living space of the house and two new decks, one being over the existing boathouse. There are questions regarding the calculations of the engineer on the proposed expansion. The board reviewed the prepared findings of fact as follows:

1. The name of the applicant is Roy Michaud.
2. Mailing address is 14 Penny Circle.
3. Town of E Waterboro
4. State of Maine 04030
5. Telephone number is 247-6048
6. The name of the property owner is Roy Michaud
7. The location of the property is Penny Circle.
8. The property is further denoted as Assessor's tax map 36 lot 21.
9. The property is within the Agriculture and Residential (AR) zoning district.
10. The applicant has demonstrated a legal interest in the property by being the owner of record in the assessing files.
11. The applicant has proposed to construct a 12 x 24 addition with 480 square feet of new decks.
12. Original application submitted August 7, 2002 and fee of \$100 paid at that time.
13. Applicant submitted calculations of existing and proposed square feet and volume dated July 27, 2002 by Pochebit Co. from 171 Warren Ave. Portland Me 04103.
14. It appears that all of the new decks are not calculated. Survey shows 72 feet of new deck. Plan appears to show 480 square feet of new decks and 288 square feet for the new addition.

Based on the above information Tim Neill made the motion to table this application and request the applicant to bring the calculations back to the engineer to re-calculate. Applicant to contact the secretary with corrected plan and it will be brought back before the board. Kurt Clason seconds the motion. Motion carries with a unanimous vote in favor.

III MINUTES OF PREVIOUS MEETINGS

Tim Neill made the motion to approve the minutes from August 14, 2002 meeting as written. Everett Whitten seconds. Motion carries with a unanimous vote in favor.

IV. REPORT OF OFFICERS

V. OLD BUSINESS

VI. COMMUNICATIONS

Sue noted that the board received a letter from John Perry stating he is withdrawing his subdivision application on ~~Asby Road~~.

VII. MISCELLANEOUS

Sue discusses documenting approvals differently. The motions don't always entail all the requirements. Site plans are not signed and they should be.

VII. NEW BUSINESS

IX. ADJOURNMENT

Dwayne Woodsome made the motion to adjourn at 9:45. Everett Whitten seconds the motion. Motion carries with a unanimous vote in favor.

Approved Date: 9/26/02











