

Planning Board Meeting Minutes 01/08/03

To: WaterboroME_PlanMin

Abstract: Planning Board Minutes January 8, 2003

The Planning Board held a workshop from 7:10 p.m. to 8:30 p.m. to meet with the road review committee. Attending from the road review committee were David Benton, Road Commissioner, Fred Fay, Chairman, Frank Birkemose, Sr., Jon Tufts and Russell Lowell.

The board discussed with the road review committee the idea to require some sort of road standard for all new houses constructed in town which do not have road frontage on an existing road. The proposal is as follows:

ARTICLE : Shall the townspeople vote to amend Article 2 Section 2.06 paragraph 1 sentence 1

To Read: No building permit shall be issued to erect any structure on a lot without frontage on a public way unless an access road meeting the following criteria has been constructed within a deeded right of way, a minimum of fifty feet in width. The access road shall be constructed to a minimum width of twelve feet in width if serving one dwelling unit, and fifteen feet if serving two dwelling units. The access road shall contain a minimum depth of fifteen inches of bank run gravel and have drainage ditches and culverts at all appropriate points as determined by the Waterboro Road Commissioner. Such an access road shall serve no more than two dwelling units. Any access road serving between three and eight dwelling units shall meet the road design and construction standards for a low volume road but need not be paved. Any access road serving more than eight dwelling units shall meet the road design and construction standards of the Town of Waterboro for " " roads. All privately owned roads will remain private until such time as all the requirements of the Town of Waterboro Street Design Ordinance are met and the road has been approved and accepted by the voters at an annual town meeting.

There was much discussion regarding whether to require all roads to be paved and constructed to town road design standards.

It was decided to request that the road review committee discuss this and bring back a recommendation to the planning board. Dwayne Woodsome suggested that if the road review committee needed consultant help that the planning board vote to approve an expenditure from the consultant moneys. This will be discussed in open meeting.

I. ROLL CALL

Chairman, Susan Dunlap opened the regular planning board meeting at 8:30 p.m. noting attendance of: Dwayne Woodsome, Tim Neill, Teresa Lowell, Kurt Clason, Everett Whitten and Roland Denby.

II. APPOINTMENTS

8:30 P.M. Dana Morton and Candice Gooch from Morton Land Surveyors were present to give a short presentation on how the proposed site for the new Middle School was picked. Dana explains that the state is requiring a letter from the planning board that the

site chosen for the proposed school is not contrary to zoning, land use or the comprehensive plan.

Dana reviewed the process by which this site was chosen. This is a proposed middle school for 7-8 graders, which would house approximately 700 kids. They started with a map of the school district and this map showed no town line boundaries. There were two people from each town within the district chosen to serve on the site selection committee. The town's zoning ordinances were reviewed for districts where schools are allowed. They looked at the soils next. Their search was for soils that would support a larger development. They blocked out the areas that were unsuitable. They then looked at the slope of the land. This proposed building would have unit dimensions of 3-400 feet so slopes of 5% or greater would not work for the structures or the athletic fields. Those areas with slopes were blocked out. The utilities were reviewed. They needed a site with access to three -phase power, access to public water and sewer if possible. They needed a site that is at least 50 acres. Based on all of these qualifications they came up with a road corridor throughout the towns and mapped out an area 2,000+ feet on both sides of the corridor to choose the site from. They looked at a map of the school district and mapped out every house with a school kid in it. They looked at the transportation routes in regards to what a new school would do to the system. There were 8 potential sites chosen. They started to review the tax maps. The state of Maine is concerned that schools are located in what could be considered a growth zone. The next step was to contact all the landowners of these sites to see if they would be interested in selling their property. They got 3 yes answers. It was narrowed down to two sites. The committee set a list of criteria and rated both sites accordingly and one site was chose above the other. The committee has requested that SAD 57 do more specific research of this particular property.

This is a 112 acre site owned by Dayton Sand and Gravel in between Route 5 and Old Alfred Road. The site has been surveyed. RW Gillespie has been hired to do hydro-geological studies and to look into any concerns about stormwater especially related to the old gravel pit on this property. There is an appraisal in process. This site was chosen over the other mainly because it is possible to make the buildings and fields efficient and compact. When the state funds moneys for a school, there will be a certain amount of money allotted. A consideration has to be made regarding the groundwork needed to make the site efficient. This site will require less site development

They have met with DOT and the State Planning Office. DOT is mandating that the main entrance be off Old Alfred Road at the entrance to the old gravel pit. The exit will be on Route 5 and the buses will use the Route 5 entrance. The Sheriff's dept. would like to see two ways into and out of the project. The intersection of Townhouse Road and Route 5 is on the list to be redone by DOT.

It is very important to bring the public water supply for the long-term benefit of this project. This is being looked into. They will have to apply for grants. This has been discussed with the Water District.

Roland Denby stated that there was some concern about what was burned in the old gravel pit years ago. This site is still on the DEP clean up list. All the information gathered so far does not indicate contamination. There are existing monitoring wells that have been

re-opened and they have drilled 8 more. They have done testing and nothing has been found. There will be a public hearing on Jan. 14 at the high school.

Dwayne Woodsome made the motion to have Sue Dunlap and Patti draft the letter to Dana Morton stating that the planning board is aware of the project, that the site is in an allowed zone, there are no major objections to this site and it is in an area of growth. Tim Neill seconds. Motion carries with a unanimous vote in favor.

Dana added that they tried to purchase property to connect the elementary school to this site but the private owners did not want to sell.

9:00 p.m. John Perry with the final plan for Star Hill subdivision on map 3 lot 22-4. The checklist was reviewed of the remaining items that were requested from the board.

Finding that all the requested information was provided Kurt Clason made the motion to approve the final plan as presented on the mylar. Everett Whitten seconds. Motion carried with a unanimous vote in favor. The plan is signed. John Perry states that he will record the plan and bring 5 copies to the town. John also paid the \$100 final plan fee by check to the secretary.

III. MINUTES OF PREVIOUS MEETING

The board did not review the minutes.

IV. REPORT OF OFFICERS

V. OLD BUSINESS

Dwayne Woodsome made the motion to approve the first 6 articles proposed on the worksheet for proposed amendment at town meeting and to send them to the town attorney to review for legal wording. Everett Whitten seconds. Motion carries with a unanimous vote in favor. The wording is as follows:

ARTICLE : Shall the townspeople vote to amend Article 3 Section 3.03 and Section 3.10 and paragraph one of Section 2.06 of the Waterboro Zoning Ordinance to read: The boundaries of these seven (7) zones are established by the enactment of this Ordinance and are as shown on the Official Zoning Map of the Town of Waterboro, dated February 7, 1977; the Town of Waterboro Wellhead Protection Zone Map; and on the 1970 Town Maps. The Official Zoning Maps are integral parts of this certified copy of the zoning ordinance (maps and text) shall be available to the public at all times in the Town Clerk's office. The February 7, 1977, and as further amended from time to time, zoning map was drafted so that the zoning district boundaries followed property lines as depicted on the 1970 maps. It should be interpreted accordingly. (amended 3-11-89 & 3-11-00)

General Purpose: Minimum Road & Shoreland Frontage 150'

Now reads:

Shall the townspeople vote to amend Article 3 Section 3.03 of the Waterboro Zoning Ordinance to read: The boundaries of these six (6) zones are established by the enactment of this Ordinance and are as shown on the Official Zoning Map of the Town of Waterboro, dated February 7, 1977; the Town of Waterboro Wellhead Protection Zone Map; and on the 1970 Town Maps. The Official Zoning Maps are integral parts of this certified copy of the zoning ordinance (maps and text) shall be available to the public at

all times in the Town Clerk's office. The February 7, 1977, and as further amended from time to time, zoning map was drafted so that the zoning district boundaries followed property lines as depicted on the 1970 maps. It should be interpreted accordingly. (amended 3-11-89 & 3-11-00)

General Purpose: Minimum Road & Shoreland Frontage ()

Section 3.10 paragraph #2 to read:

The minimum lot size in the General Purpose District (GP) is 40,000 sq. ft. depending on the lot being served by the public water system. If the lot is not served by public water the minimum lot size is 80,000 sq. ft. Any lots under 80,000 sq. ft. will be required to be served by public water supply. The minimum lot width and frontage requirements of 150' will be required No principle or accessory structure may be placed within thirty-five (35) feet of any side or rear lot line. Such structures must be set back fifty (50) feet from the front lot line. No principle or accessory structure may exceed thirty-five (35) feet in height. See section 2.06 for minimum lot width and frontage requirements. Abutting properties purchased that do fall within the General Purpose (GP) District will retain their original zoning requirements.

Now reads:

The minimum lot size in the General Purpose District (GP) is 40,000 sq. ft. depending on the lot being on the public water system. If the lot is not on public water the minimum lot size is 80,000 sq. ft. Any lots under 80,000 sq. ft. will be required to be on public water supply. No principle or accessory structure may be placed within thirty-five (35) feet of any side or rear lot line. Such structures must be set back fifty (50) feet from the front lot line. No principle or accessory structure may exceed thirty-five (35) feet in height. See section 2.06 for minimum lot width and frontage requirements. Abutting properties purchased that do fall within the General Purpose (GP) District will retain their original zoning requirements.

Section 2.06 To Read:

All lots shall abut upon an existing or proposed road which meets all municipal and other applicable government regulations and standards or, if landlocked, shall have a legally recorded access right-of-way, of no less than fifty (50) feet in width, to a public or private road. All lots, with the exception of landlocked lots, shall have a minimum road and/or water frontage of one hundred (100) feet in the Village zone, one hundred (100) feet in the Village/Residential zone except on cul-de-sacs where fifty (50) feet will be required. one hundred fifty (150) feet in the Residential, the Agriculture/Residential and the General Purpose zones and two hundred (200) feet in the Forest/Agriculture and Conservation zones. Situations involving or utilizing cul-de-sacs, curvilinear streets, cluster design or planned unit design permitted by the Subdivision Regulations or by this ordinance (see Section 8.02 and 8.03) when the Planning Board determines that these frontage requirements are not practical it may approve frontage reductions of up to fifty (50) percent. (Amended 3/11/89 & 3/11/00)

Now Reads: All lots shall abut upon an existing or proposed road which meets all municipal and other applicable government regulations and standards or, if landlocked,

shall have a legally recorded access right-of-way, of no less than fifty (50) feet in width, to a public or private road. All lots, with the exception of landlocked lots, shall have a minimum road and/or water frontage of one hundred (100) feet in the Village zone, one hundred (100) feet in the Village/Residential zone except on cul-de-sacs where fifty (50) feet will be required, one hundred fifty (150) feet in the Residential, the Agriculture/Residential zones and two hundred (200) feet in the Forest/Agriculture and Conservation zones. Situations involving or utilizing cul-de-sacs, curvilinear streets, cluster design or planned unit design permitted by the Subdivision Regulations or by this ordinance (see Section 8.02 and 8.03) when the Planning Board determines that these frontage requirements are not practical it may approve frontage reductions of up to fifty (50) percent. (Amended 3/11/89 & 3/11/00)

ARTICLE : Shall the townspeople vote to amend Article 2 Section 2.10 paragraph 1

To read: Site Plan Review and approval by the Planning Board shall be required before issuance of a building permit or certificate of occupancy for any commercial building or structure as provided in the Town of Waterboro Site Plan Review Ordinance adopted June 28, 1988.

Now reads: Site Plan Review and approval by the Planning Board shall be required before issuance of a building permit or certificate of occupancy for any building or structure or any expansion of any building or structure of 1,000 square feet or more; including but not limited to: Office buildings; multi-family residences; shopping centers; mobile home parks; travel trailer parks; and commercial complexes as provided by the Town of Waterboro Site Plan Review Ordinance adopted June 28, 1988.

ARTICLE : Shall the townspeople vote to amend Article 4 Section 4.01 paragraph 3

To Read: If the Planning Board feels it is necessary to either gather information, resolve conflicting information, or to inform the public, it may hold a hearing, pursuant to the provisions of Section 13.07, before deciding an application to commence a conditional use. The Applicant is required to notify abutters of the property the conditional use is applied for within 10 days prior to the scheduled Planning Board meeting. This notice shall inform the abutters of the application for conditional use, the date and time of the meeting and that the abutters must submit their concerns in writing to the planning board prior to the meeting date.

Now Reads:

If the Planning Board feels it is necessary to either gather information, resolve conflicting information, or to inform the public, it may hold a hearing, pursuant to the provisions of Section 13.07, before deciding an application to commence a conditional use.

ARTICLE : Shall the townspeople vote to amend Article 12 Section 12.01 to add the following:

Code Enforcement Re-Inspection fee \$25.00

Renewal permit fee \$50 (see Section 2.03)

Building Permit Fee shall not be less than ~~\$50.00~~ in any case except there shall be no fee if estimated cost does not exceed \$1,000 (see Section 2.03)- otherwise \$4.00 per One Thousand dollars of estimated cost. (Amended 3/12/88, 4/27/02)

Site Plan Review ~~\$400.00~~

Now Reads:

Building Permit Fee shall not be less than \$25.00 in any case except there shall be no fee if estimated cost does not exceed \$1,000 (see Section 2.03)- otherwise \$4.00 per One Thousand dollars of estimated cost. (Amended 3/12/88, 4/27/02)

Site Plan Review \$200.00

ARTICLE : Shall the townspeople vote to amend the Town of Waterboro Site Plan Review Ordinance

To Read: The Planning Board may waive certain requirements for projects of less than 5,000 square feet.

ARTICLE : Shall the townspeople vote to amend Article 2 Section 2.03 to add paragraph to require electrical permits.

To Read: An electrical permit, designed to insure compliance with state law must be obtained from the Code Enforcement Officer as a requirement of the building permit application.

Dwayne Woodsome made the motion to approve the following articles and send to the town attorney for review. Teresa Lowell seconds. Motion carried with a unanimous vote in favor.

ARTICLE : Shall the townspeople vote to amend Section 7b. of the E911 Ordinance to add:

The developer shall be responsible to purchase and place all road signs upon approval of the road name by the board of selectmen and prior to any occupancy permits being issued in the development. Such road signs shall be of the same color and design as used throughout the town of Waterboro and approved by the Road Commissioner prior to installation.

ARTICLE : Shall the townspeople vote to amend Section 7 of the Town of Waterboro Subdivision Regulations to add a new requirement:

To Read:

Whenever any residence or other structure is constructed or developed, it shall be the duty of the new owner to procure an assigned number from the E911 coordinator. This shall be done at the time of issuance of the building permit.

Subdivisions. Any prospective subdivider shall show a proposed road name and the lot numbering system on the preliminary plan submission to the planning board. Approval by the planning board shall constitute the assignment of road names and numbers to the lots in the subdivision. On the final plan showing the proposed roads, the applicant shall mark on the plan, lines or dots in the center of the streets

at every fifty (50) feet so as to aid in the assignment of numbers to structures subsequently constructed.

ARTICLE : Shall the townspeople vote to amend Article 3 Section 3.06.01 and section 14.02 to add Contractor Business as a permitted use in the V, AR and GP zoning districts.

Add definition to Section 14.02

Contractor Business: A business engaged in the provision of services off the premises, but which has an office and equipment / materials stored on the premises.

ARTICLE : Shall the townspeople vote to amend Article 14 section 14.02 to change the reference to parking spaces to correspond with Article 5's definition of parking:

To Read: Parking area: An unobstructed area consisting of one or more 200 sq. ft. parking spaces no part of which is located in or on any public or private right of way and the principle use of which is the temporary storing and maneuvering of vehicles.

Now Reads: Parking area: An unobstructed area consisting of one or more 222 sq. ft. parking spaces no part of which is located in or on any public or private right of way and the principle use of which is the temporary storing and maneuvering of vehicles.

ARTICLE :

To Read: Shall the townspeople vote to amend Article 7 Section 7.02 A. Authority and Purpose (1) Notwithstanding other provisions of this Ordinance, the Planning Board in reviewing and approving proposed mobile home park developments in the Residential Zone, shall apply the provisions of this section, as well as the requirements of the Waterboro Land Subdivision Regulations and Waterboro Mobile Home Park & Trailer Park Ordinance. Where the provisions of this section conflict with specific provisions of the Town of Waterboro Land Subdivision Regulations and/or the Town of Waterboro Mobile Home Park & Trailer Park Ordinance, the provisions of this section shall prevail

Now Reads: Shall the townspeople vote to amend Article 7 Section 7.02 A. Authority and Purpose (1) Notwithstanding other provisions of this Ordinance, the Planning Board in reviewing and approving proposed mobile home park developments in the Village and Residential Zones, shall apply the provisions of this section, as well as the requirements of the Waterboro Land Subdivision Regulations and Waterboro Mobile Home Park & Trailer Park Ordinance. Where the provisions of this section conflict with specific provisions of the Town of Waterboro Land Subdivision Regulations and/or the Town of Waterboro Mobile Home Park & Trailer Park Ordinance, the provisions of this section shall prevail.

ARTICLE : Shall the townspeople vote to amend Article 2 Section 2.03 to add this paragraph just prior to paragraph three.

Prior to the issuance of any occupancy permit for any structure with a potable water supply system, a water quality analysis demonstrating that the State of Maine Safe Drinking Water Guidelines are met shall be submitted to the Code Enforcement Officer.

VI. COMMUNICATIONS

The board reviewed the letter from SAD 57 regarding the 2,000 acre parcel in North

Waterboro and noted it for the record.

The board reviewed the announcement of a GIS users group workshop this Thursday, Jan. 16. Sue stated she would like to go. Dwayne Woodsome made the motion that the planning board pays the fee for anyone on the board who attends this workshop. Tim Neill seconds. Motion carries with a unanimous vote in favor.

VIII. NEW BUSINESS

1. Request to change the planning board meeting nights. Dwayne Woodsome made the motion to amend the planning board by-laws to change the meeting nights to the first and third Wednesday of each month. Everett Whitten seconds. Motion carries with a unanimous vote in favor.

2. Dwayne requested that the board consider requiring all day cares to register with the town. We could grandfather the ones that already exist. We could run an ad in the Smart Shopper giving them a certain time in which to register and there could be no fees until maybe April. This request is tabled until a workshop night to discuss further.

3. There was a request from a Limington applicant who is submitting a subdivision plan with crosses the town line by 20-30 feet and wanted to know what kind of input the Waterboro board wanted to have. Sue states that the state law mandates that we participate in joint approval of a subdivision that crosses town lines so Waterboro wants to be notified of the meetings and will have to sign approval on the final plan.

4. Dwayne Woodsome made the motion to approve the road review committee to use planning board consulting funds for advice in revising the road design standards on the planning board's behalf up to \$500. Everett Whitten seconds. Motion carries with a unanimous vote in favor.

5. Sue Dunlap reports that from her work with the comprehensive plan committee she has learned that the state is mandating that towns define areas in town for growth, transitional areas, critical areas and rural areas. They are working on making these areas mesh with existing zoning. They have to designate where they want housing, businesses or undeveloped land. Sue shows the existing working map with proposed areas colored in. Sue invited the board to attend the comprehensive plan meeting tomorrow night at 6:30.

Dwayne Woodsome made the motion to continue this meeting on January 20 at 7 - 8:30 p.m. and to include a workshop. Roland Denby seconds. Motion carries with a 5-1 vote in favor with Everett Whitten abstaining, as he will be out of town on that night.

On January 20, 2003 the meeting was opened at 9:00 p.m. after a workshop on proposed zoning amendments. The meeting closed with no action at 9:00 p.m. There was discussion regarding the proposed zoning amendments and it was decided to discuss questions with Patti at the next meeting. There was no one to run the camera in attendance at this meeting.