

# TOWN OF WATERBORO *PLANNING BOARD*

## **MEETING MINUTES** *July 16, and July 23, 2008*

### **I. ROLL CALL**

#### Board Members

Present:	Judy Carll Teresa Lowell	Kurt Clason Tim Nelson	Susan Dunlap
Absent:	David Benton	Roland Denby	
Others Present:	Gary Shelton Patti Berry Evan Grover Other abutters	Dustin Holden Tom Ursia Tina Smith	Adam Goodwin Susan Masiello David Lowe

Sue Dunlap, chair, called the meeting to order at 7:30 P.M.

### **II. APPOINTMENTS**

- ***Gary Shelton***  
***16 Betty Lane, Map 32, Lot 1-8***  
***Setback Reduction***

Gary Shelton met with the board regarding a setback reduction to construct a 26' x 36' garage on his property. The applicant owns two lots totaling less than 80,000 square feet located in an AR zone; the applicant bought the property in 2004. Applicant provided proof that abutters were notified. The lot does not meet the exceptions noted in Section 3.03 of the ordinance so must meet front setbacks from Betty Lane and West Shore. Board members question whether the existing shed meets required setbacks. Applicant stated he wants the garage where it is shown on the plan and can't move the shed. The board would like to schedule a site walk and asks applicant to mark leach field and the corners of the proposed structure. Board members state that they need to look at all of the options and minimize impact of the proposed structure. Applicant was unhappy with the action taken by the board and left the meeting. The board tabled the application.

➤ ***Dustin Holden***  
***609 Ross Corner Road, Map 47, Lot 134***  
***Setback Reduction***

Dustin Holden addressed the board regarding a setback reduction in order to construct a 24' x 24' garage on his property. The proposed garage would be outside of 100' shoreland setback and not subject to 30% expansion. Applicant provided proof that abutters were notified. Board members received copies of letters from abutters. The house was built before 1977 and allows expansion to 10' from sideline but no closer than 20' to neighboring structure. Board members questioned the abutting lake access lot and asked Tom Ursia to research if there is a front yard setback that surrounds the lot. Board members requested that the applicant stake the corners of the proposed structure and lot lines before the site walk. Kurt Clason made a motion to conduct a site walk on Wednesday, July 23, 2008 at 7:30 p.m. The motion was seconded by Tim Nelson and unanimously carried. Abutters asked what happens if all of the neighbors don't want the setback reduced. Sue Dunlap stated that every owner of a nonconforming lot has the right to ask for a reduction; it is the Planning Board's job to see that the changes have the least impact. The board will conduct a site walk to assess the character of the neighborhood. The abutters expressed concern over erosion problems. The applicant stated that he is planning to have a retrieval system.

➤ ***Peter Semenchuk (Adam Goodwin)***  
***40 Courtney Lane, Map 33, Lot 34***  
***Setback Reduction***

Adam Goodwin addressed the board regarding a setback reduction to enlarge a porch on the property at 40 Courtney Lane. Applicant provided proof that abutters were notified. The applicant proposed to expand the existing 20' x 8' porch to 22' x 12'. Board members requested that the applicant stake the corners of the proposed structure and lot lines before the site walk. Kurt Clason made a motion to conduct a site walk on Wednesday, July 23, 2008 at 6:30 p.m. The motion was seconded by Tim Nelson and unanimously carried.

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

Tim Nelson made a motion to accept the minutes for the meeting held June 18, 2008. The motion was seconded by Teresa Lowell and passed unanimously.

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

## **V. OLD BUSINESS**

### **➤ Lakeside Community Church Map 13, Lot 51-1, 1248 Sokokis Trail**

Gary Fecteau addressed the board regarding approved changes to the site plan. The completion of the cistern and lighting plan were extended to August 1, 2008 by the Planning Board. Tom Ursia was asked to check with the town attorney and the Fire Chief regarding the cistern. The question was whether it was necessary to have the cistern on site, off site, or remove the requirement. The Planning Board also requested clarification of the letter from the Fire Chief. Tom Ursia stated that he conferred with the Fire Chief, Natalie Burns and Patti Berry; Tom stated that the Fire Chief said it was not necessary to have the cistern in order to fight a fire or meet life safety requirements. The cistern was not a requirement of the state Fire Marshal; it was requested by the Planning Board. Tom Ursia added that we have reached the time when we need to consider a cistern ordinance or clarification when cisterns are required other than for subdivision approval. Kurt Clason requested a letter from the Fire Chief.

Kurt Clason made a motion to withdraw the requirement of the cistern from the plan as recommended by the Fire Chief (pending receipt of a letter from the Fire Chief). The motion was seconded by Judi Carll and passed unanimously.

## **VI. COMMUNICATION**

## **VII. MISCELLANEOUS**

Tom Ursia updated the board

- The Rural Road Initiative funding for collector roads will be discussed at the next Selectmen's meeting; West Road is a likely candidate for funding
- Comprehensive Plan has some non-compliance issues; working on regionalization and would like board members to read drafts
- Working on the Capital improvement plans with department heads
- Attending Library board meetings; Library committee would like to meet with Planning Board for informational purposes

Tim Nelson questioned Tom Ursia regarding his review of items before the board. Tom stated that tonight's applicants were dimensional issues, but he would recommend a sealed survey showing location of applicant's and abutters' structures before board review. Board members advised that the ordinance did not require surveys. Tom suggested that the ordinance be changed; deficient plans shouldn't come before the board.

## **VIII. NEW BUSINESS**

## IX. ADJOURNMENT

At 9:55 p.m. Tim Nelson made a motion to adjourn the meeting. The motion was seconded by Teresa Lowell and passed unanimously.

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*Wednesday, July 23, 2008*

- **6:30 p.m. – Site Walk**  
**Peter Semenchuk (Adam Goodwin)**  
**40 Courtney Lane, Map 33, Lot 34**  
**Setback Reduction**

### Board Members

Present:	Judy Carll Teresa Lowell	Kurt Clason	Susan Dunlap
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Absent:	David Benton	Roland Denby	Tim Nelson
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Others Present:	Adam Goodwin	Tina Smith
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Board members noted stakes showing location of proposed addition to porch. Addition is more than 100' from the shoreline and not subject to 30% expansion rule. Adam Goodwin stated that the roof line of the porch will change to line up with the roof line of the house.

- **7:30 p.m. – Site Walk**  
**Dustin Holden**  
**609 Ross Corner Road, Map 47, Lot 134**  
**Setback Reduction**

### Board Members

Present:	Judy Carll Teresa Lowell	Kurt Clason	Susan Dunlap
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Absent:	David Benton	Roland Denby	Tim Nelson
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Others Present:	Dustin Holden Other Abutters	Stacy Holden Tina Smith	Susan Masiello
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Board members noted stakes showing location of proposed garage and property lines. Addition is more than 100' from the shoreline and not subject to 30% expansion rule.

Garage to be attached to house and may be placed 10' from property line/20' from abutting structure. Dustin Holden stated that he bought the abutting lot; board members requested that he have a new survey for the next meeting. Kurt Clason measured houses across the road; they were 33', 36' and 69'9" from edge of road (measurement from property line would be less). Abutters questioned the amount of the setback being requested; Sue Dunlap explained that 15% is not a Planning Board criteria.

Approved Date: 9/3/08

Sue Dunlap  
Teresa Lowell  
Joan Carroll  
[Signature]

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