

TOWN OF WATERBORO
PLANNING BOARD

MEETING MINUTES

September 3, 2014

7:00 p.m.

***Public Hearing – Zoning Ordinance Amendment Section 2.08 Size reductions and
Increases***

OPEN PUBLIC HEARING

The Public Hearing was called to order at 7pm by Tim Neill, Chair. There were no members of the public in attendance.

Tim Neill shared that Natalie Burns, Town Attorney, determined that how the Planning Board handles setback variances is illegal and cited a 1998 Ogunquit court case where the decision of the Planning Board was overturned. The responsibility should be passed to the Zoning Board of Appeals. Natalie burns has re-written Section 2.08 to come into compliance with State regulations.

Frank Allen made the motion to close the Public Hearing at 7:05pm. Seconded by Andy Cote. No discussion Passed 5-0.

I. ROLL CALL

Board Members

Present: Tim Neill Frank Allen Judy Carll Dwayne Prescott
 Andy Cote

Absent: Kurt Clason

Others Present: Katy Mann Tom Ursia Tammy Bellman

The meeting was called to order at 7:08 p.m. by Tim Neill, Chair.

II. APPOINTMENTS

➤ ***Setback reduction request by Stephen Caron, Map 36 Lot 27-A. Site walk.***

Stephen Caron requested to be heard at the September 17, 2014 Planning Board meeting.

➤ ***Request to change zone by Katy Mann Map 1 Lot 36***

Katy Mann provided an overview for the Planning Board of the requested zoning change to go from Residential to Agriculture-Residential. Katy provided the Planning Board with an overhead visual of the property involved. Tim Neill questioned the Town Planner, Tom Ursia as to why a conditional use could not be considered. Tom responded that the Town has begun to keep areas agricultural to encourage a more agricultural use which would be consistent with the Comprehensive Plan and promote that future generations would also be agricultural in use. Tom Ursia also included that this is the proper way to do this change as opposed to a conditional use change. Further discussion was held by the Planning Board. Andy Cote would like to have a site visit and Public Hearing to get input from the abutters. Tom confirmed that the next step would be for the Public Hearing. Tom confirmed the process for the zoning change to be Planning Board Public Hearing – send to Selectmen – Selectmen’s Public Hearing – recommendation from Selectmen to the Planning Board. Dwayne Prescott would also like a site visit prior to the Public Hearing. The site Visit is tentatively scheduled for September 17 at 600pm and the Public Hearing 630pm on September 17. The Little Ossipee Lake Campground expansion Public Hearing will be at 7pm on September 17. Tammy Bellman will make the necessary calls to the campground and the newspapers for notification.

III. MINUTES OF PREVIOUS MEETINGS

- Frank Allen made a motion to approve the minutes as written for the meeting held August 20, 2014. The motion was seconded by Tim Neill and carried 5-0.

IV. REPORT OF OFFICERS

None.

V. OLD BUSINESS

- Public Hearing scheduled for September 3, 2014 at 7pm for public comments on the proposed changes to Section 2.08 of the Zoning Ordinance. No community members were present at the Public Hearing. The Planning Board would like to see the following change made to the proposal that Natalie Burns provided. The side setbacks be changed to 10 feet rather than 15 feet.

Motion was made by Judy Carll to send the Zoning Ordinance Section 2.08 to the Board of Selectmen with the following minor change – Side Setback changed to 10 feet. Dwayne Prescott seconded the motion. No discussion. Vote. Passed 5-0.

VI. Communication

None.

VII. Miscellaneous

Andy Cote proposed a meeting with the Planning Board, Board of Selectmen, Town Administrator and the Town Attorneys to discuss what can legally be disclosed and when is it appropriate or not appropriate. A call made to Natalie Burns with a request for guidelines for disclosure with how and when – we don't want the applicants to be blind-sided when they come before the boards. Tom Ursia suggested the use of pro-bono hours for the workshop.

VIII. New Business

Tom Ursia presented the Draft of the Change of Zone Request Form. Tom went through the form line by line for the Planning Board should they have any input or changes that they would like to see prior to sending this on the Board of Selectmen. The changes are noted on the attached copy of the document.

Dwayne Prescott made the motion to change the fee to \$500. Andy Cote seconded the motion. Vote. Passed 5-0.

After the discussion Tom recommended that the form be sent to the Board of Selectmen for a review of the fee schedule.

Andy Cote made the motion to start the process by sending the changed document to the Board of Selectmen for a fee review and start using this document with the next applicant that request a zoning change. Dwayne Prescott seconded the motion. No discussion. Vote. Passed 5-0.

IX. ADJOURNMENT

At 8:26 p.m. Frank Allen made a motion to adjourn the meeting. The motion was seconded by Judy Carll and carried unanimously.

Approved Date: _____

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