

**TOWN OF WATERBORO**  
***PLANNING BOARD***

***MEETING MINUTES***

***November 19, 2014***

**7:00 p.m.**

7pm - **Public Hearing** – Change of Zone Request Form and Fee

**OPEN PUBLIC HEARING**

The Public Hearing was called to order at 7pm by Tim Neill, Chair. Tim asked if there were any members from the public in attendance. No one responded.

Tim Neill shared that the Change of Zone Request Form would make it easier for the community members to request a zone change and the fee would assist the Town of Waterboro in recovering expenses.

Tim Neill closed the Public Hearing at 7:01pm.

**I. ROLL CALL**

Board Members

Present:           Tim Neill       Andy Cote       Judy Carll       Dwayne Prescott  
                          Kurt Clason    Lee Nelson

Absent:             Frank Allen

Others Present:   David Woodsome    Brian Desrochers for Armand Desrochers   David  
                          Lowe Rebecca & Richard Doucette    Stephen Everett   Patti Martel  
                          Tammy Bellman

The meeting was called to order at 7:02 p.m. by Tim Neill, Chair.

**II. APPOINTMENTS**

- ***Relocation/Setback Reduction – Armand Desrochers, Map 29 Lot143 – 21 Desrochers Lane.*** A site walk was conducted on Saturday, November 8, 2014 at 9am. The Planning Board was presented with three possible options for the Desrochers to complete the rebuild of the red camp. The Planning Board indicated that Option C is the one that they are recommending.

Judy Carll made the motion to rebuild and approve Option C to include a 10 foot setback to the drip edge and no closer to the lake than the current camp. Dwayne Prescott seconded the motion. Vote 6 – 0. Passed.

- **Relocation/Setback Reduction – Richard Doucette Map 32 Lot 28 – 87 Amy Lane**  
A site walk was conducted on Saturday, November 8, 2014 at 9:30am. Richard Doucette agreed to detach the garage and move it back to the 100 foot high water mark and build the house as submitted. They will provide the Planning Board a new plot plan with these items noted. They will be placed on the December 3, 2014 agenda for review.
- **Relocation/Setback Reduction – John & Donna Martel Map 40 Lot 3 78 Hush Puppies Road** Steve Everett represented the Mr. & Mrs. Martel. A site walk was conducted on Saturday, November 8, 2014 at 10:00am. Tim Neill gave an overview of the site walk. Steve Everett will bring the grade down 6 inches below the Allen’s garage.

Andy Cote made the motion to approve the garage as drawn as long as the top of the Martel’s slab is 6 inches below the lowest point of Mr. Allen’s garage slab. Judy Carll seconded the motion. Voted. 5 – 0 (Clason abstained.) Passed.

- **Katy Mann – Change of Zone request – Map 1 Lot 36 429 Federal Street**  
Katy Mann was asked questions by the Planning Board regarding the change of zone. Tom Ursia spoke on Contract Zoning. Contract Zoning has not been practiced in Waterboro. Attorney provided the process to participate with Contract Zoning and it involved an expensive process for the applicant. Simplest solution to benefit the Town of Waterboro and consistency with the Comprehensive Plan would be to add a conditional use to the Zoning Ordinance. Zoning Ordinance 3.05 and conditional use does not address agricultural use. The Planning Board and applicant have a discussion. Solution if Planning Board finds acceptable to change Ordinance 3.05 (02) to include livestock as a conditional use. Tom Ursia Conditional Use would not change, the Planning Board can approve, deny or modify. Recommend a minimum acreage for the conditional use. Andy Cote stated that he would be in favor of a conditional use of that zone to add livestock – it would make it level ground for all individuals in that zone. Tom Ursia received a consensus from the Planning Board regarding the process listed below:
  - Conditional Use write-up – Tom Ursia will write up the statement for the conditional use
  - Public Hearing will be scheduled and held
  - The Planning Board will review any comments/suggestions from the Public Hearing
  - Planning Board will set the standards

Andy Cote made the motion to move ahead and have Tom Ursia write up the language for the statement. Judy Carll seconded the motion. Voted. 6 – 0. Passed.

- **Gary Lamb – Discussion of Site Plan Review Process** - Gary up-dated the Site Plan Review Ordinance and would like the Planning Board to consider it. Section 2 is missing the Director of Public Works and the Fire Chief. Section 4 – consider giving the group a committee name. Capture their comments and put it down on paper. Tom Ursia and Gary had a brief discussion. The Site Plan Review checklist would be able to add the titles noted above. Documentation is an issue. The bigger issue is that the Planning Board needs to get this information in a timely manner. Tim Neill stated that the written concerns are suggestions, they member providing the suggestions does not have veto power. Tom Ursia provided an easy fix: 1. change the checklist to include the Director of Public Works and the Fire Chief so that a letter is provided before the information goes to

the Planning Board; 2. A representative from the Planning Board sits on the Site Plan Review as ex officio thus keeping the voting power with the Planning Board; and 3. Communicate for transparency – administrator says be at the meetings and the Planning board only votes. Tim Neill suggests building Site Plan Review Committee. There is no sunset clause for the Site Plan Review Ordinance.

- ***Informational Carpenter Estates – Fran Lapierre – Map 13 Lot 30A***Dwayne Prescott recused himself. Fran Lapierre gave an overview of the up-dated project. A new site plan had been submitted to Tammy on November 19, 2014 before the meeting started. Scott Carpenter, Heir, shared with Fran that evening that the Waterboro Land Trust is to accept the rear lot. She did not have any further information. Fran stated that the Stormwater Management Plan needs Planning Board review and approval. Tammy will email this report to the Planning Board, Doug Foglio, Director of Public Works and the Fire Chief. Tom Ursia suggested having the stewardship fee issue rectified before coming to preliminary review. Keep moving forward if 1. Land Trust invited to Planning Board meeting and 2. Proceed ahead piecemeal style. Fran presented the Planning Board chair with the email between Mr. Lamb and Fran regarding the preliminary plans submitted in March. Andy Cote suggested that she return with the sketch plan for 4 lots. A Site Walk is scheduled for Saturday, November 22, 2014 at 7am. Tom Ursia suggested that they should schedule the return for after the decision of the Land Trust – in fairness to the applicant ask the Land Trust to come before the Planning Board and express intentions and assume consummated. Fran stated the easement term will remain in the natural state. The following schedule was provided to Fran: 1<sup>st</sup> appointment will be for the sketch plans; 2<sup>nd</sup> appointment will be for the preliminary and the 3<sup>rd</sup> appointment will be for any waivers for the plan. Fran will be the first appointment on the December 17, 2014 Planning Board agenda. Tom Ursia suggested to have invite the Land Trust if no decision has been made and Dave Woodsome suggested to get a decision date from the Land Trust. Dwayne Prescott suggested that someone with authority get the date out to the Land Trust.

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

- Andy Cote made a motion to approve the minutes as written for the meeting held November 5, 2014. The motion was seconded by Judy Carll and carried 6-0.

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

None.

### **V. OLD BUSINESS**

- ***Change of Zone Request Form*** – Public Hearing was held on the Change of Zone Request Form and fee. Tim Neill made the motion to accept the Change of Zone Request Form and fee. Andy Cote seconded the motion. Voted 6 – 0 passed.
- ***Fees Schedule*** - Tammy to start gathering the fees in the Zoning Ordinance so that a Fee Schedule can be established. Tom Ursia will bundle them together.

**VI. Communication**

- *Gary Lamb up-date on Section 2.08 transfer* – Gary reported that Section 2.08 transfer needs more time and it is with Natalie Burns. He will work on it to get resolved.

**VII. Miscellaneous**

- Dave Lowe was thanked for getting the agendas and minutes onto the town website – the agendas back to 1988 and the minutes back to 1968.

**VIII. New Business**

- None.

**IX. ADJOURNMENT**

At 9:20 p.m. Judy Carll made a motion to adjourn the meeting. The motion was seconded by Dwayne Prescott and carried unanimously.

Approved Date: \_\_\_\_\_

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