

Andrew

TOWN OF WATERBORO  
PLANNING BOARD

WATERBORO, MAINE



Regular Meeting of the Planning Board January 13, 1988

Meeting called to order at 7:45 P. M.

I **Rollcall:** Dwayne Woodsome, Anna Jackson, Roland Denby, Larry Jacobsen, and Doug Foglio. Anna Jackson was empowered to vote.

II **Minutes:**

III **Communication and Bills:**

1. December Issue of Maine Enterprise
2. Letter from Karen Lovell Re: Leighton Subdiv. Violation
3. Letter from Richard Davis Atty. Re: McKelvey Lot
4. Information forwarded by Steve Kasprzak
5. Proposed Changes to Subdiv. Regulations
6. PATCH Info
7. Plans for Lions Club Subdiv.
8. Copy of Letter to Selectmen from Andrew Re: PURC Test
9. Issue of Me. Business Indicators
10. Copy of Proposed Changes to Zoning Ordinance
11. MAP December Issue
12. Copy of letter sent to ZBA from PB Re: Shawn Shoemaker
13. Copy of letter sent to Selectmen Re: GTE Building
14. Letters from Atty. RE: Effect of moratorium on submitted Planning Board Applications
15. Thank you from Leslie Hammond
16. Application for subscription to Economic Growth Report
17. Application for subscription to BIOCYCLE
18. Copy of letter sent to Mr. Jones from Health Officer

#8. Comment made on what could be done. Andrew looking at options. Sanford's Code Enforcement Officer is notified before testing of soil is to be done. He then can be present while test is performed or has the option to waive that right.

IV **Report of Officers and Committees:**

**Treasurer's Report:** Larry Jacobsen reported a Balance of \$940.51

V **Appointments:**

8:00	P. M.	Westridge Commons	Map	9	Lot	20
8:30		Robert Reinken	Map	4	Lot	25
9:00		Mt. Holly, Inc.	Map	9	Lot	140

**Westridge Commons    Map 9   Lot 20**

Mr. Hall's Attorney and Fran Lapierre from Oak Point Associates requested the Board's opinion on a new sketch plan placed on record. The new sketch plan has thirteen (13), three (3) bedroom houses to be in keeping with the Condominium concept. Mr. Hall had taken into consideration the strong feelings voiced at the Public Hearing and felt that the new plan would be more widely accepted by the people. The new plan had approximately 60 ft. between buildings. The road into the development would be 24 ft. wide pavement width with no sidewalks. The association would be responsible for the maintenance of the exterior of all buildings, the care of the grounds, the drive into the development and the remaining parcel of land to remain as common land. The Board commented that the distance between the buildings should be in keeping with requirements of the Zoning setbacks using an imaginary property line with setback to be measured from that. If in the future this were to be split up this would cover. Placement of septic system of previous sketch plan was to be kept in the cul-de-sac. The plan to possibly have 2 large common septic systems or to save 1 backup as the primary with sewerage to be pumped. Not sure of specifics on sewerage at this time. Town concerned with the possible maintenance falling back on them. Review process will be affected by this. Researching what other Boards require. Common sewerage to be the responsibility of the Association. Should be set up correctly. Will be provided for in the contract. A common well planned. Water reports to be supplied by Dick Sweet. A house lot was being cut out by Mr. Hall. A self imposed 200 ft. greenbelt to be a covenant in the deeds not to be cleared or cut in the future. A recreational area possibly to include a Tennis court or a Ballfield. Board mentioned that a 4% slope was considerable for play area possible to require leveling. Existing and proposed contours can be shown. Garages and Breezeways placement may vary. Mr. Hall intends to maintain as much vegetation as possible. Mr. Hall will possibly need a drainage plan for dispersal of run off to a filtration system. Discussion on differences in the two plans, 40 unit apartment vs. 13 single housing units. By-laws would govern what would be permitted in the development such as pools, gardens etc. to be in place at final plan. Board pointed out that when dealing with condominiums you would like people purchasing to be happy. Waterboro area does not have a lot to offer for recreational activities. Comments on not being able to develop on the new road for a while. Time frame proposal for building on rear of the lot? Mr. Hall would be advised and would answer the Board at another time. Is this sketch plan acceptable to the Board? Overall view leaned more towards a cluster effect. Currently there is no access to the new road. Most land owners do not own from the West road to the New road. Possibly look at Mr. Hall leaving a 50 ft. right of way for future town use. Should a Conservation easement be considered? Forty plus acres to be common ownership.

Dwayne Woodsome moved to accept sketch plan submitted 1-13-88. Roland Denby seconded. Vote unanimous in favor. Planning Board fees to be reviewed at a later point in the meeting if there is a fee notification will be forwarded. On a long term plan what provisions would be necessary to be placed in the deed on the commonly owned property to change the use from the association to the Town. For example, by vote of the association, selectmen and planning board the use of the commonly owned property could be changed for possible use for a Fire Barn, School etc. Comments made concerning Eminent Domain being a factor.

**Robert Reinken**

**Map 4 Lot 25**

Present with Mr. Reinken were representatives from Stevens Morton Rose & Thompson. Pamphlet's were given to members of the Board. Mr. Reinken is proposing a 7 lot subdivision. Affordable housing approximately \$90,000.00 per lot. To be developed and built by Mr. Reinken. Basic Deed restrictions with limiting factors such as no mobile homes would be in place. Probable 2 bedroom cape with an expandable upstairs or 3 bedroom ranch to be built. Perimeter survey is complete boundaries found to be a little different from what is shown on the Tax Map. Lots to be 40,000 sq. ft. Reason for 50 ft. right of way? Allows development on lot behind. Could create problems to people in the cul-de-sac thinking that their lot is fairly secluded and then having traffic going through the 50 ft. right of way. Mr. Reinken was not sure of the lot behind his having access. Board felt the right of way was not necessary. Cul-de-sac limit in ordinance states 600 ft. Cul-de-sac measured from road through circle. In this case would make the cul-de-sac approximately 825 ft. A point that will need to be addressed. A waiver provision in Zoning 2.06 lot frontages can be reduced up to 50%. Pavement of cul-de-sac necessary. Town acceptance is measured in length of road. Different style turns could be used. Minimum of 75 ft. frontage off cul-de-sac most narrow on record is 60 ft. Waivers not usually granted at this stage. Sketch plan is a basic design to start from. Land to be kept as common or deeded to abutters a possibility at the end of the cul-de-sac opening onto rte. 202. Land could include Bus stop, mail boxes, possibly some or all on one side. A protective shelter possibly for children waiting at the Bus stop. Right of way going to Town recreational area should be for pedestrian traffic only, would be better if placed between lots 2 and 3. Planned on Town acceptance of road. Mr. Sweet to do water study. Board in the process of reviewing to require full water study. Water quality hydrological looks for phosphorus, chlorine, chemicals, natural pollution on ground and in water. This also helps determine the number of lots the land will support. Mr. Sweet basically looks for nitrates. The Ordinance allows the Board a lot of lee-way. Working on more specific water study requirements to be written out. On Site scheduled Tuesday January 19, 1988 at 10:00 A.M. Mark property lines. Storm date January 25, 1988. Mr. Reinken looking to construct homes in approximately 1 to 1 1/2 years from start. The Board is looking for voluntary submittals of longer building term to slow the rate of development. Mr. Reinken should adjust the following;

1. Front area frontages on lots 2, 3, 4, and 5.
2. Do away with 50 ft. right of way.
3. 10 ft. right of way for pedestrian traffic to recreational area.
4. Let Planning Board know when Dick Sweet is expected.

5. Common ownership of buffer area.
6. List of variances together for review before another meeting

Registered soil scientist? Licensed site evaluator? Have always accepted these. Require 2 test pits per lot 50 ft. apart. Ann Jackson moved to accept sketch plans with discussed revisions. Larry Jacobsen seconded. Vote unanimous infavor.

**Mount Holly, Inc.      Map 9   Lot 14D**

Have a Sales and Purchase agreement. Strictly Land Developers. Mr. Cameron upgraded the road. Town has since done some developing of it. Will be improving a section of Red School House Rd.. If this is a town road whose permission does he get? What specs does he go by to develop the road? Believed to be discontinued. Inquiry from the Selectmens Office as to current status of road. Status of roads all over town is in question. Precedence of roads in the area. Paving should not be prerequisite. Fifteen ft. of base, three ft. of stone. Discussion of cul-de-sac length as written in zoning ordinance. Could possibly reduce the number of lots to help with length of cul-de-sac. The design of a reversed nine is undesirable do to difficulty in plowing. Equal bubble is most desirable. On site possibly Tuesday, January 26, 1988 at 10:00 a.m. if not used as a snow date by previously scheduled on site appointments. Deed restrictions to go with what is currently there in the area. No further subdivision of property restriction. Board suggested that they look at slightly different deed restrictions for lots bordered by property with existing buildings. Shoestring lots were mentioned. Intent was to ask for town acceptance of road. The Board was not sure that the town would accept a gravel road but would look into what might be done. Private road variance, requirement was that the road be owned in common, lesser right of way would be required not as much gravel and every deed would state private never to be accepted as a town road. An association would have to be formed. The road does not appear to be on this years priority list for up-grading. For on site the road in to development should be flagged and the side lines to be flagged by approximately 100 ft. Not necessary to walk the perimeter. Anna Jackson moved to accept sketch plan with revisions to road and cul-de-sac. Dwayne Woodsome seconded the motion. Three voted in favor and one abstension.

Motion to adjourn was made at 12:05 A.M. since it was past curfew of 11:30. Motion died for lack of a second.

## **OLD BUSINESS**

Glaude on site was scheduled for Tuesday, January 19, 1988 at 11:30 A.M.

Sumner Campbell (On Site Review)

At the on site inspection it was discovered that the proposed road into the development was to go through a large mound on the property. It was suggested that Mr. Campbell change his plans so that the buildings were positioned so that the road could go around the mound therefore using the mound as a way of blocking the view of other buildings in the proposed development. A new sketch plan was presented with suggested changes with a request for a 180 day extension for review to enable Mr. Campbell the amount of time needed for studies to be complete before addressing the Board with Preliminary Plan. The units to be 2 bedroom and approximate construction schedule to be 2 to 4 years to complete project. A thirty ft. green belt to be included.

Roland Denby moved to accept sketch plan as submitted 1/13/88 and to allow a 180 day extension as requested by Mr. Campbell. Dwayne Woodsome seconded the motion. Three in favor and one abstension.

Larry Jacobsen moved to recess the meeting due to late hour until Monday, January 18, 1988 at 6:30 P.M. Anna Jackson seconded the motion. Vote was unanimous in favor.

Planning Board Meeting Reconvened January 18, 1988 at 7:00 P.M.

Present were Roland Denby, Anna Jackson, Larry Jacobsen, Mike Hammond, Dwayne Woodsome and Doug Foglio.

#### **OLD BUSINESS:**

Sumner Campbell: The zoning ordinance state that a PUD can be approved by the Planning Board in the F&A zone but must also be approved by the Selectmen. At what point should selectmen's approval be requested. The Selectmen also have the power to request conditional use.

Ossipee Woods II Review of On site Inspection to be brought up at next meeting.

McKelvey to be brought up at next meeting.

Drown Agency to be brought up at next meeting.

Maine Association of Planners - Andrew attended the meeting.

Information of Leighton - Les Leighton is in violation of subdivision law. Board to consider shoestring lots on Route 5.

Meeting with the Finance Committee is scheduled for Thursday, January 21, 1988 all planning board members are invited to attend with Mr. Foglio. The Finance Comm. would like the Planning Board to break out its own legal fund. Mr. Foglio discussed a letter from Ken Cole concerning State Law and the right to take action on violation without going to Selectmen.

#### **NEW BUSINESS**

Planning Board Permit Fee to be brought up at next meeting.

Blackburn Campground - in violation. Planning Board has appropriately conditioned to protect neighbors. Board has previously notified Selectmen of violation. A four seasons campground should be accessible to people on a non-permanent basis. Board to compile a list of violators and forward to Selectmen.

Comprehensive Plan (consultants)

Mr. Foglio has been in touch with Mr. Seavey and was initially turned down due to their feeling that since they represent a number of potential developers there might be a conflict of interest. Board would seek other consultants in cases concerning conflict on interest. Selectmen would be informed before taking any action.

Sherlon Westleigh

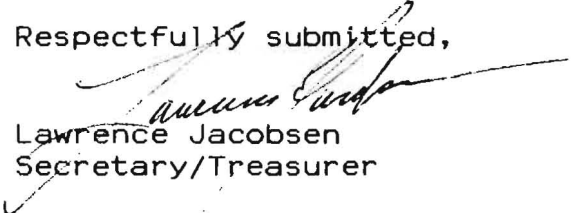
Code Enforcement Officer requests clarification concerning the request by Mr. Westleigh to jack up house located directly in front of Mr. Robert Jones Property on Rt. 202, S. Waterboro, to put a foundation under it. Does Mr. Westleigh need conditional use from the Board or can the CEO issue a permit? Board to study and will be brought up at next meeting.

Discussion on Zoning and Revisions that should be made. Possibly to have handling of Minor and Major Subdivision clarified. Currently zoning handles subdivision (not as specific as it should be). How changes could be presented. Mr. S. Kasprzak suggested making small changes at Special Town meeting instead of trying to have such large changes all at Annual Town Meeting.

Discussion on Moratorium Meeting to be chaired by the Planning Board. Approximately 51 units have been discouraged by the Planning Board this past year (1987). More lots are created by circumventing then by subdivision. The town cannot justify by current numbers that subdivisions are the problem. The lots in Arrowhead that the townspeople voted to sell created a problem for the town. Doug read a letter of concerns to the Board concerning subdivision on the State level. Certain areas should be covered by the State to aid towns in additional coverage for subdivision. If the Towns did not have Zoning to cover the State would then back up the local Zoning Ordinances. Currently there are 129 lots before the Board to be subdivided.

Mike Hammond moved to adjourn at 9:15 P.M. Anna Jackson seconded the motion. Vote unanimous in favor.

Respectfully submitted,

  
Lawrence Jacobsen  
Secretary/Treasurer

