

TOWN OF WATERBORO  
PLANNING BOARD

WATERBORO, MAINE

Workshop Meeting Waterboro Planning Board June 6, 1988

Meeting called to order at 8:00 P.M.

Present were Douglas Foglio, Anna Jackson, Roland Denby, John Roberts, Lawrence Jacobsen and Dwayne Woodsome.

Workshop schedule for two reasons.

1. Proposed additions to subdivision ordinance as posted.

Andrew Timmis reviewed the changes as suggested by Karen Lovell Town Attorney. Board felt that the following changes as well as changes necessary for legal review would be satisfactory.

ARTICLE VI SECTION 26

- E. The developer shall bear all of the cost for the Planning Board's consultant to review the hydrogeologic impact study. The Planning Board's consultant fee shall be paid within thirty (30) days of its transmission to the developer.

This ammendment is intended to be retroactive, and shall apply to all hydrogeologic impact studies submitted after March 12, 1988.

ARTICLE VI

- 6.1.9 When professional services are required to evaluate a proposal, design or assessment, the expense of these reviews shall be borne by the subdivider. The cost shall be paid to the Planning Board's consultant prior to Final Plan approval or in case of withdrawal no building permit shall be issued until this has been paid to the Town. If the property being developed is done so solely on a legal contract to purchase the land then the original owner shall be advised by the Board through certified mail of Article VI Section 26. E and Article VI Section 6.1.9 of the Ordinance.

ARTICLE VII

- 7.3.3 Final approval of a subdivision will be withheld until all consultant fees have been paid in full as stated in Article VI Section 26. E and Article VI Section 6.1.9.

2. Second The Maine Supreme Court ruling that subdivision meant the physical subdividing of land now left an area uncovered by the subdivision regulations. A Site Plan Review would pick up the remainder. Since the Town does not currently have a Site Plan Review Ordinance one should be enacted as soon as possible. Andrew Timmis has reviewed several town's Site Plan Reviews. The following was worked on and will be sent to the Town Attorney for review. This to be enacted as soon as possible on a temporary basis until such time that another can be worked on and adopted.

SECTION SITE PLAN REVIEW

PROCEDURE:

- a. Site Plan approval shall be required before a building permit or Certificate of Occupancy for any commercial, industrial or office building with more than three (3) offices and/or land use, or multi-family dwelling of three (3) or more units, may be approved by the Codes Enforcement Officer. However, a change from one permitted use to another in an existing structure, which does not increase the floor area of the structure or the requirements for off-street parking or involve changes to exterior site developments,, shall not require site plan approval.
  1. This regulation shall work with the existing Zoning Ordinance. The Town of Waterboro Zoning Ordinance shall be an integral part of this Site Plan Review.
- b. All application for Site Plan Review shall be filed with the Codes Enforcement Officer on forms made available. He shall then forward to the Town Planner. The application shall also include six (6) copies of a 24 x 36 blue line or black line print or photo copy of a plan drawn to scale of not greater than 1" to 100' showing the following features, both existing and proposed:
  1. Boundaries of the site and abutting streets with widths.
  2. Outlines of all buildings - showing the number of stories, accesses and use.
  3. Layout and location of off-street parking and loading and access drives and vehicular maneuver-areas.
  4. Location and size of all signs, gasoline pumps, and similar freestanding structures.
  5. Location, direction, and type of outdoor lighting.
  6. Location and type of screening and/or buffers and other landscaping.
  7. Location of all utilities.
  8. Topography of a contour interval not greater than two feet showing the effects upon adjacent property. A greater contour interval may be used if the Planning Board determines that the plan is adequate to evaluate site conditions.

- c. The Town Planner shall review the application and plan for compliance with the Zoning Ordinance, and shall within fourteen (14) working days of receipt of the complete application and plan;
  1. Forward a complying application and plan (w/written statement to that effect) to the Planning Office for scheduling of Site Plan Review, or
  2. Notify the applicant in writing of the reasons why the application and/or site plan does not comply with the Zoning Ordinance.
- d. The Secretary shall within seven (7) working days schedule an appointment before the Planning board.
- e. The Planning Board shall review the site plan and consider the following features, and before granting approval shall determine that the proposed site plan is adequate and suitable to promote the intent and purpose of this Ordinance and all other Town of Waterboro Ordinances.
  1. Traffic access, circulation, and parking.
  2. Drainage on-site and off from the site.
  3. Location, size, and direction of outdoor lighting.
  4. Preservation of natural vegetation and proposed installation of landscaping.
  5. The treatment of open space, drainage ways, slopes, yards, and required setback areas along the property line to reduce dust and erosion and to enhance their visual appearance by such means as seeding, or the placement of sod.
  6. Expected levels of noise and odors to be generated.
  7. The relationship of proposed buildings with respect to the above and with respect to fire protection and the movement of fire apparatus on site.
  8. Other features which the Committee or Planning Board determine are required to promote the intent and purpose of the Ordinance.
  9. Hydrogeologic study.

e.

1. Where the Board determines that, due to certain conditions existent in a proposed site plan review, the provision of certain required improvements is not requisite in the public interest, or is inappropriate because of inadequacy or lack of prerequisite facilities in the proximity of the proposed site plan review, it may waive such requirements, subject to appropriate conditions as will, in its judgement, secure substantially the objectives of the requirements so varied or modified.
2. When professional services are required to evaluate a proposal, design or assessment, the expense of these reviews shall be borne by the applicant. The cost shall be paid to the Planning Board's consultant prior to Site Plan Approval or in case of withdrawal no building permit shall be issued until this has been paid to the Town. If the property being developed is done so solely on a legal contract to purchase, the original owner shall be advised by the Board through certified mail of Article VI Section 26. E and Article VI Section 6.1.9 of the Ordinance.

- f. The Planning Board shall then, based on the standards in e-1, above, approve, approve with conditions, or deny the application and forward its action in writing to the Codes Enforcement Officer.
- g. The Planning Board shall treat applications for which conditional use permits are required as projects of substantial magnitude.
- h. The Planning Board shall notify the following:
1. The Board of Selectmen.
  2. The Fire Department Chief.
  3. Chairmen of all Town Committees.
- i. Appeals involving an action of the Planning Board shall be to the Zoning Board of Appeals.
- j. Failure to comply with any conditions of the Site Plan Review subsequent to the receipt of a building permit, shall be construed to be a violation of this ordinance and shall be grounds for the revocation of any building permit by the Codes Enforcement Officer.
- k. Fees to be assessed in the amount of \$100.
- l. Fines for violation of this ordinance shall not be less than \$100. per day or more than \$2500. per day.

Meeting Adjourned at 10:35.

Respectfully submitted,

Lawrence Jacobsen  
Secretary/Treasurer

*John W. B.*  
\_\_\_\_\_  
*Linna Jackson*  
*Roland E. T. Seely*  
\_\_\_\_\_