

TOWN OF WATERBORO
PLANNING BOARD

WATERBORO, MAINE

REGULAR MEETING



WATERBORO PLANNING BOARD OCTOBER 12, 1988

MEETING CALLED TO ORDER AT 7:35 P.M.

- I ROLL CALL:** Present were Lawrence Jacobsen, Roland Denby, Anna Jackson and Douglas Foglio, chairman. Douglas chaired the meeting.
- II MINUTES OF PREVIOUS MEETINGS:** Sept. 14, Sept. 22, and Special Workshop Meeting Sept. 29, 1988.
- III COMMUNICATIONS AND BILLS:**
1. Memo from Selectmen's Office Re: Campbell Project
 2. Memo from Selectmen's Office Re: Submission of Articles for Annual Town and Deadline for Submission of Budget Request
 3. Letter from SAD #57 Re: Bus Stops for four subdivisions
 4. Letter from YCS & WCD Re: Review of Ossipee Woods II
 5. Letter from US Postal Service Re: Woodland Heights
 6. Letter from Grace Palmer Re: Middleview Estates
 7. Letter from Design Properties Re: Meeting to be scheduled
 8. Office Communication
 9. Letter Re: Woodland Heights
 10. Letter from Jensen Baird Gardner & Henry Re: New Subdivision Statute: Effective Date: Sept. 23, 1988
 11. Letters from BCI Re: Woodland Heights, Deer Acres and Unified Soil Classification System
 12. Letters from K. Lovell Re: Gravel Pits
 13. Letters of Intent from SRCC and Public Hearing Notices
 14. Info on Historic Preservation
 15. Info on the "Our Town" Conference - 1988
 16. Letter from So. Maine Regional Planning Comm
 17. U of M Cooperative Ext Service
 18. Maine Energy News Fall Issue
 19. SMRPC Workshop Notice
 20. Aug/Sept Issue MAP
 21. Owen & Owen application for appointment
 22. Mike Glaude application for appointment
 23. David Moreau application for extension of Conditional Use
 24. American Institute of Certified Planners Eighth Annual Zoning Institute
 25. The Landowner's Options
 26. Info from State of Maine Task force on Affordable Housing

Send Selectmen a letter asking that they purchase a 19" Television and a VCR player for the Planning Board out of funds for Video equipment made available from the cable company useful for on site inspections.

Anna Jackson asked what the cable contract requirements for service. Board suggested a copy of the contract could be requested.

25. Landowner's option - copies to members of Conservation Comm and Parks & Rec Comm

21. Brand new application should be treated as such. Copy of newest without charge to be forwarded to Mr. Owen. He does need to come before the Planning Board.

Budget Request: Postage and Office supplies not need in the budget. Check the account balance for legal fees. Note on Budget request for all balances from previous year be forwarded. Request \$2500. for attorney's fees to be separate from enforcement amount.

22. Interpretation of Site Plan Review Ordinance was that it would fall in line with the Zoning Ordinance. Site Plan review dropped the water usage to 800 gal. but did nothing about the 1,000 sq. ft. Intent was to fill in the void left by the Maine Supreme Court Decision Re: Subdivision. Use less than 1,000 gal. and has less than 1,000 sq. ft. of store area. Does this include allowed uses as allowed in Zoning Ordinance. Single business. General concensus is single use business if permitted under Zoning Ordinance would not require Site Plan Review. Andrew Timmis, town planner felt the intent was to insure that incoming businesses were in keeping with the area intended for construction. Several towns have a separate committee for Site Plan Review. Others do not. Section c. notes that Site Plan Review is used as a back up to the Zoning Ordinance when areas are not covered thoroughly not meant to supersede allowed uses in Zoning. Possible definitions to be added to the Site Plan Review and Zoning Ordinance. Complex could be defined. Chairman noted changes addressed in Roger Elliott's letter regarding changes in 1984. This needs clarification for the CEO. This project falls under allowed uses in 20,000 sq. ft. and 40,000 sq. ft. is one use business clearly permissible by the Zoning Ordinance. Roland Denby moved to refer back to the Code Enforcement Officer that this does not require Site Plan Review. Anna Jackson seconded the motion. Vote unanimous in favor (3).

Reviewing to be done of Site Plan Review. Incorporate square footage and gallonage in the 20,000 and 40,000 area included with exemptions in the Site Plan Review.

23. Roland Denby moved to extend for 60 days from October 12, 1988

IV REPORT OF OFFICERS AND COMMITTEES:

Treasurer's Report: \$978.27

V REPORT OF TOWN PLANNER: To be brought up later.

VI APPOINTMENTS:

8:00 P.M. NE PROPERTIES (CANCELLED)
8:30 P.M. PACE LANDING - ROBERT BECK
9:00 P.M. WOODLAND HEIGHTS - DROWN AGENCY

8:30 P.M. PACE LANDING ROBERT BECK

Chairman asked Town Planner if he would review project for members of board as to projects procession. General review given to update board members. Issues needing to be addressed: Reviews not back water and soil, Post Office, SAD #57, and Fire Dept. Preliminary Approval not yet granted. Open space - Land Trust Conservation Easement, Intersection. Nancy Brandt, Selectmen's secretary researching deeds will have to be forwarded to the Town Attorney. Mr. Beck will split cost with Mount Holly, Inc. and Town for road construction of camp road. Looking for direction and resolution of cost?

1. Intersection please forward in written form will be forwarded to Fred Fay, Road Commissioner and Selectmen. Planning Board would like to review this with the Selectmen and Road Review Committee the repositioning of the intersection in question. Might possibly have to address the closing of all remaining ingress and egress to Red School House Road. Information on roads believed to come from surveyor developer will check. Common area? What to do and how to proceed? Conservation easement given to town if response cannot be gotten fairly quick from the town then the developer will plan to send this project to DEP for approval.

Article drafted in general form to accept conservation easements under Title 33 then they would be empowered to do so. Selectmen would then have the power to accept those projects with conservation easements without a vote of the Towns people. The town attorney interpreted the law that a town meeting would be necessary. A general draft would allow conservation easement to be accepted by Selectmen. Mr. Beck would be willing to donate roughly the amount of dollars for normal DEP review to the town for setting up a Land Trust. Has a letter been sent to the Planning Board with specific information?

1. DEP approval not needed if land was placed in conservation easement. (reason why this should go to DEP?) Is there anything that DEP would review that the Town would not? Drainage, pollution appear okay. Concensus DEP approval would not cover areas that had not been covered by the board.

Conservation District - Filing this suggestion to the Board in writing for the Selectmen to review with a letter from the Planning Board with suggestions. Board could approve with exceptions. If trust can be done fairly quick they would proceed with this idea. Karen Lovell, town attorney favored conservation easement vs Land Trust. Mr. Beck has offered funds to help set up a conservation district. A fund to maintain conservation land.

Letter from the Board dictated to be forwarded to the Selectmen. Lawrence Jacobsen moved to sent the following:

Meeting held recently it is the Planning Board's opinion that the Selectmen, Town's and Conservation Commission would prefer that common land would be held in a conservation easement. In lieu of being held in common by abutting land owner. To insure that no further subdivision be allowed to take place regardless of subdivision or Zoning changes in the future. Mr. Beck has offered to set a sum of money aside for maintenance of conservation areas in town. If this generic article were alright this might be brought up for vote a November 14, 1988 voting.

Anna Jackson seconded the motion. Vote was unanimous (3) in favor.

Soil and Water Reviews have not been returned.

1. Would like to see detail for typical dry wells. (Show type with 2 ft. solid bottom, 2 ft. perforated section standard cover, 2 ft. cone section with grate laid in geo tech style blanket).
2. Please add cable TV underground detail. Send letter to cable company requesting information for running cable through underground service and also for the servicing of the subdivision.

Roland Denby moved Preliminary approval subject to receipt of soil conservation erosion and water study reviews come back acceptable. Anna Jackson seconded the motion. Unanimous in favor (3).

9:00 P.M. WOODLAND HEIGHTS DROWN AGENCY

Town Planner reviewed the project. Have applied to DEP. Potential problem with the Hydro study. Developer - Drown Agency requesting Preliminary Approval. Rodney Chadbourne representing the Drown Agency.

Soil Conservation has gotten back to the Planning Board that there was a possible area near lots 14 and 15 in need of a pond as well as Fire Chief requesting fire pond in the same area.

Rob Gillespie responded to the issues brought up by Peter Garrett regarding the water study.

Issues by number as brought out in letter on file of P. Garrett:

1. Written never intended to provide Map to replace. In agreement.
 2. Four out of six were left off.
 3. Lots changed after test pits were made.
 4. Lots 34 & 38 spring location 34 did not run all year.
 - 5 & 6. Surface water vs water shed divide ground water data and directions choice made conservative.
- 34,000 sq. ft. communal system would be necessary. Site does not lend itself to communal. Does not believe surface water escapes into bedrock. Town Planner noted discrepancy between Paul Lawrence and Gillespie test pits. There could be a fracture zone near lots 12, 13, 16, and 17. Since bedrock wells are intended for this project the possible contamination of bedrock wells needs to be addressed.

If seasonal groundwater modeling is found it is noted in the reports. 12. and 13. intended 2 or more holes to further clarify red flagged area.

Ray Voyer noted that sedimentation could build up over the years. High intensity soils vs mineral.

Generally high groundwater. Town is going to put in public water system. Should consider picking water up at S. Waterboro and bring it to the site. Perforated pipe to catch basin system flow control structure on outlet of pond so that it doesn't flow off site more. 5 inch orifice riser culvert corrugated metal pipe. Fire pond ten ft. deep six ft. free board.

Looking at contours no easements. Drainage easements do not show on previous plans submitted new plan with easements noted as well as ditches. Soil difficult to hold. Board working at one level the developer another and they are quite far apart.

A double dry hydrant could be used for fire protection in lieu of the town water.

Ground water pollution not proved to be a problem. Rules changing. If marginal situation if it were it would be a viable solution. The State has notified the Town that money is available, moratorium in place, water task force formed. Not all questions are answered. Subdivision may have potential problems.

A lot of work put into the project thus far. It is a workable plan. A lot of thought put into project. At present the water study seems far apart from the review. Mr. Gillespie asked why so far apart? Only on a few lots. When report comes back from BCI this may not be an issue.

Pond will control erosion. Stream feeding pond so it will not be stagnant. ten ft. depth most of the time. Picking up drainage from top of hill. Road design - considered drainage very little impact.

Road dumps into non-ditched sides. Preliminary Plan showed ditch on uphill side not downhill side. Will go through and put together a letter with run off of water.

Potential residents - Waterboro Board trying to act on behalf of them. Workshop held to further review potential changes. List of changes to go out, if changes made the plan should be reviewed further to insure duplication of noted problems and corrected change. Mr. Garrett's comments should be clarified.

Concern noted by Board members of drainage. Problems with other approved subdivisions the board would like to insure would not be repeated. Once trees are stripped potential for flash flooding. Road to be dedicated to the town. Engineers all have different ideas for drainage. Proper drainage by ordinance at issue.

Storm water run off and underground drain. This could be sent out with Planning Board input and Gillespies' info for opinion. DEP could receive a letter stating disagreement with drainage plan would like to work with the them on this.

Issue of underground seepage. Basements can be drained. If instruments are in place. Either clean a ditch or clean a catch basin. Let Tom Greer look at situation and address concerns. Appear to be problem with grade and swale. More detailed plan to be presented. Drainage area flow very small. Two ft. deep ditch each side of road. Similar design has been used before and Tom Greer feels comfortable with it. Will present narrative to accompany more detailed plan. ditches possibly being used as easements - pedestrian crossings. Buffer strip - cutting restriction incorporated into deed restrictions. Greenbelt required could be 25 - 100 ft. in width. If so requested this would mean certain lots would not be buildable.

Info supplied plus P. Garrett's report, Board will have to review project further. Town water about 35% more cost than on site water. Lots usually market better with Town water.

Not a problem with on-site wells. History of artesian not good in village area. Groundwater should go from site towards town. Quality lots at reasonable cost needed however the drainage concerns to be the responsibility of the Planning Board.

Developer requests letter with a list. Need definite direction.

1. Ditching of Drainage
2. Points in Peter Garrett's letter.
3. Depth of pond
4. Outlet from pond (detention metal orifice - short life expectancy
concrete orifice - long life expectancy this favored over the metal)
5. Investigate town water vs on site water
6. Protection (fire)

OLD BUSINESS:

1. % cost of irrevocable letter of credit, expiration if like Reinken's subdivision - 180 days after town acceptance the developer responsible. Public Hearing scheduled October 26, 1988 at 7:30 P.M. Special Meeting of Board to be scheduled immediately following Hearing for review of Conditional Use Requests. Board members to go on Site Walk prior to meeting.

Andrew Timmis quickly reviewed his report.

Adjourned 12:45 A.M.

Respectfully submitted,

Lawrence E. Jacobsen
Lawrence Jacobsen
Secretary/Treasurer

Anna Jackson
Robert E. Denny