

TOWN OF WATERBORO  
PLANNING BOARD

WATERBORO, MAINE

Special MEETING

WATERBORO PLANNING BOARD

OCTOBER 26, 1988

MEETING CALLED TO ORDER AT 8:02 P.M.

I ROLL CALL: Present were Lawrence Jacobsen, Roland Denby, Anna Jackson and Dwayne Woodsome. Lawrence Jacobsen presided as acting chairman.

II MINUTES:

III COMMUNICATION AND BILLS:

IV REPORT OF OFFICERS:

V APPOINTMENTS:

REVIEW OF CONDITIONAL USE REQUESTS

TOM COLE: Map # 45 Lot #1552 Lake Arrowhead. Request is to lift cottage and place a foundation under it. Acceptable septic system. Not on the water. Mr. Cole has checked with Saco River Corridor Commission they do not need to review this project. Going no closer to the water. Meeting all setbacks. Two bedroom ranch with one bathroom not adding bathroom.

Roland Denby moved to approve request to lift cottage and place foundation under it under Section 9.03 of Zoning. Anna Jackson seconded the motion. Vote was unanimous in favor (3).

GERARD LEMIEUX: Map #38 Lot #27 Ossipee Lake. Wants to enclose porch on the front of house for energy saving purposes. To be finished like the remaining cottage. Not to be used as living space. Water pushing into the house need to change porch design to rectify the problem. Measurement from the lake approximately 25 to 30 ft. Wishes to add a carport onto existing garage. Open roof, open wall in shed extend roof 10 ft. to be used for protection. No doors, leaving open so he could drive partially into garage.

Could Mr. Lemieux place a roof over second floor porch. If roof extends over porch this would not be allowed. State law passed not allowing any additions closer to the water. Mr. Lemieux said he would make it even with existing porch. If he goes no closer to the water and does not expand the area by 30% he might be able to change. This to be used for energy saving only not to be used as living space. Anna Jackson moved to allow upper porch to be covered and enclosed not to go closer to the lake than existing sill also lower porch may be enclosed in the same manner (dimensions 72" x 128") excluding steps which are off to the side. Approved under Section 2.08 and 9.03. Roland Denby seconded the motion. Vote (3) in favor (1) opposed. Motion passes.

Old garage: wall to be removed and left open. Water to be shed away from property line. Adding 10 ft. roof. This would be changing the use of a nonconforming building. Section 9.01 referred to. Only portion of garage to be enclosed is what is existing now. To be used as a carport. Location of shed approximately 20 to 30 ft. from right of way. Dwayne Woodsome moved to deny request under Section 9.01 nonconforming uses. Anna Jackson seconded the motion. Mr. Lemieux expressed his feelings regarding this matter. Vote was unanimous in favor (4).

Boat house caved in wishes to tear down and put brick wall across. This would be DEP's territory. Mr. Lemieux was instructed of his right to appeal any decision. Was given an appeal application.

PAUL NOEL: Map # 8 Lot # 28H Proposing relocation of Lot #8 drive in Sunshine Acres Subdivision. Packet presented by Mr. Noel placed on file. Drive serves all three homes. Mr. Noel wishes to bring his drive straight out to the road. Letter placed on file from DEP. Letter from Town Attorney referenced to regarding required information necessary to change location of driveway. Attorney suggested all Sunshine Acres residents signatures.

Issue of safety: ambulance called could not find entrance into home. Letter from Fire chief and rescue squad presented and placed on file in favor of change. Site distance will not be better or worse as stated from DOT at DEP's request. Material presented reviewed by the Board.

The way the drive is located Mr. Noel could not place a garage on property and meet setbacks.

So many subdivision with two and three lot drive entrances will this start a precedence? More accesses create more problems. This is a concern for the entire town not just this particular lot. Three entrances off Roberts Ridge Road for eight lot subdivision.

If changed would a whole new subdivision plan need to be filed? Believed so. As per Karen Lovell's letter agreement and milar would be necessary. Deed might need to be updated. Deed a civil matter. Mr. Noel has everything in order. Still concerned for other subdivision as well as further discontent property owners in this subdivision.

Subdivision plan, new milar, expense would be borne by Mr. Noel. Possibly to get the attorney's opinion. Andrew Timmis, Town Planner noted that he thought the Planning Board had at a previous meeting resolved the stand of the Board. If the Board denied this request Mr. Noel could appeal the decision to the Zoning Board of Appeals.

Mr. Noel would be adding one driveway which still would not be excessive.

Dwayne Woodsome moved to approve the relocation of the driveway under Section 5.04 of Zoning and 7.4 of the Subdivision Regulations as safety factor to the Noel's. Roland Denby seconded the motion. Vote was (3) in favor (1) abstention.

If signatures were necessary to change drive location possibly all signatures should be on the new milar. Milar and six copies would be needed and would have to be signed in the same order on all copies. Questions concerning copy, traced copy of plan or new? Andrew to check with the attorney.

DONALD KNIGHT: Map #38 Lot #22 Ossipee Lake. Two years the Board had completed an on site inspection for request of a garage. Requesting mud room plus a 16' x 19' addition to the side of cottage. Cottage built approximately fifteen years ago. Deck looks new. Mr. Knight claims that he and his builder have received Mr. Foglio's okay for replacement of deck.

Mud room and 16' x 19' are at opposite sides of the cottage. 130 ft. frontage on the water. Actual width of lot could be different. Approximate measurements given. Plot plan placed on file. 1,000 gallon tank placed approximately 15 years ago. Leach field has been repaired, again Mr. Knight claims to have received permission from Mr. Foglio to repair field. Field dimensions were given as 20 x 40 replaced. Mr. Knight has the receipt for the repair of root damage. New bathroom intended for the upstairs. Seasonal use. Distance from the water to the deck approximately 16 ft. to the closest point.

New proposed addition approximately 25 ft. from high water mark. Setbacks under 3.03 of zoning 35 ft. sideline and 75 ft. frontage. Shoreland 100 ft. Would this be grandfathered. Only so much allowed under the grandfather status. Exact measurements were not taken at the time of the on site. The file was not taken to the on site inspection meeting. Balcony on second floor to be completely removed. On site to be done and this to come back under Old Business at November 9, 1988 meeting. On site inspection scheduled for the next week.

MADELYN LINCOLN: Map #32 Lot #16 & 16A. Ossipee Lake. Requesting construction of a 2 car garage with studio apartment on back lot. Location of rear lot dimensions and lot lines. Survey may be needed. Cottage purchased in 1963, rear lot with trailer purchased in 1978. Johnson Park Plan might clarify the lot lines for the rear lot. Lot lines need to be determined before the Board can make a determination. Once information is provided this could come in under Old Business.

WILLIS EMMONS: Map #38 Lot #16 Ossipee Lake. Requesting construction of deck with roof. Roland moved to approve request for deck and roof seven feet towards lot line. Deck with roof to go no closer to the water. Section 2.08 Anna Jackson seconded the motion. Vote (3) in favor (1) abstention.

HELEN SPINNEY: Map #34 Lot 5 Ossipee Lake. Requesting 10' x 18' deck towards lake. Roland Denby moved to deny request under Section 3.03 and 3.06 of Zoning. Lawrence Jacobsen seconded the motion. Vote was unanimous (4).

RICHARD CUNAN: Map #36 Lot #2 Ossipee Lake. Requesting wrap around deck on three sides. Roland Denby moved to deny under Section 3.03 and 3.06 of Zoning. Anna Jackson seconded the motion. Vote was unanimous (4).

JAMES PRENDERGAST: Map #11 Lot #63 Lone Pond. Requesting construction of 34 x 40 home on grandfathered lot. Notify Mr. Prendergast that the following information is requested in order for the Board to act on his request:

- Reduce the size of the home
- Limit cutting on the hill side
- No deck on pond side of home
- Exact location of septic system
- Access to the lake

DONALD LINSKEY: Map #41 Lot #7 Ossipee Lake. Requesting addition of screen enclosure 10 x 10 on existing deck. On site reported that he cut off extra beams on the front of deck attached to house. Needs erosion control along bank. Lawrence Jacobsen moved to table. Roland Denby seconded the motion. Vote was unanimous (4) in favor.

LEOPOLD NOLETTE: Map #32 Lot #13 Ossipee Lake. Requesting construction of a deck and a two car garage. Anna Jackson moved to deny request under Section 3.03 and 3.06 of Zoning. Roland Denby seconded the motion. Vote was unanimous in favor (4).

COLLEY WHITEHURST: Map #32 Lot #71K Ossipee Lake. Requesting placement of cement patio between cottage and boathouse. Anna Jackson moved to approve request under Section 2.08 of Zoning and no cutting of trees. Lawrence Jacobsen seconded the motion. Vote was (3) in favor (1) abstention. Motion passes.


CHARLES SYLVESTER: Map #33 Lot #12 Ossipee Lake. Requesting a 14 x 32 addition on the rear of cottage. Notify Mr. Sylvester that further information on septic system requested please forward information to the Town Office.

EARLE MAILMAN: Map #32 Lot #71M Ossipee Lake. Requesting change of flat roof to 5 inch pitch to match the front section of existing cottage. Dwayne moved to approve request if no increase in footprint is made, can go up with pitch of roof but no addition to overall dimensions of the building. Anna Jackson seconded the motion. Vote was unanimous in favor (4).

BILL BAYNES: Map #45 Lot #1584 Lake Arrowhead. Requesting reduction of sideline setback to allow door to be fully opened. Roland Denby moved to increase deck from three ft. to five ft. which shall reduce the sideline setback by two ft. leaving 33 ft. setback. Anna Jackson seconded the motion. Vote was unanimous in favor (4).

Meeting Adjourned at 11:43 P.M.

Respectfully Submitted,

  
Lawrence Jacobsen  
Secretary/Treasurer

Dwayne Woodhore

Anna Jackson

Roland E. Denby