

TOWN OF WATERBORO  
PLANNING BOARD

WATERBORO, MAINE



REGULAR MEETING WATERBORO PLANNING BOARD AUGUST 24, 1989

MEETING CALLED TO ORDER BY CHAIRMAN, JOHN ROBERTS AT 7:40 P.M.

**I ROLL CALL:** Present were Jon Gale, Judy Carll, Anna Jackson, Roland Denby, Dwayne Woodsome and Chairman John Roberts.

**II MINUTES OF PREVIOUS MEETINGS:**

Anna Jackson moved to accept the July 27, 1989 minutes as written. Roland Denby seconded the motion. Vote was (4) in favor.

Judy Carll moved to approved the August 9, 1989 minutes. Jon Gale seconded the motion. Vote was (4) in favor (1) abstention.

**III REPORT OF OFFICERS AND COMMITTEES:**

**IV APPOINTMENTS:**

8:00 P.M. POST OFFICE AUTO  
8:30 P.M. DOWNEAST AUTO  
9:00 P.M. JOHN FOLEY

**V OLD BUSINESS:**

1. Middleview Estates Final Plan
2. Boucher
3. SAD #57 Bus Garage

**SAD #57 SITE PLAN REVIEW BUS GARAGE**

Parking of buses in area around Superintendent's Office to remain at this time requested by the Board of Directors.

Fencing of area surrounding Bus Garage is an alternate in the bidding process.

Board felt that the concerns expressed by Mr. Dyer of the Hazardous Waste Commission should be addressed. The better system would possibly be a containment tank accessible from ground level. Mr. Morton felt he could come up with something that would satisfy the Board's request and also satisfy the State requirements. Mr. Morton requested conditional approval of Site Plan.

Jon Gale moved that Site Plan be approved conditioned on acceptable petroleum discharge containment system being approved by the Planning Board and the Hazardous Waste Commission and that a Hazardous Waste Permit be obtained prior to occupancy and conditional on overall plan citing:

1. Boundaries of the site and abutting streets with widths indicated
2. Footprints of all buildings - showing the number of stories, access and use
3. Layout and location of off-street parking; loading; and access drives; and vehicular maneuver-areas
4. Location and size of all signs, gasoline pumps, and other free-standing structures

Using a scale of 1" to 500'. Anna Jackson seconded the motion. Discussion: Sketch Plan format would be acceptable versus engineered plan. Note on plan that lighting existent on property surrounding bus garage.

Vote was (5) in favor.

POST OFFICE AUTO      REQUESTING AUTO GRAVEYARD      ZONE VILLAGE

Video tape reviewed by the Board of on site. Approximately 100 junk cars on property 50' to 150' along road parallel to brook. James Audiffred attorney present for Post Office Auto noted that his client was requesting a Conditional Use Permit for auto graveyard. A junkyard has been located on present property for a number of years. Mr. Audiffred expressed his opinion that due to commercial activity in the Village zone this would be the only place for a junkyard. Junkyard permits are non-transferrable. Board questioned if there has ever been a licensed junkyard on this property. Board expressed concerns with the closeness of neighbors well and the school complex just the other side of the brook.

DOT and the State Police have been down and looked the situation over.

Karen Lovell, attorney for the town does not see the board could grant a Conditional Use unless it is a listed use in the Zoning Ordinance.

Questions regarding grandfathered status of junkyard. Proof that this was in existence prior to the Zoning Ordinance falls to Mr. Hindle. Mr. Audiffred asked if an affidavit would be enough to prove the grandfathered status? Karen Lovell felt that the board would have to see the affidavit before the board could make a judgement.

If junkyard existed prior to Zoning Ordinance and was in continuous use since that time the junkyard would be grandfathered. A permit for the junkyard would still be necessary. Karen Lovell also expressed concern as to whether the Planning Board had the right to review this at all. The CEO/Building Inspector should determine if its a Conditional Use. If situation proposed is not a written Conditional Use then the CEO/Building Inspector would send the person to the Zoning Board of Appeals rather than the Planning Board.

Upon receipt of proof of the grandfathered status of junkyard Mr. Hindle could return to the CEO. A junkyard permit through the Waterboro Selectmen would still be needed.

DOWNEAST AUTO            AUTO GRAVEYARD REQUEST            VILLAGE ZONE

This is not a permitted use in the Village Zone. It is not a Conditional Use in the Village Zone. Board cannot act on request under Conditional Use. Zoning Board of Appeals for request. Mr. James Gerry discussed different parcels for location. Board informed him that the next available meeting is November 8, 1989. If site is flagged out Van Foglio could make an on site. Conditional Use and Permit from the Selectmen would still be necessary.

JOHN FOLEY            GRAVEL EXTRACTION PROJECT            SILAS BROWN ROAD

Request for gravel extraction on Glen Dyer property. Subdivision is Hone Tree Knoll. Area to be extracted is 4.97 acres. This would not need review by DEP since it is under 5 acres. Hydro study is not complete. Two hog backs exist on the property at 140' elevation. Finish would have a 1% grade, base elevation of 108'. Area is in excess of 150 ft. from the brook. Section 3.06.03 Item #4. Conditional Use. Mr. John Foley has purchased the mineral rights approximately 113,000 yards. Town Planner supplied information for the Hydro study for the gravel pit.

Public Hearing to get abutters opinion. Expect the hydro study to take 2 weeks. Intend to have 3 monitoring wells to determine exact location of high water mark. Glen Dyer present with his wife Debbie noted that in the surrounding wells that he has found a static level to be 40 to 60 ft.

Questions regarding grandfathered status of the pit from Board members. Mr. Foley does not wish to dodge the hydro study so the grandfathered status as far as he is concerned does not matter.

Hydro study with review should be done prior to Public Hearing.

Mr. Foley does not intend to have any crushers and only temporary use of screen. Reclamation: Dyers would like to have this as grazing land for animals. Loam will be stock piled on site and spread with seed as per State guidelines upon completion. Mr. Foley will pave the first 75 ft. and place calcium chloride on the remainder of the road. Approximate width of road is 18 ft., 24 ft. width to be graded. Length of time for project 1 to 4 years. 500-600 yards per day. 7:00 A.M. to 5:00 P.M. extraction hours. State reclamation statistics to be supplied for John Roberts to review.

BOUCHER

HAMILTON ROAD

ADDITION TO GARAGE

Roland Denby moved to deny the request due to the fact that it would decrease the setback from the brook. Judy Carll seconded the motion. Vote was (5) in favor.

Sharon to contact Doug Foglio and Kevin Grimes for written information concerning Mount Holly Subdivision Road concerns. Mr. Foglio to instruct the Board regarding what action he felt the Board could take and further information from Kevin Grimes.

**VII NEW BUSINESS:**

**VIII ADJOURNMENT:** Jon Gale moved to Adjourn at 10:24 P.M. Roland Denby seconded the motion. All in favor.

Respectfully submitted,

*Anna Jackson*  
Anna Jackson  
Secretary/Treasurer

*John W. Ellis*  
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*Roland C. Denby*  
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*Judith Carll*  
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