

TOWN OF WATERBORO  
PLANNING BOARD

WATERBORO, MAINE

REGULAR MEETING

WATERBORO PLANNING BOARD

OCTOBER 26, 1989

MEETING CALLED TO ORDER BY CHAIRMAN, JOHN ROBERTS AT 7:45 P.M.

**I ROLL CALL:** Present were Anna Jackson, Judy Carll, Lawrence Jacobsen, Dwayne Woodsome and Chairman, John Roberts.

**CEO:** REGARDING VERIFICATION OF ISSUES BROUGHT BEFORE THE BUILDING OFFICE.

STEVEN BOIVIN BUFF BROOK ESTATES SETBACK VIOLATION

Mr. Boivin has been to see the Selectmen and he is swapping equal amounts of property with neighboring lot owner to be able to come into compliance with the Zoning Ordinance. In doing so he will need to present the Board with a revised subdivision plat. Board informed Mr. Foglio that he will need to notify all people on the milar being changed. A Public Hearing will have to be held hopefully prior to an appointment. An appointment will have to be reserved. SMRT can stake out the new line.

CMP REQUESTING FORMAT OF NOTIFICATION FOR CONDITIONAL USE TO UPGRADE NEW LINES

The Board felt that CMP should reserve an appointment and they will have to seek DEP approval if any changes are disturbing soil within water areas and notification to property owners as per Zoning Ordinance will be necessary.

CLINTON PRESBY

Mr. Foglio notified the board that Mr. Presby seems to have constructed his new house on the wrong property. His question was regarding an abutter selling land. Does the amount of land have to be enough to make the substandard lot meet five acres as required by zoning or can enough land be sold to allow structure to meet town setbacks? Board suggested attorney's opinion.

**II MINUTES OF PREVIOUS MEETINGS:** Anna Jackson moved to accept October 11, 1989 minutes as printed. Dwayne Woodsome seconded the motion. Vote was (4) in favor.

**III COMMUNICATIONS AND BILLS:**

1. October Issue of UPDATE
2. Info from Maine Coast Heritage Trust
3. Letter from Civil Consultants Re: Foley Project
4. Notice of Intent to file from Saco River Corridor Comm
5. Letter from Ray Dyer-Hazardous Waste Comm Re: Bus Garage

**IV APPOINTMENTS:**

8:00 P.M. DAVID THAYER  
8:15 P.M. NANCY THORNTON  
8:30 P.M. HEATH'S VARIETY  
9:00 P.M. SANDY MCFARLAND

**8:00 P.M. DAVID THAYER MAP 8 LOT 17 ZONE V**

Requesting automotive repair service for himself on a part time basis. Board referred to Section 3.04.02 Item #13. If they had 80,000 square foot of land it is a Conditional Use. Lawrence Jacobsen moved that request be denied due to insufficient lot size under Section 3.04.02. Dwayne Woodsome seconded the motion. Vote was (4) in favor.

**8:15 P.M. NANCY THORNTON MAP 18 LOT 3 ZONE V**

Request for nursery school on grandfathered lot in the Village Zone. Existing building has been used for residence. Approximate size of lot is 10,500 sq. ft. Fire Marshall has inspected. Wee People Nursery School. Liability insurance is required. Planned sessions are twice a day 9:00 - 11:00 A.M. and Noon to 2:00 P.M. Owner to be the only employee. License is for 12 children. Dwayne Morin to check with Town Attorney. Use as a residence is grandfathered. To change the use would be a Variance. Clarify with attorney. Judy Carll moved to waive fee if the Board cannot help. Dwayne Woodsome seconded the motion. Vote was (4) in favor.

**8:30 P.M. HEATH'S VILLAGE VARIETY SITE PLAN REVIEW**

One Office rental space above garage. Tim Nelson has looked at the site plan and everything checked out okay. 30' x 35' garage. New design for septic system includes all business and residential uses. This is under 800 gallon flow. Intended future use of house is for Commercial use. Mr. Allen is aware that he will need to come back before the Board for any changes. Board requested that the Deputy CEO forward written notice to the Planning Board of a complete application. Mr. Allen had not notified abutters of his intentions. Mr. Allen claimed that he did not know this was necessary. Board's in the town had not been notified by the Secretary. Anna Jackson moved that Mr. Allen be granted permits for the office over garage after notifying abutters as to his plans by notarized signature on letter or witnessed signatures. Motion dies for lack of a second.

Anna Jackson moved Mr. Allen be granted permission for office over garage if after notification by certified mail no negative response from abutters this to be approved at next meeting. Lawrence Jacobsen seconded the motion. Vote was (3) in favor. Dwayne Woodsome abstained from voting since he is an abutter.

Lawrence Jacobsen moved that a building permit can be issued for office rental, the permit may be revoked if Site Plan is not approved. Anna Jackson seconded the motion. Vote (3) in favor. Dwayne Woodsome abstained.

**SANDY MCFARLAND      MAP    41      LOT    1A      ZONE    AR**

Requesting a deck on the front of cottage. Deck would not extend towards water closer than existing building. Proposed dimensions are 12' x 30' and a side deck of 4' x 16'. Formula used as per State Law. This addition meets the 30% rule.

Anna Jackson moved to grant Sandy McFarland a 12' x 30' deck and a side deck of 4' x 16' not to exceed 30% of the size of camp or extend closer to the water than existing camp, deck not to be closed in. Judy Carll seconded the motion. Vote was (4) in favor.

**V      OLD BUSINESS:**

1. Saco River Telephone & Telephone
2. Pauline Lawrence
3. William Rawson
4. Richard Prokey
5. SAD #57 Elementary
6. SAD #57 Bus Garage

**SACO RIVER TEL & TEL CO**

Saco River notified abutters in Lake Arrowhead as requested by the Board. Two people have called the Town office with questions. No negative responses were received. A suggestion was made from representative regarding possible notification of Conditional Use Request to avoid time delay. Board noted it was the responsibility of the applicant by zoning to make such notification. Dwayne Woodsome moved to approve Conditional Use Request under Section 3.05.03 Item #4. Anna Jackson seconded the motion. Vote was (4) in favor.

**RICHARD PROKEY    MAP    35      LOT    23      ZONE    AR**

On site completed. Boundary markers plus copy of the deed the board members felt that a true boundary survey should be completed since one pin appears to be missing and the exact location of the lot line between Mr. Prokey and his son is not known. Section 2.08 of the Zoning ordinance allows the Board to request a boundary survey. Lawrence Jacobsen moved to deny Richard Prokey's request for building until he comes back with a true boundary survey. Upon presentation of said survey he can come back under Old Business. Anna Jackson seconded the motion. Vote was (3) in favor (1) abstention.

**PAULINE LAWRENCE**

On site committee reported a carport, deck and retaining wall fairly new. Tax records show these are fairly new. Anna Jackson moved that the alleged violation of carport, retaining wall and the deck go to the CEO for clarification prior to action by the Planning Board. Lawrence Jacobsen seconded the motion. Vote was (3) in favor (1) abstention.

**WILLIAM RAWSON**

Mr. Rawson provided the information requested by the Board at previous meeting. Dwayne Woodsome moved to approve as per 10/11/89 minutes and detailed print per order of DEP. Lawrence Jacobsen seconded the motion. Vote was (4) in favor.

**SMRT SAD #57 ELEMENTARY SCHOOL SITE PLAN**

Additional two classrooms at the rear of addition and possibly one classroom on the front. Updated Site Plan presented by Dana Morton. Chairman expressed his concerns regarding the vote before the towns. What had actually been voted on. Dana Morton noted that the additional classrooms would not mandate more parking than is provided on original plan. Addition to septic system would be necessary. Temporary fencing around the project during construction has been added. A foundation permit only has been issued by the Town due to the additional classrooms not having been approved. DEP's open surface area of 3 acres is still being met. Anna Jackson moved to accept site plan based on vote taken by SAD towns and pending approval of application in writing by CEO. Lawrence Jacobsen seconded the motion. Vote was (4) in favor. Further discussion on actual funding issue and the need for a Public Hearing. Suggested asking the town attorney for advice. Mr. Morton expressed his understanding of the situation as the portion provided by state funding that was adding the extra 2 classrooms. Dana Morton will be in touch with Dr. Gallucci regarding the vote etc.

**SAD #57 BUS GARAGE**

Letter from Ray Dyer of the Hazardous Waste Commission regarding containment system placed on file. Dwayne Woodsome moved to approve Site Plan of SAD #57 Bus Garage with Hazardous Waste Commission approved containment system. Judy Carll seconded the motion. Vote was (4) in favor.

Motion to adjourn at 10:45.

Respectfully submitted,

*Anna Jackson*  
Anna Jackson  
Secretary/Treasurer

*Lauren E. Jacob*  
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*Judith Carll*  
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