

TOWN OF WATERBORO  
PLANNING BOARD

WATERBORO, MAINE



PUBLIC HEARING  
NOVEMBER 13, 1991

DOROTHY PIERCE WHITE ONE LOT SUBDIVISION

Present from the Planning Board were Cindy Allen, Judi Carll, Jon Gale and Dwayne Woodsome who acted as Chairman of the hearing.

Approximately six local citizens were in attendance.

Public Hearing called to order at 7:04 P.M.

Dorothy White owns approximately 12 acres and is going through a one lot subdivision as are approximately ten other people. No further division of this property is proposed at this time.

Dwayne Woodsome asked if there were any questions or comments?

Mr. Charles Thornton addressed the Board members and expressed his objections. Mr. Thornton presented a marked plat of a 1974 layout of the Starrett Pierce properties. This plan does not have a surveyor's seal present. Mr. Thornton pointed out inconsistencies with the deeds, the plat and the boundary survey's presented by Mr. Emery's company. Mr. Thornton asked the board to review Note #6 on the Dorothy Pierce White subdivision that read as follows:

6. From 1965 to 1990, Starrett Pierce designed and surveyed out and surveyed out and marked lots on his 80 acre subdivision. He marked lot corners with cement blocks with iron pipes driven through them. Lot lines were all marked with pieces of metal nailed to trees and painted gray. He then wrote up approximate deeds, hand written copies of which he still has, with approximate dimensions and referring to his markers in field. Frank Emery surveyors are locating lot lines and lot corners as marked by Starrett Pierce and only setting missing corners along marked lot lines. As he measured slope distances and we measure horizontal distances, our distances on our plans are less.

Mr. Thornton noted that the lot as described in the deed which he presented is different than noted on plan. Mr. Emery has cut about one and one half acres from Mr. Thornton's property across Pierce Lane by relocating the right-of-way. Another reference was made by Mr. Emery's survey to that of Starrett Pierce's plan that was previously presented by Mr. Thornton he noted that if all plans presented to this date were placed together they would not fit together.

A letter from Mr. Emery needed regarding the validity of Thornton Homestead subdivision.

The placement of the Right-of-way believed by Mr. Thornton to be incorrect three different headings used on plans. Mr. Thornton objects to the one lot subdivision due to discrepancies in the plats presented. It was noted to Mr. Thornton that Mr. Emery has certified by his seal that the plan presented is correct, neither the Planning Board nor the Town Planner have the ability to question the validity of the plans.

Mr. Thornton presented court orders noting judgment against Mr. Emery for incidents occurring during Mr. Thornton's survey being completed. Mr. Thornton informed the Board members that Mr. Emery told him that someone at the Town Offices told him to hold up on the Thornton Estates subdivision until they gave their okay.

Mr. Morin noted that to his knowledge no one had made such a statement.

Mr. Emery refused to place the note on the subdivision plans for Mr. Thornton verifying placement of the pins as noted on the subdivision plans.

Mr. Thornton again noted the calls in Dorothy Pierce White's deed being different from that shown on the plan. Noted differences between surveys hoping this make a difference in conformity.

Mr. Thornton stated that he believed the process is wrong. Town officials were lax during the time that Mr. Pierce was creating these lots and to push the burden onto the current property owners was wrong. The decision was made by the Board of Selectmen as advised by Town attorney's. Mr. Thornton does not feel he should be before the board rather Mr. Pierce should be the one to take care of the problem. It was Mr. Thornton's contention at this point that the Planning Board deny Pierce, Libby, Thornton and McLaughlin until surveyor can prove that his five different surveys are accurate and can be joined together.

The plan of Starrett Pierce currently on file in the Planning Office was never recorded due to Mr. Pierce never going beyond Sketch Plan stage.

Issues regarding building permits to the O'Clairs was brought up by Mr. Thornton. Dwayne Woodsome acting chairman asked for what bearing this issue had on this Public Hearing. Mr. Thornton believed that his request for building permits for his lot was what triggered this entire Pierce lot to be before the board.

Again Mr. Thornton noted his belief that the process being used was wrong. Mr. Thornton asked that a copy of the minutes be forwarded to him. Meeting adjourned at 7:49 P.M.