

TOWN OF WATERBORO  
PLANNING BOARD

WATERBORO, MAINE



**PROPOSED SHORELAND ZONING CHANGES  
PUBLIC HEARING  
MAY 13, 1992  
7:00 P.M.**

Hearing called to order by Chairman, John Roberts at 7:05 p.m. Planning Board members present were Jon Gale, Judi Carll, Cindy Allen and John Roberts. Approximately 5 to 10 residents in attendance.

John Roberts asked if all present had a copy of the proposed changes. He explained that the state has created a Shoreland Zoning Ordinance, towns can adopt this ordinance or create one of their own. The Planning Board has tried to blend the states proposed ordinance with the current Shoreland Zoning in the Waterboro Zoning Ordinance.

James Hamilton asked how marshes would be handled? Page two references this several times. Waterboro has several areas that would fall under this definition. Resource Protection area appears to include a tremendous percentage of the Town of Waterboro. This would include most of James Hamiltons land. James also noted that wetland vegetation grows in all areas in Waterboro.

Area of two or more acres as noted in proposal only occurs when it falls within a Shoreland Zone. James didn't relate with this because it also notes freshwater wetland.

Areas on Ossipee Mountain would be included by these definitions. James continued in saying he has three plantations in South Waterboro that he believes would fall under wetland zoning.

Dianne Holden asked if there would be a map noting the wetlands in Waterboro. Dwayne Morin informed those present that a map is available in the Planning Office. James Hamilton noted that one of his plantations would be classified as a wetland. Dwayne Morin stated that as of September 30, 1989 the State Mandatory Shoreland Zoning Act is controlled by the Department of Environmental Protection Agency.

James Hamilton concerned with land other than typical shoreland. Wetland Zones would possibly fall under shoreland. James asked why the town can't refuse this? The Town of Wells has. June 30, 1992 the state will impose the entire ordinance. A copy of the entire ordinance was shown for those who wished to review it. James suggested

writing to the state and noting the town's dissatisfaction. Possibly approach it differently.

Items were reviewed and noted that they would stay the same or be an addition. Those additions were Item #5 dealing with utilities and Item #8 Timber Harvesting.

Should the town adopt these proposed changes the state will still review them and will approve or disapprove. Mr. Hamilton felt this was a form of socialism and stated it was time property owners dug in their heels and took a stand.

An example was given with state mandates and compared to the towns suggested additions. If a hurricane took trees out under the state mandates you would be required to plant new trees in place of the damaged. James related his experience with DEP for repairing his retaining wall on Lake Ossipee.

The Board chose to have some control over shoreland zoning rather than having the state shove their ordinance down our throat.

Dianne Holden asked about setbacks. If we don't accept the state mandates how minimal can we go? The board does not know, this is an experiment.

Dwayne Morin showed those present a copy of the Town of Waterboro's freshwater wetland map of ten acre or greater wetlands.

James Hamilton felt that within 75 ft. of upland wetland should be removed.

Item #9 has been adjusted. The state proposed utilizing a point system which appears to be impossible to enforce.

The largest change would be the addition of freshwater wetlands ten acres or greater as in definition.

James Hamilton noted a proposal before Washington to exclude land that has no standing water for a period of 21 days within one year.

Why wouldn't the state accept Waterboro's current shoreland zoning? Why are we so late in reviewing proposed changes if we have had a year to review the state changes? The chairman noted that the Board is working on a rewrite of zoning. Town's current shoreland zoning might pass the state. It is not known what the state will accept. It was suggested that this be looked into. Could another hearing be scheduled?

Please check into this and let those present know the results. There were very few present.

Dianne Holden questioned the table of land uses. It notes four different areas will there be an official shoreland map to delineate the districts. There will be a map by the end of the week. James Hamilton asked that two things be deleted; Remove the reference to plant growth and freshwater wetlands.

The Board cannot take any action at a Public Hearing. Those present were invited to the Planning Board meeting immediately following the Public Hearing.

Meeting adjourned at 8:11 p.m.

Respectfully submitted,

Dwayne Woodsome  
Secretary/Treasurer