

TOWN OF WATERBORO  
PLANNING BOARD

WATERBORO, MAINE

**REGULAR MEETING WATERBORO PLANNING BOARD NOVEMBER 18, 1992**

MEETING CALLED TO ORDER BY CHAIRMAN, JOHN ROBERTS AT 7:30 PM

**I ROLLCALL:** Present were Cindy Allen, Judi Carll, Roland Denby, Dwayne Woodsome and John Roberts, Chairman.

**II MINUTES OF PREVIOUS MEETINGS:** October 14, and  
October 22, 1992

Roland Denby moved to approve October 14, and October 22, 1992 minutes. Cindy Allen seconded the motion. Vote was 4-0 in favor.

**III COMMUNICATION AND BILLS:**

1. Maine Heritage Fall 1992 Newsletter
2. Letter from K Lovell Re: O'Clair Subdivision
3. SRCC Notice of Public Hearing
4. Memo Re: Budget Requests for 1993
5. Notice of Public Hearing ZBA  
Re: Abbott's General Store  
Victor O'Clair
6. Letter from Jay Hardcastle Re: Bernadine Gerry

**OLD BUSINESS:**

**Victoria Bradeen:**

Tony Grant was present and indicated that since the last meeting of the board he discovered that the legal width of Mascamp Road is 66 ft. not the presumed 50 ft. This was the old Route 202/4. He would need a 43 ft. setback from Mascamp Road and not 60 ft. as approved by the Board at their October 22, 1992 Meeting. The existing trailer is currently 18 ft. from the front line bordering Mascamp.

Roland Denby moved and Cindy Allen seconded a motion to grant a 43 ft. front yard setback from Mascamp Road all other dimensions previously approved to stand. Vote was 4-0 in favor.

**Edward Walton:**

Mr. Walton is requesting a six month extension of his soon to expire Conditional Use Permit.

Cindy Allen moved and Roland Denby seconded a motion to grant a six month extension from date of expiration of Mr. Walton's Conditional Use Permit. Vote was 4-0 in favor.

#### **IV REPORT OF OFFICERS:**

#### **V APPOINTMENTS:**

8:00 pm Ray Janson Map 5 Lot 23 Zone AR  
8:30 pm The Milk Room Map 19 Lot 24 V Zone  
9:00 pm David Dunn Birch Woods Subdivision Map 11 Lot 17

**8:00 pm Ray Janson Map 5 Lot 23 AR Zone**

Ray Janson's property on Route 202/4 has by current maps been deemed to be located in a split zone. In fact at some point in time it appeared that the zone line split the building. After much research and discussion with the town attorney the lot is and always has been in the AR Zone. The board needs to determine the number of uses available when zoning went into effect and that number would remain with the property as long as the current zoning lines remain.

Judi Carll moved and Roland Denby seconded a motion that in review of 1970 tax maps showing zone lines at rear property line of lots 15 through 19 of tax map #5, it shows that lot #53 and #53A are entirely in the AR Zone and not split as depicted on current tax maps, advise the tax assessor of the need to correct tax maps. Vote was 4-0 in favor.

Cindy Allen moved and Judi Carll seconded a motion that since research determined that six uses were present in March of 1977 that six uses will be grandfathered for the entire lot in perpetuity. Vote was 4-0 in favor.

Roland Denby recommended that Mr. Janson be forwarded a copy of the Planning Board minutes.

**8:30 pm The Milk Room Map 19 Lot 24 Village Zone**

The Pelletier's have a lease with an option to buy agreement with Mr. Owen they are requesting permission to install underground gasoline storage tanks for the sale of gasoline. This proposal was made by Mr. Owen and a legal case was won by the Town. Documents on file.

Dwayne Morin informed the Board members and Mr. Pelletier that after review of the judgement from the State Superior Court the Town went to quite an expense to defend the Zoning Ordinance. The case was fought and won as noted in a June 14, 1988 letter from the Town's attorney on Section 2.08 of the Waterboro Zoning Ordinance. Therefore, the Planning Board would not have the authority to override that decision. The area has changed with the addition of lights and the parking area at the Milk Room installed as previously requested by the Board. The case was not denied for these particular reasons. Cindy Allen moved and Judi Carll seconded a motion to refund Mr. Pelletier's \$25.00. Vote was 4-0-0 in favor. Sharon returned Mr. Pelletier's check since it had not been processed.

In order for this proposal to be reviewed the Zoning Ordinance would have to be changed. Mr. Pelletier requested a copy of the court decision and the necessary process in order to request an amendment to the Zoning Ordinance.

#### **VI NEW BUSINESS:**

Judi Carll moved and Cindy Allen seconded a motion to maintain the same officers as are currently installed, John Roberts Chairman, Roland Denby Vice Chairman, Dwayne Woodsome Secretary/Treasurer by vote of acclamation. Vote was 3-0-2 in favor. Motion passes.

Possibly a letter to be sent to the Waterboro Historical Society for potential names of people, sites etc. for use by land developers for new subdivisions. Trees and animals have been extensively used.

#### **VII OLD BUSINESS:**

##### **Lance Roy Map 44 Lot A-529 Zone R**

Mr. Roy used the Waterboro Tax Map for use when presenting his proposed plot plan. He now finds that the dimensions were incorrectly depicted and he cannot meet the setbacks granted at the last meeting by the Board. After discussion Roland Denby moved and Judi Carll seconded a motion to allow Mr. Roy to use a 32 ft. setback from Victoria Land and all other setbacks as previously approved remain the same. Vote was 4-0-0 in favor.

## **Blear Park II**

Dwayne has reviewed the subdivision by the checklist and finds a few items that need to be addressed prior to the Board granting Final Approval. Also Mr. Leighton and his engineer has scheduled a meeting for next week to go over those issues.

1. Fire Pond - A pond is noted but no dry hydrant is called for. Les would have no problem installing one.
2. School Bus Stop - This had been discussed but is not depicted on the plan.
3. Mail Delivery - Needs to be depicted on the plan.
4. A letter from the surveyor will need to be placed on file showing that the pins noted on the subdivision plan have been set. Monumentation should be required for the individual sites to insure that the setbacks as noted on the plan have been met in the field.
5. Park Regulation - A copy of regulations will need to be placed on file.
6. Notes - Diminimus Change Note will need to be added.
7. Issuing of Building Permits - The phases intended for the park development must be documented prior to any Building Permits being issued.

Roland Denby moved and Cindy Allen seconded a motion to hold Final Plan Approval until suggested changes are made and resubmitted. Vote was 4-0-0 in favor.


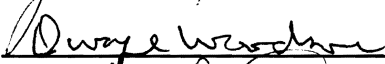

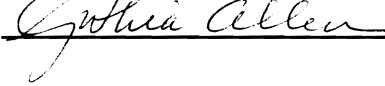
## **Dot Gerry**

The information supplied by Mr. John Large appears to be incorrect. Please note the letter filed under communication. Dwayne Woodsome moved and Cindy Allen seconded a motion to notify Karen Lovell to draft a letter to Mrs. Gerry that the State has notified the office that the septic system needs to be upgraded. Vote was 4-0-0 in favor.

It was moved and seconded to adjourn at 10:00 pm

Respectively submitted,

Dwayne Woodsome  
Secretary/Treasurer

  
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