

TOWN OF WATERBORO
PLANNING BOARD

WATERBORO, MAINE

REGULAR MEETING WATERBORO PLANNING BOARD FEBRUARY 10, 1993

MEETING CALLED TO ORDER BY CHAIRMAN, JOHN ROBERTS AT 7:40 PM

I ROLLCALL: Present were Roland Denby, Judi Carll, Cindy Allen, Jon Gale, Kerry Perkins, Dwayne Woodsome, and Chairman, John Roberts.

II MINUTES OF PREVIOUS MEETING: Cindy Allen moved and Roland Denby seconded a motion to accept the minutes of January 28, 1993. Vote was 4-0-0 in favor.

III COMMUNICATION AND BILLS:

1. Letter from Ray Janson Re: Zone Line Change

IV APPOINTMENTS:

7:30 PM SELECTMEN
8:00 PM GEORGE POISSON MAP 41 LOT 8 AR ZONE
8:15 PM MIKE HAMMOND
8:30 PM DAVE GREATON MAP 45 LOTS 1361-1362 R ZONE
8:45 PM DWAYNE MORIN

7:30 PM SELECTMEN

Dennis Abbott addressed the Board members, on behalf of the Board of Selectmen, regarding regulation of "Adult Businesses". Several surrounding communities have enacted ordinances to regulate these businesses. Chris Vaniotis, attorney with Bernstein, Shur, Sawyer and Nelson has supplied the information and suggests including the regulations as part of the Zoning Ordinance. The Selectmen would like the Board to consider this as an addition to zoning possibly at the Special Town Meeting scheduled for March 9, 1993. An information packet was given to each Board member for their review.

8:00 PM GEORGE POISSON MAP 41 LOT 8 AR ZONE

Mr. Poisson is requesting permission to add to an existing cottage and complete remodeling within the building. The site plan presented does not clearly note the proximity of the building to the normal high water mark. The structure falls within 100 ft. and would therefore fall under the State 30% Rule. The proposed project would need to be scaled down since the expansion proposed exceeds the 30% Rule. Possibly an on site inspection by CEO and Town Planner would be in order to determine the location of the proposed project in reference to the high water mark. It is not within the Planning Board's authority to allow construction to go closer to the water.

The Board requested Dwayne Morin and Tim Nelson to visit the site and determine location of the structure in reference to the high water mark and Mr. Poisson could come back in under Old Business.

8:15 PM MIKE HAMMOND MAP 19 LOT 15 V ZONE

Mike has a vacant space where the variety/redemption center was located he would like to know what his options are. He stated that the complex consists of one residence, dispatch, and two spaces, one being the Right Stitch and the other was the redemption center. For what period of time would he be able to maintain the four uses? Would he be allowed four uses? The vacant space is approximately 1500 sq. ft. Could he split the area to allow two businesses, The Right Stitch and the residence? Mike stated the Hardware Store, Dispatch, the General Store and the Residence were all in existence prior to the Zoning Ordinance being enacted. Mike also asked if he could place a hip style roof over the old grocery store area and create an apartment? The hip roof would be an upward expansion and would need further approval.

The following was noted. Legal counsel has stated that an allowed use can be exchanged for another allowed use within the zone that a building is located without a problem. A residence within the village zone is classified as a 40,000 sq. ft. use and therefore two business spaces of under 1,000 sq. ft. would need to be exchanged. Current status of building is

1 - 40,000 sq. ft. use for residence
3 - 20,000 sq. ft. uses for business

Any combination utilized within one year from the time that the business area would be vacant would be allowed. If the upward expansion is contemplated it would need to come back before the board for approval. Mike requested a copy of the minutes.

8:30 PM DAVE GREATON MAP 45 LOTS 1361-1362 R ZONE

Dave Greaton is requesting permission to place a set of stairs down an approximate 8' - 10' embankment. Saco River Corridor has granted approval. This is allowed under the State Mandatory Shoreland Act.

Roland Denby moved and Kerry Perkins seconded to grant the request for stairs four ft. wide and to include Saco River Corridor Permit Standard Conditions relating to this project and the stairs meet local Building Code. Vote was 6-0-0 in favor.

8:45 PM DWAYNE MORIN

Dwayne presented the Board members definitions of Home Occupation and Professional Home Occupation and an updated Section 7.04 for review. The Board members joined in much discussion and after an hour decided the following:

Definition of Home Occupation to include not occupy more than twenty-five (25) percent or 500 sq. ft. of the total floor area of the residential dwelling unit, whichever is less, provided that for the purposes of this calculation, unfinished basement and attic spaces are not included.

Delete Section 7.04 (D.) and;

Add non pollutant to Section 7.04 (E.)

Dwayne informed the Board members that he would have information regarding Yard Sale/Flea Market, Fee Structure changes and possibly the Land Use Chart for the next meeting on February 28, 1993.

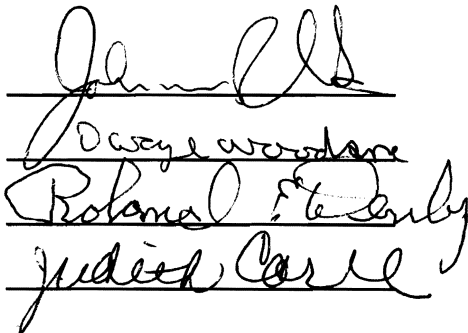
VI NEW BUSINESS:

VII OLD BUSINESS:

VIII ADJOURNMENT: It was moved and seconded to adjourn the meeting at 10:07 p.m.

Respectfully submitted,

Dwayne Woodsome
Secretary/Treasurer



Dwayne Woodsome

Ronald Stearns

Judith Carl