

# TOWN OF WATERBORO PLANNING BOARD

WATERBORO, MAINE

PROPOSED ZONING CHANGES
PUBLIC HEARING
APRIL 28, 1993
7:00 P.M.

Present from the Planning Board were Chairman, John Roberts, Roland Denby, Judi Carll, and Cindy Allen. Dwayne Morin, Selectmen's Assistant and Planning Board Clerk, Sharon Abbott.

### HOME OCCUPATIONS AND PROFESSIONAL HOME OFFICES

Bob Fay asked the reason for the change. There seems to be a gray area that the Code Enforcement Offices have had a hard time with. It was noted that the proposed change places the definition (current zoning) in the performance standards. The size of a sign is different. It is limited to four square feet.

## **Definition Home Occupation:**

If someone wanted to do wood working, crafts etc. would this be allowed. One citizen felt that this definition limited innovation. Home Occupations are usually incubators for small hobbies. A concern was noted dealing with the limit of 500 sq. ft. Requested that the Board consider using the current calculation.

## Yard & Garage Sale:

The definitions were requested by the Code Enforcement Office. In order for the officers to deal with Flea Markets a definition was necessary to differentiate between the two. Garage sale definition allows three days in a week. Discussion between Mr. Van Foglio and Bob Fay regarding complaints that have been received and due to the current definition the office has not been able to properly handle the problems. Dwayne Morin also tried to further explain the reasoning behind the suggested changes. Businesses in homes can cause problems in development areas.

Bob Gobeil asked how his particular lot would be classified. The difference between garage sales and flea markets is very simple. If space is rented out by renting space or tables it would be classified as a Flea Market and would require a Conditional Use Permit from the Planning Board.

Bob Gobeil felt that changes this year would spur further changes in following years that would be unfair restrictions.

Mrs. Hughes asked about parking being restricted. Parking is supposed to be provided as off street parking.

Home Occupation - Two different scenarios were given by Mr. Foglio the first being a ceramic shop in the Beaver Ridge development that would require more than six cars in the drive would create a potential hazard due to the residential character of the neighborhood. The second being a house that was renovated for use as an apartment on the second floor and a beauty shop with a tanning salon. Parking became a problem and the person living in the home was not the owner/operator of either the beauty shop or the tanning salon. Unless we have a definition we have no solution.

### **Adult Businesses:**

Identical to the Special Town Meeting Adoption only it allows this use within the Village zone only instead of Residential and Village zones.

Dwayne Woodsome brought up the issue with where this type of business would best be located. At a previous Planning Board meeting it was discussed for consideration of being allowed in the F & A Zone and the Conservation Zone.

Change of written 50 ft. sideline requirement in the F & A zone. No comment or questions.

Private airplane runway strip: This addition was requested by a private citizen who owns a parcel of land off the West Road of approximately 100 acres. He owns a small plane and would like to utilize an area for a runway. The proposal would be a Conditional Use and would require Planning Board review. The property is located between the New Road and the West Road.

## **Format Change:**

Dwayne Morin explained that currently the zoning ordinance lists the explanation of the zones and then lists certain uses. The proposed change would still list the explanation of the zones however the uses would be in chart form. The current setback chart lists Wellhead Protection Zone. A proposal for Town Meeting Vote would be to have a Wellhead Protection Overlay District that would not change the lot size requirements but would deal with uses that might cause water contamination. The format change would minimize the number of pages in the Zoning Ordinance. It was noted that maybe the uses could be listed in alphabetical order for easier reference and possibly the key should be at the top of the page. The listing is intended to be one full page and the key would be more available for viewing.

#### **Definitions:**

The additional definitions are needed since there is no explanation of uses. No questions or comments were offered.

The 500 sq. ft. of home area was once again questioned and the Board was asked to remove it from the section it was noted in.

Since the Board could not take any action at a Public Hearing the hearing was adjourned at 8:42 p.m.

John Roberts, Chairman of the Planning Board called a meeting to order.

Present were Cindy Allen, Roland Denby, Judi Carll and Dwayne Woodsome as well as chairman, John Roberts.

Dwayne Morin noted to the Board members that legislation has been adopted that changes State Law requiring a fourteen (14) day notification by certified mail of people and properties being affected by proposed changes.

Judi Carll moved to maintain 25% of floor area and drop the 500 sq. ft. maximum for home occupation. Roland Denby seconded the motion. After discussion Judi Carll withdrew her motion and Roland Denby withdrew his second to the motion.

Much discussion followed, ideas were thrown back and forth. 500 sq. ft. is quite a large area and might not ever come into consideration. If it doesn't why not leave it.

Roland Denby moved and Cindy Allen seconded a motion to use the existing description of 25% excluding 500 ft. and residential or accessory structure to be included. Vote was 4-0-0 in favor.

Meeting was adjourned at 9:18 p.m.

Respectively submitted,

Dwayne Woodsome Secretary/Treasurer