

TOWN OF WATERBORO
PLANNING BOARD

WATERBORO, MAINE

REGULAR MEETING WATERBORO PLANNING BOARD MAY 12, 1993

MEETING CALLED TO ORDER BY CHAIRMAN AT 7:45 PM.

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

II **MINUTES OF PREVIOUS MEETINGS:**

Jon Gale moved and Roland Denby seconded a motion to approve April 14, 1993 minutes. Vote was 6-0-0 in favor.

III **COMMUNICATION AND BILLS:**

1. Letters from Saco River Corridor Comm Re: Intent to File Notices.
2. Letter from DEP Re: Boissoneault Property
3. Letter from CEO Re: Setback Violation

IV **REPORT OF OFFICERS:**

V **APPOINTMENTS:**

7:45 PM Boissoneault Map 35 Lot 1 AR Zone
8:00 PM Amabile Map 24 Lot 12 AR Zone
8:10 PM Demers Map 33 Lot 38 AR Zone
8:15 PM Huntress Map 33 Lot 15 AR Zone
8:15 PM Doug Foglio Map 10 Lot 49 AR Zone

7:45 PM RICHARD BOISSONEAULT MAP 35 LOT 1 AR ZONE

The Board requested a ruling from DEP regarding the Boissoneault's request to replace an 8 ft. set of stairs going toward the water with a deck also going 8 ft. towards the water and 16 ft. along the cottage.

The letter from DEP notes that they do not use stairs decks etc. as the closest point to the high water mark, since they are an accessory to the main building. Therefore the Board could not grant the Boissoneault's permission to do as requested at April 14th meeting.

Mr. Boissoneault requested permission to replace the stairs with a 5' x 5' platform and turning the stairs as DEP recommends to abutt the house going horizontal with the shore.

Roland Denby moved to approve this request and Cindy Allen seconded the motion. Vote was 6-0-0 in favor.

8:00 PM SEBASTIAN & JANICE AMABILE MAP 24 LOT 12 AR ZONE

The Amabile property falls within the 100 ft. setback of Middle Branch Pond. They are requesting permission to add a 7' x 8' addition to an existing 4' x 8' pump house. The proposed addition will remain approximately 42' from the high water mark and goes no closer than existing structures.

Roland Denby moved and Kerry Perkins seconded a motion to approve the request to add a 7' x 8' addition to existing pump house. Vote was 6-0-0 in favor.

8:10 PM MARK DEMERS MAP 33 LOT 38 AR ZONE

The Demers' have a cottage located on Ossipee Lake. The cottage is surrounded by a very large deck that wraps around the cottage and has a roof over a portion of the deck that hangs over the water. The Demers' would like to enclose a portion of the area under the roof. Area to be enclosed is 8' x 20'.

Roland Denby moved and Cindy Allen seconded a motion to approve the request under Section 2.08, 7.01, 9.03 and Mandatory Shoreland Act. Vote was 6-0-0 in favor.

John Roberts informed the Demers that no Soil and Erosion Sedimentation Control Plan was placed as a Condition however, the Code Enforcement Office will be inspecting and if they find that this is needed could request you implement the control plan.

8:15 PM GARY HUNTRESS MAP 31 LOT 15 AR ZONE

Mr. Huntress is representing Marguerite Ferraris. Ms. Ferraris has hired Mr. Huntress to construct a roof over an existing patio and it will also be screened in. This would calculate to a 24% expansion. The roof and screened in area is located on the rear of the cottage away from the Lake. The roof and screened in area will not go closer to lot lines.

Dwayne Woodsome moved and Judi Carll seconded a motion to approve the request under Section 2.08, 4.02, 7.01 and Mandatory Shoreland Act. Vote was 6-0-0 in favor.

8:15 PM DOUG FOGGIO SR MAP 10 LOT 49 AR ZONE

This lot previously went through Site Plan Review for Gravel Extraction by Mr. Foley. White Brothers then came before the Board requesting a Conditional Use Permit since Mr. Foley was selling his interests in the extraction project.

Mr. Foglio is now before the Board requesting a Conditional Use Permit for this site with a few requested changes in the Conditions.

The entrance road to the property has a grade that previously the Board has requested changing. Mr. Foglio informed the Board that Mr. Foley had tractor trailer trucks and he suspected the reasoning for the grade change was due to the potential for accidents with incoming and outgoing vehicles site distance. Doug's vehicles are not long enough for this to be a similar problem. The width of the road as requested would leave driveway entrances extremely steep. Doug suggested leaving the road at its current status. Mr. Foley also wanted full access which would not limit the number of vehicles or the time of year they hauled. Doug would like to know if he had a new study done with his six trucks, 4 tandem axle, 1 tri axle, and 1 trailer dump if the Board would still require a lane on the Silas Brown Road.

Discussion followed regarding the differences in the companies previously requesting use of the lot and his company. Doug believed that the Foley project was slated for approximately 25,000 yards per year and the White Brothers were looking at 12,500 yards per year. Doug has no set number of years to complete the project and he does not expect high usage from this site. Doug noted that he had not time limit be it 1 year or 10 years. If the Board were to agree to a maximum of 10 trucks he would have no problem with that condition.

Kerry Perkins suggested leaving the road the way it is currently. If the knoll were cut it would allow full view of the extraction project.

Kerry Perkins moved and Jon Gale seconded a motion to leave the road existing as denoted on plan dated with revisions through 1/23/90 per dotted lines on private road. Vote was 6-0-0 in favor.

Limited number and length of vehicles was presented and placed on file of Doug's fleet of contract and business trucks. Doug wasn't sure that the lane on Silas Brown Road should be totally done away with. Maybe with a warning device on the top of the hill on Silas Brown Road this could

be tried, if it didn't work then something else could be tried. The Board did not like waiting until an accident occurred to respond. They would rather have a study done. Doug didn't have a problem with a study.

One of the conditions lists no crushing. Doug intends to move his crusher in and leave it for a period of time. It would not be going in and out on a regular basis. The noise level from a crusher is not anywhere near that of a screen. The crusher must meet State and Federal noise and dust standards. Doug stated he doesn't anticipate more than 30 days per year for crushing on this site.

Daily hauling schedule previously approved was acceptable to Doug however he would like until noon on Saturdays but would live with the Board's decision

Jon Gale moved and Kerry Perkins seconded a motion to utilize Note #2 deleting (no crushing activity) and the second sentence and add Hauling & Crushing schedule to be limited to 7 a.m. to 5 p.m. no weekend work. Discussion followed regarding weekend hauling. The Board felt if Saturday schedule was anticipated then the abutters should be notified and possibly a public hearing scheduled. Doug stated he would be satisfied with the Board's recommendation. If a change is requested in the future a public hearing would be likely. Vote was 6-0-0 in favor.

Cindy Allen moved and Kerry Perkins seconded a motion to grant Doug Foglio a Conditional Use Permit for Gravel Extraction under Section 3.06.03 Paragraph #4 conditioned upon a mutual agreement of Engineering study of acceleration lane. Vote was 6-0-0 in favor.

Doug didn't think this would be a problem. He would go by the recommendations of the study.

Doug asked what could be done at the site while waiting for the engineering study? As long as material does not leave the site work could start without creating a problem.

A reminder to all Board members that representation is necessary at Town Meeting due to Zoning Changes. John Roberts noted he would not be attending. Jon Gale, Cindy Allen and Kerry Perkins believed they would be attending.

Dwayne Morin spoke with the board members regarding his frustrations over rewriting zoning. Dwayne felt that the board should be doing more to direct him. He feels that he writes something and the board then reacts. He would rather have discussion with options that he could then present to

the members at their next meeting. The board is reacting to requests however the planning aspect hasn't been addressed. Approximately 40 minutes of overall discussion followed.

The Board members instructed Sharon Abbott as to the booking of future meetings. Board meetings will start at 7:30 p.m. and appointments will be booked from 7:45 to 8:30 p.m. Under Old Business the Board will try to review a section of zoning.

Mr. Curit from Twin Pines Mobile Home Park cannot find his boundary pins to locate the temporary garage. Mr. Curity will need to come back before the board.

Dwayne also informed the Board that the Site Plan for the Maine Cranberry Company will be on their agenda on May 28, 1993. The total review process could take between four and ten meetings. Also a joint meeting with Alfred Planning Board will be required. Alfred has hired Woodward & Curran as Environmental Engineers. They are very concerned with the potential impact to Shaker Pond and surrounding wetland.

No survey has been completed as of this date of the total site.

Meeting adjourned at 10:07 p.m.

Respectfully submitted,

Dwayne Woodsome

Dwayne Woodsome
Secretary/Treasurer

John R. [Signature]

Gynthia Allen

Judith Carr

