

PLANNING BOARD

Town of Waterboro

MEETING MINUTES

APRIL 22, 1999

I ROLL CALL

Doug Foglio called the meeting to order at 7:30 p.m. noting the attendance of Roland Denby, Everett Whitten, Duane Fay and Dwayne Woodsome. Susan Dunlap entered at 7:50 p.m.

II OLD BUSINESS

Cal Knudson is present to submit the three (3) lot subdivision located on the Deering Ridge Road Map 5 Lot 27.003. Cal has presented to the Planning Board a request for the following waivers:

1. Waive the 600' length for a right-of-way to 1200';
2. That a cul-de-sac be waived to allow for a hammerhead turn;
3. The hydrogeology study be waived.

Cal also stated that Bartlett Pine Road is being proposed as a Private Road. The lot owners will be given a right-of-way over this road to access their lots, and will be responsible for the maintenance of the road by means of a formal Road Association to be formed upon final approval of the plan.

Dwayne Woodsome made a motion to accept the Three (3) Lot subdivision of Cal Knudson "Bartlett Pond" as a sketch plan. Roland Denby seconds. Motion carries a unanimous vote in favor.

Dwayne Woodsome made a motion to schedule a Public Hearing contingent of the Town Hall's availability. The Public Hearing has been set for Thursday, May 13, 1999 at 7:15p.m. Everett Whitten seconds. Motion carries a unanimous vote in favor.

It is noted that the following members were present for the Site Walk on Tuesday, April 20, 1999 at Bartlett Pine Subdivision: Doug Foglio Sr., Susan Dunlap, Dwayne Woodsome. Roland Denby and Everett Whitten visited the site on Thursday afternoon, 4/22/99.

Bill Hanson - Final Plan Review

Bill Hanson was present for a Final Site Plan Review of the property located on Route 5, Map 13 Lot 43. Upon review of the Site Plan checklist and finding it to be complete Duane Fay made a motion to accept the Plan as Final. Everett Whitten seconds. Motion carries a unanimous vote in favor. Planning Board Members sign the approved Site Plan.

II APPOINTMENTS

8:00 Diane & Eric Herrle with "Waterboro Against the Pits Committee"

Dale Witman, Willis Lord, Brenda Charland and Millard Genthner are also present for this portion of the Planning Board Meeting.

Diane, Eric and other Committee Members are present to discuss possible Zoning changes to the Waterboro Gravel Pit Ordinance.

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Doug began the discussion by stating that the changes were submitted to the Selectmen and forwarded to the Planning Board. Doug opened the floor to the Committee to explain their proposed changes.

Dwayne Woodsome made a motion that if any personal issues are raised the meeting will be adjourned immediately. Everett Whitten seconds. Motion carries a unanimous vote in favor.

Diane stated that the document they presented she felt speaks for itself. She stated that she felt this meeting was to be a workshop to work through the changes.

Doug noted that the order of the workshop is to review their request versus what the Town currently has as an ordinance. Duane Fay stated that the current Waterboro Ordinance give the Planning Board a very tight control over the new gravel pits (Section 4.04).

Eric Herrle mentioned that he went through the Town, State and area Town Gravel Pit Zoning Ordinances. What they are proposing is that we remove section 4.04 of our Zoning and replace it with the one they are proposing. The Committee feels that the one they have proposed is the best of all the area community ordinances brought into one.

Doug asked for an example of the what they would like to see changed.

Eric used Section 12.04 of the Town's ordinance which gives the Planning Board authority to oversee that the work is being completed. The Committee's proposed ordinance states in Section 12 item 12.1 "...In no instance shall the amount of the guarantee be less than 125% of the estimated cost of rehabilitation.....". Doug asked what base of rehabilitation is to be considered. Are they suggesting the "entire project" or an estimate on what is in operation. Eric noted the entire project.

Willis Lord states that after 5 acres the DEP automatically becomes involved. The intent of the State guidelines was that after 5 acres the pits will then fall under State guideline jurisdiction.

Doug noted that having an ordinance that does not conform to performance standards of the State makes enforcement of the gravel pits difficult and solely on the town.

Eric Herrle - That 12.1 should state 125% of 5 acres. Doug noted that the State does not require anything under 5 acres. Doug also noted that the Extractive Industry voluntarily raised the fee amount of licensing to enable more frequent inspections, there are currently 98% of the pits in compliance with the State Ordinance.

Eric asked how the Planning Board intended on going through the revisions in the future? Doug said they would review it Article by Article and that it would take many meetings, the Board will raise questions and possibly with the Committee's detail and the Board's questions Town Approval may be granted.

It was noted that under the Gravel Pit Ordinance there are no rules, what is stated is the Law. It needs to go before the legislature in order to become in effect.

Susan Dunlap requested that the Committee provide us with a marked up copy with the areas of changes that they are requesting to make it easier for the Planning Board to see the changes that is being requested.

Dwayne mentioned that a lot of the deadlines cannot be handled by the Planning Board within 30 days. It will take 1+/- years for the Board to review the plans and have them ready for town approval.

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Dwayne motioned to move the May 27th meeting ahead to May 20th due to the Holiday Weekend. Susan Dunlap seconds. Motion carries a unanimous vote in favor. The Committee will return under "Old Business" to further discuss the changes they are requesting.

9:00 William Welch Map38 Lot 36

William Welch has presented to the Planning Board a request to construct a 30' x 30' garage in the Shoreland Zoning area of Ossipee Lake.

Everett Whitten motion to grant Mr. Welch the authority to build a 28' x 32' garage, the foundation of the garage is to be tied into the house on the shoreline setback being 83' (the dimensions of the garage have been changed to better conform to the required setbacks). The structure will be no closer than 85' to the water on North shoreline, 45' to Richard's property, 40' to the Giles property and 110' to the Welch/Gile shoreline. All DEP erosion control management practices must be taken. A permit may be issued after Roland Denby visits the proposed site and gives an approval of the plan as discussed above. Duane Fay seconds. Motion carries a unanimous vote in favor.

VI MINUTES TO THE PREVIOUS MEETING

Dwayne Woodsome made a motion to approve the April 14, 1999 Minutes as modified. Roland Denby seconds. Motion carries a unanimous vote in favor.

VII COMMUNICATION

The "Certificate of Disposal/Recycling" letter of communication was reviewed.

VIII MISCELLANEOUS

No decisions were made at this time regarding the Boards use of the term Preschool, is it a Private school or Home Occupation?. It will be placed on the next agenda for discussion.

A revised plan of West Hill II Subdivision will be placed on the next agenda. The developer needs a re-approval due to a change in the R.O.W.

Lisa is to contact Walt Stimpson and see if he is available to attend a workshop to update the Waterboro Zoning Ordinance on Thursday, May 13 at 8:00.

IX ADJOURNMENT

Duane Fay made a motion to adjourn the meeting at 10:30 p.m.. Roland Denby seconds. Motion carries a unanimous vote in favor. Meeting adjourned.

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Respectfully submitted,

Dwayne Woodsome

Dwayne Woodsome
Secretary/Treasurer
Waterboro Planning Board

ACCEPTED:

Richard C. Deuby
Memo Fay

DW/lmm