

PLANNING BOARD

Town of Waterboro

AUGUST 25, 1999
REGULAR MEETING

I ROLL CALL

Doug Foglio Sr. called the meeting to order at 7:50 p.m. noting the attendance of Susan Dunlap, Todd Morey, Roland Denby and Dwayne Woodsome.

II APPOINTMENTS

8:00 Renald Collin Map 44 Lot A446

Renald Collin and David Legasse are present for a front yard setback reduction on Keystone Dr. and a rear setback reduction to lot A447.

Under Section 2.08 and 4.03 Dwayne Woodsome made a motion to grant a 43' front yard setback on Keystone and a 28' rear setback to Lot 447. All other setbacks must be met. Susan Dunlap seconds. Motion carries a 4-0-0 vote in favor.

8:15 Renald Collin Map 42 Lot A240/241

Renald Collin and David Legasse are present for after-the-fact setback reductions. A reduction of 3' on Mayfair and 4' on Deerfield Drive is being requested. David noted that the error occurred when the excavator adjusted the position of the house to meet the septic setback.

Dwayne made a motion to postpone the decision until an agreement between the Planning Board and Selectmen is made. If the applicant wishes to go before the Selectmen to enter into a consent agreement he may do so by calling Pam Witman. Susan Dunlap seconds. Motion carries a 4-0-0 vote in favor.

Doug noted that he and Lisa will write up a violation/consent agreement and violation fee schedule for the Selectmen to review at Tuesdays Selectmen meeting. The agreement will be used by the Planning Board, ZBA and Selectmen. Any Planning Board Member who wishes to attend Tuesday's meeting to discuss the agreement with the Selectmen may do so.

8:30 Brian & Linda Bruce Map 7 Lot 6B

Brian and Linda have presented a plan to create a right-of-way to the back portion of their property in order to sell off the back 2 acres. In placing the right-of-way they would be creating a front-yard setback violation with the existing home. They are requesting a front-yard setback reduction to the right-of-way. The Planning Board referred to Section 3.03 of the Zoning Ordinance under easement and exemptions. The Planning Board does not have the authority to grant a front yard setback reduction from the right-of-way because it is a conforming lot. The right-of-way is creating a non-conforming lot. A front yard setback reduction is not granted.

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8:45 Patti Berry, Town of Waterboro Gravel Pit, Bennett Hill Road

Also present for this portion of the meeting is Willis Lord, Steve Foglio, CEO, Charlie Brown with Sebago Technics and Eric Herrle.

Patti presented to the Planning Board questions regarding what is necessary for the Town to acquire a Conditional Use Permit for the Gravel Pit on the Bennett Hill Road in Waterboro. The Town would like to have the entire parcel of property (138 acres) permitted to extract all the gravel that is available on the property.

The following questions were forwarded by Patti:

1. Does the Planning Board want 5' or 10' contour lines on the topographical survey? **5' intervals**
2. There are two existing test wells on the site. How many test wells will be required for this pit? **Test Pits are required every 5 acres. Elevation and location markers are needed on top of the test well and located on the map.**
3. Will the town have to do a hydrological survey? **Yes** The town intends to stay 5' above the water table. To go any further into the water table would be in violation of DEP regulations without a variance to do so.
4. How far into the pit does the town have to pave? **A minimum of 100' needs to be paved.**
5. What kind of signs will be required? **Trucks entering signs on the Bennett Hill Road 250' before the entrance.**
6. The Town would like to have a 2-1 slope in the reclamation plan. **A 2-1 slope for reclamation is required.**

Doug informed the board that the Town's immediate intent is to acquire a cost-estimate so they may present it to the townspeople for approval.

Due to the Town's intent to go beyond the 5 acres Section 4.04 of the Zoning Ordinance comes into effect. Restoration/reclamation plan is needed showing whether it will have internal or external drainage, it should be completely internally drained. A hydrogeological survey is for ground water elevation not for quantity of flow. State mandates that you stay 5' above the ground water level.

A time-frame stating what intervals of excavation, restoration, reclamation will occur. What portion of the excavating will remain open at any one time. When applying for your state license 10 active acres at one time is the maximum allowed.

Doug noted that the Town will need to immediately apply to DEP. Will the Board require that the town to go through the York County Soil Conservation to get their plan approved or will we let the second part of the regulations require them to go directly to DEP to approve it. Dwayne and Todd both felt that DEP would be preferred.

Hours of operation will also need to be discussed. Limiting the hours will make it difficult due to the need for emergency use during winter months.

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Charlie Brown asked if they would need to apply for ledge excavating due to the possible large amounts of ledge as you go into the pit on the right. Doug noted that it was up to the selectmen if they wished to do so immediately. Charlie also noted that the Town does not distinguish between the two but the State does.

The Town will need to notify abutters by return receipt mail, 2 (two) individual letters will be needed, 1 for the Town's conditional use permit and 1 for DEP.

Doug turned the meeting over to Dwayne Woodsome at this time due to the conflict of interest with the next appointment being his own pit.

9:00 Charlie Brown, Sebago Technics and Doug Foglio Jr., Conditional Use Permit for the Chadbourne Pit owned by Doug Foglio Sr.

Charlie Brown and Doug Foglio Jr. are presenting an application for a conditional use permit to operate a Gravel Pit on the Townhouse Road, Map 11 Lot 44 formerly owned by Shawn Shoemaker. The parcel in question contains 66.5 acres total. It is proposed that 14.7 acres will be used for gravel extraction. The access to the pit will be over the current access road that has been partially upgraded for the Shoemaker home, and extends to the pit area.

Dick Swett of Swett Associates is currently working on the hydrogeological study. No waivers are being requested at this time. The contour intervals on the plan are based on the U.S.G.S. sheets and are verified by _____ and Graves.

The purpose of the meeting was to introduce the project to the Planning Board and receive their feedback on the necessary requirements.

The plan presented is the basics of the restoration plan showing the re-grading of the pit with the 2-1 contours. There are several different used areas, 1 will be a stump grinding area on the northwest side of the pit, the intent will be to grind the existing stumps to the site and establish a temporary grinder setup area. The wood chips will be used as a retainer during the construction. The stock pile area is also shown.

Wetlands have been located and flagged and are noted on the plan. Dwayne asked how far from the Pond is the Pit located. Charlie noted that the location is approximately $\frac{1}{4}$ - $\frac{1}{2}$ of a mile to the pond. Susan questioned approximately how far down the Deering Ridge Road does the pit go. Charlie said it was approximately 500ft from the brook.

Doug Jr. noted that they would like the option to go to either the York County Conservation or DEP depending on what direction they chose to go. Dwayne noted that if they do not go to YC Conservation than they do have to go to DEP.

Roland asked if they will maintain the pit in block operation intervals. Doug Jr. said yes, for the time being.

Dwayne stated that he had two concerns for dust control, the Hanson and Shoemaker's home. Doug Jr. noted that paving will be placed beyond the corner of the Hanson's property which will eliminate dust to either property.

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A Public Hearing will be scheduled after the hydro study is acquired. Abutters will need to be notified by certified, return receipt mail. After the Public Hearing the plan will return to the Planning Board under Old Business.

A site walk is scheduled on September 8, 1999 at 6:30p.m. with members to meet at the town hall. The site walk is to be posted in the Smart Shopper.

III MINUTES OF PREVIOUS MEETINGS

No minutes to the meeting were reviewed at this time.

IV NEW BUSINESS

V REPORT OF OFFICERS

VI OLD BUSINESS

Bill Hanson's Site Plan was signed by Roland, Dwayne and Sue. Signatures still needed are Doug, Everett and Duane.

VII COMMUNICATION

The memo from the Code Enforcement Officer was reviewed requesting clarification of Home Occupations in the A/R zone. Susan Dunlap made a motion to have Lisa prepare the necessary documents to have Home Occupations added to the A/R zone for the next Special Town Meeting. Roland Denby seconds. Motion carries a 3-0-0 vote in favor. The Land Use chart will be used until it is removed.

VIII MISCELLANEOUS

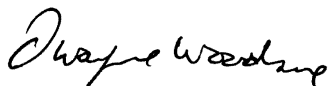
Steve Foglio asked the board if they felt a 4800 sq. ft. steal building meeting all setbacks with just under 2 acres needs to go before the Planning Board under Site Plan? After reviewing the Site Plan Ordinance it is noted that under I Procedure item A it does require Site Plan review.

The need to appoint or extend the appointment outside the Planning Board Committee is needed for the Taylor House at the Sept. 8, 1999 meeting.

IX ADJOURNMENT

Roland made a motion to adjourn the meeting at 10:35. Todd Morey seconds. Motion carries a 4-0-0 vote in favor.

Respectfully submitted



Dwayne Woodsome
Secretary/Treasurer

DW/lmm

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ACCEPTED: _____

