

# **PLANNING BOARD**

## **Town of Waterboro**

**OCTOBER 28, 1999**

**PUBLIC HEARING**

**AND**

**REGULAR MEETING**

Doug called the Public Hearing to order at 7:30 p.m. noting the attendance of Susan Dunlap, Everett Whitten, Todd Morey, Roland Denby, Dwayne Woodsome and Louis Sidell from the State Planning Office.

There was two members from the public in attendance, however they were not required to have flood insurance coverage.

Lou began by explaining that the Town of Waterboro adopted the Floodplain Ordinance in 1987 and since has not been updated. If the community fails to amend this ordinance FEMA may discontinue insurance coverage. It was pointed out that if more than 50% of the structure was damaged it must be rebuilt in conformance with the ordinance.

### **Board Questions/Comments**

Dwayne Woodsome - If you are to bring a home up to elevation in a subdivision you will tend to have only 1 or 2 homes that will be elevated. Also by elevating a home you will then need steps and stairways which on some lots won't meet our zoning setbacks.

Doug noted that the largest problem is that our maps are not updated. These maps need to be updated so that the Town or the residents aren't required to spend large amounts of money trying to prove that their home is not in the flood zone. As a board we have been asked for our opinion, as a board we would also like to see these maps updated.

Lou stated that there is a new program that has been created. Since 1990 there have only been 9 residents in the Town of Waterboro that has applied for a correction in their elevation. If the Town has significant information and TOPO maps we would be willing to endorse the Town's request to have the maps updated. Even if he endorsed the request it would not guarantee that FEMA would immediately grant the update. It all depends on the funds available.

Doug asked why this has such a great importance at this time that we pass these updates. Lou stated that it has always been important to update the ordinance. The town has just become lax in keeping the Flood Ordinance current.

Currently the deadline of December 31, 1999 was given to the Town. Lou felt that an extension may be possible. He stated that if an extension letter was forward directly to him he would be willing to get it to FEMA. If an extension is not granted than the Town will have to hold a Special Town Meeting.

Doug called the Public Hearing to a close at 8:15 and called the regular meeting to order.

Susan made a motion to recommend that the Selectmen request a 3 month extension taking us to April 1, 2000. If an extension is not granted than a Special Town Meeting will then have to take place. Upon noting the interest at the Public Hearing it would be beneficial for the taxpayers and the Town to wait until the regular Town Meeting. Everett Whitten seconds. Motion carries a 5-0-0 vote in favor.

## **II APPOINTMENTS**

**8:00 Joe Calvo Map 2 Lot 6E/F** - Joe and Melisa Calvo are requesting a Condition Use Permit to operate a sawmill on their property. Dwayne asked the location of the brook on their property. Joe noted that only a portion of the back property is touched by the brook.

The lot size is approximately 4.3 acres. Map 2 Lot 6E will maintain the sawmill, his home is on Lot 6F. There will be no problem in meeting all boundary lines.

Member concerns are on the sawdust and the location of the brook.

Roland asked if he will be cutting rough boards and planing. Joe stated that the mill is currently successful just as a rough board mill.

Susan noted concern with the noise of the rough cutting and possibly future planing, that it would create complaints from the neighbors. Joe noted that the mill will be in the woods. Neighbors will not be able to see the building.

Everett made a motion to do an onsite on Thursday November 4 to meet at the Milkroom at 3:00. Susan seconds. Motion carries a 5-0-0 vote in favor.

The Code Officer is to check with the State in regards to sawdust regulations.

Joe and Melisa are to return under "Old Business" on November 10.

**8:15 Mike Diaz Map 42 Lot 240-241** Mike presented an application to build a deck on his property. The property has previously gone before the Selectmen for a dimensional setback violation and has received an Agreement for penalty in lieu of legal action letter that was granted to the builder.

Due to the existing violation agreement the board is unsure in the procedure to take. Dwayne motioned to send this application and previous penalty action letter to the Attorney. Does the Board have the authority to grant a setback reduction on the same sideline that the violation was originally created? Would the previous owner who was denied a setback reduction on an existing violation have reason for a lawsuit for the fine that was imposed? Everett seconds. Motion carries a 5-0-0 vote in favor.

**Due to other commitments Doug has excused himself from the meeting and turned over to Sue at this time.**

**8:30 Roy and Charlene Michaud Map 36 lot 21** Roy and Charlene are present with an application for a setback reduction to build a garage. The proposed area is currently a tarred parking lot. He has it staked out where he hopes to put the garage.

Due to the location of the property and the right of way that is owned by the Michaud's Dwayne has made a motion to have an on-site, the on-site can be done at the members convenience before the next meeting. Todd seconds. Motion carries a 4-0-0 vote in favor. Mr. & Mrs. Michaud are to return under "Old Business" on November 10.

### **III MINUTES TO PREVIOUS MEETINGS**

Everett made a motion to accept the October 13, 1999 minutes as written. Roland seconds. Motion carries a 4-0-0 vote in favor.

### **IV NEW BUSINESS**

### **V REPORT OF OFFICERS**

## **VI OLD BUSINESS**

Dwayne made a motion to reapprove the Forest Acres subdivision plan dated 6/11/99 due to the owner address being incomplete for registry. Everett seconds. Motion carries a 3-0-1 with Todd abstaining, vote in favor. Plans are signed.

The Vitko sitewalk was discussed and noted that very little capabilities for meeting setbacks was found. Mr. Vitko is to return under "Old Business" after getting written DEP approval.

## **VII COMMUNICATION**

The following communications were reviewed:

October 12, 1999 Selectmen minutes  
Maine DEP Grant Program  
New Planning and Land Use Booklets  
State of ME Public Workshops on Subdivision Laws

## **VIII MISCELLANEOUS**

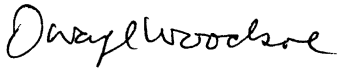
Everett made a motion to schedule Gravel Ordinance workshops every Monday through November. Dwayne seconds. Motion carries a 4-0-0 vote in favor.

Lisa informed the board that the Town's Attorney will be present at our November 15, 1999 workshop to review the Site Plan Ordinance.

## **IX ADJOURNMENT**

Everett made a motion to adjourn at 9:45 p.m. Dwayne seconds. Motion carries a 4-0-0 vote in favor.

Respectfully submitted,



Dwayne Woodsome  
Secretary/Treasurer

DW/lmm

ACCEPTED: 12/8/99

