

Town of Waterboro

Planning Board Meeting Minutes March 28, 2002

I. ROLL CALL

Susan Dunlap called the meeting to order at 7:34 p.m. noting attendance from the board of Todd Morey, Dwayne Woodsome, Roland Denby, Everett Whitten and Tim Neill.

Sue presents the board with a notebook from Gary Lamb Wildlife Biologist / Landscape Planner for the Maine Department of Inland Fisheries and Wildlife. The title of his research is Beginning with Habitat. Gary would like the board to review the book when they get a chance and will call and schedule to meet with the board at a later date to discuss a cooperative effort to get planning boards to consider wildlife habitats in their decision making process.

II. APPOINTMENTS

Russell and Trina Waterman Map 6 Lot 18 re-application for Conditional Use Permit to have a used car sales.

The Waterman's report that the Selectmen instructed them to reapply to the Planning Board due to the fact that a decision was not given to the Waterman's in a timely manner to give them the right to appeal the last decision of the board to go to the Zoning Board of Appeals. The Selectmen waived all fees for this re-application as well.

Susan asks if the Waterman's have new information to present. Trina states that the letter from attorney Jeff Clark was not reviewed by the board in the last review of this application and the information obtained by MMA and town's attorney Ken Cole recently. There is a deed presented that has been on file with the town that deeded out the seven subdivision lots separately from the remaining land which includes the deed restrictions where the deed to the remaining land includes no deed restrictions.

Dwayne Woodsome made the motion to hold a public hearing to follow the same protocol that the last review followed where the abutters were so adamant against the use. Everett Whitten seconds the motion. Motion carried with a unanimous vote in favor. The hearing is scheduled for April 10 at 7 p.m. The secretary will notify the abutters at the town's expense according to the selectmen's office.

Mark Elliott with a conditional use application for a used car sales garage on Map 4 lot 35A-2 on Old Alfred Road.

Mark explained that he has applied for a land use permit for used car repair and sales.

Roland asks if they have their used car license? Mark replies yes he does. They have had their license for 10 years in Arundel. This lot is a 3-4 acre lot and the garage sits back 500 feet from the road.

Sue asks if there is any intent to live in this building. Mark answers no intent to live in the building but they do intend to build a house on this lot in the future.

Tim Neill asks the applicant if he is aware that his lot falls within the wellhead protection zone. Mark was not aware of it. Mark states that he won't be doing any oil changes and there will not be any chemicals there. Not even painting. He sends his cars to Maaco to be painted.

Roland asks if they plan to recycle cars or are they going to be a graveyard and how many cars would be on site at one time? Mark answers that there would probably be six cars there at once. He has 3 dealers' plates. Everett asks what is the average sales for one year? Mark states that last year he sold 15 cars.

Sue states that she thinks that section 7.06 Wellhead protection zone restricts this use on this property. Tim States that auto sales is a prohibited use in the wellhead zone.

Todd asks if there is a clear delineation of whether this property is in the wellhead protection zone or not. No the CEO did not verify this. Tim states that the board will have to have the code enforcement officer verify that this lot is in the wellhead protection zone and if it is and this use is prohibited the planning board will refund the money for this application because he should not have been sent to them if that is the case.

Sue states that before the board goes any further they need to verify the definition of whether this is a prohibited use or not after they get a determination of whether it is in the wellhead protection zone.

Sue adds that if the board determines that it can move forward with this review there would have to be a public hearing and that the board had already performed a site walk of the property.

III. MINUTES OF PREVIOUS MEETINGS

Dwayne Woodsome made the motion to approve the minutes of the February 28, 2002 meeting. Everett Whitten seconds the motion. Motion carries with a unanimous vote in favor.

Everett Whitten made the motion to approve the March 13, 2002 meeting. Roland Denby seconds the motion. Motion carries with a 4-0-2 vote in favor with Susan and Todd abstaining, as they were absent from the meeting.

Dwayne Woodsome made the motion to approve the March 11, 2002 meeting. Todd Morey seconds the motion. Motion carries with a unanimous vote in favor.

IV. REPORT OF OFFICERS

V. OLD BUSINESS

Discussed how to handle the public hearing on April 2nd regarding the zoning changes.
Discussed the GP zone and the limitation of 50,000 sq. ft. buildings.

VI. COMMUNICATIONS

Sue noted the following communications:

1. Selectmen meeting minutes.
2. Notice of Decision for Andrea Valway, Henry Gardner and Woodland Ridge Subdivision.
3. Notice from DEP regarding the siting of new underground tanks.

VII. MISCELLANEOUS

VIII. NEW BUSINESS

IX. ADJOURNMENT

Dwayne Woodsome made the motion to adjourn at 8:25 p.m. Everett Whitten seconds the motion. Motion carries with a unanimous vote in favor.

Approval date:










