

**Town of Waterboro  
Planning Board  
Meeting Minutes  
September 26, 2002**

**I. ROLL CALL**

Chairman, Susan Dunlap calls the meeting to order at 7:35 p.m. noting attendance of Tim Neill, Everett Whitten, Roland Denby, Dwayne Woodsome and Kurt Clason. Sue also introduces the board's newest member, Teresa Lowell.

**II. APPOINTMENTS**

**7:30 Paul Lamontagne with an application to amend a conditional use permit issued on map 47 lots 24 & 25.** Paul states he wants to amend the front setback to build a cape 26 x 26 instead of the ranch he received the previous CUP for. He is requesting a 20' front yard setback. Teresa Lowell asks how far does the septic field encroach on the 100' setback from the water. Paul states that he can pull the leachfield back with the house and that he cannot put it on the other side because that would violate the 300' setback from the community well.

Dwayne Woodsome made the motion to approve amending the CUP with a 25' setback from Lake Sherburne Road with the condition that the applicant amend his building permit application and planning board application to reflect this and that the applicant meet the 100' shoreland setback and the previously approved sideline setback of 30'. Everett Whitten seconds the motion. Motion carries with a unanimous vote in favor.

Sue questioned whether the board wanted to require a survey insuring the foundation met the setbacks. Paul stated that he is planning to have a surveyor set the pins and certify that the house meets the setbacks anyway.

**8:00 p.m. Andy Nadeau from Corner Post Land Surveying representing ELCON with preliminary subdivision application for a 6-lot subdivision Orchard Hill on West Road.** Christine Kostis, property owner is also present. Andy reports that they have completed the hydro-study and obtained DOT entrance permits. They have consulted with the Giles who operated the orchard on the property to determine what was sprayed on the trees so they will know what to test the soils for. They have reduced the lots down to 6 from 7 with three shared drives accessing the lots off West Road. Andy states that the driveways are going to be built up so the site distance will increase from what is current.

Everett Whitten asks if they have considered a pull off for the school bus? Teresa Lowell states that she is very concerned about the site distance at this property because of the terrain and contour of the land.

The waivers that have been requested are as follows: Stormwater management, soil erosion and sediment control plan.

Sue states that there is a wetland to the southern portion of the lot. The plume is going in the direction of the wetland and towards Shaker Pond, which has been deemed by the state to be a water body most at risk.

Andy states that he doesn't see a lot of stormwater run-off being generated by six houses.

Kate Albert states that the developer should provide at the least, information regarding pre-development stormwater analysis and post development. An engineer ought to be able to report what the pre and post run off would be. Tim Neill states that in the hydro report it shows that the groundwater is 1-2 feet below ground level.

There is discussion regarding the request for waiver of the erosion and sediment control plan. Kate states that this plan is necessary only during construction. There should at least be a statement that the developer will use standard best management practice during construction for erosion and sediment control. If the developer can get York County Soil and Water to approve of their plan then the board should be ok with that.

Tim states he thinks the board should involve the road commissioner. Sue states that other than the contamination of the soil from pesticides used on the apple trees the biggest concern is traffic and bus stops.

Tim states he would like to see some sort of turn out for the bus. Sue states that it is important that SAD 57 transportation department let the town know where the stops would be. Teresa asks if there could be some sort of internal path for the kids to walk to a bus stop so they do not have to walk on West Road on that hill and corner.

Kate Albert states that the board could ask the applicant to provide a path in the 25' greenbelt that is required and write into the notes on the plan that the path exists for that purpose and is to be maintained.

Dwayne Woodsome made the motion to require the developer to get a letter from SAD 57 informing where the bus would stop based on their revised plan and if they have concerns on safety of any children having to ride the bus. The applicant is also required to send the plan to the Road Commissioner and road review committee to get their input in writing and forward it to the board. The applicant is required to provide a stormwater drainage statement that stormwater will remain onsite. The applicant is required to get a letter from York County Soil and Water regarding erosion control. The applicant is required to provide a statement as to what has been sprayed on the trees so that the board will know what to require soil testing for. Everett Whitten seconded. Sue states that she would like to see all these things before there is a vote to approve the preliminary plan. There is discussion at this time about requiring an internal road. Dwayne states he would still like to see one road entrance. Andy states that is not feasible to the developer and that the state has determined they have met the minimum standard for road entrances. Motion carries with a unanimous vote in favor. The landowner requests that any correspondence be copied to her at 282 River Street in Springvale.

**8:30 p.m. Sam Pasquarelli with a conditional use application for 30% expansion within the shoreland zone on map 36 lot 32 owned by Timothy Cuff.** Mr. Pasquarelli is the contractor representing the homeowner. The application is to remove the flat roof of the camp and replace with a 5 ½ pitched roof. They came into the code office and spoke with James Webster and was told that this would fall within the 30%. There is a letter from the current code enforcement officer, Gerald Gannett stating that this application is within 30% but right at the limit. This was verified by Charles Brown from Sebago Technics. Kurt Clason made the motion to approve the application pursuant to sections 2.08, 3.06 and 7.01 based on the recommendation of the CEO to replace the roof with the following conditions: Applicant is using the total 30% expansion allowed for the lifetime of the structure, the front overhang does not exceed the current setback, the side soffets not to exceed the current footprint. Everett Whitten seconds the motion. Motion carries with a unanimous vote in favor.

### **III. MINUTES OF PREVIOUS MEETINGS**

Dwayne Woodsome made the motion to approve the 8/22/02 minutes as written. Kurt Clason seconds. Motion carries with a vote of 4-0-3 with abstentions for absence.

Everett Whitten made the motion to approve the 9/11/02 minutes with the change of the name of the applicant to Mark Elliott. Tim Neill seconds. Motion carries with a vote of 6-0-1 with Teresa abstaining.

**IV. REPORT OF OFFICERS**

Roland, Kurt and Everett made the onsite visit at Lake Sherburne for the Morrill property on September 20. Dwayne stated he went out there the next day.

**V. OLD BUSINESS**

Joseph Vitko map 38 lot 30 is present with the survey requested by the board on his application to amend his conditional use permit after the fact. Survey was done by Stephen Everett and certifies the setbacks as depicted on the sketch plan. Tim Neill made the motion to approve the amendment under section 2.08 and 4.02 and to accept the survey with the conditions that the structure to come no closer than 10 feet to the left property line as shown on the survey, to come no closer than 20 feet to a structure on an abutting lot and to use all proper erosion control measures and that all other conditions on the most recent CUP still apply. Everett Whitten seconds. Motion carries with a vote of 5-0-1 with Dwayne Woodsome abstaining for the reason that he does business with Mr. Vitko.

**VI. COMMUNICATIONS**

It was noted for the record that the board received two zoning board of appeals decisions. The denial of Lesley Leighton on the administrative appeal of a decision of the CEO related to the growth ordinance. An approval for Alan Bolduc for a variance in the shoreland zone.

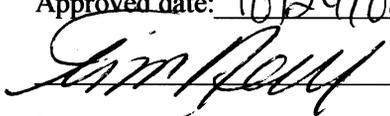
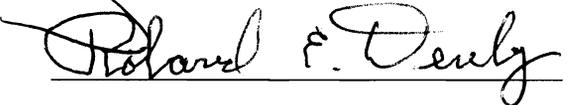
**VII. MISCELLANEOUS**

**VIII. NEW BUSINESS**

**IX. ADJOURNMENT**

Dwayne Woodsome made the motion to adjourn at 9:35 p.m. Everett Whitten seconds. Motion carries with a unanimous vote in favor.

Approved date: 10/24/02

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