

**TOWN OF WATERBORO
PLANNING BOARD MEETING MINUTES**

May 19, 2004

7:30 p.m.

Vice Chairman Kurt Clason called the meeting to order at 7:30 p.m. Attendance from the board is as follows: Teresa Lowell, Jonathan Raymond, Roland Denby, Denise Everest and Everett Whitten. Sue Dunlap is absent.

II. APPOINTMENTS

Ossipee Estates preliminary Subdivision Plan on Map 3 Lot 58

Ron Woodward introduces himself and explains that this proposed subdivision consists of an 8 lot subdivision with each lot ranging from 5 to 28.4 acres. Ron states that the total lot size is 63 acres and is located in the Forest and Agriculture (FA) Zone. The lots will be serviced by private wells and septic.

Teresa inquires about a lot split that was done within the last 5 years. The applicant states that they sold off a 5 acre parcel to York County Community Action to construct the Head Start School. The board discusses how this effects this proposed subdivision. It is determined that this should be considered a 9 lot subdivision as opposed to an 8 lot as proposed due to the sale of a parcel within the last 5 years.

Teresa points out a discrepancy in the lot size between the plan and the application. The plan lists the lot size as 70 acres and the application states 63 acres. The applicant defers to the plan and states that the size of the lot is 70 acres.

The board reviews the checklist at this time. A waiver has been requested for the Hydro-geological Impact study. The following is a list of outstanding items from the preliminary checklist:

- Width of any easements (easement on lot 4? Need to verify)
- Waterholes/dry hydrant - need Fire Chief recommendation
- Soil suitability report
- Location of temporary boundary - needs to be better marked per applicant
- Location & sizes of proposed utilities & easements - need to be on plan
- Landscaping - possible 50 foot buffer zone needs to be considered
- Off street parking (driveway locations) - recommendation from the Road Review Committee is a preference for shared driveways
- Storm sewers, catch basins and culverts - shown for lots 6 & 8 but need location and size of driveway culverts on plan
- Road/Driveway issues need to be addressed including site distances

- Location of septic and leachfields need to be shown on plan
- Proposed restrictive covenants need to be shown on plan

At this time the board asks David Benton, Road Commissioner, for his recommendation and comments. The Board reviews a letter dated May 19 from the Road Review Committee that states there are no plans to improve the Ossipee Hill Road Extension within their 5 or 10 year plans. The Road Review Committee further states that if these plans ever do proceed and the road is brought up to standard and approved, it should only be approved with joint driveways, at which time they hope to receive a better set of plans with driveways located so they can check sight distances and elevations on the road and check on adequate drainage, pavement width and other issues. Dave Benton states that the town currently maintains the road only to make it passable for fire and police purposes. Teresa reads the state regulations on abandoned roads. Mr. Woodward says that the town has maintained and upgraded the road in the past and that many people use it. The road is currently plowed up to where the proposed lot 4 would be located. Patti Berry, the CEO asks the applicant who will be maintaining the section of road beyond lot 4. Mr. Gallo would like the town to declare it a town road and expresses that he would like to work with the town to come to some kind of agreement regarding upgrading and maintenance.

Denise notes a description in the stormwater management report that states that this property is located within the watershed of Shaker Pond which is classified a "most at risk" by Maine DEP.

Kurt directs the applicant to contact the selectmen to determine the road status. Dave Benton states that the road review committee has recommended joint driveways for this subdivision. The applicant states that due to the layout of the lot an internal road is not possible and for that same reason joint driveways would not be possible. Dave Benton informs the applicant that the town has been trying to combine driveways whenever possible when a subdivision will not be serviced by an internal road.

Dave Benton also points out to the board that this lot is located within the wellhead protection zone and should be subject to having a hydro-geological study done. The applicant has requested a waiver for the hydro-geo study.

A site walk of this proposed subdivision is scheduled for Saturday, June 5, 2004 at 8:00 a.m. A public hearing is scheduled for June 16, 2004 at 8:15 p.m

Malcolm Gale for Michael Mason for a 30% expansion review on Map 24, Lot 15. Mr. Gale is present to represent the property owner, Michael Mason. The board reviews the expansion calculations and various pictures taken by the site walk committee. The proposed addition would consist of a 192 square foot, 1344 cubic foot expansion. The calculations provided match town assessing records.

Teresa motions to approve the expansion, and notes that the expansion will be a 13%

square foot, 16% cubic volume expansion, with construction going no closer to the lake and with all appropriate erosion control measures taken. Everett seconds and the motion carries with a unanimous vote in favor.

George Adams for Steve Testra for a 30% expansion review on Map 35, Lot 8. Mr. Adams is present to represent the property owner, Steve Testra. The board reviews the expansion calculations and pictures taken by the site walk committee. The proposed addition would consist of 732 square foot, 9620 cubic foot expansion. The calculations provided match town assessing records.

Diane Bergeron, an abutter, is present to inquire as to the extent of the construction. Roland motions to approve the expansion, to the rear of the home. The proposed addition will consist of a 13% increase in square footage and a 29+% increase in cubic feet, leaving no further expansion allowed to the property. Applicant will take all appropriate erosion control measures necessary. Everett seconds and the motion carries with a unanimous vote.

III. MINUTES OF PREVIOUS MEETING

April 21, 2004 - Teresa motioned to accept minutes. Jonathan seconds and the motion carries with a unanimous vote in favor.

May 5, 2005 - Teresa motioned to accept minutes. Denise seconds and the motion carries with a unanimous vote in favor.

IV. REPORT OF OFFICERS

V. OLD BUSINESS

Ed Gowen 30% expansion review. Patti Berry and Mike Morse from DEP did a site walk of the property on May 3, and the planning board reviews Patti's report of the site walk. Mike Morse stated that because the slope is the same grade throughout the front of the property, it is practical to require Mr. Gowen to move the camp back. Mike Morse further states that Mr. Gowen couldn't have a deck on the front of the camp whether he moves the camp back or not. That would be making the camp even more non-conforming. Mr. Gowen can keep the decks to the side of the camp and the rear as they are now.

Mike Morse suggested that the camp moves back straight from where it is, if the planning board wants it further from the lake. Moving it away from the abutters line actually may bring the camp closer to the lake because the shoreline juts in on that side of the lot. Mike stated that he was reluctant to give a decision as to the exact placement of the house because in doing so a setback reduction from the planning board may be required.

Kurt is concerned that moving the camp back would be encroaching on the abutters

parking area. The board discusses the height of the building in relation to the grade

Everett motions to approve with the following conditions: Camp must be moved back to no closer than 20 feet from front setback, expansion is not to exceed the 30% as previously determined and noted in file, applicant can have no deck on front side of camp, the applicant must get a recommendation from York County Soil and Water District regarding erosion control and permanent stabilization of all slopes and disturbed areas, applicant may go no closer to the sideline of the property. Denise seconds and the motion carries with a unanimous vote in favor.

VI. COMMUNICATION

A letter dated May 8, 2004 from Mr. Simanonok is noted as being received by all the planning board members.

VII. MISCELLANEOUS

Teresa reminds the board that the water moratorium issue needs to be placed on the agenda and discussed. It will be placed on the next available agenda under old business.

VIII. NEW BUSINESS

IX. ADJOURNMENT

Everett made the motion to adjourn at 9:25p.m. Denise seconded and the motion passed with a unanimous vote in favor.