

**TOWN OF WATERBORO**  
**PLANNING BOARD**  
**MEETING MINUTES**  
**February 4, 2015**  
**7:00 p.m.**

**I. ROLL CALL**

Board Members

Present: Kurt Clason Judy Carll Tim Neill Lee Nelson Dwayne Prescott

Absent:

Others Present: Katy Mann Fran LaPierre Michelle Donovan Cory Donovan  
Don Holden Dianne Holden Tom Ursia David Lowe Glenn Charette  
Tammy Bellman

Kurt Clason, Vice-Chair called the meeting to order at 7:01pm.

**II. APPOINTMENTS**

- ***Election of Chairperson*** - Tabled by Kurt Clason
- ***Fran LaPierre, Post Road Surveying - Carpenter Estates5-lot subdivision*** – Fran gave an overview of the project thus far. Requesting approval for the Sketch Plan. Kurt reviewed the procedure for the Sketch Plan approval.

Dwayne Prescott recused himself.

Tim Neill made the motion to approve the Sketch Plan as presented. Kurt Clason seconded the motion. No discussion. 4 – 0 to approve (1 recusal Prescott – abutter).

Kurt reviewed the Subdivision Checklist – Preliminary with Fran. Test pits still need two due to shift of lots. Final details of deed being worked between Town of Waterboro attorney and Land Trust attorney. Tom Ursia read the email from Doug Foglio dated February 4, 2015 “The drainage plan revisions dated 1/22/15 meet our request. Thank you Douglas Foglio, DPW. Glenn Charette recommended that the Planning Board not waive the State soil erosion and sediment control plan (#21) of checklist). The Planning Board does not have the authorization to waive. Tom shared that it is only a partial waiver not the full waiver. Lew Chamberlain, Corner Post Survey, Inc., we usually do plans for regular house plans – they can be submitted for review. Glenn suggested that the plans can be put on the Sketch so that no sediment will leave the site. Each individual owner is responsible for the sediment control. Tom suggested a Plan notation to include subject to CEO approval. Fran Lapierre agreed to add the note to the Sketch Plan and submit. Tim Neill asked if the right-of-way will be a public right-of-way? Fran responded with the land is part of the conveyance to the Land Trust.

Kurt Clason made the motion to approve the preliminary Sketch Plan with note plans as discussed. Judy Carll seconded the motion. No discussion. Voted 4 – 0 in favor (1 recusal – Prescott).

The Public Hearing is scheduled for March 4, 2015 at 7pm at the Town Hall Selectmen's Meeting Room. Kurt reminded Fran of the need for a digital copy of the plans when it goes to Final approval.

- Kurt requested to move Cory Donovan to this point in the meeting. The Board agreed. Kurt gave an overview of the information submitted. There is no established line for follow-through with the Ordinances; the CEO determines the structure compliance not the setbacks; Section 2.08 grants the Planning Board reductions in reference to building permits; 2.08 does not grant the Planning Board authority to reduce setbacks after the fact. Glenn Charette shared that the Town Charter does allow the Board of Selectmen to initiate fines; the proper procedure would be denial by the Planning Board then go directly to the Zoning Board of Appeals to handle. Dwayne asked if the ZBA does have authority and Glenn confirmed.

Tim Neill made the motion to deny the request and refund any monies paid to the Planning Board. Judy Carll seconded the motion. No discussion. Voted 5 – 0 to deny the request for the setback after the fact.

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

- **January 21, 2015** – Kurt Clason made the motion to accept the minutes from January 21, 2015 as noted. Judy Carll seconded the motion. No discussion. Vote 4 – 0 (1 abstention – Neill).

### **IV. REPORT OF OFFICERS**

### **V. OLD BUSINESS**

- ***Up-date on status of Section 2.08 of the Zoning Ordinance*** – After a lengthy discussion on the versions of Section 2.08 that have been provided by the Town's attorney Dwayne Prescott requested to have Glenn Charette review the presented ordinance revisions and make suggestion(s) or re-write the ordinance so that it is easy to understand and enforce. Glenn agreed to review and make suggestion and or re-write.
- ***Up-date on status of the Driveway Ordinance*** – Kurt Clason noted that the Planning Board will need time to review the latest submission of the Driveway Ordinance. Tim commented that the last line is the best where it has to go to Town Meeting and be voted on. Glenn would like to see a timeline for the Director of Public Works. Tom would like the Planning Board and Road Review Committee to make their independent suggestions to the changes. Tom also noted that the only person that can enforce the Driveway Ordinance is the CEO. The Town Meeting is scheduled for June 13, 2015. Kurt to Tammy please put the Driveway Ordinance under Old Business for the February 18, 2015 meeting.
- ***Design Guidelines/Standards*** – Kurt requested that Tom bring in more Design Standards/Guidelines for review. Tom would like to know if it is small town and strictly commercial; guideline (advisory) vs standards (regulatory) or chip away at the process by creating one piece at a time. Kurt would like to see clarity so all applicants are treated fairly. Tom – review templates for franchises; guidelines with standards will give latitude to the Planning Board. Judy would like to see an approach from a historical nature instead of slope of roof. Tom will look for New England Architecture details to give latitude for appearance. Please pick out your favorite pages from the Barrington presentation and these can be modified for

Waterboro. These new Design Standards/Guidelines will be looked at on March 4, 2015 during the Planning Board meeting.

- **Election of Officers** – Kurt Clason tabled until a definite Board of Selectmen decision.

**VI. COMMUNICATION**

- **Workshop Notes from January 14, 2015 regarding Dollar General** – Kurt asked the Board if they agreed that the notes were just a summary and they agreed.
- **Dollar General Findings of Fact/Notice of Decision** – Dwayne Prescott recused. Glenn requested that the findings be clarified. Kurt made a motion for clarification on statement Findings of Fact that the proposed Dollar General store is a permitted use in the Village Zone and meets all bulk and space requirements. Lee Nelson seconded the motion. No discussion. Vote 3-0 to approve clarification (1 recusal (Prescott) 1 not present (Neill)).

**VII. MISCELLANEOUS**

- Tom Ursia is looking for a Planning Board member to be on the Site Plan Review Committee going forward. Tom will recommend to the Town Administrator that an evening meeting is requested. Tim would like to start from scratch on re-doing the Site Plan Review and then send to Southern Maine Regional Planning Commission. Tom would like the Planning Board to create the skeleton and then send to SMRP. Current Site Plan Review is 27 years old.
- Glenn Charette raised the question of the best way to get the Planning Board their packets prior to the meeting date. Kurt suggested that the members can pick them up on Friday after tammy sends out an email that they are ready. The Board agreed.

**VIII. NEW BUSINESS**

- **Cory Donovan** moved to the appointment section of the minutes.

**IX. ADJOURNMENT**

- Tim Neill made the motion to adjourn at 8:09pm. Dwayne Prescott seconded. No discussion. Vote 5-0 in favor.

Approved Date: \_\_\_\_\_

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