

TOWN OF WATERBORO
PLANNING BOARD
MEETING MINUTES
March 18, 2015
7:00 p.m.

I. ROLL CALL

Board Members

Present: Kurt Clason Judi Carll Dwayne Prescott Lee Nelson Katy Mann

Absent:

Others Present: Tim & Inna Fox Stephen Everett Fran LaPierre
 Donna Libby Neil & Anne Haskell Ronald Roberge
 Brigit McCallum David Lowe Glenn Charette
 Tammy Bellman

Kurt Clason, Vice-Chair called the meeting to order at 7:00pm.

II. APPOINTMENTS

- **Ronald Roberge** – Map 40 Lot 6 65 Dean Drive East Waterboro – Setback Reduction/Seasonal Conversion. Ron gave an overview of the proposed project to replace the existing camp with a year round house. The expansion will be for 27% of the allowable 30%. The Site Walk was scheduled for April 1, 2015 at 6pm. Dwayne Prescott requested that the new home and driveway be posted for easier reference. Kurt Clason requested that Ron also be placed on the agenda for April 1, 2015 for a discussion and vote.
- **Timothy Fox** - Map 4 Lot 37-4 Informational Only – Stephen Everett provided the overview of the proposed Auto Sales and Repair business on Route 202/4 near the Old Alfred Road, East Waterboro. The Purchase and Sales agreement is in place depending on the outcome of the Site Plan Review and eventual approval. The parcel is 15 acres in area and has a large wetland area. The building/business piece is approximately a 9,100 square foot building and sales area. Based on the plot design provided, Kurt Clason stated that the solid waste dumpster needs to be fenced in and Glenn Charette, CEO agreed. Judi Carll inquired about a possible green belt in the front of the building. Steve Everett responded that this is where the sales area will be located. Steve also, provided that the swail area will need to remain based on MDEP requirements. Dwayne Prescott requested that aesthetics be considered in your plan decision. A Public Hearing is scheduled for April 1, 2015 at 7pm. Steve assured the Planning Board that the lighting footprint will be on the plan for the 1st. Judi Carll inquired about lights shining on the adjacent building. They will not as there will also be 6 foot fencing on one side and the other side there is a significant distance from the lighted building to the home.

III. MINUTES OF PREVIOUS MEETINGS

- **March 4, 2015** – Judy Carll made the motion to accept the minutes from March 4, 2015 as written. Lee Nelson seconded the motion. No discussion. Vote. Passed 5 – 0.

IV. REPORT OF OFFICERS

V. OLD BUSINESS

- ***Fran LaPierre – Carpenter Estate – 5-lot Subdivision-Final Approval/vote*** – Dwayne Prescott recused himself. Note number three needs to be changed to - A potable water test will be required before a Certificate of Occupancy is issued. Fran reminded the Planning Board that the design dimensions were just a consensus no motion had been made to accept the plan in a 1 inch to 120 foot scale. Kurt Clason made the motion to accept the Carpenter Estate Plan drawing at the 1 inch to 120 foot scale. Judi Carll seconded the motion. No discussion. Vote. Passed 4 – 0 (one recusal). Waiver for 7.1.5 Performance & Maintenance Guarantee. Kurt Clason made the motion that the Performance & Maintenance Guarantee is not needed. Katy Mann seconded. No discussion. Vote. Passed 4 – 0 (1 recusal). Kurt Clason reviewed the checklist. See Attachment A. Kurt Clason made the motion to accept the Stormwater Management Plan provided by the applicant – do not need to send to Peer Review. Lee Nelson seconded. No discussion. Vote. Passed 4 – 0. Kurt read the letter from the Land Trust. Kurt Clason made the motion to accept the Carpenter Estate Subdivision with Note #3 to be changed prior to issuing a Certificate of Occupancy. Katy Mann seconded. No discussion. Vote. Passed 4 – 0 (1 recusal).

Dwayne Prescott returned to the Planning Board.

- ***Section 2.08*** – Up-date from Glenn Charette, CEO. Glenn read the letter from Gary Lamb, Town Administrator that the Planning Board is requested to have another Public Hearing regarding the new Section 2.08 ordinance. Kurt Clason read this version as follows: **Section 2.08 Size Reductions or Increases** - Except as provided by the express provision of this Ordinance or by the Town's Subdivision Regulations dealing with unique design or development types (see for example Sections 2.06, 8.02, 8.03), the provisions of this ordinance dealing with lot size, setback, frontage and side yard requirements; height limitations; parking and loading areas, sign and billboard size may not be changed. They are designed to achieve the purposes of this ordinance (see Section 1.02) and reflect differing location and physical characteristics affecting the land or water areas involved (see Section 1.04) **Variations may be granted only from dimensional requirements, including but not limited to lot size, lot frontage, structure height, lot coverage and set back requirements by submitting an application to the Zoning Board of Appeals A variance granted may be only the minimum that will make possible the reasonable use of land or structure, although no more than 15% of the requirements. It is the responsibility of the property owner, or the representative of a property owner, to see that all setbacks meet the municipal and state requirements. Setbacks from wet lands or setbacks in shore land cannot be reduced by the Zoning Board of Appeals.**

Lots created before the enactment of the Waterboro Zoning Ordinance, **March 12, 1977**, that are **legal-non-conforming**, are required to have a Standard Boundary survey performed, before a building permit can be issued. **Notwithstanding any other provision of municipal or state law or regulation, any legal non-conforming lot of record, may be used to construct a primary use providing said lot meets requirements of MRSA 12/section 4807, which requires at least 20,000 square feet for a sub-surface waste disposal system.**

Kurt Clason made the motion to accept the February 22, 2015 version of the Section 2.08 Ordinance and hold a Public Hearing before forwarding to the Board of Selectmen. Dwayne Prescott seconded the motion. No discussion. Vote. Passed 5 – 0.

The Public Hearing is scheduled for May 6, 2015 at 7pm.

VI. COMMUNICATION

VII. MISCELLANEOUS

- Glenn Charette, CEO will put together a Maine Legal Workshop to hold here in Waterboro to include Board of Selectmen, Planning Board, and Zoning Board of Appeals for Waterboro and area participants.

VIII. NEW BUSINESS

IX. ADJOURNMENT

- Kurt Clason made the motion to adjourn at 7:55pm. Dwayne Prescott seconded. No discussion. Vote 5-0 in favor.

Approved Date: _____

