

TOWN OF WATERBORO
PLANNING BOARD

MEETING MINUTES

April 1, 2015

7:00 p.m.

Site Walk at 65 Dean Drive Tax Map 40 Lot 6 at 6pm. Outcome to be discussed at the Planning Board meeting at 7pm. See below for further details.

Public Hearing – 7pm Regarding Tim Fox’s Used Auto Sales and Repair Business – Tax Map 4 Lot 37-4.

Steve Everett gave an overview of the proposed business on Map 4 Lot 37-4 on Route 202/4. The building size has changed from a metal 44 x 112 square foot building to a 44 x 100 square foot building to include a stick built office on the front of the building with landscaping as depicted on the site plan provided to the Planning Board. The site plan has the added paving in the shaded area, added notes that include no DEP permits required, changed the rip rap to erosion control blanket with seeded rye, the lighting footprint was added, the particular type of fencing - stockade and the sign location were added.

Questions were asked:

- Fire Alarm System? Tim plans to continue to up-grade the building. Glenn Charette clarified that a Knox Box will be required. It does not need to be a direct line to the Fire department – this falls under the Building Permit side.
- Glenn Charette questioned Article 5 Subsection 5.03 All parking areas must be graded and surfaced so as to be properly drained and dust free. Parking areas serving more than 10 vehicles must have the individual spaces and aisles marked. As CEO Glenn interprets surfaced to be paved. Steve Everett stated that if the ordinance intended it to be paved then it would say paved.
- Planning Board is concerned with oil and liquid leaks from the vehicles being brought in;
- Dwayne Prescott requested DPW input; Tim offered to pave it within a preset number of months;
- Glenn questioned the run-off from the building – Steve said the building is guttered so it would be to a specific area;
- Judi Carll questioned the roof of the office area? Steve Everett provided the Board with a design for the office area on the front of the building.

Don Tardie, Abutter - What happens to the rest of the land as it is all swamp? Steve offered the topography on the remaining area as not being part of the building envelope in the wetlands.

Due to the topography question the Planning Board scheduled a Site Walk for Wednesday, April 15, 2015 at 6pm at the location noted above.

Dwayne Prescott closed the Public Hearing at 7:20pm.

II. ROLL CALL

Board Members

Present: Judi Carll Dwayne Prescott Lee Nelson Katy Mann

Absent: Kurt Clason

Others Present: Tim Fox Stephen Everett Ronald Roberge Dianne Holden
Ken Horne Tom Ursia Mary & Don Tardie Glenn Charette
David Lowe Tammy Bellman

Judi Carll called the meeting to order at 7:00pm.

Judi Carll made the motion to nominate Dwayne Prescott Chairman pro-tem. Katy Mann seconded the motion. No discussion. Vote 4-0 in favor of Dwayne being Chair pro-tem.

III. 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 Site Walk was held at 65 Dean Drive, East Waterboro at 6pm. Ron was asked to provide a Plot Plan signed with by a Licensed Maine Surveyor before he returns to the Planning Board.

IV. MINUTES OF PREVIOUS MEETINGS

- **March 18, 2015** – Judy Carll made the motion to accept the minutes from March 18, 2015 as written. Katy Mann seconded the motion. No discussion. Vote. Passed 4 – 0.

V. REPORT OF OFFICERS

VI. OLD BUSINESS

- **Timothy Fox** - Map 4 Lot 37-4 Stephen Everett asked the Planning Board what they would like to see when they are at the parcel for the Site walk. The Planning Board responded with the edge of the south side lot and where the building is going to be placed.
- **Section 2.08** – Glenn Charette, CEO, offered to clarify the ZBA State Ordinance what can do statewide and municipality wide. Dwayne Prescott asked as CEO do you like the way it is written? Glenn responded with a yes. Judi Carll brought up that the Planning Board has always approved up to 10 feet from the boundary. This was how the Town got the Zoning Ordinance passed back in 1977. Glenn explained Consent Agreements and that they would be an on-going problem. ZBA by state rules that can grant setbacks/variances that the state allows 15% variance for that district. Dwayne Prescott suggested that the Planning Board hold the Public Hearing to better evaluate the public concerns regarding the changes. The version going before the Public Hearing is 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.**

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

VII. COMMUNICATION

- 20/20 Economic Development Committee invite to their next meeting dated Wednesday, April 22, 2015 at 5pm;
- Change of Zone Request Form – increased fee noted to the Planning Board;
- Public Hearing Announcement – Highway Entrance Ordinance – Dwayne requested that the Planning Board attend the Public Hearing.

VIII. MISCELLANEOUS

IX. NEW BUSINESS

X. ADJOURNMENT

- Dwayne Prescott made the motion to adjourn at 7:35pm. Lee Nelson seconded the motion. No discussion. Vote 4-0 in favor.

Approved Date: _____

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