

TOWN OF WATERBORO
PLANNING BOARD
MEETING MINUTES
September 2, 2015
7:00 p.m.

Site Walk: 40 Connolly Point, East Waterboro Map 39 Lot 3

Board Members Present: Kurt Clason Katy Mann Lee Nelson Judi Carll Dwayne Prescott
Judy Wirth

Others Present: Danny Albert Karen Albert Steve Everett Lee Jay Feldman
Glenn Charette tammy Bellman

Danny Albert showed the Planning Board the failures for the outside of the structure location – wall under the deck; foundation separating from itself; cracks; stonewall leaning toward the water; and the K-1 tank underground lines within cement of basement floor. The plan is missing the measurement from the water to the new proposed building. Lee Jay suggested to slant the road to the other side of the property – away from the residence, could use a stone drip edge berm. Kurt suggested a cape ridge line with an infiltration trench. After further discussion the Planning Board returned to the Town hall.

I. ROLL CALL

Board Members

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

Absent:

Others Present: Lee Jay Feldman Glenn Charette Danny Albert Karen Albert
Steve Everett David Lowe tammy Bellman

Kurt Clason called the meeting to order at 7:00pm.

Kurt Clason reviewed the Agenda items.

Kurt stated that a quorum has been reached by the Planning Board with the members present.

Kurt reviewed the Site Walk attendees and information provided.

II. APPOINTMENTS

- **Danny Albert – Map 39Lot 3 – 40 Connolly Point – Setback Reduction/Relocation of Primary Structure in Shoreland** – Steve Everett gave an overview of the project before the Planning Board – Would like to use 24x36 house and move it away from the water 4 feet – it would make the structure less non-conforming. Glenn shared that the Planning Board has to first decide if the current plan meets Chapter 1000 and then Steve’s plan can be amended. Kurt read Article 7 Section 2.A.4. The proposal is going from 27% to 20%. Judy shared that this would be setting a precedence if allow 23%. Steve shared that it is a reduction

going from 27% to 23% the 20% is an unwritten rule – Why would you not want them to not do what they want with their property? Glenn stated that lot coverage includes any non-vegetative surfaces. Judy Carll asked if they would rebuild on current footprint? If they rebuild the property can stay as it is. Glenn shared that a new structure would be at 20% lot coverage and rebuilding they could expand 30% of the current structure size. They can get to 20% by removing some of the non-vegetative surfaces. Kurt read the Waterboro Zoning Ordinance definition for disturbed area amended August 3, 2011. Kurt asked Lee Jay does the Planning Board have the ability for Chapter 1000 to waive it? Lee Jay says that Chapter 1000 is standards – not able to waive. Steve said that they would move the structure 4 feet away from the lake – take 24x36 move 4 feet toward Connolly Point not move toward the retaining wall side. The underneath would be grass down to the new retaining wall. If the deck is attached to the second floor – the deck will be included with the house. Building new structure will be considered living space. Kurt offered that we need to look at first part getting past Chapter 1000 before we consider relocation if we don't follow the 20% rule Chapter 1000 then we can't reconsider relocation. Dwayne proposed moving back 4 feet and get to 20% as a suggestion to the applicant. Lee Jay yes. To repair the retaining wall will need a PBR. Danny asked if the right-of-way counts toward the 20%. Lee Jay – you own the pavement. Glenn offered that past mistakes do not give boards or officials the right to act illegally. Kurt asked the Board that if 1. They get plan to the 20% coverage and 2. Consider the new plan now. What is the Board's thought? Steve offered that we might be able to get to 20%. The Board agreed that if they get to 20% then there will be no issues. Lee Jay – applicant can meet the 20% and move the 4 feet or rebuild and move back the greatest possible extent. Dwayne Prescott proposed that they meet the 20% and move it back 4 feet. Judi asked about the stonewall being repaired. The repair will require a PBR. Glenn – the retaining wall is a PBR and the Board will not have to deal with it. Dwayne Prescott made the motion to have an additional Planning Board meeting on September 23, 2015 to put the Albert's back on the agenda. Judy Wirth seconded the motion. Discussion – no new appointments – old business only. Vote 6 – 0 – motion passed to set additional Planning board meeting.

III. MINUTES OF PREVIOUS MEETINGS

- *August 19, 2015* – Katy Mann made the motion to approve the minutes as written from August 5, 2015. Judi Carll seconded the motion. No discussion. Vote 6 – 0 approved.

IV. REPORT OF OFFICERS

V. OLD BUSINESS

VI. MISCELLANEOUS

- By-laws latest draft – please read and be comfortable with the draft. Suggested the first meeting in October to adopt and move them to the Board of Selectmen.
- No conversation needed – just a heads up – looking through ordinance and dumbfounded – standards of current ordinance is way out of wack; current not designed to standards; my intention is to speak with applicant and Gary Lamb; revised standards for future projects; reworking standards – start workshops in October – approval by end of December. No-one can meet the current standards.

VII. NEW BUSINESS

VIII. ADJOURNMENT

- Judi Carll made the motion to adjourn at 8:02pm. Judy Wirth seconded the motion. No discussion. Vote 6 - 0 in favor. Meeting Adjourned.

Approved Date: _____

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