

**TOWN OF WATERBORO**  
***PLANNING BOARD***  
***MEETING MINUTES***  
***September 21, 2016***  
**7:00 p.m.**

**Regular Meeting**

**I. ROLL CALL**

Present: Kurt Clason Lee Nelson Judi Carll Dwayne Prescott Judy Wirth  
Steve Letellier Ted Doyle

Absent:

Others: Tim Neill Stephen Everett Aaron Additon Thomas Blesso Nicole Boucher  
Diane Madruga Tim Folley Scott Bernier Patricia Bernier  
Lee Jay Feldman Glenn Charette David Lowe Tammy Bellman

Kurt Clason called the Planning Board meeting to order at 7:00pm on September 21, 2016.

Kurt stated a quorum has been met with the members present. Ted Doyle was introduced as the newest Planning Board member and welcomed by the other Board members.

Kurt reviewed the agenda. Then placed the Minutes and election of officers on hold to later in the meeting.

**II. MINUTES OF PREVIOUS MEETINGS**

- **July 6, 2016** - Kurt Clason made the motion to accept the Minutes of July 6, 2016. Dwayne Prescott seconded. No discussion. Vote 4-0-3 (Nelson, Wirth. Letellier)
- **August 17, 2016** – Judi Carll made the motion approve the August 17, 2016 minutes. Judy Wirth seconded. No further discussion. Vote 4-0-3 (Nelson, Letellier, Doyle)
- **September 7, 2016** – Kurt Clason made the motion to accept the minutes of the non-meeting on September 7, 2016. Steve Letellier seconded. No further discussion. Vote 7 – 0 accepted.

**III. NEW BUSINESS & PUBLIC HEARINGS**

- **Election of FY 2017 Planning Board Officers** – Dwayne Prescott made the motion to nominate Kurt Clason as Chair. Judy Wirth seconded. No discussion. Vote 6-0-1 (Clason). Dwayne Prescott made the motion to nominate Lee Nelson as Vice-Chair. Judi Carll seconded. Vote 6-0-1 (Nelson).
- **Tim Folley – Social Significance Daycare – 305 Main Street Map 5 Lot 53** – Tim Folley gave an overview of the daycare project. Glenn has been out to review the site location. Need to make the bathrooms ADA compliant. Located in the General Purpose Zone and is a conditional use for that zone. Judi Carll – School? Tim – special-ed preschool. Judi – daycare not school! Tim Neill – extremely high need for

a special-education daycare. Dwayne Prescott – what is the difference between a daycare and a school? Tim – the licensing. Dwayne – listing as daycare? Tim – yes. There will be no more than 12 in the immersion classroom only 6 will have special needs. Judy Wirth – more caring and less school environment. Steve Letellier safety issues? Kurt – falls under code. Dwayne Prescott made the motion to approve this application. Judy Wirth seconded. No further discussion. Vote 7 – 0 in favor of approval of Social Significance Daycare. Kurt reminded the applicants that will need to work with Code before opening.

#### IV. OLD BUSINESS

- **Aaron Additon – “Blueberry Fields” 3-lot subdivision Final Approval/Discussion** – Steve Everett approached the podium representing Aaron Additon. Steve provided the Board with an overview thus far. Kurt – does not meet square footage requirements. Steve – moving forward with the plan as 8.03 allows the Board to condition the requirements. Judi – Section 3, Article 14 – can’t use to increase density, then 8.03 reads - The clustering of residential housing units is permitted by this ordinance. Clustered housing developments are a conditional use in all zoning districts (see Sections 3.04-3.08)--as such they are subject to all of the requirements and approval procedures of Article 4 except that the time provisions of Section 4.01 are extended to sixty (60) days. The clustering of housing units may be undertaken on any size parcel of land which is owned or under the control of a single developer. The overall density of housing permitted in a particular district and at a minimum cluster developments must comply with the substantive provisions of Article 5, 6, and 7 and the height limitations imposed in each district. Steve – read the last sentence of 8.03. Judi – it refers to the dimensional requirements. Refers to fact to put buildings closer together. As example – C&K Apartments, Applewood, and Middle Road all clustered. Steve – it says area requirements. “However, all layout, dimensional, and area requirements imposed by this ordinance or the town's subdivision regulations may be altered without restriction.” Area requirements. Judi – look at PUDs almost the same sentence the ordinance does not allow for increased density. The wording is ambiguous, Town won. Steve the statement gives leeway to the applicant. Kurt open for remaining Board to make comments. Judy – have ordinance to be followed; Ted – confident to make decision; Kurt – 2.08 allowed to make changes on setback – prohibited to do variance; Ted – go to ZBA because of the vagueness – go in favor of the applicant; Dwayne – alter without restrictions 2.08 sends them to the ZBA; Aaron – read 2.08 can’t do variance so go to ZBA but even if the area required is less than 2 percent? Dwayne – it goes back to 8.03. Lee Jay – legal status – he read Article 13 Cluster development definition. Last sentence may not increase overall density. Judi – it does not matter how much; it is short. Lee Jay offered one other way to go – table and go to ZBA for clarification. Or 2. Make determination and 1. seek a variance or 2. an administrative appeal. Dwayne – there is a third option – 2 lots. Glenn encouraged the Board to make a decision this evening. Kurt Clason made the motion for Blueberry Fields to be denied due to lack of square footage. Judi Carll seconded. No further discussion. Vote 6 Yea – 1 No (Nelson in favor) Denied due to lack of square footage.

- **Thomas Blesso – “Sweet Fern Acres” Preliminary/Final Approval** –

Lee Jay Feldman – before we start – it was left at the last meeting that I would provide a condition wording. The Planning board is reviewing this application from a technical subdivision. So the wording will not be required. Steve Everett approached the podium representing Thomas Blesso. Steve provided the Planning Board with an overview of the subdivision to this point. Kurt – the conditional use is off the table and we are looking at a 7-lot subdivision. Lee Jay – a building permit can be appealed within 30 days of issue. Kurt – final review of “Sweet Fern Acres.” Any questions from the Board? Judy – 7 huge lots; Judi – fire protection? Glenn – applicant needs to indicate fire suppression on the final design that will be signed. Lee Jay – it can be built in under Code. Steve – fire protection kicks in with the 6<sup>th</sup> lot. Judi – 5 or more need fire suppression. Steve – did not require cistern until 6<sup>th</sup> structure put in – it has happened before. We will put something with fire protection. Glenn – it needs to be fire department approved. Lee Jay – if non-residential can they be sprinkled? Glenn – yes. The first structure has to have fire suppression. Dwayne Prescott made the motion to approve the subdivision application with the condition that a fire suppression plan is noted. Lee Nelson seconded. Discussion – fire department acknowledges the fire suppression plan. Vote 7 – 0 approved 7-lot subdivision.

**V. COMMUNICATION**

**VI. MISCELLANEOUS**

- **Lee Jay Feldman** – I am looking to get your agreement on the reshuffling of the Zoning ordinance – the realigning only – no ordinance work. Need just a head nod. Also, want to also give you the heads-up on a Boardmanship workshop on October 20, 2016 in Sanford, please let tammy know if you would like to attend. The Town will pay for the workshop if you decide dot go.
- **Judy Wirth** – Design Standards have been sent to the Board of Selectmen – when will it make it to their agenda? Tim Neill will ask at the next meeting and Lee Jay will ask Gary on Thursday.
- **Tim Neill** is the official Planning Board liaison.
- **Tammy** is to add signing of documents to the agenda.

**VII. ADJOURNMENT**

- Judi Carll made the motion to adjourn at 7:56 pm. Dwayne Prescott seconded the motion. No discussion. Vote 7 - 0 in favor.

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