

TOWN OF WATERBORO
PLACEMENT ON
PLANNING BOARD AGENDA

Date received: April 7 2015

APPLICATION TO BE PLACED ON PLANNING BOARD AGENDA May 20, 2015

I, Anthony + Kimberly Wolfinger

Address: 1063 West Rd
Waterboro, Maine 04087

Tax Map # 9 Lot # 21-5

Zone A/R

Telephone # 207-247-4319 Home
207-324-6250 Day

HEREBY MAKE APPLICATION TO BE PLACED ON THE AGENDA OF THE WATERBORO
PLANNING BOARD:

Nature of business to be presented before the board:

A site review for a planned home business on an adjoining
lot next our home. (map 9 Lot 21-5)

Is the project in the Shoreland Zone? yes no

Estimate of time necessary for presentation: 30 min 45 min

Name (s) of person (s) who will be appearing before the Planning Board: Self

Please file this form with the Code Enforcement Officer, at which time a fee* must be paid. You will be notified of the date and time you are to appear. You Shall notify all abutters of your property of the date, time and purpose of your meeting and allow them 10 days prior to the meeting date to submit any concerns they may have in writing to the planning board. Attach the following information:

- Building permit application
- Diagram of the lot and project in relation to said lot
- Any other information to better review your application

*4/16/2015 #10547
\$50 pd eb*

WATERBORO PLANNING BOARD *FEES

<input checked="" type="checkbox"/> Placement on agenda (informational)	\$50.00
<input type="checkbox"/> Conditional use / set back reduction (includes relocation in Shoreland Zone)	\$100.00
<input type="checkbox"/> Special Structures (Height modification)	\$50.00 (see Article 4)
<input type="checkbox"/> Cluster development	\$100.00 +\$25.00 for each development review residential, commercial or industrial unit in the development (see section 8.03)
<input type="checkbox"/> Planned Unit	\$100.00 +\$25.00 for each development review residential, commercial or industrial unit in the development (see section 8.02)
<input type="checkbox"/> Temporary Use Review	\$50.00 (see section 2.07)

received

4-7-2015

TOWN OF WATERBORO

BUILDING OR USE PERMIT APPLICATION

FOR OFFICE USE ONLY:

PERMIT NO: _____ ISSUE DATE: _____
FEE AMOUNT: _____ APPROVED BY: _____
OCCUPANCY PERMIT PAID: _____
APPLIC. SENT TO PLANNING BOARD ON
___/___/___ FOR: _____

1. PROPERTY OWNER: Anthony and Kimberly Wolfinger
2. PHONE: 324-6250
3. DATE SUBMITTED: 4/8/2015
4. PROPERTY ADDRESS: Map 9 lot 21-5
5. MAP: 9
6. LOT: 21-5
7. ZONE: AR
8. OWNER'S ADDRESS: 1063 West Rd. Waterboro, Me
9. LOT OF RECORD: 43 acres
10. CONTRACTOR: Self
11. PHONE: 247-4319
12. CONTIGUOUS LOTS: Map 9, Lot No(s) Lots 21 and 21-5
13. CONTRACTOR'S ADDRESS:
14. HISTORICAL BUILDING?
15. PROPOSED USE: Auto, radiator repair, Welding
16. COST: < 125,000
17. SPECIAL ZONES: Wetlands, Wellhead
18. PROJECT DESCRIPTION: To construct a commercial 2,700 sq. ft. building for the purpose of operating an auto, radiator and welding business.
19. NUMBER OF STORIES: *PROPOSED 1
20. HEIGHT OF BUILDINGS: *PROPOSED 28' FT.
21. NUMBER OF BATHROOMS: PROPOSED 1
22. NUMBER OF BEDROOMS: *PROPOSED 0
23. PRESENT SEPTIC SYSTEM IS APPROVED FOR:
24. YEAR ROUND USE: [checked] SEASONAL USE: _____

*PROPOSED = TOTAL, EXISTING + REQUESTED

25. TYPE OF WATER SUPPLY

- PRIVATE
 PUBLIC

_____ / /
 WATER DISTRICT SUPERINTENDENT

ADDITIONAL PERMITS, APPROVALS AND INSPECTIONS REQUIRED:

- | | | | |
|--|--|--|--|
| <input type="checkbox"/> PLUMBING | <input type="checkbox"/> HIGHWAY ZONE | <input type="checkbox"/> D.E.P. | <input type="checkbox"/> SWIMMING POOL |
| <input type="checkbox"/> SEPTIC/HHE200 | <input type="checkbox"/> BOARD OF APPEALS | <input type="checkbox"/> E.P.A. | <input type="checkbox"/> WELL |
| <input type="checkbox"/> SEPTIC VARIANCE | <input type="checkbox"/> SELECTMEN | <input type="checkbox"/> FIRE MARSHALL | <input type="checkbox"/> FILL |
| <input type="checkbox"/> SHORELAND | <input type="checkbox"/> ARMY CORP OF ENG. | <input type="checkbox"/> CULVERT | <input type="checkbox"/> SIGN |
| <input type="checkbox"/> _____ | <input type="checkbox"/> <i>Site Plan + Planning Bd.</i> | <input type="checkbox"/> ROAD OPENING | <input type="checkbox"/> _____ |

PROPERTY INFORMATION

26. FRONTAGE 302' FT.
 NONCONFORMING

27. MORE THAN ONE USE EXISTING ON THE PROPERTY.
 ACCESSORY USE: NO
 NONCONFORMING

28. SETBACKS NONCONFORMING
75 105/162 4,700
 FRONT SIDE REAR

29. HOW MANY DWELLING UNITS ARE PRESENTLY EXISTING
 ON THE LOT 0

30. LOT SIZE (IN SQ.FT. OR ACRES)
47 acres
 NONCONFORMING

31. TOTAL SQ.FT. OF ALL BUILDINGS
 PRESENT 900
 PROPOSED 2700

33. LOT COVERAGE (IN PERCENT)
 PRESENT < 1%
 PROPOSED < 1%
 ZONE % _____

33. NUMBER OF OFF STREET PARKING SPACES

PRESENT	<u>20</u>
PROPOSED	<u>20</u>
COVERED	UNCOVERED

PURSUANT TO ZONING ORDINANCE SECTION 12.02 VIOLATIONS OF THE ABOVE REQUIREMENTS ARE SUBJECT TO FINES NOT TO EXCEED \$50.00 PER DAY FOR EACH DAY OF VIOLATION. PURSUANT TO 30-A M.R.S.A. §4452 VIOLATIONS MAY RESULT IN COURT ACTION, CIVIL PENALTIES, INCLUDING PAYMENT OF TOWN'S ENFORCEMENT COSTS AND ATTORNEYS' FEES FOR CORRECTION OF THE VIOLATION. THESE PENALTIES APPLY TO THE PROPERTY OWNER AS WELL AS THE CONTRACTOR OR OTHER AGENT CAUSING THE VIOLATION, WHETHER OR NOT THE PROPERTY OWNER CAUSED OR WAS AWARE OF THE VIOLATION.

ACKNOWLEDGEMENT

I acknowledge receipt of a copy of this form; being notified of the requirements applicable to the construction authorized by building permit no: _____; and notification of the penalties imposed for violation of those requirements.

 Code Enforcement Officer

Anthony A. Wolfinger
 Property Owner

4-7-15
 Date

 Permit Holder
 (If different from Property Owner)

LOT SIZE AND SETBACK REQUIREMENTS

ZONING DISTRICT	MINIMUM LOT SIZE	MINIMUM ROAD & SHORELAND FRONTAGE	MINIMUM FRONT YARD SETBACK	MINIMUM SIDE & REAR SETBACK	MINIMUM SHORELAND SETBACK	MAXIMUM BUILDING HEIGHT
VILLAGE	20,000	100'	25'	20'	100'	35'
	40,000	100'	50'	20'	100'	35'
Village & Residential	20,000	100' except on 50' a cul-de-sac	40'	20'	100'	35'
Residential	40,000	150'	50'	35'	100'	35'
Agriculture & Residential	80,000	150'	75'	35'	100'	35'
Forest & Agriculture	5 Acres	200'	100'	50'	100'	35'
Conservation	10 Acres	200'	100'	50'	100'	35'
General Purpose	40,000	150'	50'	35'	100'	35'
	80,000	150'	50'	35'	100'	35'

AMENDED 3/11/00, 4/27/03

***NOTE:** In any case where structures are in existence at the time of the enactment of this ordinance, additions may be made to within ten (10) feet of the side or rear lot line but in no case should the buildings on one lot be closer that twenty (20) feet to a building on an abutting lot.

“Wheelchair ramps are exempt from the side, rear, and front setbacks, but not from the shoreland setback, providing they meet the performance standards in Article 7 and in Article 4 as determined by the Planning Board” (AMENDED 3/11/00)

One standard size entry deck and steps are exempt from the sideline setback in all districts with the exception of the Village Residential Zone if approved. (AMENDED 3/11/00)

INSPECTIONS ARE REQUIRED AS FOLLOWS WITH 24 HOUR NOTIFICATION!

1. Foundation—tarring and drainage must be installed;
2. Framing—prior to insulating;
3. Plumbing—rough, prior to insulating;
4. Septic installation—bed before pipe and stone;
5. Septic installation—top of pipe before back filling;
6. Final—upon completion, including decks, all railings, plumbing, septic, installation of smoke detectors, etc.

Contractor Information

Required for Certificate of Occupancy

Separate permits may apply! Please write/type/print legibly.

1. Building Contractor: Anthony Wolfinger
Mailing Address: 1063 West Rd
City/Town/Zip Code: Waterboro, Maine 04073
Phone #: Home 247-4319 Work 324-6250
2. Plumbing Contractor: Self
Mailing Address: _____
City/Town/Zip Code: _____
Phone #: _____ License #: _____
3. Heating Contractor: Self
Mailing Address: _____
City/Town/Zip Code: _____
Phone #: _____ License #: _____
4. Electrical Contractor: _____
Mailing Address: _____
City/Town/Zip Code: _____
Phone #: _____ License #: _____
5. Masonry Contractor: Self
Mailing Address: _____
City/Town/Zip Code: _____
Phone #: _____
6. Site/Septic Contractor: Self
Mailing Address: _____
City/Town/Zip Code: _____
Phone #: _____
7. Insulating/Ventilating Contractor: Self
Mailing Address: _____
City/Town/Zip Code: _____
Phone #: _____
8. Well Driller: _____
Mailing Address: _____
City/Town/Zip Code: _____
Phone #: _____
9. Foundation Contractor: Lambert Foundations
Mailing Address: 79 Emmons Rd
City/Town/Zip Code: Springvale, Maine 04083
Phone #: 324-0800



Maine Department of Transportation

Paul R. LePage
Governor

Driveway/Entrance Permit

David Bernhardt, P.E.,
Commissioner

Permit Number: 15530 - Entrance ID: 1

OWNER
Name: Anthony S. Wolfinger
Address: 1063 West Road
Waterboro, ME 04087
Telephone: (207)247-4319

Date Printed: January 14, 2015

LOCATION

Route: C518N, West Road
Municipality: Waterboro
County: York
Tax Map: 9 Lot Number: 21-5
Culvert Size: 15 inches
Culvert Type: metal/plastic
Culvert Length: 40 feet
Date of Permit: January 14, 2015
Approved Entrance Width: 20 feet

In accordance with rules promulgated under 23 M.R.S.A., Chapter 13, Subchapter I, Section 704, the Maine Department of Transportation (MaineDOT) approves a permit and grants permission to perform the necessary grading to construct, in accordance with sketch or attached plan, **an Entrance to Commercial Industrial** at a point **4012 feet South** from **Ross Corner Road**, subject to the Chapter 299 Highway Driveway and Entrance Rules, standard conditions and special conditions (if any) listed below.

Conditions of Approval:

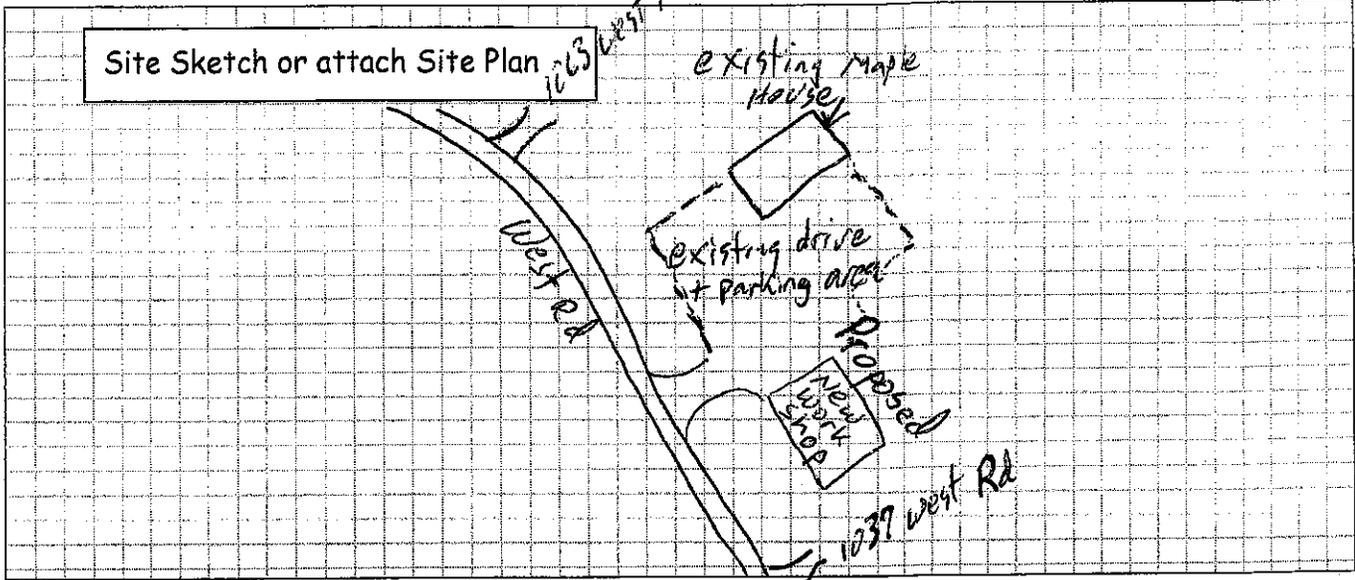
This Permittee acknowledges and agrees to comply with the Standard Conditions and Approval attached hereto and to any Specific Conditions of Approval shown here.

(W = Waiver; S = Special Condition)

S - On the northeasterly side of West Road, approximately 4012 feet southeasterly of Ross Corner Road and approximately 53 feet southeasterly of utility pole 98/122. (N43.58181, W-70.77957)

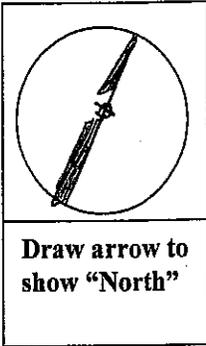
Approved by: Anthony Fontaine

Date: 1-14-2015



THE OWNER HEREBY AGREES

- 1) Provide, erect and maintain all necessary barricades, lights, warning signs and other devices to direct traffic safely while the work is in progress.
- 2) **At no time cause the highway to be closed to traffic.**
- 3) Where the drive/entrance is located within a curb, curb and gutter, and/or sidewalk section, completely remove the existing curb, curb and gutter, and/or sidewalk as may be required to create the drive/entrance and restore drainage. All driveways/entrances abutting sidewalk sections shall meet the requirements set forth in the Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12132 et seq.
- 4) Obtain, deliver to site and install any culverts and/or drainage structures necessary for drainage; the size, type and length of such culverts or structures shall be as specified in the permit pursuant to 23 M.R.S.A. § 705. **All culverts and/or drainage structures shall be new.**
- 5) Complete construction of proposed driveway/entrance within twelve months of commencement of construction.
- 6) **COMPLY WITH ALL FEDERAL, STATE AND MUNICIPAL LAWS AND ORDINANCES.**
- 7) Not alter, without the express written consent of the MDOT, any culverts, drainage patterns or swales within MDOT right-of-way.
- 8) File a copy of the approved driveway/entrance permit with the affected municipality or LURC, as appropriate, within 5 business days of receiving the MDOT approval.
- 9) Shall construct and maintain the entrance side slopes to be no steeper than the adjacent roadway side slopes, but in no case to be steeper than 3 horizontal to 1 vertical, unless the side slope is behind existing roadway guardrail, in which case it shall be no steeper than 2 horizontal to 1 vertical.
- 10) Notify the MeDOT (in writing) of a proposed change to use served by driveway/entrance when increase in traffic flow is expected to occur. This does not exempt the need for obtaining a Traffic Movement Permit (TMP) if trip generation meets or exceeds 100 passenger car equivalents (pce) during the peak hour of the day.



FURTHER CONDITION OF THE PERMIT:

The owner shall assume the defense of, and pay all damages, fines, and penalties for which he/she shall become liable, and shall indemnify and safe harmless said Department, its representatives, agents and employees from liability, actions against all suite, claims, damages for wrongful death, personal injuries or property damage suffered by any person or association which results from the willful or negligent action or inaction of the owner/applicant/agent and in proceedings of every kind arising out of the construction and maintenance of said entrance(s), including snow removal. Nothing herein shall, nor is intended to, waive and defense, immunity or limitation of liability which may be available to the MDOT, their officers, agents or employees under the Maine Tort Claims Act or any other privileges and/or immunities provided by law.

The submission of false or misleading statements on or with this application, or the omission of information necessary to prevent statements submitted herein or herewith from being misleading, is a crime punishable under Chapter 19 of the Maine Criminal Code, and any permit issued in reliance thereon will be considered null and void without notice or further action by the Department.

Date Filed: 1-8-15

Anthony A. Woffington
Signature of Owner

Signature of Applicant _____

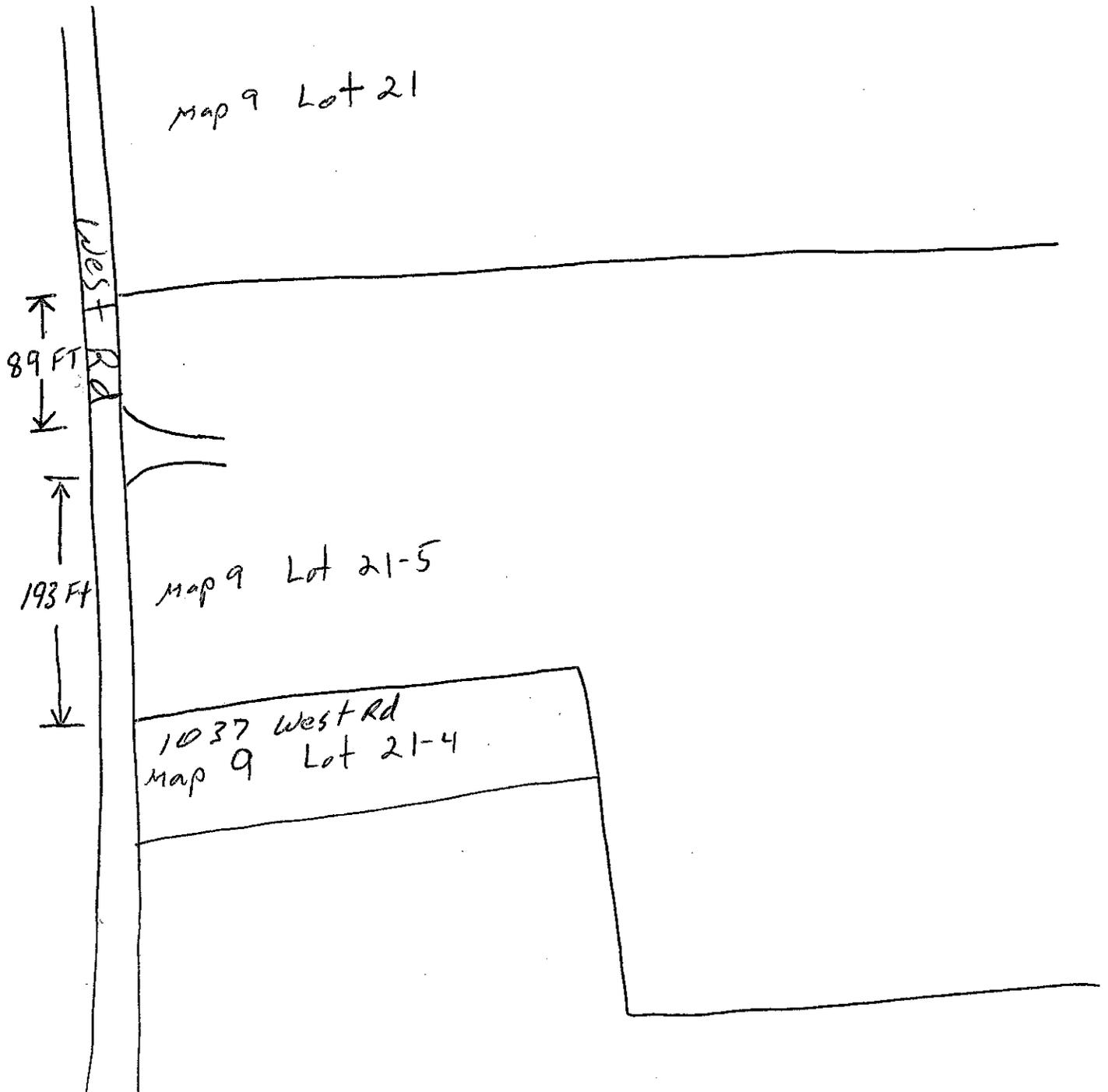
By signing and checking this box I hereby certify that I have been granted permission from the property owner to act in their behalf.

E 911 numbering sketch showing driveway relative to property lines.

#1063/Home



E911



WARRANTY DEED

THAT I, THOMAS A. TOYE, III, of Portland, Cumberland County, Maine for consideration paid, grant to ANTHONY S. WOLFINGER and KIMBERLY A. WOLFINGER, being Husband and Wife, of Lebanon, York County, Maine, with WARRANTY COVENANTS, as joint tenants, the land in Waterboro, York County, Maine.

(See Attached Exhibit A)

MAINE REAL ESTATE TRANSFER TAX PAID

WITNESS my hand and seal this 23 day of January, 1992.

[Signature]

[Signature]
Thomas A. Toye, III

STATE OF MAINE
CUMBERLAND, ss.

JAN 23, 1992.

Then personally appeared the above named Thomas A. Toye, III, and acknowledged the foregoing instrument to be his free act and deed.

Before me,

[Signature]
Notary Public/Attorney at Law

JOHN M. MURPHY
NOTARY PUBLIC
MY COMMISSION EXPIRES 12/31/92

Printed Name

EXHIBIT A

A certain lot or parcel of land in Waterboro, York County, Maine, bounded on the North by land formerly owned by Gilman Thing, now deceased, on the East by Branch Brook, on the South by lands formerly of Joseph Sanborn, deceased, and land of David Kimball, also deceased, and on the West by West Road, so-called, containing Seventy-Five (75) acres, more or less, being the same premises conveyed by Betsey Fall and Lillian M. Giles to Charles W. Smith by deed dated October 3, 1904, recorded in the York County Registry of Deeds in Book 547, Page 206 and also being the same premises conveyed to Ernest G. Knights by deed of Lester R. Garvin, Deputy Sheriff, dated January 31, 1933, recorded in said Registry of Deeds, Book 835, Page 348.

For a more specific description of the above described Lot, see the Plan of Land for Thomas A. Toye, III, West Road, Waterboro, Maine, by McEneaney & O'Neil dated March 21, 1988 and recorded on October 12, 1988 in the York County Registry of Deeds in Plan Book 172, Pages 38 (sheet 1) and 39 (sheet 2).

Helen K. Brock gave a corrective deed to Thomas A. Toye, III, dated May 11, 1988, and recorded in the York County Registry of Deeds in Book 4755, Page 80, which deed sets forth a detailed description of the property based on a survey. However, subsequent to the preparation of that description it was determined that West Road was a Four (4) rod road which is wider than had earlier been assumed thereby changing the description of the property where it abuts West Road. The recorded Plan referred to above shows West Road as a Four (4) rod road and describes the frontage on West Road on that basis.

Excepting from this conveyance the land included in the Subdivision Plan of Fall Lot Estates, West Road, Waterboro, Maine, for Thomas A. Toye III, dated May 1, 1988, prepared by McEneaney & O'Neil and recorded in the York County Registry of Deeds on August 11, 1988 in Plan Book 170, Page 43.

Hereby conveying a portion of the premises as conveyed by Helen K. Brock to Thomas A. Toye, III, by deed dated February 5, 1988 and recorded in the York County Registry of Deeds in Book 4612, Page 213.

RECEIVED YORK S.S.

92 FEB -3 PH 2: 16

ATTEST: ~~CAROL A. Stone~~
REGISTER OF DEEDS