

STATE OF MAINE

Annual Town Meeting, Waterboro, Maine (Approx. 300+ seated at gavel)

The Inhabitants of the Town of Waterboro, qualified as herein expressed met at the Massabesic High School at the stated time 10am, March 11, 2000 and transacted the following business pursuant to the foregoing warrant:

Article 1: Robert Gobeil made the motion for Robert Powers as Moderator.

Millard Genthner seconded.

Beth Cyr made the motion for Douglas Yohman for Moderator.

Mark Cyr seconded.

Bob Gobeil made the motion for nominations to cease, Willis Lord seconded.

Prior to Moderator being elected, improper campaign material was notice and was removed immediately by Constable Chauncey Gerry. Booths were checked along with the parking lot and any improper campaign material was removed.

Casting for ballots for Moderator was held. Robert Powers received 122 votes and Douglas Yohman received 36 votes. Robert Powers was sworn into office by Town Clerk, Nancy Brandt.

Article 2: Moderator Robert Powers read the Article to elect all necessary Town Officials .

Article 3: Moderator Robert Powers read the Article to vote secret ballot on 6 referendum questions. The polls opened at 11:05 am and will remain open until 8 pm.

The Boy Scouts presented the flags at this time. The Board of Selectmen and Fire Chief Frank Birkemose Jr. made a presentation to Dawn Tutt in memory of Robert Tutt.

Dave Fedrizzi explained the Finance Committee's recommendations for this year.

Article 4: Dwayne Woodsome made the motion to accept the reports of the

several Town Officers for the year ending June 30, 1999. Charles Cressey, seconded. Voted-passed.

Article 5: John Roberts made the motion that all credit balances as of June 30,

2000 in all departments of Town Government be zeroed out in accordance with the March 11, 2000 Annual Town Meeting vote excluding the following account balances to be carried forward:

Conservation Commission, Old Home Days, Parks and Recreation Summer Fees collected for the 2000 program, Planning Board Consultant and Legal Fees, Taylor House, Designated Cable TV Franchise Fees, FEMA reimbursement for Bennett Hill Road.

Charles Cressey seconded. Voted-Passed.

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Dwayne Woodsome made the Motion to allow Diane Winne and Patti Berry to speak. David Benton seconded. Voted-passed.

Article 6: Jon Gale made the motion to appropriate \$76,555 from Taxation for

General Government. John Roberts seconded. Voted-passed.

Steve Kasprzak made the motion to reconsider Article 6. Robert Gobeil seconded. Passed to reconsider.

Steve Kasprzak made the motion to raise \$81,655. From Taxation and remove \$8,000. for a computer consultant. Robert Gobeil, seconded.

Mark Ford made the motion to amend to raise \$89,655 from Taxation. Willis Lord, seconded.

Steve Kasprzak made the motion to amend his motion to \$76,555. From Taxation and \$5,000. From Surplus. Robert Gobeil, seconded.

Mark Ford withdrew his motion. Willis Lord seconded.

Steve Kasprzak made the motion for \$89,655. With \$76,555. From Taxation and \$13,000. From Surplus for General Government. David Benton seconded.

John Roberts made the motion to move the question.

Motion for \$89,655. With \$76,555. From Taxation and \$13,000. From Surplus for **General Government**. pertaining to the following:
Office Supplies (\$6,800.00), Office Equipment (\$7,000.00), Postage (\$9,000.00), Computer lease/contract./license (\$20,000.00), Computer Equipment (\$6,000.00), Auditing (\$3,675.00), Telephone (\$5,000.00), Maine Municipal Assoc. (\$4,280.00), Town Reports (\$4,000.00), Engineering (\$500.00), Incidentals (\$4,000.00), Advertising (\$2,000.00) Tax Bills (\$2,750.00), Training & Education: (\$850.00), Travel (\$800.00), Computer Consultant (\$8,000.00), Return to Work (\$5,000.00) . Voted-Passed.

Article 7: Robert Fay made the motion to raise \$18,500.00 from Taxation for **General Legal and Registry Fees**. Dwayne Woodsome., seconded. Voted-passed.

Article 8: Robert Fay made the motion to raise \$44,308.00 from Taxation for the Salaries of **Selectmen** (\$15,188.) , **Selectmen's Assistant** (\$29,120.) Jennifer Ohman seconded. Voted-passed.

Article 9: Willis Lord made the motion to raise \$48,297.60 from Taxation for the wages of **Selectmen's Secretary** (\$21,840.00) and **Motor Vehicle Agent** (\$26,457.60). Brenda Charland seconded. Voted-passed.

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Article 10: Millard Genthner made the motion to appropriate \$18,500.00 from Excise + fees for the wages of **Constable/Animal Control Officer**. Douglas Yohman seconded. Voted-passed.

Article 11: Millard Genthner made the motion to raise from Taxation sum-suff for **Unemployment Compensation, Social Security, Worker's Compensation, Insurances, Medicare, and County Tax**. Willis Lord seconded. Voted-passed.

Article 12: Don Mondor gave the Elected vs Appointed ad hoc committee report. Robert Fay made the motion for **Town Clerk to remain elected**, no recall ordinance. Elizabeth Gould seconded. Voted-passed.

Article 13: John Gale made the motion to appropriate \$41,288.00 from Miscellaneous fees for the salary, benefits, and operation expenses for the Town Clerk. Robert Fay seconded.

Robert Fay made the motion to move the question, Robert Gobeil seconded. Voted-passed.

Main Motion to appropriate \$41,288.00 from Miscellaneous fees for **Town Clerk**, Salary (\$23,227.00), Operation expenses: (\$380), Microfilming &

Restoration (\$5,000.00), Elections (\$3,000.00), Ballot Booths (\$2,200.00), Computer Equipment (\$300.00), Safe (\$3,000.00), Insurance (\$4,181.00). And that the cost of insurance can only be applied to the cost of insurance from the Town's insurance carrier. To be spent with approval from the Board of Selectmen. Voted-passed.

Article 14: Steve Kasprzak made the motion that the Tax Collector be appointed after the present Tax Collector serves out the existing term. John Roberts seconded.

Robert Fay called for a secret ballot with E for Elected and A for Appointed.

John Roberts made the motion to bring Article 16 with Article 14 secret ballot voted. Eleanor Roberts seconded.

John Roberts made the motion to move the question. Dwayne Woodsome seconded.

Steve Kasprzak made the motion that the Treasurer and Tax Collector be appointed after the present position holders serve out their term. John Roberts seconded.

Willis Lord made the motion to table indefinitely Article 14 (elected/appointed Tax Collector) and Article 16 (elected/appointed Treasurer). Voted Yes-99 No-32
Motion Carries.

Motion to break for lunch was made at 12:50 pm.

Meeting resumed at 1:30 p.m.

Article 15: Jon Gale made the motion to raise \$28,771.00 from Taxation for the salary and benefits of **Tax Collector** and for operational expenses Salary (\$22,890.00), Health/Dental insurance (\$4,181.00), Operational Expenses: (\$500.00), Office Supplies (\$1,200.00), and that the \$4,181.00 for insurance can only be applied to the cost of the insurance from the Town's insurance carrier. To be spent with approval from the Board of Selectmen. John Roberts seconded. Voted-passed.

Article 17: Millard Genthner made the motion to appropriate \$28,671.00 from Miscellaneous Fees for the salary, benefits of the **Treasurer** and for operational expenses Salary (\$22,890.00), Health/Dental Insurance (\$4,181.00), Operational Expenses (\$1,400.00), Office Equipment (\$200.00) and that the \$4,181.00 for insurance can only be applied to the cost of the insurance from the Town's insurance carrier. To be spent with approval of the Board of Selectmen. Charles Cressey seconded. Voted-passed.

Article 18: John Roberts made the motion to appropriate from Surplus \$9,250.00 for **Building Equipment and Maintenance**. Custodian (\$4,000.00), Building Supplies & Maintenance (\$5,250.00). Maura Kruegar seconded. Voted-passed.

Article 19: Willis Lord made the motion to appropriate \$36,500.00 from Surplus for **Street Lights** , **Fuel Oil** (\$3,000.00), **Traffic Lights** (\$ 4,500.00) and **Electricity** (\$29,000.00). Elizabeth Gould seconded. Voted-passed.

Article 20: Millard Genthner made the motion to raise from Taxation for the **Assessing Department** \$30,400.00. Part-time Assessor (\$26,000.00), Operational Expenses (\$600.00), Tax Maps (\$3,500.00), Pictures (\$300.00). To be spent with the approval of the Board of Selectmen. Willis Lord seconded. Voted-passed.

Article 21: John Roberts made the motion to appropriate \$8,000.00 from Excise plus fees generated for the salaries of the **Building Inspector, Plumbing Inspector, Code Enforcement Officer, Code Enforcement**

Secretary and for operational expenses. To be spent with approval of the Board of Selectmen. Judy Fay seconded. Voted-passed.

Article 22: Debby Downs made the motion to raise \$1,124.00 from Taxation, \$20,000.00 from Surplus and \$20,000.00 from Excise Tax for a total of \$41,124.00 for the **Library**: Librarian (\$13,574.00), Assistant Librarian (\$8,657.00), Librarian substitute (\$2,436.00), Books & Periodicals (\$7,291.00), Building Maintenance (\$2,402.00), Operational Expenses (\$5,264.00), Equipment fund (\$1,000.00), Circulation System (\$500.00) to be spent with approval of the Board of Selectmen. Robert Gobeil seconded. Voted-passed.

Article 23: John Roberts made the motion Ought not to pass. Alton Woodsome seconded.

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Robert Gobeil made the motion to amend the article to read: To see if the Town will authorize the Parks and Recreation Department to apply, on behalf of the town, for federal financing assistance under the provisions of the Land and Water Conservation Fund Act, Public Law 88-578 for the development of a multi-purpose field at Friendship Park; and further authorize the Parks and Recreation Department to enter into the Land and Water Conservation Project Agreement with the State subsequent to federal approval of the project. Upon federal approval of the project, the federal fund will reimburse the Town 50% of the project costs, with a ceiling of \$25,000.00 per grant request.

To see what sum of money the Town will raise and/or appropriate to construct a multi-purpose field at Friendship park, contingent upon approval of federal funds.

Parks and Recreation Department requests \$30,000.00 contingent upon approval of federal funds, or \$20,000.00 if federal funding is not awarded.

Steve Kasprzak made the motion to move the question.

John Roberts made the motion to withdraw his motion. Alton Woodsome seconded.

Main motion to amend the article to read: To see if the Town will authorize the Parks and Recreation Department to apply, on behalf of the town, for federal financing assistance under the provisions of the Land and Water Conservation Fund Act, Public Law 88-578 for the development of a multi-purpose field at Friendship Park; and further authorize the Parks and Recreation Department to enter into the Land and Water Conservation Project Agreement with the State subsequent to federal approval of the project. Upon federal approval of the project, the federal fund will reimburse the Town 50% of the project costs, with a ceiling of \$25,000.00 per grant request.

To see what sum of money the Town will raise and/or appropriate to construct a multi-purpose field at Friendship park, contingent upon approval of federal funds.

Parks and Recreation Department requests \$30,000.00 contingent upon approval of federal funds, or \$20,000.00 if federal funding is not awarded. Carmine DeSimone Jr. seconded. Voted-passed.

Article 24: Brenda Charland made the motion to appropriate \$64,900.00 from Miscellaneous fees and \$2,000.00 from Surplus for **Parks and Recreation Department** for the Director Salary (\$25,000.00), Parks and Recreation (\$36,900.00), Summer Recreation Program (\$5,000.00) plus fees, to be spent with approval of the Board of Selectmen . Robert Fay seconded.

Robert Fay made the motion to move the question. Charles Cressey seconded.

Voted-passed.

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Article 25: Willis Lord made the motion to appropriate \$2,203.00 from Surplus for the payment of the lease for a new **mower for the Parks and Recreation Commission** purchased in 1999 and this article shall reappear for one more year. Maura Kruegar seconded. Voted-passed.

Article 26: John Roberts made the motion to raise from Taxation \$25,038.00 for the **Waterboro Planning Board**, Board of Selectmen request (\$24,540.00), Southern Maine Regional dues (\$498.00) to be spent with approval from the Board of Selectmen. Charles Cressey seconded. Voted-passed.

Article 27: John Gale made the motion to raise from Taxation \$68,700.00 and appropriate \$80,000.00 from Surplus for **Fire Department Services** to be spent with approval from the Board of Selectmen. Fire Department Services (\$148,700.00), Fire Department Personnel (\$20,000.00). Alton Woodsome seconded. Voted-passed.

Article 28: Jon Gale made the motion to appropriate \$96,500.00 from rescue billing fees to allow the **Waterboro Rescue Services** to retain. Alton Woodsome seconded. Voted-passed.

Article 29: Millard Genthner made the motion to appropriate \$13,868.00 from Excise Tax and \$13,868.00 from Tree Growth for a full time **Fire Department Clerk/Paramedic** , Salary (\$23,554.96), Health/Dental Insurance (\$4,181.00). Willis Lord seconded. Voted-passed.

Article 30: Millard Genthner made the motion to appropriate \$3,000.00 from Surplus for **Dry Hydrants**. Willis Lord seconded. Voted-passed.

Article 31: Willis Lord made the motion to appropriate \$3,000.00 from Surplus for the **Ross Corner Fire Company**. Millard Genthner seconded. Voted-passed.

Article 32: Elizabeth Gould made the motion to appropriate \$10,250.00 from Excise for **Fire Hydrant Rental**. Judy Fay seconded. Voted-passed.

Article 33: Dwayne Woodsome made the motion to raise from Taxation \$257,328.00 and \$110,283.00 from Excise Tax for **Solid Waste Disposal and Maintenance of the Stump Dump Area**. Solid Waste (\$340,000.00), Stump Dump payroll (\$13,000.00), Recycling Disposal (\$5,000.00), Wood Waste Disposal (\$6,000.00), Hazardous Waste Disposal (\$1,000.00), Health Officer (\$500.00) Recycling Committee (\$2,111.00). Charles Cressey seconded. Voted-passed.

Article 34: Willis Lord made the motion to authorize the Board of Selectmen to sell recycled materials and all proceeds to be credit toward the Stump Dump Account. Charles Cressey seconded. Voted-passed.

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Article 35: John Roberts made the motion to authorize the Board of Selectmen to extend the interlocal agreement between Waterboro and Hollis regarding the use of the Waterboro Stump Dump and White Goods site for the year ensuing. Robert Fay seconded. Voted-passed.

Article 36: John Gale made the motion to appropriate \$11,502.00 from Surplus for Social Service Agencies. Gus Cook seconded.

Dale Witman made the motion to amend to appropriate from Surplus \$24,152.00 for the following agencies: **Caring Unlimited** (\$902.00), **American Red Cross** (\$2,000.00), **Holy Innocents** (\$400.00), **Day One** (\$500.00), **The Childrens' Center** (\$650.00), **York County Child Abuse** (\$400.00), **York County Community Action** (\$3,100.00), **Visiting Nurse Service** (\$8,000.00), **York County Shelters** (\$1,100.00), **York County Counseling** (\$2,500.00), **So. Me. Area Agency on Aging** (\$2,100.00), **York County Parent Awareness** (\$500.00), **Elder Grey Meeting House** (\$2,000.00). Brenda Charland seconded. Voted-passed.

Article 37: Doug Foglio, Sr. made the motion to appropriate \$30,000.00 from Surplus for **General Assistance**. Charles Cressey seconded. Voted-passed.

Article 38: Steve Kasprzak made the motion to appropriate \$235,000.00 from Excise tax for **Snow Plowing Contracts and Sanding** to be spent under the direction of the Road Commissioner with approval from the Board of Selectmen. John Roberts seconded.

Scott Ohman made the motion to amend to appropriate \$235,000.00 from Excise Tax for **snow plowing** (\$109,000.00), **Sanding & Stockpile** (\$126,000.00) remove with approval from the Board of Selectmen. Charles Cressey seconded.

Steve Kasprzak asked Selectmen to consider to put into this year's contract the plowing of sidewalks and to set up a committee to have a sidewalk, bike lane policy including in the Committee the Road Commissioner, Road Review Committee and the Board of Selectmen.

Amended motion voted-passed.

Article 39: Robert Fay made the motion to authorize the Road Commissioner under the direction of the Board of Selectmen to spend public funds on emergency winter maintenance for public safety reasons

only on private property out of the winter maintenance account. John Roberts seconded.

Robert Fay made the motion to move the question. David Benton seconded.

Article voted-passed.

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Article 40: Fred Fay made the motion to appropriate from Excise \$6,000.00 and \$3,000.00 from Surplus for **Seasonal Roads** with approval from the Board of Selectmen. Steve Kasprzak seconded.

Judy Fay made the motion to amend to remove with approval of the Selectmen. John Smith seconded. Amendment carries

Voted-passed.

Article 41: Steve Kasprzak made the motion to appropriate \$191,000.00 from Excise for **Cutting of Brush** (\$7,000.00), **Seal Coat & Tar** (\$125,000.00), **Roads & Bridges** (\$55,000.00), **Striping** (\$4,000.00) and to remove with approval of the Board of Selectmen. Maura Kruegar seconded. Voted-passed.

Article 42: Willis Lord made the motion to allow state revenues from registration fees derived from the registration of snowmobiles to be placed in a separate account for the maintenance of **Fire Roads** for the year ensuing and to be expended under the direction of the Fire Chief, Road Commissioner and a Representative from the Snowmobile Club. Fred Fay seconded. Voted-passed.

Article 43: Steve Kasprzak made the motion to appropriate from Excise \$25,000.00 for **Crushing** and to remove the approval from the Board of Selectmen. Scott Ohman seconded. Voted-passed.

Article 44: Fred Fay made the motion to appropriate \$30,000.00 from Excise for the **Ditching Program** and to remove the approval from the Board of Selectmen. David Benton seconded. Voted-passed.

Article 45: Steve Kasprzak made the motion for the Town to enter into a program with Maine DOT to improve West Road, Town House Road,, and South Waterboro Road for the next two (2) years and then investigate for a decision if want to do it for the next four (4) years. Gus Cook seconded.

Gus Cook made the motion to move the question. David Benton seconded. Voted-passed.

Article voted-passed.

Article 46: David Benton made the motion for \$13,094. From Excise and \$82,000.00 from Surplus be appropriated for the **Middle Road North Section**. and remove with approval from the Board of Selectmen. Judy Fay seconded. Voted-passed.

Article 47: John Roberts made the motion no money be raised for the **Middle Road south Section**. Dwayne Woodsome seconded. Voted-passed.

Article 48: Dwayne Woodsome made the motion that \$33,008.00 be raised from Taxation for the **Clarks Bridge Road** to be spent with approval of the Board of Selectmen. John Roberts, seconded. Voted-passed.

Article 49: John Roberts made the motion that no money be raised for the **New Road**. Alton Woodsome seconded. Voted taken Yes-35 No-29.

Gus Cook made the motion to reconsider Article 49. Judy Fay seconded. Motion fails.

Article 48 Reconsideration

Dwayne Woodsome made the motion to reconsider Article 48. John Roberts seconded. Voted-passed.

Dwayne Woodsome made the motion to reconsider Article 48 to remove with approval from the Board of Selectmen. David Benton seconded. Voted-passed.

Article 50: David Fedrizzi made the motion no money be raised for the **Jellerson Road**. Millard Genthner seconded. Voted-passed.

Article 51: Millard Genthner made the motion to appropriate from Excise \$33,000.00 for engineering needed to make application to the Waterboro Planning Board for a Conditional Use Permit for the town gravel pit. Steve Kasprzak seconded. Voted-passed.

Article 52: John Roberts made the motion to raise from Taxation \$18,800.00 for the repayment of the purchase of a new **Ambulance in 1996** and that this article shall appear for one more year. Margaret Fedrizzi seconded. Voted-passed.

Article 53: Willis Lord made the motion to raise from Taxation \$17,574.47 for the lease payment of the purchase of a new **Fire Engine 3** in 1998 and that this article shall appear for the next six years. John Roberts seconded. Voted-passed.

Article 54: John Roberts made motion to raise from Taxation \$16,536.32 for the lease payment of a new **Fire Engine 1 in 1999** and that this article shall appear for the next seven years. Willis Lord seconded. Voted-passed.

Article 55: Jon Gale made the motion no funds be raised for the purchase of a new ambulance. John Roberts seconded. Voted-passed.

Article 56: John Roberts made the motion to appropriate from Surplus \$500.00 for the **Research, Repair and Restoration of Cemeteries** in the Town of Waterboro. Maura Kruegar seconded. Voted-passed.

Article 57: Maura Kruegar made the motion to appropriate from Surplus \$1,000.00 for the observance of **Memorial Day**. Willis Lord seconded. Voted-passed.

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Article 58: John Roberts made the motion to appropriate from Surplus \$1,115.00 for the **EMA Department** to be spent with approval from the Board of Selectmen. Willis Lord seconded. Voted-passed.

Article 59: Gus Cook made the motion to raise from Taxation \$1.00 for Old Home Days. John Roberts seconded.

Millard Genthner made the motion to amend to appropriate \$10,000.00 for **Old Home Days** from the Old Home Days Trust Fund plus revenues. Robert Gobeil seconded.

Gus Cook withdrew his motion. John Roberts withdrew his second.

Motion to appropriate \$10,000.00 for **Old Home Days** from the Old Home Days Trust Fund plus revenues. Voted-passed.

Article 60: Willis Lord made the motion to appropriate from Miscellaneous fees \$5,000.00 plus revenues for the upkeep, maintenance and restoration of the so-called **Taylor/Frye/Leavitt House**. James Falkingham seconded. Voted-passed.

Article 61: John Roberts made the motion to authorize the Collector of Taxes to charge interest at the rate of 10.75% per year on all unpaid taxes remaining unpaid on the 31st day after the date of mailing. Robert Gobeil seconded. Voted-passed.

Article 62: Millard Genthner made the motion to set the rate of interest at 8% on abated property taxes due to overvaluation, as per M.R.S.A. s506-A. Willis Lord seconded. Voted-passed.

Article 63: Jon Gale made the motion no funds be raised for the Saco River Corridor Commission. John Roberts seconded. Voted-passed.

Article 64: Millard Genthner made the motion to raise from Taxation \$1,500.00 for the **Public Safety Committee** to be spent with approval from the Board of Selectmen. John Roberts seconded. Voted-passed.

Article 65: Millard Genthner made the motion to authorize the Board of Selectmen to accept donations of gifts of money or materials on behalf of the Departments of the Town. Willis Lord seconded. Voted-passed.

Article 66: Jon Gale made the motion to appropriate \$15,873.00 from Miscellaneous Fees to designate Cable TV franchise fees to be used for the operations of a **public access station**.

Article 67: Willis Lord made the motion to adopt the amendments to the **Town of Waterboro Flood Plain Management** as presented. Millard Genthner seconded.
Voted-passed.

Article 68: John Roberts made the motion to stay with the 1993 BOCA Building Codes. Russell Keith seconded. Voted-passed.

Article 69: Willis Lord made the motion to dispense reading of the article. Gus Cook seconded. Dwayne Woodsome made the motion to amend the Waterboro Zoning Ordinance to create a new Village/Residential District by enacting amendments. Douglas Foglio Sr. seconded. Voted-passed.

TOWN OF WATERBORO VILLAGE RESIDENTIAL DISTRICT

Amend Section 2.06 to add lot width and frontage requirements for the VR district.

To read: All lots shall abut upon an existing or proposed road which meets all municipal and other applicable governmental regulations and standards or, if landlocked, shall have a legally recorded access right-of-way, of no less than fifty (50) feet in width, to a public or private road. All lots, with the exception of landlocked lots, shall have a minimum road and/or water frontage of one hundred (100) feet in the Village zone, one hundred (100) feet in the Village/Residential zone except on cul-de-sacs where fifty (50) feet will be required, one hundred fifty (150) feet in the Residential and the Agriculture/Residential zones and two hundred (200) feet in the Forest-Agriculture and Conservation zones. Situations involving or utilizing cul-de-sacs, curvilinear streets, cluster design or planned unit design permitted by the Subdivision Regulations or this Ordinance

(see Sections 8.02 and 8.03) when the Planning Board determines that these frontage requirements are not practical it may approve frontage reductions of up to fifty (50) percent. (AMENDED 3/11/89 & 3/11/00)

Amend Section 2.08 to change statutory reference in the last line of the first paragraph to 30 A M.R.S.A. § 4353(4). Also, delete the last paragraph of this section.

To Read: 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.

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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). However, minor modifications in size requirements in the form of a variance (usually not exceeding a fifteen (15) percent increase or decrease in the stated requirements, MRSA tit. 30 Section § 4353 (4), for issuing a variance are met.

Amend Section 3.01 to increase the number of zoning districts and to add a reference to VR.

To Read: For the purpose of this ordinance the Town of Waterboro is divided into the following six (6) zoning districts; a Village district (V); a Village/Residential district (VR); an Agriculture-Residential district

(AR); a Forest-Agriculture district (FA); and a Conservation district (C). In addition to these districts, the Town of Waterboro also has two (2) overlay districts; the Shore land Overlay Districts divided into four (4) sub-districts: Resource protection, Limited Residential, Limited Commercial and Stream Protection as described in section 7.01; and the Well-Head Protection Districts divided into three (3) sub-districts: District #1, District #2 and District #3 described in section 7.06. (Amended 6-3-95 and 3-11-00)

Amend Section 3.02 to update reference to zoning map (dated February 7, 1977, and as further amended from time to time).

To read: Section 3.02 Zoning Map- The boundaries of these six (6) zones are established by the enactment of later amendment of this Ordinance and are as shown on the Official Zoning Map of the town of Waterboro, dated February 7, 1977; the Town Of Waterboro Wellhead protection zone Map; and on the 1970 Town Tax Maps. The Official Zoning Maps are integral parts of this certified copy of the zoning ordinance (maps and text) shall be available to the public at all times in the Town Clerk's Office. The February 7, 1977 and as further amended from time to time, zoning map was drafted so that the zoning district boundaries followed property lines as depicted on the 1970 tax maps. It should be interpreted accordingly. (Amended 3/11/89 & 3/11/90)

Amend section 3.03 to Add VR district and dimensional requirements set forth in Section 3.09.

Amend Section 3.03 to add VR district and dimensional requirements set forth in Section 3.09.

ZONING DISTRICT	MINIMUM LOT SIZE	MINIMUM ROAD & SHORE FRONTAGE	MINIMUM FRONT YARD SETBACK	MINIMUM SIDE & REAR SETBACK	MINIMUM MAXIMUM SHORE LAND BUILDING SETBACK	MAXIMUM SHORE LAND SETBACK	MAXIMUM HEIGHT
Village	20,000	100'		25'	20'		
100'	35'						
	40,000	100'		50'	20'		
100'	35'						
Village & Residential	20,000	100'	except on 35'	40'		20'	
	100'		50' a cul-de-sac				
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'				

Section 3.09 Village Residential District (VR)

The **village residential** district includes those lots existing within the Town of Waterboro on the date of passage of this section which are subject to dues and fees of the Lake Arrowhead Community and connected to the Lake Arrowhead Public Water System, as more particularly described in Chapter 37 of the 1995 Maine Private and Special Laws.

The minimum lot size in the **village residential** district is 20,000 square feet with the minimum lot width and frontage requirements of 100' except on cul-de-sacs where 50' will be required. No principal or accessory structure may be placed within twenty (20) feet of any side or rear lot line. Such structures must be set back forty (40) feet from any front yard and one hundred (100) feet from the normal high water mark of any lake, river or stream, except that docks or similar facilities may be placed on the shore subject to the provisions in Article 7. No principal or accessory structure may exceed thirty five (35) feet in height. See section 2.06 for minimum lot width and frontage requirements.

Section 3.09.01 Primary Uses and Structures

Single-family residences

Single-family camps

Signs not requiring a permit (see Sections 6.01 and 6.02)

Move existing section 3.09 to a new section 3.10. Add reference to Section 3.09.01 to introductory language; add new Village-Residential zone to land use chart.

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To Read: Section 3.10 Table of Land Uses

All land use activities, as indicated in the Waterboro Land Use Table, shall conform with all applicable land use standards of this Zoning Ordinance. The land use chart shall be a representative guide for subsections 3.04.01, 3.04.02, 3.05.01, 3.05.02, 3.06.01, 3.06.02, 3.07.01, 3.07.02, 3.08.01, 3.08.02, 3.09.01, 3.09.02 and whenever the two conflict, the definitions shall be the guiding factor. The

district designation for a particular site shall be determined from the official Zoning map.

Amend Section 4.02 to read:

To Read: **Section 4.02 Specific Requirements** - In addition to findings that the general specific requirements for conditional use approval set out in the section permitting a particular conditional use in a particular district (see Sections 3.04 to 3.09) have been met, and that, where applicable, specifically articles 5, 6, 7 and 8, have also been met, the Planning Board must additionally find before a conditional use is approved that the proposed use in the specific location contemplated will be in harmony with the Town's Comprehensive Plan and existing subdivision regulations; provides safe and adequate access to the road system of the town; provides safe and adequate means for water supply, waste water disposal, and solid waste disposal; is capable of being reasonable served by schools, public utilities, public safety agencies, and other public agencies and service; provides and adequate and permanent natural buffer or artificial screen between itself and adjacent properties which are being used in alternative ways permitted by this ordinance; will not result in damage to water bodies, marsh or other natural areas, scenic or historic areas; will be built on soil types which are suitable to the nature of the undertaking; has taken all reasonable steps to fit itself harmoniously removal of natural vegetation, the permanent scaring of the land, or soil erosion; will not result in unreasonable noise levels, harmful air emissions, or offensive odors; is in possession of or in the process of obtaining (and ultimately does obtain) all required state permits and approvals.

Article 70: John Robert made the motion to amend Section 3.03 of the Waterboro Zoning Ordinance by adding subsection 3.03.01 to read:

One (1) 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.

Standard size entry deck: A standard size entry deck will consist of a 4' x 4' platform with a maximum of 6 steps.

Gus Cook seconded. Voted-passed.

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Article 71: Douglas Foglio Sr. made the motion to amend **Article 14 of the Waterboro Zoning Ordinance** by adding the definition of hammerhead turn to read:

Hammerhead turn: A gravel area built entirely outside of the right of way at minimum of 75' sq. for the purpose of vehicular maneuvering.

The area of the right of way adjacent to the hammerhead turn must consist of a 75' x 50' gravel area. The right of way must extend 75' beyond the hammerhead turn with a graveled area of 75' x 35'. The right of way with a hammerhead turn shall be built in compliance with the sketch to be provided by the Code Enforcement Office.

Steve Kasprzak seconded. Voted-passed.

Article 72: Douglas Foglio Sr. made the motion to amend **section 2.04 paragraph 1 of the Waterboro Zoning Ordinance:**

To read: where construction os a permitted accessory structure occupying less that one hundred (100) sq. ft. of ground or floor

space and costing less than five hundred dollars (\$500) for improvement, or alteration of any existing permitted structure involving less than one (100 sq. ft of ground or floor space and costing less than five hundred dollars (\$500.) is contemplated: where repairs not involving a change in use or an increase in the area of any permitted structure (including accessory structures) are contemplated except when in the Shore land Zone;

Steve Kasprzak seconded. Voted-passed.

Article 73: Steve Kasprzak made the motion to amend **section 2.09 paragraph 1 of the Waterboro Zoning Ordinance:**

To read: Applications- To facilitate the expeditious carrying out of any and all of the responsibilities outlined in this ordinance, the Code Enforcement Officer, the Planning Board, and the Zoning Board of Appeals are respectively authorized to prepare and publish such application forms and procedures as they think necessary.

Application forms should elicit as much or all of the information which the officer or board will require from the applicant. Forms should be clearly labeled, simple in the format and as concise as possible. If an application form is not completely filled out or if the circumstances of a particular case require it, the officer or board may request such additional information as is necessary to allow full review and evaluation of the pending issue. Applications for Code Enforcement Officer or board action shall not be deemed complete until all information which has been validly requested has been furnished. All completed application forms and supporting materials are public

records which shall be kept on file in the Code Enforcement Office and which may be inspected by any member of the public at reasonable times.

Douglas Foglio, Sr. seconded. Voted-passed.

Article 74: Douglas Foglio Sr. made the motion to amend the **definition of setback of the Waterboro Zoning Ordinance:**

To read: Setback: The minimum horizontal distance from a lot line, the normal high water line or the side of a right-of-way easement or deeded right-of-way (see section 3.03) to the nearest point of a structure.

John Roberts seconded. Voted-passed.

Article 75: John Roberts made the motion to amend **Section 2.08 paragraph 3 line 3 of the Waterboro Zoning Ordinance:**

To read: In addition, any single lot of record on the date of enactment of this ordinance in any zoning district created by this ordinance may if the existing requirements of state law are met, be used to construct, renovate, or reconstruct a primary use and structure in spite of the fact that otherwise applicable dimensional requirements of this ordinance can not be met except where the realignment of lots is possible (see section 9.01).

Judy Fay seconded. Voted-passed.

Article 76: John Roberts made the motion to amend the following sections of the Waterboro Zoning Ordinance to incorporate the new regulations if referendum question #5 passes:

Section 3.06.01 by adding a new subsection 23, said subsection to read as follows:

23. Resource extraction, subject to site plan approval by the Planning Board and compliance with the requirements of the Site Plan Review for Mineral Extraction Ordinance.

Amend section 3.07.01 by adding a new subsection 18, said subsection to read as follows:

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18. Resource extraction, subject to site plan approval by the Planning Board, and compliance with the requirements of the Site Plan Review for Mineral Extraction Ordinance.

Amend section 3.08.01 by adding a new subsection 12, said subsection to read as follows:

12. Resource extraction, subject to site plan approval by the Planning Board, and compliance with the requirements of the Site Plan Review for Mineral Extraction Ordinance.

Amending Section 14.02, definition of the term "resource extraction" to read as follows:

The excavation or extraction of sand, clay, gravel, silt, rock, soil, peat or mineral deposits, whether alone or in combination.

Amend sections 3.06, 3.07 and 3.08 by repealing the following provisions of the Zoning Ordinance:

Section 3.06.02, subsection 4, 3.07.02 subsection 4, 3.08.02, subsection 7 and 7.01 subsection 8

Section 3.06.02 Conditional Uses and Structures

1. Clustered and single through four family residences at no greater density than one family unit for each 80,000 sq. ft. in the total parcel being developed.
2. Commercial campgrounds including day and overnight facilities.
3. Utility or communications poles, towers, lines, unmanned substations, etc.
4. Cemeteries.
5. Marinas including sale of boat, bait and tackle supplies.
6. Processing facilities related to orchard and agricultural products, including poultry and livestock.
8. Junkyards, dumps and solid waste disposal areas but not within five hundred (500) feet of any residence, camp, or water body, and only if appropriately screened.
9. PUD's limited to industrial and/or commercial activities on parcels not within five hundred (500) feet of a water body and with direct access to a state or federal aid highway. PUD's providing resort and recreational facilities including overnight, year-round or seasonal accommodations, bar and food service.

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Notwithstanding the provisions in section 3.06 principal or accessory structures in all such developments shall not be built within one

hundred twenty five (125) feet of any side or rear lot line and must be not built within one hundred fifty (150) feet from the front lot line.

10. Mobile home parks on parcels with direct access to a state highway at no greater density than one family unit for each 80,000 sq. ft. in the total parcel being developed.
11. Hospitals, nursing homes, sanitariums, etc. on parcels with direct access to a state aid highway.
12. Signs requiring a permit.
13. Hotels, motels, inns, providing overnight, year-round, or seasonal accommodations, bar and food service.
14. Gas stations, machinery and vehicle sales, service, washing, repair facilities on parcels with direct access to a state aid highway.
15. Restaurants, lounges, cafes on parcels with direct access to a state aid highway.
16. Fabricating, manufacturing, light industrial activities and facilities with less than five thousand (5,000) sq. ft. of work area on parcels with direct access to a state aid highway.

Section 3.07.02 Conditional Uses and Structures

1. Clustered single family residences.
2. Commercial campgrounds including day and overnight facilities.
3. Utility or communications poles, towers, lines and unmanned substations, etc.
4. Cemeteries.
5. Police and fire protection facilities.
6. Marinas including sale of boat, bait and tackle supplies.
7. Processing facilities related to orchard and agricultural products, including poultry and livestock.
8. Wood products processing facilities (sawmills, lumberyards, etc).
9. Junkyards, dumps and solid waste disposal areas but not within five hundred (500) feet of any residence, camp, or water body, and only if appropriately screened.
10. PUD's limited to industrial and/or commercial activities on parcels not within five hundred (500) feet of a water body and with

direct access to a state or federal aid highway. PUD's providing resort and recreational facilities including overnight, year-round, or seasonal accommodations, bar and food service. Notwithstanding the provisions in section 3.06 principal or accessory structures in all such developments shall not be built within one hundred and twenty five (125) feet of any side or rear lot line and must be set back one hundred fifty (150) feet from the front lot line.

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11. Public and private schools and other public buildings or facilities.
12. Veterinary offices and facilities.

Section 3.08.02

1. Clustered single family residences.
2. Horticultural activities including nurseries, greenhouses and commercial sale of such products.
3. Home occupations and professional home offices.
4. Commercial campgrounds including day and overnight facilities.
5. Selling of local farm, orchard or forest products.
6. Utility or communications poles, towers, lines unmanned substations, etc.
7. Cemeteries.
8. Police and fire protection facilities.
9. Commercial stables.

Remove Section 8 Mineral Exploration and Extraction

Mineral exploration to determine the nature or extent of mineral resources shall be accomplished by hand sampling, test boring, or other methods which create minimal disturbance of less than one hundred (100) square feet of ground surface. A permit from the Code Enforcement Officer shall be required for mineral exploration which exceeds the above limitation. All excavations, including test pits and holes shall be immediately capped, filled or secured by other equally effective measures, so as to restore disturbed areas and to protect the public health and safety.

Mineral extraction may be permitted under the following conditions:

A. A reclamation plan shall be filed with, and approved by the Planning Board before a permit is granted. Such plan shall describe in detail procedures to be undertaken to fulfill the requirements of paragraph D below;

B. Unless authorize pursuant to the Natural Resource Protection Act, Tile 38, MRSA Section 480-C no part of any extraction operation, including drainage and runoff control features shall be permitted within one hundred (100) feet of the of any ground area disturbed by such extraction on land sloping toward the water be closer to the high water mark that the following:

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Average Slope of Land
Between

Width of Strip

Between Exposed Mineral Soil and Normal High Water Mark Mark (percent) surface of the ground)	Exposed Mineral Soil and Normal High Water (Feet along
0-30	100
40	105
50	125
60	145
70	165

Extraction operations shall not be permitted within one hundred fifty (150) feet of any property line without written permission of the owner of such adjacent property. If written permission of the abutter is obtained, a buffer strip of no less than 25 feet may be allowed. These buffer requirements may be waived with the abutters permission is the abutting property is in use as an extraction operation.

C. When gravel pits must be located within the zone, they shall be set back as far as practicable from the normal high-water line and no less than one hundred (100) feet and screened from the river by existing vegetation and must conform to the slope table in paragraph 2

D Within twelve (12) months following the completion of extraction operations at any extraction site, which operations shall be deemed complete when less than one hundred (100) cubic yards of materials are removed in any consecutive twelve (12) month period, ground levels and grades shall be established in accordance with the following.

1. All debris, stumps and similar material shall be removed for disposal in an approved location, or shall be buried on site. Only materials generated on-site maybe buried or covered on-site.

Note: The State of Maine Solid Waste Laws, Title 30 MRSA, Section 1310 and Chapter 404 of the Department of Environmental Protections' regulations may contain other applicable provisions regarding disposal of such materials.

2. The final graded slope shall be two to one (2:1) slope or flatter.
3. Top soil or loam shall be retained to cover all disturbed land areas, which shall be reseeded and stabilized with vegetation native to the area. Additional topsoil or loam shall be obtained from off-site sources if necessary to complete the stabilization project.

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E. In keeping with the purposed of the Section, the Planning Board may impose such conditions as are necessary to minimize the adverse impacts associated with mineral extraction operations on surrounding uses and resources.

Amend subsection 45 of the Land Use Chart of the Zoning Ordinance to delete references to Conditional Use approval for resource extraction and substitute the requirement of Site Plan Approval in the AR, FA and C zones.

Dwayne Woodsome seconded.

Lisa Faith called for a secret ballot.

John Roberts made the motion to move the question.. Dwayne Woodsome seconded. Voted-passed

Moderator Robert Powers delegated Maura Kruegar and Wendy Carter as ballot clerks for the secret ballot. Results of the secret ballot are as follows:

Yes- 65 NO-57

Article 76 passes.

At this time Dave Fedrizzi announced what the Finance Committee used for Miscellaneous Fees: Boat Excise, Cable TV Fees, Interest on Taxes, Dump Fees, Fish & Game Fees, Bank Interest. MV Fees.

Brenda Charland also stated that there was illegal campaign literature on the floor after the balloting was opened.

Article 77: John Gale made the motion not to pass. Russell Keith seconded.

John Roberts made the motion to move the question. Dwayne Woodsome seconded. Voted-passed.

Jon Gale rescinded his motion and Russell Keith rescinded his second.

Douglas Foglio Sr. made the motion to amend Article 4 of the Waterboro Zoning Ordinance by repealing Section 4.04 and by adding a section on regulating Mobile Classrooms.

Mobile classrooms will not be allowed in the municipality which does not provide the following within the classroom:

A restroom facility;

Drinking water;

A temperature controlled environment

All classrooms must be equipped with:

An emergency fire warning system;

Fire extinguishers;

Communication system

That operates in conjunction with the main building.

Mobile classrooms become a conditional use permit within any zone where a school is permitted.

Alton Woodsome seconded. Voted-passed.

Article 78: Brenda Charland made the motion not to accept Map 46 Lot 2203 as a gift. Dwayne Woodsome seconded. Voted-passed.

Article 79: Diane Herrle made the motion not to accept a gift of land across the rear of the subdivision named Town House Woods from Kasprzak Landbank Inc. In the subdivision located on Town House Road. A portion of this land to be dedicated as conservation land and a 28+ acre parcel as possible recreation area. Beth Cyr seconded.

Jon Gale made the motion to move the question.

Motion defeated.

John Roberts made the motion to accept a gift of land across the rear of the subdivision named Town House Woods from Kasprzak Landbank Inc. In the subdivision located on Town House Road. A portion of this land to be dedicated as conservation land and a 28+ acre parcel as possible recreation area.

Robert Gobeil seconded. Voted-passed.

Article 80: Willis Lord made the motion to table indefinitely. Steve Kasprzak seconded. Voted-passed.

Moderator Robert Powers called a recess at 7:30 pm until 8:00 pm, closing of the polls.

Moderator Robert Powers declared the results of the election as follows:

SELECTMEN/ASSESSOR/OVERSEER OF THE POOR (3 YR TERM)

Brenda D. Charland	330
Eric R. Herrle	298
Patricia McHugh	112
Elias Smith Jr	76

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SAD #57 BOARD OF DIRECTORS (3 YR. TERM)

John Monteith	70
Cheryl Wells	55

TOWN CLERK (3 YR. TERM)

Nancy Brandt	716
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WATER DISTRICT TRUSTEE (3 YR TERM)

David R. Benton	434
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REFERENDUM QUESTION #1:

Shall a capital expenditure not to exceed \$500,000. be approved for the purpose of constructing and equipping a fire station on the so-

called Taylor parcel, pursuant to the Municipal Complex Study Committee report, said costs to be financed or reimbursed by the issuance of general obligation bonds and/or notes of the Town, hereby authorized, in a total aggregate principal amount of up to \$500,000., with such dates, maturities, denominations, interest rate(s), redemption provisions and other details as said Municipal Officers, shall determine? (Total estimated debt service or \$646,707.16 of which principal is \$500,000 and estimated at 5.35% over 10 years is \$146,707.16.

Yes- 518

No- 319

REFERENDUM QUESTION #2:

Shall a capital expenditure not to exceed \$50,000, be approved for the purpose of removing the existing Center Fire Station and closing the road in front thereof and construction of a memorial park and sidewalks to the village center, pursuant to Municipal Complex Study Committee Report and said costs to be funded out of the Municipal Building Fund?

Yes- 473

No- 369

REFERENDUM QUESTION #3:

Shall a capital expenditure not to exceed \$708,737 be approved for the purpose of (a) constructing, rehabilitating an addition and improvements to the Town Hall and construction of an elevator therein; b)purchasing the Day property abutting Town Hall (with the Selectmen being authorized to sell the house thereon in Waterboro, Maine,) pursuant to municipal Complex Study Committee Report, \$208,737 of said costs to be funded out of the

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Municipal Building Fund and \$500,000 of said costs be raised by the issuance of general obligation bonds and/or notes of the Town, hereby authorized, in a total aggregate principal amount of up to \$500,000, with such dates, maturities, denominations, interest rate(s), redemption provisions and other details as said Municipal Officers shall determine? (Total estimated debt service of \$646,707.16 of which principal is \$500,000 and estimated interest at 5.35% over 10 years is \$146,707.16.

Yes- 439

No- 406

REFERENDUM QUESTION #4:

Shall a capital expenditure not to exceed \$697,426 be approved for the purpose of constructing and equipping a municipal building on the so-called Taylor parcel, pursuant to alternative plan proposed by petitioner, with any funds not expended for such purpose to be used to construct and equip a new public library, \$197,426 of said costs to be funded out of the Municipal Building Fund and \$500,000 of said costs to be financed or reimbursed by the issuance of general obligation bonds and/or notes of the Town, hereby authorized. In a total aggregate principal amount of up fund \$500,000 to be raised with such dates, maturities, denominations, interest rate(s), redemption provisions and other details as said Municipal Officers shall determine? (Total estimated debt service of \$646,707.16 of which principal is \$500,000 and estimated interest at 5.35% over 10 years is \$146,707.16.

Yes- 127

No- 688

REFERENDUM QUESTION #5

Shall an ordinance entitled Site Plan Review for Mineral Extraction as proposed by the Waterboro Planning Board be enacted.

Yes-337

No- 499

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REFERENDUM QUESTION #6

Shall an ordinance entitled Extractive Industry and Land Reclamation Ordinance of the Town of Waterboro, Maine as proposed by petition be enacted.

Yes- 445

No- 393

A total of 862 Candidate and Referendum ballots were cast.

A total of 485 Water District ballots were cast.

Moderator Robert Powers declared Brenda D. Charland, John C. Monteith, Nancy Brandt and David Benton as winners in their respective categories.

Nancy Brandt, Town Clerk

