

Zone Change Sought For Packing Plant

By LORRAINE ALLEN

Correspondent

SCARBOROUGH — The planning board last night heard a proposal from Charles and Lenora Jost calling for a large packaging-storage facility and laboratory to be constructed on nine acres of land at the end of Down East Lane off Route 1.

Mrs. Jost said the facility, to be known as Excelsior Laboratories, would package and process serum and blood for hospitals.

It would eventually employ 220 people in assembly work on two shifts. The executive staff for the laboratory would come from out of state.

The proposal calls for three buildings to be constructed of steel with geodesic designed roofs. Construction would be in three phases with each building measuring 600 feet long by 150 feet wide.

The Josts also own the Down East Motel on Route 1, and Mrs. Jost said a private road from Route 1 to the proposed new facility would be constructed through the motel property so as not to inconvenience the home owners on Down East Lane. The road would have a gate at its Route 1 entrance.

The nine acres of land is now owned by Lawson Harvey and the Josts currently hold an option on it. The area is zoned Residence 10 and a zone change to allow the new business is being sought.

The Josts want it zoned for business but the planning board members weren't sure whether business of this nature should be located in a Business 2 or an industrial zone. In answer to a question, Mrs. Jost said the blood processing business couldn't go in an industrial zone because of the instability of the product, which requires a quiet area.

The board advised the Josts to prepare a plan outlining the proposal and then to talk with the town planner on the question of zoning. Public hearings on the zone changes would be held by the planning board and the town council.

Because the Josts want to tie their plant into the municipal sewer, they were also told to get a letter of acceptance from the sanitary district.

Several homeowners on Down East Lane were at last night's planning board meeting to voice their objections to the proposed facility in a residential zone. They cited the increased car and truck traffic it would bring

and the noise it would create.

Another zone change request by the Stuart Leasing Corp. of New Hampshire for rezoning about 43 acres of residential land to industrial was read at the meeting. The area is on Pleasant Hill Road near Blue Rock Industries and runs through to Highland Avenue. The company said Blue Rock

and Maietta Construction are interested in acquiring additional acreage abutting their property. The remainder of the land would be sold.

The planning board said a subdivision plan would be called for if it decided to divide and sell the land. This should be presented with the specifications for the zone change.

Public Hearing Set For Proposed Zoning Changes

By LORRAINE ALLEN
Correspondent

SCARBOROUGH — The Planning Board will hold a public hearing at 7:30 p.m. tomorrow at town hall on several proposed amendments to the zoning ordinance.

Under the proposal Sections XIII and XIV of the Zoning Ordinance dealing with local business -B 1 and general business -B 2 have been rewritten.

Also a new highway business district - B Way is being proposed along with a new subsection J to Section XI of the ordinance pertaining to access and parking layout. The present subsection J would become subsection K.

Several months ago the Planning Board asked town planner Frederick Sheehan of the Greater Portland Council of Governments planning service to study the business zones along Route 1 in an effort to determine how they could be modified.

The entire length of Route 1 from the Saco line to South Portland, for the most part, is zoned Business-2.

For reasons of safety the board has been concerned over the rapid growth of service stations and other types of drive-in establishments that have been going up along this highway.

Under the new proposal such businesses would be permitted in the new highway business zone as special exceptions only. All special exceptions uses must first have the approval of the Board of Appeals.

Tomorrow's public hearing will deal with the new language proposed for the business zones in the zoning ordinance. The redraft of the zoning map will come before a public hearing at a later date when it is finalized.

Under the proposed local business districts, B-1 has been rewritten and its purpose would be to provide local retail convenience outlets within the town to serve the daily needs of the

residents of the immediate community. These outlets would serve definable neighborhoods and would be consistent with the town's comprehensive plan.

Permitted uses in these zones would include local retail stores, not including gasoline stations, drive-in sales and services and outdoor sales and services, personal services, lodging houses and tourist homes, municipal buildings, and any uses permitted in a Resident-10 district and also accessory uses.

Special exceptions would include public utilities substations, pumping stations, sewage treatment facilities and branch offices.

The space and bulk regulations would require a minimum front yard setback of 30 feet from the right-of-way. Buildings would be a minimum of two stories in height and the maximum building coverage would be 8,000 square feet per building.

The proposed general business district, B-2, would provide

general retail sales, services and business space within the town and allow miscellaneous neighborhood and community-wide sales and service but not primarily serve the motoring public passing through Route 1. This would be essentially a local business and storage district but would allow uses of a larger scale than are generally appropriate for a Business-1 district.

Permitted uses would be retail business and establishments including warehousing and wholesale distribution related thereto, exclusive of junkyards, also salvage operations and outdoor sales and service, including drive-in restaurants and gasoline stations. Other allowable uses would be business and professional offices, fully enclosed places of assembly, amusement, culture and government, clubs, hotels, motels, and lodging houses, and also transportation terminals and accessory buildings.

Special exception uses would

be public utility buildings, substations, pumping stations and sewage treatment facilities.

The minimum front yard setback would be 80 feet from the right-of-way.

That part of the amendment that would create a new highway business district, B-Way, would provide general retail sales, services and business space within the town in locations capable of conveniently serving community wide or regional trade areas and oriented primarily to automobile access. Large scale users would preferably be located in highway business districts.

Retail business and service establishments, including warehousing, wholesale districts, related thereto but exclusive of junk yards and salvage operations would be permitted uses, as would business and professional offices, clubs, motels, hotels and lodging houses. Special exception uses would be outdoor sales and services and public utility buildings.

An innovative new subsection J to Section XI of the ordinance dealing with access and parking layout is also being proposed.

Its purpose is to limit the proliferation of access points from parking areas to public highways and the resultant strip development, traffic hazards, congestion and other commercial sprawl. Each developer would be required to dedicate a 50-foot strip adjacent to and running the length of the public highway to the use of controlled public access and landscaping.

Also the developer would be required to agree to install within the 50-foot strip at least a 20-foot strip which would be curbed and landscaped. The remainder would be improved and dedicated as marginal vehicular access to parking aisles serving the proposed development.

The developer would be required to file with the town a performance guarantee in an amount sufficient to defray the cost of improving the 50-foot strip for marginal vehicular ac-

cess and parking. The amount would be determined by the town manager and would be conditioned upon the completion of such improvements within one year of the date of the performance bond. Upon satisfactory completion, the developer would petition the town for acceptance of the 50-foot strip.

Under other proposed requirements in this subsection the town would reserve the right to select areas within the 50-foot strip for grouping or placement of signs and traffic directions. All traffic flow in parking areas would be clearly marked with signs or surface directions at all times, as would parking spaces.

The right to designate all ingress and egress points to the public highway from the 50-foot marginal access as may be needed to meet current and future traffic control needs would be reserved by the town.

A subdivision review of Gavin A. Ruotolo's preliminary plan of his Oak Hill Plaza will be held following the hearing.

Planners Table Decision On Modifying Standards

By LORRAINE ALLEN
Correspondent

SCARBOROUGH — A decision whether to allow side setbacks to be modified in clustered sub-division developments has been tabled by the Planning Board until its October 9 meeting.

The board requested the town planner to draft guidelines pertaining to varying side setbacks in Planned Unit Developments.

William Hammond, developer of Olde Millbrook Homes off Winnock's Neck Road, had sought the board's decision on the setbacks.

Hammond's Planned Unit Development was started in 1968 under the provision of the old ordinance which permitted a developer to modify side setbacks up to 50 percent.

However, when the zoning ordinance was re-written in 1970 this provision was omitted.

HAMMOND WAS TOLD he would have to submit a lot plan to the board for approval for each side setback variance he wants in his development.

Section VII of the Zoning Ordinance, which deals with Planned Unit Developments, permits a builder with Planning Board approval to use innovative approaches to housing and environmental design providing he dedicate a portion of his development as open space.

Under performance standards of this section of the ordinance, front yard set backs regulations may be modified as much as 50 per cent.

VERNON AND CHARLES WEBBER, developers of Webber Farms sub-division went on record as being opposed to allowing further modifications of setbacks in Planned Unit Developments.

The Webber Farms development abuts the Jordan and Hammond project and they feel the developer has modified the setbacks for too many of the houses he has constructed in the

The board did, however, approve Hammond's request for a seven-foot side setback for a garage he proposes to build at Olde Millbrook. The plan of the lot was presented to the board two weeks ago.

The board approved a prelim-

inary plan from Shell Oil Company for a self service gasoline station on the site of the former Steak Pit Restaurant at Dunstan Corner.

THE PROPOSED SELF-SERVICE station would be constructed on a safety island con-

taining six self-service pumps and a small sales and pump control office. Entrances to the area would be from the Broadturn Road and Route 1.

A company representative said about 100 to 125 cards will be using the station daily. Also the company has received ap-

proval from the Department of Health and Welfare for their sewage disposal system which will be for employees only and not open to the public.

The company's plans include installing a five-foot grass strip around the town's soldiers monument which is located on

the abutting land.

The board received and referred to the town planner for study Carroll Martin's request for a zone change from Resident-Farm to Resident-4 of the undeveloped portion of land in the Martin-Nokes sub-division located off the Broadturn Road.

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Plaza Plan Is Granted Prelim Okay

By LORRAINE ALLEN
Correspondent

SCARBOROUGH — The Planning Board this week granted preliminary approval to a Nedia Development Company plan to construct an enclosed ice center and expand commercial facilities at Oak Hill Plaza on Gorham Road.

Presented to the board last month, project plans call for the ice center to be constructed in a proposed million-dollar recreation area. The additional 6,300 square feet of commercial space being sought is part of a planned shopping center to accommodate several small shops.

The firm also had sought approval to develop 6,330 square feet of space for offices but withdrew that request Monday.

Discussion of the proposal at this week's meeting continued to center around such matters as soil conditions in relation to private sewage disposal, bonding, and the effect of increased traffic on surrounding roads.

The board sent Nedia a letter last month outlining additional information it needed with the preliminary plot plan application. The letter warned Nedia officials that at times it may appear that the board is being unreasonably cautious over the project, but said it was because the proposal could have tremendous consequences on Scarborough's future growth pattern.

The firm was also asked to

furnish documentation from all relevant state and local agencies, such as the Department of Transportation (DOT) on roads, Health and Welfare concerning septic tank disposal and clearance from the Department of Environmental Protection.

In response to questions concerning road entrances and traffic impact on the surrounding area Nedia presented an entrance permit for the proposed rink site from DOT. However the company was unable to project the impact of the entire project on the roads and surrounding land as the firm is still negotiating with the school department to acquire about an acre of land behind the Nedia office building on Route 1. The parcel would give the company access to Route 1.

A traffic survey, prepared by Hunter and Ballew Engineers of Portland, outlined traffic information for the proposed ice rink and expanded commercial space as follows: rink area an estimated 900 cars daily and 200 additional cars during peak hours of 7 to 8 p.m. and 9 to 10 p.m.; commercial shops, 1,313 cars daily plus additional 175 cars during peak hours 2 to 4 p.m. and 7 to 9 p.m.

Plans for the proposed septic tank system, designed by Wright, Pierce and Barns of Topsham to conform with the state plumbing code, have been presented to the Department of Health and Welfare for approval. The company has also made application to the sanitary district for an entrance permit to the municipal sewer when the present facility is expanded.

Nedia is awaiting a decision from the council concerning the proposed septic tank ordinance now pending. The septic tank system to service the proposed ice center could be designed in accordance with the new ordinance using a raised leaching field it was pointed out.

Concerning bonding of the proposed project, Nedia officials said roads will be constructed to town road standards but since they will remain private, no bonding or performance guarantees will be offered.

Philip Smith, public relations manager for Nedia said plans recently disclosed to construct an ice center in South Portland at the Maine Mall will have no bearing on the proposed ice center here.

Nedia, he added, will seek final approval for the rink and additional office space within a month and hopefully get started on the project right away.

In addition to the recreation center, plans call for an enclosed mall, civic center, office park, commercial service area. Phase I, a mini-mall, has already been constructed.

600 Units Sought . . .

Scarborough Board Views Development Plan

By LORRAINE ALLEN
SCARBOROUGH — The Planning Board received for study Monday Daniel Thomas and Robert Spickler's master plan of their proposal for a new housing development at Ocean View Harbor Homes Inc., off the Black Point Road.

Thomas and Spickler are seeking a zone change from Resident 2 to Resident 4 to increase the density in the area.

They are also requesting a variance in the zoning ordinance to permit them to construct a private septic tank sewage system and leaching field to service the proposed development.

THE SEPTIC tanks, sewer lines and field would be constructed at the developers expense and would be used until such time the system could be tied into the municipal sewer proposed for Prouts Neck.

Thomas said he would like the board's decision on the proposal by the Dec. 27 meeting so he can submit an application to the Environmental Improvement Commission and the state Department of Health and Welfare's division of Sanitary engineers.

The new plan calls for more than 600 units to be constructed around two proposed marinas. The units would be condominiums, duplexes, town houses, high-rise apartments plus several single family homes.

IN OTHER BUSINESS, the board voted unanimously to recommend that the town council approve the Permanent School Building-Committee's proposal to update the Elwood G. Bessey School and the Fire Depart-

ment's plan for an addition to the Engine 3 Company house at Pleasant Hill.

Cost of the proposal to bring the Bessey School, constructed in 1926, up to present-day standards for elementary use is estimated to be \$87,000. The town is eligible for 31 per cent state aid toward the cost of the project. 12/18/71

Engine 3's proposal calls for the construction of a 16 by 32 foot concrete-block bay to accommodate a new pumper truck. The renovations would include updating the lighting and heating systems also. Cost of the project is estimated at \$11,000.

TOWN MANAGER, Robert D. Steele and the Engine 3 building isn't town owned property, just the land. The building is owned by the Pleasant Hill Hose Company, a private corporation.

The addition would be self-supporting as a structure rather than attached by a common wall, he said.

The board voted to send to the Town Council several recommendations made by member Robert E. Hodgdon two weeks ago.

HIS RECOMMENDATIONS are:

— to have the town begin immediately to obtain sizable portions of land for retention as recreation open space and development.

— to hire a professional planner as the board needs professional assistance now if it is to provide regular, informed and progressive leadership in dealing with the complexities of future land use in the town.

— that the Town Council

provide the town with conservation commission.

— that the Planning Board be involved in regular meetings with the Council, Board of Education, Board of Zoning Appeals, and other citizen groups.

—that the Planning Board encourage regular representa-

tion at its meetings from the public, preferably from an organized group to hear their views and recommendations.

—and finally, to urge the Greater Portland Council of Governments to provide for a training session for those board

members available and wishing to attend.

On the last recommendation COG executive director William Rogers has already met with Hodgdon and details for these sessions are now being worked out.

At Meeting Of C.E. Planners

Apt. Plan Causes Friction; Nursing Home Is Proposed

By MARGUERITE MERRILL
Correspondent

CAPE ELIZABETH — Friction was evident last night between the Planning Board and Walter Foss, representing Philip Willard who hopes to develop an apartment complex on Shore Road close to the Carr and Lomac properties near Pond Cove Corner.

Foss exhibited maps and sketches as a site plan review for four separate buildings to contain four apartments each, a total of 16 apartments, on a 28,000-square-foot tract of land. Chairman James J. Kelley III advised Foss that such a plan could only be considered by the board as a subdivision. Board members agreed.

Foss insisted that he came to the board to have his plan considered as a site plan review, demanding approval or disapproval as such.

Kelley suggested that Foss consult with Town Attorney Charles P. Barnes III to solve the problem. Foss in turn quoted from the Zoning Ordinance regarding garden apartments, while Kelley read from the subdivision ordinance to try to clarify the situation.

"I have consulted with a former Planning Board member," Foss said "and feel we are correct and Town Attorney Barnes is incorrect." Foss left the meeting.

REGARDING the Fieldcrest Subdivision for 10 single homes on a 17-acre lot on Fowler Road opposite Great Pond, the board granted final approval for that development. However, approval is subject to review by the town attorney.

The possibility of erecting a long term care facility in Cape Elizabeth by an organization known as Medico was discussed at great length by members of the board and representatives of Medico.

Real estate consultant Jerry Waxman speaking for Medico said that a 200-bed facility is now being developed in Portland. "Our purpose in coming to this meeting is to ascertain if there is any genuine interest in having a two million dollar 120-bed nursing facility come to Cape Elizabeth."

Medico operates 16 such facilities within the state. The buildings set well on the land, are surrounded by large, well landscaped areas, Waxman says, and are an asset to communities in which they exist. They pose no burden to town schools and do not greatly increase problems for police or fire departments.

THE BOARD was informed by Robert Murphy of Medico that this state as well as others has been using old houses as "nursing homes". He advised that the federal government will take action soon to eliminate them as "nursing homes" and permit their use only for boarding houses.

Kelley asked what makes Cape Elizabeth attractive to Medico. Murphy was quick to reply that it is a peaceful, quiet, attractive place, "a good location which can draw from Portland hospital expertise." He also added that if established the LTCF would employ approximately 100 local people and purchase drugs from town pharmacies.

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Medico representatives were warned by the board that Cape Elizabeth has very poor soil and septic tanks would be a problem for such a building. All board members agreed that a sewer would be a definite requirement.

Other words of caution were given by board member Kenneth Maxwell: "Just the thought of something other than a single family dwelling nearby scares property owners." He suggested a very large acreage to provide greenery and maintain beautiful scenery. "I've always been interested in something like this coming into the town, and if you select the right area Medico should be an asset here."

Murphy indicated that an LTCF two story building is usually situated within three acres of land but if Cape citizens feel it should be within a larger area, Medico will seek a site agreeable to residents.

The greatest concern expressed by board member David Fisher was that the Medico facility be compatible to the neighborhood. "I like the idea that this facility will provide income for the town, but selection of the site is very important."

Kelley cautioned that a parcel of land three times the minimum lot size would put Medico under the subdivision plan, the reason being that larger struc-

tures can affect the entire community.

THREE POSSIBLE SITES were mentioned by Medico representatives: land directly behind Waxman's house on Maple Lane in the Brentwood area; all of the former Taylor property on the corner of Spurwink and Ocean House Road and property Waxman owns which extends to the Church of the

Nazarene; property on the corner of Scott Dyer Road and Spurwink.

Fisher and Kelley made it clear that if property in question is residence A, Medico would have to seek a variance from the Zoning Board of Appeals or seek rezoning to residence B or C from the Town Council before drawing a preliminary plan to present to the board.

The last action of the planning board was to explain to members of the public that inasmuch as members of the board signed the final approval plan for Julie Ann Lane prior to receiving the ordinance amendment preventing cul de sacs, the plan is in fact approved by the board.

The next meeting of the Planning Board will be held Oct. 18.

Planning Board Ordinance, Septic Tank, Signs, Report Are Debated

By SANDRA JEWETT POMERLEAU

The public hearing on the proposed Planning Board Ordinance elicited comments on several words in the text at the Sept. 5 meeting of the Scarborough Town Council.

Thomas Kuczowski, alternate member of the Planning Board, asked the Council for a definition of the word "cause" in the phrase, "a member may be removed from the Board for cause after a hearing." Councilman Robert Platt replied, "The word cause is not as vague as it appears. If a member of the Board appeared at each meeting drunk, this would be cause. Generally the term refers to any unsatisfactory behavior on the part of a member of the Board."

Another section of the proposed ordinance reads that when there is "any conflict of interest on the part of a member, the member shall not participate or vote in this instance." Kuczowski asked that the word "participate" be removed as he felt a member should be able to voice his views on any subject even when there is a conflict of interest. He did agree that the member should not vote. Councilman Teravainen noted that when this situation arises, a member usually steps down from his seat on the Board and participates from the audience. He said that this always had been the case in the past and there had never been any problem with it.

Kuczowski asked that the words "in writing" be added to the sentence, "the Board will act on and consider any matter presented to it by the Council or the Town Manager." He felt that all such matters should be presented to the Board "in writing" to prevent confusion. Planning Board Chairman Robert Hodgdon agreed.

Hodgdon told the Council that the Planning Board fully endorsed the proposed ordinance, but questioned why 4 members would be necessary for a quorum when in the past it was 3. He mentioned the problem the Board has had with absenteeism.

Councilman Platt said that, with 5 regular and 2 alternate members, 4 out of 7 didn't seem unreasonable. Councilman Leon Libby took exception, however, arguing that the quorum requirement should be replaced with the phrase, "Any action requires three votes." He felt it was unnecessary to have a quorum and that the Council had no regulation on this.

Platt replied that, with only three votes, a minority of the Board could act on matters that were in opposition to what the majority wanted. He also said alternate members

could be authorized to vote in the absence of regular members and there should be no problem with a quorum of 4. The Council agreed.

Councilman Leon Libby questioned Section 9, "repealing any and all ordinances in conflict with the new ordinance." He said he was "unalterably opposed" to that section as it is written, feeling that it was open to various interpretations and could cause problems.

Platt said he felt this section was fine as it was. "I feel this is intended to take care of contradictory ordinances," he said.

Libby didn't like any proposal that did away with old ordinances at one swoop. He felt that all the old ordinances should be "dug out and investigated and voted on one at a time."

Town lawyer Paul Frisko said it is common practice when writing a new ordinance, but Libby was not swayed. He felt that elimination of old ordinances by a new ordinance was "arbitrary." Chairman Gagnon stopped discussion by asking that any further comments be brought up at the second reading of the ordinance, which will be at the next Council meeting.

There was total agreement to accept new mutual aid pacts between the Police and Fire Departments and those of neighboring towns. The pacts recognize long-time common practice, the Council was told. The agreements will have a second reading at the next Council meeting.

The annoying and smelly problem of a malfunctioning septic tank on the property of Maine Shore Realty on the lower end of the Pine Point Road was presented to the Council for action. Building Inspector Paul Lempicki said the problem was brought to him by Mrs. Berry, who lives next door.

Lempicki sent the owner a notice requiring him to fix the tank within ten days. The notice was ignored. Not receiving cooperation from the owner, Lempicki brought the matter to the Council.

Mrs. Berry said she had been "a virtual prisoner in her own house" since April, unable to hang out her wash and, because of the obnoxious smell, unable to open her windows all summer. Lempicki verified her statement that the septic system had started problems as early as April. The owner brought in several truckloads of sand but it didn't solve the problem.

The Council voted to send Maine Shore Realty a notice that it had ten days in which to fix the septic system. If it does not the Town will repair the septic system and send the bill to Maine Shore Realty.

Councilman Leon Libby opened the discussion on the problem of off-premises signs. He felt the Town owed people the right to advertise their businesses in a reasonable manner; and that the Town was participating in "selective enforcement" regarding this matter.

The matter has caused problems for several months. Lempicki, the building inspector, sent out letters advising people that they were in violation of a town ordinance and that the off-premises signs had to be removed.

Libby contended that the "grandfather clause" applies in several instances and the matter has been debated amongst Council members for several meetings. The matter was turned over to the Ordinance Committee for their interpretation of the ordinance, and Lempicki was instructed "to take no action on off-premises signs until the Council hears from the Ordinance Committee."

The question of who would print the town report and the question of stockpiling the paper for it again were brought up. All the Councilmen felt that Forest City Printing should be given the job, and the problem of paper received several opinions.

Councilman Leon Libby felt that the paper was the printer's problem and respon-

sibility. Councilman Teravainen was not in favor of stockpiling the paper and was against the \$1,000 cost of the paper to the Town.

The motion was made to have Forest City Printing print the Town Report and to authorize them to stockpile enough paper to do the job. Libby offered an amendment to delete stockpiling the paper, but the motion was defeated 4-3. The original motion passed 5-2, the nays being Councilmen Libby and Teravainen. The matter will have a second reading at the next Council meeting.

William Monie, general manager of the Portland Water District, told the Council about the PWD's proposed rate increase of 30 percent. He said they had not had a rate increase since 1959 and asked that the town write to the Public Utilities Commission stating its approval of the increase. The Councilmen agreed that they did not have enough data to make a recommendation either pro or con.

A request from Brown Homes for acceptance of Iron Clad Road brought adverse comments from several Council members. Town Manager Robert Steele said Brown Homes already had asked for acceptance of three other streets

which are still pending, and said requirements of these roads had not been met. Public Works Director Elwood Mitchell stated that his department had to put in drainage, etc., on these previous streets and that it had cost the Town approximately \$3,000 to make these roads passable. The Council felt that Brown Homes should follow Town regulations and voted to take no action until Brown Homes had repaired the previous streets.

A letter was received from the Maine Department of Transportation on the Town's request for a traffic light at Pleasant Hill Road and Highland Avenue. The letter stated that they had investigated the problem and did not feel that a light was necessary; that there had been no serious bodily injury, and that they would recommend putting up four-way stop signs to prevent further accidents. The Council felt this was not strong enough but admitted that a four-way stop sign was better than nothing.

Chairman Gagnon asked, however, that the request to DOT also include approach signs to warn motorists of the new stop signs. The Council felt that this matter was still not satisfactorily settled in their minds, but were stymied as to any other recourse.

Industrial Zoning Request Hits Wall Of Opposition

By MARGARET FRAZIER
Staff Writer

SCARBOROUGH — A request for a zoning change from residence-farm to industry for 32 acres of land between Pleasant Hill Road and Highland Avenue ran into a wall of opposition at a public hearing last night.

The hearing was held by the Planning Board to determine citizen views before it makes a recommendation to the Town Council on the request.

The opposition came from a sizeable delegation of Pleasant Hill residents whose homes are near by.

They were upset, they said, because industry is "creeping" into what is supposed to be one of the best residential areas in the town.

They also had a reminder for Roy Stewart of Stewart Leasing

Corp. of Manchester, N.H., who is seeking the new zoning, that, when he was speaking for an earlier rezoning before he purchased the land in 1966, he had promised to improve the property. This, it was maintained, hasn't been done.

Mrs. Wayne B. Strout of Robinson Road told Stewart, "The people of Scarborough had a lot of faith in you. It's too bad the town can't hold people to their promises. Then we would have something pleasant to pass by and not an extension of the town dump."

Others complained that "Truk-away Service," the commercial waste collection operation that went in on the property is an eyesore.

Stewart replied that there has been some grading done there.

Kenneth McNeil, president of the Pleasant Hills Assn. of 92

homeowners, warned that once the land is rezoned the town will lose control of it. He also cited traffic hazards that additional industry would bring, together with depreciation of residential property.

Stewart, who made only a brief presentation, actually wants an extension of an industrial zone. He owns a total of 52 acres in the two zones and wants to sell it for industry.

Last month he told the planning board a couple of firms were interested in buying acreage but last night he said he has no particular industry in view.

This gave rise to another argument from the opposition that the town should make no decision on a zone change without knowing how the land involved will be used.

Business Zones Along Route 1 Topic Of Board

SCARBOROUGH — The Planning Board will meet with town planner Frederick Sheehan of the Greater Portland Council of Governments staff tonight to discuss commercial zones along Route 1.

The meeting is scheduled for 7:30 p.m. at the town hall.

Last month, Sheehan was asked to study these zones to determine how they could be cut back. He submitted his material to the board Oct. 9.

The board will also make a policy decision on setback regulations permitted in cluster development outlined in Section 7 of the zoning ordinance. Other items to be considered include Rocco Risbara's proposed Sandpiper Cove development off Black Point Rd and a proposed amendment to the sign ordinance.

William Hammond, developer of Olde Millbrook Homes off Winnock's Neck Road will discuss his request to improve certain lots in his development.

Little Opposition Greets Proposed Route 1 Changes

By LORRAINE ALLEN
Correspondent

SCARBOROUGH — Only about a dozen residents braved subzero temperatures last night to attend a Planning Board public hearing ordinance aimed at tightening up business zones along Route 1.

Although there has been great interest in the subject over the past few months, there was little evidence of this at the hearing. For the most part the proposed changes were well received. There was long discussion but little opposition.

Planners took the new proposals under advisement and will study them further before making a recommendation to the Town Council.

Under the changes a portion of Section 13 pertaining to local business and general business — B-1 and B-2 — has been rewritten and a new highway business district proposed, together with an innovative approach to limit the proliferation of access points from commercial parking areas onto Route 1.

The new language in Business

1 and 2 districts is virtually the same as the old. The most important change is that gasoline service stations are presently allowed in Business 1 zones as a special exception use and in Business 2 zone as a permitted use. The amendment would put gas stations and drive-in eateries in the new highway business district as a special exception, which means the board of appeals would be required to review each application on its own merit.

The language stating the purpose of the present B - 2

zone was changed to provide general retail sales within the town but is not intended primarily to serve the motoring public passing through on Route 1. Some at the hearing thought the wording "not intending to serve the public passing through on Route 1" to be contradictory because motels, hotels and lodging houses are permitted uses in a B-2 zone.

Mrs. Nancy Greenwood asked: "Who else uses the overnight facilities except the motoring public passing through on Route 1?" Others agreed. The board will study this aspect further.

The creation of a so-called By-Way district was discussed at length. This district would be designed to provide general retail sales and service and business space in locations capable of conveniently serving communitywide and regional trade areas and primarily oriented to automobile access.

The main question here was where these zones would be located on the zoning map.

Planning Board Chairman Roger A. Bennett said they haven't been designated as yet since it is an entirely new district. He said it isn't feasible to redraft the zoning map unless the proposed changes in the ordinance are going to be adopted. He added that a public hearing on a new draft will be held later.

The proposed new subsection regulating access and parking layouts met little opposition. Frederick Sheehan, a planner for the Greater Portland Council of Governments, said its aim is to limit strip development because of the traffic hazard of having a number of access roads from commercial parking to the highway.

Each developer would be required to dedicate a 50-foot strip adjacent to and running the length of the public highway for the use of controlled public access and landscaping. This strip would be used as deceleration lane or as a street running parallel to the main highway from which access point would be furnished into the business establishments.

EVENING EXPRESS
Suburban News

Zone Changes For Route 1 To Get Airing

SCARBOROUGH — The Planning Board will discuss zone changes of commercial zones on Route 1 as proposed by town planner Frederick Sheehan at their 7:30 p.m. meeting today at town hall.

Last month, Sheehan submitted to the board a detailed outline of the proposed changes he recommends. Some time ago the board asked him to study the business zones along the highway in an effort to determine how they could be cut back.

Sheehan's proposed recommendations include, excluding from commercial zones all areas that would logically be in the shoreline protection district, eliminating gasoline filling stations and other drive-in establishments from the Business — 2 category and from Business — 1 zones as special exceptions, and instead create a B-way district allowing these uses where they can be reasonably accommodated.

Sheehan also proposes creating a central business district C B D to encourage a center for offices, retail sales and service establishments and public uses.

Michael T. Savages request to modify side setbacks on his property at Bayberry Lane so that he can construct a garage will be discussed.

Savages house is in a Planned Unit Developments which allows side setbacks to be modified providing the Planning Board approves.

Anthony Gibbons proposed subdivision on Highland Avenue also will be reviewed.

Planning Board Asked To Act On Setbacks

SCARBOROUGH. — The planning board will decide whether to allow five setbacks to be modified in clustered subdivision developments at a 7:30 p.m. meeting today in the town hall.

William Hammond, developer of Olde Milbrooke Homes off Winnock's Neck Rd., has asked the board for a decision concerning side setbacks. Hammond's Planned Unit Development was started in 1968 under an old subdivision ordinance which permitted a developer to modify side setbacks as much as 50 per cent. However, when the ordinance was rewritten in 1970, this provision was omitted and now Hammond cannot continue in this pattern because it would fail to meet the 15-foot side setbacks now required.

Hammond wants to continue in his development according to his original plans.

A Martin-Nikes request for a zone change of Residence-farm to Resident 4 for a section of their subdivision development off Broadturn Road will be discussed.

Panel Gives Ice Arena Final Approval

By LORRAINE ALLEN

Correspondent

SCARBOROUGH — After three months of deliberation, the Planning Board last night gave final approval to plans of Nedia Development Co. for an ice arena at Oak Hill.

The approval was made subject to several conditions, including receipt of approval from the state Departments of Health and Welfare and Environmental Protection of the company's plans for a private septic tank system for the arena.

Nedia must post a performance bond of \$42,500 to cover the roadways, parking areas, septic tanks and leaching system and underground drainage system.

The proposed ice arena will be built on eight acres of land at the Oak Hill Shopping Plaza. Designed by John Kendall Mitchell Associates of Wakefield, Mass., the arena is estimated to cost \$1,015,000 and will contain a regulation size surface measuring 200 feet by 85 feet. Nedia will construct the facility and lease it under a long term con-

tract to Portland Ice Center, which will pay monthly rental and all operating expenses and real estate taxes.

The original proposal called for a seating capacity of 1,500 but Portland Ice Center is currently conducting a survey to see if this should be reduced to 900 due to other arenas proposed for South Portland and Biddeford.

The plans call for a paved parking area for 85 cars plus an additional gravel overflow space for 326 cars.

The planning board vote to

approve the final plan was 4 to 1. An earlier motion to take no action on the proposal until the state approval is received failed to pass.

The deliberation by the board on Nedia's request has been prolonged by measures required to overcome the problem of poor soil conditions. This is being accomplished by designing a sand type septic tank and leaching system which, it is believed, will meet state requirements.

The proposed septic system would be operated until it is

possible to tie to a new municipal sewer. Nedia has applied for sewer permits when they become available.

In other business, the board reviewed five appeals for variances to be considered at a meeting of the Zoning Board of Appeals tomorrow night. It will report to the appeals board.

The planning board voted to recommend that the town's conservation commission proceed with a study of shoreline zoning for the town and report back with a proposal at a later meeting.

EVENING EXPRESS
Suburban News

Panel Tells Firm Shopping Center Must Be Bonded

By BETTIE STURTEVANT
Correspondent

YARMOUTH — The Planning Board voted this week to send a letter to Nedia Development Corp., Inc. of Scarborough, reminding the firm of the need to post a performance bond on completion of roads and utilities in a subdivision.

Nedia plans to construct a \$400,000 mini shopping center on Route 1 just south of the East Main Street interchange. The firm's attorney had requested the board to fill out a form stating that it had reviewed the plan for the shopping center and found everything in compliance with state statutes.

The board gave final approval to the plan last fall but has since uncovered some minor problems. The Scarborough firm is being told to ask Town Manager James G. Pratt how large a bond will be required. The bond covers roads and utilities. Pratt said the parking lot will be classified as a road because it has access to Route 1.

Technically, the shopping center falls under state guidelines for a subdivision and the firm will be requested to post a bond up to 25 per cent of the construction cost.

There is no need for a change in zone to make way for the shopping center as the land already is in a commercial zone.

2/73
THE BOARD voted to secure a report from the Soil Conservation Service on the stability of the bank of the Royal River in relation to the rear lot line in the Yankee Terrace subdivision. Developer Roland C. O'Brien's plans show that several of the rear lot lines in the 22-lot subdivision actually extend to the top of the river bank. The proposed subdivision is located between Willow Street and Route 88.

Mrs. Ashton Johnson of East Main Street, an abutter to the subdivision development, said she felt that the river bank "is not going to support it." She also said the land contains several "great gullies" and has many elm trees that either dead or dying. Some are already falling into the river she added, causing even more erosion of the bank.

While she didn't say she was opposed to the development, she did ask the board to do everything in its power to "preserve the fragility of the river bank."

Board Recommends Denial

By LORRAINE ALLEN

101
SCARBOROUGH—The Planning Board has unanimously recommended that the Town Council deny Daniel J. Thomas requests for a zone change and a variation in the sewer ordinance permitting temporary use of a group septic tank and field at Ocean View Harbor Homes Inc., off the Black Point Road.

In a letter directed to the board, Thomas requested that the present Resident-2 zone be changed to Resident-4 to enable him and his partner, Robert Spickler, to present plans for 610 units under the Resident-4 zone. The new plan was outlined to the board by William Dickson, (Scarborough) planner, on Aug. 9. The plan calls for 200 high rise apartments, 316 condominium units, 26 duplex uses, 11 single family houses and two marinas.

Because the present development isn't sewered, Thomas is requesting a variance in the ordinance permitting temporary use of a group septic tank and field until the sewage could be

force pumped out into the Black Point Road to a new sewage system now being studied by the Scarborough Sanitary District. Laurence Kraynick, engineer for Whitman and Howard of Boston, explained the sewerage of the area would be done under three phases as work on the project progresses.

BOARD CHAIRMAN Stanley Payson read three petitions received at the Monday meeting. The petitions requested the board consider changing the zoning ordinance to require larger house lots; taking emergency action to stop all building in town for a period of one year or until such time as the town council could find a more equitable manner to finance the schools other than through taxes. And the third petition asked the town council and Planning Board to refrain from making any zoning change requests until such time as the zoning ordinance adopted last year has been given a fair trial period.

These petitions were referred to the Town Council for its consideration.

Two petitions were also read relating to the Anthony Gibbons and Michael Doherty housing proposal now pending before the board. The petitions asked that the board use all powers necessary to turn down this proposed unsewered project and all others like it.

The Gibbons and Doherty plan calls for 112 house lots bordering the Gorham Road and Maple Avenue to the Nonesuch River.

Like several prior meetings the 50 odd residents attending were greatly concerned with the building boom Scarborough has been experiencing over the past three years. After learning that Brown Homes of Scarborough and Scarborough Regal Realty of Portland Farms Road were able to get building permits without the approval of the Planning Board several people urged the Town Council adopt ordinances now giving the Planning Board some kind of control over the type of multi-family developments the firms proposed.

Service Station Proposed For Dunstan Corner Site

SCARBOROUGH — The Planning Board Monday night will hear a proposal from Shell Oil Co. for a self service filling station at Dunstan Corner. The station would be located on the site of the former Steak Pit Restaurant. The restaurant was destroyed by fire last year.

The meeting is scheduled for 7:30 p.m. at town hall, where K. Joseph Newcomb will present a proposal for a subdivision housing development on land he owns off Spurwink Ave.

The board will discuss the request of Carroll Martin for a zone change at the Martin-Nokes subdivision development off the Broad Turn Road. Martin is seeking to have rezoned from Residence-farm to Residence-4 the undeveloped portion of his project.

The land was rezoned Residence-farm in July, when the zoning map was revised. Residence farm zones now require two-acre lots, whereas previously one-acre lots were permitted.

A public hearing on two proposed amendments to the zoning ordinance and on the request of Edward A. Wheeler for a zone change on property he owns on the Gorham Road will also be held.

English Lass Wins

BELLE PLAINT, Iowa (AP) — Chris Barker, an American Field Service exchange student from Thornley, England, has won the state high school girls golf medal at Charles City. She shot an 82.

Miss Barker has won eight tournaments in England. She plans to return there to enter college.

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Panel To Mull Route 1 Zoning

SCARBOROUGH — Fred Sheehan of the Greater Portland Council of Governments' planning service will report on the proposed rezoning of Route 1 business zones at tonight's Planning Board meeting. The board is scheduled to meet at 7:30 at town hall.

The board will also hear a report from Sheehan on Volvo of Portland's request for a zone change on Route 1.

Barnard Ward of Volvo explained the company's plans to the board two weeks ago. The company currently holds an option on the Dorthy Hatt property on Route 1 and is seeking the

zone change from Resident to Business so that a Volvo dealership can be established in the area.

The area in question is located near the South Portland line and consists of about 10 acres. It is one of the last remaining pieces of property zoned residential along the highway. For the most part Route 1 is zoned business from the South Portland line to the Saco line.

The board also will discuss procedures for dealing with absenteeism of members and flood plain zoning.

Planners Table Oil Co. Request

By LORRAINE ALLEN

Correspondent

8/29/72
SCARBOROUGH — The Planning Board last night tabled action and referred to the town planner a proposal from Shell Oil Co. for a self service gas station on Route 1 at Dunstan Corner.

The station would be located on the site of the former Steak Pit Restaurant that burned last year.

The company's proposal calls for six self service pumps with a small companion cashier's unit to be constructed facing Route 1. The board requested that town planner Frederick Sheehan of the Greater Portland Council of Governments planning staff obtain a traffic survey of the intersection for the State Highway Commission.

Planning Board Chairman Roger A. Bennett said he was opposed to the proposal because of the historical significance of the land and because the town's soldiers' Civil War monument stands on abutting town owned property.

He added that there are already 17 gas stations along a five-mile stretch of Route 1 and he felt this is enough.

Joseph P. Angis of the parks and recreation committee said the committee is well aware of

the historical value of the land and had hoped to find enough money to purchase and develop the area into a town park. About a dozen residents at the meeting agreed that this would be desirable.

Sheehan told the group that the developer has the right to use the land because the Route 1 strip is zoned for commercial business. He said the planning board only has the power to review the proposal to make certain that the access roads are properly laid out so as not to constitute a traffic hazard on Route 1.

A motion by Robert E. Hodgdon to have the planner review all the business zone on Route 1 and make recommendations for changes as quickly as possible to the board was unanimously approved.

A public hearing was held on two proposed zoning amendments and on the request of Edward Wheeler for a zone change on the Gorham Road. On amendment would add the words "type of dwelling" to Section 7 of the ordinance dealing with the planned unit development. It was an omission when the zoning ordinance was redrafted in 1970 and 1972.

The town council will hold public hearing on the proposed amendments and on Wheeler's request Sept. 6.

Town Planner Opposes Change In Sewer Plan

SCARBOROUGH — A public hearing on a controversial proposed amendment to the zoning ordinance which, if granted, would permit developers to use subsurface sewage disposal systems in Resident 10 zones, was attended by only a handful of residents last night.

The hearing, held by the planning board, was at the request of Scarborough Legal Trust, owner of land at the end of Portland Farms Road. Other than Charles Barnes III, a Portland attorney representing the land owner, there were no proponents for the proposal.

However, a small number of opponents, including Frederick Sheehan, the town planner, felt that if the amendment was granted, it would establish a dangerous precedent whereby a number of developers would resort to using private systems when municipal sewers aren't available or can't handle the additional waste.

It was also pointed out that Scarborough is under a consent order from the Maine Department of Environmental Protection to sewer the town by 1976.

If the planning board goes along with the proposal, it was contended, it would be a "step backward" from what the state has called for.

Currently the zoning ordinance permits 10 units per acre to be constructed in Resident 10 zones provided the area is serviced by municipal sewers. However, the new proposal would allow the use of subsurface sewers in Resident 10 zones when municipal sewers aren't available to developers. The subsurface systems would have to comply with all applicable state and local codes and regulations.

Barnes said that Resident 10 zones are the only zones which specifically require the use of municipal sewers and his firm only wants the same chance that other developers in town have, using different zones — that is, to use subsurface systems where all state and local requirements can be fulfilled.

The town set up the Resident 10 zones and made them subject to sewerage in order to provide for high density.

Scarborough Legal Trust owns 10.6 acres of land in a residential area and made it impossible for the firm to construct a 106 unit apartment complex in the Portland Farms Road area. Last night the planning board took the proposed amendment under advisement and will make a recommendation later. Another public hearing last night on Sections 17 D and 18 D of the zoning ordinance dealing with side setbacks in Business 1 and 2 zones was unopposed. The change would correct an error in the required side setbacks enacted a month ago from 15 to 50 feet.

Also, during the same time, the trustees of the Scarborough Sanitary District enacted a mo-

2 Hearings

Postponed At Scarborough

July 73

SCARBOROUGH — Two Planning Board public hearings which had been scheduled for Monday, July 9 and Monday, July 23 have been postponed.

The July 9 public hearing was on the proposed rezoning of the business districts along Route 1. The second public hearing was on Scarborough Regal Trusts request for an amendment to Section 17 of the zoning ordinance. The change would permit Resident-10 zones to use subsurface sewage disposal systems where such systems comply with the requirements of all state statutes and codes as well as all local ordinances and requirements when there are no municipal sewers available.

Scarborough Regal Trust owns 10.6 acres of land on Portland Farms Road and wants to construct 106 garden type apartments.

The present zoning ordinance calls for multi-family housing to be serviced by municipal sewers. Currently there are no sewer permits available due to a moratorium enacted by the Sanitary District trustees over a year ago banning new sewer connections due to overloading of the Oak Hill plant.

Chairman Robert D. Hodgdon said the hearings were postponed because the time allowed to properly advertise the hearings as called for by Town Charter was insufficient.

A new date for the hearings will be established at Monday's board meeting.

At Monday's meeting William O. Rogers, executive director of the Greater Portland Council of Governments, will speak on the proposed bale-fill operation slated for about 135 acres of land off Running Hill Road in North Scarborough.

Holmes Transportation of Portland will present preliminary plans for a new truck terminal to be located on Industrial land on Pleasant Hill Road.

Fredrick Sheehan of the Greater Portland Council of Governments planning service, will report to the board on Brown Homes Inc., request to construct 11 garages at its Oak Hill condominium complex off Black Point Road.

In other business, the board will review and act on a proposed new ordinance for the Planning Board.

Planners Slate Decisions On Three Zoning Matters

SCARBOROUGH — The Planning Board will make recommendations to the Town Council on two proposed amendments to the zoning ordinance and on Edward A. Wheeler's request for a zone change at its 7:30 p. m. meeting tonight at town hall.

The board held a public hearing on the proposals August 28 and the Town Council held another public hearing last Wednesday.

One proposed amendment would add the words "type of dwelling" after the words space, bulk where they appear in Section VII B of the zoning ordinance.

Another proposed amendment would add a new sub-section to Section II D of the ordinance providing that if a developer had preliminary plans approved by the planning board prior to July 21, 1972 when the

new ordinance went into effect, the plans wouldn't come under the new ruling because they had already received preliminary approval.

Wheeler is seeking a zone change from Resident-Farm to Business 1 on property he owns on the Gorham Road.

He wants to construct a two-bay garage so he can do work on cars belonging to low-income and elderly people at a discount rate.

The board will also discuss modification of side setback lines in the Jordon and Hammond Housing Development off the Winnock Neck Road.

Attitude Survey Mailed Citizens Of Scarborough

SCARBOROUGH — A community attitude survey has been mailed to about 5,500 residents here. The survey was prepared by the Planning Board and Fredrick Sheehan of the Greater Portland Council of Government's planning service.

The board has begun updating the town's comprehensive plan, and the questionnaire will give residents an opportunity to state how they think Scarborough should grow in the years ahead.

In a cover letter sent with the survey, Robert E. Hodgdon, board chairman said in part, "The questionnaire is intended to reveal what kind of town the citizens want. It is not a search for technical solutions. This is because an adequate technical solution depends as much on your value judgments about the town's future as it does upon technical expertise."

The direct outcome of several very important issues now pending before the board are dependent upon citizen response to the survey. Therefore, the board asked citizen cooperation in taking a few minutes to complete the questions and return it by Oct. 5 in the envelope that was enclosed.

The survey will be evaluated by the Greater Portland Council of Government's planning service and a public meeting to discuss the results will be held in late October.

Some of the more important questions asked in the 18 part survey concern future town growth, types of housing wanted, commercial and industrial growth, commercial and residential growth in relation to municipal sewers, Route 1 zoning, clustering of commercial establishments along Route 1 and whether a traditional town containing business and public uses and possibly some high density residential development is wanted.

The question of how residents feel about having a solid waste disposal site in Scarborough for the region also is asked, as well as, the question of having increased development controls for the flood plain area of Scarborough to make residents in the flood plain eligible for federally subsidized flood insurance.

The answers to this question will tell how far the town's residents will go to protect the marshes.

Planners Reject Gas Station Bid In Scarborough

By LORRAINE ALLEN
Correspondent

SCARBOROUGH — After long discussion, the Planning Board last night voted unanimously to recommend that the Board of Zoning Appeals deny the request of Richard E. Murphy for a special exception to the zoning ordinance to permit him to construct a gasoline station on land he owns on Route 1 at Dunstan Corner.

The appeals board is scheduled to hear Murphy's appeal at 7 p.m. tomorrow night at town hall. The zoning ordinance requires that the planning board make a recommendation on appeals for exceptions prior to the appeals board hearings.

Murphy wants to construct a gas station at 585 U.S. Route 1, which is now the site of the Red Shutter Cabins. The area is zoned Business 2.

The planning board gave several reasons for its view. Basically they concerned location. The proposed station would be located next to the Dunstan Elementary School and the board felt this wouldn't be an appropriate land use in this area because of existing traffic congestion and a safety hazard to children walking to and from school.

The board was also concerned because there are already four gas stations in this area.

For the past year the plan-

ning board has been working on a proposal to rezone Route 1 in an effort to cut down on the business entrances on this heavily traveled highway. The new proposal calls for a large section of the area now in question to be zoned residential. However, three businesses there have asked that the business zoning be retained.

It was pointed out last night by Town Councilor Leon Libby Jr. that the whole idea of redrafting the Route 1 zoning map came about from the rapid growth of gasoline stations along this route.

The board went on record as being opposed to the addition of any more gas stations on Route 1 at this time. There are already 18 stations and this was considered more than adequate to serve the motoring public.

Paul P. Lempicki, the town's building inspector, told the board that he doesn't know and Murphy had told him he doesn't know which oil company is interested in the Murphy site and that the owner is doing business with a realtor.

The planning board went into all aspects of the gas station problem last night because, members felt, their recommendations are going unheeded in the sessions of the appeals board. It was noted that the planners had opposed two earlier gas stations but they were authorized by the appeals board majority nevertheless.

Planning Board Chairman Robert E. Hodgdon noted that there are 20 gas stations in the town at this time. He said this is more than adequate and some of them are closing for lack of business, including new and old. The building inspector had heard of two more that are interested in locating on Route 1.

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Pair Of Development Plans Referred To Town Planner

By LORRAINE ALLEN
Correspondent

(List)

SCARBOROUGH — The Planning Board received preliminary plans from Bicknell Photo of Portland for a new facility on Route 1 at Plummer's Hill. The plan was referred to town planner Fredrick Sheenan for study.

Bicknell Photo has purchased 24.4 acres of commercial property in the area and plans to develop about seven acres at this time. The area is bounded by Route 1, Interstate 295 and the Nonesuch River.

William Dickson of Dickson Associates, the company's planner, said the proposed building would contain about 24,000 square feet of floor space and would be used for retail sales, warehousing and distribution.

Dickson said the remaining land would be developed later for other uses. Access roads would be off Route 1.

Several weeks ago the trustees of the Sanitary District allocated Bicknell sewer permits to connect to the municipal sewer.

THE BOARD also received and referred to Sheehan for review a proposed revision to the original plan of the Olde Millbrook Home development off Winnocks Neck Road.

In 1968 the board approved the Olde Millbrook plan calling for 257 single family dwellings and 84 apartment units. However, approval was contingent upon the use of municipal sewers.

To date, about one-fourth of the project has been developed but due to a moratorium on new sewer connections, enacted by the trustees 18 months ago, all building had ceased until recently.

However, last month district trustees issued William Hammond, developer of Olde Millbrook, ten sewer permits with the promise of ten more when they become available after the agreement with Humpty Dumpty Potato Chip Company is renegotiated.

Hammond said Monday that the sewer permits help but they don't remedy or eliminate the financial bind created by not being able to build for the past ~~18~~ months.

He noted that his application to the Department of Environmental Protection for a license to discharge 25,000 gallons per day of treated waste water into the waters of Mill Brook is still pending. But before the state will take any action on the application, it has asked that all other avenues of proposed methods of sewage treatment first be examined.

Hammond's proposed revision would reduce the original plan by 117 lots to 42 lots in sections 6 through 11. However, Hammond proposes to use underground septic tank disposal instead of municipal sewers. The lots will average at least one and one-half acres.

Hammond also said the land which was to accommodate the 117 houses will be dedicated to open space.

Richard Parks, an official with the State Department of Fish and Game, was present and spoke in favor of the revised plan. He said as an abutter (meaning the Scarborough marshes) the department feels the lower density development as proposed would be far superior to the original higher density plan.

IN OTHER business, the board deferred acting on Scarborough Regal Trust's request to amend Section 17 A of the zoning ordinance, which requires municipal sewers in Resident-10 zones.

The proposed change would permit developers to use subsurface sewage disposal systems in Resident-10 zones where such systems comply with the requirements of all state and local codes.

The trustees issued Regal five sewer permits last month with the promise of 13 more when and if they become available.

However, Charles P. Barnes II, an attorney representing Regal, said that the original plan called for 12 apartment buildings, each of which requiring nine sewer permits. He also said the possibility of 13 additional permits still would allow construction of only two buildings, not enough to justify the construction involved, he said.

Barnes said Regal probably will develop two buildings using municipal sewers and three or four buildings using either subsurface systems or treated sewage for disposal into the Nonesuch River.

Regal's original plan called for 106 apartment units to be constructed on 106.6 acres in a Resident-10 zone at the end of Portland Farms Road.

Regal contends that "its land is situated in the only zoning district in town in which municipal sewers are presently required for any development whatsoever." Barnes said his client only wants the chance that a developer in any other district already has, a chance to meet the standards for underground sewage disposal.

Residents attending a public hearing held last month on Regal's request to amend the zoning ordinance, were very much opposed to the change.

Developer Seeks Change In Sewer Hookup Rule

SCARBOROUGH — The Planning Board will hold a public hearing Monday on a request to amend Section XVII of the Zoning Ordinance calling for municipal sewers in Resident 10 zones.

The proposed change would permit developers to use subsurface sewage disposal systems in Resident-10 zones where such systems comply with the requirements of all state statutes and codes and all local ordinances and requirements when there are no municipal sewers available.

The change is being sought by Scarborough Regal Trust, owners of 10.6 acres of land at the end of Portland Farms Road. The land is zoned Resident-10 and Scarborough Regal Trust wants to construct 106 unit apartment complex in the area. The zoning ordinance permits 10 units to be constructed per acre lot in Resident-10 zones providing the area is serviced by municipal sewers.

However, since the trustees of the Sanitary District enacted a moratorium banning new sewer connections to the municipal sewer 13 months ago the firm has been unable to obtain the necessary permits.

The sanitary district trustees moratorium on new sewer connections was necessary because of a capacity overload at the existing Oak Hill treatment plant.

The board will also hold a public hearing on Section XVII D and Section XIX D of the Zoning Ordinance dealing with Business-1 and Business-2 zones.

The proposed change would correct an error in the required side setbacks from 15 feet to 50 feet.

In other business the board will review Brown Homes Condominium at Oak Hill proposed landscaping design for garages they want to build.

Two weeks ago, the board approved Brown's request to add 11 attached garage units to its Oak Hill complex. The request

was approved with the stipulation that Brown plant trees behind the garages to provide a visual barrier for residents living on Black Point Road. Also, the building permits for the garages were not to be issued until the board approved the screening proposal.

The board received the company's preliminary plans for the terminal two weeks ago and referred them to the planner. Arnold Blethan, vice president of the company presented the proposed 60 foot by 96 foot building and paved area will total 59,620 square feet. The proposed terminal will be situated on industrial land at the old airport on Pleasant Hill Road.

Panel To Act On Bid For Zone Change

SCARBOROUGH — The planning board will meet at 7:30 p.m. today at the town hall and make its recommendation to the town council on Stewart Leasing Co.'s request for a zone change on Highland Avenue. The company wants rezoning of about 40 acres of land from Residence-farm to Industrial. There was strong opposition to the proposal at a public hearing on the request last month.

Also on the agenda is a request for a zone change from Volvo of Portland for property on Route 1 near the South Portland line. This firm holds an option on the property and wants it rezoned from Residence 2 to Business so that it can establish a dealership.

Also up for discussion will be a request from Robert Bellevue to establish a subdivision of five lots off Pine Point Road.

Mrs. Nancy Herrick, chairman of the Recreation Advisory Committee, will bring the planners up to date on the development of the Blue Point recreation area currently under way on town land that was once the site of the old Blue Point School. Almost completed there are tennis courts, basketball courts and a mini park for small children.

Hearings Set On Route One Zoning

By LORRAINE ALLEN
Correspondent

SCARBOROUGH — Dates for a pair of public information meetings were set by the Planning Board Monday to give residents an opportunity to express their opinions about proposed rezoning of the business district along Route 1.

The first meeting will be held at 7:30 p.m. Monday at the Dunstan Elementary School in West Scarborough. The proposed changes of the business zones along that portion of Route 1 will be discussed at that time.

The second meeting is set for Monday, Oct. 1, at town hall. Under consideration at this meeting will be the redistricting of areas of Route 1 from Oak Hill to the South Portland line. The controversial Resident-10 zone located off Route 1 near Portland Farms Road will be among items aired at this meeting.

It was pointed out at this week's meeting by chairman Robert D. Hodgdon that additional area meetings will be scheduled in the future if they are warranted.

Prior to establishing the dates for the area information meetings the board at one point discussed the possibility of reconsidering its action of two weeks ago — namely, its referral to the Town Council recommending adoption of the proposed Business-Highway districts (B-H districts) on Route 1.

HODGDON BROUGHT UP the matter, suggesting that perhaps the board had acted hastily in forwarding its recommendation to the council, especially since it had stated at a public hearing in July on the proposed rezoning of Route 1 that a series of area meetings would be held to discuss the Route 1 business zones prior to any actions by the board.

However, the board decided that its recommendation to the council of two weeks ago should stand and that additional meetings on the controversial areas of Route 1 still could be held to the satisfaction of all concerned.

The board received a letter from McBride, Group of Portland, business and commercial real estate brokers. McBride represents Aud-

way Treworgy who is seeking a zone change from Resident-10 to Industrial for about 23 acres of land located at the rear of the Maine Egg Company on Route 1.

McBride said Treworgy's plans include development of an office-warehouse park complex, consisting of corporation office buildings, light warehousing, and a recreational or athletic facility as demanded. The recreational facility could include tennis, squash and handball courts. He said the plan also calls for the existing Maine Egg plant to become a part of the first phase of the planned development.

The letter was referred to the town planner for his recommendations.

THE BOARD set Sept. 24 as a date for a public hearing on a zone change request being sought by the Volvo Company of Portland.

The firm holds an option on the property of Mrs. Dorothy Hatt, which is located on Route 1 near the South Portland line. Volvo wants to have the property rezoned from Resident-2 to General Business so that it can establish an automobile dealership in the area.

The company made its first request for a zone change to the board several months ago, but it was tabled at that time until the proposed redraft of the Route 1 zone map was completed. Under the new map the area in question is to remain residential.

Mrs. Hatt presented a petition to the board signed by about a dozen residents of the area. The residents stated that they did not object to the zone change as it is proposed.

THE BOARD made its recommendation on two special exception appeals that are scheduled to be heard by the Board of Appeals next Wednesday. The zoning ordinance calls for the board to make a recommendation to the appeals board on all special exceptions prior to the date of the hearing.

The board voted unanimously to recommend that the appeals board deny V. S. H. Realty of Massachusetts, prospective buyers of property at 245 Route 1, permission to erect a self-service gasoline station on the site. The property is located next to the Oak Hill Post Office.

The self-service station was to have been operated in conjunction with a Cumberland Farms convenience store which the board recommended that the appeals board grant.

The board based its recommendation for denial on several facts. First that there is already three stations in close proximity to the area, and that the town planner has stated that there are already more than an adequate number of gasoline stations in town to serve the motoring public. Also that the location wasn't suitable for a fast service operation, as proposed, due to the heavy congestion of traffic at times in that area.

LAST MONTH the board took a similar stand and recommended that the appeals board deny a special exception appeal sought to erect a gasoline station on Route 1 near Dunstan Corner.

After a lengthy debate the board by a 3 to 2 vote recommended that the appeals board approve Robert A. Mattson's request for a special exception to establish and operate a used car business at 193 Route 1. The property is a former gasoline station which was closed recently.

Three stipulations were attached to the recommendation. They were that a 20-foot minimum front setback from Route 1 be maintained, that space for five cars for customer parking is to be provided and finally that the appeals board consider requiring that the property be buffered by a screen of trees.

Panel To Mull Rezoning Bids

By LORRAINE ALLEN
Correspondent

SCARBOROUGH — The Planning Board will hold a public hearing at 7:30 p.m., Monday at town hall on a request from Portland Volvo Inc., to rezone from Resident-2 to Business Highway about 10 acres of property on Route 1 near the South Portland line.

Volvo wants to establish an automobile dealership on the site. The property is owned by Mrs. Dorothy Hatt and Volvo's option to purchase it expires October 15.

The property would be rezoned to a depth of 600 feet on the west side of Route 1 starting at a point 200 feet north of the center line of Riverview Place, and extending to the South Portland line.

IN OTHER agenda business, Fredrick Sheehan, town planner, will report on the MacBride Group of Portland request for a zone change for property on Route 1 near Portland Farms Road. This proposal was received by the board and referred to Sheehan for his recommendations two weeks ago.

MacBride Group presented the request on behalf of Audway Treworgy who want to rezone from Resident-10 to Industrial about 25 acres of land located behind the Maine Egg Company on Route 1.

Treworgy is interested in using the property to develop an office, warehouse and recreation park.

However, the board's proposed rezoning of Route 1, now in progress, designates the land in question for a change from Resident -10 to Resident -4.

GEORGE T. STANFORD will present preliminary plans for a subdivision housing development, Riverside Gardens, consisting of about 30 lots off Spurwink Road.

The board will hear a request

from Brown Homes Inc., to change certain lines and lots in its Pleasant Hill housing development.

A discussion of the local subdivision review ordinance will be held by the board and a report of the public information meeting on the proposed rezoning of Route 1 held Monday at the Dunstan School will also be given.

The board will also review a memorandum of agreement proposed between the board and sanitary district. The memorandum is the result of a workshop held in August by the two boards to discuss the requests from developers for private sewer system in high density districts.

Film Series Slated On Modern Painters

WINDHAM — The Windham Public Library will show a film at 10:30 a.m. Wednesday on Edouard Manet narrated by Kenneth Clark.

This is the first of a six part series entitled "Pioneers of Modern Painting", put out by the National Gallery of Art. Charlotte Burrell will speak briefly on the artist before the film.

This series is free and will be held downstairs in the library.

Learn To Sew

FALMOUTH — There are still openings available in the adult evening sewing class held from 7 to 9 p.m. Mondays at Falmouth High School.

Anyone interested may contact the School Department Office at Town Hall, 781-3200 or attend the class Monday. The fee for the 12-week course is \$5.

Miss Jill Fox, high school home economics teacher, is the instructor.

KEN'S

Scarborough Council To Act On 3 Amendments To Code

SCARBOROUGH — The Town Council will hold second readings on three proposed amendments to the Administrative Code at its 7:30 p.m. meeting today at town hall.

One proposed amendment to the administrative code would create an ordinance for procedural guidelines for the Planning Board. If the Council adopts the new ordinance it will become effective 30 days after enactment.

The second and third proposals would establish separate mutual aid agreements with the police and fire departments of other towns and communities having a similar ordinance. This ordinance would allow police and fire departments to render aid to these municipalities upon request.

First readings on the three proposals were held at the Sept. 5 council meeting.

The Council also will hold a second reading on an order calling for an appropriation of \$1,000 to purchase and stockpile paper for the printing of the town report to be done by Forest City Printing of Portland. The first reading on this order was held two weeks ago.

A date for a public hearing will be set on the Planning Board's request to adopt two proposed changes in the text to

Section 18 D, Local Business and Section 19 D, General Business Districts to correct an error.

The proposed changes would correct an error in the required side set backs from 15 feet to 50 feet in the local business zone and from 15 feet to 100 feet in the general business zone.

The Council will act on heating oil requirements and award a contract to a dealer.

A first reading for an order calling for an appropriation of \$7,800 for the town's share for engineering and design plans for the Greater Portland Council of Governments regional solid waste program will be held.

Rezoning Bid By Volvo Unopposed At Hearing

By LORRAINE ALLEN
-Correspondent

SCARBOROUGH — The request of Portland Volvo, Inc. for a zone change on Route 1 here near the South Portland line was unopposed last night at a planning Board public hearing.

Volvo is seeking to have rezoned about 11 acres of Resident-2 land to highway-business zone in order to establish a dealership on the site. The area would be rezoned to a depth of 600 feet on the west side of

Route 1 starting at a point 200 feet north of the center of Riverview Place and extending to the South Portland line. The property is now owned by Mrs. Dorothy Hatt.

Two weeks ago the planning board received a petition signed by 13 property owners in the general vicinity saying that they have no objection to the zone change. The board will make its recommendation on the proposal to the town council at a future meeting. The council, in turn, will hold its own

public hearing and will make the final decision.

Under the redistricting of the business zone along Route 1 currently taking place, this particular area was to have remained a Resident 2 zone. Town planner Frederick Sheehan explained last night that, although the business-highway district does not exist now, hopefully it will be adopted prior to final council actions on the proposal. He said the business-highway zone was asked for because, under the new text of the Business 2 zone, outdoor sales and services aren't allowed.

Freeport Parkers Beware: It Pains To Get Pinched

FREEPORT — A new traffic ordinance has gone into effect in Freeport and Police Chief Herman J. Boudreau is asking all those using the streets and highways to adhere to the ordinance in order to promote the free flow of traffic.

Under terms of the ordinance the amount of fines levied against violators has been increased from \$1 and \$2. The new fine schedule is as follows: vehicles on crosswalks, vehicles on sidewalks, parking too near intersecting streets, parking on wrong side of street, parking in a loading zone, overtime parking, parking diagonally in parallel zone, all \$5; obstructing driveways, obstructing traffic, restricted places, double parking, all night parking, all

\$10; damaging traffic signs and parking too close to fire hydrant, \$15; improper parking in spaces marked with white lines, \$3.

Boudreau said the increased fines are expected to serve as a deterrent to potential violators of the ordinance.

New traffic tickets are being printed. These will enable those receiving tickets to pay the fines through the mail.

Income from fines will go into the general revenue fund and in no way benefits the police department.

Those who wish to challenge the grounds on which an officer has issued a summons may appear in Brunswick District Court and if the summons is found justified the fine will be paid to the court.

THE PLANNING BOARD received and referred to the town planner for review a preliminary plan for a housing development from George T. Sanford. This would be known as Riverside Gardens. It would consist of about 30 house lots on Spurwink Road.

The board tabled action on a request from the MacBride Group for a zone change from Resident 10 to Industrial for 28 acres of land located behind the Maine Egg Co. on Route 1.

The firm represents Audway S. Treworgy of Gorham, who is interested in using the property for an office, warehouse and recreation park. The board tabled the request until after a community attitudes survey sent to all residents is evaluated.

The board also scheduled a public information for next Monday night at the town hall to discuss Route 1 zoning.

10/29/73

EVENING EXPRESS
Suburban News

Public Will Have Its Say On Protection Districts Sites

SCARBOROUGH — The Planning Board will hold a public meeting tonight to discuss the text and map proposed for resource protection districts.

The meeting is set for 7:30 p.m. at the town hall.

The draft of the proposed resource protection zone was first presented at a public hearing held on July 30 at the junior high school.

The new district would provide for the protection of shoreland areas in compliance with the provisions of Maine laws.

This would include all so-called fragile systems where development would adversely affect water quality, productive habitat and biotic systems or otherwise, adversely affect the physical, chemical, or biologic situation.

Some of these areas are wetlands, swamps, marshes and

bogs identified by the wetlands inventory maps of the Maine

Department of Inland Fisheries and Game. Other areas are flood plains, fragile soils or slopes subject to erosion and areas designated by the federal state or municipal governments such as natural, scenic, historic areas of significance needing protection from development.

Residents are invited to assist in the formation of the final text and map preparation which are to be presented to the Town Council for action.

Scarborough Panel To Air Survey, Subdivision Plan

By LORRAINE ALLEN
Correspondent

SCARBOROUGH — Several important items will be aired at a Planning Board meeting scheduled for 7:30 tonight at town hall.

Among the items to be discussed will be the community attitude survey, Route 1 zoning, the new state subdivision regulations, Jordan and Hammond's amendment to its Olde Millbrook development, and a report from the town planner on the preliminary plans of two proposed subdivision developments, Riverside Garden off Spurwink Road and Checkley Hotel Point, Prout's Neck.

TOWN PLANNER, Frederick Sheehan of the Greater Portland Council of Governments planning service will give a preliminary report on the results of the community attitude survey recently completed here. A date for a public information meeting to discuss the report will be set.

Cape Council To Consider Waste Plan

CAPE ELIZABETH — The Town Council will meet tomorrow night in town hall at 7:30 p.m. to consider three items involving expenses to the town.

The most significant item concerns this town's participation

The survey was mailed to about 5,500 taxpayers here several weeks ago. It requested residents' opinions on such topics as Route 1 zoning, housing, commercial and industrial growth, shoreline zoning and regional solid waste.

The board will discuss the possibility of developing a timetable to keep other boards in town aware of the developments now taking place on the proposed rezoning of Route 1.

The new state subdivision regulations, which were adopted by the legislature and became law earlier this month, require that all single lots using subsurface waste disposal systems must be at least 20,000 square feet in size. Also, if the lot abuts a lake, pond, stream, river or tidal area, it must have a minimum frontage of 100 feet on such body of water.

Lots of lesser frontage may be used for subsurface waste disposal if approved by the Department of Environmental Protection.

THE BOARD will review the preliminary plans amending sections of the Olde Millbrook development. In August the board accepted and approved preliminary amendment plans submitted by developer William Hammond.

Before final board approval is granted, Hammond has to obtain approval of the amended plan from the DEP and Scarborough Sanitary District. A cross-section showing the roads, street drainage, ledges and additional soil information would also have to be submitted.

After receiving communications from two area residents questioning Hammond's request to use septic tank disposal systems on 42 lots in the development, the board has decided to take a second look at the amended plan.

The letters cited problems with poor soils, erosion and ledge in the area.

Two weeks ago, some members of the board and the code enforcement officer visited the area in question.

HAMMOND'S revised plan calls for an undeveloped area that was to have had 150 lots to be reduced to 42 lots. These lots would average from one and one-half acres to as much as five acres in size. The 42 lots in the area is question would have septic tank and leaching fields instead of municipal sewers as required when the original plan was approved in 1968.

Hammond, like several other developers in town, has been unable to obtain permits to connect to the municipal sewer because of the moratorium on new sewer connections enacted by the trustees of the district almost two years ago. The moratorium was necessary because of the limited capacity of the municipal sewer.

During the summer Hammond applied to the DEP for a license to discharge 25,000 gallons of treated waste water from a private treatment plant into Mill Stream. However, prior to the DEP's second hearing here on the application, Hammond withdrew his request.

Public Hearing Monday On Route 1 Zone Changes

By LORRAINE ALLEN
Correspondent

SCARBOROUGH — One of the most important issues to face the planning board in some time — a proposed revision of the business zones on Route 1 on the zoning map — will be aired at a public hearing at 7:30 p.m. Monday at the junior high school.

The revision is designed to prevent Route 1 from becoming an unsightly Great White Way and to diversify development there and retain some of the area's natural charm. A state and federal highway, the Scarborough section of Route 1 has one of the highest traffic counts in the state.

Up for consideration will be two proposed new districts, namely a Highway Business District, B-H, and a Resource Protection District, R-P, as well as proposed revisions to sections of the zoning ordinance pertaining to Business-2 (general

business) zones.

The planning board, with the help of town planner Frederick Sheehan of the Greater Portland Council of Governments Planning Service, has been working on drafts of the proposed rezoning of Route 1 for about a year.

The board observed changes taking place along Route 1 in terms of development as well as traffic and decided a new zoning package for the entire length of this highway from South Portland line to Saco line was needed.

Board chairman Robert E. Hodgdon says the proposed change is an attempt to control the three various types of zones in this area and the numerous types of development taking place and proposed. For instance, he says, clustering of compatible businesses should be encouraged to cut down on the number of entrances to the road.

The proposed Resource Protection District would protect the vital natural resources such as the Scarborough marshes and streams and rivers along Route 1 and create a natural barrier between the developed districts and residential areas, Hodgdon says.

He adds that, since there is no alternative route for traffic along Route 1, this proposal, if approved, would be a "reasonable and substantial upgrade" in the quality of development along the road in the minds of most of the board members. And, hopefully, wouldn't be a business galaxy but a high quality area.

Sheehan has predicted that, if the business development now taking place and proposed for the future is allowed to continue unchecked, Route 1 could be zoned to a point where "ease to function effectively would

cease." Sprawl of commercial development on a road of this type is a real danger, he warned.

Under the new proposal, a new section to the zoning ordinance to be added, Highway Business, would provide for general retail sales, services and business space in locations capable of conveniently serving community wide and or regional trade areas, oriented preferably to automobile access. Large space users would preferably be located in highway business districts and outdoor sales and services and gasoline service stations would be allowed as special exceptions.

To accomplish this, it is proposed to change from General Business to Highway Business Districts the areas along Route 1 in the vicinity of Maple Avenue and Gorham Road, Sawyer Road, Scarborough Downs entrance and north of Scottow Hill Road. The proposed Highway

Business District could be as much as 750 feet deep along the road.

However, Oak Hill Shopping Plaza off Route 1 on Gorham Road would remain a Business-2 district.

Other major rezoning changes proposed are: Change from General Business to Industrial the area south of the Nonesuch River between Route 1 and Interstate 295 and in the vicinity of Route 1 and Libby Road.

Change from Industrial and Resident-10 (10 dwelling units allowed per acre lot providing the area is serviced by municipal sewers) to Resident-4 (four units allowed per acre lot) a large area easterly of Route 1 between the Nonesuch River and Black Point Road. Brown Homes Condominium area off Black Point Road would remain a resident -10 zone.

Change from General Business to Local Business land along Route 1 in the locality of

Oak Hill, (Esso Station, post office, and Libby Toy Store) and in the vicinity of the intersection of Route 1 with Old Blue Point Road and down to Paulsen's Cabinet Works on the east side of Route 1 and Leighton's Real Estate office on the west side of the road.

Change from General Business to Resident -4 along Route 1 in the area of the municipal offices and in the area of Millbrook Road and along Route 1 north and south of Dunstan Cornei in West Scarborough.

Change from General Business to Rural Resident and Farming the area on Route 1 near the Saco line.

Under Section XIX of the zoning ordinance, General Business Districts, hotels and motels would be allowed as special exceptions rather than permitted uses. Outdoor sales and services and gasoline service stations would be eliminated as special exceptions. They would be

allowed in the new Business Highway District as special exceptions only.

The new Resource Protection District would provide for the protection of shoreland areas in compliance with the provisions of Maine laws.

This would include all so-called fragile systems where development would adversely affect water quality, productive habitat and biotic systems or otherwise adversely affect the physical, chemical, or biologic situation.

Some of these areas are wetlands, swamps, marshes and bogs identified by the wetlands inventory maps of the Maine Department of Inland Fisheries and Game. Other areas are flood plains, fragile soils or slopes subject to erosion and areas designated by the federal state or municipal governments such as natural, scenic, historic areas of significance needing protection from development.