

Minutes
Town of Waldoboro Planning Board
Public Hearing on Revisions to Land Use Ordinance
August 24, 2011

Contents

1. Minutes of July 27 and August 8, 2011 – review deferred
2. Citizen Comments on Items not on Agenda – none
3. Summary of Proposed Changes to Land Use Ordinance Articles 4, 6 and 16
4. Public Hearing On Proposed Changes to Land Use Ordinance Articles 4, 6 and 16
5. Votes on Proposed Revision of Land Use Ordinance Articles 4, 6 and 16
6. Boardman Accepts Position as Planning Board Vice Chairman for 2011 - 2012
7. Ordinance Additions on Methadone Clinic, Medical Marijuana Dispensary, Cultivation Facility
8. Next Planning Board Meeting: Wednesday September 14, 7:00 p.m.

Roll Call

The meeting was called to order by chairman Chuck Campbell at 7:00 p.m. in the meeting room at the Municipal Building. Other Planning Board members present were Barbara Boardman, Charles Flint and Ed Karkow. A quorum was present throughout. Code Enforcement Officer Misty Gorski was present. The audience consisted of Grethel Beaucage, Claire Bowley, and John W. Higgins, all Waldoboro residents.

1. Minutes of July 27 and August 8, 2011 – review deferred

Not enough Planning Board members present tonight were also at the July 27 and August 8 Planning Board meetings to provide a quorum for voting on those minutes. The votes will be deferred to a future meeting.

2. Citizen Comments on Items not on Agenda - none
3. Summary of Proposed Changes to Land Use Ordinance Articles 4, 6 and 16

Planning and Development Director Gorski briefly summarized the content and intent of the proposed changes to the Land Use Ordinance (see one-page summary available at the meeting and previously at the Town Office and the Town's web site). Changes are proposed to be made to Article 4 General Performance Standards and Article 6 Site Plan and Subdivision Review, and a small change has been made to the definition of Driveway in Article 16, Definitions. Some of the approval criteria from Article 6 have been moved to Article 4 in order to achieve a simplified review process. Gorski said that nothing has been taken out of the Land Use Ordinance and nothing has been added to it, just consolidating material in one place and combining Sections S and T of Article 4 into a single section having to do with streets, roads and driveways.

4. Public Hearing On Proposed Changes to Land Use Ordinance Articles 4, 6 and 16

Chairman Campbell opened the public hearing at 7:05 p.m.

John Higgins asked several questions regarding private driveways and commercial driveways.

1) If you have an existing private driveway and want to upgrade it, do you have to regrade the slope, put in a culvert, and otherwise bring the driveway up to current standards? The answer was No. Maintenance and improvements to an existing private driveway are not subject to the current Ordinance specifications. Gorski added that if a private driveway serves two houses and a third house is built using that driveway, the driveway must be upgraded to meet current standards.

2) If you have an existing commercial driveway, do you have to upgrade it to meet current Ordinance standards? The answer was No.

3) On a driveway 25 feet long, what is a 2% slope? Answer: it would be a 6" rise in 25 feet, or 2 feet in 100 feet. Higgins stated that under the current ordinance, a commercial driveway cannot exceed a 2% slope for the first 25 feet from the gutter line of the street. He claimed that the street entrance of the driveway to the Municipal Building was regraded by Maine Dept. of Transportation during its recent work on Route 1 near the intersection of Depot St./Friendship St., and that this regrading is not in compliance with the current ordinance. He asked why the Town does not comply with its own ordinance requirements. CEO Gorski explained that an existing driveway is generally "grandfathered" and not required to meet the requirements of ordinances passed after the driveway was created. Planning Board members believe that the driveway to the Municipal Building predates the Land Use Ordinance.

There were no other questions or comments from the audience.

Chairman Campbell then introduced one proposed new addition to Article 4 General Performance Standards. By oversight, subsection 7 of Section H. Performance Standards in Article 6 of the current Land Use Ordinance was not transferred to Article 4. It belongs at the end of the proposed revision of Article 4, on p.4-32 of the proposed revision as new Section FF, reading as follows:

FF. Conformity with Town ordinance and plans. Is in conformance with all Town of Waldoboro Ordinances, comprehensive plan, development plans, or land use plans. In making this determination, the Planning Board may interpret these ordinances and plans.

There were no audience questions or comments on this proposed addition. There being no other questions or comments, Campbell adjourned the public hearing at 7:13 p.m.

5. Votes on Proposed Revision of Land Use Ordinance Articles 4, 6 and 16

On motion of Flint/Karkow, the Board voted 4 – 0 to move subsection 7 of Section H of Article 6 to the end of revised Article 4, as new Section FF on p. 4-32 of the proposed revised Ordinance, with the same text as subsection 7 of Section H in Article 6 of the current edition of the Land Use Ordinance, p. 6-16. The relocated text is that underlined in the second paragraph above on this page.

On motion of Flint/Karkow, the Planning Board voted to accept the proposed revisions to Articles 4, 6 and 16 of the Land Use Ordinance and forward the revision to the Select Board for its consideration. If the Select Board wishes to place these revisions on the warrant for Town vote in November, it will hold a public hearing.

Gorski will add new section FF to the draft ordinance revision and pass it on to the Select Board for consideration at its next meeting, September 13. She is unable to attend this meeting, but Chairman Campbell will attend representing the Planning Board.

6. Boardman Accepts Position as Planning Board Vice Chairman for 2011 - 2012

Boardman asked for a job description of the chairman of the Planning Board in case she has to chair a meeting in Campbell's absence. Campbell reassured her that he rarely misses a Planning Board meeting, and promised to give her ample notice if he cannot attend. Karkow reassured her that Gorski knows the job very well, and all Board members will be supportive. Boardman agreed to serve as Vice Chairman for the coming year.

7. Ordinance Additions on Methadone Clinic, Medical Marijuana Dispensary, Cultivation Facility

Gorski told Planning Board members that the Select Board has approved the proposed additions to the Land Use Ordinance regarding location and operation of a methadone clinic, medical marijuana dispensary and cultivation facility. The Select Board will hold a public hearing before placing these items on the warrant for Town vote in November. Karkow noted that it is unlikely that there will be an application for a medical marijuana facility in Waldoboro, as there are plans to have a marijuana dispensary and cultivation facility in Thomaston.

8. Next Planning Board Meeting: Wednesday September 14, 7:00 p.m.

The meeting may be cancelled if no complete applications are received by the deadline, which is 21 days prior to the meeting, unless there are other agenda items.

Adjournment: The meeting was adjourned at 7:22 p.m.

Charles Campbell, Chairman

Barbara Boardman

Submitted by:

Charles Flint

Susan S. R. Alexander

Edward Karkow

WALDOBORO PLANNING BOARD