

Minutes
Town of Waldoboro
Planning Board Meeting
December 12, 2012

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6. Next Regular Meeting: Wednesday, January 9, 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 members present were Barbara Boardman, Jody Perry, and Kenneth Vencile. Code Enforcement Officer Bill Najpauer was present. The audience included John Black, Bob Butler, Chris Duffy, Carolyn and Frank Giustra, Jen Merritt, George Seaver and David Starr.

1. Minutes of November 14, 2012

On motion of Perry/Vencile the Board voted 3 – 0 – 1 , Boardman abstaining, to approve the minutes of November 14 as distributed. Boardman was not present at the Nov. 14 meeting.

2. Approval of Amendment to Robinson Road Subdivision, Cersosimo Industries, Tax Map 24 (approved on 10/10/07)

Chris Duffy and Carolyn and Frank Giustra, abutters to two of the unsold lots in the Robinson Road subdivision, are buying the abutting lots. The plan amendment is to combine Duffy's two lots into one lot and combine Giustra's lot acquired from Cersosimo Industries with Giustra's other land holdings. This removes two lots from the subdivision, and requires amendment of the final subdivision plan. An amended subdivision plan has been submitted by Corner Post Surveying. On motion of Perry/Boardman, the Board voted 4 - 0 to approve the amendment to the Robinson Road Subdivision as submitted. Members present signed copies of the amended final subdivision plan.

3. Approval of Final Subdivision Plan, Cider Hill Farm LLC, 72 Medomak Terrace (Tax Map U11 Lot 40)

John Black and David Starr of J&D Engineering and Surveying were in with a revised final subdivision plan for the Cider Hill five-lot subdivision (four new lots plus the remainder of Lot 40). Starr said that the additional items required have been added to the final plan. Locations of existing water mains and sewer lines have been added, and the locations of the connections to the public water and sewer lines in the street are shown. The wetland location on Lot 3 has been marked as a "no-build" zone. At its Nov. 14 meeting, the Planning Board decided not to require a wetlands

delineation by a professional wetlands delineator. A note has been added to the subdivision plan stating that a stormwater management plan for each individual lot must be submitted and approved prior to any construction or soil disturbance on the lot. A recording box has been added, in which the recording at the Registry of Deeds can be shown. The developer, or his agent, is responsible for getting the subdivision plan recorded.

Chairman Campbell went through the final subdivision plan checklist on p. 6 -10 of the Nov. 2011 revision of the Land Use Ordinance.

d.

- 1) All information required for the preliminary plan is present, except any deemed not necessary by the Planning Board
- 2) Date and seal of registered land surveyor - present
- 3) Streets: not applicable.
- 4) Locations of proposed access easements are shown.
- 5) Lot numbers are present
- 6) Half of the permanent lot markers ($\frac{3}{4}$ -inch iron rods) have been set, the others remain to be set.
- 7) Performance guarantee – not required
- 8) Land dedication – not applicable
- 9) Signature lines for signatures of Planning Board members and date of approval, are present.
- 10) Building plans – not applicable
- 11) Private roads – not applicable
- 12) Road maintenance agreement – not applicable.

e. No changes, erasures, modifications or revisions have been made without approval by the Planning Board.

f. The required fees have been paid.

VOTE: On motion of Vencile/Perry, the Planning Board voted 4 – 0 to approve the final subdivision plan for the Cider Hill Farm subdivision at 72 Medomak Terrace. Planning Board members present signed the mylar and paper copies of the approved final subdivision plan.

4. Discussion of Status of Wellhead Protection District and Permitted Uses at Waldoboro Business Park

George Seaver, owner of the Waldoboro Business Park, and Bob Butler, who rents space at the Business Park, were present for discussion of the need to modify the wording of Article 3 G, the Schedule of Uses matrix, and Article 12 Section K, which describes permitted uses within the Wellhead Protection District. CEO Najpauer said the Wellhead Protection District was intended as an overlay on the basic land use districts, rather than a stand-alone district.

Seaver said he has no active projects currently. He handed out a memo dated Dec. 12 addressed to Planning Board members and Selectmen. He objects to the first two sentences under Art.12 K Land Use Table on p.12-4 of the 2011 revision of the Land Use Ordinance. He claims that the way the Land Use Ordinance is currently being interpreted, there is no way for any of the businesses in the Business Park to grow. It is difficult or impossible for many proposed uses to occur in the Business Park. Page 3-8 of the Land Use Matrix says that industrial and light industrial uses are prohibited in the Wellhead Protection District. Seaver pointed out that the Land Use Matrix in Article 3 makes no reference to Zone 1 and Zone 2 of the Wellhead Protection District.

The Wellhead Protection District lies within a circle of 2500' radius surrounding the wellhead used by the water utility company to provide the public water supply for Waldoboro. Most of the Business Park lies within the circle. Seaver referred Planning Board members and members of the audience to the minutes of the Land Use Committee Meeting of April 4, 2005, at which two water experts discussed application of the Wellhead Protection overlay district to land uses within that district. The experts were Andy Tolman of the State of Maine Drinking Water Program and Rick Knowlton of Aqua Maine, then the operator of the Waldoboro Water Company.

At tonight's meeting Najpauer handed out copies of proposed language to clarify the purpose of the Wellhead Overlay Protection District. After discussion, Najpauer volunteered to draft revised language to address many of Seaver's issues, and circulate it in advance of the January 9 meeting, for discussion at that meeting.

5. Future of Proposed Land Use Articles Defeated in November 2012

Jen Merritt asked whether the two warrant articles defeated at the vote in November will be brought up for re-vote at a future date. It was suggested to re-vote the proposed revisions to the Land Use Ordinance but not the second article about maintenance of individual properties.

6. Next Regular Meeting: Wednesday, January 9, 7:00 p.m.

Adjournment: The meeting was adjourned at 8:15 p.m.

Certificate of Approval

I hereby certify that the above minutes were approved by vote of the Planning Board
on _____.
(date)

Charles Campbell, Chairman
WALDOBORO PLANNING BOARD

Submitted by:

Susan S. R. Alexander