

Minutes
Town of Waldoboro
Planning Board Meeting
January 11, 2017

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7. Next Meeting: Wednesday, January 25, 6:00 p.m.

Roll Call

The meeting was called to order by Chairman Seth Hall at 6:04 p.m. in the meeting room at the Municipal Building. Other members present were Barbara Boardman, Joyce Dupuis, Sara Hotchkiss, Laura Mewa, Scott Simpson and Ted Wooster. A quorum was present throughout. Planning and Development Director Emily Reinholt was present. The audience consisted of Charles Doherty, applicant Noah Rosen, and reporter Alex Violo of the Lincoln County News.

1. Minutes of October 26 and December 14, 2016 Planning Board meetings and October 4 site visit

On motion of Wooster/Mewa, the Board voted 6 - 0 - 1, Boardman abstaining, to approve the minutes of October 26 as distributed. On motion of Wooster/Simpson the Board voted unanimously to table consideration of the minutes of December 14 because the final version had not been distributed in advance of tonight's meeting. Chairman Hall and Vice Chair Boardman signed previously-approved minutes of the October 4 site visit to the Reed Mansion property, 60 Glidden St.

2. Pre-application Discussion, Noah Rosen, Glass Boutique, 21 Winslows Mills Rd. (Tax Map U9 Lot 10A)

Rosen's site plan application was found incomplete, so Chairman Hall suggested that the discussion tonight be considered a pre-application discussion. If Rosen can provide all the required site plan information by Jan. 18, the Planning Board will hold a special meeting at 6 p.m. on Wednesday, January 25. Five of the seven Planning Board members said they can attend on the 25th. Boardman and Simpson cannot attend. Four members must be present in order to have a quorum to transact business.

Rosen proposes to lease the property at 21 Winslows Mills Road, just north of Route 1, owned by Zafiris "Jeff" Soldatos. Rosen is a medical cannabis provider. He plans to sell quality glassware (pipes and implements) used to consume cannabis, and will continue his work as a caregiver to persons using medical marijuana. He can have up to five patients at a time in the facility. Some cannabis will be stored in a secure location in the building. He is not applying for retail sale of cannabis at this time. There will be no exterior changes to the building. Hall asked that the dimensions of the building be added to the site plan submitted for tonight's meeting, which should be labeled "existing and proposed conditions".

Recreational use of cannabis in Maine was approved in a state-wide referendum vote in November, 2016. The Maine legislature is now in session and is considering imposing a three-month moratorium on retail sale of recreational cannabis. Wooster said that the Waldoboro Select Board is discussing a moratorium on retail sales of cannabis in town. Rosen said that would not affect his work as a caregiver. He

was asked to provide a statutory description of the cannabis caregiver business in Maine, or at least links to where one could be found.

Chairman Hall went through the site plan submission checklist to give the applicant information on what material needs to be supplied. 12 copies of application materials must be supplied by seven days in advance of the meeting at which the site plan will be reviewed. We have a comment sheet from the Police Chief saying that he has no problem with this business moving into Waldoboro. Rosen needs to provide a locus map and a map showing the location of the shop in the general Route One area. He could get this from Google Maps. The existing conditions plan calls for a title block, land use district (Route 1 Commercial B), and other features as listed on the submission checklist, some of which can be waived if irrelevant. No changes to the existing topography are planned. Written documentation: Rosen needs to provide a copy of his lease, a description of the proposed uses of the building, a statement showing that the property owner is aware of the proposed uses, a description of the caregiver function (a State-regulated activity, rules available on a State of Maine web site), and a statement describing how he will address security issues. Hall suggested that a made-out submission checklist be provided to Planning Board members as part of meeting materials.

Reinholt will send an e-mail to Rosen listing the items the Planning Board needs to receive. These include:

- a statutory description of the cannabis caregiver business in Maine;
- evidence of legal interest in the property (copy of his lease); evidence of title;
- a statement from the property owner that he is aware of the proposed uses of the property;
- a narrative about proposed uses of the property, including how Rosen proposes to address security issues;
- locus map showing where the property is in town;
- a statement about on-site storage of cannabis, and security provisions;
- a site plan titled “existing and proposed conditions.”

VOTE: On motion of Simpson/Wooster, Planning Board members voted unanimously to table Rosen’s application until Wednesday January 25 at 6 p.m. Rosen was told he must provide all application materials by seven days in advance of the meeting. He said he will submit materials by Friday, January 13.

3. Old Business

3.1 Reed Mansion “Flyer” – avoidance of ex parte communication

Reportedly a petition or flyer was circulated this fall in opposition to the proposed use of the Reed Mansion as an event venue. The owner, Dan Goldenson, has withdrawn his application for this use. Chairman Hall explained that Planning Board members must be careful to avoid ex parte communication with members of the public about matters under consideration by the Planning Board. Ex parte communication is addressed in the MMA’s Planning Board Manual, a copy of which every Planning Board member is given when they join the Board.

3.2 Proposed Changes to Waldoboro Land Use Ordinance Article 2, Administration and Enforcement – Duties of Code Enforcement Officer and Town Planner

The Land Use Ordinance, as adopted in 2005 and amended by town vote most recently on June 14, 2016, needs to be updated to include a job description for the Town Planner and a revised job description for the Code Enforcement Officer. When the LUO was written, there was no separate position of Town Planner. Simpson has drafted proposed new text for pp. 1 - 2 of Article 2 giving a revised job description for the Code Enforcement Officer and a new job description for the Town Planner. Hall recommended deleting reference to the hiring and reappointment procedure for these two positions. Mewa asked if the hiring and reappointment procedure is described elsewhere, and if so, where. Simpson asked Hall to find this out.

LUO Article 6 Site Plan and Subdivision Review also needs revision. Hall said that any recommendations from the Planning Board for changes to the Land Use Ordinance must be submitted to the Select Board before the end of March, in order to be added to the warrant for town vote in June. He will send a current

draft of the Land Use Ordinance to all Planning Board members. Reinholt can made an editable version of the LUO available in Google.doc.

4. Town Planner's Report

Town Manager Linda-Jean Briggs is leaving to take another position. An interim town manager will take over in two weeks. The Town will also get a new Recreation Director.

Reinholt's Land and Water Conservation Fund (LAWCON) grant proposal appears likely to be funded for \$200,000 to buy a property at 50 Pine St., next to the Public Landing, for use as a Town park. The grant award is subject to approval by Federal authorities, expected in March or April. Part of the land will become part of the River Walk, a public walking trail along the Medomak River.

5. Chairman's Report - none

6. Planning Board Business – Land Use Issues: Discussion for Comprehensive Plan Revision

Boardman has been attending meetings of the committee that is revising Waldoboro's Comprehensive Plan. The committee has been losing members, needs new blood. It is not too late for Planning Board members and other interested citizens to join the group. Reinholt wants to be sure that there is input from the Planning Board, so that its experiences are not lost and can be used to improve the revised new Comprehensive Plan.

Hall asked if there is a short list of items the Comprehensive Plan Committee is dealing with, that Planning Board members could provide input to. Reinholt said she will e-mail a list to Planning Board members.

7. Next Meeting: Wednesday, January 25, 6:00 p.m.

This is intended as a special meeting to review Noah Rosen's Site Plan Review application.

Adjournment: The meeting was adjourned at 8:05 p.m.

Certificate of Approval

I hereby certify that the above minutes were approved by vote of the Planning Board on

(date)

Seth M. Hall, Chairman
Waldoboro Planning Board

Submitted by:

Susan S. R. Alexander