

Third draft 10/6/17 for review by PB members. (Revision of 2nd draft e-mailed to PB members 9/14/17, and hard copy to Sara 9/16/17.) This version contains changes suggested by Scott and Sara.) Revised text distributed (10/6/17)
Approved by Planning Board (date) 10/26/2017

Minutes
Town of Waldoboro
Planning Board Meeting
September 13, 2017

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Mtg. w/rep from Dept. Marine Resources after 9/27 Shoreland Zoning workshop: Wed. Oct. 25, 5 p.m.?
Date and time TBD. (Invite members of Shellfish Commission to attend and participate.)
Next Regular Planning Board Meeting: Wednesday, October 11, 6:00 p.m.

Roll Call

The meeting was called to order by vice chairman Barbara Boardman at 6:03 p.m. in the meeting room at the Municipal Building. Other members present were Sara Hotchkiss, Laura Mewa, Tara Pelotte, Scott Simpson, Marcia Smolin and Ted Wooster. A quorum was present throughout. Planning and Development consultant Bill Najpauer, Planning and Development Director Max Johnstone, and Code Enforcement Officer Stan Waltz were present. The audience included Jewel Galetta of Waldoboro; George Parker of Damariscotta; Melody Sainio, code enforcement officer for the Town of Warren; Waldoboro Fire Chief Paul Smeltzer (for Item 5.3), and reporter Alex Violo from the Lincoln County News.

1. Approval of Minutes of June 14 and July 12, 2017

There were no comments on the June 14 minutes, which were distributed to Planning Board members by former chairman Seth Hall during the week of August 14. On motion of Simpson/Wooster, Board members voted 6 - 0 - 1, Pelotte abstaining, to approve the June 14 minutes as distributed.

There were no comments on the July 12 minutes, which were distributed to Planning Board members by former chairman Seth Hall on August 17. On motion of Wooster/Smolin, Board members voted 5 - 0 - 2, Pelotte and Simpson abstaining, to approve the July 12 minutes as distributed.

2. Election of Scott Simpson as Planning Board Chairman

Boardman said that she does not want to be chairman or vice chairman. She nominated Scott Simpson, as an experienced Planning Board member, to become chairman. Simpson was elected by acclamation. Boardman

said that she is willing to serve as vice chairman until June 2018, but suggested Sara Hotchkiss as vice chairman. The vote on a new vice chairman was deferred to the next regular Planning Board meeting.

3. Citizen Comments – none

4. Old Business: Shoreland Zoning Ordinance Revision

The Planning Board needs to hold another workshop meeting to continue revising and updating the Waldoboro Shoreland Zoning Ordinance to incorporate changes made by the State to the model Shoreland Zoning Ordinance. Simpson asked Najpauer and Johnstone to send out revised text before the next workshop meeting. It was suggested to meet on Wednesday, Sept. 27, to complete revision of the local ordinance, then schedule a meeting with a representative of the Dept. of Marine Resources. Johnstone will send Planning Board members copies of the partly-revised local Shoreland Zoning Ordinance including changes made to the first half of the document. Najpauer will set up a meeting with DMR to discuss water quality issues. It was suggested to invite members of the local Shellfish Commission to attend the meeting with DMR.

5. New Business

5. 1. Approval of Site Plan for Atlantic Storage Self-Storage Units, Dains, 3569 Atlantic Hwy. (Tax Map R13 Lot 11)

Architect Chuck Campbell was in representing Robert and Lynn Dains, d/b/a 3569 Realty LLC. They propose to build up to seven self-storage buildings at 3569 Atlantic Highway, on land partly in Waldoboro (2 ac.) and partly in Warren (1.3 ac.). They are applying for site plan approval in both towns. The Dainses own a self-storage facility, Atlantic Storage, at 1689 Atlantic Highway in Waldoboro, d/b/a 1689 Realty LLC. The written application addresses items in the Waldoboro Site Plan Worksheet for Planning Board Review Article 4 General Performance Standards; Article 5 Specific Performance Standards; and Article 6 Site Plan and Subdivision Submission Requirements.

The initial two-story building will be built parallel to Route 1 and set back 100' from the highway. Six more buildings may be built behind the first building, oriented at right angles to Route 1. Demand will dictate how many buildings are built and when. There will be no on-site drinking water and no toilet facilities. The new facility will be managed from an office in the existing Atlantic Storage facility in Waldoboro. Campbell has applied to the Maine Dept. of Environmental Protection (DEP) for a stormwater permit. He said that the provisions to meet a 25-year storm meet current DEP requirements but not the Town ordinance. Provisions to meet a 2-year and 10-year storm meet both local and State requirements. Campbell said that the Waldoboro ordinance requirements were based on DEP regulations which have since changed.

The Dainses have applied for a permit for impacting or encroaching on wetlands on both the Waldoboro and the adjacent Warren parcel. Application materials include a highway entrance permit from the Maine Dept. of Transportation and a stormwater management report prepared by Walsh Engineering Associates of Westbrook, ME.

Najpauer said that he and Johnstone made a site visit to the property along with the Warren code enforcement officer, Melody Sainio, who was present at tonight's meeting.

Chairman Simpson said that the application appears complete, pending three items: 1) input from the Maine Historic Preservation Commission about whether historic or archaeological artifacts are likely to be present on the site; 2) receipt of a stormwater permit from DEP; and 3) a Tier 1 permit regarding wetlands. Simpson asked whether the Planning Board can approve a site plan application that does not meet the requirements of the Waldoboro Land Use Ordinance with regard to a 25-year storm event. Najpauer said that there is precedent for approving an application in which the proposed stormwater management meets State DEP requirements but not the local Land Use Ordinance. The Planning Board should make a statement that they

find that the application meets Maine DEP requirements for stormwater management, and waive the local stormwater management requirements in the Waldoboro Land Use Ordinance.

VOTE: On motion of Wooster/Pelotte, Planning Board members voted unanimously to approve the application by 3569 Realty LLC for a self-storage facility at 3569 Atlantic Highway, conditional upon satisfactory receipt of three missing items: approval by the Maine Dept. of Environmental Protection of the erosion and sedimentation control plan; approval by Maine DEP of the stormwater management plan; and a statement from the Maine Historic Preservation Commission that there is no known archaeological or historic site on the property. Planning Board members then signed six copies of the site plan, three of which will be returned to Waldoboro after receiving approval from the Warren Planning Board. Najpauer said that there are two conditional approvals regarding the plan, and the third item is a waiver, not a condition; that is, the Planning Board is waiving compliance with the Waldoboro stormwater management ordinance on grounds that the application meets State standards and that the local stormwater regulations will be amended to adopt the State standards.

5. 2. Approval of Change of Use, Rock Solid Storage, Ellinwood, 76 Winslows Mills Rd. (Tax Map U12 Lot 9)

Owner Ben Ellinwood was in to describe remodeling of an existing building at 76 Winslows Mills Road to turn it into a storage building. He needs Planning Board approval for a change of use, from manufacturing to storage. He has a building permit for the remodeling. The structure was built in 1947 as an automobile dealership, and was most recently used by Best Felts as a manufacturing facility. Ellinwood wants to convert the building for climate-controlled storage on the ground floor and unheated storage on the second floor. Two existing sheds will be removed. Temperature in the climate-controlled space will be maintained at 50 degrees in winter and 70 degrees in summer using heat pumps, with humidity control. There will be no office and no rest room facilities, or perhaps a Porta-Potty. The existing bathroom will be removed. The property has its own well. Ellinwood does not plan to use Town water or sewer. It is not clear whether the property is on a municipal sewer line. He can get a sign permit from the Code Enforcement Officer.

VOTE: On motion of Boardman/Smolin, Planning Board members voted unanimously to approve the proposed change in use from manufacturing to storage for the building at 76 Winslows Mills Road owned by Rock Solid Storage.

5. 3. Request to Install New Water Pump at East Ridge Mobile Home Park, 739 Union Rd. (Tax Map R14 Lot 15)

Fred Bess, owner of East Ridge Mobile Home Park, was in to discuss a new fire-fighting water supply for the mobile home park. Waldoboro Fire Chief Paul Smeltzer was present and participated in the discussion. Bess received a letter dated Aug. 2, 2017 from Jason Pushard, public water system inspector for the Maine Dept. of Health and Human Services, Maine Center for Disease Control and Prevention, Maine Drinking Water Program, with regard to continued use of the existing drilled well supplying the mobile home park. Drinking Water Program hydrologist Jessica Meeks and Pushard inspected the fire pond on July 19, 2017. The fire pond is located 140' from Bess's well. The two State employees concluded that the fire pond could negatively impact water quality in the well supplying the mobile home park. One option is to drain and back-fill the existing fire pond and dig a new pond more than 200' away from the well.

Rather than digging a new fire pond further away from the drilled well, Bess proposes to fill in the existing fire pond and supply fire-fighting water from two 3,000-gallon pressurized tanks powered by 3-h.p. pumps. He will install a 2.5" fire hose connection with an exterior shut-off on the north side of the water building. The Fire Chief will have a key to the shut-off connection. The Fire Dept. will be able to get pressurized water for fire-fighting except in the event of a power failure. Smolin asked if Bess would consider putting in an emergency generator to pump water during a power outage. Smeltzer said that may not be needed, as his fire trucks can provide 10,000 gallons of water.

Najpauer explained that Bess's mobile home park was approved conditional on there being a fire pond nearby. Now Bess proposes to eliminate the fire pond, which has the potential for contaminating the drinking water source for the mobile home park, and use an alternative water source for fire-fighting. Fire Chief Smeltzer said that he is comfortable with what Bess proposes. He will give Bess a letter saying that the proposed new fire-fighting water source is acceptable to the Waldoboro Fire Dept. Bess will not fill in the existing fire pond until the new alternative fire-fighting water source is in place and in working order.

VOTE: On motion of Wooster/Smolin, Planning Board members voted unanimously to approve Bess's proposed approach to providing a source of pressurized water for fire-fighting at East Ridge Mobile Home Park, conditional upon a) installation of the proposed system, and b) receipt of a letter from the Waldoboro Fire Chief approving the new water source for fire-fighting and stating that it is acceptable to the Fire Dept. A copy of this letter is to be kept in the municipal file for the East Ridge Mobile Home Park.

6. Town Planner's Report

Johnstone said that Moose Crossing Garden Center was on tonight's agenda for pre-application discussion of a proposed project. No one from the Garden Center was present at tonight's meeting, and no discussion was held. Moose Crossing is expected to be on the agenda for the October Planning Board meeting. Other agenda items may include Dan Goldenson's application for a change of use of the lower level of the store at Kaler's Corner, and Planning Board review of an event center at Tops'l Farm, 364 Bremen Road, where a new barn and rental cabins have been built on the west side of Rt. 32. The owners got building permits for the new construction, but were told, erroneously, that they did not need Planning Board site plan review.

Najpauer reported that a person is looking for a 12-acre water-access site in the midcoast. Please contact him if you know of such a site.

Najpauer asked what Planning Board members think about transmitting Planning Board materials electronically in future, rather than mailing Board packets in advance of meetings. Several Planning Board members said that they were reluctant to print a lot of material, and unable to print oversize materials such as survey plans. Smolin said she would prefer to receive paper copies.

7. Chairman's Report

Simpson said the group should work on revision of the Shoreland Zoning Ordinance, even if we have missed the deadline for getting revised text on the warrant for Town vote in November.

8. Procedure for Notification of Abutters

The group discussed notification of abutters to a project being discussed at a Planning Board meeting. The Land Use Ordinance gives two ways of notifying abutters. If a public hearing is scheduled, a notice must be published in the newspaper. Notices may also be sent to abutters via U.S. mail. The Planning Board staffer makes the decision, often both mailing the notice and publishing it in the newspaper. Hotchkiss said that many people do not read newspapers. She asked whether a notice could be placed on the first page of the Town's web site. Najpauer recommended against putting this in the Land Use Ordinance as a requirement.

9. Procedure for Review of Draft Meeting Minutes

Secretary Alexander asked how she should handle draft meeting minutes in future. In the past, she has sent her first draft to the Planning Board chairman and the Planning Board staffer for their input. The Planning Board chairman would edit the first draft and send a revised draft to Alexander for her information and to other Planning Board members for their review and input. The final draft to be voted on at the next Planning Board meeting is supposed to be sent to Planning Board members well ahead of the next meeting, to give time for final review before voting. (This final distribution used to be done by Town staff, but during Hall's tenure as chairman he did the distribution himself.) After approval of the minutes, the Planning Board chair

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and the secretary would sign the version voted on at the meeting, which became the official file copy of the minutes.

Najpauer said that neither he nor Johnstone should edit the draft minutes, which should be solely a product of the Planning Board, but that both of them are willing to answer questions. Chairman Simpson said that he does not want primary responsibility for editing the minutes. He suggested that Alexander send her first draft to all Planning Board members and ask them to send comments and changes to her, to be incorporated in a second draft. Najpauer suggested that Alexander ask for input from Planning Board members within five days. Rather than having a signature block on the last page, he suggested putting a line at the top of the first page: Submitted (date) _____; Approved by Planning Board (date) _____.

10. Next Meetings

Shoreland Zoning Ordinance Workshop Wednesday, September 27, 6:00 p.m. (time to be verified)

Meeting with representative from Dept. of Marine Resources (after shoreland zoning workshop): Wednesday

October 25, 5 p.m.(?) Invite members of Shellfish Commission to attend mtg. with DMR rep.

Next Regular Planning Board meeting: Wednesday, October 11, 6:00 p.m.

Adjournment: The meeting was adjourned at 8:01 p.m.

Respectfully submitted,

Susan S. R. Alexander