

**TOWN OF WATERBORO**  
***PLANNING BOARD***

***MEETING MINUTES***

***January 6, 2021***

**6:30 p.m.**

**The Planning Board Meeting scheduled for January 6, 2021 was cancelled, therefore there were no minutes taken.**

**The next Planning Board meeting is January 20, 2021.**

Approved Date: \_\_\_\_\_

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**TOWN OF WATERBORO**  
***PLANNING BOARD***

***MEETING MINUTES***

***January 20, 2021***

**6:30 p.m.**

**The Planning Board Meeting scheduled for January 20, 2021 was cancelled, therefore there were no minutes taken.**

**The next Planning Board meeting is February 3, 2021.**

Approved Date: \_\_\_\_\_

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**TOWN OF WATERBORO**  
**PLANNING BOARD**  
**MEETING MINUTES**  
**February 3, 2021**  
**6:30 p.m.**

**I. ROLL CALL**

Present: David Christensen, Vice-Chair (ZOOM) Michael Provencher (ZOOM)  
Debra Burrows (ZOOM) Dwayne Prescott (ZOOM)

Absent: Lori Anthony Edward Zelmanow

Others: Angela Chute (ZOOM) Dennis Abbott (ZOOM) Gary Lamb (ZOOM)  
David Lowe (ZOOM) Lee Jay Feldman (ZOOM)

David stated a quorum was met with members present and the meeting was called to order at 6:30pm.

**II. MINUTES**

- December 2, 2020
- December 16, 2020
- January 6, 2021
- January 20, 2021

Motion made by Debra Burrows to accept all minutes as written, second by Michael Provencher.

**Vote by Roll Call:** Debra Burrows – yes David Christensen – yes  
Michael Provencher - yes Dwayne Prescott - yes

**Vote** 4 Agree 0 Disagree, motion passed to accept minutes as written.

**III. NEW BUSINESS & PUBLIC HEARINGS**

**IV. OLD BUSINESS**

**V. COMMUNICATION**

- Reminder to stop into the office to pick up packets.

**VI. MISCELLANEOUS**

**VII. ADJOURNMENT**

- Debra Burrows made the motion to adjourn. Dwayne Prescott second the motion. No discussion.

**Vote by Roll Call:** Debra Burrows – yes David Christensen – yes  
Michael Provencher - yes Dwayne Prescott - yes

**Vote** 4 - 0 in favor. Meeting Adjourned at 6:40pm to enter workshop portion of the meeting.

## VII. ITEMS NEEDING SIGNATURE

Approved Date: \_\_\_\_\_

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**David Christensen**

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**Michael Provencher**

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**Debra Burrows**

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**Dwayne Prescott**

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**TOWN OF WATERBORO**  
***PLANNING BOARD***

***MEETING MINUTES***

***February 17, 2021***

**6:30 p.m.**

**The Planning Board Meeting scheduled for February 17, 2021 was cancelled, therefore there were no minutes taken.**

**The next Planning Board meeting is March 3, 2021.**

Approved Date: \_\_\_\_\_

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**TOWN OF WATERBORO**  
**PLANNING BOARD**  
**MEETING MINUTES**  
***March 3, 2021***  
**6:30 p.m.**

**I. ROLL CALL**

Present: David Christensen, Vice-Chair (ZOOM) Michael Provencher (ZOOM)  
Debra Burrows (ZOOM) Dwayne Prescott (ZOOM) Lori Anthony (ZOOM)  
Edward Zelmanow (In Person)

Hollis Planning Board (All members present were ZOOM): Max Kenney Eric Sanderson  
Jessica Brackett Heather Sullivan Tammy Munson Paul Mattor  
Martha Turner Tom Witkoski Peter Lovell

Others: Angela Chute David Lowe Dennis Abbott (ZOOM) Gary Lamb (ZOOM)  
Lee Jay Feldman (ZOOM) Doug Foglio Jr. (ZOOM) Steve Blake (ZOOM)  
Avery Day Bob Patten Jeff Read S. Pier Tom Donnelly Parth Jogi

Lori stated a quorum was met with all members present and the meeting was called to order at 6:30pm.

**II. MINUTES**

- February 3, 2021
  - February 17, 2021
- Accepted as written

**III. NEW BUSINESS & PUBLIC HEARINGS**

Lee Jay recognized and welcomed the Town of Hollis Planning Board to this evening's Planning Board meeting. Explained to all that moving forward Hollis has the option of waiving rights to the project or continuing to participate moving forward.

Paul Mattor, Chairman of Planning Board for Town of Hollis called their meeting to order at 6:35pm, stated a quorum has been met with his members present. Tammy Munson, Hollis Code Enforcement Officer and Eric Sanderson of SMPD are also present.

Lee Jay stated that he did not do a memo at this level, that the developer will explain the project. Eric Sanderson did provide a memo to the Hollis Planning Board as their process is a bit different.

Doug Foglio Jr. introduced himself to both boards. Explained this is a project from FOMEZ Development LLC between he and his business partner, for a potential 25 lot cluster subdivision off Deering Ridge Road. If the project moves forward they would be looking to develop it in phases contingent on the boards' feeling of the presentation.

Lori Anthony put forth that she used to work with Steve Blake in an engineering firm but feels she can be unbiased with this project. Lee Jay stated that is up to the board and took a poll to get their opinion on Lori participating.

David Christensen – no objection  
Michael Provencher – no objection  
Dwayne Prescott – no objection  
Debra Burrows – no objection  
Edward Zelmanow – no objection  
Lori Anthony – no objection

Steve Blake, BH2M, explained they are doing due diligence on all surveys pertaining to both environmental and boundary surveys. There is no development in Hollis, their portion of the project is open space & protected lots only. All the development would be in Waterboro with some additional open spaces in Waterboro as well. Phase 1 would be 13 lots, road and stormwater design, with all of these designs being reviewed by DEP as well. The area is currently a wooded area only clearing what is needed for the lots. 20 acres in Hollis again consisting of open space and 15 acres in Waterboro for the development of lots. 60% of the total are is left in open space. The property is currently in tree growth and was previously cut off.

Discussion continued regarding Overhead power vs. underground power, hammerhead turn arounds vs. cul-de-sac, fire protection, cluster vs. conventional subdivision. They would be looking for fire department to weigh in on the road design and fire protection based on the most recent adopted Subdivision Ordinance. Access to the open space discussed and movement of access discussed. Development would utilize cluster mailboxes on site, snow removal was a concern regarding the hammerhead design and potential driveway impingement. Requested more current survey of the property, site being fully permitted vs partially permitted. Locations of wells, test pits, current usage of the open space land, any sort of recreational trails currently in use on the land, and ownership retention of the road space. Road constructed to town standards for potential future town acceptance. Clarified that regarding fire protection, you can't waive one thing in order to allow another, example waive residential sprinkler to allow cistern, that would require an amendment to the ordinance.

Hollis Planning Board members discussed concerns regarding storm water flowing out of the retention pond, where would it go and would it affect neighbors or the nearby stream. Open space encompassed in the Home Owners Agreement, the bulk of the planning is to take place in Waterboro, at some point they may take a vote to allow Waterboro to spearhead the project. Also mentioned the current use on the property, snow removal in the hammerhead turn around, and the Hollis Fire Chief passed along his same concerns with road design and hammerheads.

Lee Jay stated that the Hollis Board will have to decide how they want to proceed moving forward to which they stated may require a public hearing. At this time they needed to poll the Waterboro Planning Board as to their feeling on the project moving forward as a Cluster Subdivision or a Conventional Subdivision. The question posed: Does Waterboro want to allow the project to move forward as a Cluster?

Dwayne Prescott – Opposed to cluster  
Debra Burrows – In favor of cluster  
Lori Anthony – In favor of cluster  
David Christensen – In favor of cluster  
Michael Provencher – In favor of cluster  
Edward Zelmanow – Abstained

## IV. OLD BUSINESS

### ➤ HEP Waterboro SPV LLC

Michael Provencher stated that looking at the NE corner on the utilities plan it looked like the setback converges and not certain it maintains the 50' required setback. Regarding the utilities going into the array, it's initially on poles then goes underground, can it all be underground?

Jeff Read clarified that the line Michael was seeing is actually an old logging road and not the actual property boundary. CMP does not allow complete underground as it attracts lightening more.

Dwayne Prescott stated that the project failed to meet the complete survey as required previously by the board. That there are many times that the monuments have been found to be in the wrong place. The entrance to the array needs to reflect our current Highway Entrance Ordinance. Concerns regarding the fence height for animal access.

Shawn (Surveyor) stated that ultimately an ALTA Survey was going to be required to so they went ahead and did that as well. They took photos of every single monument around the property boundary and none of the surveys all the way back to the 1800's were in disagreement with what they found. An ALTA Survey is actually a more thorough survey.

Jeff Read clarified that they will be utilizing the current driveway and making the necessary upgrades to the culvert and stream crossing. Originally the fence was set to 3" above the ground but has been changed to reflect 6". The National Electrical Code allows 6" whereas 10" may not be allowed. The gate access is 40' – 50' back from the road.

David Christensen made a motion to approve the application with amended conditions as clarified by Lee Jay. Edward Zelmanow second the motion.

**Vote by Roll Call:** Debra Burrows – yes      David Christensen – yes      Lori Anthony - yes  
Michael Provencher - yes      Dwayne Prescott – no      Edward Zelmanow - yes

**Vote 5-1,** motion for approval passes.

## V. COMMUNICATION

## VI. MISCELLANEOUS

Edward Zelmanow made motion to table Solar Ordinance Workshop. Michael Provencher second the motion.

**Vote by Roll Call:** Debra Burrows – yes      David Christensen – yes      Lori Anthony - yes  
Michael Provencher - yes      Dwayne Prescott – yes      Edward Zelmanow - yes

**Vote 6-0,**

## VII. ADJOURNMENT

➤ Edward Zelmanow made the motion to adjourn. David Christensen second the motion. No discussion.

**Vote by Roll Call:** Debra Burrows – yes      David Christensen – yes      Lori Anthony - yes  
Michael Provencher - yes      Dwayne Prescott – yes      Edward Zelmanow - yes

**Vote 6-0,** motion for approval passes.



## **VII. ITEMS NEEDING SIGNATURE**

**TOWN OF WATERBORO**  
**PLANNING BOARD**  
**MEETING MINUTES**  
***March 17, 2021***  
**6:30 p.m.**

**I. ROLL CALL**

Present: David Christensen, Vice-Chair (ZOOM) Debra Burrows (ZOOM) Lori Anthony (In Person)  
Edward Zelmanow (In Person) Diane Gray (In Person)

Absent: Michael Provencher Dwayne Prescott

Others: Angela Chute David Lowe Dennis Abbott (ZOOM) Gary Lamb (ZOOM)  
Lee Jay Feldman (ZOOM) Doug Foglio Jr. (ZOOM) John Wilkinson Cindy Dumond  
Tammy Munson (ZOOM)

Lori stated a quorum was met with members present and the meeting was called to order at 6:30pm.

**II. MINUTES**

- March 3, 2021  
Accepted as written

**III. NEW BUSINESS & PUBLIC HEARINGS**

- Ivory Hills Subdivision – Sketch Plan Review  
John Wilkinson & Cindy Dumond representing on behalf of Regina & Ivory Libby

Lee Jay gave a brief overview of the project, which consists of 3 lots, one of which already has a home on it and will be staying in the family. The owners of the lots at this time will not be developing them, only dividing them and selling them.

John Wilkinson also addressed the memos from Department of Public Works, Waterboro Fire Department, and the Code Enforcement Office and that all those concerns would be addressed on the next revision of plans.

Discussion from the Planning Board members followed to include the following. The “approximate” locations of the wetlands needed to be addressed and more definitive locations shown. Asked if a nitrate plume analysis needed to be performed as there were no numbers on the plan for grade analysis and requested elevations be marked. Also wondering if a stormwater plan would be necessary. Was there landscaping proposed? Can it be requested that utilities be placed underground? Also had questions regarding soil survey and if a Class A high was required. Waiver forms for each requested waiver were not included to which Glenn stated he would be meeting with John as much of the checklist didn’t pertain to this subdivision. Requested the location of the driveway for the Scott McConihe residence. Subdivision regulations, Section 6.2, require 2 test pits per lot. Would need culvert sizes, lengths etc. as well as road design standards for grading. Make sure there is no development across wetlands.

Lee Jay stated that there would be no landscaping plan as these lots weren’t being developed by the current owner and that the underground utilities could be a condition of approval should they request that.

#### **IV. OLD BUSINESS**

- FOF HEP Waterboro SPV LLC  
Edward Zelmanow made the motion to accept FOF for HEP Waterboro SPV LLC with corrections made. David Christensen second the motion.

**Vote by Roll Call:** Debra Burrows – yes      David Christensen – yes      Lori Anthony - yes  
Edward Zelmanow – yes

**Vote** 4-0-1, motion for approval passes, Diane Gray abstaining.

#### **V. COMMUNICATION**

#### **VI. MISCELLANEOUS**

#### **VII. ADJOURNMENT**

- Edward Zelmanow made the motion to adjourn. Debra Burrows second the motion. No discussion.

**Vote by Roll Call:** Debra Burrows – yes      David Christensen – yes      Lori Anthony - yes  
Edward Zelmanow – yes      Diane Gray - yes

**Vote** 5-0, motion for approval passes.

#### **VII. ITEMS NEEDING SIGNATURE**

- Lori Anthony to sign Findings of Facts upon corrections made.

**TOWN OF WATERBORO**  
**PLANNING BOARD**  
**MEETING MINUTES**  
***May 5, 2021***  
**6:30 p.m.**

**I. ROLL CALL**

Present: David Christensen, Vice-Chair (ZOOM) Debra Burrows (ZOOM) Lori Anthony (In Person)  
Michael Provencher (In Person) Devin Chamberlain (In Person)

Absent: Diane Gray Edward Zelmanow

Others: Angela Chute David Lowe Dennis Abbott (ZOOM) Gary Lamb (ZOOM)  
Lee Jay Feldman (ZOOM) John Wilkinson Cindy Dumond  
Jason Omeara (ZOOM) Kevin Wright (ZOOM) Keith Shaughnessy (ZOOM)  
Amy Brickett (ZOOM)

Lori stated a quorum was met with members present and the meeting was called to order at 6:30pm.

**II. MINUTES**

**III. NEW BUSINESS & PUBLIC HEARINGS**

➤ AES – Solar Ordinance Public Hearing

**Lori Anthony** declared the public hearing open at 6:35 opening the floor for public input regarding the Alternative Energy Source Solar Ordinance.

**Jason Omeara** – Requested information about when the public was notified regarding the new solar arrays here in town and where the environmental impacts considered. He felt there should have been a moratorium placed on these projects and that they need to slow things down that the town is moving too fast on these projects under the darkness of the pandemic and that the public wasn't involved and that we were using a crisis to insert a new agenda. He stated that they were more clear definitions needed in the ordinance.

**Lee Jay Feldman** gave background on the projects that they are 5 megawatts or smaller and 20 acres in size and that many communities weren't prepared for all these projects. Waterboro would be ahead of the curve with the new ordinance.

**Lori Anthony** explained copies of all meeting can be obtained by request, also available online, and meetings are all live streamed, agendas posted, no hidden agendas.

**Kevin Wright** stated he is an abutter to the McLucas Road solar project. He feels the road construction for this project within the array will be devastating to the wetland areas and the vernal pools. He was assured that DEP was involved and setbacks from those locations will be maintained. Kevin went on to state he appreciates the ordinance and mentioned forethought on wind turbines.

**Devin Chamberlain** explained that he was an abutter to a previously approved project and was never soft spoken about the projects.

No further discussion or public comments, the public hearing was closed at 7:18pm

Board discussion followed regarding whether they wanted to continue to workshop the ordinance or move it up to the Selectmen's level.

David Christensen made a motion to move the Solar Ordinance to the Selectmen for review. Devin Chamberlain second the motion.

<b>Roll Call Vote:</b> David Christensen – yes	Debra Burrows – yes
Michael Provencher – yes	Lori Anthony – yes
Devin Chamberlain - yes	
Vote: 5-0, motion passes	

#### **IV. OLD BUSINESS**

- Ivory Hills Subdivision – Cindy Dumond & John Wilkinson on behalf of Regina & Ivory Libby  
John explained that the previously requested waiver regarding the “large historical tree” is being withdrawn, that it will be removed in coordination with the Department of Public Works. Updates as requested from the previous meeting have been made to the plans.

David Christensen made a motion to find the application complete and schedule the public hearing for May 19, 2021 at 6:30. Devin Chamberlain second the motion.

<b>Roll Call Vote:</b> David Christensen – yes	Debra Burrows – yes
Michael Provencher – yes	Lori Anthony – yes
Devin Chamberlain - yes	
Vote: 5-0, motion passes	

#### **V. COMMUNICATION**

#### **VI. MISCELLANEOUS**

#### **VII. ADJOURNMENT**

- Michael Provencher made the motion to adjourn. Devin Chamberlain second the motion. No discussion.

<b>Roll Call Vote:</b> David Christensen – yes	Debra Burrows – yes
Michael Provencher – yes	Lori Anthony – yes
Devin Chamberlain - yes	
Vote: 5-0, motion passes	

#### **VII. ITEMS NEEDING SIGNATURE**

**TOWN OF WATERBORO**  
**PLANNING BOARD**  
**MEETING MINUTES**  
***May 19, 2021***  
**6:30 p.m.**

**I. ROLL CALL**

Present: David Christensen, Vice-Chair (ZOOM) Debra Burrows (ZOOM) Lori Anthony (In Person)  
Michael Provencher (In Person) Devin Chamberlain (ZOOM)

Absent: Diane Gray Edward Zelmanow

Others: Angela Chute David Lowe Dennis Abbott (ZOOM) Gary Lamb (ZOOM)  
Lee Jay Feldman (ZOOM) John Wilkinson Cindy Dumond  
Joanne Guimond (ZOOM) Amy Beth Lucarelli (ZOOM) Melissa Brandt (ZOOM)  
Caroline McConihe (ZOOM) 919769 (Unknown Name)

Lori stated a quorum was met with members present and the meeting was called to order at 6:30pm.

**II. MINUTES**

**III. PUBLIC HEARINGS**

Lori Anthony referred the Planning Board meeting and Public Hearing directly to Lee Jay Feldman regarding the Ivory Hills Subdivision.

Lee Jay explained that the final plans had not been received 14 days prior per the Town of Waterboro Subdivision Ordinance, Article VII Final Plan, Section 7.1 Procedure, Subsection 7.1.1. Lee Jay recommended that the public hearing as well as any further discussion regarding Ivory Hills Subdivision be tabled to June 2, 2021.

Motion made by David Christensen to table the public hearing and further discussion of Ivory Hills to June 2, 2021. Second by Debra Burrows.

<b>Roll Call Vote:</b> David Christensen – yes	Debra Burrows – yes
Michael Provencher – yes	Lori Anthony – yes
Devin Chamberlain - yes	
Vote: 5-0, motion passes	

**IV. NEW BUSINESS**

**V. OLD BUSINESS**

There was no old business due to the tabling of Ivory Hills Subdivision.

**VI. COMMUNICATION**

## VII. MISCELLANEOUS

### ➤ How to improve upon Public Hearings

**Gary Lamb** opened up with what is a public hearing vs. what a public hearing is not. Public Hearing is just that, to receive public comments / concerns. You don't have to answer questions if you don't feel you should and make sure to keep comments / concerns directly related to the issue at hand.

Recognize the citizen, thank them, move on. If the public hearing seems to be going off track, take control of the hearing and offer an appointment with the Town Administrator or Town Planner or both if they request.

**Lee Jay** stated it was a time to sit and listen to public comment, and not a time for dialogue.

**Dennis Abbott** explained it's not a time for debate, take input from the public and stay focused.

Board asked for guidance on time limits on how long someone can speak. Lee Jay stated that call would be made by the Chairperson and could limit to say 3 minutes should the Board choose.

**Gary Lamb** also mentioned to keep an eye on CDC guidelines coming in the near future for upcoming public hearings regarding building occupancy numbers.

**Lee Jay** stated that he will be following it closely as well. 30 days after proclamation goes away regarding state of emergency they have to return to in person meeting, though at this time there is legislature in the works to permanently allow ZOOM participation.

## VII. ADJOURNMENT

- Michael Provencher made the motion to adjourn to enter workshop session regarding Planning Board ByLaws. Devin Chamberlain second the motion. No discussion.

<b>Roll Call Vote:</b>	David Christensen – yes	Debra Burrows – yes
	Michael Provencher – yes	Lori Anthony – yes
	Devin Chamberlain - yes	

Vote: 5-0, motion passes, meeting adjourned at 7:02pm

## VIII. ITEMS NEEDING SIGNATURE

**TOWN OF WATERBORO**  
**PLANNING BOARD**  
**MEETING MINUTES**  
**June 2, 2021**  
**6:30 p.m.**

**I. ROLL CALL**

Present: David Christensen, Vice-Chair (ZOOM) Debra Burrows (ZOOM) Lori Anthony (In Person)  
Diane Gray (In Person) Edward Zelmanow (In Person)

Absent: Devin Chamberlain Michael Provencher

Others: Angela Chute David Lowe Dennis Abbott (ZOOM) Gary Lamb (ZOOM)  
Lee Jay Feldman (ZOOM) John Wilkinson Cindy Dumond  
Amy Beth Lucarelli (ZOOM) Clyde Smith Karen Hart Howard Foss  
Andy Morrell –BH2M Jaylan Archer Jim Wersackas Julia Wersackas Jen Archer

Lori stated a quorum was met with members present and the meeting was called to order at 6:30pm.

**II. MINUTES**

**III. PUBLIC HEARINGS**

- Ivory Hills Subdivision – Roberts Ridge Road  
John Wilkinson & Cindy Dumond on behalf of Regina & Ivory Libby

David Christensen made a motion to bring the public hearing for Ivory Hills Subdivision forward, second by Diane Gray. Lori Anthony declared the public hearing open for public comment.

**Amy Beth Lucarelli** – daughter of Richard Brandt spoke regarding a boundary dispute that has dated back to the 40's. They have hired an attorney as well as a land surveyor and Old Port Title working on it. This boundary dispute pertains to Lot 3 to which her family has been paying taxes all along. She understands this is a civil issue but felt she needed to be heard. Amy stated that it hadn't been pursued earlier as they didn't realize there would be a big issue as they have been paying taxes on it all along and it wasn't an issue at the time.

**John Wilkinson** stated they have clear title searches and title insurance to back that up. They've had 2 surveyors involved but does agree that the tax map does differ in comparison to the surveys. His question is if this has been an issue since the 40's why is it just now being brought up and not dealt with sooner.

**Karen Hart** is an abutter on the back side of the project property for 30+ years. What is the impact on Cook Brook and residents below the property regarding the flow and potential increased volume of water? Also wondering what type of houses will be build, will they be conventional, modular, or mobile homes? Can the property be divided again? Does the subdivision change any future uses of her land? Would there be any blasting?

**John Wilkinson** stated that the deeds will restrict mobile homes from being placed on the property, that he assumes they will be stick built or modular but he can't say which as they are only selling off the lots and it will be up to the purchaser on which direction they go. He stated that there will only be 2 additional homes there so he doesn't see any impact on the brook as it's barely flowing now. There could potentially be some blasting but that won't be a clear answer until the site is under construction. John didn't see how the subdivision would affect her land as it's only abutting, there's no developing going on back there.



**Diane Gray** just requested clarification that it was Lot 3 that was in question.

**Edward Zelmanow** stated they needed to move off the issue and continue as this was a civil matter.

**Lori Anthony** inquired as to any further public input, none being heard, closed the public hearing at 6:48pm.

#### **IV. NEW BUSINESS**

- Marijuana Grow Only Facility – 746 Sokokis Trail  
Andy Morrell – BH2M on behalf of James Wersackas

**Andy Morrell** gave a brief overview of the project which consists of an existing residential home, existing 40' x 60' garage, and a new 40' x 90' building, with an existing entrance. The existing driveway will be widened to 20' to accommodate fire apparatus, underground utilities going to the new building, parking stalls to be expanded upon to meet the 200 sq. ft. requirement for the 9 lot parking lot. The application contains explanations regarding the security plans, odor control plans, new subsurface waste water plan.

Board discussion followed regarding odor control plans and what are the standards for control, is it ppm or something like a certain number of complaints from people. Discussion surrounding the security to the facility and what the track record has been for other facilities like this and how will the security be managed. Who / what will occupy the existing residential house? What are the plans for the 2<sup>nd</sup> floor of the garage? Will there be any signs? What will the loading area look like regarding doors and entrances?

**Lee Jay** stated there are no odor control standards for the state nor does the town have any standards. The state highly regulates grow facilities with former police officers involved with their regulations management as well as weights and measures regulations. When it comes to complaints the first point of contact will actually be the Code Enforcement Officer who will work with the owners to address any complaints.

**Jim Wersackas** explained that his daughter and son will reside in the existing residential home on sight, that there is no second floor to the garage. The loading area will be your standard 3ft door but they may retain one garage door but that is not definite yet.

**Lori Anthony** stated the fire engine turn around can't be blocked by a car so space #9 will have to be corrected to reflect no parking. The plan will need a signature block added to it.

Board discussion regarding when they'd like to see revised plans with the consensus being after the public hearing and site walk. These revisions will also include showing the expansion of the driveway width, landscape plan, knox boxes as well as parking spot #9 no parking, expansion of parking spaces to 200 sq.ft.

David Christensen made a motion to find the application complete with the recommendations from Lee Jay's memo and board members this evening. Second by Edward Zelmanow.

**Roll Call Vote:** David Christensen – yes                      Debra Burrows – yes  
Lori Anthony – no                      Diane Gray - yes  
Edward Zelmanow - yes

Vote: 4-1, motion passes to accept the application as complete.

#### **V. OLD BUSINESS**

- Ivory Hills Subdivision – Roberts Ridge Road discussion

Board discussion regarding the boundary dispute but they have an application and plans that meets standards, but if they approve what are their consequences? Could courts make it a legal non-conforming lot and could developer still build? Regarding the final plan for signatures and recording, a small location map would need to be placed on the plan, culvert location for the driveway on Lot 1, abutters across the street, residents on Lots 1 & 3 to have residential sprinklers, driveways built as shown on the plan, and shall comply with all oral and written statements.

**Lee Jay** explained they have a stamped survey, that the property dispute is a civil matter. If the court rules in the Brandt's favor, the court decision stands, we don't get involved. They could still have a legal non-conforming lot of record. Since we have stamped surveys this is an all or nothing bet. The court decision would have to be recorded and tax maps would have to reflect the decision. In the findings of fact a statement can be added "There is a boundary discrepancy on Lot 3 and the other 2 lots are not affected."

**David Christensen** made a motion to approve the subdivision subject to conditions of approval put forth by Lee Jay. Second by Debra Burrows.

**Roll Call Vote:** David Christensen – yes                      Debra Burrows – yes  
Lori Anthony – yes                      Diane Gray – yes  
Edward Zelmanow - yes  
Vote: 5-0, motion passes to approve Ivory Hills Subdivision

## **VI. COMMUNICATION**

## **VII. MISCELLANEOUS**

### ➤ How to improve upon Public Hearings

**Gary Lamb** opened up with what is a public hearing vs. what a public hearing is not. Public Hearing is just that, to receive public comments / concerns. You don't have to answer questions if you don't feel you should and make sure to keep comments / concerns directly related to the issue at hand.

Recognize the citizen, thank them, move on. If the public hearing seems to be going off track, take control of the hearing and offer an appointment with the Town Administrator or Town Planner or both if they request.

**Lee Jay** stated it was a time to sit and listen to public comment, and not a time for dialogue.

**Dennis Abbott** explained it's not a time for debate, take input from the public and stay focused.

Board asked for guidance on time limits on how long someone can speak. Lee Jay stated that call would be made by the Chairperson and could limit to say 3 minutes should the Board choose.

**Gary Lamb** also mentioned to keep an eye on CDC guidelines coming in the near future for upcoming public hearings regarding building occupancy numbers.

**Lee Jay** stated that he will be following it closely as well. 30 days after proclamation goes away regarding state of emergency they have to return to in person meeting, though at this time there is legislature in the works to permanently allow ZOOM participation.

## **VII. ADJOURNMENT**

- Edward Zelmanow made the motion to adjourn. David Christensen second the motion. No discussion.

**Roll Call Vote:** David Christensen – yes                      Debra Burrows – yes  
Edward Zelmanow – yes                      Lori Anthony – yes  
Diane Gray - yes  
Vote: 5-0, motion passes, meeting adjourned at 7:45pm

## **VIII. ITEMS NEEDING SIGNATURE**

**TOWN OF WATERBORO**  
***PLANNING BOARD***  
***MEETING MINUTES***  
***June 16, 2021***  
**6:30 p.m.**

**Site Walk: 746 Sokokis Trail – Marijuana Grown Only**

Present: Lori Anthony      David Christensen      Diane Gray

Others: Rebekah Higgins      Jim & Judy Carll      Robert DePeter      Richard & Robert DePeter  
          Andy Morrell      Jim Wersackas      Jaylen Archer

**I. ROLL CALL**

Present: David Christensen, Vice-Chair      Debra Burrows (ZOOM)      Lori Anthony (In Person)  
          Diane Gray (In Person)      Edward Zelmanow (In Person)

Absent: Devin Chamberlain

Others: Angela Chute      David Lowe      Dennis Abbott (ZOOM)      Gary Lamb (ZOOM)  
          Lee Jay Feldman (ZOOM)      Clyde Smith      Jim Wersackas      Andy Morrell –BH2M  
          Jaylan Archer      Robert DePeter      Richard Davidson      Robert Davidson  
          Carol Kussmann

Lori stated a quorum was met with members present and the meeting was called to order at 6:30pm.

**II. MINUTES**

- May 5, 2021
- May 19, 2021
- June 2, 2021

Minutes accepted with corrections noted.

**III. PUBLIC HEARINGS**

**Andy Morrell** gave a brief overview of the project which consists of an existing residential home, existing 40' x 60' garage that will be converted in the 1<sup>st</sup> phase of the project. The 2<sup>nd</sup> phase of the project will be a new building. They will be expanding the existing driveway 12' to 20' width for fire apparatus.

**Jaylen Archer, co-owner**, spoke to the security and odor plans. The buildings will be access controlled and locked 24/7, cameras interior and exterior. Employees go through background checks, must be 21 or older and are issued a state ID card (Green Card). The odor control will be utilizing a charcoal filtration system.

**Richard Davidson, abutter** – Why is the septic system directly next to Route 5? Would you consider relocating the septic system? With regards to security, would you consider fencing the building in not the whole property? What does this do to the property value of abutters?

**Jim Wesackas, owner** - The purpose for the septic being next to Route 5 is if for some reason this project doesn't pass they could then put in a house there and it's still within 75' buffer because you can't build in that buffer.

**Carole Kussmann, abutter** – Is this grow within the building only? Just to clarify, there will be no sales, growing only?

**Jaylen Archer, co-owner** – This is grow only, there are no sales onsite. A customer would order and the product would then be tagged and moved to a licensed retail facility located elsewhere.

**Robert Davidson, abutter** – Regarding the trees that will need to be cut for the driveway expansion, will they be replanted? Will there be motion lights?

**Andy Morrell, BH2M** – the trees coming down are the smaller trees so it won't drastically change what you already see.

**Richard Davidson, abutter** – why not expand the driveway on just the right side instead of both sides?

**Andy Morrell, BH2M** - they can't go just to the right side for expanding as it would impact the existing septic system for the existing house.

With no further public questions, comments, or concerns Lori Anthony declared the public hearing closed at 6:53pm.

Board discussion followed regarding public comments and concerns. David Christensen stated there needed to be alarm system on all entry and egress points that goes somewhere that is monitored. Jaylen Archer stated that will put that in. Diane Gray stated that at the site walk the biggest concerns she heard were security and odor. Discussion regarding the security monitoring system followed. Lee Jay stated it might look a little different where we don't have our own police department and not sure how the Sheriff's Department feels. Board discussion regarding an approved security monitoring company such as Maine State Security for entrance & exit monitoring for the facility during closed hours. Ongoing monitoring regarding odor control and any potential odor complaints. There will be no signs, the need for a street number out at the driveway, placement of a door on the back of the dry room. Jaylen stated they've actually discussed placing a door in each drying room leading outside. Parking spaces corrected regarding size, the building and zoning use are appropriate and they have submitted a very solid application. No parking in the space for the fire truck turnaround. Discussion surrounding the odor control again regarding the charcoal scrubbers. Mike Gilpatrick, Code Enforcement Officer, has done extensive research and the threshold is very vague. There are many variables such as square footage, plant count etc. Carbon filters have a very substantial impact on their product so it's in their best interest to keep them clear and functioning. The odor is subjective vs objective as there is no threshold. Jaylen stated the expected life of a carbon filter is 1 year. Mike recommends they be checked every 3 months and he will be keeping an eye on the odor. Edward felt there should also be a log showing inspections, filter changes, and any services to the system. With regards to the trees coming down, right now it's pretty and hidden. When fall & winter come upon us it will open up some as the existing trees are deciduous trees, might want to consider some evergreen trees.

Lee Jay stated he has heard the Boards ideas for conditions of approval and has the following recommendations:

1. Filters checked every 3 months
2. Maintain a log of all filter checks, filter changes, and all maintenance to the filtration system
3. Security system with an approved vendor
4. 911 addressing at the street
5. Expand the parking spots to 200 sq. ft.
6. List of landscape materials in drainage
7. Knox Box on the building

8. No building permits issued until final plans submitted and signed off by Lee Jay Feldman & Mike Gilpatrick
9. Compliance with all oral & written statements submitted to the Planning Board

Board now the choice of tabling the application to the next meeting for updated plans for review or they can approve the application based on the recommendations given by Lee Jay.

David Christensen made a motion to approve the application with the conditions as put forth by Lee Jay and final plans are accepted and signed off by Lee Jay Feldman and Michael Gilpatrick. Edward Zelmanow seconded the motion.

**Roll Call Vote:** David Christensen – yes  
Edward Zelmanow – yes  
Diane Gray - yes

Debra Burrows – yes  
Lori Anthony – yes

Vote: 5-0, motion passes, application is approved with conditions as set for by Lee Jay Feldman

#### **IV. NEW BUSINESS**

- Lori requested a motion to add the FOF for Ivory Hills Subdivision to the agenda for review. Edward Zelmanow made a motion to add the findings of facts to the agenda, David Christensen seconded the motion.

**Roll Call Vote:** David Christensen – yes  
Edward Zelmanow – yes  
Diane Gray - yes

Debra Burrows – yes  
Lori Anthony – yes

Vote: 5-0, motion passes

Page 2, at the top remove Dwayne Prescott & Kala Godard from the FOF

Edward Zelmanow made a motion to accept the findings of facts with corrections, David Christensen seconded the motion.

**Roll Call Vote:** David Christensen – yes  
Edward Zelmanow – yes  
Diane Gray - yes

Debra Burrows – yes  
Lori Anthony – yes

Vote: 5-0, motion passes

#### **V. OLD BUSINESS**

#### **VI. COMMUNICATION**

#### **VII. MISCELLANEOUS**

- Next meeting is election of officers
- Governors emergency ends June 30, 2021, there is Legislation in Augusta regarding ZOOM and which boards can or can't continue utilizing hybrid meetings
- Lee Jay is not available for the first meeting in July but will be available in person starting July 15, 2021.

## **VII. ADJOURNMENT**

- Edward Zelmanow made the motion to adjourn. David Christensen seconded the motion. No discussion.

**Roll Call Vote:** David Christensen – yes  
Edward Zelmanow – yes  
Diane Gray - yes

Debra Burrows – yes  
Lori Anthony – yes

Vote: 5-0, motion passes

## **VIII. ITEMS NEEDING SIGNATURE**

- Ivory Hills Subdivision Final Plan
- FOF Ivory Hills Subdivision by Lori Anthony Thursday after corrections are made.

**TOWN OF WATERBORO**  
***PLANNING BOARD***  
***MEETING MINUTES***  
***July 21, 2021***  
**6:30 p.m.**

**I. ROLL CALL**

Present: David Christensen   Lori Anthony   Devin Chamberlain   Clyde Smith  
Diane Gray   Edward Zelmanow   Rebekah Higgins

Others: Angela Chute   David Lowe

Lori stated a quorum was met with all members present and the meeting was called to order at 6:30pm.

**II. MINUTES**

➤ June 16, 2021

Minutes accepted with corrections noted.

**III. PUBLIC HEARINGS**

No public hearings

**IV. NEW BUSINESS**

➤ Election of Officers

David Christensen nominated Lori Anthony for Chairperson, Second by Devin Chamberlain.

Diane Gray nominated Edward Zelmanow for Chairperson, Second by Clyde Smith.

Lori Anthony requested a show of hands for Edward Zelmanow for Chairperson.

Vote: 4 – 3, Edward Zelmanow voted for Chairperson

Devin Chamberlain nominated Lori Anthony for Vice Chairperson, Edward Zelmanow second the motion.

Vote: 7 – 0, Lori Anthony voted for Vice-Chairperson.

By Laws have removed the position of secretary.

**V. OLD BUSINESS**

➤ FOF 746 Sokokis Trail – Marijuana Grow Only Facility, Jim Weresackas  
Page 2 – was there any need to remove Mr. Prescott from this personally appeared before  
– already corrected prior to the meeting.

Item #11 Surface water & rivers please change to NA  
Item # 15 Rivers streams & brooks please change to NA

Item #16 Freshwater wetlands please change to NA

David Christensen made a motion to approve as corrected, second by Diane Gray.

**Vote: 4-0, Clyde Smith & Devin Chamberlain abstaining due to not being present for project approval.**

**FOF approved as corrected above.**

## **VI. COMMUNICATION**

- None

## **VII. MISCELLANEOUS**

- Devin stated new bylaws had been emailed out but would probably have to track through a bunch of emails now to find them again.

## **VII. ADJOURNMENT**

- David Christensen made the motion to adjourn. Edward Zelmanow seconded the motion. No discussion.

Vote: 7-0, motion passes, meeting adjourned at 6:43

## **VIII. ITEMS NEEDING SIGNATURE**



**TOWN OF WATERBORO**  
**PLANNING BOARD**  
***MEETING MINUTES***  
***August 18, 2021***  
**6:30 p.m.**

**I. ROLL CALL**

Present: David Christensen    Lori Anthony    Clyde Smith    Diane Gray  
             Edward Zelmanow    Rebekah Higgins

Others: Angela Chute    David Lowe    Lee Jay Feldman    Dave Alves    Steve Everett  
             Michael Rogers, Bean Group South Portland

Edward stated a quorum was met with members present and the meeting was called to order at 6:30pm.

**II. MINUTES**

➤ July 21, 2021

Minutes accepted with corrections noted.

**III. PUBLIC HEARINGS**

No public hearings

**IV. NEW BUSINESS**

- Lee Jay Feldman introduced the request for a zoning amendment to the AR Zone to allow for Bulk Propane Storage. The AR Zone covers the most area in the town. Looking to add bulk propane storage, exchange stations, and storage. It's already a use in the Village Zone and the General Purpose Zone, we currently have a business located in the AR zone looking to expand their business to include the propane. Lee Jay recommends the addition to the AR Zone and update the definitions.

Board discussed propane fill being encompassed in the exchange portion, terminology clarification, the request for what the new zoning language will look like.

Lee Jay stated this will require a public hearing prior to recommendations to the Selectmen.  
Date of September 1, 2021 was set for the AR Zoning Change public hearing.

- Lee Jay Feldman introduced a project request regarding Conditional Use Zoning which involved density allowances. The Planning Board will need to hold a public hearing where the request is heard and receive public comment, make a recommendation back to the Selectmen who will then hold another public hearing. They will then either approve or deny the request for Contract Zoning. If approved the applicant will then come back to the Planning Board with a plan for review and approval etc. The town attorney has set final language with the applicant and their attorney. The Contract Zoning is for this property only, no other property and only dealing with density allowances. The Contract Zone runs with the property not the owner, if the owner changes the Contract Zone stays.

Michael Rogers, Bean Group, introduced himself and is representing Dave Alves. The project encompasses 3 tax maps and 2 properties. The vast majority of the project will be green space with public water and private septic with pretreatment. There will be walking trails and trail to the walk in clinic and an onsite dog park for tenants with dogs. This project fits with the 2012 vision of Waterboro. The project will be mixed use consisting of both 36 residential units and 3000 sq. ft. of commercial use in front.

Board asked questions of: Will the walking trails and dog park be for tenants only? Will there be sidewalks to Hannaford? It was noted that the contract previously provided for review did not reflect the commercial use. Applicant provided an updated contract from the previous evenings meeting with the Selectmen, copies were made and provided to the Board.

Public Hearing for Contract Zoning was set for September 15, 2021 at 6:30.

## **V. OLD BUSINESS**

## **VI. COMMUNICATION**

## **VII. MISCELLANEOUS**

- At the previous meeting during election of officers it was noted that the new By-Laws removed the position of Secretary. It was also noted that the workshop for the finalization of that scheduled for June 2, 2021 had been moved from that meeting due to a full agenda. Lee Jay stated that the By-Laws are not regulation, they are a guidance and if all in agreement then Secretary can still just be removed.

## **VII. ADJOURNMENT**

- David Christensen made the motion to adjourn. Rebekah Higgins seconded the motion. No discussion.

Vote: 6-0, motion passes, meeting adjourned at 7:20

## **VIII. ITEMS NEEDING SIGNATURE**

**TOWN OF WATERBORO**  
***PLANNING BOARD***  
***MEETING MINUTES***  
***September 1, 2021***  
**6:30 p.m.**

**I. ROLL CALL**

Present: Lori Anthony   Clyde Smith   Edward Zelmanow   Rebekah Higgins

Absent: Diane Gray   Devin Chamberlain

Others: Angela Chute   David Lowe   Lee Jay Feldman

Edward stated a quorum was met with members present and the meeting was called to order at 6:30pm.

**II. MINUTES**

- July 21, 2021 – Minutes removed due to time constraints on reviewing video for clarification.

**III. PUBLIC HEARINGS**

- AR Zone Amendment - Public hearing moved to September 15, 2021 due to paper not running the public hearing notice.

**IV. NEW BUSINESS**

**V. OLD BUSINESS**

**VI. COMMUNICATION**

**VII. MISCELLANEOUS**

- A workshop with the Selectmen was held this evening to discuss an amendment to the Subdivision Ordinance regarding exemption of 40 acre lots from Subdivision Law.
- Edward Zelmanow stated that there is a need for the town to start looking at the different zones and would like 2 subcommittees from the Planning Board to be formed. The first committee would consist of Zoning Review and work in correlation with the Town Planner and Code Enforcement Officer to review and make sure all zones have what is needed within them. The second committee would consist of Ordinance Review and would also work with the Town Planner and Code Enforcement. These committees would decide on their own chairperson work through their designated tasks and hold public hearings with the Planning Board as needed and report back to the Selectmen with their findings and work.

**VII. ADJOURNMENT**

- Rebekah Higgins made the motion to adjourn. Clyde Smith seconded the motion. No discussion.

Vote: 7-0, motion passes, meeting adjourned at 6:37

**VIII. ITEMS NEEDING SIGNATURE**

**TOWN OF WATERBORO**  
***PLANNING BOARD***  
***MEETING MINUTES***  
***October 20, 2021***  
**6:30 p.m.**

**I. ROLL CALL**

Present: Lori Anthony   Clyde Smith   Rebekah Higgins   Diane Gray

Absent: Devin Chamberlain   Edward Zelmanow

Others: Angela Chute   David Lowe   Lee Jay Feldman   Dennis Abbott  
Vicky Edgerly   Stacie Walker   Steve Bourque

Lori stated a quorum was met with members present and the meeting was called to order at 6:30pm.

**II. MINUTES**

- September 15, 2021

**III. PUBLIC HEARINGS**

**IV. NEW BUSINESS**

- Clarks Bridge Crossing – Sketch Plan Review - Dana Libby, Corner Post Surveying
  - 12 Lot Subdivision

Dana Libby stated the project would consist of 12 lots, 7 of them fronting from Clarks Bridge Road and 5 fronting from Sokokis Trail. Each lot will have their own individual septic system and well. They are open to feedback and consolidation of driveways along Sokokis Trail as they are aware of the traffic there. Wetlands have been mapped. Steve Bourque stated the houses will be roughly 1000 sq. ft. to 1600 sq. ft. Colonial Style homes, with preliminary numbers averaging approximately \$300,000.00 geared to young families. Most will be 3 bedroom, 2 bathroom residences.

Memos received from Michael Gilpatrick and Lee Jay Feldman with no additional information to provide.

Board discussion regarding amount of floor plans to choose from or will they all be the same? Are the residences aimed at just young family or are they open to any qualified buyer. Lot 1 is just under 10 acres versus the remaining lots of approximately 5 acres. Explained that Lot 1 is more unusable than the remaining lots due to wetlands and only having a small building envelope which is where a small ranch style home will be placed. Pointed out by Board member that the deed restrictions are quite stringent. Requesting that they consider less driveways on both Sokokis Trail and Clarks Bridge Road. Back side of Lot 1 could be developed if it was changed to a cul-de-sac.

Dana Libby stated the area doesn't support economic value for an internal road. Site distance studies will be done, they're aware the state will definitely be a challenge obtaining permits and

realize they may lose lots along route 5. Clarks Bridge Road cuts will be in conjunction with the towns Department of Public Works.

Board continued to discuss minimizing Sokokis Trail driveway cuts, plans to show 2 test pits, well locations, and utility pole locations. Look for plans regarding stormwater management as there are no proposed culverts showing yet. Bus stops will need to be thought about if targeting young families as Sokokis Trail is extremely busy. This subdivision is right in the middle of the village zone, will there be open space or pathways etc.? Contact information for RSU 57 Transportation provided.

Dana Libby stated that the culverts will be on a case by case basis and they are requesting a waiver for the hydrogeological study. Any open space is held in an HOA and would be a case by case basis but most likely the HOA. The open space will most likely be for the neighborhood only but each lot already has large backyard.

Continued Board discussion regarding their wishes to see a cul-de-sac design and driveway discussions. Dennis Abbott has shared concern regarding 7 driveways along Clarks Bridge Road and would like to see shared driveway entrances.

Dana Libby stated that they could look at a single cut along Sokokis Trail and “T” off that cut into the individual lots using an access running parallel with Sokokis Trail.

Lee Jay Feldman recommends seeing an alternate design for a cul-de-sac where they could possibly gain another couple of lots. Yes they are in a village zone but straight line doesn’t make sense and feels alternative designs might be better.

## **V. OLD BUSINESS**

- Committee discussions – Edward Zelmanow absent from the meeting. Lori requested everyone to consider what his initial request was and will carry this over to the November 3, 2021 meeting.

## **VI. COMMUNICATION**

## **VII. MISCELLANEOUS**

## **VII. ADJOURNMENT**

- Clyde Smith made the motion to adjourn. Rebekah Higgins seconded the motion. No discussion.

Vote: 4-0, motion passes, meeting adjourned at 7:00

## **VIII. ITEMS NEEDING SIGNATURE**

**TOWN OF WATERBORO**  
**PLANNING BOARD**  
***MEETING MINUTES***  
***November 17, 2021***  
**6:30 p.m.**

**I. ROLL CALL**

Present: Lori Anthony   Clyde Smith   Rebekah Higgins   Diane Gray   Edward Zelmanow  
Devin Chamberlain

Others: Angela Chute   David Lowe   Lee Jay Feldman   Dennis Abbott  
Tom Soule   Jason Vafiades

Edward stated a quorum was met with members present and the meeting was called to order at 6:30pm.

**II. MINUTES**

- October 20, 2021 minutes accepted as written

**III. PUBLIC HEARINGS**

**IV. NEW BUSINESS**

S&D Development, LLC – East Waterboro Self Storage Expansion  
Site Plan Review, Tom Soule, Owner  
Jason Vafiades, Atlantic Resource Consultants, LLC

Lee Jay introduced the project – an expansion of the existing site for 6 additional storage buildings at the rear of the property. Previously expanded with 4 additional buildings and that expansion is now complete. Staff review felt a 2<sup>nd</sup> entrance was needed for fire/EMS access only which has been added to the updated plans now in front of the board. Applicant has added grading to the back of the site. Tonight Lee Jay recommends the Board find the application complete and set a date for the public hearing. He will reserve recommending conditions of approval for after the public hearing.

Jason Vafiades spoke stating they are currently looking to add the last 6 buildings to the site in line with the DEP permit. They have added the 2<sup>nd</sup> entrance following the staff review that will have Knox box access. This entrance will not be open to the public, and they have full right of access.

Board discussion followed to include adding radius showing ability to make all the turns with fire apparatus. Add the dimensions onto the setbacks, is the road a ROW or easement? Setbacks around the road now through it. The 10' setbacks showing on the plan need to actually need to be 35' setbacks. Will there be vehicle storage with leaking hazardous waste that would be of concern? Will there be outside storage after this expansion is complete? Signage for the second gate dictating "authorized vehicles only." Board felt a site walk was not warranted, scheduled public hearing for December 1, 2021 at 6:30pm.

Lori Anthony made a motion to find the application complete, second by Clyde Smith,

Vote: 6-0 motion passes, application found complete.

## **V. OLD BUSINESS**

### **➤ Committee discussions –**

- Ordinance Review Committee: Devin Chamberlain, Edward Zelmanow, Rebekah Higgins.
- Zoning Ordinance Review Committee: Lori Anthony, Diane Gray, Clyde Smith

Each committee will select their own chairperson and it is up to each committee when they want to start meeting. Lee Jay stated his availability is very limited as he is stretched very thin among his other towns. Angela availability also very limited at this time for committee involvement.

Small discussion regarding the Solar Ordinance and the moratorium on solar projects. Now that the Solar Ordinance has been adopted the moratorium is a mute issue but there needs to be discussion starting regarding batteries and solar projects.

## **VI. COMMUNICATION**

## **VII. MISCELLANEOUS**

## **VII. ADJOURNMENT**

- ### **➤**
- Lori Anthony made the motion to adjourn. Clyde SMith seconded the motion. No discussion.

Vote: 6-0, motion passes, meeting adjourned at 7:05

## **VIII. ITEMS NEEDING SIGNATURE**

**TOWN OF WATERBORO**  
***PLANNING BOARD***  
***MEETING MINUTES***  
***December 1, 2021***  
**6:30 p.m.**

**I. ROLL CALL**

Present: Lori Anthony   Clyde Smith   Rebekah Higgins   Diane Gray   Edward Zelmanow

Absent: Devin Chamberlain

Others: Angela Chute   David Lowe   Lee Jay Feldman   Dennis Abbott  
Tom Soule   Jason Vafiades

Edward stated a quorum was met with members present and the meeting was called to order at 6:30pm.

**II. MINUTES**

**III. PUBLIC HEARINGS**

- S&D Development, LLC – East Waterboro Self Storage Expansion  
Site Plan Review, Tom Soule, Owner  
Jason Vafiades, Atlantic Resource Consultants, LLC

No public comment regarding the East Waterboro Self Storage Expansion, public hearing closed at 6:44pm.

**IV. NEW BUSINESS**

**V. OLD BUSINESS**

- **S&D Development, LLC – East Waterboro Self Storage Expansion**  
**Tom Soule, Jason Vafiades, Atlantic Resource Consultants, LLC**

Lee Jay stated he did not do an updated memo as the applicant has addressed the entrance at to the back of the buildings.

Jason Vafiades spoke stating they are currently looking to add the last 6 buildings to the site in line with the current DEP permit. They have added the 2<sup>nd</sup> entrance following the staff review that will have knox box access. This entrance will not be open to the public, and they have full right of access.

Board discussion, on the cover sheet the ROW has disappeared but shows on the survey. Sheet C101 site layout – leach bed & stormwater have disappeared but sheet C-100 shows the location in the abutting property. Question regarding signature block, clarified site plan review doesn't require signature or recording with the registry of deeds.

Lori Anthony made a motion to find the application complete with the recommendation from Lee Jay of a cleaned up final set of plans provided prior to construction, second by Diane Gray.

Vote: 5-0 motion passes, application found complete.



**VI. COMMUNICATION**

**VII. MISCELLANEOUS**

**VII. ADJOURNMENT**

- Clyde Smith made the motion to adjourn. Lori Anthony seconded the motion. No discussion.

Vote: 5-0, motion passes, meeting adjourned at 7:05

**VIII. ITEMS NEEDING SIGNATURE**

**TOWN OF WATERBORO**  
**PLANNING BOARD**  
**MEETING MINUTES**  
**December 15, 2021**  
**6:30 p.m.**

**I. ROLL CALL**

Present: Lori Anthony   Clyde Smith   Rebekah Higgins   Diane Gray

Absent: Devin Chamberlain   Edward Zelmanow

Others: David Lowe   Lee Jay Feldman   Michael Gilpatrick

Lori Anthony called the meeting to order at 6:30pm and stated a quorum was met with members present.

**II. MINUTES**

- November 17, 2021 – accepted as written
- December 1, 2021 – accepted with corrections below
  - Old Business – last sentence – Lori Anthony made motion, second was actually Diane Gray. Vote for motion passes is 5-0
  - Adjournment – Clyde made the motion, Lori Anthony second the motion, vote 5-0, motion passes

**III. PUBLIC HEARINGS**

**IV. NEW BUSINESS**

- William Miles – Miles Machine LLC –  
Conditional Use Application – Main Street, Waterboro

Lee Jay – I'll introduce it but I'll also ask Mike to step in if he needs to make any comments or input as well. No written memo from me on this, it's a very, very straight forward situation, change of use from one type of business to Will's machine shop which is an allowed use in that zone but for the fact that it needs to come here for a change of use. There are no changes to the outside of the property, parking already exists on the property. In fact from the staff level review there's space inside the building that isn't going to get used at this time because he doesn't need the whole facility.

The recommendation that I would give would be that you find the application complete and set the date for the public hearing for the next meeting. In advocating for this applicant, time is of the essence to get them up and running fairly quick.

Planning Board discussion – question on the zone, so the only reason we have to approve this is because this is contract zoning? Michael explained that no this isn't contract zoning the reason it came before the Board is because it's an industrial use which is only allowed with a conditional use approval within the village zone. Lee Jay explained it is interesting situation since it's classified as an industrial use in the village zone, it's allowed use there providing Planning Board approves it because in some cases there might be outdoor storage or outdoor operation that could disrupt somebody etc. Clarification on the site plan, it's current usage show's it was Frosty's Dairy Bar which is now closed.

He will be operating out of the concrete structure in the back that was basically an old garage. He intends to utilize the old dairy bar as office space so it will be one usage on the property. On the coolant separator, will the storage for that be outside or inside? Plan showed an approximate septic system location, is that for both the wood frame shop and garage, confirmed it serves both buildings and the HHE200 is on file. Not a huge usage as there are only 2 small bathrooms, 1 in each building. Lot to the west, a blown up print with the property lines and beside the garage there looks like a residence and the concrete pad, looks like it goes to the driveway of the house. Does that abutting lot use this long, doesn't see a driveway for it, and that would be the Thayer, Tanya and Hazard, Craig lot. Explained the photo pulled from GIS and lot lines not completely accurate although that is a shared driveway for the residence beside that. They do ingress and egress through the state entrance portion. There were some issues with property lines when the ice cream shop was there.

William explained everything will be contained inside in plastic containers, either 55 gallon drums or an IBC tote. I only plan on having 1 big machine, it holds about 50 gallons of water soluble oil and that would only get changed out every 2 years or more. At that time it would get sucked out and directly into an IBC tote and pay a company to dispose / recycle it. All the chips from the machine come out on a conveyor and will be dropped right into a 55 gallon drum with spill proof pallets in case there's a hole in the drum it will catch any residual and then a scrap company will come pick up once I have a good amount of it to justify their trip. Nothing will be stored outside except maybe a couple of pallets around the back but nothing for oils etc.

Planning Board felt there was no need for a site walk, no changes to the property, building is in existence. Public hearing scheduled for January 5, 2022 at 6:30pm.

Diane Gray made a motion to find the application complete, second by Rebekah Higgins.

**Vote: 4-0, motion passes, application found complete**

## **V. OLD BUSINESS**

- East Waterboro Self Storage Expansion Findings of Facts –
  - Lori – Item 9 – Adequate provisions have been made for the disposal of wastewater or solid waste or for the prevention of groundwater it is marked as standard is met, I definitely agree with that but then added that the site does not require any solid waste or disposal with no occupied structures on the site, there is an office on the site and there is an existing leach bed so I would like to have that revised to say the site does not require any additional wastewater or solid waste disposal, the existing system is adequate for the office space there and all other structures will be unoccupied. Lori requested a motion to accept the findings of facts with corrections as made. Clyde Smith made motion to accept findings of facts as corrected, second by Diane Gray. **Vote: 4-0, motion passed, findings of facts accepted as corrected.**

## **VI. COMMUNICATION**

## **VII. MISCELLANEOUS**

- Chairman throughout the past year has signed the FOF. Can the Chairman sign the FOF for all of us where he is not in attendance that they were accepted. Lee Jay explained that in his absence that you as the Vice Chair can sign them as you voted on the application as well as the FOF.

## **VII. ADJOURNMENT**

- Rebekah Higgins made the motion to adjourn. Clyde Smith seconded the motion. No discussion.

Vote: 4-0, motion passes, meeting adjourned at 7:00

## **VIII. ITEMS NEEDING SIGNATURE**