

TOWN OF WATERBORO
PLANNING BOARD
MEETING MINUTES
January 5, 2022
6:30 p.m.

I. ROLL CALL

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

Absent: Devin Chamberlain

Others: David Lowe Lee Jay Feldman (ZOOM) Angela Chute (ZOOM) William Miles (ZOOM)
Craig & Tanya Hazard (ZOOM)

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

II. MINUTES

- December 15, 2021 – accepted as written
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III. PUBLIC HEARINGS

- William Miles – Miles Machine LLC – Public Hearing opened at 6:32pm
Conditional Use Application – Main Street, Waterboro

Lee Jay Feldman stated there was no new information to add. The applicant worked with the help of Mike Gilpatrick and Angela Chute to get his application together and all was in place.

William Miles stated there have been no changes made and nothing new to add.

Tanya & Craig Hazard, abutters to Williams proposed shop, stated they are excited to have Will and his business in town and next door and excited to see what it has to offer the town.

No additional public input, public hearing closed at 6:34pm.

IV. NEW BUSINESS

V. OLD BUSINESS

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

Lee Jay stated the application was found complete at the last meeting and has gone through public hearing this evening so it's not in the Boards hands for approval or denial.

Lori Anthony made a motion to approve the application. Clyde Smith second the motion.

Vote: 5 – 0, motion passed, application approved

VI. COMMUNICATION

- Self storage coming to staff review on January 11, 2022 so that will be coming to the Planning Board soon.

VII. MISCELLANEOUS

VII. ADJOURNMENT

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

Vote: 5-0, motion passes, meeting adjourned at 6:40pm

VIII. ITEMS NEEDING SIGNATURE

TOWN OF WATERBORO
PLANNING BOARD
MEETING MINUTES
January 19, 2022
6:30 p.m.

I. ROLL CALL

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

Absent: Devin Chamberlain

Others: David Lowe Angela Chute Dennis Abbott

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

II. MINUTES

- January 5, 2022 – accepted as written

III. PUBLIC HEARINGS

IV. NEW BUSINESS

V. OLD BUSINESS

- William Miles – Miles Machine LLC – Findings of Facts
Conditional Use Application – Main St, Waterboro

Diane Gray made a motion to accept the Findings of Facts as written, second by Clyde Smith. **Vote: 5-0, motion passed, FOF accepted as written**

VI. COMMUNICATION

MMA Webinar February 10, 2022 – if you would like to attend please let Angela know so she can sign you up

VII. MISCELLANEOUS

VII. ADJOURNMENT

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

Vote: 5-0, motion passes, meeting adjourned at 6:35pm

VIII. ITEMS NEEDING SIGNATURE

TOWN OF WATERBORO

PLANNING BOARD

MEETING MINUTES

February 2, 2022

6:30 p.m.

There was no Planning Board meeting on February 2, 2022 therefore, no minutes for recording.

TOWN OF WATERBORO
PLANNING BOARD
MEETING MINUTES
February 16, 2022
6:30 p.m.

I. ROLL CALL

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

Others: David Lowe Angela Chute Dennis Abbott Lee Jay Feldman Hillel Weisel, Fabian Oil

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

II. MINUTES

- January 19, 2022 – accepted w/ correction on the FOF for Miles Machine LLC
- February 2, 2022

III. PUBLIC HEARINGS

IV. NEW BUSINESS

- Lee Jay Feldman gave an overview of the proposed project for a 30,000 gallon bulk propane storage tank located at 1120 Sokokis Trail in North Waterboro located at Fabian Oil. Last fall an amendment to the Zoning Ordinance allowed for Bulk Propane storage to be allowed in the AR Zone. The project has been through staff review by all departments and has moved forward. Actions tonight would be to find the application complete, set a potential site walk and public hearing.

Hillel Weisel of Fabian Oil regarding the project by E23 LLC for the 30,000 gallon storage tank stated they purchased the location from Deer Pond Fuel in 2019. This has been a trying year with fuel distribution and lack of drivers. They are proposing the storage tank to better serve customers as well as save on wear and tear on the trucks. They have several of these same sites in multiple locations some being small and some being larger scale and have an excellent safety record.

Board requested information regarding how many trucks will be coming and going to fill this tank, how much the tank actually holds, how many trips per day, hours of operation, possible contamination to water.

Hillel explained the tank will take roughly 2 trucks to fill it with its capacity being 80% of the 30,000 gallon size. Propane spills don't contaminate water as it's a vapor. They won't have to change grading as the water won't change course. Snow storage is provided as per the Fire Department request. The tank is approximately 45' long with a chain link fence around the tank. There will be security lighting as well as cameras at the facility and will have a complete shutdown switch which drains all air and nitrogen from lines and nothing is allowed to operate per NFPA 58 which dictates shut offs. Due to elevation changes and wooded buffer it is unlikely it will be seen from the road.

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

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

Public Hearing scheduled for March 2, 2022

V. OLD BUSINESS

VI. COMMUNICATION

VII. MISCELLANEOUS

VII. ADJOURNMENT

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

Vote: 5-0, motion passes, meeting adjourned 6:50pm.

VIII. ITEMS NEEDING SIGNATURE

TOWN OF WATERBORO

PLANNING BOARD

MEETING MINUTES

March 2, 2022

6:30 p.m.

**There was no Planning Board meeting on March 2, 2022
therefore, no minutes for recording.**

TOWN OF WATERBORO
PLANNING BOARD
MEETING MINUTES
April 6, 2022
6:30 p.m.

I. ROLL CALL

Present: Lori Anthony Rebekah Higgins Diane Gray Edward Zelmanow

Absent: Clyde Smith

Others: David Lowe Angela Chute Dennis Abbott Dean Williams Hillel Weisel, Fabian Oil
Michael Gilpatrick Woody Owen Dana Libby John Gale Mark Patterson
Paul Astroske, Sebago Technics Kimberly Prescott (ZOOM) Brad Prescott (ZOOM)
Jacqueline Prescott Meyers (ZOOM) Paul's iphone13 (ZOOM) Elaine Bittle (ZOOM)

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

II. MINUTES

- February 16, 2022 – Accepted as corrected
- March 16, 2022 – moved these minutes to next meeting for more review

III. PUBLIC HEARINGS

- **Waterboro Safe Storage – Dana Libby, Corner Post Surveying
Clarks Bridge Road & Sokokis Trail**

John Gale – North Waterboro

Expects that the Planning Board is aware of the Comprehensive Plan – does this project fit? Compare it with the Comprehensive Plan.

No further public comment both in person or online, Public Hearing Closed at 6:38pm.

IV. NEW BUSINESS

V. OLD BUSINESS

- **Waterboro Safe Storage - Dana Libby, Corner Post Surveying**

DEP Permits still about 2 weeks out but received an email from the state that the permit was going to the engineer to be written (email included in minutes). New revisions to the plans made the pavement wider in some areas which moved the drainage structures and narrowed them. The new plans reflect these revisions.

Dean Williams explained you can still approve the application with the condition that no permits issued until a memo/permit is received.

Edward Zelmanow regarding Building 1 the office / building – are these in face accessible from the interior as it looks like there's 3 accesses to the interior storage. If so has the fire department seen this updated plan.

Mark Patterson stated no then looked at the plan and stated that this style was not their normal style but it looks as though they are apparently accessible from the inside. Fire sprinkler requirement is based on square footage.

Michael Gilpatrick – currently waiting on the stormwater permit but there is a concern from the Director of Public Works that the cross culvert is too small, the 25 year assessment seems low as it is an old metal culvert. The age of the culvert is unknown and will need to be looked at.

Paul – Sebago Technics – explained the water runoff is captured in 1 of 2 ponds and have additional flooding storage. DEP assessments 2, 10, 25 year storms and the CFS existing is 4.9 and will remain 4.9 at development. They saw that the cross culvert was there and graded away from it.

Lori Anthony noted on the plans that the setbacks state 25' and they are 20' so that needs to be fixed. The new plans show no access to the center isle for the fire department. The lighting plan, it tries to show photo metrics but at the 0 candle boundary there are ? with no numbers on sheet 7.

Dana Libby explained that the fire department approved the current driving plan and that the wavy lines are the casting limits of the lights to which Paul said the lights go to that very edge but no further.

Edward Zelmanow asked for any further discussion, with none acknowledged stated the applicant would come back to the April 20, 2022 meeting with more information regarding the culvert, Building 1 in relation to the Fire Marshalls Office review, and the revised setbacks on the signature page.

Motion made by Diane Gray to table the application to the next meeting, second by Lori Anthony. **Vote: 4-0, motion passed.**

➤ **Hillel Wiesel, E23 LLC – 1120 Sokokis Trail, N. Waterboro**

There have been no changes to the plans or the project.

Board discussion regarding proposed conditions of approval for the project to include:

1. Any new lighting will be motion activated with Hillel stating that would not be a problem but would include an override option while working as long as it doesn't override state policy and the fuel board.
2. Truck activity limited to 6:00am to 5:00pm. Hillel stated normal business would be one thing but mother nature dictates unless someone runs out or an emergency situation. They don't control terminal delivery trucks so there has to be the ability for those trucks to deliver at night, with the most being 2 trucks if the storage tank was dead empty. The hours of service were waived through DOT due to lack of workforce and drivers and he would be more comfortable with 5:00am to 8:00pm. During cold months the trucks may have to start warming up at 5:00am and the drivers are also subject to hours of service so there will also be those constraints on hours of operations.

Further Board discussion regarding this condition with the Board having a problem imposing conditions they can't control. Board consensus was to eliminate the condition of truck activity confined to certain hours.

3. No more than 4 bobtail trucks. Hillel was confused regarding this one and the Board also felt there was no need to include this condition.
4. Engage engineer to evaluate Hansel Drive. Hillel stated an engineer has looked at the driveway and there is no distress on the property. The drainage ditch on Fabians Property has been filled in by another property owner with an entrance to their shed. Mr. Boudreau's culvert is also filled in.

Further board discussion felt this condition was not necessary and to remove it from the approval.

5. All emergency plans submitted to Fire Department and Planning Department prior to permitting. Hillel explained that once they get all the permits, the terminal will be registered with the FAA, and they will tier the level.
6. Training and Fire Safety Analysis documentation will be provided to Fire Department.

Edward Zelmanow read the new conditions of approval for the member of the public on ZOOM and read which conditions of approval were removed. Requested any further Board discussion, with none being heard he requested a motion on the application. Lori Anthony made a motion to approve the application with the conditions of approval as stated this evening, second by Rebekah Higgins.

Vote: 4-0, application approved with conditions of approval as stated.

Email received on 4/13/2022 from Paul Prescott requesting that the record reflect he was unable to enter a public meeting via the available ZOOM link.

VI. COMMUNICATION

- Email received by Michael Gilpatrick from Town of Berwick regarding SMPDC Boardsmanship workshop on May 2, 2022 at the Berwick town offices in the Auditorium.

VII. MISCELLANEOUS

VII. ADJOURNMENT

- Lori Anthony made the motion to adjourn. Diane Gray seconded the motion. No discussion.

Vote: 4-0, motion passes, meeting adjourned to move into the workshop regarding Mobile Vending.

VIII. ITEMS NEEDING SIGNATURE

TOWN OF WATERBORO
PLANNING BOARD
MEETING MINUTES
April 20, 2022
6:30 p.m.

I. ROLL CALL

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

Others: David Lowe Angela Chute Dennis Abbott Dean Williams Hillel Weisel, Fabian Oil
Michael Gilpatrick Dana Libby James Farias Josh Girard, Girard Farm

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

II. MINUTES

- March 16, 2022 – accepted as amended

III. PUBLIC HEARINGS

IV. NEW BUSINESS

- Girard Farm – Josh Girard, 385 Main Street, Waterboro
Conditional Use for Horticulture

Girard Farm is located in the General Purpose Zone in which Horticulture is not allowed but his farm mission seems to fall into that category. They are all organic and don't use any pesticides and grow strong healthy plants utilizing crop rotation between this location and their Lyman location. There is no hydroponics as their plants are all grown in the soil. The location was previously a driving range and feels there is no immediate need for testing of PFA's and realizes there are farmers who immediately need the help and testing.

Michael Gilpatrick gave a background history explaining the prior Code Enforcement Officer categorized this location under farming due to the chickens that are on the premises but their primary use here is horticulture. They have multiple greenhouse structures on site and applied for a 2500 sq. ft. pre-engineered structure with heavier mil poly, a Nor' Easter from NH which also put them into site plan review. There is no reason this project shouldn't be approved, this is more of a formality.

Board felt no need for a site walk, public hearing scheduled for May 4, 2022 at 6:30pm.

Diane Gray made a motion to find the application complete, second by Clyde Smith.

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

V. OLD BUSINESS

- Waterboro Safe Storage – 23 Clarks Bridge Road, N. Waterboro
Dana Libby, Corner Post Surveying

Dana Libby provided some information from the Fire Marshalls Office regarding exceptions.

Board discussion that it doesn't meet the exception because not all spaces can be accessed from the outside with Michael Gilpatrick explaining this is a mixed use occupancy. It may not necessitate a sprinkler but will require approval from the State Fire Marshalls Office, a 2 hour fire separation with a 2 hour fire door according to the code. At this time there has been nothing received from the Fire Marshalls Office but this can be handled during the permitting process. The culvert was inspected by the Director of Public Works and the culvert is in good shape.

Diane Gray made a motion to approve the application, second by Lori Anthony.

Vote: 5-0, motion passed, application approved.

- E23 LLC – Hilll Weisel of Fabian Oil
FOF Review

Lori Anthony made a motion to accept the E23 LLC Findings of Facts with the corrections and edits as discussed, second by Rebekah Higgins.

Vote: 4-0, motion passed, FOF approved with edits and corrections. Clyde Smith abstaining as he wasn't present at the approval of the project.

VI. COMMUNICATION

VII. MISCELLANEOUS

- Dennis Abbott introduced James Farias as the newest member to the Planning Board. He was approved and sworn in on April 19, 2022.

VII. ADJOURNMENT

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

Vote: 4-0, motion passes, meeting adjourned to move into the workshop regarding Mobile Vending.

VIII. ITEMS NEEDING SIGNATURE

TOWN OF WATERBORO

PLANNING BOARD

MEETING MINUTES

May 4, 2022

6:30 p.m.

**There was no Planning Board meeting on May 4, 2022
therefore, no minutes for recording.**

TOWN OF WATERBORO

PLANNING BOARD

MEETING MINUTES

May 18, 2022

6:30 p.m.

**There was no Planning Board meeting on May 18, 2022
therefore, no minutes for recording.**

TOWN OF WATERBORO
PLANNING BOARD
MEETING MINUTES
June 1, 2022
6:30 p.m.

I. ROLL CALL

Present: Lori Anthony Rebekah Higgins Diane Gray Clyde Smith James Farias

Absent: Edward Zelmanow

Others: David Lowe Angela Chute Dean Williams Roger Lauzier Steve Everett
Michael Gilpatrick Josh Girard, Girard Farm Mark & Debra Lacourse Robert Shubert
Danny Bouzianis Kate Shubert Mark Patterson Steven Bourque Jason Vafiades
Nikki Conant Aaron Hunter

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

II. MINUTES

- May 4, 2022
 - May 18, 2022
- Minutes accepted as written.

III. PUBLIC HEARINGS

- Girard Farm – 385 Main Street, Josh Girard
Josh Girard gave brief summary of their mission and their scope of practice. They're an organic vegetable farm with a flock of laying hens. They've been there for 3 years and now here in front of the board by a mis-categorization by prior code officials.
Public hearing opened to the public for any comments or questions, with none the public hearing was closed at 6:35pm.

IV. OLD BUSINESS

- Girard Farm – Josh Girard, 385 Main Street, Waterboro
Conditional Use for Horticulture

Code Enforcement Officer Michael Gilpatrick spoke briefly recommending the Planning Board approve the application as they were here just as a formality. Dean Williams, SMPDC contract Town Planner also recommended approving the application. No further Board discussion.
Clyde Smith made a motion to approve the application. Second by Diane Gray.
Vote: 5-0, motion passed, application approved

➤ Clarks Bridge Road Crossing, N. Waterboro – Preliminary Plan
Dana Libby, Corner Post Surveying

Dana stated they are presenting the same layout as seen in the sketch plan review with 5 lots along Route 5 and 7 lots along Clarks Bridge Road. The Route 5 lots have already received their DOT approvals for the driveway cuts with the 5 lots utilizing 2 shared driveways. All lots have been soil tested, nitrate impact study shown on sheet 2. All lots will be utilizing overhead utilities. They are proposing open space in the middle.

Board discussion followed to include question of nitrate plume spreading over to another property and if that was allowed and was explained an easement could be obtained if needed. Who are deed restrictions policed by to which it was explained it would be a civil matter and deeded owners would need to file civil suit. The 7 driveways on Clarks Bridge Road are a concern due to already existing busy traffic flow. Code Enforcement Officer Michael Gilpatrick also expressed concern regarding multiple driveways along Clarks Bridge Road in proximity to the new Waterboro Safe Storage that will be constructed. Further discussion regarding the pre-post water shed from the development. Jason Vafiades stated that the plans for the storage don't change the subdivision plans, neither project affect each other. They have planned storage drainage, culverts, ditching. Dean Williams found a cut & paste error where Town of Harrison needed to be corrected, stated the Board could find the application complete and schedule site walk as needed. Jason Champion, Director of Public Works expressed concerns through Code Enforcement regarding the ditching and culverts. Types of homes were questioned to which it was explained they would range from 900 to 100 sq. ft. colonials and ranches some with garages, some without. No 2 homes would look exactly alike ranging from color to porches or no porches. Their most popular is 1500 sq. ft. colonial.

Rebekah made a motion to find the application complete, second by Clyde Smith.

Vote: 4-1, motion passed, application found complete.

Site Walk scheduled June 29, 2022 at 5:00

Public Hearing scheduled June 29, 2022 at 6:30

Dana Libby requested that based on Waterboro Zoning Ordinance Section 9.4.1 they be granted permission to utilize onsite gravel and flattening high spots and relocating of gravel to different areas of the subdivision and Waterboro Safe Storage projects.

Motion to approve relocation of gravel made by Lori Anthony, second by Clyde Smith.

Vote: 5-0, motion passed

V. NEW BUSINESS

- 40 Logan Circle, Roger Lauzier & Steve Everett on behalf of Jake Lauzier
Steve Everett stated he was hired to survey the property for the purposes of a garage in 2020 for Jake Lauzier which was permitted by Glenn Charette. A 2nd garage was permitted in 2021 by Michael Gilpatrick for Ron DeMaio on the same property owned by Jake Lauzier. Both garages are now connected by a roof exceeding the 2500 sq. ft. limit which now places them under site plan review. They have a design to handle stormwater runoff and have made several changes to the plan following staff review.

Michael Gilpatrick, Code Enforcement Officer stated he permitted the 2nd garage in 2021 but due to a running construction change with the roof they are now put into a commercial category based solely on the size of the building. The purpose of the buildings are for personal storage. One side will store boats, cars etc. while the other side will more than likely store personal equipment for his business. Stop work order was placed on the buildings when they connected the 2. They are 2 separate owners and originally had 30' of space between them until the roof connection occurred.

A number of waivers have been requested for the project, with only 1 having a restroom that we are aware of at this time.

They are on a single well with 1 septic system that would serve both should they both install bathrooms. No sprinklers are required, underground utilities will be installed, driveway to remain gravel to knowledge at this time. The 30' connection to remain open with no doors.

All waivers were read and accepted by 5-0 vote of the Board.

Motion to accept the application as complete by Diane Gray, second by Clyde Smith.

Vote: 5-0, motion accepted, application complete

Public Hearing June 15, 2022 at 6:30, no site walk requested.

➤ 0 Sokokis Trail, Robert Shubert – Marijuana Grow

Lori Anthony disclosed she lives in the neighborhood but states that she feels she can proceed objectively. Board members decided she can proceed objectively.

Robert Shubert stated that he grows medical marijuana for his family. Initially he was told he would need to marry the property then had to separate the properties again. He stated he was initially told by Glenn Charette previously that he didn't need a permit for the greenhouse so he put it up. He then received a stop work order on the greenhouse construction from Michael Gilpatrick, Code Enforcement Officer as the greenhouse exceeds 2500 sq. ft. There will be no employees, no bathroom, no customers. The driveway will be 20' with gravel turn around, a knox box will be installed for fire department access. Utility pole will be installed with underground utilities and will utilize carbon filters. No pesticides are used only organic nutrients. The greenhouse is unheated and only has 1 harvest per season. His wife is also currently growing vegetables in there. Shrinking the greenhouse wouldn't make a difference as he would still have to come to the Board for the marijuana grow. Mr. Shubert stated he lives in the neighborhood and has all his letters ready to go out to abutters. He stated he has nothing growing outside but someone told the town they could smell something but that he has 3 neighbors growing outside. He has 6 fans that push towards the lake and not the other houses.

Michael Gilpatrick, Code Enforcement Officer stated that the carbon filters have to be adequate for the size.

Board discussion followed to include who follows up regarding the carbon filters to which Mr. Gilpatrick stated follow up is based on manufacturer specifications and that he would be the one following up. What would he be utilizing for water supply? Mr. Shubert stated he uses approximately 20 gallons a day and it would come from his house. Who is the delivery person? Are there lights? Is it heated? Security?

Mr. Shubert stated he is the delivery person, there are no lights, and no heat. He has 2 sets of surveillance systems which have 24 cameras in total.

Motion made by Lori Anthony to find application complete, second by Clyde Smith.

Vote: 5-0, motion passed

Public Hearing June 15, 2022 at 6:30, no site walk.

- Delphi Holdings LLC – Aaron Hunter, Sebago Technics, Danny Bouzianis, Delphi Holdings

Proposing 2 new commercial buildings with 8 self storage buildings at the site of the current Dunkin Donuts location at 40 Sokokis Trail. One building would be a general retail with the other being office space. The self-storage facility will have space for boat and motor home storage as well. There will be circulation around all the buildings, stormwater applications, underground chambers, 2 new septic systems for the new buildings. Electrical and communications lines will be extended in initially overhead then running underground. During staff review they received comments regarding circulation around the proposed areas and have since received further communications regarding circulation and will continue to work with Fire Department, Code Enforcement and Department of Public Works for improvements to the circulation. The larger building will be single use retail and the smaller building will be single use medical.

Michael Gilpatrick, Code Enforcement Officer spoke regarding the concerns from Fire Department and Department of Public Works looking for a much cleaner flow through the complex.

Dean Williams stated the traffic flow is of concern. On site crash data provided by Captain Fraser shows +-40 property damage accidents. The 2 proposed uses don't trigger traffic count on a Monday between 10 & 11 but many times traffic is out onto Route 5. Need to consider looking at peaks in traffic and when they are. First entrance to new building should potentially be entrance only. There is no proposed pedestrian infrastructure.

Aaron stated within the self-storage area the travel isles are 30' wide but will continue conversations with staff. Delivery trucks scheduled for off peak times to not interfere with traffic. Gate entry for self-storage will be siren activated as well as having a Knox box. Units 4, 5, 6 will meet design standards with false fronts and landscaping. All storage will be exterior accessed.

Board discussion follows regarding the existing entrance and congestion concerns. Question whether a light is potentially needed. Have traffic studies been done? Possibility of flipping the 2 buildings so the larger is toward the back but it was explained that the visibility for this business would be cut down.

Nichole - Sebago Technics, stated traffic studies have not been done offsite as they are not triggered. She went on to discuss studies and conditions under which traffic studies and calculations are done. DOT would be the entity dictating a potential traffic light or not.

Board discussed further the first entrance being enter only. Aaron stated they will be installing signage stating "If line is here please go inside" regarding the drive thru.

Motion to accept application by Lori Anthony, second by James Farias.

Vote: 5-0, motion passes, application accepted

Public Hearing June 29, 2022 at 6:30, no site walk required as long as a 2nd staff review / site walk is performed with Code Enforcement, Fire Department, and Public Works Department.

- Waterboro Safe Storage FOF Review
 - Findings of fact accepted with the change of Edward Zelmanow's name as signing. Motion to approve findings of facts as corrected by Lori Anthony, second by Clyde Smith.

Vote: 5-0, motion passes, FOF approved as corrected.

VI. COMMUNICATION

- Angela Chute read an email from Edward Zelmanow resigning from the Planning Board effective immediately.

VII. MISCELLANEOUS

VII. ADJOURNMENT

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

Vote: 5-0, motion passes, meeting adjourned to move into the workshop regarding Mobile Vending.

VIII. ITEMS NEEDING SIGNATURE

TOWN OF WATERBORO
PLANNING BOARD
MEETING MINUTES
June 15, 2022
6:30 p.m.

I. ROLL CALL

Present: Lori Anthony Rebekah Higgins Diane Gray Clyde Smith James Farias Stacie Walker

Absent:

Others: Dennis Abbott Michael Gilpatrick Dean Williams Stephen Everett Carole Cochrane
Dave & Chelsea Demeule Roger Lauzier Rob Shubert Mark & Debra Lacourse
Dave Lowe Angela Chute

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

II. MINUTES

- April 6, 2022
 - April 20, 2022
- Minutes accepted as written & corrected.

III. PUBLIC HEARINGS

- 0 Sokokis Trail, Marijuana Grow Facility – Robert Shubert

Michael Gilpatrick spoke giving an overview of the Town of Waterboro GIS and that an inaccuracy was found noting skewed property lines and that 2 abutters within 500' were not duly notified and recommended the public hearing be postponed to July meeting to allow for notification of all abutters.

Dean Williams agreed with this recommendation to postpone to the public hearing scheduled for this evening.

Motion by Clyde Smith to postpone the public hearing for 0 Sokokis Trail to July 6, 2022, second by Diane Gray.

Vote: 6-0, motion passed, public hearing for 0 Sokokis Trail postponed to July 6, 2022.

Carol Cochrane, 11 Evergreen Drive – not everyone on Evergreen Circle was notified. Lori Anthony explained that only abutters within 500' will be officially notified.

- 40 Logan Circle, Garage Build – Stephen Everett & Roger Lauzier obo Jake Lauzier

Michael Gilpatrick explained the project came before the Planning Board due to the sheer size exceeds 2500 sq. ft. and a running construction change connecting the 2 buildings. This is categorized as a commercial building due only to its size but is NOT a commercial usage. One of the buildings will store and house the property owners' construction equipment with 95% of the work being performed offsite. The other building will house classic cars, boats, and personal recreational items etc.

Lori Anthony opened the public hearing up to public comment.

Mark Lacourse, 11 Pete & Rose Way – he looks at the garage from his porch and initially worried he'd be looking at a strip mall. He has since spoken with Ron DeMaio the owner of the garage to which he will be seeing the most of. After having the opportunity to talk with Ron he is now happy with what has been explained to him that there will be trees to help with aesthetics. He explained he was confused about the retention pond so he was there to listen this evening.

No further public comment – public hearing closed at 6:46pm.

IV. OLD BUSINESS

- 0 Sokokis Trail, Marijuana Grow – Robert Shubert

No discussion for this project due to postponement to July 6, 2022.

- 40 Logan Circle, Garage Build – Stephen Everett & Roger Lauzier obo Jake Lauzier

Steve Everett explained the only change to the plan was the vicinity map.

Michael Gilpatrick stated that Mr. Lacourse was concerned about potential contaminates in the retention pond which is located near his property line. Steve explained most of the water is going to be runoff from the roof and some sheet flow from driveway that the activities onsite would not constitute any hazard.

Mark Lacourse stated he was concerned with the fuel in the tanks and that Mr. DeMaio explained that all the trailers would be parked behind the buildings and there will be a lawn and potentially someday pave the driveway. He stated it was nice to talk to him and he was very knowledgeable about the project there.

Steve Everette went on to explain there has to be a retention pond there as the potential runoff would only make an already bad problem worse.

Roger Lauzier stated he went to the site during some of the rains lately and the water coming off the overhang along the front would accumulate for a couple of seconds then it was gone.

Michael Gilpatrick stated that at the last meeting he had some confusion on his part regarding the subsurface locations on the plan. He confirmed this evening that there will be 2 facilities, 1 in each building, that the system would accommodate 6 people per day with (2) 1000 gallon tanks feeding into 1 field.

Board discussion followed regarding concern for no dwelling on the property, just a garage. Michael explained that's why the project is in front of them as the garage becomes the primary use and any changes will require Planning Board approval. Dean Williams made the recommendation that if the Board is comfortable the plan be approved.

Clyde Smith made a motion to approve the application, second by Rebekah Higgins.

Vote: 5-0, application approved, Diane Gray absent from the vote.

V. NEW BUSINESS

➤ Girard Farm FOF Review

- Findings of fact accepted with the change of removing James Farias from the findings and wording changes to #4 & #5.

Motion to approve findings of facts as corrected by Clyde Smith, second by Rebekah Higgins.

Vote: 5-0, motion passes, FOF approved as corrected, Diane Gray absent from the vote.

VI. COMMUNICATION

VII. MISCELLANEOUS

VII. ADJOURNMENT

- ### **➤ Clyde Smith made the motion to adjourn. Rebekah Higgins second the motion. No discussion.**

Vote: 5-0, motion passes, meeting adjourned to move into the workshop regarding Marijuana Amendment

VIII. ITEMS NEEDING SIGNATURE

TOWN OF WATERBORO
PLANNING BOARD
MEETING MINUTES
June 29, 2022
6:30 p.m.

Site Walk: Clarks Bridge Road Crossing all Planning Board members present. Todd Abbott, “Joe”, Dana Libby, Mark Patterson, Steven Bourque, and Dean Williams also present.

I. ROLL CALL

Present: Lori Anthony Rebekah Higgins Diane Gray Clyde Smith James Farias Stacie Walker

Absent:

Others: Michael Gilpatrick Dean Williams Jason Champion Todd Abbott Danny Bouzianis
John Wilson Lee Wilson David Wallace Mark Patterson Steven Bourque Dana Libby
Aaron Hunter Dwayne Woodsome Dave Lowe Angela Chute

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

II. MINUTES

III. PUBLIC HEARINGS

- 0 Sokokis Trail, Marijuana Grow – Robert Shubert
This project was placed on this agenda in scheduling error and is scheduled for Public Hearing on July 6, 2022. Motion made to move to July 6, 2022 agenda and remove from this public hearing schedule by Clyde Smith, second by Rebekah Higgins.
Vote: 6-0, motion passes
- Clarks Bridge Crossing – Dana Libby, Corner Post Surveying
Representing Mark Patterson for an 11 lot subdivision on Sokokis Trail and Clarks Bridge Road. All driveways meet site distance requirements and the driveways on Sokokis Trail have received their DOT entrance permits. Sokokis Trail will have 3 driveways for 5 houses with 4 houses sharing 2 driveways.

Public Comment opened at 6:32pm.

Todd Abbott, N. Waterboro – Waterboro Land Trust Committee member and was also a member of the Comprehensive Plan Committee. Why was this not a cul-de-sac or contain a drive through road from Route 5 to Clarks Bridge Road. Request they look back at the Comprehensive Plan, we’ve had a marina built that was not approved in the plan, there’s a subdivision on Deering Ridge Road with 5 driveways. He understands it’s tough to tell someone what to do with their land but how many more houses do you need to put on a road? Rural character his highly valued in Waterboro and we already have a lot of traffic and now adding more.

Mark Patterson stated they’ve looked at everything and looking to sell the lots for \$45k-\$50k per lot. Now the requirement of cross culverts will change everything. The cost of a road increases cost approximately \$100.00 per foot in the last 6 months and they have to keep the cost of the lots down. They’re looking to build homes that people will purchase based on road frontage. With the project they’ve started at the Waterboro Safe Storage they’ve already hit ledge and had to adjust accordingly.

Dana Libby stated they've actually lost a lot due to wet areas in the parcel, originally the subdivision was supposed to be 12 lots and is now down to 11 lots.

Dean Williams clarified that the towns Comprehensive Plan was not accepted / recognized by the State of Maine.

Todd Abbott came back and stated so what he was hearing from the contractor is they are not willing to do an interior road. The subdivision has open space which is supposed to have access by all in the subdivision. Lots 6 & 7 have no access to that open space. Sokokis Trail has shared driveways, can lots 1-3 on Clarks Bridge Road also have shared driveway?

Dana Libby explained there will be no HOA, there is an easement for Lot 7 but none for Lot 6 at this time. Shared driveways can be done but become a nuisance to homeowners and the State DOT required reduced curb cuts but the Town of Waterboro does not require.

No further public comment, public hearing closed at 6:50pm.

➤ 40 Sokokis Trail, Waterboro Crossing – Delphi Holding LLC

Aaron Hunter of Sebago Technics gave an overview of the project consisting of 1 proposed retail building, 1 proposed office space building, and 8 self-storage buildings. Staff site walk following the last meeting changed the 1st entrance to an enter only, moved parking spaces back to allow for greater turning radius, widened the driving isles, pedestrian walkways added, and signage for no exit. Following that site walk and plan adjustments they received approval from the fire department allowing the project to move forward based on the updated plans.

Public Comment Opened.

Don Wilson, 52 Sokokis Trail - Relieved to see the tree buffer in place that is to remain. Will there be any fence for additional privacy? Speaking to rural character, will there be shops with lights that will remain lit 24/7?

Danny Bouzianis stated the lights shut down approximately 30-60 minutes post-closing to allow employees to safely get to cars etc.

Aaron Hunter further expanded on the lighting that the lighting will be consistent with the lights that are currently there.

Jason Champion asked if they have heard back from DOT regarding a proposed entrance only for Fire Department access.

Aaron Hunter stated they did not pursue that after making the changes to the plans and that it would add cost to the project and gated needs.

No additional public comment, public hearing closed at 7:00pm.

➤ Mobile Vending Ordinance Amendment opened at 7:00pm

Dean Williams stated the existing ordinance required that the food trucks be moved from the site daily. The ordinance amendment allows the vendor to stay on site and not be removed daily provided the site & location has been approved by the Code Enforcement Officer. If a vendor wanted to have 2 or more food trucks on a site they will be required to come back to the Planning Board for approval. The definition of Food Truck will also be included in the Zoning Ordinance.

Dwayne Woodsome stated that the cost of moving units has become more costly and the potential for food loss is greater due to temperature change during a move.

David Wallace stated other towns are allowing multiple trucks per sites and it's coming this way.

No further public comment, public hearing closed at 7:06pm.

IV. OLD BUSINESS

➤ 0 Sokokis Trail, Marijuana Grow

This project was placed on this agenda in scheduling error and is scheduled for Public Hearing on July 6, 2022. Motion made to move to July 6, 2022 agenda and remove from this public hearing schedule by Clyde Smith, second by Rebekah Higgins.

Vote: 6-0, motion passes

➤ Clarks Bridge Crossing – Dana Libby, Corner Post Surveying

Jason Champion, Waterboro Director of Public Works requested that cross culverts be changed and that the driveway entrance aprons be paved for the 1st 12 feet.

Dean Williams recommended that Jason's requests be included in approval.

Mark Patterson asked when the road was rebuilt. Dwayne Woodsome stated that it was rebuilt in the '80's then repaved from the hill to Route 5 in the '90's as that is a State ROW. Mark went on to inquire if paving the entrances was in the ordinance or is it a recommendation? Dean stated that in the ordinance it is worded as "Based on recommendations of Director of Public Works." Mark expressed concern regarding the price per culvert and paving including flaggers. House prices are a concern so the added cost of culverts and paving that will be torn up during snow plowing is concerning. Driveways are already 150' to 200' due to nitrate plumes.

Lori Anthony inquired as to what DOT requires at their driveway cuts. Dana Libby stated they require paved apron then stated it's actually not required. Mark Patterson stated that they avoid shared driveways at all costs.

Rebekah Higgins stated she agrees with the cross culverts but expressed great concern regarding the cemetery and the Mill Pond. She also agrees with the Comprehensive Plan and we should look at that, this is not the vision for North Waterboro.

Diane Gray asked Jason Champion to elaborate on the request for paving the driveway aprons. Jason explained it allows the edge of the road to be preserved and alleviate cracking. Mark Patterson expressed that they utilize bank run gravel and crushed rock. Stacie Walker asked if we have had issues with washouts and runoff since the reconstruction or is it solid. Jason stated he wouldn't say it's solid but the ditches are doing their job, the current culverts are rusted and collapsing. Mark Patterson stated the houses have drip edges that slow the water down and allows the water to better drain.

Dwayne Woodsome stated the culvert in front of the cemetery was installed in '63 and the others went in roughly '83 or '84 so they're going on 40 & 55 years old. Mark Patterson stated that when they replace cross culverts there's a road cut then you have seams. He'd like to explore slip culverts vs. culvert replacement. Lori Anthony asked if they would be doing an invert at the ends of driveway culverts. Dana Libby stated they'd rather not do an invert as they have to do grade work. Mark Patterson provided further stating that they

would be pulling driveway applications for each driveway entrance and Jason stated he would be inspecting culvert placement and driveway construction.

Diane Gray also expressed concern regarding the cemetery and unmarked grave sites and asking what they can do to help protect those sites. Jason stated those are private property, we have no jurisdiction and nothing we can do. Dana Libby stated the only solution would be rip rap but as Jason stated it's private property.

Dean Williams stated that the driveways are not in compliance at this time, the ordinance requires 24' drivable surface. Dana Libby stated they would be revising plans to reflect that requirement.

Lori Anthony asked the Board their feelings about the culvert replacement, Dana Libby reminded they still have another step to go being the Final Plan, and Mark Patterson said you can condition us to work with the Director of Public Works, with Jason Champion stating he prefers the condition of culvert replacement. Dean Williams clarified the 24'x15' is drivable surface and the 12' pavement request is for the apron only. Mark Patterson said the revised plans would have the removal of the culvert at lot 3 as there isn't one there, Lot 6 will have an easement to the open area, and show the driveway changes 24' of drivable surface for the first 15' of the driveway.

Motion made by Clyde Smith to approve the Preliminary Plan, second by James Farias.

Vote: 6-0, motion passes, Preliminary Plan of Clarks Bridge Crossing approved.

➤ 40 Sokokis Trail, Waterboro Crossing – Delphi Holding LLC

Danny Bouzianis stated CMP may not need the transformer to be on a pole but if we do it will be on the final construction drawings. Right now it is too close for plows. Clyde Smith asked if there was a concern of arc flash and Danny stated there is a safety concern.

Lori Anthony stated on the photo metrics plan you can't read the #'s and asked about the distance of 0 candle power. Aaron Hunter stated there would be nothing over the property lines, lights would be pack lights on the building and light poles with LED cut-offs. Stacie Walker asked if the storage units will be 24/7 and if so will there be lights on and off? Danny stated it probably won't be 24/7 but if it is then there would be motion sensor lighting.

A waiver has been requested for the 10' green belt buffer which included the location of the dumpster and is only a 25' section to accommodate turning radius. The waiver is only for that 25' section.

Lori Anthony questioned the outdoor storage of RV's and boats and the potential for oil and gas leakage on slopes. Aaron Hunter explained it would be picked up through catch basins and filtration and will go through DEP permitting. The only thing going off site would be the drainage from the slopes. Lori stated the septic leach beds, building 2 shows a larger system and says restaurant and building 1 shows a smaller system. Aaron stated the systems are over designed in case of a change of use including a restaurant, the system is already in place. Lori reaffirmed a restaurant would require PB approval but the septic system wouldn't need replacement and stated they may need to condition regarding change of use.

Jason Champion asked about the buffer along the front of the building between the parking and sidewalk and if it would be the same as the existing building. Aaron stated they would be carrying the same buffer along the front.

When asked about the buildings being sprinkled it was noted that the buildings are not required due to size.

Lori Anthony asked Dean Williams that if change of use if they come back to the Planning Board and he stated they could condition it that way. Angela Chute explained that if it is an allowed primary use within the zoning district then the change could be handled at the Code Enforcement level but if the change is a conditional use it would have to come back to Planning Board and that the Code Enforcement Officer would require that. She stated if there's a substantial trip change then that will be a concern.

No further Board discussion.

Diane Gray made a motion to approve the application, second by Clyde Smith.

Vote: 6-0, motion passed, application approved.

Lori Anthony stated they would also need to approve the 10' green belt buffer waiver and requested a motion to approve the waiver. Clyde Smith made a motion to approve the waiver, second by James Farias.

Vote: 6-0, motion passed, waiver granted.

➤ Mobile Vending Ordinance Amendment

No Board discussion.

Lori Anthony made a motion to approve the Mobile Vending Ordinance Amendment and return it to the Selectmen, second by Rebekah Higgins.

Vote: 6-0, motion passed, amendment approved and returned to Board of Selectmen.

V. NEW BUSINESS

➤ Review of memo to Board of Selectmen regarding request for amendment to Marijuana Ordinance. Memo read, stating no amendments made, no corrections or edits.

Rebekah Higgins made a motion to submit memo to the Board of Selectmen, second by Clyde Smith.

Vote: 6-0, motion passed, memo forwarded to Board of Selectmen

VI. COMMUNICATION

➤ LD2003 Presentation Materials

VII. MISCELLANEOUS

VII. ADJOURNMENT

➤ Diane Gray made the motion to adjourn. Rebekah Higgins second the motion. No discussion.

Vote: 5-0, motion passes, meeting adjourned

VIII. ITEMS NEEDING SIGNATURE

TOWN OF WATERBORO
PLANNING BOARD
MEETING MINUTES
July 6, 2022
6:30 p.m.

I. ROLL CALL

Present: Lori Anthony Rebekah Higgins Diane Gray Clyde Smith James Farias Stacie Walker

Others: Lee Jay Feldman Dennis Abbott Robert Shubert Kate Shubert Carole Chochrane

Sue Vittorioso Dale Adams Dave Lowe Angela Chute

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

II. MINUTES

III. PUBLIC HEARINGS

➤ 0 Sokokis Trail, Marijuana Grow – Robert Shubert

Owns the abutting property to Evergreen Drive where the greenhouse and the grow would be. Because the property is abutting and the size of the greenhouse he has to come to the Planning Board for permission. He's currently a caregiver and has to be a caregiver because he transports the product to the lab to be processed into oil for edibles. He realizes there is skepticism regarding his project and wants to address this. He could actually take the greenhouse down and grow more plants than he is now but he is only growing based on family need but with the greenhouse he is proposing a more controlled more secure facility.

Public Comment:

Carole Cochrane, 11 Evergreen Drive –

You say you're not selling now but maybe you did.

- Kids coming to our doors at 10:00 at night looking for Mr. Shubert
- Neighbor found a camera mounted to her mailbox, I personally would have called police but she didn't.
- Have subdivision by-laws been reviewed?
- Last fall a curtain of haze was in the neighborhood and it was pot, he was burning pot plants.
- There was a drone flying around the neighborhood and Mr. Shubert called the police
- What will this do to our property valuation?
- Drugs lead to crime and pot is a drug.
- Wants to know who will be paying for the property line flyover that was mentioned at the last meeting because it better not be her.
- Aquafer concerns because he stated he would be using 10 gallons of water a day, that seems way off because she uses way more than that for a few vegetables.
- The smell of the pot gives some of her neighbors migraines.

Sue Vittoriosio, 13 Evergreen Drive –

States she didn't receive her notification. Was provided with the returned notification that was addressed to the son, Matt Vittoriosio, registered owner in TRIO.

Robert Shubert stated originally his own wife had concerns but as long as it was legal she was ok with the project. Subdivision review was not needed as it is not part of the subdivision. He does not sell from his home and never put a camera on someone's mailbox as that is a Federal offense. Marijuana is a unique smell and has different smells at different stages. This year he has added 6 fans and filters, utilizing carbon filters. The fans are pushing the air toward the lake and not toward any residence or neighbor and if the fans and filters in place now aren't enough he can add additional internal filters. He feels there needs to be caution regarding "his operation dispersing odor" as there are others in the neighborhood growing and not inside a greenhouse. Last fall he did burn some plants that had mildew and mold but won't be done again, he bags up and takes to town dump. He admits that was a mistake he made last fall. Marijuana is a drug, alcohol is a drug and there are more issues with alcohol than marijuana when speaking of crime and deaths. With regards to watering, he's estimating 20 gallons every other day for 10 plants up to 13 gallons every other day for 26 plants, as they require very specific watering. Yes he called police regarding the drone as he was nervous about a drone flying around the neighborhood, shame on him.

No further public comment, public hearing closed at 6:56pm.

IV. OLD BUSINESS

➤ 0 Sokokis Trail, Marijuana Grow – Robert Shubert

Lee Jay Feldman stated he did not have a lot to add to this project that Caregivers have regulations they have to follow. Planning Board has already approved another facility and the concerns were having cameras in place, odor control, and safety.

Board discussion regarding the determination of odor and where is it coming from. Lee Jay stated most facilities utilize charcoal filters and negative air control practices and it does a good job of cleaning the air prior to leaving the facility. Marijuana does have a distinct "skunk odor." There is no scientific measurement for odor measurement, only assumption. There are professional odor sniffers but are very costly. Maintenance of filters and schedule of maintenance of filters was discussed. There was been nothing set up or proofed on this particular project as of yet. Planning Board can condition the timing of filter maintenance and logs provided to Code Enforcement for inspection.

Robert Shubert stated that the filters he uses recommend changing every 90 days and that the most odor produced is during budding. Filters will be changed during that time and will also have spare filters on hand.

Rebekah Higgins asked if his maximum capacity would be 26 plants at all time. Mr. Shubert explained that as a caregiver he can go to 36 plants plus his 27 personal plants for his maximum but he has no room and too much for him so he's currently at ½ capacity. The state requires a fenced or enclosed area and he has both at his location. There are 2 security systems on the property, one containing internal memory, and these systems contain approximately 20 cameras in total. They are mounted up high and people are usually reluctant to do something wrong when they know they're on camera. I've tried to make it look nice as well as cute. I did have some plants taken a couple of years ago, I was just a beginner at the time but did work with Deputy Sanborn regarding the theft. The fenced area is locked as I stated before and has he Knox Box for fire department access.

Clyde Smith requested information regarding his air filtration on site. Mr. Shubert stated his fans are rated for 4500 cu. Ft. and his greenhouse has 45,000 so he has 6 fans and room for more if needed. If he finds there is not proper air movement inside the greenhouse then he will add the additional fans.

Stacie Walker touched on the water usage, surprised he's only using 13 gallons a day. Where are the nitrogen and phosphorus going? Eventually they will kill your garden plants. Mrs. Shubert stated that as the plants get bigger each plant will probably get 1.5 gallons of water a day. All his nutrients are organic and he uses less nutrients on his plants than the garden. The soil is very sandy and filters very well. Saco River Corridor Commission had no input for him regarding this project. Lori Anthony stated she uses fertilizer in her garden and she's closer to Lake Arrowhead than Mr. Shubert is. Was asked if he's following the State of Maine guidelines for wastewater. Mr. Shubert stated the regulations are based on the larger facilities and at this time there are no in ground guidelines. The plants are inside and watered directly to the roots so there is no wastewater as they absorb the water quickly. Stacie reaffirmed that he's not extracting, he is just delivering and Mr. Shubert confirmed he takes his product to a lab for extraction. Mr. Shubert also confirmed he is utilizing plant count vs. canopy cover. Lee Jay confirmed the guidelines for caregivers and runoff are most common dealing with larger facilities but could be required to install a 500 gallon tank to catch the runoff and have pumped when necessary. Further explaining that caregivers have a much stricter process, more regulated and provide better products.

Board discussion regarding conditions regarding expansion, no burning of plants and maintenance logs for the filtration systems. Members agreed to the following conditions of approval:

1. Maintain a log with plant date, harvest date, all filter checks, filter changes, and all maintenance to the filtration system.
2. Clippings and all Biomass from process shall be disposed of properly and not burned on site.
3. Expansion will require Planning Board approval.
4. Compliance with all oral & written statements submitted to the Planning Board

Clyde Smith made a motion to approve the application as proposed with the conditions of approval as discussed, second by James Farias.

Vote: 6-0, application approved with conditions of approval as discussed

V. NEW BUSINESS

VI. COMMUNICATION

VII. MISCELLANEOUS

VII. ADJOURNMENT

- Clyde Smith made the motion to adjourn and move into the workshop on LD2003 Affordable Housing. James Farias second the motion. No discussion.

Vote: 6-0, motion passes, meeting adjourned

VIII. ITEMS NEEDING SIGNATURE

TOWN OF WATERBORO
PLANNING BOARD
MEETING MINUTES
July 20, 2022
6:30 p.m.

I. ROLL CALL

Present: Lori Anthony Rebekah Higgins Diane Gray Clyde Smith

Absent: James Farias Stacie Walker

Others: Lee Jay Feldman Dave Lowe Angela Chute

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

II. MINUTES

- **June 15, 2022 accepted as written**
- **June 29, 2022 accepted as corrected**
- **July 6, 2022 accepted as written**

III. PUBLIC HEARINGS

IV. OLD BUSINESS

V. NEW BUSINESS

➤ **Election of Officers**

Board discussed their opinions regarding waiting for all members to be present vs. electing officers this evening. Board members present this evening felt it was okay to elect officers this evening.

- **Chairperson**

Clyde Smith nominated Lori Anthony for the position of Chairperson, second by Rebekah Higgins.

Vote: 4-0, Lori Anthony elected to position of Chairperson.

- **Vice Chairperson**

Diane Gray nominated Clyde Smith for the position of Vice Chairperson, second by Rebekah Higgins.

Vote: 4-0, Clyde Smith elected to position of Vice Chairperson.

➤ **FOF 40 Logan Circle, Jake Lauzier**

Findings of Facts reviewed and discussed.

Clyde Smith made a motion to accept the FOF as written, second by Rebekah Higgins.

Vote: 4-0, motion passed, FOF accepted as written.

- **FOF 40 Sokokis Trail, Waterboro Crossing, Delphi Holdings**
Findings of Facts reviewed and discussed
Diane Gray made a motion to accept the FOF as written, second by Clyde Smith
Vote: 4-0, motion passed FOF accepted as written.
- **FOF 0 Sokokis Trail, Marijuana Grow, Robert Shubert**
Findings of Facts reviewed and discussed with corrections.
Clyde Smith made a motion to accept the FOF as written with corrections, second by Diane Gray.
Vote: 4-0, motion passed FOF accepted as corrected.
- **Andy Cote Memo – Request for Partial Bond Release on Panoramic Drive**
Clyde Smith made a motion to add to the agenda for discussion, second by Lori Anthony.
Vote: 4-0, motion passed, memo added to New Business.

Board requesting an updated memo from Michael Gilpatrick and Jason Champion explicitly stating that completion is over 50% as the memo from Andy Cote states he's 75%-80% completed with the punch list. Also stated that they have no input from Matt Bors, Town Administrator.

Clyde Smith made a motion to postpone to next meeting, second by Rebekah Higgins.
Vote: 4-0, motion passed to postpone to next meeting.

VI. COMMUNICATION

VII. MISCELLANEOUS

VII. ADJOURNMENT

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

Vote: 4-0, motion passes, meeting adjourned

VIII. ITEMS NEEDING SIGNATURE

TOWN OF WATERBORO

PLANNING BOARD

MEETING MINUTES

August 3, 2022

6:30 p.m.

**There was no Planning Board meeting on August 3, 2022
therefore, no minutes for recording.**

TOWN OF WATERBORO

PLANNING BOARD

MEETING MINUTES

August 17, 2022

6:30 p.m.

There was no Planning Board meeting on August 17, 2022 therefore, no minutes for recording.

TOWN OF WATERBORO
PLANNING BOARD
MEETING MINUTES
August 24, 2022
6:30 p.m.

I. ROLL CALL

Present: Lori Anthony James Farias Diane Gray Stacie Walker

Absent: Rebekah Higgins Clyde Smith

Others: Lee Jay Feldman Dave Lowe Angela Chute

Lori Anthony called the meeting to order at 7:00pm due to a member running late and stated a quorum was met with members present.

II. MINUTES

- July 20, 2022
- August 3, 2022

All minutes accepted as written

III. PUBLIC HEARINGS

IV. OLD BUSINESS

- Clarks Bridge Road Crossing, Clarks Bridge Road & Sokokis Trail – Final Subdivision Plan Review – Dana Libby, Corner Post Land Surveying

There weren't many changes to the plans.

1. Sheet 2 – added the driveway entrance detail
2. Removed the culvert located at Lot 3
3. Added certification that monumentation has been set.

Regarding the memo from the Department of Public Works, the culverts located at Lot 1 and Lots 2 & 3 are located correctly with direction of water flow correct so he's not quite sure how to address the memo. Lee Jay stated he also had the same observation but it may just be an illusion with the angle of the culverts on the plans.

Lori requested they define passive recreation. Also, regarding the driveways and curb cuts on Route 5, DOT inspects, will the driveways and culverts on Clarks Bridge Road be inspected during installation?

Dana stated it refers to hiking, walking etc., there will be no ballfields etc. The driveways and culverts on Clarks Bridge Road will be inspected during installation by Public Works as well as Code Enforcement for compliance.

Lori stated that she noted that originally on the deed restrictions that the lots were presented as 11 house lots but now #2 on the deed restrictions Lots 5 & 6 now have an exemption for commercial use.

Mark Patterson stated that depending on what happens with the safe storage project, they may need those 2 lots for the Waterboro Safe Storage but it's unsure at this time.

Diane wanted clarification that any changes would have to come back to Planning Board. Dana explained that they put that clause in there so the option was already available to them.

Lee Jay read his recommendations regarding conditions of approval.

1. A bond, letter of credit, or certified check be established with the Town prior to the start of construction on any of the off-site improvements (cross culvert replacement). The dollar amount shall be agreed upon with the Public Works Department prior to construction.
2. Compliance with all written materials and oral agreements submitted to the Board as part of the application process.

No further discussion.

Motion made by Diane Gray to approve the Final Subdivision Plan for Clarks Bridge Crossing, second by Stacie Walker.

Vote 4-0, motion passed, Final Subdivision Plan for Clarks Bridge Crossing approved

V. NEW BUSINESS

VI. COMMUNICATION

VII. MISCELLANEOUS

VII. ADJOURNMENT

- Diane Gray made the motion to adjourn. Lori Anthony second the motion. No discussion.

Vote: 4-0, motion passes, meeting adjourned

VIII. ITEMS NEEDING SIGNATURE

TOWN OF WATERBORO
PLANNING BOARD

AGENDA
September 7, 2022
6:30p.m.

I. ROLL CALL

II. MINUTES OF PREVIOUS MEETINGS

- August 17, 2022
- August 24, 2022

III. PUBLIC HEARING

IV. OLD BUSINESS

- **Clarks Bridge Crossing, Dana Libby, Corner Post Surveying**
FOF Review, Sign Plans

V. NEW BUSINESS

VI. COMMUNICATION

MMA Local Planning Board and Board of Appeals Works Shop
October 13, 2022, Bar Harbor, ME

VII. MISCELLANEOUS

VIII. ADJOURNMENT

Upcoming Meetings		
September 7, 2022	Planning Board Meeting	6:30pm @Townhall Annex Selectmen's Meeting Room
September 21, 2022	Planning Board Meeting	6:30pm @ Townhall Annex Selectmen's Meeting Room

TOWN OF WATERBORO
PLANNING BOARD
MEETING MINUTES
September 21, 2022
6:30 p.m.

I. ROLL CALL

Present: Lori Anthony Rebekah Higgins Diane Gray Stacie Walker

Absent: James Farias

Others: Dave Lowe Angela Chute Dennis Abbott Daniel Correia

Lori Anthony called the meeting to order at 6:30 and declared a quorum with members present.

II. MINUTES

- September 7, 2022 accepted as corrected

III. PUBLIC HEARINGS

IV. OLD BUSINESS

V. NEW BUSINESS

- Ossipee Estates Amendment – Dana Libby, Corner Post Surveying
 - Daniel Correia was present, Dana Libby was absent from the meeting.

Lori Anthony stated that application was received on September 9, 2022 and not 14 days in advance of the meeting. Lee Jay stated this wasn't a public hearing so it didn't need to be. Lori stated Section 7.1 states 14 days, that this is the first one she's done and had to look it up. Lee Jay stated then it can be moved to the next meeting, you can postpone / table to next meeting. Lori reviewed Roberts Rules and stated they would postpone the meeting to October 5th.

Rebekah Higgins made the motion to postpone to October 5, 2022, second by Stacie Walker.

Vote: 4-0, motion passed, Ossipee Estates postponed to October 5, 2022.

VI. COMMUNICATION

- Lee Jay stated they could amend the agenda this evening to reaffirm the Mobile Vending Amendment to send back to Board of Selectmen.
 - Diane Gray made motion to add the Mobile Vending reaffirmation to the September 21, 2022 agenda, second by Rebekah Higgins.

Vote: 4-0, Mobile Vending reaffirmation added to September 21, 2022 agenda.

Lee Jay read the minutes from June 29, 2022 Planning Board meeting including the public hearing. Lori Anthony felt there was misinformation and/or missing information and requested a video review of the meeting. Lee Jay stated he would work with Angela to accomplish that.

- Election of Vice Chairperson will be held October 5, 2022

VII. MISCELLANEOUS

VII. ADJOURNMENT

- Rebekah Higgins made the motion to adjourn. Diane Gray second the motion. No discussion.

Vote: 4-0, motion passes, meeting adjourned

VIII. ITEMS NEEDING SIGNATURE

- Clarks Bridge Crossing Plans
- Lori Anthony to sign Clarks Bridge Crossing FOF

TOWN OF WATERBORO
PLANNING BOARD
MEETING MINUTES
October 5, 2022
6:30 p.m.

I. ROLL CALL

Present: Lori Anthony Rebekah Higgins Diane Gray James Farias

Absent: Stacie Walker

Others: Dave Lowe Angela Chute Dennis Abbott Davis Bartlett

Lori Anthony called the meeting to order at 6:30 and declared a quorum with members present.

II. MINUTES

Motion made by Diane Gray, second by Rebekah Higgins to add September 21, 2022 Planning Board minutes to the agenda for review.

Vote: 4-0 minutes added to the agenda.

- September 21, 2022 accepted as corrected

III. PUBLIC HEARINGS

IV. OLD BUSINESS

- Mobile Vending Amendment Draft Re-affirmation
Video review was performed regarding the Mobile Vending Amendment and summary provided to the Planning Board members confirming the draft the Board had in front of them was the same draft the Board voted 6-0 to accept and return to the Board of Selectmen for their action. The Board accepted the summary of review and agreed it would be moved to the Board of Selectmen for their review.

V. NEW BUSINESS

- Ossipee Estates Amendment, 0 Middle Road – David Bartlett, Corner Post Surveying
Ossipee Estates was an approved 8 lot subdivision. Lot 8 ended up being 20 acres purchased by the Correia brothers. They have since requested to split that 20 acre lot into 2 separate parcels, 1 lot for each of the brothers.

Lee Jay's memo stated no waivers were requested but the applicant states he has requested 5 waivers.

Lori Anthony stated the residences would to be sprinkled, also stated that each waiver would need to be filled out individually on their own waiver request form, and that the abutters list went out 200' instead of the required 500'. Lori asked the Board if they would like to find the application complete and schedule a public hearing or have the information needing correction updated and then return.

Davis Bartlett stated they can amend the plans with conditions and still move forward.

Diane Gray made a motion to find the application complete with updated plans to be provided, second by James Farias.

Vote: 3-1, Lori Anthony against, motion passed finding the application complete.

Angela Chute recommended the public hearing be scheduled out to November 2, 2022 due to challenges with the mail delivery as of late. Applicant was reluctant but understood the challenges.

- Election of Officer: Vice Chair
Diane Gray nominated Rebekah Higgins, Rebekah Higgins accepted the nomination, second by James Farias.

Vote: 4-0, motion passes, Rebekah Higgins elected to Vice Chair.

VI. COMMUNICATION

- 2023 Planning Board Dates distributed

VII. MISCELLANEOUS

VII. ADJOURNMENT

- James Farias made the motion to adjourn. Diane Gray second the motion. No discussion.

Vote: 4-0, motion passes, meeting adjourned

VIII. ITEMS NEEDING SIGNATURE

TOWN OF WATERBORO

PLANNING BOARD

MEETING MINUTES

October 19, 2022

6:30 p.m.

There was no Planning Board meeting on October 19, 2022 therefore, no minutes for recording.

TOWN OF WATERBORO
PLANNING BOARD
MEETING MINUTES
November 2, 2022
6:30 p.m.

I. ROLL CALL

Present: Lori Anthony Rebekah Higgins Diane Gray James Farias Stacie Walker

Others: Dave Lowe Angela Chute Dennis Abbott Davis Bartlett Daniel Corriea
Michael Gilpatrick

Lori Anthony called the meeting to order at 6:30 and declared a quorum with members present.

II. MINUTES

- October 5, 2022 Accepted as written
- October 19, 2022 There was no meeting, therefore no minutes for review.

III. PUBLIC HEARINGS

- Ossipee Estates Subdivision Amendment
Davis Bartlett, Corner Post Land Surveying

Public Hearing opened at 6:32PM

Davis Bartlett gave a brief overview of the subdivision amendment explaining the owners are taking the current 28 acres parcel and splitting it into 2 (14) acre parcels, ownership being one for each brother.

There was no public input and no correspondence received by the Code / Planning Office.

Public hearing closed at 6:33PM

IV. OLD BUSINESS

- Ossipee Estates Amendment, 0 Middle Road – David Bartlett, Corner Post Surveying
Ossipee Estates was an approved 8 lot subdivision. Lot 8 ended up being 20 acres purchased by the Correia brothers. They have since requested to split that 28 acre lot into 2 separate parcels, 1 lot for each of the brothers.

Davis Bartlett stated the plans were updated with the correct abutters list, a new map was provided showing all appropriate abutters, and that the brook that was previously depicted on the plans has been corrected as it is actually drainage and not a brook. The notes have been revised, Note #16 stating that both residences will have individual sprinkler systems.

Michael Gilpatrick had nothing further to add, that his input will come during the permitting process.

The applicant requested 5 waivers as submitted.

Motion made by Rebekah Higgins to approve the waivers as written, second by James Farias.

Vote: 5-0, waivers approved as written.

Motion made by Diane Gray to approve the Ossipee Estates Subdivision Amendment with condition #1 as laid out by Town Planner Lee Jay Feldman, second by James Farias.

Vote: 5-0, Ossipee Estates Subdivision Amendment approved with Condition #1.

V. NEW BUSINESS

VI. COMMUNICATION

MMA Zoom Webinar on December 13, 2022 for Local Planning and Boards of Appeal
4:00 – 7:30

VII. MISCELLANEOUS

- Dennis Abbott, Chair Board of Selectmen stated the Board of Selectmen accepted the Mobile Vending Ordinance Amendments.
- Michael Gilpatrick stated he had some upcoming Zoning Changes and would like a small workshop to accomplish those. Will coordinate with Lee Jay for in person or memos regarding his input.

VII. ADJOURNMENT

- Rebekah Higgins made the motion to adjourn. James Farias second the motion. No discussion.

Vote: 5-0, motion passes, meeting adjourned

VIII. ITEMS NEEDING SIGNATURE

TOWN OF WATERBORO

PLANNING BOARD

MEETING MINUTES

November 16, 2022

6:30 p.m.

There was no Planning Board meeting on November 16, 2022 therefore, no minutes for recording.

TOWN OF WATERBORO
PLANNING BOARD
MEETING MINUTES
November 30, 2022
6:30 p.m.

I. ROLL CALL

Present: Lori Anthony Rebekah Higgins Diane Gray Stacie Walker

Absent: James Farias

Others: Dave Lowe Angela Chute

Lori Anthony called the meeting to order at 6:40 and declared a quorum with members present.

II. MINUTES

- November 2, 2022 minutes accepted as corrected

III. PUBLIC HEARINGS

IV. OLD BUSINESS

V. NEW BUSINESS

- Ossipee Estates Amendment FOF, 0 Middle Road – David Bartlett, Corner Post Surveying FOF read and reviewed. Motion made by Rebekah Higgins to accept and approve the Ossipee Estates Amendment FOF as corrected, second by Stacie Walker.
Vote: 4-0, motion passed, FOF accepted and approved as corrected.

VI. COMMUNICATION

MMA Zoom Webinar on December 19, 2022 for Understanding the Freedom of Access Act from 2:00PM – 4:30PM

VII. MISCELLANEOUS

VII. ADJOURNMENT

- Diane Gray made the motion to adjourn. Rebekah Higgins second the motion. No discussion.

Vote: 4-0, motion passes, meeting adjourned

VIII. ITEMS NEEDING SIGNATURE

TOWN OF WATERBORO

PLANNING BOARD

MEETING MINUTES

December 7, 2022

6:30 p.m.

There was no Planning Board meeting on December 7, 2022 therefore, no minutes for recording.

TOWN OF WATERBORO

PLANNING BOARD

MEETING MINUTES

December 21, 2022

6:30 p.m.

The Planning Board held a workshop on December 21, 2022 to initiate discussions regarding upcoming Zoning Ordinance Amendments therefore there are no minutes for recording.