

TOWN OF WATERBORO

PLANNING BOARD

MEETING MINUTES

November 1, 2023

6:30 p.m.

➤ **ROLL CALL**

Present: Lori Anthony Diane Gray James Farias Stacie Walker Rick Madruga

Absent: Rebekah Higgins

Others: Angela Chute LeeJay Feldman Dave Lowe Joyce Barker Philip Weymouth

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

➤ **MINUTES**

- June 28, 2023 – accepted as corrected following video review
- July 19, 2023 – accepted as written
- August 2, 2023 – accepted as written
- August 16, 2023 – accepted as written
- September 6, 2023 – accepted as corrected
- September 20, 2023 – accepted as written
- October 4, 2023 – will review video for clarification as noted on draft

➤ **PUBLIC HEARINGS**

➤ **Accessory Dwelling Unit Zoning Ordinance Amendments Lee Jay Feldman, SMPDC**

Lee Jay Feldman gave a brief summary of the amendments pertaining to the Accessory Dwelling Unit Zoning Ordinance Amendments regarding LD2003 that was passed at the last Legislative Session to address the current housing crisis. He explained the law, the definition, and the changes to the ordinance, as well as the additions to the ordinance.

There was no public comment aside from an email from Maureen Graves Anderson, see attached.

The public hearing was closed at 6:44PM.

➤ **OLD BUSINESS**

➤ **Accessory Dwelling Unit Zoning Ordinance Amendments Lee Jay Feldman, SMPDC**

Lee Jay stated he had nothing further to add but could answer any questions the Board may have.

Michael Gilpatrick spoke to the email from Mrs. Anderson, that once an occupancy permit has been issued it cannot be rescinded. They would need to create something in the

ordinance to umbrella unsightly. He also stated that “unsightly” is a matter of perception, we can investigate dangerous buildings etc. and can be handled through that process.

Lori Anthony asked if there was any further Board discussion.

Diane Gray stated that she’s seeing a lot of confusion from people that they don’t understand it can be a rental income and not just for family to which Lee Jay stated they would have to be fair market rentals.

Lori Anthony stated she felt they must be no less than 6 month leases and the owner live on site in one of the units.

Board feels no further discussion.

Motion made by Stacie Walker, second by James Farias to pass on a favorable recommendation to the Board of Selectmen.

Vote: 5-0, motion passed

➤ NEW BUSINESS

➤ **628 Main Street, Waterboro – Conditional Use Application Joyce Barker**

Joyce Barker spoke to the application that they would like to start a homestead for their family consisting of chickens and goats.

Lee Jay stated the Board has his short memo but Mike Gilpatrick has been handling this application.

Michael Gilpatrick explained the family had recently moved in and that the use was an allowable use but their location is within the Wellhead Protection Zone. The ordinance doesn’t mention goats specifically but says livestock. This property is also in the Conservation Zone but is an allowed conditional use. He doesn’t feel the application is complete in its current stages as there are no dimensions on the layout. Page 92 of the Zoning Ordinance speaks to density requirements and allowed head counts for goats and chickens. Mike feels we need to receive the dimensions and overall head counts.

Joyce stated currently they have 6 goats and 20 chickens with a fenced in area of approximately 1 acre but have approximately 350’ of fence left over to expand the fenced area. Mike stated an additional ½ acre of fenced area would meet the density requirement.

Lori Anthony requested clarification whether this property is in the Resource Protection District? Mike stated it wasn’t, Angela brought up GIS on the overhead screen and applied layering showing the Wellhead Zone 2, Wetlands Layer and the Resource Protection Zone.

Diane Gray verified with Joyce that they had more fencing to create a bigger area to allow the goats, to which Joyce confirmed. She stated they have the goats to produce milk and will need to breed but will be selling and auctioning off some of the goats.

Stacie Walker asked if there were any plans to expand with Joyce stating they would like to add 2 mini cows which are approximately 36” tall.

Michael Gilpatrick stated they would need to add more acreage and fencing for the headcount and watch the nitrates. He stated that as they were working on the additional information and headcounts they could include the 2 mini cows.

Diane Gray requested the number of chickens they could have. Mike stated there is no density for chickens and laws in place to protect residence who are raising their own food. Joyce explained the chickens free range and are not in an enclosed area.

Lori Anthony looking at the sketch provided requested for clarification that B=Barn, S=Shed, G=Garden, would like an idea of where the wetland is in relation to the pasture. Would they be stock piling manure?

Philip Weymouth stated they are all organic, no chemicals, the hay is all organic as well as the food fed.

Joyce Barker stated they would not be stock piling manure.

Philip Weymouth stated they've had 4 water tests and all have come back clean, they have a 400' well at 40 gpm.

Stacie Walker is requesting to see the dimensions for density and add the 2 mini cows into the head count.

Motion made by Diane Gray to find the application incomplete, second by Stacie Walker.

Vote: 5-0, motion approved, application found incomplete.

➤ **RSU 57 FOF**

Lori Anthony read through the FOF and Board discussed each condition. Rick Madruga made a motion to approve the FOF as corrected, second by Stacie Walker.

Vote: 5-0, FOF approved as corrected.

➤ **COMMUNICATION**

Lee Jay Feldman will be temporarily stepping back from Waterboro and stepping in at Kennebunkport as they have lost all their Planners. Their meetings fall on the same evening as Waterboro. SMPDC has a new Planner beginning next week who will be taking over Waterboro. Lee Jay will be helping her from behind the scenes. Her name is Mikala Jordan, originally from Maine but has been in Utah for several years and working for Wasach Front Regional Planning but now returning to Maine.

➤ **MISCELLANEOUS**

Waterboro Town Hall change in hours does not change anything regarding timelines for Planning Board with the exception that the offices will now be closed on Fridays.

VIII. ADJOURNMENT

➤ Rick Madruga made the motion to adjourn. James Farias second the motion. No discussion.

Vote: 5-0, motion passes, meeting adjourned

IX. ITEMS NEEDING SIGNATURE