

TOWN OF WATERBORO
PLANNING BOARD
MEETING MINUTES
January 21, 2015
7:00 p.m.

I. ROLL CALL

Board Members

Present: Kurt Clason Frank Allen Judy Carll Andy Cote Lee Nelson
Dwayne Prescott

Absent:

Others Present: Katy Mann Bob Gage Travis Letellier Troy McDonald
Tim Neill Matt Bors Douglas Foglio Jack Seely
Tom Ursia David Lowe Gary Lamb Glenn Charette
Tammy Bellman

Kurt Clason, Vice-Chair called the meeting to order at 7:02pm.

II. APPOINTMENTS

- ***Election of chairperson*** - Tabled by Kurt Clason until after the Board of Selectmen accept Tim Neill's resignation
- ***Katy Mann – Conditional Use verbiage for Residential Zone verbiage*** – Kurt Clason gave an overview of the procedure thus far to amend the Residential Zone Conditional Use section of the Zoning Ordinance. Tom Ursia offered, with the Planning Board's consensus, to contact the Attorney to see if both the Planning Board and the Board of Selectmen need to have a Public Hearing or if a joint Public Hearing would suffice. Tom will email the response from the attorney. Andy Cote made the motion to accept the verbiage as written. Frank Allen seconded. No discussion. Voted 6-0 passed. The Public Hearing is scheduled for February 18, 2015 at 7pm in the Town Hall Selectmen's meeting room.
- ***Dollar General – Discussion/Vote*** – Dwayne Prescott recused himself from the board. A history was provided by Kurt Clason. Troy McDonald introduced his team. Troy provided the following:
 1. Asked for a vote and was approved;
 2. Public Hearing did not change the plan provided; it will remain the same;
 3. Meets the Zoning Ordinance for the driveway; actually exceeds the ordinance. Ordinance has 50 feet the plans provide for 110 feet;
 4. Stalls 40 total based on 1 for every 200 square feet of store space and 1 to 3 for employees

Andy Cote provides that based on the public hearing the Roberge property has no screening as the other sides are being provided. In fairness to the abutter, Andy is asking the applicant to give screening allowance to the abutter property in question. After a brief discussion Bob Gage agreed to provide the Roberge property owners \$2,500 so they can put in the screening that they would like/approve. Kurt Clason then read from the Site Plan Review – Site Plan Review Ordinance III. Administration - Attachment 1 provides the wording with Planning Board comments and decisions. II. Site Plan Review

Standards – Attachment 2 provides the wording with Planning Board comments and decisions. Andy Cote made a motion to waive the Performance Guarantee. Frank Allen seconded. No discussion. Vote 5-0 with 1 abstention (Prescott). Motion approved. Andy Cote made the motion to approve the Dollar General Site Plan with the following conditions:

1. \$2,500 landscape allowance to be paid to the Roberge abutters;
2. Fill-in/cap the old well on-site per State Standards; and
3. Receive MDEP Stormwater permit before the CEO building permit is issued or the Certificate of Occupancy.

Frank Allen seconded the motion. Discussion – reviewed prior approval motion from October, 2014. Snowmobile trail will not need to be included per Tim Neill. Judy Carll agreed that the cobbler shop would not be able to be moved and will not pursue the issue. Kurt made the comment that the Town can only uphold the ordinance. What someone wants or desires or would like to see is not an ordinance. The applicant has met the ordinances required for the construction of the Dollar General. The Driveway Ordinance has been met and the applicant has the more than twice met the setback based on the Driveway Ordinance. The truck only entrance would not be enforceable by Dollar General. Vote 5-0 with 1 abstention (DP). Frank Allen made the motion to accept the Findings of Fact. Andy Cote seconded. No discussion. Vote 5-0. Approved.

Andy Cote resigned from both the Planning Board and the 20/20 Committee.

Dwayne Prescott came back to the Board.

I. MINUTES OF PREVIOUS MEETINGS

- ***December 3, 2014*** – Frank Allen made the motion to accept the minutes from December 3, 2014. Judy Carll seconded the motion. No discussion. Vote 4 – 0 to reflect the numbers on the board.
- ***December 17, 2014*** – Frank Allen made the motion to accept the minutes from December 17, 2014. Kurt Clason seconded the motion. No discussion. Vote 4 – 0.
- ***January 7, 2015*** - Frank Allen made the motion to accept the minutes from January 7, 2015. Judy Carll seconded the motion. No discussion. Vote 2 – 0 in favor. Three Planning Board members were absent that evening.

II. REPORT OF OFFICERS

III. OLD BUSINESS

- ***Up-date on status of Section 2.08 of the Zoning Ordinance*** – Kurt Clason can't believe that Section 2.08 is back before the Planning Board since Natalie Burns has already made the recommendation and the Planning Board has approved that one. Kurt feels the Planning Board is being strong handed by the Administrator.

Frank Allen resigned from the Planning Board.

- ***Up-date on status of the Driveway Ordinance*** – Gary Lamb provided that any comments are premature as he has not heard back from the Town Attorney on the Driveway Ordinance.
- ***Design Guidelines/Standards*** – Kurt Clason shared that this is something that needs to be reviewed and passed through. Judy Carll shared that with Design Standards the commercial buildings will not look like Hannaford but look like the Gorham

Savings Bank. Shawn Shoemaker expressed concerns with not just the commercial buildings but the residential buildings also need design standards. Gordon Littlefield shared that the Design Standards will be needed for the residential also. The CEO can address it with the resident. Shawn is concerned that the design needs to be within reason and not over regulated. Dwayne Prescott shared that the Board of Selectmen are also looking at this and would like to see design standards come in. Kurt – need to have something on the books – the concerns regarding the Dollar General at the Public Hearing was the building appearance. Shawn guidance is one thing but regulation, we are Waterboro, Maine, we can figure it out. Can't dictate or overburdening. Keep in mind aesthetics think it would overburden. Glenn Charette property maintenance code is not for Waterboro or any town south of Augusta. Will need to hire another CEO if adopted by the Town. State of Maine has ordinances in place that are very protective of the Town. Ordinance to how house looks don't need for homes need for commercial. Need electrical we do plumbing not electrical. Judy need to blend. Kurt next available meeting with no appointments – March 4, 2015. Tom Ursia respect what you say start with guidelines. Franchises that want to come to your Town have multiple guides that can be utilized and negotiated with the Town Planner. If you don't ask you don't get – guidelines are purely guidelines – start with commercial. Shawn don't want the Town to enter into strict standards guidelines are different gives the ability to negotiate.

- ***Carpenter Estates - February 4, 2015 agenda return/Town Planner's up-date*** – Tom Ursia shared that things are beginning to progress. Tom read the following correspondence (1/14/2015, 6:38pm) from Natalie Burns:
Tom,

We have reviewed the draft deed from Haskell and Carpenter to the Waterboro Land Trust. The various deed references and description are fine. I would suggest a couple of minor revisions to the first paragraph on Page 5 of the deed. The first two lines should read: “This conveyance is also made SUBJECT TO the condition that the Grantee, its successors and assigns, shall not interfere with ...”. The final line of that same paragraph should say “attorney's fees”. Otherwise, this looks fine.

Thanks,
Natalie

IV. COMMUNICATION

- ***ZBA Notice of Decision*** – Provided NOD/FOF for the James Maxfield ZBA meeting of November 13, 2014.

V. MISCELLANEOUS

VI. NEW BUSINESS

- Kurt Ordinances do need to be up-dated – a 37 year old ordinance. Glenn offered that they come to him when help is needed and assistance on the ordinances. Be patient with the Administration and hold your head high. I will help any way that I can. Kurt – the Planning Board will be relying on you greatly. Nine towns I work in have great ordinances and when I go in to work I know what I need to do and provide. Kurt we will be relying you.
- Tom made the suggestion that need a working/organizational plan of attack – most important first – what are the priorities the punchlist - create at next

workshop; and Site Plan Review needs to be fixed but not with patches should do one from afresh create it so it works for 2015 and going forward; functional for us. Glenn suggested to contract with Southern Maine Regional Planning, request monies from the Select Board. Tom - SMRP has a great depository in the service area. Look at others in the areas – along the coast just north of here. Gary agrees fine resource and any problems with the way things are done and the way I do things – contact me. Kurt apologized for lashing out. Have to be subjective when looking at ordinances. Town officers can willy nilly suggestion that has no basis on the ordinances that the Planning Board is looking at. Gary - need to improve the communication within the town offices. Gordon - I am a little taken aback by Tim’s resignation – I felt he was a good Chair, I am going to speak with the Chair of the Board Of Selectmen to have a workshop to work these things out. Sorry to have the resignations. Shawn suggests that Gary and Gordon communicate with the Planning Board members that left to get them to reconsider. Kurt – we lost three extremely valuable members and will not be able to with three new members will take years to get to where we were before.

VII. ADJOURNMENT

- Lee Nelson made the motion to adjourn at 8:47pm. Dwayne Prescott seconded. No discussion. Vote 4-0 in favor.

Approved Date: _____

_____	_____
_____	_____
_____	_____
