

TOWN OF WATERBORO
PLANNING BOARD

MEETING MINUTES

June 3, 2015

7:00 p.m.

***Site Walk – Anthony & Kimberly Wolfinger, West Road, Waterboro Tax Map 9 Lot 21-5,
Conditional Use for business called Sanford Radiator***

***Public Hearing – 7pm – Anthony & Kimberly Wolfinger, West Road, Waterboro
Tax Map 9 Lot 21-5, Conditional Use for business called Sanford
Radiator***

Attendance: Kurt Clason Katy Mann Lee Nelson Judy Wirth Anthony Wolfinger
Kimberly Wolfinger Stephen Everett Gary Lamb Glenn Charette
David Lowe Tammy Bellman

Katy Mann called the Planning Board meeting to order at 7:00pm.

Katy Mann reviewed the Site Walk and Agenda items.

Katy stated that a quorum has been reached by the Planning Board with the members present.

Katy Mann called the Public Hearing to order at 7:02pm.

Anthony Wolfinger gave an overview of the proposed project. The parking area will remain gravel.

Katy Mann asked if there were any public comments to be heard. No response.

Katy Mann closed the Public Hearing at 7:03pm

I. ROLL CALL

Board Members

Present: Katy Mann Kurt Clason Judy Wirth Lee Nelson

Absent: Judi Carll Dwayne Prescott

Others Present: Anthony Wolfinger Kimberly Wolfinger Gary Lamb Matt Brooker
Diane Brooker Dennis Abbott Stephen Everett David Lowe
Glenn Charette Tammy Bellman

Katy Mann called the meeting to order at 7:04pm.

Katy Mann made the motion to move Old Business to the front of the agenda. Kurt Clason seconded. No discussion. Vote 4 – 0.

II. OLD BUSINESS

➤ Anthony & Kimberly Wolfinger – Map 9 Lot 21-5 AR Zone Conditional Use for business named Sanford Radiator. Katy Mann read the Site Plan Review Checklist:

- Name of project, names and addresses of owners or record; tax map and lot number. Reviewed.
- North arrow, date of plat, scale; name, address and seal of person preparing the plan with an appropriate signature block. Reviewed.
- Vicinity sketch and zoning district(s). Reviewed.
- Boundaries of the site and abutting streets with widths, including length of lot lines. N/A.
- Footprint of building - showing the number of stories, dimensions of structure(s), accesses and use, including decks and outbuildings. Reviewed.
- Layout and location of off-street parking and loading, access drives and vehicular maneuvering areas
- Location and size of all signs, gasoline pumps, and similar free standing structures. Reviewed. Sign Permit application will be provided to Anthony for possible future use.
- Waste/dumpster locations and snow storage areas. Reviewed.
- Location, direction and type of outdoor lighting. Reviewed.
- Location and type of screening and/or buffers and other landscaping. Reviewed.
- Location of all utilities. Reviewed.
- Topography of a contour interval not greater than 2 ft. showing the effects upon adjacent property. Kurt Clason made the motion to accept the topography contour waiver. Lee Nelson seconded. No discussion. Vote 4 - 0. Approved.
- Hydrogeological impact study for any site where a septic system design flow is in excess of 800 gallons or if predominantly made up of non-typical septic waste. This study must contain components as listed in Section D.9a-f of Site Plan Ordinance. Reviewed - N/A as HHE200 less than 800 gallons and no non-typical septic waste.
- Meets definitions and requirements set forth in the Zoning Ordinance. Reviewed.
- Provides adequate access to the site for emergency vehicles; access without parked cars in way. Reviewed.
- Provides adequate dry hydrants and access to the hydrants and Fire Department sprinkler connection and pressure hydrants and/or cisterns, as applicable. Reviewed.
- Proposed exterior lighting creates no hazard to motorists on adjacent streets or occupants of adjacent properties. Reviewed.
- Provide a detailed buffer zone and on-site landscaping for protection of neighboring properties. If neighbor objects to the low impact outside lighting Anthony has agreed to install a stockade fence.
- Proposed use will not disturb the peaceful enjoyment of abutting property owners as a result of noise, vibrations, fumes, odor, dust, glare or other cause. Reviewed.
- The provisions for parking and loading and pedestrian circulation on the site and adjacent streets will not create any safety hazard or impose significant burdens on public facilities which could be avoided by reasonable modifications of the plan. Parking will not prohibit access of emergency vehicles. Reviewed. Letter provided by Fire Chief, Matthew Bors in support of the project.
- The proposed use of the site or its buildings will have no significant effect on private development of adjacent properties, or the value of adjacent properties which could be avoided by reasonable modifications to the plan. Keep with character of neighborhood. Reviewed.
- The design of the site will not result in significant flood hazards or flood damage and is in conformance with applicable flood hazard requirements. Reviewed.
- The site contains an adequate storm water management plan. N/A - Site Development Law - under the size criteria for Site Development Law.
- Adequate provisions are made for the disposal of wastewater and solid waste. Reviewed. Anthony explained that there is a waste system in place.
- Adequate provisions for drainage on site. Reviewed.
- The proposed water supply meets the demands of the use and/or for fire protection. Reviewed.
- Snow removal and adequate storage, so it will not obstruct parking or civilian/emergency vehicle traffic. Reviewed. Anthony explained that the snow is pushed in all directions beyond the gravel areas. There is no problem for the emergency vehicles to access the area when it snows. Planning Board has no issues with this explanation.
- Provisions for the storage of hazardous waste as defined by State law and Waterboro Hazardous Waste Ordinance. Hazardous materials proposed will be identified. Reviewed.
- The proposed use had no adverse impact on significant scenic vistas or on significant wildlife habitat which could be avoided by reasonable modification to the plan. Reviewed.
- A nitrate study has been submitted if the nitrogen concentration in surface or groundwater at the property line of the site is in excess of 5 mg/l. Demonstrate the treatment of the water supply if the groundwater contains contaminants in excess of primary drinking water standards and the project is to

be served by on-site groundwater supplies. Kurt Clason made the motion to accept the Nitrate Study waiver. Judy Wirth seconded. No discussion. Vote 4 - 0. Approved.

- Performance guarantee as per Sections 12.04 - 12.07 of the Zoning Ordinance (see process below). See below for waiver results.
- Sprinklered or not with additional infrastructure. Reviewed. Reviewed. N/A.
- Site walk date to be determined by Planning Board (if necessary). Site Walk held June 3, 2015 at 6pm.

State and Federal Reviews:

- MDOT scoping session/traffic impact report. MDOT Driveway Permit dated 1/14/2015 was provided and reviewed at the Site Plan Review meeting.
- MDEP Site Location Review and/or MDEP Chapter 500 Stormwater Management Permit complete. Site Development Law - under size criteria for Site Development Law.
- State Fire Marshall or Local Fire Marshall. Reviewed.

Local Department Reviews:

- Waterboro Water District (consultation). N/A.
- Waterboro Fire Department. Letter provided by Matthew Bors, Fire Chief.
- Waterboro Road Review Committee. N/A. State Aid Road.
- Waterboro Code Enforcement Officer. Letter provided by Glenn Charette, CEO, LBI, PI
- Waterboro Town Planner

Performance Guarantee Process (if required)

- Anticipated build out schedule - per Anthony ASAP!
- If the scope and magnitude of the project require a performance guarantee, then Article 12, Sections 12.04-12.07 shall be defined and completed before final approval. If a waiver of performance guarantee is desired by the applicant, then the 'Waiver Request Form' must be submitted with the site plan application prior to Planning Board review. Kurt Clason made the motion to accept the Performance Guarantee Waiver. Lee Nelson seconded. No discussion. Vote 4 - 0. Approved.

Kurt Clason made the motion to accept the Site Plan and Waivers as presented. Judy Wirth seconded. No discussion. Vote 4 – 0. Approved.

Kurt Clason made the motion to accept the Conditional Use for Sanford Radiator. Lee Nelson seconded. Discussion. Glenn Charette requested that they amend the motion to include registering the Findings of Fact/Notice of Decision. Kurt and Lee agreed to amend the motion. Kurt Clason made the motion to accept the Conditional Use and require that the Findings of Fact/Notice of Decision be registered. Lee Nelson seconded. No further discussion. Vote 4 – 0. Approved.

Anthony Wolfinger requested that he be given copies of ALL documents that were submitted and what ordinances are going to be used going forward. Tammy provided the copies when the Building Permit was picked up on Friday, June 5, 2015. Glen responded with 2009 IBC and State Plumbing and Electrical Codes to be used going forward.

III. APPOINTMENTS

- **Matthew Brooker – Map 6 Lot 29-4A West Hill II Subdivision** – Matt Brooker gave an overview of the proposed subdivision amendment. Steve Everett added further information for the Planning Board. Amending Lot 4 of West Hill Amendment II – approved by Town of Waterboro in 2005. A piece of Lot 2 was added to Lot 4 and we are modifying original lot 4 to create Lot 4A and Lot 4B. Glenn Charette proposed a site walk. Steve questioned the size of the Mylar that is required. Kurt stated you have to show the whole subdivision with modifications – show how reflected. Subdivision Ordinance 7.2.1 requires 24x36 with 7 registered

copies. Kurt read 7.4.1 for plan revisions. Katy scheduled the Site Walk for June 17, 2015 at 6pm on Ashley Way. Applicant will post the boundaries. Steve will overlay zoning line for Lot 4.

- Katy asked the Board to allow Steve to come back to the podium. Steve went over the timeline:
 - November, 2014 – Matt issued building permit, Matt cleared and foundation was put in
 - Brought to Matt’s attention that needs to go before Planning Board for amendment.
- Kurt responded that the site walk is to dot the “iii”s and cross the “ttt”s. Glenn Charette offered that a STOP Work order has been placed. The foundation has not been backfilled. Don’t want to set a precedence with not doing the amendment correctly.

IV. MINUTES OF PREVIOUS MEETINGS

- *May 20, 2015* – Kurt Clason made the motion to accept the minutes as written from May 20, 2015. Lee Nelson seconded the motion. No discussion. Vote 3 – 0 (Abstained – Wirth).

V. REPORT OF OFFICERS

VI. COMMUNICATION

- Carpenter Estate Subdivision Letter was read – stated monuments have been placed and packets provided to tammy.

VII. MISCELLANEOUS

- Glenn Charette showed the Planning Board the Site Plan for D&D Auto. Recycling not allowed in that district. Kurt Clason made the motion to accept the provided plan with the condition of a maximum of 10 cars for sale. Judy Wirth seconded. No discussion. Vote 4 – 0. Approved

VIII. NEW BUSINESS

- Design Standards Ideas/Workshop – Glenn suggested the workshop be scheduled in conjunction with a Planning Board meeting if it is a light meeting. Judy Wirth suggested picking an alternate date just in case: June 24, 2015 was selected.

IX. ADJOURNMENT

- Kurt Clason made the motion to adjourn at 8:15pm. Lee Nelson seconded the motion. No discussion. Vote 4-0 in favor.

Approved Date: _____

