

# TOWN OF WATERBORO

## *PLANNING BOARD*

### *MEETING MINUTES*

*August 7, 2019*

**6:30 p.m.**

**SITE WALK:** 5:30pm - 134 Main Street, East Waterboro – New Horizons Management CO, LLC (Townline Deli & Convenience Store) Re-development Project – will be rescheduled due to a thunderstorm in the area of the site walk.

#### **I. ROLL CALL**

Present: David Christensen, Chair    Lori Anthony, Vice-Chair    John Noel, Secretary  
Dwayne Prescott    Kala Godard    Debra Burrows

Absent:

Others: Lee Jay Feldman    Tim Neill    Wes Thames    Joe Marden    Dave Pendleton  
Mary Young    Audra Warren    Joshua Warren    Alexis DuPlessis  
Christopher DuPlessis    Glenn Charette    James Southworth    Tammy Bellman

David called the Planning Board meeting of August 7, 2019 to order at 6:30pm.

David state a quorum has been met with the members present tonight. Sam Hayden has resigned from the Planning Board. Tammy passed out an email from Sam noting he was a previous Planning Board member but submitted his concerns regarding the Town Line Deli application as a public comment.

Debra Burrows was introduced as the new Planning Board member.

David moved the New Business and Public Hearings to the front of the agenda.

#### **II. NEW BUSINESS & PUBLIC HEARINGS**

- **PUBLIC HEARING: New Horizons Management Company, LLC (Townline Deli and Convenience Store) – Site Plan Review Tax Map 005 Lot 048-001 and Tax Map 005 Lot 047C-001-** David announced that the Public Hearing would be rescheduled.

#### **III. OLD BUSINESS**

- **New Horizons Management Company, LLC (Townline Deli and Convenience Store) – Site Plan Review Tax Map 005 Lot 048-001 and Tax Map 005 Lot 047C-001 – Discussion/Approval** – Discussion/Approval postponed until August 21, 2019.
- **Custom Milling and Machining, Inc. – Conditional Use Erik Triance Tax Map 019 Lot 015 – 961 Main Street – Findings of Fact/Conditions of Approval –approval and sign** – Kala Godard made the motion to accept the Findings of Fact for Custom Milling and Machining, Inc. Dwayne Prescott

seconded the motion. No further discussion. Vote 5 – 0 – 1 (Burrows – not a member during the process).

- **Bizzy Bees Child Care – 933 Main Street Tax Map 019 Lot 023 Conditional Use/Site Plan Amendment – Alexis and Christopher DuPlessis** – Alexis provided an overview for the replacement of the jersey barriers with boulders. Pictures of the sizes of the boulders were included with the Planning Board packet information. Lee Jay deferred to Glenn Charette as the discussion is a code related situation. There is no code related size requirement for the boulders. Alexis continued with the boulders would be able to grip the ground better than a jersey barrier should it be struck by a vehicle. Glenn is willing to be on site when the boulders are placed to insure that they are per the agreed size, spacing and composition. It was suggested that the boulders be at least 4 feet long and set so there is no less than a three feet between them and at least 3' high. Safety should not be compromised with the change to the boulders. It was noticed that one of the gates of the play area now opens into the parking lot instead of the grassed area. The gate that was changed is for personnel use only. No children will be using that gate. The State required fire exit gate is the second one exiting into a grassed area at the back of the parking lot. Bizzy Bees has received a passing State inspection but they do not have any requirements for the jersey barriers that is a local issue. Lee Jay suggested that if the Planning Board decided to allow the boulders they could condition the size and placement. The applicant would also like to offer a date night on Saturdays from 6pm until midnight. A copy of the State approval will be provided to the Town. Glenn noted that the new location of the gates is a better location now. Dwayne Prescott made the motion to replace the jersey barriers with 4 -5' boulders with no more than a 3 foot space between them consistent with this type of barrier and subject to the approval of the boulder with the Code Enforcement Officer. John Noel seconded the motion. Further discussion – cannot be in business without a barrier in place. Vote 6 – 0 jersey barrier's amended to boulders. Dwayne Prescott made the motion to amend the approval to include a sixth day open being Monday through Saturday. John Noel seconded the motion. Discussion – it was reiterated that if anything changes with child care use i.e.: increase number of children, increase building size, etc. that they would need to return to the Planning Board. There is a contract in place between the applicant the Planning Board. Vote 6 – 0 days open amended.

#### IV. MINUTES

- **May 15, 2019** – there are members on this meeting minutes that are no longer members of the Planning Board – is there a way to approve the minutes with less than a quorum? Lee Jay will email the town attorney for a proper response. David tabled the minutes for May 15, 2019 until a response is received.
- **June 19, 2019** - there are members on this meeting minutes that are no longer members of the Planning Board – is there a way to approve the minutes with less than a quorum? Lee Jay will email the town attorney for a proper response. David tabled the minutes for June 19, 2019 until a response is received.
- **July 17, 2019** – Lori Anthony made the motion that July 17, 2019 meeting was not held. Dwayne Prescott seconded the motion. No further discussion. Vote 5- 0 -1 (Burrows not a member).

#### V. COMMUNICATION

**VI. MISCELLANEOUS**

- **Shoreland Zoning Ordinance – Amendment Up-date** - Glenn shared the State has approved the amendment to the Shoreland Zoning Ordinance. The Planning Board was provided a copy in their packets.
- Lee Jay Feldman suggested that the Planning Board having 3 new members should consider a workshop on boardsmanship, Roberts Rules of Order, etc. to bring everyone up to speed. David suggested that this wait until October once there is a break in the agenda. Glenn suggested that it should be before a meeting and sooner than October. David will take it under advisement.
- **New Horizons Management Company, LLC (Townline Deli and Convenience Store) – Site Plan Review Tax Map 005 Lot 048-001 and Tax Map 005 Lot 047C-001** - The Site walk and Public Hearing are rescheduled for August 21, 2019. Tammy will contact the applicant with the new date.

**VII. ADJOURNMENT**

- Debra Burrows made the motion to adjourn at 7:10 pm. Kala Godard seconded the motion. No discussion. Vote 6 - 0 in favor. Meeting Adjourned.

**VIII. ITEMS NEEDING SIGNATURE**

- Minutes of July 17, 2019
- Findings of Fact for Custom Milling and Machining, Inc. – Conditional Use

Approved Date: August 23, 2019

[Signature]

Lee R. Lee Anthony

Debra Prescott

[Signature]

Kala Godard

Debra B