

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