

TOWN OF WATERBORO
PLANNING BOARD
MEETING MINUTES
January 3, 2024
6:30 p.m.

I. ROLL CALL:

Present: Rebekah Higgins *Vice Chair*, Rick Madruga, James Farias, Stacie Walker, Diane Gray

Others: Dennis Abbott, Angela Chute, Mike Gilpatrick, Mikala Jordan, David Lowe

Vice Chair, Rebekah Higgins called the meeting to order at 6:29 p.m.

II. MINUTES

No minutes for discussion

III. PUBLIC HEARING

No public hearings scheduled

IV. OLD BUSINESS

628 Main Street, Waterboro – Conditional Use Application Joyce Barker

Joyce Barker gave a brief synopsis that she is there for a Conditional Use Permit for a small family homestead consisting of 6 mini goats, chickens, and potentially if allowed, 2 mini cows.

Michael Gilpatrick provided an overview of the property, the primary zone being Conservation Zone to which the use requires conditional use approval, Wellhead Protection Zone 2 which animal husbandry is allowed but also requires conditional use approval, and finally the Resource Protection District. Joyce Barker confirmed to the Board that the areas Mike was referring to on the map are the current pasture areas plus the additional planned pastures which would bring the pasture to a full acre. Mike further explained that dwarf sheep are the most comparable to the mini goats and in all fairness to the applicant the ration of 2:1 was used in comparison. Currently there are 6 mini goats and an additional proposed pasture for the potential 2 mini cows.

The next map Mike refers to shows the current pasture area and the projected area, all falls within the resource protection district for shoreland zoning. This graphic also shows non forested wetland which is regulated by DEP, the map accuracy could be marginal. The Board could potentially ask applicant to delineate the boundary. The 75' resource protection setback could be required - the only area that would require the 75' setback would be the "peninsula" area. She's here for approval within each zone. Mike also provided further explanation regarding resource protection and shoreland zoning in this area, due specifically to the large cranberry bog located here. **He also explained that wetlands that encompass greater than 10 acres are perceived as shoreland.**

There was extensive discussion between the Board and Joyce Barker regarding the animal waste and how it is stored vs. spread. Joyce explained their waste is like pellets and naturally spread as the goats move about their pasture. Their barn floor is sand and in the winter mixed with hay. Once the freeze comes the barn is not cleaned out and spread, causing a natural heat build up to keep the goats warm and compost the waste

at the same time. The barn would only then be cleaned out and the waste spread for fertilization and regrowth once thaw has happened. The potential mini cows would have higher nitrate content.

Further discussion regarding the number of mini goats as the question was raised regarding breeding. Joyce stated that in order to milk the goats you have to breed. They only plan to keep 6 goats on the property, others born from breeding would be sold or go to auction at 8 weeks of age. There is the potential, if any of the goats had triplets, to have 20 goats for a period of 8 weeks.

Mikala Jordan asked if there were structures located already within these protection areas. Mike stated the barn was already there and was permitted in error, going on to explain that Code Enforcement Officer or their designee can make permitting decisions and there are potentially some decisions here he made in error.

If the Board chooses to permit the mini cows, their waste contains very high nitrates so the cows pasture area would have to be raised to at least the level of Route 202 due to wetland area. Joyce stated this last rain event the area got wet but drained off very well. Mike stated the high value is the forested wetland which is 40' from the proposed pasture edge.

Rick Madruga asked for clarification and explanation again regarding Wellhead Protection Zones. Mike explained these are the 2 zones that the town implemented to protect the Town Water Source, Waterboro Water District. There are 2 zones, Zone 1 is the immediate recharge area with strict restrictions. Zone 2 is a little more lax and allows more uses. Dennis further explained the well heads for Zone 2 are out across from Old Alfred road on that high piece of property.

Stacie asked if there were currently any other approved homesteads such as this one and Mike stated none that we know of. Joyce also stated that the other properties in front of her are in a different zone and allow the use. Stacie also asked if there are actual wells on this property, Mike and Joyce confirmed the only well located on the property is their own personal well.

Rebekah stated she feels they should see how it goes with the goats then revisit the mini cows but how is it monitored? Stacie stated if it was 40 goats it might be an issue but 6 goats shouldn't be a huge issue. Mike felt the Board can approve the whole use taking into account all the factors for each zone but he would ask for the requirement for quarterly testing each quarter to monitor nitrates. Rebekah asked if it wouldn't be too late by then and Mike stated that an issue would be detected and he could stop the use allowance as long as it was a condition of approval. Stacie asked if after a year all conditions are clear on the testing they no longer test? Rebekah stated that first they need to determine if they are all on the same page prior to conditions, she personally isn't for allowing the use, it's a lot on Mike, if testing comes back and there's an issue then it's already too late.

Diane Gray asked if there was another location on the property that would help this whole situation? Joyce stated the whole property is in resource and wetland. Diane felt that that if they could get them moved it would be less of a concern. Mike pointed out an area on the map that would be better situation away from the shoreland and wetland areas. Joyce stated she could walk them over there to a new pasture but moving the barn would be difficult as there is no road over there. Diane also asked for clarification on the size of a mini goat as she's not familiar. Joyce stated they're under 22" and no more than 75 pounds. They don't really forage, they just hang out and eat hay. Mike stated his immediate recommendation would be to remove them completely out of this resource protection area. It would move them closer to Lot 48 but could

potentially get them out of the wellhead protection area. Joyce stated the problem is there's no road out there so getting a barn out there would be rough.

Rick stated that he's not against it and agrees with Mike regarding testing every quarter for a year. If the nitrates go up then it gets revoked, moved etc. in the condition of approval. Give them the extra pasture where they're at and let them expand the pasture and just monitor. Mike explained it would be very difficult to rescind once it's approved, you would almost need to do a renewal. Rebekah requested we obtain a test now prior to any approvals since the goats have been there already for a period of time since we have a baseline to refer to.

Stacie - you're talking about mini - they're outside $\frac{3}{4}$ of the year so it's breaking down, in the barn it's breaking down with the heat but my concern is if we get more of these in front of us what happens to the nitrogens. Ideally a concrete pad would be better to alleviate during storage, it keeps the heat for the composting of the manure and hay - in the winter you don't get the right composting - the heat from the composting would get rid of the nitrogens and pathogens. Are we in favor of approving the application with the condition of storage of compost and testing of the well? Rick agreed with obtaining a well test now and comparing the results to the results 6 months ago then go from there, their own well obviously would be most important to them.

Diane Gray made a motion to postpone until we have a water test to compare to the test obtained at the time of the occupancy permit, seconded by Rick Madruga.

Vote: 5-0, motion passed

V. NEW BUSINESS

None

VI. COMMUNICATION

Dennis Abbott advised the Board that the resignation of Lori Anthony has been received, effective immediately. The Board now has 2 open seats. Angela stated the Board could hold election of officers for the seat of Chair and potentially Vice Chair depending on how the vote for Chair went on January 17, 2024 as well as potentially continue with 628 Main Street as the requested water tests are returned quite quickly.

VII. MISCELLANEOUS

None

VIII. ADJOURNMENT

Motion by Rick Madruga; seconded by Diane Gray. No discussion.

5-0 Vote; Motion passes