

**TOWN OF WATERBORO**  
**PLANNING BOARD**  
**MEETING MINUTES**  
**February 7, 2024**  
**6:00 p.m.**

**I. ROLL CALL:**

Present: Rebekah Higgins (Chair), Rick Madruga (late), James Farias, Stacie Walker (Vice Chair), Diane Gray

Others: Angela Chute, , Mikala Jordan, David Lowe, Dennis Abbott, Joyce Barker, Seth McCoy (Waterboro Water District Trustee), John Vicari (Waterboro Water District Superintendent), John Ellingwood (Waterboro Water District Trustee), Steve Blake, BH2M

Chair, Rebekah Higgins called the meeting to order at 6:00 p.m.

**II. MINUTES**

December 27, 2023

January 3, 2024

Motion made by Stacie Walker to accept the minutes of December 27, 2023, and January 3, 2024 as written, seconded by James Farias.

**Vote: 4-0 (Rick Madruga absent at the time of the vote)**

**III. PUBLIC HEARING**

➤ **Main Street, Waterboro – Conditional Use Application**  
**Joyce Barker**

Joyce Barker stated she was there with an application for a conditional use approval for a family homestead consisting of mini goats and chickens. She apologized for missing the last meeting. She stated there have been errors on both the part of the town and the part of the applicant regarding the uses allowed at the location as well as permits for “mini barns” that were allowed. Beginning in November 2023, the occupants stated there were multiple farm animals on the property including a full-size cow, pigs, goats, and chickens prior to this becoming their permanent residence. Since then, they have downsized to 6 mini goats and chickens. The current water test shows their Nitrates and Nitrites are well within acceptable limits.

John Vicari, Waterboro Water District Superintendent, stated that this property is located in the Wellhead Protection Zone; therefore, Best Management Practices must be adhered to. Questioned what has already been previously discussed. Where are the animals grazing? Would the piling of compost be roofed over? Would the whole property be used for grazing? Feels allowing this usage would be setting a precedent. If the use is approved would there be a limit on the number of animals allowed? Would they be allowed to acquire additional animals? Are there set standards for the number of animals?

Rebekah stated a Nutrient Management Plan would be BMP. They are mini goats and there is no good comparison, so a sheep was utilized for reference.

Mikala stated that the Waterboro Zoning Ordinance allowed for 6 goats per acre.

Joyce explained that goats aren't a grazing animal, there would be no pile up of manure, it would mostly be hay and the goats mainly eat hay and grain.

No further public comment, public hearing closed at 6:08PM

➤ **Waterboro Woodyards, Chadbourne Ridge Road**  
**Steve Blake, BH2M**

They have just a couple of changes regarding their original plan submission. They are now down to 8 lots from the original 11 lots due to historical preservation. An archeologist was hired with the report submitted regarding the findings of the Woodward Homestead dating back to Pre-Revolutionary War Era. The homestead location would be preserved, thus the loss in lots. Comments from the Code Enforcement and Director of Public Works recently received are easily addressed. NRPA and DEP permits are in place and now waiting on Army Corp of Engineering but anticipate the permit arrival soon.

No public comment, public hearing closed at 6:13PM

**IV. OLD BUSINESS**

➤ **628 Main Street, Waterboro – Conditional Use Application**  
**Joyce Barker**

Rebekah Higgins stated under the Wellhead Protection Zone 2, Section D, page 43 of the Waterboro Zoning Ordinance, there are four conditions that won't allow this use, those being numbers 8-11. Rebekah read each one of the four standards aloud and stated that she felt those standards alone would prevent approval.

Diane Gray questioned the permitting back in November for the buildings and if the intent was to have animals. The attendance of the Water District Employees amplified the concern regarding the Wellhead Protection Zone.

Joyce stated the animals had been there for a year.

Stacie brought up requiring the compost be on concrete and there's no fertilization in the winter anyway. We could approve the conditional use with conditions & restrictions or say no. Rebekah stated she was hesitant to approve without a Nutrient Management Plan, Mikala stating that was a requirement anyway, citing pages 43 & 44 of the zoning ordinance. Rebekah asked do we postpone it and start over when the plan is provided? In the meantime, what happens to the animals and the applicant? Mikala stated the applicant would be out of compliance and subject to fines if the request were to be denied whereas if it is postponed, they are still working toward compliance. Page 41 of the zoning ordinance provides requirements for agricultural use and chemical storage. Rebekah stated a Class A Compatible's License is also required in the Wellhead Protection Zone; therefore, anything other than should not be spread.

Rebekah asked Dennis Abbott for his opinion on how to proceed with this request as there were errors made by the Town and the occupants that further complicated this situation. Dennis stated if there's activity and intent to comply, his opinion would be to postpone with a defined date since the occupants are trying to comply.

The Board decided to postpone this request until May 1, 2024. The Board also determined if the occupant was able to comply sooner, the item could be revisited sooner Diane Gray made a motion to postpone until May 1, 2024, seconded by James Farias.

**Vote: 5-0, motion passed**

➤ **Waterboro Woodyards, Chadbourne Ridge Road**  
**Steve Blake, BH2M**

Originally an 11-lot subdivision, now down to 8 lots due to an archeological study and report regarding Pre-Revolutionary War Woodward Homestead located on the site that will be preserved. The infrastructure is the same, just a reduced lot count.

Stacie questioned snow removal and Steve stated originally there was a guard rail located at the end that the Director of Public Works requested be removed and an area for snow storage located.

Rick asked for clarification regarding a road becoming a public road, he thought there had to be a turn around to which Steve explained that's what the hammerhead turnaround is. Also requesting sizes of lots and the requirement for them being 2 acres instead of the 1 acre proposed. Mikala explained because there is so much undeveloped open space it allows for smaller lots known as a cluster. Steve further explained there are 30 acres on the parcel and only developing 10 or 11 acres.

Rebekah asked if there were any safety concerns with the old well onsite. Steve said there definitely is, but they don't want to disturb it but will be looking at ways to distinguish and mark it.

Based on Board discussions, Rebekah requested a motion to approve the preliminary application. Stacie Walker made the motion to approve the Waterboro Woodyards Preliminary Application, seconded by Rick Madruga.

**Vote: 5-0, motion passed**

## **V. NEW BUSINESS**

➤ **Floodplain Management Ordinance**  
**Dennis Abbott**

Dennis explained the Selectmen will be running a public hearing to handle and adopt the new ordinance and maps. Mikala stated it will now be coming back to the Planning Board as well due to outdated language that needs to change.

Dennis also let the Planning Board know that Steve Everett, Licensed Land Surveyor has written a letter to the Board of Selectmen requesting rezoning of areas for housing. Mikala asked for clarification of locations or

usages. Dennis stated it was all encompassing and could be specific acreages or it could be a total look at zones & parcels for building homes.

Angela asked Dennis at what point do we need to start looping the school district into meetings and plans due to the potential influx of students. Dennis explained the Selectmen just attended a meeting with the school district and the student population is frozen for the next 3 years based on the district's forecast.

➤ **Climate Forest LLC Letter – Bernard Heights**

Climate Forest LLC has submitted a letter to the Planning Board requesting the previously approved subdivision of Bernard Heights for Waterboro Woodyards to obtain Final Approval.

Rebekah stated that to protect the 2 houses that are already built on 2 of the lots the Board would like more documentation and explanation regarding the abandonment.

Motion made by Diane Gray to postpone the abandonment of Bernard Heights pending further information, seconded by James Farias.

**Vote: 5-0, motion passed**

**VI. COMMUNICATION**

- RSU 57 has submitted a new Site Plan Review Project that is currently making its way through staff reviews and will be in front of the Board shortly.

**VII. MISCELLANEOUS**

**VIII. ADJOURNMENT**

Motion by James Farias; seconded by Stacie Walker. No discussion.

**5-0 Vote; Motion passes**