

Approved on November 14, 2018

Minutes
Town of Waldoboro
Planning Board Meeting
October 10, 2018

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Roll Call

The meeting was called to order by chairman Scott Simpson at 6:03 p.m. in the meeting room at the Municipal Building. Other members present were Barbara Boardman, Sara Hotchkiss, Tara Pelotte and Ted Wooster. Planning and Development Director Max Johnstone and planning consultant Bill Najpauer were present. Jim Russo and Sara Rademaker were the audience.

1. Minutes of September 12, 2018 - review deferred

On motion of Wooster/Boardman, Planning Board members voted 5 - 0 to defer review of the September 12 minutes to the next meeting, as not all members had read them.

2. Pre-application, Sara Rademaker, American Unagi LLC, Waldoboro Environmental Park

Rademaker was in for pre-application discussion of her plans for land-based commercial eel aquaculture in a new building at the Waldoboro Environmental Park. She did a pilot project at the Darling Marine Center. The business is currently based in Franklin, ME. She plans to relocate to the Environmental Park (tax map U14, One Pie Rd.), where she will build a 20,000 s.f. building. The business will buy elvers from local fishermen in the spring, and rear them in tanks, a process that can take two years. She anticipates 120 metric tons of product per year. Live eels will be shipped to market using the same sorts of refrigerated trucks used to transport live lobsters. Unagi is delicious and high in vitamin B. Waste product from the aquaculture operation has a possible use as fertilizer. She anticipates 5 to 7 full-time employees plus part-time workers, for a total of ~10 employees.

She expects to come in for review of her application within the next several months.

3. Old Business

- 3.1 Municipal Climate Adaptation Guidance Series - Discussion

Najpauer gave an overview of ways to address problems caused or exacerbated by global warming, including sea level rise, increased storm intensity and flooding. In May Planning Board members received copies of a 34-page guidance document developed by the Lincoln County Regional Planning Commission and the Maine Dept. of Agriculture, Conservation and Forestry in collaboration with eight regional groups. The document is available on-line in an interactive format. You can click on a symbol on the left side of the page to get more information and recommendations. Najpauer has been working with the local Comprehensive Plan Revision Committee on ways to address anticipated problems. There will be new material on storm water standards, culverts, bridges, and erosion control. We need to plan ahead for the next 25 - 50 years.

Najpauer said that sea level rise may not have as big an impact in Waldoboro as in some other towns. Climate change will impact inland areas, with flooding after rain events on properties not previously subject to flooding. More severe rain events will impact the whole watershed and its stormwater systems. We need to identify roads in danger of flooding, and raise road beds, replace inadequate culverts, and deepen swales adjacent to roads. New and replacement culverts need to be sized for 100-year rain events. Parts of Route 235 in Waldoboro have wetlands on both sides of the road. The road bed needs to be raised. A DEP permit is required for disturbing a wetland. When putting in new roads, try to avoid problems. Don't put roads in flood-prone areas. Don't put roads in the Shoreland Zone. Develop a capital improvements plan in advance. Prioritize roads that need attention soon. Consider replacing culverts with bridges. The State has grants to replace culverts that impede fish passage. Make sure that local ordinances are written to require that new culverts are sized properly. There are new Best Management Practices (BMPs) for stormwater systems. The emphasis is on having smaller structures and more of them, and working with topography. This is less expensive. A heavy outflow can be directed into a plunge pool or stone-lined drainage ditch to reduce velocity and erosion capability. Have a series of stormwater treatment systems. Design plunge pools so that a backhoe can get in easily to remove sediment.

Drinking water supply can be negatively impacted by violent rainstorms. These provide a lot of high-velocity runoff, so that aquifers are not getting recharged as well as before. Sea level rise leads to salt water intrusion into groundwater.

Planning Board questions and comments

Simpson said that we need to re-do the stormwater standards in the Land Use Ordinance to comply with State regulations. We can go further than the State in specifying Best Management Practices. We can allow solutions that work better than the standard BMPs. Be flexible. Emphasize a watershed approach to stormwater and erosion control, not limited to new subdivisions.

Boardman asked the definition of a "subdivision". Najpauer said it is the creation of a third lot, but such creation does not always trigger subdivision review. He gave examples of situations in which creation of a third lot did not create a "subdivision". Multi-family housing can use site review standards, not subdivision standards.

3.2 Shoreland Ordinances

Simpson explained, for the benefit of the audience, that the Planning Board has been reviewing and modifying Land Use Ordinance Article 7 Shoreland Zoning and Article 10 Nonconforming Uses, and has agreed on a number of suggested changes, to be presented for Town vote in 2019. Still under discussion are the required minimum setbacks from the water for manure storage and tilling. Do we want to accept the present 100' minimum setback, or increase it? Najpauer said that any change has to be approved by the State. It has been suggested to add to the Land Use Ordinance a reference to the State's Best Management Practices, e.g. for manure storage.

What can or should we do to inform townspeople about shoreland zoning regulations and BMPs? Najpauer said we should pull the information together and have it available in several places, including on a web site. Simpson said we need more than one way to educate people. We can write up something for farms, businesses, and animal owners, and reprint it on the web site. Have workshops periodically. Encourage people to consult with Johnstone or Najpauer. Hotchkiss asked if we could mail the write-up to every property owner along with their tax bill. It costs \$800 to do a mailing. A combined mailing makes sense. Pelotte suggested having someone available at the Transfer Station or Post Office to talk with people and answer questions.

Pelotte recommended having a separate place in the ordinance, or on the web site, for a list of resources for agriculture and for shoreland zoning issues. Hotchkiss asked whether farmers and other people with animals could be required to register their animals, as is done now with dogs, so that we know who has animals, how

many, and where they are located. This is important for Waldoboro, as clamming is a major industry and is dependent upon water quality in the Medomak.

Najpauer said that if someone has a complaint about a farmer in Waldoboro, the Town refers the matter to the State Dept. of Agriculture, Conservation and Forestry, which sends someone to visit the farmer and investigate the complaint.

3.3 “Welcome to Waldoboro” Handout, Economic Development Committee

Johnstone has drafted three versions of a summary of Waldoboro’s Land Use Ordinance for the information of people new to town, as a guide to local regulations and requirements. This was done for the Economic Development Committee. An 11-page version was given to Planning Board members in mid-September. A five-page version done in October includes pages of tables from the LUO that list what uses and activities are permitted in which land use districts, and what permission is required. A one-page diagram was given out at tonight’s meeting. Johnstone will send the five-page version to Planning Board members for review at the November meeting.

Simpson suggested combining the five-page text and the one-page diagram. Boardman asked for a definition of “home-based business”. Simpson said the most common request requiring Planning Board review is for a change of use in an existing business location. He suggested making a list of typical waivers that an applicant might ask for. Make a streamlined application. Lead someone through the application process. Najpauer noted that the Planning Board does not review changes to the interior of a building for a new business use, only exterior changes. He said that some of Waldoboro’s standards are inadequate. For example, we don’t have standards for increase in traffic due to a new business.

Simpson voiced concern about the responsibility of the Town to abutters of a new business who see a change in use of a nearby structure. He called for a simplified check-off form to help applicants determine if they need to go to the Code Enforcement Officer or to the Planning Board. This depends upon the degree of impact of the proposed change. Johnstone agreed to draft a simplified form for a change of use, with a list of the waivers required.

4. Comments from Planning Board Members

Pelotte asked how a town gets “certified business-friendly” status. What are the criteria? It would be good to find out how Waldoboro can qualify.

Boardman had three comments. She suggested that we wait for the Comprehensive Plan revision to discuss climate adaptation. She called for discussion of the Shoreland Zoning Ordinance (LUO Article 7) at future Planning Board meetings, and adding a list of Best Management Practices (Najpauer can give us the reference). She called for discussion at upcoming Planning Board meetings about how to educate people about the proper management of farmland in the Shoreland Zone.

5. Next Regular Planning Board Meeting: Wednesday, November 14, 6:00 p.m.

Johnstone said there are no new applications for review at the next meeting.

Adjournment: The meeting was adjourned at 7:43 p.m.

Respectfully submitted,

Susan S. R. Alexander

Action Items

Johnstone

Minutes, Waldoboro Planning Board Mtg. 10/10/18, p. 4

Draft a simplified form for a change of use, with a list of waivers that can be requested.

Send the five-page version of "Welcome to Waldoboro" to Planning Board members, for discussion at the November meeting.

Najpauer

Send Planning Board members a list of Best Management Practices for land uses in the Shoreland Zone, or reference to such a list; or send to Max for him to forward to PB members.

Planning Board members

Review Sept. 12 PB minutes as well as Oct. 10 minutes, for vote at November meeting.

Review Johnstone's five-page "Welcome to Waldoboro", for discussion at the November PB meeting.