

Town of Waldoboro, Maine  
Planning Board Meeting  
January 26, 2023

Roll Call

The Planning Board meeting was called to order at 6:01 p.m. by chairman Brendan McGuirl. Planning Board members Barbara Boardman, Jeff Erskine, Johnny Kosnow, Brendan McGuirl, and Mark Stults were present in person. A quorum was present throughout. Planning and Development Director Max Johnstone was present in person. Audience members attending in person included Cynthia Coner, Lorraine Rosseel, Ben Vail, Robert Butler, Jan Minzy, and Elizabeth Walztoni. Those attending remotely included Emily Adams, Dana and Laura Marques, Nancy Van Vuuren, and Rebecca Waddell.

1. Adjustments to the Agenda - none
2. Citizen Comments – none
3. Pre-Application, 36-Unit Apartment Building, 56 School St., Volunteers of America Northern New England (Tax Map U4 Lot 63)

Presenters attending remotely for this agenda item included architect Robert Foster; Travis Drake and Brian Sites from Volunteers of America Northern New England, and Norm Chamberlain from Walsh Engineering. VOANNE has been working with the Town of Waldoboro on plans to convert the former A. D. Gray School building into 32 - 36 one-bedroom apartments of affordable senior housing. The building was constructed in 1935 as Waldoboro High School, and has been vacant since ~2009. The building has been determined to be unsafe for future use, and needs to be demolished. VOANNE needs prior approval from the Town of Waldoboro and its Planning Board, before applying for funding from State and federal sources. Architect's sketches of the proposed three-story building were shown. The site is small (2.4 acres, of which 2.19 acres are on the east side of School St./Philbrook Lane). The proposed building will be double the size of the existing building. 33 on-site parking spaces are proposed. The project is in the Historic Village District. The building will be served by municipal water and sewer. Stormwater run-off will go into a level spreader at the rear, near the tennis courts, as with the present building. The building will be fully handicapped-accessible.

Barbara Boardman asked whether there will be a sidewalk along the side of the building for people walking to the tennis courts and ball fields. She suggested planting more trees to screen the building. Foster said that street trees will be planted in front of the building. She questioned the vertical striping of the building, which will emphasize the height.

VOANNE wants to be sensitive to the surrounding neighborhood. Several neighbors attended the meeting and spoke. VOANNE has not yet gotten a response from the Maine Historic Preservation Commission. Placing this large a building on this small a lot means that lot coverage will exceed the 50% maximum limit for properties in the Historic Village District. There was discussion about the number of on-site parking spaces. It was suggested to provide one parking space for each of the 36 units, plus several for staff. VOANNE did not think it necessary to provide one parking space for each of the 36 residential units, believing that not all residents are likely to have vehicles. Access to tennis courts through use of the proposed VOANNE parking lot may be requested, pending outcome of planning process for adjacent park.

Several people criticized the architect's rendering as not in keeping with the historic architecture of the immediate neighborhood. Some commented that the proposed building does not look very 19<sup>th</sup>-century and looks more like a college dormitory. They hope that VOANNE will aim for a design compatible with the historic architecture of the surrounding area. McGuirl said the Waldoboro ordinance is very vague about architectural standards for the Historic District.

Waldoboro residents will not be given any special preference in access to the units, but VOANNE expects that most of the residents will be from Waldoboro and adjacent towns. A similar facility in Thomaston is occupied 75% by people from Thomaston, with the rest coming from the local area, and only one from out of state.

Boardman asked whether the plan includes outdoor seating areas for use by residents. No outdoor seating areas are planned except in the courtyard on the south side. She asked about runoff of water from the building and parking lot. She was told that most of the runoff will go down a swale by the tennis courts into a level spreader in a trench, which will spread the water over a wide area. The plans call for catch basins and a storm water collector. There should be less surface runoff than at present.

The nearest fire hydrant is three houses down School Street. The developers will need to extend the 8" water line up the street. It was suggested that the developers talk with Fire Chief Smeltzer about locating a second fire hydrant closer to the building, for fire-fighting.

Demolition of the existing building and construction of the new building will involve an increased volume of truck traffic. Hazardous materials present in the existing building will be fully abated prior to building demolition. Local residents expressed concern about the impact of increased traffic flow up School Street from Main Street. School Street is very narrow. Is widening School Street an option? Probably not, as existing houses are built close to the road. Events at the nearby Waldo Theatre add to traffic and parking pressure. Would it be feasible to prohibit on-street parking on School Street, at least during the period of demolition and construction, in order to improve traffic flow? Dana Marques of 71 School St. asked about hours of operation during demolition and construction, and provision of adequate parking for construction workers. Johnstone said the Noise Ordinance outlines the hours of operations for construction workers, which may be restricted further by the Planning Board if there is reasonable limitations. Boardman suggested using some of the proposed lawn space around the new building for increased on-site parking. It was suggested that making School Street a one-way might help alleviate traffic.

Audience comments ended at 7:15 p.m. Most of the in-person audience left the meeting at the end of this agenda item.

4. Approval of Minutes of January 12, 2023 Planning Board Meeting - deferred

5. Old Business: Land Use Ordinance Revision

Prior to tonight's meeting, Town Planner Johnstone sent a 14-page handout to Planning Board members, showing proposed changes to the Waldoboro Land Use Ordinance in red. Many of the proposed updates and changes are for the purpose of making the local LUO conform with new State LD 2003. The proposed revision include changes to Section 6.8 Schedule of Dimensional Requirements, with red figures showing proposed changes to minimum lot size and minimum road

frontage for lots on public water and sewer, public sewer only, public water only, and neither public water nor public sewer. The proposed changes apply to lots in the Rural, Residential, Route 1 Commercial A, and Industrial Districts. Minimum lot size for lots served by public water and sewer would become 5,000 s.f. in all districts except the Historic Village and Downtown Business Districts. Minimum required road frontage for lots on public water and sewer would become 50' except in the Route One Commercial A and B districts, where it is 75'. The proposed dimensional changes would permit denser development. Johnstone said that he will provide a map showing the areas that will be affected by the proposed dimensional changes.

Johnstone will consult Code Enforcement Officer Stan Waltz to get input on the question of which use requires a larger minimum lot size: a private septic system and leach field, or a private well, and have an answer for discussion at the next Planning Board meeting.

In proposed new Subsection 10.18.7.2 Water and Wastewater, the owner is required to provide proof that each housing unit is connected to adequate water and wastewater services. McGuirl suggested that it would be helpful if the ordinance indicated specifically the nature of the required proof. It should be more than just a statement that the property will be in compliance. Should inspection of the property by the Code Enforcement Officer be required? The same applies to the requirement in 10.1.1 that the owner of an accessory apartment must provide written evidence that the unit is connected to adequate water and waste disposal services before the unit is certified for occupancy. Something more than a simple statement from the property owner should be required, as proof of compliance.

Boardman asked whether there is a way to require that if a new use would increase the volume of local traffic, or increase the need for local parking, or if proposed new construction would increase the amount of hard/impermeable surfaces beyond a certain percentage, then the new use must come before the Planning Board. Johnstone said Yes. Once he and Code Enforcement Officer Waltz determine that an application is complete, then Planning Board members as well as abutters to the project will be notified. If any member of the Planning Board believes that the proposed project will have an impact on traffic, we can require Planning Board review before a permit is issued. Planning Board members would be given two weeks within which to raise concerns which would require Planning Board review.

Boardman asked about the source of parking requirements, e.g. the need to provide three parking spaces for every customer chair in a barber shop or beauty salon. Do these figures come from the State? Johnstone said that he has not changed any of the parking requirements from what was already in the Land Use Ordinance. Another Planning Board member asked about the requirement in 10.18.7.4 Parking, that at least two parking spaces must be provided for every three proposed affordable housing units. Johnstone said that officials from every town that lacks a public transportation system has questioned this parking requirement.

Johnstone summarized that, in trying to make Waldoboro's Land Use Ordinance comply with the new State LD 2003, most of the changes are to be found in just two or three sections of the LUO, including the affordable housing section 10.18.7 multi-family dwellings and its subsections, in which the ordinance sets forth what a developer must do in order to get incentive bonuses or density bonuses. See Section 10.37 in LD 2003, which sets forth standards and requirements that apply to parcels for which permits are sought after July 1, 2023. These requirements apply to dwelling units built on undeveloped lots in designated growth areas in Waldoboro, as explained in Waldoboro's Comprehensive Plan. Johnstone said that the proposed new text in subsection 10.37 is taken almost word-for-word from the State statute.

Boardman asked about wording regarding tiny homes in Section 10.36. Is there a maximum square footage for a structure in order for it to be considered a “tiny home”? Is it required to be on a moveable chassis? Johnstone will check with Maine Municipal Association as to whether these requirements should be added to the LUO language. He said that an accessory dwelling unit has a maximum size limit of 750 s.f. in the Waldoboro LUO, although the State does not have a maximum size limit for an accessory dwelling unit. Boardman suggested an upper limit of 800 s.f. for an accessory dwelling unit.

Mark Stults asked about improving the noise ordinance, which is very vague in the current LUO. Is the figure for “noise” a one-time measurement, or an average of measurements taken at different times of day, or weekdays vs. weekends? How often does the noise occur? Where is the noise level measured from: the property line? Should the maximum allowable noise level be different in different land use districts? Johnstone agreed that some changes to the local noise ordinance should be made. He will provide new draft language for Board consideration.

Johnstone asked whether Board members have any other suggestions for changes to the Land Use Ordinance. There were none. He will make changes to the LUO as discussed tonight, for review at the next meeting.

6. Comments from Planning Board Members - none

Adjournment: The meeting was adjourned at 7:45 p.m.

Next regularly-scheduled Planning Board meeting: Thursday, February 9, 6:00 p.m.

Respectfully submitted,

Susan S. R. Alexander  
Recording Secretary