

Town of Waldoboro, Maine
Planning Board Meeting
November 15, 2021

Roll Call

The Planning Board meeting was called to order by chairman Scott Simpson at 6:08 p.m. Other Planning Board members present were Johnny Kosnow and Jeffrey Erskine in person at the Town Office, and Barbara Boardman, Sarah Rich and Jim Russo, remotely via Zoom. Planning and Development Director Max Johnstone was present in person. There was no audience. A quorum was present throughout.

1. Adjustments to the Agenda

Chairman Simpson proposed moving review of past meeting minutes to the start of the meeting.

2. Citizen Comments - none

There was no one in the audience at the Town Office, and no one watching the meeting on Zoom.

3. Approval of Minutes of Planning Board Meetings of June 9, July 8, August 12, and September 9, 2021

Boardman said that she could not find her copies of the June, July and August minutes, so will rely on input from other Board members.

There were no changes or comments about the June 9 minutes. On motion of Erskine/Russo, Board members voted to approve the minutes of June 9, 2021, as distributed, Boardman abstaining.

The July 8 meeting was attended by Planning Board members Erskine, Kosnow, Russo and Simpson. On motion of Russo/Kosnow, the Board members present at that meeting voted unanimously to approve the July 8 minutes as distributed, Boardman abstaining.

The August 12 Planning Board meeting was attended by four Planning Board members: Boardman, Erskine, Kosnow and Simpson. On motion of Erskine/Kosnow, Board members present at that meeting voted unanimously to approve the August 12 minutes as distributed, Russo abstaining.

The September 9 Planning Board meeting was the first one attended by new Board member Sarah Rich. Four Planning Board members were present at the meeting: Kosnow, Rich, Russo and Simpson. Russo had to leave the September meeting at 7:05 p.m., after which a quorum was lacking. Kosnow updated his biography that he gave at the Sept. 9 meeting to reflect an additional championship. He currently holds three world champion titles in power-lifting in his age and weight division, rather than two. VOTE: On motion of Kosnow/Rich, Board members present at the September meeting voted unanimously to approve the September 9 minutes as distributed, Boardman abstaining.

4. Approval of Permanent Pier at 265 Deaver Road, Byrne (Tax Map R8 Lot 86)

Joseph D. Leblanc of Leblanc Associates was in representing Ryan Byrne, who seeks Planning Board approval for construction of a permanent 6' x 130' pier at his property on Deaver Road. The pier will have a seasonal 3' x 40' aluminum ramp, a seasonal 14' x 20' wooden float, and a 10' x 40' timber frame float haul-out on shore. The latter three require approval of the Code Enforcement Officer. Construction will take place off-site, and the pier and float will be transferred to the project site. Byrne already has a Natural Resources Protection Act permit, copy of which is on file at the Town Office. The float will be located 55' from the eastern property line of the Byrne property and 50' from the western property line. The float will be stored on-shore during the off-season on a float haul-out above maximum high tide. The permanent pier will be about the same length as the pier on the adjacent Wilson property, but longer than the one on the Park property. There is very little vegetation along the immediate shoreline, mostly small bushes. Two small trees will have to be removed to make room for the float haul-out.

Boardman asked if there is any requirement for minimum distance between piers on adjacent properties. Leblanc said that the Corps of Engineers wants to see a minimum of 50' between piers. Kosnow asked how much of the pier structure will extend below the low tide line. LeBlanc said that basically only the ramp and float will extend below the low tide line. The pier structure is high enough that a person walking along the shoreline can walk underneath it. The walkway on the pier is designed to be 4' above high water.

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Boardman asked about access to the shoreline for construction vehicles. Leblanc said that construction vehicles can come down Byrne's existing driveway and along the edge of his property to get down to the shoreline. The ramp and float will be constructed off-site and towed to the site. Dale Benner of Waldoboro will do the construction. He is a lobster fisherman who does construction on the side.

Russo asked whether the ramp haul-out is permanent, or does the lower part come off and be removed when not in use. Leblanc said that the ramp will be pinned to ledge. The float will be secured by granite blocks or mushroom anchors, and connected to shore by two half-inch-diameter chains. The pilings will be pressure-treated southern pine, about 12" in diameter, pinned to ledge with chains.

Russo said that it seems to him that the centerlines of the pilings are unusually close together, at 10'. He lives across the river from the Byrne property. Most of the piers on his side of the river have pilings more like 20' on centerline, or even farther apart. Is there a reason to have so many pilings, so closely spaced? Leblanc said that this spacing is up to the contractor. The plan shows pilings 10' on center. Maybe it could be 15'.

Russo asked Town Planner Johnstone whether Selectman Abden Simmons, who is a member of the Shellfish Conservation Committee, has been consulted about the proposed pier, or has offered any comment. Does the Shellfish Committee have any issue with the pier location? Johnstone said that usually he would talk with the Town's shellfish warden to see if the project location is OK with him. Johnstone has not yet spoken with anyone in an official capacity about the proposed pier location. He can talk with either Simmons or the shellfish warden, or both. Russo said this would be good to do. The last time the Planning Board approved a dock/pier, we got their input. He does not think there is any active clamming being done right now in the vicinity of the proposed pier. Johnstone said that he can make approval by the Shellfish Committee a condition of approval of the project.

Johnstone said that once the proposed pier/ramp/float is approved by the Planning Board, subject to any special conditions, he will ask the Town shellfish warden and/or the local Shellfish Committee to review the project to determine whether any mudflats currently in use for commercial shellfishing will be affected by the project. He could ask Code Enforcement Officer Stan Waltz to do this. Simpson said that going to the shellfish warden is probably faster than consulting the Shellfish Committee. Waltz would be the person issuing the building permit for the pier structure, once the Planning Board has approved the structure.

Leblanc said that once the pier/ramp/float has been approved, construction would start this winter, subject to weather, aiming to have the structure complete by next spring, in time for summer use in 2022.

Rich asked whether there are any historical sites in the vicinity that might be impacted by the proposed project. Johnstone said that the Town will send an email notice to the five historic indigenous tribes in Maine, and written notice to the Maine State Historical Preservation Commission, about the proposed pier project and its location. Rich asked Johnstone whether he is aware of any instance in which either of these groups has objected to a planned local construction project, on historical grounds. Leblanc said that this does happen sometimes.

Boardman commented that in future, she would like for applicants to provide the Planning Board with a written site plan, rather than just a verbal description of the proposed project. Chairman Simpson agreed that in future, applicants should provide a plot plan diagram that shows locations, dimensions, and setbacks from property boundaries in graphic form. He believes that the required information for the Byrne project has been provided, just not in the desired format.

Russo asked Johnstone whether he has received any input from abutters to the proposed project. Johnstone said that he has sent notices to the abutters on either side of the subject property and to the owner of property across Deaver Road from the site, and has received no comments or questions.

Russo questioned the application's use of distances and setbacks referred to mean high water. He said that usually, such references are given relative to mean low water. He asked how far above mean low water is mean high water in the Medomak estuary. He was told that high tides range 7.5' to 12' above mean low water.

There being no further questions or comments, Chairman Simpson asked for a motion to approve Ryan Byrne's application for a pier, ramp and float for his residential property at 265 Deaver Road, in the Limited Residential District, with the following conditions:

- 1) that Town Planner Johnstone check with the local shellfish warden, or the Waldoboro Shellfish Committee, to confirm that there are no issues with the proposed location;
- 2) that Code Enforcement Officer Waltz approve a site plan for the temporary construction items involved in the installation of the pier;

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3) that all required State and federal permits be obtained, and copies provided to the Town of Waldoboro, prior to placement of the proposed pier/ramp/float on site;

4) that “before” and “after” photographs be taken of the immediate shoreline around the site of the pier and the float haulout area, and presented to the Code Enforcement Officer within 20 days after completion of the project.

Leblanc commented, regarding the third condition above, that the required permit from the Army Corps of Engineers is still pending, along with the other required State and federal permits.

VOTE: A motion to approve the proposed pier, dock and float for Ryan Byrne at 265 Deaver Road, subject to satisfactory compliance with the stated conditions, was made, seconded, and approved unanimously.

5. Old Business: Land Use Ordinance Amendments

Planning Board members reviewed Johnstone’s seven-page document “Land Use Ordinance Amendment Suggestions”, which was distributed ahead of tonight’s meeting for discussion tonight. New material is underlined. Simpson said that most of these items are things the group has discussed before, up to the middle of page 5. He would like to have a color version of the existing Schedule of Dimensional Requirements in the Land Use Ordinance, to be better able to compare it with the table on page 6 of the handout. He is not prepared to discuss the Schedule of Dimensional Requirements tonight, and recommends that the Planning Board devote a separate meeting to this. Boardman agreed. Simpson suggested going through most of the seven-page handout tonight, but postponing discussion of the schedule of dimensional requirements.

Page 1

Line 4 from bottom of page: Simpson said to insert the word “of” after “Failure”, so that the sentence starts, “Failure of an abutter/resident to...”

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Boardman had a question about re-purposed shipping containers. She has been thinking about re-purposing a shipping container as a walk-in cooler on her farm property. That use is somewhat like storage. She could put a new roof on the repurposed shipping container. The group decided to change the second sentence under Section 10.23.2.4 to add the word “agricultural” after “commercial”, to read, “Section 10.23.2.4 Shipping containers that are significantly repurposed to change the primary function from storage to a commercial, agricultural or residential use shall be exempt from the restrictions of this Section. This exemption does not apply if the shipping container is used primarily for storage.”

Johnstone said that the ordinance wording aims to avoid re-use of shipping containers to hold material unlike the types of materials normally shipped in such containers. Debris storage would be an example of an un-like use. Russo said that one could argue that re-use of a shipping container as a walk-in cooler is a use (agricultural refrigeration) that is unlike the primary use of a shipping container.

Erskine said that it is not clear to him what the real purpose is of the ordinance language regarding shipping containers. When a shipping container is closed, its external appearance is the same whatever the nature of the contents, which might be cash, or construction materials, or food. Johnstone thinks that in the context of the Land Use Ordinance, the intended use of a shipping container is to hold material on a temporary basis, after which it is moved off-site. A shipping container is not intended to remain in the same location for years, like a dumpster or an outbuilding. Simpson agreed that the temporary nature of the shipping container is central to the definition. A shipping container is not intended to be modified into a coffee shop, or converted into a permanent housing unit. Do we want the ordinance to allow repurposing of a shipping container into a permanent structure on a site? Boardman thought that the original intent was to avoid having the presence of a shipping container become a problem for neighbors, sit around for years, be visually unattractive, and devalue the property and the immediate neighborhood. Johnstone said that this part of the Ordinance was written in 2005. See p. 10-28 of the Ordinance as adopted on Nov. 3, 2020, Section 10.23 Shipping Containers, Mobile Homes and Buses as Outdoor Storage. Subsection 10.23.1.1 says “Shipping containers, mobile homes and buses are not permitted for use as outdoor storage on lots in residential use. Existing units must be removed within two years of the effective date of this Ordinance.” Subsection 10.23.2.1.1 on p. 10-28 says that the use of shipping containers on non-residential or mixed-use lots “is limited to the temporary storage of goods, products or materials that are manufactured or assembled on the site or used in manufacturing and assembly on the site”.

Johnstone said that the Planning Board could consider adding a new section 10.23.2.4 on p. 10-29 of the 2020 LUO, to read, “Shipping containers that are significantly repurposed to change the primary function from storage to a commercial, agricultural, or residential use shall be exempt from the restrictions of this section. This exemption is revoked if the shipping container is again altered for use as outdoor storage.” This language would allow repurposing

shipping containers for certain specified other uses, but would prohibit their permanent use for storage.

Simpson recommended postponing further discussion until all Planning Board members have read Section 10.23 Shipping Containers, Mobile Homes and Buses as Outdoor Storage. Boardman agreed. According to the 2020 LUO, shipping containers are limited to temporary use even in non-residential or mixed-use zoning districts.

Section 10.24.5 Travel Trailers – bottom of p. 2 of Johnstone’s “Land Use Ordinance Amendment Suggestions”

Boardman questioned the statement at the bottom of p. 2 of Johnstone’s handout, that any travel trailer being used as a temporary dwelling (i.e., for not more than three months) shall have adequate health and sanitation facilities provided. She said that due to global warming, people who come to Maine for the summer and stay in travel trailers may soon be staying for four months rather than three, from mid-May through mid-September. She asked whether “not more than three months” should be changed to “not more than four months”. Simpson said he is open to making that change. Johnstone said that he will look into it. He thinks that in the Shoreland Zone, people living in camper-trailers are limited to three months’ residence. He will check whether this limitation applies to all recreational vehicles. He said that the intent in specifying “three months”, or even “four months”, is to make sure that no one is living in a camper trailer or recreational vehicle in Maine during the winter.

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Boardman referred to Section 10.36.1 Safety Standards for Tiny Homes. She asked Johnstone if he can send Planning Board members copies of the life safety standards for recreational vehicles (line 3 under 10.36.1 Safety Standards). Johnstone said that what she is referring to are the National Fire Protection Association standards. Boardman said that sleeping lofts in tiny homes seldom have adequate fire egress. If there are windows in the sleeping loft, they may be too small for an adult to use them as an exit in case of fire.

Johnstone said that there may be a new State law that a tiny home has to be allowed in any zoning district in which single-family homes are allowed. He is not sure whether this law has gone into effect yet, but it is pending. His aim is to incorporate State rules into the local Waldoboro Land Use Ordinance, so that the local Code Enforcement Officer is issuing permits using the most current rules and regulations. In Section 10.36.2 Municipal Inspections, the State rules just say “site inspection”, but Johnstone has added the words “building permit”, because we need to see a copy of the building permit in order to verify that the tiny home meets setback requirements and all other standards that apply to homes in Waldoboro.

Section 10.35 Renewable Energy Structures (Commercial), at the bottom of p. 3 and all of p. 4, contains new material, indicated by underlining. At previous meetings, Planning Board members have discussed who would handle decommissioning plans and bonds. New solar developments are required to go to the Maine Dept of Environmental Protection (DEP) to have their decommissioning plans approved. See Johnstone’s suggested changes to various subsections of Section 10.35 on p. 4 of the handout. During decommissioning, all introduced material must be removed down to 24 inches below the original ground surface, or down to 48 inches below the ground surface if the land use is for agriculture.

Page 5 of the handout includes new material about Tiny Homes and Campgrounds, Large and Small.

Johnstone offered to go through all pages of the handout tonight. It is intended to include everything new that needs to be added to the Land Use Ordinance. Proposed new text is underlined. Pages 1 and 2 of the handout have little new material, other than the word “agricultural”, which was added tonight to the second paragraph under the heading about additions to page 10-29 on p. 2, and the words “or tiny home”, that are added to Section 10.24, bottom of p. 2 of the handout. Text that is not underlined is material that the Board has already gone over and approved. There is almost no new text until page 3 Section 10.36.3 Location, about tiny homes. The State recently approved LD 802, An Act to Ensure Decommissioning of Solar Energy Developments. That is why new underlined heading Section 10.35 Renewable Energy Structures (Commercial) has been added to the LUO at the bottom of p. 3, and new underlined subsection 10.35 Decommissioning Plan is added at the top of p. 4 of the handout. In the second line of the second paragraph at the top of p. 4, the word “ceased” is changed to “cease”, and the word “be” is added before “abandoned”. In subsection 10.35.1.5, regarding the budget for the cost of removing structures and restoring the area to its pre-project condition, the budget must demonstrate that the applicant has accounted for inflation at the earliest period at which the project is expected to end. The budget must be updated at least once every ten years.

Subsection 10.35.2.2 about financial assurance is new, as indicated by underlining. This section is partly based on language that Damariscotta included in its recently-passed solar ordinance.

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In Item 10.35.3 Construction, near the bottom of p. 4, Simpson asked that the last three words at the end of line 4 (“to voice concern”) be deleted. The revised sentence should read, “The applicant will be responsible for providing notifications to the Town of Waldoboro and abutters that includes details of when construction is estimated to start and contact information for the project manager.”

On page 5, new added material about Tiny Homes; Campgrounds, Large; and Campgrounds, Small, is shown by underlines (top third of the page).

Schedule of Dimensional Requirements (bottom half of p. 5, all of p. 6, Section 6.9.4 on p. 7): All the underlined material is new.

Regarding removal of solar installations, Kosnow asked who is responsible for checking that all decommissioning requirements have been met, and that the site is in compliance. Johnstone said the Code Enforcement Officer is responsible. Rich said that there is an ongoing burden on the Town Planner, to be aware of changes to State regulations, and continually update the local ordinance to include the most current State regulations and requirements for decommissioning of solar installations.

Rich said that if there are separate State processes for approval of solar projects and non-solar projects, the Town may need to have separate processes for review of these two types of project. Johnstone will check on that. Waldoboro has language for small wind farms. We do not allow wind farms that generate more than 110 kilowatts of power. That leaves regulations for hydro power or geothermal. He can check with the State.

Rich asked about regulations for disposing of hazardous materials from a site like Sylvania. Should the Waldoboro ordinance be more specific about the types of disposal that are acceptable, the regulations governing disposal sites, and the process and regulations governing disposal? Johnstone said that LUO subsection 10.35.1.3 says that the applicant must comply with all government regulations regarding waste disposal; the disposal plan must meet U.S. government standards and Maine DEP standards, including both current standards and any future changes to them. Rich asked whether Waldoboro could have more restrictive standards than the State and federal regulations. Johnstone said that the Town regulations could be more restrictive. Boardman noted that 25 years from now, there is going to be a whole lot more material needing to be recycled. Johnstone said that he will look into State language about disposal of renewable energy structures other than solar arrays.

Russo suggested adding to the ordinance a general statement about waste disposal: that at a minimum, the applicant must comply with all government regulations, but that the Town of Waldoboro reserves the right to impose stricter requirements, as necessary. Simpson advised against adding this language to this specific part of the ordinance, because he thinks that it applies to the LUO as a whole, that for any land use activity, the Town always reserves the right to have stricter regulations than State or federal ones. Simpson asked Johnstone to check with Maine Municipal Association about whether a local Planning Board can impose restrictions more stringent than State or federal regulations, in the absence of a statement in the local Land Use Ordinance that authorizes the Town to impose standards that are more restrictive than State or federal standards. Johnstone agreed to talk with MMA.

Boardman asked whether there are any instances in which Waldoboro has imposed more restrictive standards than the State. Johnstone thinks that Waldoboro restricts development within 100’ of a Great Pond, where the State’s standard setback from a Great Pond is 75’. Simpson thinks Waldoboro’s ordinance might be more restrictive than the State regarding manure storage.

Screening of Campgrounds

Boardman asked about the minimum setback of commercial campgrounds from adjacent properties, and what screening is or should be required. Is the minimum setback 50 feet? That is not very much. Does the current ordinance have any language about visual screening, or noise? Johnstone thinks there are no specific standards for buffers around a commercial campground. There are general requirements about screening and fencing. In LUO Article 7, General Performance Standards, p. 7-1, the Planning Board can require a buffer area between commercial/ industrial uses and residential uses, to minimize adverse impacts on residential properties, including physical screening/barriers, and planting and maintaining vegetation to provide year-round screening.

In the current LUO adopted Nov. 3, 2020, a small commercial campground (up to 10 units) is allowed in the Rural, Residential, and Route 1A land use districts, with approval from the Code Enforcement Officer and Town Planner. Larger campgrounds/ tenting grounds (over 10 units) are allowed only in the Rural and Route 1A districts, with Planning Board approval, but not in the Residential district. Johnstone said that the current language about campgrounds can be proposed to be amended if Planning Board members so wish. Currently, approved campsites must be set back at least

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50' from the property line, and at least 100' from a residence on a neighboring property. If the Board wishes, it can propose more restrictive language the next time the LUO is amended.

Time Line for Amending LUO

Proposed changes to the LUO should be ready by April 2022, for town vote in June. The usual procedure is for the Planning Board to discuss desired changes, and vote on revisions. The proposed revised LUO is then submitted to the Select Board for consideration. Select Board members discuss the changes, and hold a public meeting to get input from Waldoboro residents. Simpson proposed that at the next Planning Board meeting, Board members should review a marked-up version of the existing LUO with red text showing proposed revisions (additions/deletions/changes). If not a complete copy of the LUO, at least a copy of sections proposed to be changed should be sent to Planning Board members for review ahead of the meeting. Johnstone said that he can do this.

Shoreland Zoning

Johnstone said that the State has adopted new requirements for before-and-after photography of projects in the Shoreland Zone. He has told Joe Leblanc about this in connection with the Deaver Road pier project on tonight's agenda. Dimensional standards in the Shoreland Zone have not changed for more than 15 years.

Land Use Ordinance Revision

Johnstone knows of no new applications for the next Planning Board meeting. Much of the December meeting could be devoted to ordinance revision. The Board could consider the "red-letter" mark-up of the LUO and changes to dimensional requirements at the next meeting, especially if the material to be discussed can be distributed in advance. Simpson asked for the table on p. 6 of the "Land Use Ordinance Amendment Suggestions" document being discussed tonight to be reprinted to show proposed changes in a different color. Johnstone said that he can try to put the two versions on the same page, so that people will not have to go back and forth to compare them.

Some of Waldoboro's setback standards are much more restrictive than those of other towns in our area. The Planning Board might want to look at some of our setback standards and consider reducing them.

Boardman is interested in the possibility of allowing more dense development in areas served by Town water and sewer. Simpson said that zoning district boundaries may need to be adjusted in an area along Route 1 near Route 32, where zoning on the north side of the highway is different from that on the south side. Johnstone said that it might not be practical to put this zoning change on the warrant for Town vote in June. He is working with the Select Board to amend a current construction project to extend sewer and water along a section of Route 1 that is currently zoned 1A. If he gets grant funding, he will want to be able to amend the dimensional standards and put a certain lot in a different zoning district.

6. Request for Change of Use, Medomak House, 124 Friendship Rd, Davis - Overnight Accommodations (Map U3 Lot 20A)

Peggy and Ron Davis, who own Medomak House, have asked Johnstone whether they can offer overnight accommodations for 8 to 10 people there. Inns are not currently allowed in the Historic Village District. Mrs. Davis asks whether the Planning Board would consider amending the Land Use Ordinance to allow hotels/motels/inns in the Historic Village District. Johnstone apologized for bringing this up at 7:50 p.m., ten minutes before the planned end of tonight's meeting.

Boardman asked what Johnstone would do if an owner wanted to operate an air bed-and-breakfast in the Historic Village District. Johnstone said that the Waldoboro ordinance currently does not allow B&Bs or other short-term rentals, unless the property is a campground. Boardman said that the Medomak House property has plenty of off-street parking. There is nothing in the local ordinance to prohibit homeowners from renting their houses. Is there really a difference between renting a house to someone, and allowing overnight guests to sleep there on a paying basis? Is there a difference between operating an inn, and occasionally renting rooms to transients? In the 2020 edition of Waldoboro's Land Use Ordinance, Article 15 Definitions, p. 15-16, defines an inn as "A building, which contains a dwelling unit occupied by an owner or resident manager, in which up to ten (10) lodging rooms, or lodging rooms and meals, are offered to the general public for compensation, and in which entrance to bedrooms is made through a lobby or other common room. The term "inn" includes such terms as guest house, lodging house and tourist house, but not bed-and-breakfast, hotel, or motel."

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Johnstone said that in an air B&B, the proprietor lets people rent a room in the proprietor's house for a short period of time. A bed-and-breakfast involves renting a certain number of rooms, and the proprietor lives on the property. In a short-term rental, usually the proprietor rents the whole house for a brief period, which might be a day, a weekend, or a week. How to handle short-term rentals has become a puzzle for many midcoast communities in recent years. When the Ordinance Revision Committee was reviewing this item, Johnstone thinks that they decided not to deal with short-term rentals, because the issue was so complicated.

Russo knows the Davises as neighbors, and has talked with them about their plans for Medomak House. They want to be able to use the house for occasional retreats for small groups. They are not planning to operate it like an inn. It is not a commercial venture. He suggests that Johnstone talk more with the Davises, to see whether there is a way to accommodate their future plans for the property without violating the intent of the Ordinance. The Davises could allow personal guests to use the property and stay overnight, without violating the LUO. Could a retreat group be considered personal guests of the property owners? Johnstone will talk with CEO Stan Waltz to get Waltz's thoughts on this. Russo added that the Davises are well along in the process of establishing Medomak House as a nonprofit entity. Russo does not know whether it is possible to operate an inn, hotel or guest house as a non-profit. The Davises may have a bit of a conflict with zoning, but that is their intent.

Boardman asked whether the Davises' proposed use of the property for retreats would be like a school use.

Simpson thinks the real issue is, what would townspeople think about the proposed use? Going back in time, there must have been many inns in what is now the Historic District in downtown Waldoboro village. He can understand why people might not want a hotel or motel there now, but occasional use of a private house for an organized retreat is a different matter. He suggests that the Planning Board should think about the Davises' request and talk more about it at a future meeting, rather than automatically disallowing it. Can we devise a solution that is fair and reasonable, and not likely to set an undesirable precedent or cause abuse of the system if this request is allowed?

Johnstone said that he will talk further with Peggy Davis, to see if there is some detail that he is missing. If he allows short-term rental of Medomak House, for whatever purpose, he is afraid that many other people will come in wanting to operate short-term rentals in the village, which is something he wants to avoid. Simpson agreed. It would be worth having the Planning Board think about this issue on a broad scale, rather than basing the decision on a specific applicant, which is not a good precedent to set.

7. Procedure for Planning Board Meetings during Storm Closures

Johnstone spoke briefly about how to handle Planning Board meetings in the event of a winter storm. If the Town Office is closed, he will send an email to Planning Board members saying that tonight's meeting is cancelled. If the office is open during the day but a storm is predicted for the night of the meeting, Johnstone will usually confer with the Planning Board chairman about what to do. If the night meeting is cancelled, Johnstone will telephone Planning Board members and applicants to notify them, using their land lines or cell phone numbers, and re-schedule the meeting. Boardman asked about holding the meeting remotely via Zoom on the night originally scheduled. A problem with this is that in a severe storm, some people might lose power and be unable to participate in the Zoom meeting. In the event that the Town Office is officially closed but the snowstorm is over by afternoon, the group could consider meeting remotely that night, but some people could still be without power, even if the sun is shining.

8. Next Regular Planning Board Meeting: Thursday, December 9, 6:00 p.m.

Boardman asked whether the Planning Board now normally meets on Thursdays. She was told that the second Thursday in each month is the normal meeting night, starting at 6 p.m. Does the group have a back-up date in case of storm cancellation? Perhaps the fourth Thursday at 6 p.m.?

Russo said he will not be able to attend next month's Planning Board meeting, as he will be in the Galapagos.

Adjournment: The meeting was adjourned at 8:05 p.m., with thanks to all for attending.

Respectfully submitted,

Susan S. R. Alexander

Action Items - Johnstone

Check whether the Town needs to have separate review processes for solar projects and non-solar projects.

Does the local LUO need new language about regulations for hydro power and geothermal power?

Look for State language about disposal of renewable energy structures other than solar arrays.

Check with Maine Municipal Association whether a local Planning Board can impose restrictions regarding waste disposal that are more stringent than State or federal regulations (p. 5 of minutes).

Send Planning Board members a marked-up copy of proposed amendments to the Land Use Ordinance, showing proposed changes in red, for discussion at a meeting this winter or by April 2022, ahead of Town vote on LUO revision in June 2022.

Try to reprint the table on p. 6 of the "Land Use Ordinance Amendments Suggestions" document discussed on Nov. 15, to show proposed changes in a different color.

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