

Minutes  
Town of Waldoboro  
Planning Board Meeting  
February 10, 2021

Roll Call

The virtual Planning Board meeting was called to order by chairman Scott Simpson at 6:04 p.m. using Zoom. Other Planning Board members present were Barbara Boardman, Jeffrey Erskine, Sara Hotchkiss, Johnny Kosnow (in person at the Town Office) and Jim Russo. A quorum was present throughout. Planning and Development Director Max Johnstone was present in person. Applicant Heidi Straghan attended remotely. There was no audience.

1. Adjustments to the Agenda - none
2. Citizen Comments - none
3. Old Business - none
4. New Business
  - 4 a. Dance Studio at Progressive Grange, 931 Winslows Mills Road (Tax Map U13 Lot 10) - Heidi Straghan

The former grange hall at 931 Winslows Mills Road is currently unoccupied. Heidi Straghan's brother-in-law Michael Sands bought the building in 2012, intending to use it as a community building and general store. He passed away unexpectedly in 2016. His heirs currently own the building, with ownership expected to pass to Heidi Straghan. The family has been undecided what to do with the building. Melanie Lecher Pagurko is a dance teacher who is currently renting space above Medomak Veterinary Services at 14 Atlantic Highway in Waldoboro for classes at her Dancemaineia Dance Studios. She is exploring the possibility of using the upper level of the grange building for dance classes, starting June 1. Anticipated hours of operation are 3 p.m. to 7 p.m. The property is located at the edge of the Rural Village District. Ms. Straghan is coming before the Planning Board to determine whether a dance studio is an allowed use at the site, and what changes would have to be made to the building and the site for this use to be permitted.

The building has been upgraded structurally, but still needs work. Insulation will be added soon. The building has exterior lighting on the front two corners. Down-facing lighting will be added on the two rear corners. The Maine Dept. of Transportation has agreed to issue a permit that shows a defined driveway entrance and exit, rather than just a broad apron in front of the building. On-site parking needs to be designated. Parking on the northwest (left) side of the building is limited because of presence of an in-ground septic system. There is more room for cars on the southeast (right) side of the building, where a level area next to the building is limited in width by a swale about 40' from the building. The space on the southeast side of the building is not wide enough to permit angled parking and two-way vehicular traffic.

A parking plan is needed, showing how many vehicles can be parked on-site, and where; the length and width of the parking area(s); the turn-around area(s); and the location of the driveway entrance from and exit onto Winslows Mills Road. Straghan asked what sort of person she should hire to draw up a suitable parking plan. It was suggested that she contact Waldoboro architect Chuck Campbell, a former Planning Board member. A full engineering diagram is not needed. The sight lines at the public road are adequate in both directions, better southbound than northbound. The speed limit on Winslows Mills Road at the site is 30 mph. Russo suggested looking at Medomak Veterinary Services's recent application for additional parking behind its building, as a good model for a parking plan. Johnstone said that he can advise Straghan about the parking plan application.

At 6:45 p.m., on motion of Russo/Boardman, Planning Board members voted unanimously to table the Straghan application pending further information.

- 4 b. Preapplications – none

5. Approval of Minutes of October 14, 2020 and January 20, 2021

October 14, 2020: All six Planning Board members present tonight were present at the October 14, 2020 meeting. On motion of Boardman/Russo, Board members voted 6 - 0 to accept the minutes of the October 14, 2020 Planning Board meeting as distributed.

January 20, 2021: Five of the six Planning Board members present tonight were present at the January 20, 2021 meeting; Boardman was absent. On motion of Russo/Kosnow, Planning Board members voted 5 - 0, Boardman abstaining, to accept the minutes of the January 20, 2021 meeting as distributed.

6. Comments from Planning Board Members

Boardman said that it was hard for her to hear Max Johnstone tonight on Zoom. She watched the video of the Jan. 20 meeting the next day, and said the Board did a good job.

Russo requested that approval of minutes be placed in the agenda after any new business and old business. Applicants do not need to hear Planning Board members discussing minutes. This suggestion has been made before, but not acted on.

Simpson reminded Planning Board members about the email he sent recently about Ted Wooster, who is unable to continue on the Planning Board due to health. Please let Max Johnstone or Town Manager Keiser know if you wish to suggest names of people who might join the Planning Board to fill the vacancy.

7. Introductions; Discussion

Simpson invited the newest Planning Board member, Jeff Erskine, to introduce himself and tell about his background, and asked the other Planning Board members to do likewise.

Erskine has lived in Waldoboro since age 5, attended local schools, and started painting and building houses in the late 1990s. In 2003 he bought a house on Depot St., and has lived in Waldoboro off and on since then. His wife is a massage therapist whose family has lived in Friendship for 260 years. Although Erskines have lived in Bristol since 1752, Jeff's parents are from away, and he was not born in Maine. He plans to attend an upcoming training session for new Planning Board members about the Land Use Ordinance, and looks forward to learning from other members of the Planning Board.

Barbara Boardman has lived in Waldoboro since 2000. She is a landscape and architectural designer and operates an organic farm. She has been heavily involved with renovation of the Waldo Theatre, which has been closed for years and is being rebuilt in preparation for re-opening. Her husband is an artist.

Sara Hotchkiss moved here in 2002 from Portland, ME. She is a professional hand-weaver (mostly rugs) and has supported herself since 1985 by weaving. She loves to garden.

Johnny Kosnow is a native of Portland, ME, where he owned a business and ran a fitness club. He is a former world two-time weight-lifting champion. He came to Waldoboro in 2015. He has just finished writing his seventh book. He is an ex-Marine and world traveler, having visited 34 countries, 40 states and eight provinces.

Jim Russo bought land in Waldoboro in 2000, and has been building ever since. He retired in 2017. His background is in heavy industrial construction. He has lived and worked in various places around the world, including Texas. He has two children and six great grandchildren.

Scott Simpson's paternal grandparents came from Simpson's Corner in Dixmont, ME. He and his wife have lived in Waldoboro year-round since 2105, and have vacationed here since 2002. He worked in research and development for a materials company, work which involved a lot of foreign travel, mainly in Japan. In retirement he runs a berry farm, growing elderberries and raspberries, which keeps him outdoors and busy.

## Discussion

Simpson told Erskine not to hesitate to ask questions. He said that the “Planning” Board does not actually plan anything. It reviews applications and compares them with the requirements of the local Land Use Ordinance. There are supposed to be seven people on the Planning Board; there is a vacancy to be filled.

Boardman said that it takes most new Planning Board members one and a half to two years to get comfortable on the Planning Board. She suggested that the Planning Board should have a policy that, when a Board member does not vote to approve an application, that person should state his or her reason(s), for the record, so that people can tell that it is not personal. The applicant and the other Planning Board members have a right to know why the dissenter did not approve the application. Boardman thinks that when Johnny Kosnow voted NO on the solar farm application approved recently, he should have given a reason. Kosnow said tonight that he had wanted a site walk.

Hotchkiss explained why she abstained from voting on the Coffee Can LLC site plan application at the January 20, 2021 Planning Board meeting (New Business 5, p. 4 - 5 of the minutes). She liked the proposed project, but felt that the discussion of use of a new shipping container as retail space was incomplete. Also, she said that she was unable to hear what people who were physically present at the Town Office were saying during the meeting, which she attended remotely via Zoom. [Note: the Planning Board secretary also has problems hearing Kosnow, who attends in person.] Simpson said that he had understood that Hotchkiss was not opposed to the proposed use, and therefore did not want to vote No, so she abstained. Most of the Planning Board members at the January meeting were comfortable with approving the proposed use of the shipping container. He thinks the applicants also understood Hotchkiss’s position.

Russo spoke about the minutes of the January 20, 2021 Planning Board meeting, which were approved tonight. On p. 4 of the minutes it states why Kosnow voted No on the application for Waldoboro Solar (New Business Item 4). Kosnow is quoted in the minutes as saying that he felt that too many items were left “up in the air”, including 1) the source for the solar panels and 2) information about the carbon footprint. Kosnow said that he got calls from several people after the meeting asking why he voted No rather than abstaining. Johnstone said that Planning Board members who vote No on an application should state their reason(s), so that the applicant will know what the problem is or what further information to provide. Simpson said that one issue with the application was, to clarify who or what entity is responsible for maintenance of the private road. Is there a road association? If not, should one be formed? Simpson thinks it unfair to accuse the presenter of not being forthright when he said he did not know the source of the solar panels. The presenter also hedged when asked how his firm was going to make money from the project. Simpson thinks that neither of these questions is within the purview of the Planning Board. Regarding lack of a site walk, Simpson pointed out that at the October Planning Board meeting, the Planning Board had opportunity to ask for a site walk and did not do so. It is unfair to the applicant to criticize the application for not including a site walk, when the Planning Board did not request one.

Russo cautioned Planning Board members to be careful about site visits. If one or two Planning Board members go out informally on their own to visit a site in advance of a meeting, that may be OK, but a formal site visit is a public meeting requiring advance notice to abutters and neighbors, and must be publicized in advance, with a notice posted at the Town Office and published in the newspapers. Someone must be present to take official minutes of the site walk. Johnstone suggested that any Planning Board members who do a site visit by themselves should disclose that information at the meeting at which the application is discussed. Chairman Simpson agreed with Russo’s point about potential issues with site visits. In some cases the Planning Board may ask for additional detail on the site plan, as a substitute for a formal site visit. We rely on the Town Planner to require enough detail in the application so that a formal in-person site visit by Planning Board members is usually not needed.

## 8. Announcements

There will be a webinar on Feb. 24 for members of Planning Boards and Boards of Appeals throughout the

state. Johnstone encouraged all interested Planning Board members to participate. The Town will pay the \$45 fee. Please let Johnstone know in advance if you want to attend.

A pending piece of legislation, L.D. 32, would allow Waldoboro and other towns to hold remote meetings of boards and committees regularly. We do so now by executive order of Gov. Mills. Simpson encouraged Planning Board members to contact their State senator in support of this bill.

#### 9. Housekeeping Items

Johnstone will leave materials from previous meetings requiring signatures of Planning Board members at the Town Office for signature on Feb. 11. These include maps for Syncarpha Capital's Waldoboro Solar installation on Controversy Lane and Stagecoach Road, and the Coffee Can LLC application for a drive-through restaurant at 1350 Atlantic Highway. Planning Board members should come in and sign, so that Johnstone will not have to drive around to get signatures. The Town Office opens at 9 a.m. Hotchkiss volunteered to bring a card that people can sign for Ted Wooster, who is leaving the Planning Board.

Johnstone asked Planning Board members to take a look at the section of the Land Use Ordinance on Commercial Fisheries/Maritime Activities District, within the Shoreland District. There are currently only two areas of town within this district: the Pine Street Landing and the Dutch Neck Marine Park, both Town-owned land.

#### 10. Next Planning Board Meeting – Wednesday, March 10

There may be no applications for the March Planning Board meeting, or one application. Johnstone was asked to confirm the date and agenda. Does the Board want to review permitted activities in the Commercial Fisheries/Maritime Activities district?

Adjournment: On motion of Boardman/Hotchkiss, members voted unanimously to adjourn at 7:38 p.m.

Respectfully submitted,

Susan S. R. Alexander

#### Action Items

Planning Board members: Come to the Town Office to sign materials from previous meetings. (Sara, please bring in a card for Ted Wooster that people can sign.) Let Johnstone know if you want to attend the Feb. 24 webinar for members of Planning Boards and Boards of Appeals. Look at the section of the Land Use Ordinance on Commercial Fisheries/Maritime Activities District, within the Shoreland District. Do Planning Board member want to discuss what activities are permitted in this district?

Johnstone: Confirm date and agenda of next PB meeting. Can something be done to improve audibility of people present in person at the Town Office during meetings broadcast remotely on Zoom? Several people who attended the Feb. 10 meeting remotely (Boardman, Hotchkiss, Alexander) said that they could not hear speakers (Johnstone, Kosnow) who were present in person. Hotchkiss also had problems hearing the Jan. 20 meeting remotely.

