

Minutes
Town of Waldoboro
Planning Board Meeting
February 14, 2018

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Wednesday, March 14, 6:00 p.m.: regular Planning Board meeting

Roll Call

The meeting was called to order by chairman Scott Simpson at 6:00 p.m. in the meeting room at the Municipal Building. Other members present were Barbara Boardman, Sara Hotchkiss, Tara Pelotte, and Marcia Smolin. A quorum was present throughout. Planning and Development Director Max Johnstone and planning consultant Bill Najpauer were present. The audience included applicants Allan Beck and Bennett Collins, property owner Gail Montgomery, and reporter Alexander Violo from the Lincoln County News. There were no adjustments to the agenda, and no citizen comments.

1. Minutes of January 10, 2018 – approved as amended

On motion of Smolin/Hotchkiss, the Board voted 5 - 0 to approve the minutes of January 10 as amended on p. 4 under Item 6, Planning Board Chairman's Comments, to add a sentence to the end of the first paragraph: "Najpauer suggested deleting Mass Gatherings from the Land Use Ordinance." (This is Article 5 Section Q on p. 5-20 of the Land Use Ordinance.)

2. Approval of Change of Use from Restaurant to Office Space, 816 Atlantic Hwy. (Tax Map R4 Lot 17) - Allan Beck, Cornerstone Investment Properties LLC

Allan Beck was in to describe plans for a change of use of the first floor of the front building at 816 Atlantic Highway from a restaurant to a financial services office. He will keep the second floor as an apartment, the current use. He plans to remodel the duplex behind the office building, but that is not part of the current application. He has a building permit issued October 4, 2017, to move interior walls and add a covered porch on the south and east sides of the front building.

A neighbor, Carl Erickson, who owns 868 Atlantic Highway (tax map R4 lot 15), had complained that snow from Beck's property is being plowed onto Erickson's land, and that rainwater and snowmelt from Beck's property is flowing onto his land (see Jan. 10, 2018 Planning Board minutes, Item 3.2, p. 2). In a letter to Erickson dated January 11, Beck says that he has informed his contractor of the location of the boundary line, with regard to snow removal, and that he will verify

with his contractor that the gravel surface around the building is sloped appropriately, so that runoff does not flow onto Erickson's land.

VOTE: On motion of Boardman/ Hotchkiss, Planning Board members voted unanimously to approve the change of use from restaurant to office space at 816 Atlantic Highway and signed the site plan.

3. Pre-application, 196 Simon Road – not discussed

The applicant was not present, so discussion of this agenda item was deferred.

4. Pre-application Discussion, Harvest Moon Catering, Outdoor Kitchen and Picnic Area, 122 Atlantic Hwy. (Tax Map R4 Lot 40)

Bennett Collins, owner of Harvest Moon Catering, was in to describe plans for a change of use at 122 Atlantic Highway, formerly the location of Gail Montgomery's business, the Well Tempered Kitchen, which closed in 2013. The owner of the property, Ms. Montgomery, was present at tonight's meeting. The property is 92 acres with frontage on the west side of Kalers Pond. The retail space is currently being used by Harvest Moon as an office, prep kitchen and base of operations for its off-site catering business. Collins proposes to hold a weekly pizza night on-site, from late May to early September, on a Tuesday or Wednesday from 5 to 9 p.m. A small, licensed outdoor kitchen will be set up to make food for the public, with an adjoining outdoor picnic area with tables and seating. Collins is applying to the Planning Board for approval of the change of use. He had planned to apply for a mass-gathering permit from the Code Enforcement Officer, but planning consultant Najpauer said that a mass-gathering permit is for a single event, such as a wedding party. He said that Collins's application is for an outside-service restaurant, to provide catering for weekly on-site events during the summer. Collins expects a maximum of 100 people, possibly up to 300 if the events prove popular. The use could expand to several nights per week. There will be a tent over the kitchen area, but not over the seating area. Porta-potties will be provided. Take-out pizza will be available, but he hopes that people will bring blankets and lawn chairs and stay to eat, socialize, and enjoy live music. Collins is not sure if alcohol will be served. It could be bring-your-own-bottle. Harvest Moon has a catering license to serve liquor at events. This requires approval from the Town of Waldoboro for each event, plus approval from the State and from the town in which the event is held.

An annotated aerial photograph at a scale of 1" = 120' shows the proposed location of the food service area, picnic area, parking, and a right-of-way for emergency vehicles. Sight lines at the driveway entrance are 508' looking west, and 1,331' looking east. Ms. Montgomery said there is another entrance halfway down the field that could be used for access. This would require approval from the Maine Dept. of Transportation (DOT).

The Harvest Moon application could be placed on the agenda for the next regular Planning Board meeting, Wednesday March 14, with approval conditional upon receipt of a permit from the DOT. Planning Board members could not vote on the application at tonight's meeting because abutters had not been notified of the proposed change of use and given the opportunity to attend the meeting and give input.

5. Ordinance Revision

Najpauer said that mass gatherings should be taken out of the Land Use Ordinance. They involve the Code Enforcement Officer, the Fire Department, and Emergency Medical Services.

He said that after the revision of the Comprehensive Plan has been completed, an Implementation Committee should be set up, including one or two members from the Planning Board. The Land Use Ordinance should be reorganized, with a new numbering system and addition of review criteria and conditions for site review. Subdivision review should be separated from site plan review. The State building code may need to be amended to permit “tiny houses”, which provide a way to deal with the housing shortage and provide more affordable housing.

Simpson suggested that the revised Land Use Ordinance should include an enlarged map of land use districts. This could be 11” x 17”, folded.

6. Review of Land Use Ordinance Article 7 Shoreland Zoning and Article 10 Nonconforming Uses

The scheduled special Planning Board meeting on February 7 to review Shoreland Zoning and Nonconforming Uses was cancelled due to a snowstorm. At tonight’s meeting, the special meeting was rescheduled for Thursday March 1 at 6:00 p.m. Johnstone will mail hard copy of Article 7, Article 10, and Article 6 Site Plan and Subdivision Review. The latter will be discussed if time permits. Secretary Alexander has made some editorial suggestions for consideration by the Planning Board. These will be highlighted in the text.

7. Town Planner’s Report

Johnstone is not sure whether Melissa Mushrall will be on the March 14 agenda for review of Melissa’s Dog Grooming. Her business is in an unknown status until she gets a license from the State of Maine. The Harvest Moon outdoor restaurant and picnic area at 122 Atlantic Highway may be the main agenda item at the March 14 meeting.

8. Comments from Planning Board Members - none

9. Next Meetings: Thursday March 1, 6:00 p.m.: special ordinance review meeting
Wednesday, March 14, 6:00 p.m.: regular Planning Board meeting

Adjournment: The meeting was adjourned at 7:10 p.m.

Respectfully submitted,

Susan S. R. Alexander

Action Items

Johnstone

Send hard copy of LUO Articles 6, 7 and 10 to Planning Board members ahead of March 1 meeting.

Planning Board members

Review LUO Articles 6, 7 and 10 ahead of March 1 special meeting; come prepared to discuss and approve changes.