

Minutes
Town of Waldoboro
Planning Board Meeting
March 10, 2021

Roll Call

The virtual Planning Board meeting was called to order by chairman Scott Simpson at 6:02 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. Applicants Greg Collins and Heidi Straghan attended remotely; Kendall Delano, Jr., was present in person. There was no audience.

1. Adjustments to the Agenda - none
2. Citizen Comments unrelated to tonight's agenda- none
3. Old Business – Dance Studio/Private School, 931 Winslows Mills Rd., Heidi Straghan (Tax Map U13 Lot 10)

Straghan has given Johnstone copies of MDOT permits for a separate entrance and exit at the front of the building, separated by a green space/planter, and photographs of the site. She has spoken with Fire Chief Smeltzer about an emergency entrance. Smeltzer says this does not have to be addressed now, but only if and when there is a new use for the first floor of the building. Straghan seeks a permit for a dance studio to be used as an after-school educational program for young people. Her tenant, Melanie Lecher Pagurko, will be using only the second floor of the former grange hall, and expects to be in the building from about noon to as late as 8 p.m. Nine parking spaces are shown in front of the building. Two additional parking spaces are possible to the left of the building. Russo was concerned that there should be adequate on-site parking. He was told that vehicles could park parallel to the building on the south side, and that there could be additional parking at the rear of the building.

Boardman asked whether a separate application would be needed for use of the second floor for a different use, e.g. as a yoga studio instead of a dance studio. Johnstone said the wording of the permit is up to the Planning Board. Do members want to approve use of the space for "private instruction", or specifically for a dance studio? Simpson noted that there is no specific number of students indicated on the application. The motion is to approve use of the second floor of the building at 931 Winslows Mills Road as a dance/exercise studio, a use which falls in the category "private school" in the Land Use Ordinance. It should not be described as an "after school" use, because classes might take place at any time of year, including summer.

VOTE: On motion of Simpson/Boardman, Select Board members voted unanimously to approve use of the second floor of the building at 931 Winslows Mills Road for a private dance studio/exercise studio, under the category "private school" in the local Land Use Ordinance.

4. New Business

4.a. Approval of Collins Auto, 646 Union Rd., Gregory Collins (Tax Map R14 Lot 12B)

Collins is a licensed Maine State vehicle inspector and a certified welder, and has worked as a mechanic at Hillside Collision in Waldoboro. He was in to describe his plans to use an existing vacant 40' x 60' two-bay steel building at 646 Union Road for automotive repairs and sale of pre-owned vehicles. The building has been on-site for about three years, and was previously used to store vehicles and work on them. Sales would be limited to less than 15 vehicles on site at any one time, with approval of the Code Enforcement Officer. There is designated parking outside the main building for employees and vehicles requiring work. The application includes an aerial photograph showing locations and setbacks from the road and property lines for three existing buildings: the main 40' x 60' building, a 24' x 36' building, and a 16' x 16' shed. The

closest brook or wetland is over 1,000' from the closest building, and 1,349' from the main building. Collins is submitting a septic plan (hte-220 form) to the Local Plumbing Inspector.

Kosnow asked about vehicles possibly leaking fluids. Collins said that the building has a concrete floor. There will be oil-collecting mats. He will collect oil from the vehicles, store it in barrels, and burn it in an oil burner to heat the garage. Antifreeze will be hauled off-site by Waste Management. He will be the only worker, at least at first. Boardman asked about display of vehicles for sale. Collins said there will be no physical display on site of vehicles for sale. Vehicles will be listed for sale remotely on Craigslist or Facebook. He expects to have about 10 cars for sale at any one time.

Collins lives next door to the site. The proposed use is not a "home occupation", because there is no home on the site. The Code Enforcement Officer needs to approve the vehicle sales portion of the application. Collins has spoken with the Fire Chief. Collins will install a lock box so that firefighters can get into the building at need. The existing buildings are well screened from the road. The main building is 156' from the road. Simpson suggested placing a condition on permit approval, to require the owner to maintain appropriate visual screening of buildings from the road, and between the buildings and abutters. Boardman suggested that Collins should check with the Town Office before removing any trees, to be sure that adequate screening is maintained.

VOTE: On motion of Russo/Boardman, Planning Board members voted unanimously to approve Gregory Collins's site plan application for a new business, Collins Auto, at 646 Union Road, for on-site vehicle service and remote sales of pre-owned vehicles, subject to a) approval by the Code Enforcement Officer of the vehicle sales operation; b) approval of the Fire Chief of the lock box and emergency access to the building; and c) an approved entrance permit from the Maine Dept. of Transportation.

4 b. Retail Expansion at Delano Seafood, 2090 Atlantic Highway, Kendall Delano, Jr. (Map U7 Lot 9A)

Kendall Delano, Jr., was present in person to discuss his request to expand existing retail space at Delano Seafood by creating a 36' x 40' addition with an open floor plan on the left side of the existing retail building, with an 8' x 20' walk-in cooler and an 8' x 20' walk-in cooler/freezer occupying the entire north side of the building. The existing building would primarily be converted into office space and storage for the business, plus some additional retail floor space. There is an issue regarding the location of the addition near Back Brook, in what is potentially a FEMA-designated floodplain zone. Prior filling has been done near the site to minimize danger of flooding. Planner Johnstone has visited the site, prepared a site plan showing an alternative location for the expansion, and has contacted the Maine Emergency Management Agency for advice about location of the proposed addition.

Discussion of proposed locations:

Johnstone has measured the distance from Back Brook to the northwest corner of the existing building. Delano says that his father added fill along the brook, with permission from the Town, in order to minimize the flood risk. The Maine Emergency Management Agency has told Johnstone that they do not update their maps unless there is a special request from either the applicant or the Town. Map 2 shows the addition as being at least two feet from the nearest point in the flood zone. The addition cannot be located on the right side of the building or on the front due to setback requirements. Johnstone's summary sheet about the application says that he cannot recommend the original location plan for the addition "unless the applicant is open to additional standards due to the location being in a flood zone".

Boardman, who was attending remotely, said she could not hear Delano clearly enough to understand what he was saying, in the Town Office meeting room. (See Item 6, p. 3, for more about audio problems with Zoom meetings.)

Simpson asked about requiring a survey of the two proposed locations for the addition. He asked if Planning Board members are comfortable with approving the application pending information about Emergency Medical Services access, a survey of the location, and floodplain permit approval by the Code Enforcement Officer. Russo said the Board has no basis for approving the application until we have more information

about the location vis-a vis the floodplain. Johnstone suggested either tabling the application until we have more information about the floodplain location, or approving the application conditional upon the building addition being determined to be far enough back from the floodplain. Simpson said he would be more comfortable waiting until after the survey, so that we know the true location of the building with regard to the floodplain. Johnstone said that the survey would have been completed at least 10 days prior to the next Planning Board meeting, in order for Delano's application to be placed on the agenda.

Simpson suggested that the Board consider approving Option 2, the location further away from the floodplain, at tonight's meeting. If Delano wants approval for the other location, he could come back before the Planning Board at a later date for approval of his preferred location. Delano restated this to mean that the Planning Board would be approving Option 2 unless he can get a surveyor to state that his preferred location is outside the floodplain, or if he wants to get a Floodplain Permit. Simpson called for a motion to approve Site Plan Map 2 as the location for the proposed addition at Delano Seafood, subject to approval by Fire Chief Smeltzer and approval by EMS regarding access for emergency services. On motion of Boardman/Russo, Planning Board members voted unanimously to approve Site Plan Map 2 as the location for the proposed addition at Delano Seafood, subject to approval by Fire Chief Smeltzer and approval by EMS regarding access for emergency services.

4. c. Pre-applications - none

5. Minutes of Feb. 10, 2021

On motion of Russo/Hotchkiss, Planning Board members voted unanimously to accept the Feb. 10, 2021 minutes as distributed.

6. Discussion of Audio Problem during Remote Meetings

Boardman asked Johnstone to get a cost estimate for improved microphones, so that Planning Board members attending the meetings remotely can hear what people in the Town Office meeting room are saying. Johnstone said the problem is not with the microphones, but with the hook-up. He has not yet had time to work on this, but promised to do so. Simpson suggested that an inexpensive fix would be to use a single microphone that is passed around from speaker to speaker in the conference room. He offered to work with Johnstone on the audio problem. Reuben Mahar has also offered to help. After the meeting, Russo suggested talking with a tech person from the Waldo Theatre or Lincoln Theatre, to see if one of them can help us. We need a temporary, low-cost, simple solution, as we hope to be able to resume in-person meetings at some point in the not-too-distant future.

7. Planner's Comments – Johnstone

Johnstone said there is a new dog day care business in town. He is not sure whether it qualifies as a home occupation. The dogs do not stay overnight at the facility, but are cared for and exercised during the day.

8. Next Planning Board Meeting – Wed. April 14

Adjournment: The meeting was adjourned at 7:37 p.m., with thanks to all for participating.

Respectfully submitted,

Susan S. R. Alexander

Action Item

1. Try to fix audio problem with zoom meetings, with help from Mahar, Simpson, and theatre tech guys. People participating remotely have trouble hearing speakers in the Town Office meeting room.