

Minutes  
Town of Waldoboro  
Planning Board Meeting  
March 13, 2019

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 Ted Wooster. Planning and Development Director Max Johnstone was present. The audience included Jim Amaral, who owns Borealis Breads, a business abutting Ollie's, and Deborah Bellows, who lives across the street from Odd Alewives. Applicants Vickey and Ralph Jones (Ollie's) and John and Sarah McNeil (Odd Alewives) were present.

1. Minutes of February 20, 2019

On motion of Wooster/Pelotte, the Board voted 4 - 0 - 1, Hotchkiss abstaining, to approve the minutes of February 20, 2019, as revised on page 2 in the fourth paragraph under 2. Discussion of Revisions to Land Use Ordinance Article 7 Shoreland Zoning and Article 10 Non-conforming Uses. The second and third sentences in this paragraph in the draft minutes were deleted and replaced with "Pelotte said that Waldoboro appears to have a very specific septic setback ordinance. She suggested that in a time when we are attempting to grow Waldoboro economically, it could harm the Town's ability to attract new buyers or investors if local ordinances appear to be too restrictive."

2. Approval of Change of Use from Retail (Burnham's Bloomers) to Seasonal Restaurant (Ollie's) at 14 Washington Road (Tax Map U7 Lot 2)

Applicants Vickey and Ralph Jones were present. They are currently renting the house at 14 Washington Road and seek Planning Board approval to operate a seasonal lunch wagon on the premises from May through September. They plan to operate seven days a week during daylight hours, being open from 11 a.m. to 3 p.m. early in the season, and staying open to 7 p.m. during the summer. There will be seating for 24 people at up to six picnic tables seating four people each, and customer parking for 10 vehicles in marked spaces. Employees will park in front of the two-car garage. Ollie's will also offer take-out delivery to businesses and residential customers within one mile. The lunch wagon has 50-amp electric service and a gray-water system for hand washing, which will be emptied down the kitchen sink of the residence. There is an existing on-site septic system. A handicapped-accessible Porta-Potty will be available, located away from the take-out area. Trash barrels will be emptied daily and the refuse taken to the Transfer Station. Entrance and exit onto Rt. 220 have been approved by the Maine Dept. of Transportation. The menu will include hot dogs, burgers, fries, chicken, subs, wraps, local seafood (lobster rolls, crabmeat rolls, pan-fried haddock), salads using local vegetables, and ice cream. No alcohol will be served. The Joneses have experience operating a lunch wagon in Jefferson, also called Ollie's, from 2010 to 2015. (Ollie is their dog.) The landowner, Dianne Burnham, thinks she has a buyer for the greenhouse on site, but if it is not removed the Joneses might buy it and use it for customer seating in bad weather or for events such as birthday parties.

Pelotte questioned whether 10 customer parking spaces will be enough in summer if lots of people want ice cream at the same time. No change was made to the parking plan.

**VOTE:** On motion of Wooster/Pelotte, Planning Board members voted 5 - 0 to approve the application of Vickey and Ralph Jones to operate a seasonal restaurant, Ollie's, at 14 Washington Road, as a change of use.

## 2. Approval of Restaurant Addition at Odd Alewives, 99 Old Route 1 (Tax Map U6 Lot 19)

John and Sarah McNeil, owners of Odd Alewives brewery and brew-pub, were present for review of their application to add a commercial wood-fired oven, a sink, and limited storage in an existing building in order to be able to offer a limited pizza menu (~ three options) on Friday and Saturday nights and perhaps on Sundays. Currently they are offering free pizza on Friday nights for people who want a snack with their beer. Patrons are also welcome to bring their own food, and this policy will continue. The facility has 34 inside seats plus five outdoor picnic tables. The McNeils opened the business nine months ago. They live on the property. There is parking for 26 vehicles near the restaurant, and additional parking for 30 vehicles in a lower lot accessible by a wide foot trail through the vegetable garden. The proposed new pizza oven has a ceramic core, is heavily insulated, sealed, self-contained, and vented through a pipe at the top. It will be inspected by the Code Enforcement Officer when installed. Pizza pickup will be mainly indoors, or through an outside window.

Disclosure: Planning Board chairman Scott Simpson said that he and his wife have started a commercial berry business, Waldoberry Farm, selling elderberries, black chokeberries and several other berry varieties. The Simpsons do not have a current business relationship with the McNeils and Odd Alewives brewery and brew-pub. He asked if Planning Board members want him to recuse himself from review of the restaurant addition at Odd Alewives. No one did.

### Discussion

New Planning Board member Jim Russo was unable to attend tonight's meeting in person. He submitted written comments, which were read aloud to the Planning Board and audience by Johnstone. Russo expressed concern about parking, especially in the summer, and especially due to possible increase in patronage due to the expanded pizza menu. He anticipates that the upper parking lot may be full, so that drivers would drive in to the upper level, turn around, exit the property and continue on down Old Route One to the entrance to the lower lot. He suggests that it would be safer and more convenient if the owners could create an interior driveway connecting the upper and lower parking lots. Sarah McNeil responded that there is not enough visibility for two separate entrances off Old Route 1. They could perhaps widen the existing driveway entrance, which does not currently have enough room for two cars to pass, or at least provide space on the shoulder for a car to pull off and wait for another vehicle to clear the entrance. Sight distances in both directions are excellent, and Old Route One does not carry much traffic. Deborah Bellows, who was in the audience and lives across the street, confirmed that there is no traffic problem currently.

Russo also questioned the McNeils' plan to eliminate one of the two existing unisex bathrooms in order to make room for the pizza oven. Sarah McNeil said that the existing bathrooms are very large and ADA-compliant. She said that having only one bathroom would still meet State requirements. She agreed that they could build another smaller bathroom, or install a Porta-Potty.

Chairman Simpson said that there is no need to make approval contingent upon widening the existing driveway, but encouraged the owners to consider doing so. **VOTE:** On motion of

Wooster/Boardman, Planning Board members voted 5 - 0 to approve the application for a restaurant addition at Odd Alewives brewery and brew-pub in order to make space for a pizza oven.

3. Public Hearing on Proposed Revisions to Land Use Ordinance Article 7 Shoreland Zoning and Article 10 Non-Conforming Uses – not held

The scheduled public hearing on proposed changes to the local Land Use Ordinance was cancelled, due to lack of an audience. All the people who attended tonight's meeting left after completion of the second item of new business, Odd Alewives.

4. Comments from Planning and Development Director Johnstone

Johnstone said that there are only two potential applications for review at next month's Planning Board meeting, depending on whether he gets the complete applications in time to be placed on the agenda. One is for a permanent private pier in the Shoreland Zone, on a property on Spruce Lane off Friendship St. (tax map R-7). The pier would be built on concrete pilings and designed by Gartley & Dorsky Engineering & Surveying. The proposed location is not near clam flats. The other pending application is for bulk storage of propane at Atlantic Laboratories at 42 Cross St. off Winslows Mills Road near the Industrial Park.

Johnstone told the group that at the March 12 Select Board meeting, Select Board members approved a special Town Meeting to be held at the March 26 Select Board meeting to enable a vote to place a temporary moratorium on new applications for medical marijuana dispensaries for up to six months and replace current language in the Town's Land Use Ordinance. If the temporary moratorium is approved by townspeople, no new medical marijuana dispensaries would be able to seek approval to operate in Waldoboro until the moratorium expires. A vote about not allowing medical marijuana dispensaries is expected to be on the June 2019 Town Meeting warrant. The warrant needs to be submitted by April 12th in order to be placed on absentee ballots. If townspeople reject the ban in June, the Select Board could extend the moratorium to November and have another vote at November town meeting.

Wooster asked whether the State has standards for how much THC you get when you buy cannabis from a dispensary. He is not in favor of THC unless customers can know exactly how much they are getting.

5. Comments from Planning Board Members

Pelotte said that the April Planning Board meeting will be her last, as she is leaving Waldoboro. She has enjoyed her work on the Planning Board and is sorry to be leaving the group.

5. Next Regular Planning Board Meeting: Wednesday April 10, 6:00 p.m.

Adjournment: The meeting was adjourned at 7:20 p.m.

Respectfully submitted,

Susan S. R. Alexander

Action Items - none