

Approved on April 11<sup>th</sup>, 2018

Minutes  
Town of Waldoboro  
Planning Board Meeting  
March 28, 2018

Contents

1. Approval of Minutes of February 14, 2018
2. Outdoor Restaurant, Harvest Moon Catering, 122 Atlantic Highway (Tax Map R4 Lot 40)
3. Dog Boarding Kennel, Mushrall, 459 Bremen Road (Tax Map R-5 Lot 18)
4. Planner's Report
5. Next Regular Planning Board Meeting: Wednesday, April 11, 6:00 p.m.

Roll Call

The meeting was called to order by vice chairperson Sara Hotchkiss at 6:02 p.m. in the meeting room at the Municipal Building. Other members present were Barbara Boardman, Laura Mewa, Tara Pelotte, Marcia Smolin and Ted Wooster. Planning and Development Director Max Johnstone and planning consultant Bill Najpauer were present. Donna Dow and Richard Mogel were in the audience, along with applicants Bennett Collins and Melissa Mushrall.

1. Approval of Minutes of February 14, 2018

On motion of Boardman/Wooster, the Board voted 5 - 1 - 0, Mewa abstaining, to approve the minutes of February 14 as distributed.

2. Outdoor Restaurant, Harvest Moon Catering, 122 Atlantic Highway (Tax Map R4 Lot 40)

Bennett Collins was in to present his plans for outdoor food service one night a week this summer at the Gail Montgomery property, 122 Atlantic Highway, formerly the location of the Well Tempered Kitchen, which closed in 2013. The retail space is used by Harvest Moon Catering as an office, prep kitchen and base of operations for its off-site catering business. (See Item 4 on p. 2 of the February 14, 2018 Planning Board meeting minutes for pre-application discussion.) Collins proposes to serve pizza this summer from a licensed outdoor kitchen on Tuesday nights from 5 or 6 p.m. until approximately 9 p.m., from mid-May through September. Customers' vehicles will use the existing driveway entrance and park in the field next to the driveway. He expects a maximum of 100 - 300 patrons per night.

Town Planner Johnstone has reviewed the application. His one-page summary sent to Planning Board members in advance of tonight's meeting states that the application complies with Waldoboro's general and specific requirements for a restaurant. Parking is required for 100 vehicles, at one space per three people. The kitchen will be under a tent. Johnstone's memo states that it is appropriate to waive the requirements for a boundary survey, full site plan, existing site plan, contour lines, parking plan, soil erosion plan, stormwater plan, utility plan, landscape plan, soil report, proof of technical and financial capability, water and sewage demand, and utility status.

VOTE: On motion of Wooster/Boardman, Planning Board members voted unanimously to approve the application for Harvest Moon to operate an outdoor restaurant during the summer months at 122 Atlantic Highway. Planning Board members then signed the site plan (aerial photo).

3. Dog Boarding Kennel, Mustrall, 459 Bremen Road (Tax Map R-5 Lot 18)

Melissa Mustrall was in to describe her plans to build 10 new dog pens on her property at 459 Bremen Road in order to board dogs. She already has four pens for use in her dog grooming business, which can include overnight boarding. The first 400' of her 25-acre property is in the Residential District, while the back land is in the Rural District. She needs approval from the Town of Waldoboro before she can apply to the State for a kennel license.

Johnstone has made out the site plan submission checklist. Mustrall is applying for an expansion of an existing non-residential structure. In the Worksheet for Planning Board Review, under Article 4 General Performance Standards, item G Lighting and Glare is not applicable because the new facilities cannot be seen from the public road. Item I Noise will be controlled by bringing the dogs indoors if they are noisy, and after 10 p.m. each night. Each pen consists of an enclosed interior space and an outdoor run with chain-link fencing. Item U Traffic Impact Analysis is conforming: the addition of boarding facilities for 10 dogs will not materially affect traffic on Bremen Road. In the checklist for Article 5 Specific Performance Standards, the proposed use is a home occupation and a commercial kennel, both applicable and conforming.

Discussion

Specific performance standards for commercial kennels are in Article 5 subsection M on p. 5-10 and 5-11 in the Waldoboro Land Use Ordinance.

Mustrall's application to the State for a boarding kennel permit states that all floors are washed daily, and pens will be cleaned after each use. She will compost feces. She will not board attack animals. She does not plan to board cats. She will install a baby monitor, so that she can tell if a dog is barking. If a dog persists in barking, she can use a shock collar, which can be worn up to 10 hours a day. All dogs will be indoors after 10 p.m. She has been boarding some dogs on the property for 13 years as part of her dog grooming business.

Johnstone read an e-mail from abutters Don Gregory and Lisa Tarka, who live at 439 Bremen Road, the next house to the north, located ~100 - 150 yards from the proposed kennel. They are concerned about noise from barking dogs. They could not attend tonight's meeting.

Richard Mogel was present in the audience. He said that he is a very satisfied customer of Melissa's dog grooming business. She runs a clean establishment, and her prices are reasonable. He does not know of any dog boarding facility within 15 miles of Waldoboro. He questioned whether a person who lives 100 - 150 yards away from a kennel would really be inconvenienced by barking. Najpauer said that noise is one of the biggest problems with kennels. It is better if they can be located in an industrial area, or in a rural area with no nearby houses. Mustrall's property is only 300' wide, although the lot is 25 acres.

VOTE: On motion of Boardman/Smolin, Planning Board members voted unanimously to table the application pending receipt of a better site plan map showing the location of the proposed 10-unit boarding facility relative to other structures on the property.

Johnstone will help Mustrall with a Google map/aerial photo of the property.

4. Planner's Report

Johnstone said that the terms of Hotchkiss, Mewa and Smolin on the Planning Board expire at the end of June. He wants to know as soon as possible if they want to be reappointed. He gave out application forms, which should be returned next week. Each will be interviewed by the Select Board at a private meeting.

There will be a public hearing about the Comprehensive Plan revision on Thursday, March 29 at 6:00 p.m. at the Town Office. If Planning Board members wish to make comments about the Comprehensive Plan, they should do so as Waldoboro residents, not as members of the Planning Board.

5. Next Regular Planning Board Meeting: Wednesday, April 11, 6:00 p.m.

Adjournment: The meeting was adjourned at 7:15 p.m.

Respectfully submitted,

Susan S. R. Alexander

Action Items

Hotchkiss, Mewa and Smolin

Make out application forms for re-appointment to the Planning Board, bring in to the Town Office next week, give to Eileen Dondlinger.

Johnstone

Help Mushrall with Google map/aerial photo of her property for next Planning Board meeting.