

Minutes
Town of Waldoboro
Planning Board Meeting
April 12, 2006

Contents

1. Minutes of March 8, 2006
2. Site Plan Review, MSAD #40 New Middle School, 320 Manktown Rd. (Tax Map R14 Lot 34)
3. Review of Six-Lot Subdivision, 200 Noyes Road, Maine Modular and Manufactured Homes, Inc. (Tax Map R24 Lot 6A)
4. Approval of Amended Subdivision Plan, Backmeadow 10-Lot Subdivision, Black, 506 Union Rd. (Map R15 Lot 6)
5. Site Plan Review, New Library Building, Waldoboro Public Library Association, 958 Main St. (Tax Map U4 Lot 70)
6. A. A. Johnston, LLC, Retail Landscape Items, 3288 Atlantic Highway (Tax Map R13 Lot 7) – deferred until April 19
7. Special Planning Board Meeting: Wednesday April 19, 7:00 p.m.

Roll Call

The meeting was called to order by chairman Bo Yerxa at 7:08 p.m in the firemen's conference room at the Municipal Building. Other Planning Board members present were Carlo Bianchi, Chuck Campbell, Chuck Flint, Terry Gifford, and JoAnn Myers. Code Enforcement Officer John Black was present. The audience included Joe Carey, Nick DePatsy, Jack Farlow, Sara Gallant, Drew Greiner, Jennifer Hafemann, Connie and Tom Hammermeister, Penny Johnston, Mark McLeod, John Morris, Tom Mullaney, Brooke Pacy, Karl Pitcher, Scott Vaitones, and David and Marian Welker.

1. Minutes of March 8, 2006

On motion of Campbell/Myers, the Board voted 5 – 0 – 1, Bianchi abstaining, to approve the minutes of March 8 as distributed.

2. Site Plan Review, MSAD #40 New Middle School, 320 Manktown Rd. (Tax Map R14 Lot 34)

MSAD #40 business manager Scott Vaitones and Mark McLeod of the H. L. Turner Group, architects and engineers, were present for continued review of plans for the new middle school to be built on the high school campus.

During site plan review of general performance standards at the March 8 meeting (Article 4 checklist), construction standards could not be found conforming until receipt of stamped architectural plans, now received, and evidence of a permit from the State Fire Marshal's office, not yet received. Concerns about noise are addressed by submission of revised landscape plans showing three-foot earth berms between two parking lots and Manktown Road, and revised planting plans showing dense low evergreen shrubs between these parking lots and Manktown Road. In addition, the Planning Board required the applicants to provide an evergreen buffer on the north side of the student parking lot facing Miller Road beyond the snow storage area, to be completed within a year of the start of construction. No earth berm is required facing Miller Road.

During review of specific performance standards at the March 8 meeting (Article 5 checklist), further information was requested about groundwater extraction and wildlife and natural area preservation, with special reference to stands of lady's slippers, a native orchid reported on the property. McLeod has provided information from Elizabeth A. Champeon, senior geologist at S. W. Cole Engineering, Inc., that it is unlikely that drawdown of 24 gallons per minute from the school well will affect residential wells in the area and that increased arsenic levels are not anticipated, based on the local geology and hydrology. McLeod provided a statement dated March

28, 2006, that not all species of lady's slippers are considered rare or endangered, with information from the internet about the distribution of various species of lady's slippers. The rare types have not been documented from Lincoln County. Neil Lash, a biology teacher at Medomak Valley High School and an expert on heirloom plant species, has confirmed that to his knowledge no rare lady's slippers are present in Knox or Lincoln Counties. He has stated that he has no concern about the lady's slippers on the school property.

The same items were identified as needing more information in the Planning Board approval checklist (Article 6): concern about quality and quantity of water in nearby wells, especially regarding heightened arsenic levels; noise and light, especially vehicle headlights; and the impact of the school building project on populations of lady's slippers. Planning Board members were satisfied that these items all have been adequately addressed.

CEO John Black confirmed that he spoke with someone at the Drinking Water Division of the Dept. of Human Services who agreed with the analysis by the Cole geologist, that extraction of water from the drilled well at 24 gallons per minute will not affect the quality or quantity of water in adjacent wells, all of which are more than 300 feet distant, the minimum distance required by the Dept. of Environmental Protection. Gifford asked the minutes to show that there are private wells within 500 feet of the proposed middle school well.

With regard to baseline monitoring of arsenic levels in local wells, Vaitones said the School District is unwilling to undertake this. He suggested that residents who have concern can do baseline monitoring at their own expense before and after the new well comes on line.

The presence of a new middle school will mean an increase in the number of vehicles using the entrance and exit driveways, with more staff members, more parents dropping students off, and more school buses. Myers asked whether the School District has considered asking students not to drive private cars to school to lessen traffic impact. Vaitones said on the contrary, there has been talk of encouraging students to drive to school to reduce the need for school buses.

Construction schedule: Vaitones said the middle school proposal will go before the State building committee May 1. A final funding decision will be made in early May. The project will go out to bid May 15, with bids opened June 15. It usually takes several weeks to determine the low bidder and complete contract negotiations. Construction should begin this summer.

Alternates: The preliminary plans presented to the Planning Board contain several alterates, such as chain link fencing around the ball fields, paved parking lots, and underground conduits. Vaitones expects the project to come in on or under budget, and expects to be able to include many if not all of the proposed alternates, all of which are specified on the plans that have been reviewed. Myers asked to have the Planning Board informed if any new alternates are included that have not been reviewed by the Planning Board.

On motion of Bianchi/Campbell, the Board voted 6 – 0 to find the two pending items under Article 5 Specific Performance Standards, J groundwater extraction impact assessment and wildlife/natural areas preservation, applicable and conforming. With these items, all applicable specific performance standards are met. In Article 6, approval criteria, on motion of Myers/Campbell, the Board voted 6 – 0 to find the following items applicable and conforming: 2 sufficient water; 6 natural values (lady's slippers); 10 groundwater (arsenic); 20 buffering of adjacent uses (noise and light); 21 noise; 23 landscaping (except for the required landscaping on the north end of the student parking lot, to be added to the final plan), 24 buffering of residential uses. With these additions, all applicable approval criteria are met.

On motion of Campbell/Bianchi, the Board voted 6 – 0 to approve granting a permit for the new Middle School, contingent upon the applicants' providing the following information to the Code Enforcement Officer:

- 1) a set of final plans stamped by an architect or engineer, including a revised landscape plan showing the required landscaping on the north end of the student parking lot facing Miller Road, all landscaping to be completed within one year of the start of construction;
- 2) evidence of approval of the project by the Maine Dept. of Environmental Protection;
- 3) evidence of approval of the project by the State Fire Marshal's office.

3. Review of Six-Lot Subdivision, 200 Noyes Road, Maine Modular and Manufactured Homes, Inc. (Tax Map 24 Lot 6A)

Owners Karl Pitcher and Scott Gove and surveyor Drew Greiner were present for review of plans for a six-lot subdivision along Noyes Road. Part of the road is public, the rest is a discontinued town road that dead-ends beyond the subdivision. The Planning Board began subdivision review at 8:00 p.m. Four Board members visited the property at 5:30 p.m. with the owners, their surveyor, and CEO John Black (see write-up of site visit at the end of these minutes).

The Town Attorney has given an opinion that structures must be set back a minimum of 75 feet from a private road or a discontinued town road, measured from the edge of the traveled way.

An e-mail from neighbors John and Susan Morris expresses their concern about pollution of Little Pond Brook from septic fields, suggests that it is inadvisable to approve a building lot that is mostly wetland, and asks for a public hearing once the application is complete.

Submission Checklist:

Chairman Yerxa went through the submission checklist to determine whether the application is complete. The following materials have been submitted: 12 copies of plans and application; fee paid; locus map, location map, and boundary survey.

4. Existing conditions plan: a. title block; b. land use district; c. existing contours; d existing buildings; e. existing streets and driveways; f. existing utilities; g. significant natural features; h. wetlands delineation by a professional wetlands delineator; i. existing surface water drainage; l. location of nearest fire-fighting water supply (Medomak River at Medomak Pond outlet on Washington Road); m. name of professional who prepared plan.

Not applicable: j. existing signs; k. easements.

To be supplied later: surveyor's seal on final plans.

5. Proposed conditions plan: The following materials have been submitted: a. title block; b. lot lines; c. 2' contours; d. sight distances for proposed driveways - meet ordinance requirements for a 45 mph road; h. soil erosion and sedimentation control plan; i. storm water management plan; o. approval block.

Not applicable: f. location of all buildings - there are none on site yet; g. signs - there will be no sign; j. location of parcels dedicated for public use - none; m. landscaping plan.

The following required materials are lacking or incomplete: d. driveway locations need to be shown on plan; e. easement for access to lot 6 should be shown on the subdivision plan as well as in the deed; l. utility plan incomplete: locations of soil test pits for Lots 3 and 5 need to be put on plan; soil test pit for Lot 4 appears too close to lot line; n. professional certification - surveyor's number and seal to be on final plans.

6. Written documentation: The following materials have been received: a. deed to property; b. description of proposed use; c. evidence that project will satisfy Section 4 A regarding air emissions; i. net developable acreage calculation; n. evidence that soils are suitable for intended use; o. soil erosion and sedimentation plan; r. storm water management plan; u. evidence of technical capability to supervise, construct and inspect the project: Scott Gove's license and qualifications of Wayne Johnson, Johnson Construction, Gove's first choice of subcontractor to put in driveways; v. evidence of financial capacity; x. estimated volumes of water and sewerage. Not applicable: d buffers; e construction standards; f electrical disturbances; g. lighting and glare; j. noise; k. off-street parking; l. refuse disposal; m. signs; q. storage of materials and equipment; t. traffic impact analysis; w. construction schedule; y. statement from utility providing water or sewer service.

Lacking or incomplete:

h. hydrological ground water assessment: Board requires a nitrate plume calculation but not a complete hydrological ground water assessment;

i. Net developable acreage: We have one set of calculations, but Greiner will submit revised calculations for new configuration of Lots 5 and 6.

p. subsurface disposal system report: need information on soil test pit for Lot 5; locations of test pits on Lots 3 and 5 to be placed on subdivision plan; location of test pit on Lot 4 to be checked for required setback from lot line, or another test pit location on Lot 4 found;

s. street access and driveways: Street access and driveways was marked "received" on the submission checklist. The subdivider intends to put in driveways. Driveways locations need to be shown on the subdivision plan. A 3/8/06 memo from County Planner Faunce noted that this subdivision, as proposed, would be a limited-volume traffic generator limited to two two-way driveways onto Noyes Road, per Article 4 S. 11 Number of Driveways b, p. 4-22 LUO.

Summary: The Noyes Road subdivision application was found to be incomplete. Review was ended at this point.

On motion of Bianchi/Gifford, the Board voted 6 – 0 to schedule a public hearing. Black advised the Board that a public hearing cannot be scheduled until the application has been found to be complete. The public hearing must be scheduled within 30 days of the determination of completeness.

On motion of Myers/Bianchi, the Board voted 4 – 1 – 1, Yerxa abstaining, to require a nitrate plume calculation to determine whether the amount of nitrate entering the wetland from septic systems in the subdivision will exceed the safe drinking water standard of 5 milligrams per liter. Black said the septic fields from the two houses upslope from the proposed subdivision do not have to be included in the nitrate plume calculation.

4. Approval of Amended Subdivision Plan, Backmeadow 10-Lot Subdivision, Black, 506 Union Rd (Map R15 Lot 6)

At 9:15 p.m. surveyor Drew Greiner presented an amended subdivision plan for previously-approved Backmeadow subdivision to show utilities overhead instead of underground, a cost-saving measure. On motion of Myers/Bianchi, the Board voted 6 – 0 to approve the revised subdivision plan. Members present then signed the revised plan.

5. Site Plan Review, New Library Building, Waldoboro Public Library Association, 958 Main St. (Tax Map U4 Lot 70)

Library Association Treasurer Jack Farlow and surveyor Drew Greiner were present to answer questions about the Library's planned new building opposite the Post Office. A number of neighbors were present for this agenda item, which lasted from 9:20 p.m. until 10:15 p.m. Campbell stepped down from the Planning Board for this item because his firm is involved with the new building plans. CEO Black was absent from much of the discussion because he had to appear before the Selectmen and Budget Committee.

The proposed new building will be approximately 4,000 s.f., one story on a slab with no basement, on town sewer and town water. Bedrock on the property comes up nearly to the ground surface. This is the first presentation of library plans since preapplication discussion on April 13, 2005. The Board of Appeals has tabled consideration of overhang and setback variance requests pending Planning Board review. The Board of Appeals meeting is Tuesday April 18.

Storm water management: The high point of the lot is in the center. Surface runoff flowing down the Main Street hill uphill from the building and runoff from the eastern slope of the roof will run into the paved driveway and thence into a storm drain along the street. Runoff from the western slope of the roof and the western part of the property will be collected into a storm drain pipe that may be routed across neighboring properties into a storm drain on School Street, requiring an easement from an abutter. Skip Williams, the Maine Dept. of Transportation storm water representative for this area, visited the site on April 5. He suggested that runoff from the part of the lot downhill from the building near the street could be routed into the Main St. storm drain via an underground pipe, but that runoff from the rear part of the lot west of the building should be collected and routed into the School Street stormwater system via an underground pipe. He did not say that a stormwater permit from the Maine Dept. of Environmental Protection would be needed. Lincoln County Planner Bob Faunce has reviewed the library plans and suggested that a

stormwater report be required that complies with the provisions of Article 4 Section R Storm Water Management in the 2005 Land Use Ordinance. This calls for a storm water management plan done by a registered professional engineer or a storm water management professional, and designed so that the post-development storm water runoff does not exceed the pre-development storm water runoff. The library site was formerly occupied by the historic William Fish house and barn.

Submission Checklist

Chairman Yerxa went through the submission checklist to determine whether the application is complete. The application is for a new non-residential building.

12 copies of the plans and application materials have been submitted. The application fee has been paid. A locus map, location map and boundary survey have been submitted. All applicable elements of the existing conditions plan have been submitted: the title block, land use district (Historic Village District), existing contours, buildings, existing streets and driveways, existing utilities, existing surface water drainage, and location of the nearest fire hydrant (just off the site plan). Inapplicable elements are: significant features, wetlands delineation, existing signs, and existing easements.

5. The proposed conditions plan includes the following: a. title block; b. lot lines; c. 2-foot contours; d sight distances of roads (the Highway Dept. says the sight distances are adequate); f. locations, dimensions and setbacks of all proposed buildings; g. location, front view, materials and size of sign and sign supports; h. soil erosion and sediment control plan; i. storm water management plan (*not complete at this time*); l. utility plan; m. landscaping plan; o. approval block.

Not applicable: j. parcels dedicated to public use.

Not received:

e. easements: may require an easement for a buried storm water pipe across a neighbor's property to School Street;

i. storm water management plan (not complete at this time)

n. professional certification: name and seal of professional architect or engineer on building plans.

6. Written Documentation: Items received: a. title to the property; b. description of proposed use; e. construction standards; g. lighting and glare; i. net developable acreage calculation; k off-street parking and loading (*number of parking spaces to be checked*); l., refuse disposal; m. signs; n. soils; o. soil erosion and sedimentation control plan; q. storage of materials and equipment; r. storm water management plan (*incomplete*); s. street access, driveways; t. traffic impact analysis; u. evidence of technical capability to supervise, construct and inspect the project; v. evidence of financial capacity; w. construction schedule; x. estimated volumes of water and sewerage; y. statement of adequate capacity from utilities providing water and sewer services.

Not applicable: c. air emissions; f. electrical disturbances; h. hydrological ground water assessment; j. noise; p. subsurface disposal system report.

Yet to be determined: d. buffers: that the proposed vegetative buffers will adequately screen the library from adjacent residential uses; r. storm water management plan.

Chairman Yerxa summarized from the submission checklist that the plan is incomplete in several respects. Outstanding items include:

1) easement for storm water pipe across a neighbor's property

2) storm water management report

3) buffers

4) parking and loading – address questions from Lincoln County planner about number of parking spaces.

The Planning Board needs to consider whether Farlow's replies dated 4/12/06 adequately address the points raised by the Lincoln County planner in his 4/12/06 e-mail.

Audience Comments:

Marian Welker said there is traffic congestion around the post office, and at times when the funeral home and Waldo Theatre are in use. Cars coming down Main St. hill regularly exceed the speed limit. Having the library opposite the post office rather than west of the theatre will create more congestion and unsafe conditions on Main St. David Welker asked why the architect designed a building that may require waivers from the minimum side lot line setback distances. Chairman Yerxa explained that in going through the application checklist, the Planning Board is determining only whether the application is complete, not whether the items submitted are satisfactory. The determination whether the plan meets applicable performance standards will be made at the next meeting. All Planning Board meetings are open to the public. If warranted, a public hearing can be conducted, at which more questions can be raised by members of the public and public comments received.

A man expressed concern about drainage across his grandmother's property (Thelma Ilves, Tax Map U4 Lot 66). She has concerns about privacy, fencing and shrubs. He will talk with Farlow about these matters.

Discussion of the Library plan ended at 10:15 p.m. It will be continued at the May 10 meeting. Farlow cannot be present but another representative of the Library Association will be present.

6. A. A. Johnston, LLC, Retail Landscape Items, 3288 Atlantic Highway (Tax Map R13 Lot 7) - deferred until April 19

Penny Johnston was present and was told that the Planning Board has a policy of not starting review of agenda items after 10 p.m. She requested continuation of the meeting at a special meeting sooner than May 10, stating that delay until May 10 will be an economic hardship for her business, sale of landscaping materials. Planning Board members agreed to continue tonight's meeting at 7:00 p.m. on Wednesday April 19.

7. Special Planning Board Meeting: Wednesday April 19, 7:00 p.m.

The special meeting will consider the agenda items not discussed at tonight's meeting.

Adjournment: The meeting was adjourned at 10:25 p.m.

William Yerxa, II, Chairman

Carlo P. Bianchi

Charles Campbell

Charles Flint

Submitted by:

Terry Gifford

Susan S. R. Alexander

JoAnn Myers

WALDOBORO PLANNING BOARD

Notes on April 12, 2006 Site Visit to Proposed Noyes Road Subdivision, 200 Noyes Road
(Tax Map 24 Lot 6A)

Planning Board members Campbell, Flint, Myers and Yerxa and Code Enforcement Officer Black visited the proposed Noyes Road subdivision from 5:30 to 6:25 p.m. on April 12 with owners Scott Gove and Karl Pitcher and their surveyor Drew Greiner. The group started at the uphill end of the property at the adjacent Ben property (Lot 12). Runoff from the Ben property flows downhill over the subject property to a stream known as Spring Brook or Little Pond Brook that flows northwest to Medomak Pond, a great pond. A wetland connected to Spring Brook crosses Lots 4 – 6 and abuts the stream. Most of Lot 5 is high ground suitable for building. Lot 6 is mostly wetland. It has been increased in size to give sufficient buildable area.

A separate driveway from Noyes Road will serve Lot 1. Gove and Pitcher intend to place a manufactured home on Lot 1 and offer the house and lot for sale. The other subdivision lots will be sold as building lots with no requirement that buyers place manufactured homes on these lots. Lots 2 and 3 will share a driveway in the right-of-way to the back land belonging to Allen's Blueberry Freezer, Inc. Lots 4 and 5 will share a common driveway that enters the private portion of Noyes Road. Lot 6 will have a driveway entrance from the private part of Noyes Road.

John Black
Code Enforcement Officer