

Planning Board
July 21, 2021

The Waterford Planning Board was called to order at 7:00 p.m. In attendance were Ray Merrill, Ted Gerber, Nick Archer, Charles Tarbell, Recording Secretary Cindy Kimball and Chairman Colin Holme, along with Code Enforcement Officer John Bell.

The first item on the agenda was a review of the June minutes. Cindy noted she will correct 2 typing errors. Ted made a motion to accept the minutes with the typos corrected. Charles seconded the motion and the vote was 5-0 in favor.

The second item on the agenda was a discussion with Land Use Consultant Mike Morse, regarding Waterford's Shoreland Zoning ordinance of non-conforming properties and the approval of extensions once the time frame for them has elapsed. Specifically, the PB did not have the authority to provide another permit extension for Tom Murch to continue with plans to build a convenience store at his PK Gas & Go property in North Waterford. Gas pumps are currently located on the property but Mr. Murch did not begin any substantial construction on the store within the permit period. After being notified by the Code Officer that the (already extended) permit had expired, Tom went before the Appeals Board to seek an additional permit extension. The AB initially granted him a 2 year extension but after receiving a letter from the Maine Department of Environmental Protection that questioned the process for allowing the permit, the AB reconsidered the extension permit and revoked it.

Mike discussed options to allow commercial use properties in SZ to continue beyond an expired extension. One would be an amendment to the SZ ordinance to map identified commercial use properties with specific wording for extensions on the map and to include limitations for those properties. This is a very specific change, not a broad range solution, and it would need to be drafted specifically for the current properties that meet the criteria. The PB identified potential properties to include P&K Gas and Go, Brisson's Trading Post (formerly Springer's Store), Kimball's Hardware and Lobster, Bear Mountain Music Hall (formerly the South Waterford Grange Hall), the former Phil's Mobil Garage, and the former Kedar Quilt Shop. A second

option would be to broadly allow certain commercial properties in rural residential, but this could include specifics as well. Any changes made without targeting the map would leave it open for new commercial uses in rural residential areas.

The PB discussed whether it is appropriate or fair to change the Shoreland Zoning Ordinances because of one case that did not comply with its extension. Further complicating the issue is that P&K Gas and Go is in Resource Protection. After further debate, the board agreed to leave the ordinance as is but there was interest in meeting with and working with the select board to help assist the owner of the gas station navigate funding opportunities or grants to keep the gas pumps operational in the future.

The next item on the agenda was a discussion of future projects including the Lake House. Nick noted that he approached select board member Randy Lessard and will be meeting with the select board soon to discuss the property. Colin asked that Nick include the gas tanks at P&K Gas for discussion with the select board.

Prior to this meeting, Nick provided the board with information on bulk water extraction, solar farms, and commercial storage facilities which will be reviewed and discussed at a future meeting. The PB discussed possible ways to discourage bulk water extraction including limits to total extraction amounts or usage fees to mitigate road damage or loss of rural character. An outright ban of bulk water extraction could impose on land owner rights and become a legal issue. Colin will obtain more information from MMA on the subject and the PB will continue to discuss bulk water extraction in the future.

Colin noted that a change to the site plan review ordinance could be added to address commercial storage units in Waterford. Model language to address aesthetics, lighting and buffers was included in the material that Nick provided to the board.

Colin noted that the State of Maine has lifted the emergency executive order for the pandemic and future meetings will need to be held in person at the Town Office once again. A Zoom link for anyone needing to continue to stay home will be provided.

Ray made a motion to adjourn at 8:35 p.m. Nick seconded the motion and the vote was 5-0 in favor.

Respectfully submitted,
Cindy Kimball