

03/07/05

Minutes
Town of Damariscotta
Planning Board Meeting
March 07, 2005

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Roll Call

Chairman George Parker called the meeting to order at 7:30 p.m. There was a quorum present throughout. Members present were Fred Sewall, Paul Stevens, Jonathan Eaton, Wilder Hunt, and George Parker. The audience included:

- Mary Gamage, Representative of Hannaford – P O Box 1000 Portland, ME 04104 – store expansion, Main St
- Chris Osterrieder, Consultant –DeLuca – Hoffman Associates, 778 Main Street, Suite 8, South Portland, ME 04106 - Hannaford store expansion
- Chester Rice, P O Box 99 Damariscotta, ME 04543 – abutter to applicant – Hannaford
- Kay Liss, Reporter, Lincoln County News
- Dean Knott, 116 School Street, Damariscotta, ME 04543 - Representative / applicant- change in use – School Street property
- Art Meyers, Reporter, Lincoln County Weekly

- Patti Whitten, 643 Main Street, Damariscotta – abutter to applicant – Pine Meadow Estates (Welton)
- Patrick Coughlin – St. Germain & Associates, 846 Main Street, Westbrook, ME 04092 – Pine Meadow Estates, Main St. Damariscotta
- Andrew Johnston – St. Germain & Associates, 846 Main Street, Westbrook, ME 04092 – Pine Meadow Estates, Main St. Damariscotta
- Sean Welton, 127 Standpipe Road, Damariscotta – Property Owner/ applicant –Pine Meadow Estates, Main St. Damariscotta
- Robert Sutton – 110 Cottage Point Road, Damariscotta – Property owner/applicant – change in use – home business

1. Minutes of February 07, 2005

The Board reviewed the draft of the minutes for the February 07, 2005 meeting. Fred Sewall made a motion and Jonathan Eaton seconded the motion to accept the minutes as written. The Board voted 4-0 to approve the minutes.

2. Preliminary Site Review / Change in Use Application Discussion– Dean Knott, Representative. Property located at 60 School Street, Damariscotta – change from residential use to commercial use.

Dean Knott came before the Board with an application for Site Review for property currently owned by Barry & Anne Knott, located at 60 School Street. The plan is to turn the house currently located on the property into a bakery, Candy’s Kitchen.

George Parker asked Knott if there had been any changes from the previous pre-application discussion, back in January. Knott confirmed there had not. He did tell the Board that Doug Meservey was still away on vacation, so he’d not heard anything specific back on the grease trap question in regards to the septic tank. Knott told the Board he checked Candy’s current water usage and she’s using less than 100 gallons per day, and that is why Doug Meservey wanted to take a look at everything to see if the grease trap or a second septic tank would even be needed given the amount of use. Parker asked the age of the system currently in place. Knott stated that it was put in in 1984. Parker then asked if Knott had gotten anything definite about the functionality of the existing system. Knott confirmed that he had not, yet.

Parker asked about notifications to abutters. Knott confirmed that he did, and presented the notices & signed certified slips. Included in the application was notice of receipt of an entrance permit. Parker asked about parking requirements. Knott stated that Candy currently only has 2 tables, the majority of her business is take out, as far as he knows she plans to

keep it that way. Knott told the Board he planned the parking area to be approximately 75 feet deep to allow for vehicle to get in off the road and turn around adequately. Fred Sewall asked if Candy would be increasing her over all size. Knott told him no, it is just about the exact same square footage as she has now on Academy Hill. Sewall asked how many cars would be able to park in Knott's parking lot as proposed. Knott stated he would estimate 10-12 cars. Knott stated his main concern was for the box trucks that may deliver stock, to ensure they could get in and get turned around.

Parker re-stated that there was a concern about not having the information on the viability of the existing septic system. Parker stated that Mr. Meservey would need to write a letter based on his expertise, and taking into consideration the amount of use whether or not the current system will be adequate or if not, whether or not there is enough space and proper drainage to design and build a new system. Parker asked Knott how much property is there. Knott stated approximately 1.5 acres with 100+ feet to the brook. Parker asked if the town's system when by there. Knott stated it did not.

Parker then asked Chester Rice, who was present in the audience for another matter, and is also an abutter to this project, if he had any issues with this proposal. Mr. Rice stated that he did not. Sewall asked if there was a letter from the Fire Department included in the application. Knott stated that he had talked with the Fire Chief, and there was mention of a knox box, but that the Chief stated the Planning Board should contact him regarding that. Parker stated that was incorrect, the applicant needed to take care of all that.

Parker asked if Knott had spoken with the Sanitary District regarding the water usage and any fees involved. Knott stated that he had not, but the usage was expected to be less than the residential use of the building previously. Parker indicated Knott should get a letter from Great Salt Bay Sanitary District primarily stating that they've seen the plan and are ok with it and or that any fees assessed have been paid.

Parker told Knott if he gets the items the Board indicated was missing, then his application should be all set.

3. Change in Use Application – Robert Sutton, home business proposal – 110 Cottage Point Road, Damariscotta.

Mr. Sutton came before the Board because he went to the Town Office to obtain a home occupation permit, because he thought one was required to work out of his home. Parker stated that he thought the main issue was because Mr. Sutton's property was located within the shoreland zone; it required the Planning Board review. Parker asked Mr. Sutton if he planned to build anything. Mr. Sutton stated no, he was just looking to move his

business into his home office. Parker asked if he previously held an office within the Town of Damariscotta. Mr. Sutton stated that he did have an office down street, but the rent was too high for the volume of business he does. He stated all his contacts were outside the office anyway, no one would come to his home office for the purpose of seeing him in line with his business. He went on to say it was computer work only.

Parker told the Board that the Codes Enforcement Officer, Neil Campbell did not have any problems with the plan, only that it being in shoreland would require Planning Board Review. Parker told the Board unless anyone had any questions, it was just a matter of voting on the application because there were to be no changes specifically. Fred Sewall made a motion to approve the application as submitted. Jonathan Eaton seconded the motion. The Board voted 4-0 in favor of the application.

4. Site Review Application- Hannaford Brothers Supermarket expansion – Main Street, Damariscotta.

Mary Gamage told the Board there was a slight modification to the previously presented plan. She went on to say that they will actually be moving the front of the building back a little bit and will pave 2 feet more in the rear of the store than previously submitted. Gamage also showed the Board that the additional parking area proposed between Main Street and the existing parking will now be a looping parking lot. Previously it was a dead end lot. Gamage made note to the Board that they did have the building and site elevation included with their packet on this night.

Wilder Hunt asked what size pipe would be coming out of the pond. Chris Osterrieder stated it was to be a 24" pipe fed by a controlling structure with a 3" outlet. Jonathan Eaton asked to have the location of the outflow pointed out. Parker asked if there had been any further progress regarding filling in the trench that currently exists. He stated that he noticed it was not included in the scope of work proposed. Osterrieder told the Board that they want to first submit the plan to DEP and get an approved plan before they do anything. Eaton asked about relocating the outflow of the pond to possibly better handle the water. Osterrieder said there was a slight problem with elevations on the lot so unfortunately, it would not be feasible. Hunt asked what kind of certainty there was that the pond will work and work as intended. Osterrieder told him that with respect to what is currently happening on that site today, the pond will reduce that by approximately 70%. Eaton asked about maintaining the pond and its surrounding areas. Osterrieder told the Board that DEP requires them to have in place a significant maintenance plan prior to accepting the application.

Paul Stevens then asked abutter Chester Rice if he had any new issues to add. Rice indicated that the issue around returning the ditch and the grade to its original condition had not yet been settled. He further stated he'd still like to see the culverts removed and replaced with a single 15". Parker

stated that at the last meeting the Board had dumped that issue back to between the parties involved. Chester told him they did discuss it, but he'd not heard any answer. Mary Gamage stated if the Board wanted her to, she could discuss it. Parker stated he would rather see it resolved between the 2 parties involved. Eaton stated he did not think the Planning Board had any authority to involve themselves on those 2 issues. Gamage told Rice they had concerns for other abutters if they changed out those culverts - she stated Hannaford would need to have assurances for all involved, not just the property owners, specifically the rifle club, before they removed any culverts. Until everyone involved was in agreement, they would not consider removing those culverts. Rice stated that no one asked permission to put them in. Parker remarked that he personally would like to see the culverts stay as is, if the pond does what it is supposed to do, the flow will be dramatically reduced through those culverts. He stated he'd hate to see the road get washed out in a large storm. He suggested maybe they could block access to one of the culverts and monitor the flow to see how it handles it before actually taking one out. Wilder Hunt stated that he felt that Hannaford was doing more than what was required of them. He told them he would be crossing his fingers and hoping for the best on the pond function.

Parker asked the Board if there were any more questions. Sewall asked if everything was all clear from DOT regarding the entrance and road improvements. Gamage stated they had received their "official" entrance permit from DOT.

Paul Stevens asked about changes in signage & lighting. Gamage told him they were planning a new pylon sign, and that there was a photo of the proposed sign in the application packet. Osterrieder told him they were relocating 2 poles and planning only 1 new pole.

Parker reminded the Board that at their last meeting, on February 7, 2005, they determined the application to be complete.

Wilder Hunt made a motion to approve the site review application contingent upon the re-grading & re-filling of the ditch if approved by DEP. Fred Sewall seconded the motion. The Board voted 4-0 to approve the application.

5. Site Review Application – Pine Meadows Estates – Sean Welton – Main Street Damariscotta.

Patrick Coughlin presented the site plan for the entire project to the Board. He indicated that they have changed the order in which they will proceed with the project. Phase 1 will include the first 14 cottages to be completed by December 2005. He told the Board they plan to do the 14 cottages in 2 parts, build the first 7, sell those, and then build the next 7 to sell. He went on to tell the Board that the DEP is currently reviewing their application and should be wrapping up soon. They've not been made aware of any issues to

this point. Welton indicated that weather permitting; they plan to start construction as soon as April 18th as long as they have all the required permits in place. Parker asked if they had any indication as to when the Inn would be built. Welton stated 2006 at the earliest.

Parker asked the Board if there were any questions or new issues. Paul Stevens asked for clarification on the site plan. He stated he thought he saw something about a walking trail. Welton confirmed this, stating there is going to be stations located along the trail for specific exercises as well as the walking path. Fred Sewall asked if all of the cottages were to be on town sewer. Welton agreed – stating everything was going to be on town sewer. Coughlin showed on the drawing where they plan to follow up business route 1 (Main Street) and come into the site. Parker asked if he knew the location of the pump station yet. Andrew Johnston, Engineer, pointed out on the site plan the location of 2. Parker asked how far they will have to run the line to tie into the system. Johnston indicated approximately 2400 feet, all the way back to the school. Sewall asked about the construction schedule; specifically if they planned to build the road into the site to begin with, getting the sewer line put in and hooking up to town system. Welton stated that it was his understanding that the road into the development would be built and the sewer line put in along that road initially, and then they will work along business route 1 laying sewer line to tie in to GSBS's line at the school. That will allow them to start building the cottages sooner and the plan is that by the time the cottages are built and ready to be occupied, the sewer line will be completed and hooked in. Parker asked if T's were going to be placed along the line on business route 1 for others to have the option of hooking in. Welton stated that Mary Bowers at Great Salt Bay Sanitary District would them to and is willing to pay to have them done while the ground is open, so they are planning on doing so.

Sewall questioned whether an approval tonight was only for the 14 cottages. Parker stated it was not, a yes vote tonight was going to approve the whole project as far as site review was concerned. The actual building permits needed to be acquired separately.

Parker asked about fire protection and whether there would be hydrants inside the development. Johnston advised there were 4 hydrants planned within the development. Parker asked about ownership of the hydrants. Welton confirmed that the water company will own the hydrants and they will pay rent for them. Great Salt Bay Sanitary District will maintain them as well.

Sewall asked about Fire Marshall approval and whether that was required prior to the Board approving this application. Parker told him that the Fire Marshall approval was only required when a building permit was requested. Sewall was concerned that the Fire Dept would not have the opportunity to review each piece of the project. Welton indicated that they already had.

Sewall asked if the large building was to be sprinkled. Welton confirmed this and stated the cottages would be sprinkled as well.

Paul Stevens made a motion to approve the Site Review Application as presented. Jonathan Eaton seconded the motion. The Board voted 4-0 to approve the application.

6. Board Discussion – re: petition from Ellen Bernard & Neighbors of Church Street – Zoning issues.

George Parker acknowledged receipt of a letter from Ellen Bernard. The letter was in petition form and signed by several “neighbors” of Church Street. The letter requests the Planning Board re-visit the issue of re-zoning the Church Street area. Parker told the Board they would need to schedule a hearing – possibly at the next meeting to have a chance to hear from people that lived along that street. Parker felt, if possible, the Board really needed to resolve the issue this time around. Stevens asked how a zoning change is put into effect. Parker told him the Board suggests a change and forwards it to the Board of Selectmen who in turn send it to a vote of the townspeople to amend the zoning ordinance.

The Board agreed to start the ball rolling on the issue and hold a public hearing at the next meeting and to start at 7:00 instead of 7:30.

7. Site Review Application – Damariscotta Bank & Trust, Parson’s Building addition (over Salt Bay Café)

George Parker removed himself from the Board’s side of the table and presented the plans to the Board for an addition of 5 feet for emergency egress to the Parson’s building owned by Damariscotta Bank & Trust. He went on to tell the Board that currently there is emergency egress through the kitchen only, which is obviously not very desirable. Parker also noted there were some petition changes inside to allow for smoother flow to the egress.

Sewall asked about the location of the property line. Parker pointed it out, on the site plan, on the other side of the lane. He also noted that the sanitary district owns an easement up through the lane so they cannot construct anything permanent over that easement.

Wilder Hunt made a motion to approve the application as submitted. Jonathan Eaton seconded the motion. The Board voted 3-0 to approve the application. Parker abstaining from the vote.

Adjournment: The meeting was adjourned at 9:00 PM

Fred Sewall made a motion to adjourn the meeting – Paul Stevens seconded the motion. The Board voted 4-0 in favor.

George Parker, Chairman

Jonathan Eaton

Wilder Hunt

Respectfully Submitted by:

Paul Stevens

Rebecca J. Bartolotta

Fred Sewall

DAMARISCOTTA PLANNING BOARD