

08/01/05

Town of Damariscotta  
Planning Board Meeting  
August 1, 2005  
Minutes

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**ROLL CALL:**

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

- Michael McIntyre, Cape Elizabeth, ME – Applicant – Church Street Subdivision
- Sharon McIntyre, Cape Elizabeth, ME – Co-Applicant - Church Street Subdivision
- Jewel Hanley, Bristol, ME – Applicant – Back Meadow Road Subdivision
- Mark Hanley, Bristol, ME – Co-Applicant – Back Meadow Road Subdivision
- Rod Craib – Maine Coast Surveying – Representative, Hanley Subdivision
- Bill Lane, Gartley & Dorsky P O Box 1031 Camden, ME – Representative, Hanley Subdivision
- Art Meyers, Press Reporter, Lincoln County Weekly
- Kim Fletcher, Press Reporter, Lincoln County News

**1. Minutes**

The Board reviewed a draft copy of the minutes for the June 06, 2005 meeting. Wilder Hunt made a motion to approve the minutes as submitted. Jonathan Eaton seconded the motion. The Board voted 3-0 to approve the minutes of the June 06, 2005 meeting as submitted.

**2. Michael McIntyre Subdivision – Church Street – Final Approval**

Michael McIntyre presented the Board with a final draft of the subdivision site plan, in which he plans to create a total of 3 lots. He also told Board members that since the last meeting, he has officially closed on the property. He gave the Board copies of the deeded land swap between Nick Chasse and himself and

pointed this land out on the site plan. It totaled 20.1 feet. He showed where drainage was previously and how he would drain the lot once the homes are built. He told the Board he planned to put in a culvert at least a single size up from the existing one on the other drive.

Jonathan Eaton pin pointed the culvert draining onto the Shiminski's property across the street as well as the direction of water flow down the side of the road. Eaton stated that he wanted to be sure that none of the storm water impact Shiminski's land at all. McIntyre told the Board it was his plan to add no more water to that culvert than what was currently going through it.

Fred Sewall asked McIntyre about notification to abutters. McIntyre showed the Board his receipts of notification by certified mail. The Board then reviewed the site plan with actual lot lines and lot sizes drawn in. The Board then reviewed the application for subdivision by Mr. McIntyre. Fred Sewall asked about a deeded right of way on one of the lots. McIntyre confirmed this would be in the deed on both lots, wording to the effect that both parties agree to maintain the shared portion of the driveway.

The Board agreed it appeared that Mr. McIntyre had everything in place. Wilder Hunt made a motion that the Board consider the application as a complete application. Jonathan Eaton seconded the motion. The Board voted 3-0 in favor of this being a completed application.

Jonathan Eaton then made a motion that the Board approve the subdivision application as submitted by Mr. McIntyre. Wilder Hunt seconded the motion. The Board then voted 3-0 in favor of approving the subdivision at Church Street.

The Board then signed the copies of the subdivision site plan.

### **3. Mark & Jewel Hanley Subdivision – Back Meadow Road – Final Approval**

Rod Craib presented the Board with the updated site plan for the Hanley Subdivision off Back Meadow Road, named "The Farm". This updated plan showed lot lines & lot sizes, each of the lots were at least 2 acres. He then stated that there were 2 significant changes since the last time they came before the Board.

- 1) the addition of lot 9 – out on the road, between the existing farmhouse and lot 8.
- 2) The addition of storm water management buffers on the plan

Bill Lane of Gartley & Dorsky explained to the Board the plans for storm water management. He told the Board that this project triggers storm water laws by having more than 20,000 sq. feet of new impervious land. He stated that they are not in excess of 1 acre so they follow the permit by rule program with DEP. He stated that they plan to super elevate the 16 foot access drive and then ditch both sides of Nissen Lane to discharge directly into the storm water buffers in both cases. He showed the Board the locations of the buffers and told them they would maintain the buffer according to DEP's "non wooded buffer standards".

Fred Sewall asked Mark Hanley if he had understood him correctly at the last meeting to say that it was his plan to build the road to town standards so that the town would eventually take it over. Hanley agreed this was in fact what he'd planned. Sewall asked if he creates the kind of buffers that need to be maintained, will the Town be willing to do the maintenance. Gartley stated that the maintenance did not HAVE to be done, under DEP rules you were allowed to cut the buffer twice a year, but did not need to.

Lane explained that the next potential phase of this project will take them in excess of permit by rule standards and they could employ a wet pond at the location shown on the site plan as best management practice so Hanley is reserving the land out to possibly do that in the future. Sewall asked if the pond was already in existence. Hanley stated there were a couple of small ponds on the land, but no actual detention pond, he was just reserving space to put one in later.

Fred Sewall asked about the lot across the street, also owned by Mark & Jewel Hanley. Mark stated it did not have anything to do with the subdivision. Sewall asked if Hanley had received any calls from neighbors because he'd had a question posed to him about what was going on across the street & all the fill being brought in. Sewall stated that he had not been out by the site, so he was a little unclear about the complaint. Hanley stated that he had a permit from the Town of Damariscotta to remove unwanted soil to get that lot down to return it back to a field.

The Board reviewed the site plan, the storm water management plan, and the application submitted by Jewel and Mark Hanley. The absence of a letter from the Damariscotta Fire Department was discussed. Rod Craib stated that he spoke with Chief Doug Clark and thought a letter would have been given to the Board. Sewall stated that it may have gone to George Parker, or directly to the Town Office and the Board has just not been notified of it yet. Craib stated the only issue brought up by the Fire Chief was that the turning radius on the turn out be sufficient for the larger fire trucks.

Jonathan Eaton asked for clarification on the term "super elevated" in use with storm water management. Bill Lane explained in more detail their plans for super elevating the drive in, he agreed that it was a highway engineering term, but in short it's referencing a bank of sorts where they would have 2 ditches on the high side to redirect the flow.

Wilder Hunt made a motion that the Board consider the Hanley application for subdivision complete, contingent upon the Board's receipt of a letter from the Fire Department. Jonathan Eaton seconded Hunt's motion. The Board voted 3-0 to consider the application complete contingent upon the Board's receipt of the Fire Department letter.

Jonathan Eaton made a motion to approve the application by Mark & Jewel Hanley for subdivision off the Back Meadow Road, contingent upon receipt of a letter from the Fire Department and DEP approval of permit by rule application. Wilder Hunt seconded the motion. The Board voted 3-0 to approve the application for subdivision with the aforementioned contingencies.

The Board signed the site plan copies.

**Adjournment:** The meeting was adjourned at 9:30 PM

Jonathan Eaton made a motion to adjourn. Wilder Hunt seconded the motion. The Board voted 3-0 in favor of adjournment.

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George Parker, Chairman

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Jonathan Eaton

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Wilder Hunt

Respectfully Submitted by:

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Paul Stevens

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Rebecca J. Bartolotta

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Fred Sewall