

01/07/08

Town of Damariscotta
Planning Board Meeting
January 07, 2008
Minutes

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- December 10, 2007 meeting

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A. ROLL CALL:

Chairman of the Board, George Parker called the meeting to order at 7:00 p.m. There was a quorum present throughout. Members present were Jonathan Eaton, Paul Stevens, Wilder Hunt, Fred Sewall, and George Parker. Also present was Town Planner, Anthony Dater.

The audience included:

- Fred Nehring PLS, 53 Front Street #9 Bath, Maine – Introduction of company doing business in Damariscotta area.
- Ned Kirkland, Standpipe Road, Damariscotta, ME – concerned citizen.

B. MINUTES

The Board was presented with minutes from the December 10, 2007 meeting. Anthony Dater pointed out some typos and suggested some clarifications in the minutes. Jonathan Eaton made a motion to approve the December 10, 2007 minutes with Dater's suggested changes. Wilder Hunt seconded the motion. The Board voted 4-0 in favor of approving the December 10, 2007 minutes with the suggested corrections/additions. A clean, corrected copy of the minutes will be presented to the Board at their next meeting for signatures.

C. OLD BUSINESS

- 1. Damariscotta Bank & Trust Co. – (LOT 5/7) review of final Site Plan Application for new bank branch located at 619 Main Street, in commercial 2 district.**

George Parker noted that the Board was still waiting for Maine Department of Transportation's (MDOT) official findings as well as a written erosion plan. He went on to say that Ned Kirkland was present to voice some concerns he had for the site, specifically the entrance/exit on Back Meadow Road. Mr. Kirkland asked to see the site plan for clarification on the traffic flow. The Board went over the plans with him. Kirkland felt there is a problem with the width of the end of Back Meadow Road, as he had witnessed some close calls already with construction vehicles going in and out. He told the Board that he has 10 trucks a day going through that area and its narrow now, without this additional traffic flow proposed. Parker felt the Board should pass Mr. Kirkland's concerns along to the developer and they could possibly address it before construction is completed. Kirkland stated that the

impact to the area is greater than just at the end of Back Meadow Road, with more and more vehicle traffic using Standpipe & Back Meadow Roads. Kirland then suggested moving the entire project back on the property 10 feet or more to allow room to widen the end of Back Meadow Road. There was some discussion about whether the Town could do any more than suggest the change at this point.

Town Planner Anthony Dater stated that the suggestions make sense, but the Road Commissioner measured the site distance and the project met the Town Ordinances and the Planning Board has already approved the application. He went on to say that the Board could possibly negotiate with the developer, but it could not be a condition of approval as that had already taken place. Parker agreed, but felt the site engineer for the project should review the area and the concerns. Dater then suggested the Board invite the Engineer and Architect as well as Mr. Kirkland to the February meeting to discuss the concerns. Parker thought a better idea would be to meet at the site, or at least visit the site after the discussions. Kirkland suggested the Board members take a ride by the site with his concerns in mind. Dater asked how the Board wanted to proceed. Parker stated that he would contact Bank President, Tom Finn and go from there. Dater took down Mr. Kirkland's contact information so that he could be notified of the next step.

D. NEW BUSINESS

1. OTHER – Fred Nehring, a Land Surveyor, came before the Board to introduce himself and his company, Nehring Company, P.C. Mr. Nehring told the Board that he has an office in Bath and has recently expanded to doing business in the Damariscotta area.
2. SHORELAND ZONING ORDINANCE updates – Parker told the Board that the State has officially postponed the deadline to upgrade the Shoreland Zoning Ordinance from July 1, 2008 to July 1, 2009 primarily due to a delay in updating the maps at the State level. Parker stated that Board now has a reprieve, but still need to start

the project. He went on to tell the Board that they could plan to meet an hour early on their regular meeting date once a month to work on the updates. Wilder Hunt stated that he would prefer to keep the meeting at 7pm and then when the agenda is very light, like tonight, they could discuss it after their regular business for an hour or so. The Board agreed. Dater stated that if the February agenda is light, they can plan to discuss it. He stated that he would check with Parker prior to completing the agenda.

Parker then reviewed a printout of what Dater had done to date – Dater stated that most of the updates were “housekeeping”, the big items are deciding on timber harvesting, deciding on the appeals, and if there are any new wetlands designations to be concerned about. Parker asked if the State was really planning to map vernal pools. Dater stated that they say they are, but there aren’t maps available yet. The Board discussed the enormity of the new ruling on vernal pools.

Parker then brought up the timber harvesting issue and stated that the State is giving the Town the option of not dealing with timber harvesting applications and leaving it all up to the State. The Town needs to decide how they want to handle it. The State would prefer to handle all timber harvesting applications, Parker questioned what the ramifications would be for the Town if they let them do that. He stated that in his 20 plus years on the Planning Board he could only recall 1 application that they reviewed and it not commercial harvesting. Dater told the Board that Town Manager, Greg Zinser requested that the Board be sensitive to the Great Salt Bay Sanitary District because they own property in the Shoreland Zone. Dater told the Board that he did not really see where allowing the State to regulate timber harvesting within the Shoreland Zone would hurt the Sanitary District. Parker brought up the fact that the State may not even have the manpower necessary to regulate it, so it may be a mute point after all. The Board felt that due to the small amount of timber harvesting in Damariscotta in the past, it might make sense for the Board to decide to allow the State to regulate

it. Parker stated that it was not necessary for the Board to decide tonight, but they needed to be thinking about it.

Dater then asked the Board if they wanted to keep the Land Use Table with the same categories in the current ordinance. Parker felt the categories were good as they were. Dater stated that he will review the categories for any changes suggested by the State.

Parker then noted the other big decision to be made is how to deal with the 30% expansion rule. Dater agreed, noting that the Town could keep what they have or the State gives an alternative. Parker stated that the alternative has been available for a number of years but there are some changes within the actual 30% rule itself. He stated that the Board should also look at that carefully as well. Parker requested that the Board review the State model ordinance and Dater's suggestions and come to the February meeting prepared to make a decision. Dater told the Board that he will submit a list of items left for them to act on.

E. ADJOURNMENT:

The meeting was adjourned at 8:10 PM.

Fred Sewall made a motion to adjourn. Jonathan Eaton seconded the motion. The Board voted 4-0 in favor of adjournment.

George Parker, Chairman

Jonathan Eaton

Wilder Hunt

Respectfully Submitted by:

Pande Paul Stevens

Rebecca J. Bartolotta

Fred Sewall

DAMARISCOTTA PLANNING BOARD