

06/02/08 draft

Town of Damariscotta  
Planning Board Meeting  
June 02, 2008  
Minutes

CONTENTS:

- A. ROLL CALL
- B. REVIEW OF ORDINANCES (6:30 pm)
  - 1. Draft Shoreland Zone Update – discussion of draft changes from 2006 DEP model Shoreland ordinance.
- C. REVIEW MINUTES
  - April 7, 2008 meeting
  - May 5, 2008 meeting
- D. OLD BUSINESS
  - 1. Wright-Pierce Firm – Rising Tide Market (MAP 10 LOT 11-2) preliminary plan application for change of use from Strong Chevrolet car dealership to retail food market and preliminary subdivision application for other commercial use located at 323 Main Street, in the Commercial II District.
  - 2. Mobius, Inc – (MAP 7 LOT 3) public hearing and preliminary plan application review of a 5-unit affordable housing multi-family residential site plan at 35 Chapman Street, located in the Commercial II District.
  - 3. Robert Gardiner – Damariscotta Hardware (MAP 1 LOT 56) public hearing and preliminary plan application review of an amended site plan for adding 17,787 square feet of floor are to existing store located at 423 Main Street, in the Commercial II District.
- E. NEW BUSINESS
  - 1. R. H. Reny (MAP7 LOT 13) request for waiver from site plan review for minor change of use located at 64 Chapman Street, in the Commercial II District.

**F. OTHER BUSINESS**

1. Inquiries from the public and questions on sketch plans.

**G. ADJOURNMENT****A. ROLL CALL:**

Chairman of the Board, George Parker called the ordinance review portion of the meeting to order at 6:35 p.m. There was a quorum present throughout. Members present were Wilder Hunt, Fred Sewall, Paul Stevens, and George Parker.

The audience included:

- Dave Lawlor, 319 Main Street Damariscotta, ME - Applicant/representative Mobius, Inc.
- William Floyd, 20 Water Street Damariscotta, ME - Project manager for Mobius project.
- Pamela & Joseph Carier, 164 Indian Road, Wiscasset, ME – Abutter to Mobius project.
- Edwin M. Stelzer, Westview Road, Damariscotta, ME
- Glenn Dumont, Peachy Builders, 105 Old Winthrop Road Augusta, ME - Building Contractor for Damariscotta Hardware project.
- Steve Roberge, 21 Mayflower Road Augusta, ME - Engineer Damariscotta Hardware project
- Kelly Reilly, 319 Bayview Road, Nobleboro, ME – Representative, Mobius, Inc.
- Janice Cormier-Hay, Hammond Street, Damariscotta, ME – Pre-application questions.
- John Bowers, Miles Memorial Hospital, Damariscotta, ME – Pre-application questions.
- John Reny, R. H. Reny, Inc., Newcastle, ME – Pre-application questions.

**B. ORDINANCE REVIEW:**

At the May meeting Board members agreed to review pages 1-16 of the Draft Shoreland Zoning Ordinance Update for discussion at this month's meeting. Chairman Parker stated that the first few pages were State driven items. The Board informally discussed the Timber Harvesting issue with Parker noting that he does not recall the Board ever having to do a timber harvesting permit, they've always gone through the State. The Board discussed that they had not all had a chance to review the section under review (pages 1-16) and the fact that Jonathan Eaton and Town Planner Tony Dater were absent. Parker suggested that the Board review the section again at next month's meeting, starting 30 minutes early again. The Board agreed.

### C. MINUTES

The Board was presented with and reviewed the minutes from the April 07, 2008 meeting. Fred Sewall made a motion to approve the minutes as presented. Paul Stevens seconded the motion. The Board voted 3-0 in favor of approving the April 07, 2008 meeting minutes. The Board was then presented with and reviewed the minutes for the May 05, 2008 meeting. Wilder Hunt made a motion to approve the minutes as presented. Fred Sewall seconded the motion. The Board voted 3-0 in favor of approving the May 05, 2008 meeting minutes. A clean copy of both will be brought to next month's meeting for Board signatures.

### D. OLD BUSINESS

1. Wright-Pierce Firm – (MAP 10 LOT 11-2) Preliminary plan application for change of use from Strong Chevrolet car dealership to Rising Tide retail food store and preliminary subdivision application for other commercial uses at 323 Main Street in the Commercial II District.

There was no new information and no one present at this meeting for this item. Chairman Parker noted that it should be carried forward to the next meeting.

2. Mobius, Inc. – (MAP 7 LOT 3) Public hearing and preliminary plan application review of a 5-unit affordable housing multi-family residential site plan located at 35 Chapman Street, in the Commercial II District.

David Lawlor was present and submitted the items missing and or requested by the Board at the last meeting. He had a letter from Mary Bowers, the Superintendent of the Great Salt Bay Sanitary District as well as proof of notification to abutters. Parker then asked if there was anyone present for the public hearing on this project. Mr. & Mrs. Carier came forward. They told the Board that they owned property that abutted the project. William Floyd gave a short presentation outlining the project for the Carier's. Mr. Carier spoke about not being able to find all of the survey markers for the property. Floyd confirmed that the lot was surveyed last fall and agreed to check into that and ensure all markers were there.

There is a retaining wall planned for the project. Mr. Carier expressed concerns about the water flow on Chapman Street, and asked if there would be any grading in that area. He went on to state that he would not be opposed to some shaping of the property to help with directionality of the runoff to help both properties. Floyd agreed to talk it over with the engineer for the project. Ed Stelzer asked how tall the retaining wall would be. Floyd told him it would be 4 feet at the highest point as it follows the grade.

The Board discussed the completeness of the application. Wilder Hunt made a motion to accept the application as complete. Fred Sewall seconded the motion. The Board voted 3-0 in favor of accepting the application as complete.

The Board then discussed the waiver request regarding parking. Parker recapped that Mobius was requesting a waiver from the parking requirements for the reason that this project was for housing for adults with developmental disabilities, and most of the clients do not drive so there would not be a car for each unit as in typical multi-unit projects. The site plan shows space for 6 parking spaces, which would be adequate for visitors and support staff. Paul Stevens asked about lighting. Parker read from last month's minutes regarding lighting. Parker asked the Board to vote on the waiver request. Hunt made the point that this waiver should be specific to this project only, if the use changes down the road, the waiver should not necessarily go with it. Parker agreed that a waiver was project specific. Hunt then made a motion to grant the waiver from parking requirements. Sewall seconded the motion. The Board voted 3-0 in favor of granting the waiver from parking requirements as requested.

Stevens went on to state that he would like to see a good walking path or sidewalk along Chapman Street for the residents' safety. David Lawlor explained to him that there are Mobius clients currently living in the Church / Chapman Streets area and who walk quite ably in all areas of town as well as any other person. He went on to say that clients with ambulatory issues will be assisted as necessary. He told Stevens that he appreciated the concern for the clients' safety, but he did not view it as a large concern as clients were making that walk now safely.

There being no further discussion, Wilder Hunt made a motion to approve the application as submitted. Paul Stevens seconded the motion. The Board voted 3-0 in favor of approving the application to build a 5-unit housing project at 35 Chapman Street. The Board then signed the site plan.

3. Robert Gardiner, Damariscotta Hardware (MAP 1 LOT 56) preliminary plan application for an amended site plan for adding 17,787 square feet of floor area to the Damariscotta hardware Building located at 423 Main Street, in the Commercial II District.

It was noted that some parts of the original application were in Tony Dater's office and inaccessible for this meeting. Chairman George Parker recused himself from the proceedings and turned the meeting over to Fred Sewall due to his involvement in the project. Sewall opened the public hearing – there was no one present from the public interested in this project. Steve Roberge spoke about the project, telling the Board that Dater had requested specific numbers from him from the original application regarding the storm water detention system at the last meeting and he had submitted the information to Dater prior to this meeting. Roberge went on to say that the numbers showed

that even with the new pavement and building expansion, they are still under the maximum for the system. Glenn Dumont told the Board that a letter was received from The Great Salt Bay Sanitary District and he submitted that to Dater as well. Roberge showed on the updated site plan a change in the location of the water line coming into the building. Dumont told the Board that notices had been sent to abutters.

Roberge talked about traffic study, stating that they are very close to the 100 “trip-ins” mark set by the State Department of Transportation (DOT) and they have applied for permit with DOT. Roberge told the Board that he did not foresee any major improvements required because there had already been significant improvements to that section of Main Street, but they were still going to go through the permit process. Sewall reviewed some of Dater’s questions and requests. Sewall asked about a planting schedule. Roberge showed the location of some new plantings to the Board. Sewall asked if it included what was to be planted. Roberge stated it did not. Sewall stated that the Board would like to see specifics. Roberge agreed to do this and get it to the Board. Sewall asked about elevation changes. Dumont stated that there were none. Sewall stated that the planting schedule and the DOT permit should be included in the application.

Wilder Hunt made a motion to accept the application as complete. Paul Stevens seconded the motion. The Board voted 3-0 in favor of accepting the application as complete. Paul Stevens then made a motion to approve the application contingent upon the Board’s receipt of a planting schedule and the DOT traffic permit. Wilder Hunt seconded the motion. The Board voted 3-0 in favor of approving the application as submitted with the above contingencies. There was nothing present at this meeting for the Board to sign. Roberge agreed to submit a plan for signatures at the next meeting.

#### E. NEW BUSINESS

##### 1. John Reny (MAP 7 LOT 13) minor change in use- Reny’s Office Building on Chapman Street, in the Commercial II District.

George Parker again recused himself from the proceedings on this item, handing the meeting over to Fred Sewall due to his involvement. Parker told the Board that they have a signed building permit from Code Enforcement Officer Neil Campbell as long as the Planning Board was satisfied. They were looking for a waiver from the Site Review requirements so that they could get started on the first phase of the project due to the change being so minor, noting that the area was going from office space to classroom space. Parker further stated that their plan was to bring a Site Review Application forward with the 2<sup>nd</sup> phase that will include all the improvements for the entire site. Sewall asked about the parking situation. Parker noted that there was plenty of parking on site and space for expansion of parking if necessary in the future.

John Bowers told the Board that Miles Memorial Hospital (MMH) is starting a nursing school and wants to locate it at the Reny's building on Chapman Street. Bowers told the Board the Hospital is tentatively planning a 2 phase project with plans to encompass a couple of the smaller offices as well as the old Teen Center portion of the building. Bowers told the Board the 1<sup>st</sup> phase would be to renovate the office space into classroom space as quickly as possible to get ready for a fall start of the nursing classes. He went on to tell the Board that the 2<sup>nd</sup> phase is still in the conceptual stage, there were a number of steps still to take, but they only had conceptual approval from the MMH Board at this point. He told the Board that they were looking at moving the outpatient rehab / therapy facilities to the Chapman Street location as well in the future.

Fred Sewall asked how many nursing students they were talking about. Bowers told him they had 8 students already signed up for the fall semester, with potential growth to 16 students. He went on to say that the students will meet probably 3 days a week with the science lab portion of the course held at Lincoln Academy. Sewall asked if this was the only use the space will get. Bowers stated that he thought so at this point; there had not been discussions to move any other education programs over from the Hospital at this point.

Paul Stevens asked if there would be any changes in the lighting. John Reny stated there would not, that all changes would be interior. Sewall asked the Board if there were any other concerns. There were none. Sewall stated that he did not have a problem with the construction getting started on the section to be used as classrooms (phase 1) with the understanding that the entire project would come before the Board for Site Review with the 2<sup>nd</sup> phase timeline. The Board agreed. Paul Stevens made a motion to allow minor renovations to a 600 square foot section for the use as classrooms with the agreement that the entire project will come before the Board for Site Review at the 2<sup>nd</sup> phase. Wilder Hunt seconded the motion. The Board voted 3-0 in favor of allowing the applicant to immediately renovate 600 square feet of the space for use as classrooms so long as the entire project comes before the Board at a point in the future with the 2<sup>nd</sup> phase of the project, renovations to approximately 6,000 square feet of space.

## 2. Janice Cormier-Hay – Hammond Street – Pre-application questions regarding proposed construction of a 60 x 100 building for use as a gymnastics studio / school.

Janice Cormier-Hay came before the Board to find out the steps necessary for moving forward with her plans to build a gymnastics studio on property she owns behind her home on Hammond Street. Mrs. Hay told the Board that her plan is to access the property from Back Meadow Road if possible, because she has a right of way, acknowledging that she needed to work some details out with the Town who owns the property next door. She told the Board it was in the Residential/Commercial Zone. She told the Board that she wanted to know if what she was planning is even possible before she put too much

money & effort into it. She told the Board she was planning a 60 x 100 single story building.

Parker told Mrs. Hay that the main issue would be getting in and out of that area of Back Meadow Road, with site distance etc. Mrs. Hay told him that site distance is approximately 305 feet, noting that she had spoken with the Town Road Commissioner. Parker told her that she needed to be sure there was adequate parking for the facility and good buffers for neighbors.

Parker told Mrs. Hay that she needed to meet all the requirements of the Site Review Ordinance, but that he did not see any major issues with the project as explained. Mrs. Hay asked if there was a list of requirements she could obtain. Parker told her that there was an actual application included in the Site Review Ordinance, with a check off list. He also told her to make sure she had the latest version from the Town Office. Parker also told her that Town Planner Tony Dater could help her once he was back to work.

#### **H. OTHER BUSINESS:**

1. Edwin Stelzer, a resident of Damariscotta, came before the Board to discuss a concern regarding the development in Newcastle and it's possible negative impact on the Town of Damariscotta.

Mr. Stelzer related an unpleasant personal experience he had with the owner and managers of the Newcastle Marina behind the old Weeks & Waltz property. Mr. Stelzer expressed concerns that the growth in Newcastle does not allow for enough parking and he believes due to the proximity to the Municipal Parking Lot in Damariscotta, people will come across the bridge to park and walk to Newcastle, further exasperating the already limited parking in Damariscotta, an ongoing problem.

Mr. Stelzer wanted to urge the Planning Board to consider more collaboration between the two towns, Damariscotta and Newcastle with regards to future growth and development.

#### **F. ADJOURNMENT:**

The meeting was adjourned at 8:45 PM.

Wilder Hunt made a motion to adjourn. Paul Stevens 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

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Pande Paul Stevens

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Fred Sewall

DAMARISCOTTA PLANNING BOARD

Respectfully Submitted by:

  
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Rebecca J. Bartolotta

Dated: \_\_\_\_\_