

06/05/06

Town of Damariscotta
Planning Board Meeting
June 5, 2006
Minutes

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6. Other Business – Damariscotta Region 20/20 Committee meeting invitation.

ROLL CALL:

Chairman of the Board, George Parker called the meeting to order at 7:32 p.m. There was a quorum present throughout. Members present were Wilder Hunt, Paul Stevens, George Parker, and Fred Sewall.

The audience included:

- Laura Benner, 15 Hutchings Lane, Damariscotta, ME – Applicant -Site Review / Change in Use Application – Home Daycare.
- James Metzger, 60 Walpole Meeting House Road, Walpole, ME – Applicant - Site Review / Change in Use Application – Café in Austin House at 74 Main Street.
- Marsha T. Metzger, 60 Walpole Meeting House Road, Walpole, ME Applicant – Site Review / Change in Use Application – Café in Austin House at 74 Main Street.
- Elaine Eskesen, 74 Main Street, Damariscotta, ME – Property Owner – Austin House at 74 Main Street.
- Bob & Marsha Sutton, 110 Cottage Point Road, Damariscotta, ME – representatives of Damariscotta 20/20 Committee.
- Jane Oliver, 35 Chapman Street, Damariscotta, ME – Business Owner, Supplies Unlimited – Applicant –Site Review / Change in Use – relocated & construct new location for business at 51 School Street.

- Allen Oliver, 22 Egypt Road, Damariscotta, ME – Contractor Supplies Unlimited project at 51 School Street.
- Frances Hutchings, 28 Heater Road, Damariscotta, ME – Abutter to Laura Benner in home Daycare project.
- Elizabeth House, 59 School Street, Damariscotta, ME – Abutter to Jane Oliver, Supplies Unlimited project.
- Art Meyers, Press Representative, Lincoln County Weekly

1. **Minutes**

The Board was presented with and reviewed a draft copy of the minutes for the May 1, 2006 meeting. Fred Sewall made a motion to approve the minutes as presented. Paul Stevens seconded the motion. The Board voted 3-0 to approve the May 1, 2006 minutes as submitted.

2. **James Metzger – Site Review / Change in Use Application – Proposed 30 seat Café – Austin House - 74 Main Street.**

Mr. Metzger came before the Board with his application for Site Review/Change in Use. Mr. Metzger told the Board he plans to open up a 30-35 seat café in the Austin House behind Pine Tree Yarn, in the area that formerly housed Salt Bay Trading Co. across from the Damariscotta Region Chamber of Commerce. George Parker asked Mr. Metzger if he'd sent notification to abutters and Mr. Metzger stated that he did, but did not bring the proof with him. Parker stated that he would need to turn them into the Town Office later in the week to complete the application. Parker asked Mr. Metzger if he'd heard back from the Fire Chief yet, noting that a letter from Mr. Metzger to the Fire Department was included in the application packet. Mr. Metzger stated that he has not heard back from them yet. Mr. Metzger told the Board that he has spoken to the Great Salt Bay Sanitary District. Parker acknowledged a letter from the Superintendent, Mary Bowers. Parker asked if Mr. Metzger had spoken with the Fire Marshall's Office. Mr. Metzger stated that he had not. Parker stated that he would probably need to apply with their office for a construction permit. Parker stated it would not prevent the Board from acting on his application, but would be a contingency of the approval. He went on to explain that the Fire Department usually requires Fire Marshall inspection and the installation of a knox box on the building.

Wilder Hunt asked if the parking had been sufficiently addressed previously. Fred Sewall stated that he thought it was sufficiently addressed and was in the minutes of the last meeting. Elaine Eskesen told them there were 8 spots that were exclusively hers for use with the building and she and the bank have shared the other 50 or more spaces in the lot for years without issue. Paul Stevens asked for clarification on the location and then about the direction of traffic flow in regards to the one way side streets. Fred Sewall asked about signs for the establishment. Mr. Metzger told him that he plans to place a sign on the post out in front of the building, shared with Pine Tree Yarns, and one sign on the building, near the door. Paul Stevens asked about lighting in the parking lot. Elaine Eskesen told him there was a large existing light, put there by the bank,

that shines into the lot. Fred Sewall asked if Mr. Metzger planned any added lighting. Mr. Metzger stated that there was an existing sign for Salt Bay Trading on the side of the building that he plans to reuse for his café, and add a small light to shine on it.

The Board then reviewed the application packet. Fred Sewall stated that receipt of the Fire Department letter would have to be a contingency of the Board's approval of the application. The Board agreed. Fred Sewall then made a motion to approve the application with the contingency that Mr. Metzger get Fire Marshall approval & deal with any concerns that the Fire Department might have upon receipt of a letter from them. Paul Stevens seconded the motion. The Board voted 3-0 in favor of approving the application for Site Review / Change in Use for a Café as submitted with the contingencies mentioned above.

3. Laura Benner – Site Review / Change in Use Application – In home daycare at 15 Hutchings Lane, Damariscotta.

Laura Benner came before the Board with her application for Change in Use for operating an in-home daycare at her home on Hutchings Lane. Ms. Benner submitted her proof of notification to abutters, a letter from the Police Department, as well as a letter from the Fire Department. George Parker reviewed both letters, noting that neither entity had any issues with the proposed project. Parker then asked Ms. Benner if the Codes Enforcement Officer was able to determine what zone her home is in. Ms. Benner told the Board that Mr. Campbell, the CEO did not feel it was an issue. Ms. Benner then submitted a site plan showing the location of her home on the lot, the play area and the abutters. Parker asked Ms. Benner if she'd had her septic system evaluated for viability. Ms. Benner stated that the CEO did inspect it and told her she was all set. Wilder Hunt noted that the site plan indicated site of proposed septic system "see note". Hunt stated that there did not appear to be a "note" to see on the site plan. Ms. Benner stated that she does have a working septic system in that location and that Paul Bearce designed it. She also stated that she had several of these site plans at the house and perhaps she just used the wrong one. She told the Board she has been living in the home for over a year, with a working septic system.

Fred Sewall made a motion to approve the application as submitted. Wilder Hunt seconded the motion. The Board voted 3-0 to approve the application for Site Review / Change in Use for an in-home daycare as submitted.

4. Jane Oliver – Site Review / Change in Use Application – Supplies Unlimited relocation & building construction at 51 School Street

Jane Oliver submitted an application for Site Review / Change in Use for the purpose of moving her business, Supplies Unlimited to the Hatch property located at 51 School Street. Ms. Oliver showed the Board a site plan indicating that she plans to create a parking lot and construct a new building to house her business. The site plan showed a separate entrance for the business off School

Street. George Parker indicated that Ms. Oliver did receive an opening permit from DOT for that entrance. Ms. Oliver stated that it was part of the original application packet. Parker noted that Ms. Oliver seems to have all the letters as required, including a letter from Great Salt Bay Sanitary District. Ms. Oliver told the Board that they needed to tie into the town sewer line, by going across Business Route 1 and that she had received a easement from David Page, owner of Big Dave's to tie in at that location. Ms. Oliver then showed the general area where the line would run.

Parker asked about parking. Ms. Oliver stated that there would be space for 20 vehicles, noting that the ordinance only requires that she have space for 13. Paul Stevens asked Ms. Oliver if she planned to live in the existing home. Ms. Oliver stated that she did. Wilder Hunt mentioned an issue that came up with the road when the Ambulance Service was building their building, about there not being any parking on the side of the road and making the end of School Street 3 lanes. Hunt & Parker noted that neither idea ever really completely materialized. Hunt noted that it certainly seemed like an important issue at the time. He then asked Ms. Oliver where her entrance was in relationship to the property across the street that is known to have several vehicles parked along the roadside. Ms. Oliver showed him on the site plan that her new entrance was closer to the School Street / Main Street intersection. The property in question was nearer to the existing driveway for the home. Paul Stevens asked Ms. Oliver what her hours of operation would be. Ms. Oliver told him that she is open M-TU-W & F 9 am – 5pm, Th 9am – 7pm, and Saturday 9am – 2pm. Elizabeth House, an abutter asked where the parking lot would be in relation to her property. She went on to say that the driveway is close to her property line. Ms. Oliver indicated that the property has been surveyed for the purchase. Parker invited Ms. House to come forward to view the site plan. Once Ms. House saw that the new building and parking lot entrance was actually on the other side of the existing home, and that the existing driveway would be used only for Ms. Oliver's personal use, she was satisfied and left the meeting. Fred Sewall asked Ms. Oliver about the location of her sign. Ms. Oliver indicated that she was going to reuse the sign that is currently being used by L R French, noting that it will be exactly the same size, in exactly the same location, with no lighting. Sewall then asked what the distance of the proposed entrance from the corner of School Street was. Ms. Oliver stated that it was 131 feet and that based on the traffic study done by the State, she was required to have 100 feet. Parker then read from the DOT paperwork that it said there was 232 feet, but he stated it was unclear exactly what point that was measured from or to. Parker asked what the size of the building was to be. Ms. Oliver stated it was 34' X 60' for a total of 2040 square feet. Parker indicated that under 3000 square feet did not require Fire Marshall approval, so that was all set.

Paul Stevens made a motion to approve the application. Wilder Hunt seconded the motion. The Board voted 3-0 in favor of approving the application for Site Review / Change in Use as submitted.

5. Dimitrios Mihos – Site Review – Romeo's Pizza – Construction of a deck on existing building at 436 Main Street.

George Parker recused himself from the proceedings as he was representing Mr. Mihos on this project. Fred Sewall assumed the roll of Chairman for this item. Parker told the Board that Mr. Mihos is proposing a 35' X 14' deck on the front of the Romeo's Pizza building and showed a site plan locating the deck. Sewall noted the addition of a door onto the deck. Parker stated that the State does not like to have an outdoor space that they cannot completely control. The liquor enforcement people don't want anyone to be able to buy alcohol and take it to the parking lot or give it to others in the lot so access to the deck needs to be controlled. Parker continued that they are proposing a gate at the top or the bottom of the exterior stairs. Parker told the Board that the Fire Marshall will need to inspect the project and issue a permit, and he's made the Fire Marshall aware of the issue. Paul Stevens asked how high the deck would be. Parker stated it would be high enough that a person could not climb over the side. Fred Sewall asked if there was any new lighting planned. Mr. Mihos told him that he actually had not thought about that, but he probably would like to add some lights on the building to assist the diners in seeing what they are eating and doing. He stated it would not be anything big, not intrusive. He told the Board that the people sitting on the deck will still need to order food at the main counter like all others. Sewall asked if abutters were notified. Parker stated that they were all notified, and then noted that no abutters were present at this meeting.

Paul Stevens made a motion to approve the application. Wilder Hunt seconded the motion. Sewall noted that the approval needed to be contingent upon review by the Fire Marshall and receipt of a construction permit from the Fire Marshall's Office. The Board voted 3-0 to approve the application as submitted with the above-mentioned contingency.

6. Other Business – Damariscotta Region 20/20 Committee meeting invitation.

Bob & Marsha Sutton came before the Board to inform them of the organization of the Damariscotta Region 20/20 Committee coming from the energy raised in the "big box" size cap vote. Marsha Sutton told the Board that the committee has had approximately 6 meetings and is looking to move forward to make some decisions about what the citizens of the Damariscotta region want in terms of development. She stated that they want to preserve the town and guide the growth and the best way to do that is to plan ahead. She told the Board that Bill Dennis has been working with communities on consensus building for over 20 years. He is coming to Damariscotta to meet with any interested community members on Tuesday, June 20th at 7 PM at Great Salt Bay Community School to present what is involved in the process. Mrs. Sutton told the Board that Mr. Dennis will help the community "map" everyone's ideas so that everyone can get a picture in their mind and they don't end up wasting time on ideas that won't work. It's similar to a wish list, without bias. Mrs. Sutton told the Board that they were at this meeting to officially invite the Planning Board to attend the meeting on the 20th. She went on to tell the Board that the Board of Selectmen were also being officially invited as well as the Chamber of Commerce and many others, but that the meeting was open to all who wished to attend. Fred Sewall asked

what the Damariscotta Region meant. Mrs. Sutton told him they were talking about Damariscotta, Newcastle, Nobleboro and the Bristol corridor. Sewall asked how this committee related to the Comprehensive Plan. Mrs. Sutton told him that they hoped to address this and possibly tweak the existing comprehensive plan so that it is more flexible and changes can come when necessary, so that when it comes to a vote to change something, through this committee the major discussion will have already happened. Mr. Sutton felt it would help in having development keeping more in line with what the comprehensive plan says, perhaps making the plan more specific, looking further into the future. Fred Sewall stated that in the current Comprehensive Plan there are statements like “keeping the growth of the town consistent with what is happening at the time...” He went on to say that a lot of things have happened that were not consistent with the Comprehensive Plan that they certainly did not envision anything as large as the Hannaford or a Wal-Mart in town when those statements were made and it certainly needs to be updated. Parker stated that the ideas that come out of the 20/20 committed certainly could be used as tools by the committee appointed to update the plan.

Adjournment: The meeting was adjourned at 9:00 PM

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

George Parker, Chairman

Jonathan Eaton

Wilder Hunt

Respectfully Submitted by:

Pande Paul Stevens

Rebecca J. Bartolotta

Fred Sewall