

09/11/06

Town of Damariscotta
Planning Board Meeting
September 11, 2006
Minutes

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4. Miles Health Care – Preliminary Discussion – Change In Use – single residence to physician housing & parking lot expansion at 101 Bristol Road.
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ROLL CALL:

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

The audience included:

- John Bowers, 35 Miles Street, Damariscotta - representative for Miles Health Care, Inc - Preliminary discussion - Change in Use at 101 Bristol Road.
- Mia Feltis, 294 Harrington Road, Walpole - representative for Mia's Shear Perfection - Preliminary discussion - Site Review to construct new building on Church Street for use as Hair Salon.
- Douglas Vander Ploeg, 12 Stonebridge Circle, Newcastle - representative for Damariscotta Chiropractic Clinic - Site Review - Parking lot expansion & relocation.
- Charles Flye, 105 Bristol Road, Damariscotta - abutter to Miles Memorial Hospital project.
- Robert Prior, P O Box 283 Newcastle - Preliminary discussion - creation of a house lot on Back Meadow Road.
- Patti Whitten, Main Street, Damariscotta - abutter to Connell / Trepanier project.
- Neal Scott Connell, 648 Main Street, Damariscotta - Preliminary discussion - Change in use at 648 Main Street.
- Ann A. Trepanier, 648 Main Street, Damariscotta - Preliminary discussion - Change in use at 648 Main Street.
- Rod Craib, Maine Coast Surveying, Damariscotta - representative for Robert Prior / Mark Hanley project.

1. Minutes

The Board was presented with and reviewed a draft copy of the minutes for the August 7, 2006 meeting. Wilder Hunt made a motion to approve the minutes as submitted. Jonathan Eaton seconded the motion. The Board voted 4-0 to approve the August 7, 2006 minutes as submitted.

2. Douglas Vander Ploeg – Damariscotta Chiropractic Clinic at 17 Back Meadow Road – Site Review – expand / relocate parking lot.

Douglas Vander Ploeg came before the Board with an application for Site Review to expand the existing parking by constructing a 50 x 50 lot the rear of the building, with an exit on Hammond Street. Jonathan Eaton asked why the exit on Hammond Street. Dr. Vander Ploeg told the Board that he felt it would be safer, due to the lack of site distance coming around the corner from Main Street onto Back Meadow Road. He also told the Board that Road Commissioner, Terry Sutherburg agreed with this assessment. Hammond Street has far less traffic. Fred Sewall asked if it was to be just an exit, no entrance. Mr. Vander Ploeg confirmed this. Sewall asked if there were any drainage issues created by this project. Parker told him that he was out back and showed the direction of the water drainage on the site plan as well as located a proposed culvert site. Parker asked Dr. Vander Ploeg if the lot would be paved, he confirmed it would be. Paul Stevens asked if there were evening hours at the site. The Doctor told him they did not. Parker reviewed the notification to abutters.

Wilder Hunt made a motion to approve the Vander Ploeg application for Site Review as presented. Jonathan Eaton seconded the motion. The Board voted 4-0 in favor of approving the application for Site Review as presented.

3. Neal Connell & Ann Trepanier – Preliminary Discussion – Change In Use – residence to retail at 648 Main Street.

Neal Connell presented an application for change in use. Parker told the Board that CEO Neil Campbell noticed the business as he was driving by one day and it was determined that a permit to operate a business at this location had not be obtained. Parker asked Mr. Connell what type

of business it was. Mr. Connell told him it was an Antique shop that utilized approximately 1/3 of the barn space, the whole first floor of the existing house, and sometimes the deck area. He told the Board that he lives on the second floor of the house. Mr. Connell told the Board that he contacted the Town a year ago when he first thought about doing this and was told at that time that he did not need to do anything. Parker asked about parking. Mr. Connell told him the existing parking area will hold 6 - 7 vehicles and that he's been open a little over a year and has not had any issues with parking.

Mr. Connell told the Board that he has a DOT entrance permit and showed the location of that approved entrance on the site plan, noting this is likely for future possible plans. Eaton asked if it was in the commercial zone. Parker confirmed this. Parker noted that the site had it's own septic system. Mr. Connell told the Board that he also has a well, but that Town water does go right by the front. Parker asked the size of the lot. Mr. Connell told him it was approximately 1.2 acres. Parker noted Mr. Connell's notification to abutters. The only abutter present was Patti Whitten who only wanted to note that they were exceptional neighbors & were extremely courteous. Parker noted that letters from the Fire Department and the Police Department were missing. Mr. Connell did not know this was a requirement. The Board determined that he would need to come back before the Board next month with the missing items.

There was discussion about signage. Parker noting that there isn't any sign ordinance, but there is mention of signs in the Site Review Ordinance. Specifically multiple businesses in 1 location need to be contained in a single sign. Mr. Connell asked about placing signage along U S Route 1. He wanted to know if there was a size limit if he received permission to place a sign, outside the State's right of way. Parker stated that there probably was through the State, he knew of a

billboard law, so there must be a size limit. He recommended Mr. Connell contact the State to be sure.

4. Miles Health Care – Preliminary Discussion – Change In Use – single residence to physician housing & parking lot expansion at 101 Bristol Road.

John Bowers presented the Board with an updated site plan for the proposed project to purchase the Fuller home located at 101 Bristol Road. Mr. Bowers told the Board the Hospital plans to use the residence as housing for visiting physicians and utilize the property to expand parking for the hospital campus. Mr. Bowers told the Board that a letter has been sent to CEO Neiland Campbell looking for clarification on the building classification. He went on to say that Mary Bowers of the Great Salt Bay Sanitary District (GSBSD) sent a letter suggesting Bed & Breakfast type of classification, Mr. Bowers told the Board that Miles does not agree with that classification. Mr. Bowers told the Board that he has not talked with the State yet to find out what their classification would be. Mr. Bowers stated that he has spoken to the Fire Department and they do not have any issues, they just request a knox box be placed outside the building.

Parker noted that there is an issued determining what zone the building will be classified in. He went on to say that they've created a C-2 commercial zone around the hospital and when the Teele house was purchased, the zone was not amended to include that house. It was to be used as professional offices, with parking spaces primarily for those offices, which is allowed in the residential zone. With the new project, there is a question about including the parking lot expansion in the general residential zone, Parker noted it was definitely an encroachment on the residential zone. Parker told the Board that either the C-2 district needed to be expanded to encompass the new project, through all

the steps necessary (Town Meeting, etc) or the Board restricts the parking on that lot to only what is needed for the use of the building.

Charles Flye, an abutter to the project spoke up against the parking lot expansion. He told the Board he thought it was a great thing to have the house for the doctors, but he doesn't want to go into his back yard and look at a parking lot. He spoke about having to listen to the cars starting at all hours of the day and having lights flashing through the house. He told the Board his property is approximately 10 feet higher and he feels the screening mentioned is similar to what was put in last time and it is not adequate. Parker told Mr. Flye that the Board could put heavier requirements to ensure proper screening for the light, but that would not necessarily help with the noise. Mr. Flye noted that once the hospital completes the purchase of the property, it would more than likely come off the Town's tax rolls, thus increasing everyone's taxes. Parker asked Mr. Bowers if the Hospital currently pays a PILOT (Payment In Lieu Of Tax) payment to the Town. Mr. Bowers confirmed that the Hospital does currently pay a PILOT and that they pay taxes on the physician's Office buildings. He went on to say that the Teele House is currently taxed, and he had no reason to think that the Fuller House would be any different. He also mentioned the PILOT payment could be increased.

Mr. Flye told the Board that today he noticed the parking lot at the Hospital was not even half full, so he failed to understand the need for more parking. Mr. Bowers indicated that there were peak hours in the parking lot, and the problem in the 6 AM – 4 PM window, the need significantly reduces after first shift. Mr. Flye asked why a parking garage has not been considered to alleviate the problem, stating that the Hospital has plenty of room for something like that. He told the Board he felt there were several other options besides tearing up the residential community. Mr. Flye expressed concerns that these houses would be

sold off once the 2 hospitals combined efforts in the future, and then they could be used for other things inappropriate for the residential area. Parker thanked Mr. Flye for letting the Board know his point of view. Mr. Flye asked what the next step would be. Parker told him that if the zone needed to be changed, that would need a town meeting, either at the regular time, in June or a special town meeting.

Jonathan Eaton asked if the Fuller house could be treated the same as the Teele house without the parking lot expansion. The Board agreed the only way the Hospital can move forward with the physician housing project would be to down size the parking area so that it only serviced that building.

5. Other business –

- Hanley / Prior - Rod Craib came before the Board with Robert Prior to get some questions answered. Mr. Craib told the Board that Mr. Prior intends to purchase a piece of property on Back Meadow Road, approximately 2.75 acres in size from Mark Hanley. He noted it was not part of the approved Hanley subdivision, but was across the road from that project, at the rear of Hanley's lot, near the swamp. He also told the Board that Mr. Prior intends to eventually build a single family residence on the lot and would be putting in a 300-foot road (right of way) to get to the lot, with the power going underground. Mr. Craib told the Board that they were before the Board because the sale of the lot to Mr. Prior becomes another conveyance within a 5-year time frame, they need subdivision approval from the Board for one lot. There was discussion about the requirement of the 50-foot right of way in relation to this project.

The Board recalled that the Hanley lot in question was brought before the Board for discussion after neighbors complained about the gravel

pit type use. Mark Hanley agreed to have the entire project completed and closed by June. It was noted that this is not the case and it did not appear that much has changed on the lot. Wilder Hunt stated that any approval of the subdivision to Mr. Prior needs to be contingent on Mr. Hanley's compliance of stage I of the project as agreed upon.

George Parker noted that he would be calling Mr. Hanley to remind him of the agreement he made with the Board. He also told Mr. Prior & Mr. Craib that they would need to complete the whole subdivision application & process. Mr. Craib asked how many meetings would they be able to do this in. Parker felt that was dependent on a commitment and follow-through from Mr. Hanley.

- Mia Feltis – Ms. Feltis came before the Board to determine what would be required of her if she were to purchase a piece of property on Church Street to construct a building, possibly Cape styled, approximately 20 X 40, to house her Hair Salon. The lot in question sits on Church Street, behind the Chasse Building. She told the Board it was part of the approved subdivision in the area of the old Varick property and she showed a tax map of the property indicating lot lines. Jonathan Eaton recalled that those lots were sharing a single drive. Parker told him that the developer decided to go ahead and separate those out at the final meeting. Ms. Feltis told the Board that she's hoped to get the parking out behind the building so that the parking lot would be screened from the neighbors. Parker felt it would work out better to put the parking in front and place the building to the rear of the lot so that there could be adequate screening.

The Board felt that it might be tight to get enough parking for the proposed use, approximately 10 spaces, and the building on the lot,

due to its awkward shape. Parker told the Board that he believes the developer had already obtained the proper site distance according to the Road Commissioner. Parker told Ms. Feltis that there might be some resistance from the neighbors to more commercial development in that area. Ms. Feltis told the Board that she thought she wanted to build a cape style building and utilize the second floor as office space and storage. She told the Board that she has 4 employees and she hoped to offer other services to her customers, such as tanning. The Board encouraged Ms. Feltis to come back with some more concrete drawings, including storm water drainage and an application so they could visualize the plan. George Parker offered to assist Ms. Feltis with any questions that come up before the next meeting.

- Romeo's – proposed alterations to sign design. George Parker told the Board that he had a new drawing for the sign at Romeo's to present for the Board's approval. The sign location was discussed. Parker stated that it was approximately 16 feet tall by 6 feet wide. He estimated that there would be 12 feet above the height of the road due to the embankment. He told the Board it would not be any larger than what Chasse has in front of his building up the road. Parker also told the Board that the owner was in the process of turning part of the existing building into a sports bar, but that would come at a later date.

There was a question about lighting the sign. Both Jonathan Eaton & Fred Sewall thought it should not be lit at all. Parker stated that he was fairly certain there was some sort of lighting planned, but he wasn't sure if it was to be lit from the interior or not. Sewall felt that they could only approve it unlit because they did not have any information about the lighting. The Board felt it must be within ordinance guidelines.

Paul Stevens asked if it was going to be a 2- sided sign. Parker indicated how it would lay and therefore it would need to be 2-sided.

Wilder Hunt made a motion to approve the sign alterations as presented with the contingency that the lighting is appropriate to the Ordinance criteria. Fred Sewall seconded the motion. The Board voted 4-0 in favor.

- Ferriolo Concrete vs. neighbors - Parker brought up a memo from Police Chief Steven Drake regarding a building concern between Ferriolo Concrete & their neighbors, specifically Scott & Carolee Hilton. The memo outlined several complaints by the Hilton's about the concrete company starting business too early in the morning. The Board discussed whether or not the hours of operation were specified in the approval of a permit issued several years ago. Several members believed that there was some sort of agreement made at that time, possibly 6 AM. Parker stated that they would need to review the permit as issued to clarify the issue. He requested the topic go on the October Agenda and all involved parties be invited to discuss the matter.

Adjournment: The meeting was adjourned at 9:00 PM

Fred Sewall made a motion to adjourn. Wilder Hunt 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