



## *Town of Damariscotta*

*Administrative Offices  
21 School Street  
Damariscotta, ME 04543  
Telephone – 207-563-5168  
Fax – 207-563-6862*

*Office Hours  
9 am - 5 pm  
except  
Wed. – 1 pm - 6 pm*

October 11, 2017

Gregg Wood  
MEPDES Permitting  
Division of Water Quality Management  
Bureau of Water Quality  
Maine Department of Environmental Protection  
17 State House Station  
Augusta, ME 04333-0017

RE: Waste Discharge Permit Notice of Intent for Snow Discharge Permit (Renewal)

Dear Mr. Wood,

Enclosed please find the completed Notice of Intent For Coverage Snow Discharge Permit and applicable supporting documentation.

A review of Town owned property suggests that there are no reasonably accessible alternate sites that meet the criteria for waste snow discharge into the Damariscotta River. Construction of an alternate dump site within Town would come at a great expense to the citizens not only in terms of fiscal impacts, but also, in terms of health and safety. Locating a snow dump at an alternate site would most definitely lead to leaching of chemicals, such as salt, into the water supply of our citizens. In addition, the ongoing costs of loading and transporting the snow would cause a significant financial hardship on the Town's taxpayers.

If you have any questions please contact me at 563-5168, or by email at [townmanager@damariscottame.com](mailto:townmanager@damariscottame.com).

Regards,



Matt Lutkus  
Town Manager



Maine Department of Environmental Protection

## NOTICE OF INTENT FOR COVERAGE SNOW DISCHARGE GENERAL PERMIT

(For use with MEG210000 and MEG220000)

**NOTE:** Please carefully read the entire Snow Discharge General Permit prior to furnishing any information on this form.

For office use only

DEP ID #: \_\_\_\_\_

### 1. Facility Information

Name of Facility: Damariscotta Downtown/Village Area Town/City: Damariscotta

Receiving Water Name: Damariscotta River GPS reference data, if available: 44 6'.6" N x 64 32'.6"W

### 2. Applicant Information

Name of Applicant: Town of Damariscotta

Mailing Address: 21 School Street, Damariscotta, ME 04543

Telephone Number: (\_\_\_\_) \_\_\_\_\_ e-mail: 207-563-5168 townmanager@damariscottame.com

### 3. Owner/Operator Information

Owner or Operator Name (if different from Applicant): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone Number: 207 563-5168 e-mail: \_\_\_\_\_

### 4. Cognizant Official Information (person to whom correspondence should be sent)

Name: Matt Lutkus, Town Manager

Mailing Address: 21 School Street Damariscotta, ME 04345

Phone Number: (207) 563-5168 e-mail: townmanager@damariscottame.com

### 5. Snow Collection Area Information Provide actual or estimated data for the following.

Area of streets and roads: 132,075 sq '  Area of parking lots and other areas: 103,525 sq '

Seasonal total amount of sand, sand/salt and other de-icing agents used in collection area:

Sand used: 0 Salt: 90 cubic yards(est.) Salt/salt mixture: 0

Type and amount of other de-icing agents used in collection area: 30 gallons salt brine (est.)

Maine Department of Environmental Protection  
Notice of Intent for Snow Discharge General Permit

6. **Additional Submissions Required** The following documents **must** be submitted with the NOI.

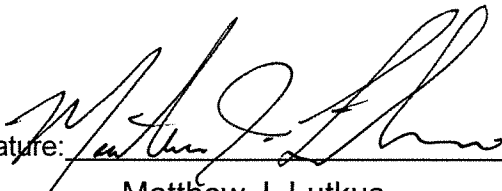
- ✓ Alternatives analysis addressing alternatives to the waste snow discharge *See Gov letter*
- ✓ Color photographs of the snow disposal area *attached*
- ✓ A description of the litter removal program or screening methods *see "Best Practices" page*
- ✓ Evidence of title, right on interests in all property from which the discharge of snow will occur *license agreement attached*
- ✓ A list of abutters to whom public notice was provided *N/A*
- ✓ For corporations, a Certificate of Good Standing or a statement signed by a corporate officer affirming that the corporation is in good standing *N/A*

CERTIFICATION

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Additionally, by signing below, I certify that (1) notice of this application has been made in accordance with Special Condition B.2 of the General Permit; and (2) I have read and understand the Maine Department of Environmental Protection Snow Discharge General Permit MEG200000/MEG210000, and comply with the terms and conditions therein. The forgoing steps have been taken in accordance with the instructions attached to this application and the provisions of Chapter 529 of the Department's rules.

By:

Signature:  Date: October 11, 2017  
Printed Name: Matthew J. Lutkus  
Title: Town Manager

NOTICE OF INTENT TO FILE  
MAINE WASTE DISCHARGE GENERAL PERMIT FOR  
SNOW DISCHARGE GENERAL PERMIT

Please take note that, pursuant to the Maine Department of Environmental Protection General Permit for Snow Discharge General Permit, MEG2100000/MEG220000, Town of Damariscotta (applicant)

of 21 School Street plans to file a Notice of Intent for coverage with the Department of (address)

Environmental Protection (Department). If the coverage is granted, it will allow the discharge of pollutants contained within snow from Damariscotta Downtown/Village (name of facility)

located at Damariscotta River, Damariscotta, Maine, subject to the terms (name of receiving water) (town)

and conditions of the General Permit. The Notice will be filed on or about October 11, 2017 (date) +

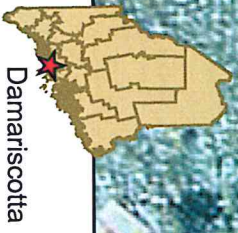
and will be available for public inspection at the Department's Augusta office during normal business hours. A copy may also be seen at the (municipal)(county) offices in Damariscotta (municipality or county if deorganized)

A copy of the General Permit may be obtained from the Department or at <http://www.maine.gov/dep/water/wd/gp.html>

The Department will take no action on the Notice of Intent until 15 days from the date of this publication. Any person wishing to submit comments to the Department regarding the Notice of Intent should do so in writing within 14 days of this publication. Comments should be limited to the applicant's ability to comply with the terms and conditions of the General Permit. The Department will take these comments into consideration in determining whether or not to approve of the Notice of Intent.

Written public comments, requests for information or questions may be directed to the Maine Department of Environmental Protection, Division of Water Quality Management, State House Station #17, Augusta, Maine 04333. Telephone (207) 287-7688.





Damariscotta

Damariscotta River

DMR Shellfish  
Closure Area C25

US Route 1B (Main Street)

Class SB

Town of Damariscotta  
Snow Dump  
#ME0102768

40 Main Street

Downtown Damariscotta



Damariscotta Snow Dump at Damariscotta, Maine

Map created by Maine DEP  
March 21, 2007

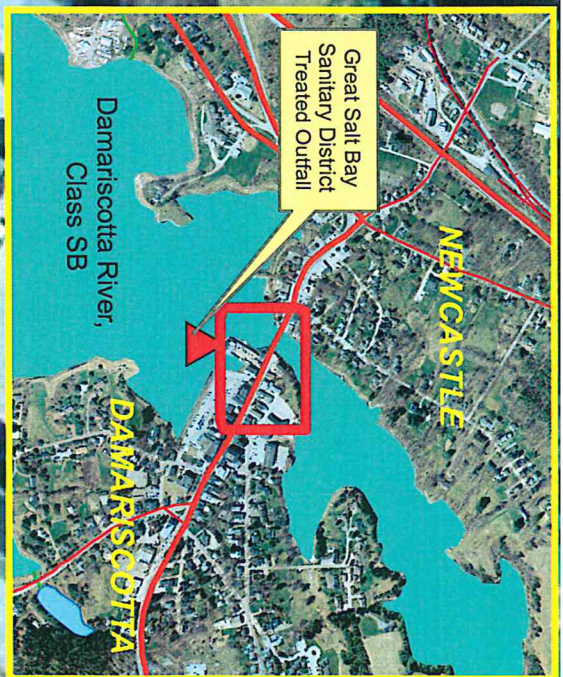


**Legend**

- Wastewater Outfalls
- Ponds and Lakes
- Major Roads, Jurisdiction
- Coastal Waters
- Coastal Class

- State aided
- State hwy
- Toll highway
- sa
- sb
- sc

- W
- E
- S
- N













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## SNOW DISPOSAL LICENSE AGREEMENT

License Agreement made this 22<sup>nd</sup> day of January, 2016 by and between **The Inhabitants of the Town of Damariscotta**, a duly organized Town under the Laws of the State of Maine in the County of Lincoln and State of Maine and **RIVER FALLS TRUST**, an Irrevocable Trust organized under the Laws of the State of Maine and having a principal location in the Town of Damariscotta, County of Lincoln and State of Maine;

**WHEREAS**, River Falls Trust is the owner of a parcel of real estate located on the North side of Business Route One in the Town of Damariscotta which real estate is more particularly described in a Quitclaim Deed recorded in the Lincoln County Registry of Deeds in Book 4589 at Page 120; and

**WHEREAS**, the aforesaid parcel of property includes a concrete bridge abutment at the bridge linking the Towns of Damariscotta and Newcastle on Business Route One; and

**WHEREAS**, the Trust property is an ideal location for the disposal of snow removed from the streets, sidewalks, and parking lots of the Town of Damariscotta; and

**WHEREAS**, the use by the Town of the Trust property creates a maintenance expense and represents significant inconvenience to the other uses of the property; and

**WHEREAS**, the parties are desirous of detailing the specific nature and use of the premises, the parties agree as follows:

1. The Trust grants to the Town a license to use the Trust property for snow removal disposal purposes following any storm leaving plow-able snow on the Town's roads, sidewalks and parking lots. No time limits for the removal of such snow are established, however, the Town, its employees and contractors will endeavor to complete disposal operations as soon as practicable. The License granted herein shall not extend beyond the Town Public Works Department, any Town employee engaged in municipal work and the Town's direct contractors employed to remove snow.

2. The property subject to this license shall run from the existing driveway access to the bridge abutment and an additional ten feet (10') beyond the terminal point of the abutment. See Attached Sketch Ex. A.



3. In the event that the Town or its contractors are required to dispose of snow during business hours, the Trust shall ensure that the property described in #2 shall remain clear of vehicles and other obstructions during snow removal operations.

4. The Town of Damariscotta shall assume all risk and all liability for any loss or damage resulting from its use of the premises. The Trust shall be responsible for the normal wear and tear expected to its property, sidewalks, curbing, roadways, bridge abutments or rip-rap structures.

5. The Town shall pay to the Trust a one-time 2016 license fee of Five Thousand Dollars (\$5,000.00) on July 1, 2016. Commencing and including the year 2017 and annually thereafter, a payment of Two Thousand Five Hundred Dollars (\$2,500.00) will be due on July 1<sup>st</sup> of each year. The Town's obligation to pay shall be contingent upon appropriation of sufficient funds by the legislative body of the Town at the Annual Town Meeting or any Special Town Meeting as may be permitted by law.

6. This agreement is wholly contingent upon an affirmative vote of the legislative body of the Town authorizing the Board of Selectmen to enter into multi-year agreements. Should such authorization not be approved, this Agreement shall be void.

7. Either party may terminate this license on thirty (30) days written notice prior to the scheduled date of payment and not otherwise. Notice of termination shall be sent to the following:

The Town of Damariscotta  
21 School Street  
Damariscotta, Maine 04543

River Falls Trust  
c/o Howard & Bowie, P.A.  
PO Box 460  
Damariscotta, Maine 04543



8. In the event the snow removal and disposal activities described herein are declared illegal by any State or Federal Regulatory or Legislative body, this license shall end on the effective date of such ruling, regulation or law.

Dated this 22<sup>nd</sup> day of January, 2016.

River Falls Trust

By: R. L. Bickmore  
Its Trustee, Rebecca L. Bickmore

Personally appeared the above-named Rebecca L. Bickmore, Trustee of River Falls Trust, as aforesaid, and acknowledged the foregoing instrument to be her free act and deed in her capacity and the free act and deed of said Trust.

State of Maine  
Lincoln, ss.

Before me,

Christine L. Gove  
Notary Public

1/26, 2016

CHRISTINE L. GOVE  
Notary Public, State of Maine  
My Commission Expires January 6, 2023

The Town of Damariscotta

By: Matthew J. Lutkus  
Its Town Manager, Matthew J. Lutkus

Personally appeared the above-named Matthew J. Lutkus, Town Manager of the Town of Damariscotta as aforesaid, and acknowledged the foregoing instrument to be his free act and deed in his capacity as Damariscotta Town Manager, on behalf of the Damariscotta Board of Selectmen.

Before me,

Michelle P. Cameron  
Notary Public

State of Maine  
Lincoln, ss.

1/22, 2016

MICHELLE P. CAMERON  
Notary Public - State of Maine  
My Comm. Expires Dec. 6, 2019



**Waste Snow Discharge – Best Management Practices (BMPs)**

The following best management practices (BMPs) are common-sense methods and actions having the objective to minimize contamination of waste snow that is permitted for discharge from the approved Damariscotta snow dumps into the tidewaters of the Damariscotta River. Waste snow is collected from roadways, sidewalks and parking areas in downtown Damariscotta. The following BMPs are designed to protect existing river water uses and maintain water quality from adverse effects of waste snow:

- Streets, sidewalks and parking lots are visually monitored daily and litter removed as needed
- No sand is used in areas where snow is collected for discharge into the tidewaters
- Waste snow is discharged immediately without stockpiling; this practice is documented after each storm, including data about quantities discharged
- The Harbor Master monitors the impact on water flow and navigation.
- Employees receive annual refresher training in these practices.

Only the firm under contract with the Town of Damariscotta is allowed to collect waste snow from public and commercial sources and discharge same into the tidewaters from the approved sites. The objective toward minimal contamination is included in the downtown snow removal contract approved by the Board of Selectmen

Generally, the snow removal program provides for initial clearing of priority passages, then secondary passages and sidewalk plowing during a snow event. Snow removal operations begin within 24 hours of the event. Changes in snow removal activities (such as expansion of collection area) are evaluated for impact on the quantity or quality of the waste snow that is discharged from the approved dump sites.