

PETER W. DRUM
ATTORNEY AT LAW

17 Bristol Road, P.O. Box 97
Damariscotta, ME 04543
Phone: 207-563-8000
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March 2, 2018

Town of Damariscotta
Board of Appeals
21 School Street
Damariscotta, Maine 04543

DELIVERED IN HAND

RE: Appeal of Site Plan Review Approval for 435 Main Street, Damariscotta, Maine

Dear Members of the Board of Appeals,

Attached, please find Anna Jansen's and Our Town's appeal of the Site Review Approval for 435 Main Street.

Regards,


Peter W. Drum

DAMARISCOTTA ZONING BOARD OF APPEALS

Administrative Appeal Application

Name of Appellant: Anna Jansen and Our Town (coalition)

Name of Applicant: Damariscotta Main Street, LLC Phone: 207-563-8000

Mailing Address: P.O. Box 97 Damariscotta ME 04543
(street) (city) (state) (zip)

Owner of Record: Damariscotta Main St., LLC / Phone: Unknown

Location Address: Denham Pierce
435 Main Street Damariscotta ME 04543
(street) (city) (state) (zip)

Location of Site: Map 81 Block _____ Lot 56 Zone: C2 Area of Property: _____

Shoreland: _____ Resource Protection: _____

Existing Use: Raw land

Proposed Use: Master Commercial Site Plan / Retail
center with three buildings

Details of any Easements or Restrictions: _____

Please Attach:

1. A detailed site plan/plot plan map containing information required under Article 11 of the Damariscotta Land Use Ordinance. It should show dimensions and shape of the lot, size and locations of existing buildings, locations and dimensions of proposed buildings, or alterations, and any natural or topographic peculiarities of the lot in question. Please reference site plan of Applicant
2. Copies of any official decisions or required permits (note pending applications) of federal, State or local agencies regarding use of this property. Attached
3. Names and addresses of all abutters of properties within 200 feet of owner's property.
4. Demonstration of right, title and interest in the property. N/A

Please Note:

1. All applications must be filed in accordance with procedure prescribed in Article 11 of the Damariscotta Land Use Ordinance.
2. All applications must conform to the Damariscotta Land Use Ordinance and all applicable local, State and federal ordinances.
3. Appeals Board approval is required before any building permits shall be issued.
4. Fee must accompany application.

An Administrative Appeal: Relief from the decision, or lack of decision, of the Code Enforcement Officer or Planning Board in regard to an application for a permit. The undersigned believes that (check one):

☐ An error was made in denial of the permit

☒ The ^{approval} denial of the permit was based on a misinterpretation of Article 11-12 of the Damariscotta Site Plan Review Ordinance.

☐ There has been a failure to approve or deny the permit within a reasonable period of time

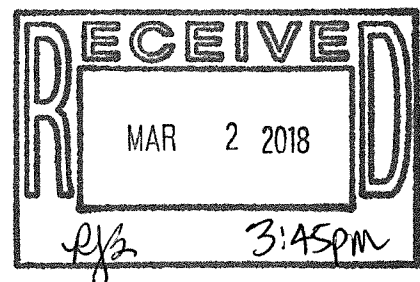
☒ Other The Planning Board made numerous arbitrary and capricious determinations in approving the application and failed to rule on a number of matters as required by the ordinance.

To the best of my knowledge, all information submitted on this application is correct.

Signed: [Signature] Date: 2/26/18

Printed Name: Peter W. Drum Attorney for Anna Jansen & Our Town Coalition

Application Fee: \$ 50 Advertising Fee: \$ 35 Date Received: 03/02/18 By: [Signature]



APPEAL NARRATIVE

Standing

Our Town is a citizens group composed of many different individuals. One of those individuals is Anna Jansen who is the owner of 456 Main Street, Damariscotta, Maine, 04543. Our Town participated throughout the review of 435 Main Street and submitted written comments prior the final action of the Planning Board on February 5, 2018.

Anna Jansen is directly aggrieved by the granting of the Site Plan approval to the applicant. The approval was contrary to the ordinance and the Planning Board lacked sufficient record evidence for a number of it's findings and made findings that are clearly arbitrary and capricious. Furthermore, the Planning Board failed to make a number of necessary findings.

Documents & Record on Appeal

The Planning Board does not directly reference what materials it utilized and upon which it relied in making it's findings. Please forward the entire record of evidence presented to the Planning Board in it's review process of the application from which the Appellants appeal.

Application Requirements

Attached, please find a copy of the deed of the current owner of the property and the Tax card for 435 Main Street.

Attached, please find the list of abutters within 500' of 435 Main Street based on the Town's records and tax map.

For those items in the Administrative Appeal Checklist under Section B (1-6) please refer to the record on appeal, in particular the site plan.

Attached, please find a check for \$85 to cover the \$50 filing fee and \$35 for the Public Hearing posting in the Lincoln County News.

Issues on Appeal In Brief

Procedural Irregularities

1. The Planning Board voted to hold a hearing on this project. As you are aware, under Section 10, Paragraph G of the Damariscotta Site Plan Review Ordinance (hereinafter "SPRO"), Public Hearings must occur within 30 days after an application is deemed complete. In this matter, the application was deemed complete on December 4, 2017. The hearing was held, paradoxically, on September 18, 2017, almost three months before the application was even deemed complete. Therefore, the public hearing for this matter would have to occur now, after the application has been voted complete. By failing to hold the voted public hearing on the final complete application, the Planning Board deprived the residents of Damariscotta of a meaningful opportunity to comment and be heard. In particular, they violated the due process rights of Ms. Jansen and the citizens coalition Our Town (of which she is a member) to comment on the final complete application.

2. Pursuant to Section 10, Paragraph G of the SPRO, once the application was deemed complete, there should have been a public notice that it was complete and that an application for Site Plan Approval was made. This notice did not occur. Therefore, this notice must now be published. This notice is a critical protection in the land use ordinance for interested parties and by failing to publish the said notice after the application was deemed complete, citizens were deprived of their due process rights.

In addition to the significant procedural irregularities above, the Planning Board also sought to make findings of fact that are contrary to the ordinance and outside of the reasonable discretion of the Planning Board or lack a factual basis in the record.

1. The Board found that the Project Preserves and enhances the landscape. The Project does no such thing. The project would pave much of the lot with impermeable surface paving. Secondly, the project would remove mature trees along the front of the property that at this time define the property from the public's perspective. These larger trees should be integrated into the screen discussed below and are required to be preserved.
2. The Planning Board seems to believe that there are no neighboring buildings to the project site. This is a capricious decision. There are numerous neighboring buildings and they are largely small buildings. There is no plan to integrate this property with other significant parcels including Hannaford, Damariscotta Hardware, or the lot to the rear of the project site which one day could be a valuable piece of the Damariscotta tax base. The Town should require a right of way to the public to access those neighboring lots by foot and vehicle.
3. The Planning Board has failed to require the Applicant to demonstrate that the project will not result in undue air pollution or odors.
4. The Planning Board did not require the Applicant to demonstrate that there would be no additional noise at the location. Based on the likely traffic increase and removal of trees from the front of the property, there will likely be a significant increase in noise from the site. Furthermore, the Planning Board failed to make this finding in a manner supported by substantial evidence in the record.
5. The current proposal does not relate in a positive way to the environment. As discussed, the project removes a great many mature trees and provides nothing in the way of shading of the large amount of asphalt impermeable surface. Failure to shade the impermeable surface will result in heat pollution, heated runoff water, and other potential adverse impacts. Furthermore, the Planning Board failed to make this finding in a manner supported by substantial evidence in the record.
6. The Planning Board has abrogated their responsibility to ensure that the public road system is adequate to meet the demands of the new use. The Planning Board should require a traffic study to determine how the actual uses permitted will impact the local road systems and affect tax infrastructure expenditures. If there is an impact, the

ordinance requires that the applicant assume financial responsibility for improving the adequacy of the roads. Without a study documenting the effects of the project, the Planning Board cannot make this finding in a manner supported by substantial evidence in the record.

7. The parking waiver that the Planning Board granted allows for placement of all of the parking between the façade of several planned buildings and the public street. This waiver may only be granted for up to 15% of the parking and only when the parking is screened from view. Screened from view means that the parking cannot be seen by the public from the public road. The Planning Board required very little to screen the parking from the public view and indeed one Planning Board member stated that he could see through his window screens and therefore should be able to see through any screen of the parking. But, the Planning Board should have used legal cannons of interpretation for interpreting “screen”. Because the term is not defined in the ordinance or a statute, the Planning Board should have adopted a plain meaning of the word. The Merriam Webster Dictionary states the following definition for screen:

In part:

“Definition of screen

1 : a protective or ornamental device shielding an area from heat or drafts or from view

2 : something that shelters, protects, or hides: such as

a : a growth or stand of trees, shrubs, or plants

b : a protective formation of troops, ships, or planes

It is impermissible that the Planning Board literally reversed the meaning of the word screen in the rule “screened from view” to mean that a person could see the parking. Furthermore, the Planning Board failed to make this finding in a manner supported by substantial evidence in the record.

8. The proposal does not establish routes for safe pedestrian circulation inside the parking area. Furthermore, the Planning Board failed to make this finding in a manner supported by substantial evidence in the record.
9. The Planning Board made no finding on public utilities and services other than the impact to the Great Salt Bay Sewer District. The Planning Board is required to study the impacts to all infrastructure and services. Therefore, it would be impossible for the Planning Board to have made this finding supported by substantial evidence in the record.
10. Water quality was not adequately addressed by the Planning Board which failed to consider impacts to the fisheries present in the Damariscotta River. The Damariscotta is served by Castner Brook and the project is located in the watershed to both Castner Brook and the Damariscotta River. The Planning Board requested no information from the applicant or an outside expert to make their findings on this requirement. Therefore,

the Planning Board failed to make this finding in a manner supported by substantial evidence in the record.

11. Given the increasing frequency of so called “100 year storms” the retention ponds should be sized to at least a 100 year storm for an impermeable surface area this large. A 50-year storm standard is insufficient given the potential economic impact to the valuable fisheries in the Damariscotta River. The Planning Board should have exceeded the plan and required a more protective standard given the location of this proposed use.
12. The Planning Board has not followed the standard in the Natural Beauty paragraph (Section 11(O)) of the SPRO. The clearing allowed along the street frontage of the development does not “minimize the visibility of buildings from existing roads” nor does it require the preservation of existing large trees. Therefore, the Planning Board failed to make this finding in a manner supported by substantial evidence in the record.
13. The Board should require an agreement from MDOT concerning responsibility for stormwater in the MDOT right of way. Therefore, the Planning Board failed to make this finding in a manner supported by substantial evidence in the record.
14. While the Applicant has provided a letter from the Great Salt Bay Sanitary District that there is sufficient capacity for the collection and treatment of waste. There is no requirement in the approval that the applicant utilize the GSBSD. This should be a requirement under the approved plan and not assumed. Therefore, the Planning Board failed to make this finding in a manner supported by substantial evidence in the record.
15. The Board has not required enough for the Applicant to demonstrate that the buffer along Main Street will provide a visual screen of the buildings and parking from view. The Board, further, has no rational basis to determine that the planting plan meets the standards of a screen because they have not elicited any factual opinions or obtained evidence demonstrating the screen effect of the planting plan. Therefore, the Planning Board failed to make this finding in a manner supported by substantial evidence in the record.
16. The Planning Board seeks to meet Section 11(V) by finding that false pitched roofs meet the standard in the Ordinance. The Ordinance does not allow for false pitched roofs. The ordinance explicitly calls for pitched roofs for structures smaller than 7,500 square feet. Therefore, the Planning Board failed to make this finding in a manner supported by substantial evidence in the record.
17. The Board is tasked with ensuring that the standards of Section 12(A)(1-11) are met in their entirety. The Board does not have sufficient facts to make that finding and therefore any decision supporting the Application as to Section 12 is arbitrary and capricious. Furthermore, any findings the Planning Board made are not consistent with the record evidence.

18. The Landscaping plan does not provide for all season screening of the uses per Section 12(H) of the Ordinance. Therefore, the Planning Board failed to make this finding in a manner supported by substantial evidence in the record.
19. The Planning Board lacks sufficient basis to make a finding as to the application's conformance to Section 12 paragraph F of the ordinance. Where the Planning Board has failed to obtain the information necessary to make such a finding, then finding in the affirmative is arbitrary and capricious. Therefore, the Planning Board failed to make this finding in a manner supported by substantial evidence in the record.
20. The Planning Board cannot make a finding that the Standards for the buildings in excess of 20,000 square feet do not apply because the interior floor space of the buildings may change. The regulation is for the building, not the tenant space within the building. Therefore, the Planning Board should require the Applicant to screen the buildings from all public view and conduct a Community Impact Study to determine the economic and fiscal effects of the project.

Prayer for Relief

Therefore, Our Town respectfully requests that the Decision of the Planning Board be revoked so that the Applicant may bring their application again with greater specificity and address the concerns of Our Town. In the alternative, Our Town respectfully requests that the Planning Board Decision be remanded to the Planning Board for more specific findings stating the record evidence upon which it relied for each element of the SPRO required for approval of the proposed use.

Our Town also requests that the Planning Board hold their voted Public Hearing after the application of this applicant has been deemed complete, or alternatively to require the Planning Board to publish the required notice that an application has been made to allow Our Town's members the due process right to object to the proposal and demand a public hearing to review the new information from the applicant and provide additional input if necessary.

Sincerely,

A handwritten signature in black ink, appearing to read 'Peter W. Drum', with a long horizontal line extending to the right.

Peter W. Drum

**WARRANTY DEED
(Partition Deed)**

KNOW ALL MEN BY THESE PRESENTS

That L. DENHAM PIERCE of Damariscotta, Maine, for consideration paid, releases to LINCOLN BLOCK, a Maine corporation with a place of business in Damariscotta, Maine, a certain lot or parcel of land situated on the easterly side of Business Route 1 in the Town of Damariscotta, County of Lincoln and State of Maine, bounded and described as follows:

Beginning at a point marking the southwesterly corner bound of land of Richard W. Salewski, Lincoln County Registry of Deeds, Book 2051, Page 348; thence South 71° 16' 55" East a distance of 489.85 feet by and along land of Salewski to an iron pipe found; thence South 16° 05' 10" West a distance of 199.35 feet to an iron pipe found; thence South 72° 47' 20" East a distance of 234.59 feet to an iron pipe found; thence South 16° 46' 15" West a distance of 213.71 feet to an iron pipe found; thence South 21° 13' 25" West a distance of 338.20 feet to a ½ inch by 14 inch iron pipe; thence North 72° 13' 20" West a distance of 581.42 feet by and along land of Chester A. Rice and Nancy Katherine Rice (Lincoln County Registry of Deeds, Book 879, Page 3) to a 1 inch diameter rod; thence North 14° 51' 15" East a distance of 343.94 feet to a 5/8 inch capped rebar; thence North 41° 00' 25" West a distance of 443.39 feet to a 5/8 inch capped rebar; thence in a northeasterly direction by and along the southerly bound of Business Route 1 to the iron pipe marking the point of beginning, the straight line distance between the last two mentioned points being 321.60 feet on a course North 73° 06' 20" East.


Being a 12.3 acre parcel of land, more or less, depicted as "Remaining Land of Lincoln Block and L. Denham Pierce" on a plan entitled "Standard Boundary Survey of Proposed Conveyance from Lincoln Block and L. Denham Pierce to Damariscotta Hardware, Inc." by L.L. Brown Associates, File #1160, Scale 1" = 50'. Reference may be had to a reciprocal deed from Lincoln Block to L. Denham Pierce to be recorded herewith. The purpose of this deed of partition is to divide the lands of L. Denham Pierce and Lincoln Block.

The above described premises are conveyed subject to an easement granted to the Lincoln County Rifle Club which grants the right to pass and repass by foot or vehicle from US Route 1 over the picnic area lot to the parcel of land described in Book 440, Page 533. Also, together with the right to use water from the spring located at the southeast corner of the picnic area lot and to lay and maintain pipes from said spring.

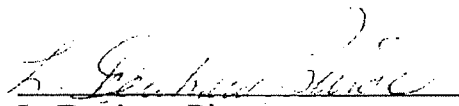
Title reference: Lincoln County Registry of Deeds, Book 2537, Page 196 (Lincoln Block) and Book 786, Page 233, Book 797, Page 142, and Book 816, Page 174 (L. Denham Pierce).

Witness my hand and seal this 28 day of February,

2001


Witness

**NO TRANSFER TAX
NECESSARY**


L. Denham Pierce

By Doris L. Pierce
Attorney in Fact

STATE OF MAINE
LINCOLN, ss.

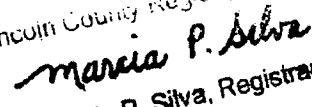
February 28, 2001

Personally appeared the above named Doris L. Pierce, as attorney in fact for L. Denham Pierce, and acknowledged the foregoing instrument to be his free act and deed.


Notary Public/Attorney at Law

Printed Name of Notary:

Robert B. Gray

Lincoln County Registry of Deeds

Marcia P. Silva, Registrar

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS

That I, MADELYN V. PIERCE of Damariscotta, County of Lincoln, State of Maine, for consideration paid, grants to LINCOLN BLOCK, a Maine Corporation, with a place of business in Damariscotta, Maine, with Warranty Covenants, certain lots or parcels of land with the buildings thereon situated in the Town of Damariscotta, County of Lincoln and State of Maine, bounded and described as follows:

PARCEL #1: Being the same premises conveyed to Edward H. Pierce and L. Denham Pierce by deed of Edward W. Freeman recorded in Lincoln County Registry of Deeds, Book 786, Page 233, and described therein as follows:

"Picnic Area Lot"

Bounded on the North by Highway U.S. #1, Business,

Bounded on the East by land of Dorothy Meserve (Stevens)

Bounded on the South by land of Lincoln County Rifle Club, Inc.

Bounded on the West by land of Yellowfront Grocery, Inc.

SUBJECT to the following easements granted to the Lincoln County Rifle Club, Inc. in deed recorded in Lincoln County Registry of Deeds, Book 440, Page 533, namely "the right to pass and repass by foot or vehicle from U.S. Route #1 over the Picnic Area Lot to the parcel of land" described in said deed "together with the right to use water from the spring located at the southeast corner of the Picnic Area Lot and to lay and maintain pipes from said spring to the parcel described in said deed."

EXCEPTING THEREFROM, a parcel of land beginning at a point marking the southeast corner of land now of the Grantees (said point lies South 7° 45' East one hundred sixty-two and three tenths (162.3) feet from the southerly side of the aforementioned highway;

THENCE South 15° West, and by other land of the Grantors, to land now of the Grantees,

THENCE in a general westerly direction by Grantees' land to land now of George Plante;

Robert B. Gregory

THENCE North 18° 30' East by said Plante land and land now of Wall two hundred seventy (270) feet, more or less, to the southwest corner of Grantees' land;

THENCE South 70° 30' East to the point of beginning.

REFERENCE may be had to deed of Edwin H. and L. Denham Pierce to Chester A. and Katherine Ricerecorded in the Lincoln County Registry of Deeds in Book 1052, Page 269 by deed dated December 29, 1980.

PARCEL #2: Being the same premises conveyed to the said Pierce and Pierce by deed of Twin Village Associates recorded in said Registry in Book 797, Page 142, and described therein as follows:

"BEGINNING at a pipe in cement on the north line of land of E. W. Freeman and at the southwest corner of land of Lincoln County Rifle Club, Inc. as described in deed recorded in Lincoln County Registry of Deeds, Book 447, Page 25;

THENCE North 21° 56' East, by last named land, one hundred ten and 7/10 (110.7) feet, to a long fence bolt, and continuing same course one hundred ninety-nine (199) feet, to a pipe set in cement in a stone wall;

THENCE North 71° 24' West, one thousand one hundred fifty-nine and 5/10 (1,159.5) feet by a line of fence bolts set in rocks, to a bolt which is southerly and twelve (12) feet from the southeast corner of a garage; thence South 86° 21' West, thirty-eight and 8/10 (38.8) feet to a pipe driven in the earth;

THENCE South 23° 56' West, one hundred seventy-five and 9/10 (175.9) feet, to a fence bolt at the northeast corner of a fence; thence by said fence and a stone wall, South 26° 22' West, sixty-seven (67) feet, to a pipe set at the southeast corner of a fence; thence by a stonewall and a line of fence bolts South 36° 19' East, one hundred fifty-five and five tenths (155.5) feet, to a bolt; thence by the remain of an old wire fence, originally on wood posts, one thousand sixty-five and seven tenths (1,065.7) feet on a course South 71° 20' East, to the point of beginning."

PARCEL #3: BEING the same premises conveyed to the said Pierce and Pierce by deed of Yellowfront Grocery, Inc., recorded in said Registry in Book 816, Page 174, and described therein as follows:

"BEGINNING at an iron rod at the southerly side of new U.S. Highway #1, so-called, said rod being at the northwest corner of a lot of land of Round Top Dairy, Inc. (part of said lot being used as a public camping site); thence South 76° 50' West, eighty-seven (87) feet, by the southerly side of said Highway to an iron pipe set in the ground;

THENCE South 7° 45' East, one hundred and sixty-two and three tenths (162.3) feet, to an iron pipe in a wire fence line by a large Evergreen tree; thence South 70° 31' East, four hundred and forty and three tenths feet (440.3) feet, more or less, to an iron pipe with rocks about it in said fence line; thence same course six hundred and sixty-nine and eight tenths (669.8) feet by said fence and by a short run of a stone wall to a corner of said wall;

THENCE North 18° East, two hundred and sixteen (216) feet by said wall to a wire fence line, the last course being by the land of the Damariscotta Rifle Club; thence by said fence and by land of Round Top Dairy, Inc. North 71° 30' West, seven hundred and eighteen and four tenths (718.4) feet, to an iron pipe in the fence line with stones about said pipe; thence same course, three hundred and sixty-two and four tenths (362.4) feet to the point of beginning, enclosing an area of 5.25 acres, more or less."

REFERENCE may be had to a deed from the Estate of Edward H. Pierce to Madelyn V. Pierce, dated August 3, 1987, recorded in the Lincoln County Registry of Deeds, Book 1412, Page 177.

Witness my hand and seal this 31st day of January, 2000.

Witness

MAINE REAL ESTATE
TRANSFER TAX PAID

Madelyn V. Pierce
MADELYN V. PIERCE

STATE OF MAINE
LINCOLN, ss.

1 - 31 -, 2000.

Personally appeared the above MADELYN V. PIERCE and acknowledged the foregoing instrument to be her free act and deed.

Julie H. Crider
Notary Public/Attorney at Law

Printed Name of Notary: _____

JULIE H. CRIDER
NOTARY PUBLIC, MAINE
MY COMMISSION EXPIRES JANUARY 21, 2004



LINCOLN BLOCK

P.O. BOX 297

DAMARISCOTTA ME 04543 0297
B2648P58

Property Data

Neighborhood	7 WALDOBORO RD
Tree Growth Year	0
FARM LAND (YEAR)	0
OPN SP/CONV (YR)	0
Zone/Land Use	12 COMMERCIAL
Secondary Zone	

Topography

1.Level	4.Below St	7.Swampy-R
2.Rolling	5.Low	8.
3.Above St	6.Swampy	9.

Utilities

1.Public	4.Drill/Wel	7.Cesspool
2.PublicWtr	5.Dug/Lake	8.
3.PublicSwr	6.Septic	9.None

Street

1.Paved	4.Proposed	7.
2.Semi Imp	5.rear lot	8.
3.Gravel	6.	9.None

FLOOD PLAIN MAP

CLASSIFICATION	0
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Sale Data

Sale Date	
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Price

Sale Type	
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1.Land	4.Mobile	7.
2.L & B	5.Other	8.
3.Building	6.	9.

Financing

1.Convent	4.Seller	7.
2.FHA/VA	5.Private	8.
3.Assumed	6.Cash	9.Unknown

Validity

1.Valid	4.Split	7.Changes
2.Related	5.Partial	8.Other
3.Distress	6.Exempt	9.

Verified

1.Buyer	4.Agent	7.Family
2.Seller	5.Pub Rec	8.Other
3.Lender	6.MLS	9.

Assessment Record

Year	Land	Buildings	Exempt	Total
2005	228,000	0	0	228,000
2006	228,000	0	0	228,000
2007	228,000	0	0	228,000
2008	228,000	0	0	228,000
2010	228,000	0	0	228,000
2011	228,000	0	0	228,000
2012	228,000	0	0	228,000
2013	228,000	0	0	228,000
2014	228,000	0	0	228,000
2015	228,000	0	0	228,000
2016	228,000	0	0	228,000
2017	228,000	0	0	228,000
2018	228,000	0	0	228,000

Land Data

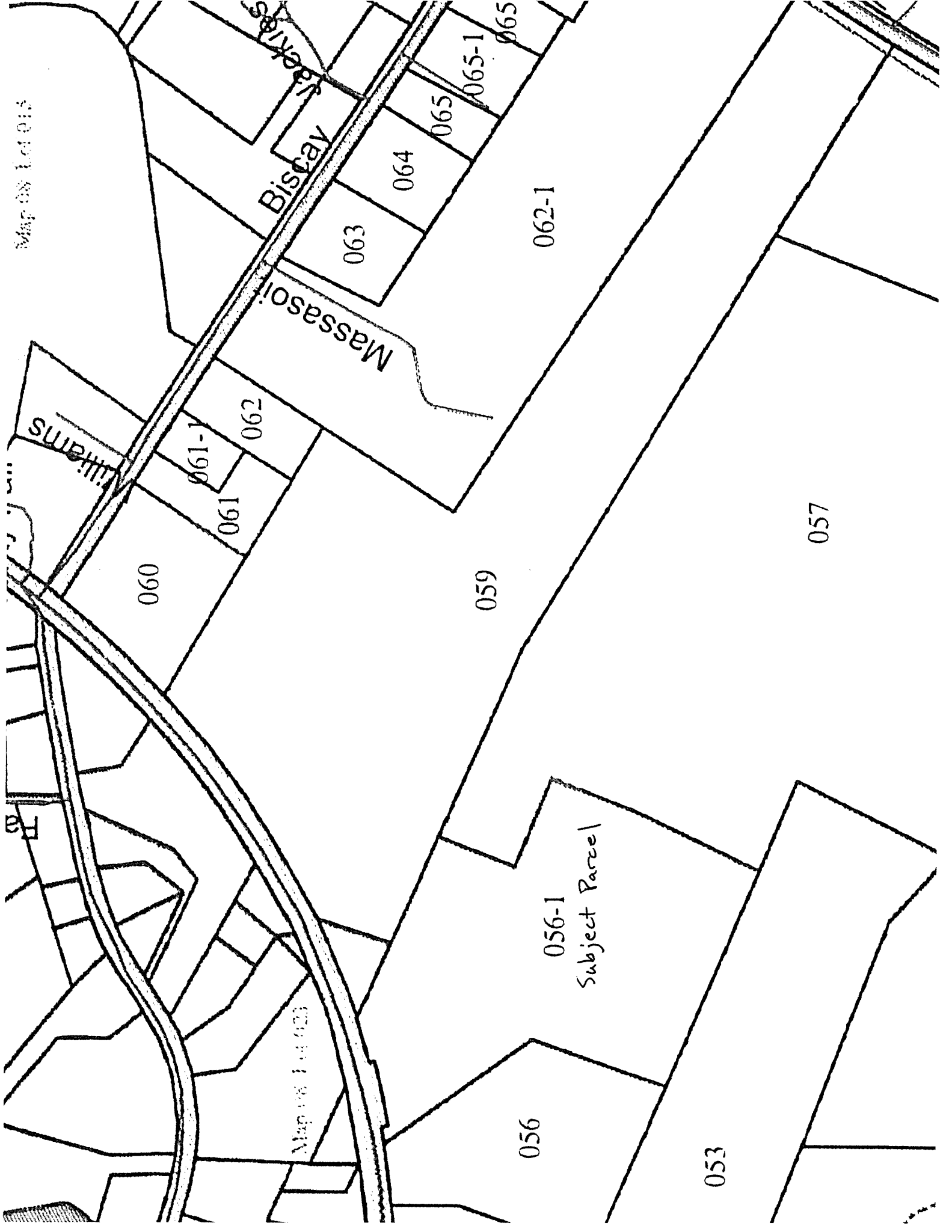
Front Foot	Type	Effective	Influence	Influence Codes
11.Regular Lot		Frontage	Factor	Code
12.Delta Triangle			%	1.Unimproved
13.Nabla Triangle			%	2.Excess Frtg
14.Rear Land			%	3.Topography
15.			%	4.Size/Shape
			%	5.Access
			%	6.Restriction
			%	7.spec consid
			%	8.Environment
			%	9.Fract Share
			%	Acres
			%	30.REAR LAND 3
			%	31.Tillable 1
			%	32.ORCHARD
			%	33.GRAVEL PIT
			%	34.PASTURE
			%	35.Horticultural
			%	36.TILLABLE
			%	37.Softwood
			%	38.Mixed Wood
			%	39.Hardwood
			%	40.Wasteland
			%	41.GRAVEL PIT
			%	42.MH OR CAMPSITE
			%	43.Condo Site
			%	44.SITE IMPROVEME
			%	45.VIEW
			%	46.SITE IMPROVEME

Damariscotta

Total Acreage 11.30

TRIO *Software*
A Division of Harris Computer Systems

Map 08 1 of 015



Map 08 1 of 023

Abutters to Lot 56-1 Damariscotta

Abutter	Address	Map & Lot Number
GREAT SALT BAY DEVELOPMENT LLC	SCHOOL STREET Damariscotta, ME 04543	001-050
D.D.D., L.L.C.	90 SCHOOL STREET Damariscotta, ME 04543	001-050-001
HATCH, DANIEL A.	133 HEATER RD Damariscotta, ME 04543	001-050-004
DIGIROLAMO, MICHELE	86 SCHOOL STREET Damariscotta, ME 04543	001-050-005
GREAT SALT BAY DEVELOPMENT LLC	OFF PIPER MILL RD Damariscotta, ME 04543	001-050-006

GREAT SALT BAY DEVELOPMENT LLC	OFF PIPER MILL RD Damariscotta, ME 04543	001-050-007
YORK, RICHARD E.	33 VALLEY LANE Damariscotta, ME 04543	001-051
DAMARISCOTTA DEVELOPMENT LLC	SCHOOL STREET Damariscotta, ME 04543	001-052
RICE, CHESTER A. & N. KATHERINE	MAIN STREET Damariscotta, ME 04543	001-053
1955 Company, LLC	423 Main Street Damariscotta, ME 04543	001-056

LINCOLN BLOCK	435 Main Street Damariscotta, ME 04543	001-056-001
Lincoln County Rifle Club Land Conservation Crop.	PO Box 826, Damariscotta, ME 04543	001-057
HANNAFORD BROTHERS	469 MAIN STREET Damariscotta, ME 04543	001-059
RC MANAGEMENT	485 MAIN STREET Damariscotta, ME 04543	001-060-BLD
PAGE, DAVID	53 CHAPMAN ST Damariscotta, ME 04543	007-001

OLIVER-GRAVEL, JANE	374 MAIN STREET Damariscotta, ME 04543	007-001-001
HYSON, DONALD W. & ANDREA L	54 CHAPMAN ST Damariscotta, ME 04543	007-012-001
RENY R.H. INC.	64 CHAPMAN ST Damariscotta, ME 04543	007-013
DAMARISCOTTA, TOWN	21 SCHOOL STREET Damariscotta, ME 04543	007-013-001
MONCK, DEBORAH A.	119 CHURCH ST Damariscotta, ME 04543	007-014

CORSCADEN, HANNAH V. & JAMES A. CORSCADEN	111 CHURCH ST Damariscotta, ME 04543	007-015
NAYLOR, FRED D. & MARIE S.	105 CHURCH ST Damariscotta, ME 04543	007-016
WHEELER, ROBERT R. & PAULA	114 CHURCH ST Damariscotta, ME 04543	007-031
PEAVEY, DANIEL F. & KELLY D.	120 CHURCH ST Damariscotta, ME 04543	007-032
RAILSBACK, ALAN N. AND KELLI A.	126 CHURCH ST Damariscotta, ME 04543	007-033

RUSSO, DANIEL S.	98 HODGDON ST Damariscotta, ME 04543	007-045
LOPREATO, RUTH R.	102 HODGDON ST Damariscotta, ME 04543	007-045-001
PALMER, SHEILA	106 HODGDON ST Damariscotta, ME 04543	007-045-002
PERLEY, KENTON B.	114 HODGDON ST Damariscotta, ME 04543	007-045-003
REDONNETT, COREY	142 CHURCH ST Damariscotta, ME 04543	007-046

BURTT, ELIZABETH B personal rep	158 CHURCH ST Damariscotta, ME 04543	007-047
GREGORY, SIM-KUEN CHAN	1 CASTNER LANDING Damariscotta, ME 04543	007-047-001
GREGORY, SIM-KUEN CHAN & ROBERT B. GREGORY (JT)	FIELD ROAD Damariscotta, ME 04543	007-051
CLARK, ROBERT and ROBERT CLARK, JR. (JT, WROS)	382 MAIN STREET Damariscotta, ME 04543	007-054
Damariscotta Cemetery	N/A	007-055

JUMPER, DENNIS TRUSTEE	164 CHURCH ST Damariscotta, ME 04543	008-001
STORAGE REALTY CORP	480 MAIN STREET Damariscotta, ME 04543	008-017
JANDIRA HOLDINGS, LLC	165 CHURCH ST Damariscotta, ME 04543	008-019-001
HAIR HOUSE, INC.	161 CHURCH ST Damariscotta, ME 04543	008-019-002
HERALD, ELSIE	157 CHURCH ST Damariscotta, ME 04543	008-021

SHEILA A PUFAHL, PERS REP	CHURCH STREET Damariscotta, ME 04543	008-021-001
305 STATE STREET, LLC	155 CHURCH ST Damariscotta, ME 04543	008-022
IONIAN SEA CORP.	436 MAIN STREET Damariscotta, ME 04543	008-023
XP Realty, LLC	434 MAIN STREET Damariscotta, ME 04543	008-023-001
JANSEN, FRANS P.	115 Head Tide RD Alna, ME 04535	008-024

JANSEN, ANNA E.	115 Head Tide RD Alna, ME 04535	008-025
CHASSE, NICHOLAS J.	464 MAIN STREET Damariscotta, ME 04543	008-026
Frey, Steven & Eva	441 MAIN STREET Damariscotta, ME 04543	008-028
CLIFFORD, CYNTHIA A	59 SCHOOL STREET Damariscotta, ME 04543	010-008
OLIVER, JANE J, & GRAVEL, GARY S.	SCHOOL STREET Damariscotta, ME 04543	010-009

OLIVER, JANE J.	51 SCHOOL STREET Damariscotta, ME 04543	010-009-001
KIERSTEAD, HARRY L. & MARTHA D.	26 SCHOOL STREET Damariscotta, ME 04543	010-015
DODGE, SCOTT C. & LYNNE A.	414 MAIN STREET Damariscotta, ME 04543	010-016
CHELSEA MARKET REALTY LLC	422 MAIN STREET Damariscotta, ME 04543	010-017
WORKMAN, GEORGE & LISA H.	426 MAIN STREET Damariscotta, ME 04543	010-018

GANEM, WILLIAM & BARBARA (JT)	430 MAIN STREET Damariscotta, ME 04543	010-019
KEA, INC.	4 RICE LN Damariscotta, ME 04543	010-020
RICE, CHESTER A. & N. KATHERINE	13 Rice Lane Damariscotta, ME 04543	010-020-901
HORNBERGER, WILLIAM S.	403 Main St. Damariscotta Maine 04543	010-021
CLIFFORD, CYNTHIA A., PERSONAL REP	34 SCHOOL STREET Damariscotta, ME 04543	010-022

CLIFFORD, CYNTHIA A., PERSONAL REP	44 SCHOOL STREET Damariscotta, ME 04543	010-024
DAVIDSON, CHERYL ET AL	50 SCHOOL STREET Damariscotta, ME 04543	010-025
KNOTT, BARRY W. JR., & DEAN W.	60 SCHOOL STREET Damariscotta, ME 04543	010-026
WELLS, CONSTANCE S	62 SCHOOL STREET Damariscotta, ME 04543	010-027
KNOTT, ANNE W.	74 SCHOOL STREET Damariscotta, ME 04543	010-028

POLAND, DAVID & ELAINE KNOTT POLAND	80 SCHOOL STREET Damariscotta, ME 04543	010-028-001

ADMINISTRATIVE APPEAL CHECK LIST

INFORMATION THAT MUST BE SUBMITTED WITH YOUR APPLICATION PACKAGE TO THE ZONING BOARD OF APPEALS BEFORE A HEARING IS SCHEDULED

WARNING: FAILURE TO SUBMIT ALL OF THE REQUIRED INFORMATION MAY RESULT IN THE CANCELLATION OF YOUR PUBLIC HEARING, MAKING IT NECESSARY FOR YOU TO RE-FILE YOUR APPLICATION.

A. Show right, title or interest in the property by submitting the following:

1. ☒ A photo copy of the deed that is registered at the Lincoln County Registry of Deeds.
2. ☒ A photo copy of the Assessor's tax card on the property (available at the Town Office), along with a copy of the tax map with the property in question highlighted.

B. Plans of the property showing the following:

1. ☒ Dimensions and shape of the lot. *Site plan of Applicant*
2. ☒ The size, location and dimensions of existing building with all dimensions from building(s) to lot line shown. *//*
3. ☒ The location(s) and dimensions of proposed buildings or alterations. *//*
4. ☒ Any natural or topographic peculiarities of the lot in question. *//*
5. ☒ Any surveyors markers. *//*
6. ☒ Drawings showing the four elevations of the proposed completed structure with height indicated. *//*

C. Additional information required:

1. ☒ The application form will include the names and current mailing addresses of all property owners within five hundred (500) feet of the property in question. *Please be sure to include Map, Block & Lot numbers for each abutter. *Attached*
2. ☒ At the time of filing the application, a \$50 filing fee, and \$35.00 Public Hearing posting in the Lincoln County News fee shall be paid. Checks must be made out to the Town of Damariscotta. - *Enclosed*
3. ☐ Failure to submit any item may result in the cancellation of your public hearing and will delay the ZBA decision.
4. ☐ You will be notified of the date and time of the hearing. It is your responsibility to provide notice to the abutters via certified mail return receipt and provide proof to the Appeals Board