

## **Minutes of the Damariscotta Land Use Advisory Committee ( LUAC )**

4:30 - 6:00 pm, July 20, 2020

In Attendance: Robert Faunce, Haas Tobey, Bruce Rockwood, Ann Pinkham, Jenny Begin, Chris Roberts, Ann Jackson

1. Review of draft agenda, approved
2. Review LUAC minutes from May 11, 2020, approved.
3. In keeping with “social isolation” guidelines, we are meeting virtually via the Zoom.com app.
4. Bob Faunce, planner report :
  1. The Damariscotta Downtown Flood Control/Parking Lot project is moving forward. The town has received three proposals which will be reviewed and evaluated in order to make a recommendation to the Board of Selectmen in August.
  2. The town has received a second proposal for an adult use marijuana establishment.
  3. Formula Business language - We talked about the fact that this is a complicated situation right now. Businesses in Damariscotta, especially downtown, have been affected by the current pandemic. The downtown economy could be weak for the foreseeable future and some businesses may not reopen at all. This could be a difficult time to bring up the idea of limiting Formula Businesses. However, the language we have discussed since February would plug a loophole in the C1 (downtown Historic District) that would protect its smaller local businesses, while allowing formula (or "chain") businesses in the C2 district. We feel that it is an important enough issue to recommend this language to the Planning Board (by a vote of 5-1). Bob will add “chain stores” to the definitions and the language will be sent to the Planning Board for review. They will then hold a public hearing. Jenny Begin raised a concern about big, glaring signs that can come with formula businesses. Bob reminded us that they would still have to meet the performance standards in the Site Plan Review. Concerns about sign size and lighting can be discussed at a later time.
5. View Sheds - We need to continue to add views to the spreadsheet Bob created. Next, we will need to look at each one to decide which views would need to be protected and why. Perhaps, we should categorize the views and develop criteria for evaluating the risks each one faces. The goal is to eventually amend the Comprehensive Plan and then create an ordinance around protecting the most important view sheds. We are wondering how and when to get public input for this project. Bruce suggested putting the spreadsheet on the town website for citizens to comment on and add to. Jenny suggested finding someone ( a high school student perhaps) to create a short video of Damariscotta views to introduce the idea.
6. Forest resources - We are still wondering what percentage of the town falls in the forest resources category. Tax assessors would have information about land in forest management with tree growth plans. No action taken at this time.
7. Jenny brought up the recent rainstorm and flooding. We had 4-5 inches of rain in less than an hour. Castner Creek and several other areas (entryway to Miles) flooded. We need to look at the watersheds that

flow into these areas. Our forest land helps to moderate that flow. Are we prepared for more of this in the future, especially given sea level rise, high intensity rainfalls and storm surges?

8. Light pollution - Many feel that light pollution in town still needs to be addressed. Many of the problem lights in town right now are grandfathered. We wonder if the standards in the Site Plan Review are tough enough. A public hearing and town meeting vote would be needed in order to make any changes to the ordinance. See the May minutes for links to the Dark Sky Organization and more for information.

9. Economic Development Committee - No action has been taken on this to date. As stated before, Matt Lutkus and town staff would like to see an Economic development Committee of committed, knowledgeable and highly effective volunteer members. It needs to be a committee that works independently, is proactive and follows through rather than one that makes more work for town staff. It would be important to have a concrete plan and clear goals for this committee to establish credibility. It would be good to look at this when the town revisits the Comprehensive Plan. Community conversations around economic development should continue, especially with young business owners and entrepreneurs, if not in person than by Zoom.

Improved internet services are essential to improve economic development, especially with so many currently working from home. And if schools continue to use on-line education full or part-time, multiple users of bandwidth in any home will task existing connections. With the passage of the recent bond issue to promote more broadband, the town should look into availability of funding for improvements.

10. Historic Preservation Ordinance - We reviewed changes to the ordinance made by the BOS in order to address some citizen concerns at public hearing. The BOS made a commitment to address those concerns. They have taken out the sections that outlined how to expand the district. Bruce feels that it is important to keep those sections in, especially because the town voted in favor of the ordinance. Bob feels that is important for the BOS to be credible and follow through. We can address these issues again at a later date. The ordinance as enacted establishes a "local" Historic District that matches exactly the existing Federal Registry Historic District. Any **new local** district or monument in town, or any expansion of the existing local one, would not be automatically added to the Federal Registry. Additions would be separate and distinct, and in any event no one could be forced to include their property in a new district without their consent. Bruce felt that this was not properly understood by some people, and that it would be simple to add a phrase "no one can have their property added to a new historic monument or district without their consent," which was the intent all along. Meanwhile, the BOS needs to appoint a Historic Preservation Commission soon, since the ordinance is on the books.

11. Following the Meeting, Planner Faunce circulated to LUAC an excel Spreadsheet with the updated Comprehensive List of Uses, and a Word document updating Land Use Ordinance Definitions, which we had previously discussed at length and asked for permission to forward it to the Planning Board. There was no objection.

**Next Meeting: September 14, 2020, 4:30pm, via Zoom.**