

Minutes of Damariscotta Land Use Advisory Committee, September 10, 2018.

The LUAC met at 4:30pm to 5:55pm in the town offices. In attendance were: Anthony Dater, Planner; Bruce L. Rockwood, Chair; Haas Tobey; Ann Jackson; Jenny Begin; Chris Roberts; and Ann Pinkham. Following the posted Agenda:

1. We discussed the workshop of 8/15 and the training session of 8/30. It was agreed that the training session was useful in presenting through Lincoln County Planner Bob Faunce the power points showing project proposers what the intent of our ordinances and examples of projects that by their appearance show compliance with their letter and spirit. Att. Meader's presentation of what constitutes bias and conflicts of interest, and how to address both, were clear and helpful. At the workshop we were asked to post Agendas and Minutes, and that has been accomplished with the help of town staff. See: <https://www.damariscottame.com/minutes-and-agendas>

Old Business.

2. We discussed the draft bylaws of the LUAC and Haas Tobey recommended we appoint a three person task force to meet once and prepare a final draft for approval at our next meeting. We agreed and the **appointed** task force for this will be Hass, Ann Pinkham and Chris Roberts. We also discussed promoting community awareness, information and engagement with our process, taking into account the town's Comprehensive Plan. Haas distributed an update copy of the task list originally considered in January. We **appointed** a 3 person task force to meet once and report back to our next meeting to outline a plan for Community Engagement and Conversations. The goal is to have meetings in various public venues to discuss informally various aspects of the comprehensive plan and the ordinances we have in process. Bruce Rockwood, Ann Jackson and Jenny Begin were appointed to this task force.

3. Addressing the Site Plan Review Ordinance (SPRO) Draft 13E:

a. We discussed the five alternative definitions of "aggrieved party" and ***by a vote of 5-0 with 1 abstention adopted*** the following definition to replace the definition in the current draft:

"AGGRIEVED PERSON OR PARTY – an owner of land whose property is directly or indirectly affected by the granting or denial of a permit or variance under this Ordinance; a person whose land abuts land for which a permit or variance has been granted; or any other person or group of citizens of Damariscotta who have suffered particularized injury as a result of the granting or denial of such a permit or variance; or five or more citizens of Damariscotta who represent an interest adverse to the granting or denial of such permit or variance who have documented in writing their opposition to the permit or variance during the review process before the Planning Board."

b. We reviewed the recommended "Native Tree and Shrubbery Species List" prepared by Laurie Green. Jenny Begin suggested we reference it in the ordinance and post it on the web site with

the ordinance. That way developers and people proposing projects will know where to look for examples of plantings that will comply with the SPRO while the Planner or LUAC can amend or update the list as necessary. Planner Dater will update the SPRO draft to reflect this for review at our next meeting.

c. We agreed that the power point presentation by Bob Faunce at the training session (8/30) would be a useful reference for developers and that it should also be referenced in the SPRO and posted with it on the ordinance. Planner Dater will update the SPRO draft to reflect this for review at our next meeting.

d. Haas will update his draft of a Procedural Flow Chart based on the latest draft of the SPRO for our discussion at the next meeting. It will be part of the ordinance as Section 16.

e. We discussed the apparent conflict between Section 11B and Section 11H concerning the setback of parking from non-frontage lot lines in the current draft: 15 or 30 feet? We agreed it made sense to make it 15 feet in both instances, and this was **adopted unanimously**. Planner Dater will update the SPRO draft to reflect this decision.

f. Planner Dater will prepare SPRO draft 13F for our discussion at the next meeting. Bruce L. Rockwood will report on the remaining revisions – reconciling the Appeal Process in the SPRO with the language in the Planning Board of Appeals Ordinance. Jenny Begin indicated she would like to explore and possibly revisit the issue of whether tree plantings should be 1" in diameter minimum (current ordinance) or slightly larger, perhaps 1.5, 2 or 2.5 inches. Chris Roberts pointed out this could be a major financial difference, and Jenny will check it out. For now we are leaving it at 1". We hope to finalize our review of the SPRO at the next meeting.

4. The Subdivision Ordinance has been revised by Planner Dater to conform our town ordinance (adopted 1989, minimally revised in 2014) to the new State Statute. We had hoped to be able to approve it tonight in principle to allow the Planning Board to hold a public hearing on it, but lacked the time to review this lengthy document at this time. Planner Dater will prepare bullet points summarizing the changes proposed in the Subdivision Ordinance and send that along with the full ordinance to the LUAC tomorrow so that we can review it and consider whether we have any objections or suggestions at our next meeting. It is not clear whether there will be time to hold public hearings sufficient to submit this on the November ballot but we will try to do our part.

5. Bruce will attend a state Historic Preservation Commission training session in Auburn on Wednesday, September 12 and report back to the LUAC at our next meeting.

6. Our next Meeting is Monday, September 24, 2018 at 4:30pm. The next following Meeting is Monday, October 1, 2018 at 4:30pm.

Attachment: Updated Task List (Haas Tobey provided to the LUAC)