

Town of Damariscotta  
Planning Board Meeting  
April 6, 2015  
Minutes

**ROLL CALL**

Members present: Chairman Jonathan Eaton, Vice-Chairman Wilder Hunt, Stephen Cole and Bruce Garren. Also present were Stan Waltz, CEO and Cindy Sykes, Secretary.

Audience: Tom Hoepner, Sherry Flint, Diane and Mark Lazzari, Pat Shadis, Amy Lalime, Ben Buckeley, Seth Hagar, Bill Howlett, Bill Hain, Ronn Orenstein, Robin Mayer, J.W. Oliver, Jessica Sirois, Gabe Shadis, Paul and Cindy Sherman, Nicole Olivier, Jenny Begin, and Debra Lucchesi.

**MINUTES**

The meeting was called to order at 7:05PM. The Board reviewed March 2, 2015 minutes. **On Motion Garren/Cole to approve as written. Vote 3-0-1.**

**A. OLD BUSINESS**

1. FEMA maps – Waltz – Sue Baker said that the 3 foot freeboard elevations above the 100 year flood level are okay as discussed. Dater will check with town attorney for review of the changes. Sue Baker will attend the public hearing if requested. **On Motion Hunt/Cole to accept the Flood Plain Ordinance changes to 3 foot Vote – 3-0-1.**

2. Changeable signs - Fire Dept is requesting an ordinance change to allow changeable signs for municipal buildings.

-Hoepner – The proposed informational sign would be non-flashing, electronically changed by a laptop. 4 foot by 8 foot. 60 percent of area is electronic. Fire Dept wants to be in compliance with the ordinance.

-Mayer – Board of Selectmen would consider changing ordinance. Could be expanded to include sandwich boards in public right of ways and lawn sale signs not removed.

-Eaton – Planning Board reviewing ordinance samples from other towns to create a concrete, useable, specific ordinance. Need to send to Selectmen for review.

Fire Dept is in C-2 zone.

-Hunt – Need detailed description to forward to the Selectmen.

-Eaton – Need to review deeply, and incorporate the entire town into one ordinance.

Cole - Schedule a work session to review

Eaton – needs to be after 4/18 when he returns

## **B. OTHER**

1. Hagar Enterprises – Seth Hagar is proposing a zoning change for a lot adjacent to 162 Biscay Rd. It is currently zoned residential, and Hagar is requesting an extension of the C-2 zone to include the lot. Hagar is interested in purchasing the property for additional storage for reclaim, vehicles and equipment. Wright-Pierce is reviewing the property for retention ponds.

-Eaton - Does zoning change go to a town vote?

-Waltz – yes

Hagar – current lot is 262 by 253 feet with 331 feet frontage; zoning change request is for 3 acres.

Eaton – Need to submit zoning change request to Planning Board, who forward to the Selectmen for public hearings and town meeting vote.

Waltz – No fee to Hagar, town pays all advertising costs for public hearings and puts to the town meeting vote.

Hagar – will be almost 7 acres if purchase this adjacent lot. Has figured full wetland delineation into cost. Will submit request for zoning change. **On Motion Hunt/Cole to support an ordinance change to include the 3 acre lot adjacent to Hagar lot be changed from residential to C-2. 3-0-1.**

Cole – more land behind to change zoning for?

Hagar – too wet to build; stream through the 3 acre abutting lot; not useable to current owner; no asphalt plant planned, just need room to expand storage for product and equipment.

2. Stepping Stones – Howlett presented plans and elevations for the proposed project at Blue Haven Lane. Andrews old house has been removed and recycled. Large house and one small structure has been removed; blue house remains.

Plans to build 3 duplexes. Tiny house on wheels is licensed for road use, and will be moved off property. 2 trailers and one house will also be removed.

Driveway remains almost the same. Excavator broke sewer line, has been repaired and sewer line moved to new location. Road commissioner will need to assist with issues on property near Hodgdon St. Stepping Stones will pay most of the cost of repair.

-Waltz – when finished, buildings will be 60% of current square footage. Setbacks are less non conforming than the previous buildings, some of which were over the property line. Town owns about 15' inside stone wall. It will not be removed

-Howlett – need to amend the location on the original building permit

-Waltz – Howlett has taken out paperwork to apply for a subdivision

-Howlett – not available, will provide copies before next meeting

-Cole – a site visit would be helpful

-Olivier – what is blue line on the plan near entrance to Pleasant St?

-Howlett – part of wall will be removed to allow for driveway to daylight basement.

-Waltz – Road opening application required for new driveway, entrance needs to meet minimum requirements

-Gabe Shadis – How will stormwater runoff affect abutting properties?

-Sirois – what is required for site plan? There will be increased traffic on a road which is currently not even two cars wide in areas. People are currently parking in her driveway. Application is for 7 units, which is more than Andrews had. 7 were never fully occupied, Andrews home was one unit, not two.

-Eaton – driveway needs widening for fire truck, emergency access.

-Howlett – property has been affordable housing for 50 years

-C. Sherman – big house always owner occupied

-Waltz – initially applicant wanted more than 7 units. Andrews house was considered a duplex, even though not rented out.

-Howlett – all 3 duplexes are each 22' by 28', 2 bedroom units. Duplexes use less lot coverage than side by side units.

-G. Shadis – Original plan was to use existing footprint; duplex is higher

-Waltz – height restriction must be met

Howlett provided sketches of the buildings, showing front and side elevations; small covered entryway; New England style windows

- Sirois – Has real concerns as an abutter. Has heard no assurance of rigorous screening of potential tenants. Has psychotherapy business in her home across the street. She has ethical and legal obligations regarding criminal activities near her business. National licensing board has asked that she document illegal activities near her business. May be forced to move her business.
- Howlett – Police Dept has been there recently investigating a current tenant. Charge was illegal elver fishing. He was arrested, but no jail time was served. There is another tenant who is being investigated.
- Waltz – need to ask town attorney about a potential lawsuit
- Sirois – May no longer be able to provide safe environment for her clients.
- Eaton – Ordinances do not address people's behavior. That is a legal issue, need to consult with Police Dept or a lawyer.
- Begin – Oil tank was removed, she has suspicion of oil spill on property contaminating the groundwater. Town officials have said there is no contamination. Colby and Gale said they have not pumped out a tank at that location. She would like to request a formal DEP inspection of the property.
- Howlett – one tank not used, was sold and had no leaks. Colby and Gale did pump out second tank, and fuel was donated to the Community Energy Fund.
- P Sherman – Called Colby and Gale, and Larry Spaulding said that no tank had been pumped by them at that location. Had not been to property since 2008. His opinion was that tank could not have been removed without being empty.
- G. Shadis – saw copper supply line has been cut on tank, and can smell and see oil dripping. Looks like a garbage bag was placed there to contain the drip.
- Lucchesi – saw Colby and Gale pumping out tank, and there was no obvious spill at that time.
- Waltz – will call DEP tomorrow AM, they should come tomorrow to investigate
- G. Shadis – Can any building be done before subdivision and site plan submitted?
- Waltz – No
- Cole – If receive application, can review in May.

3. Waltz – Wasses Hot Dogs is coming to town. Located where Kat's Kart was on Carl Poole's property at the corner of Biscay Rd and 1B. Building will be on posts or skids. Hook into GSBSD for water and sewer. It is a commercial site, no change


of use so Planning Board review is not required, will submit vendor application. Adequate parking available.

4. Garren – Due to the constructive comments by the Board regarding the Adult Entertainment Ordinance, the Town Manager and the Town attorney created a good revision to send to the voters.

## ADJOURN

**On Motion Hunt/Garren to adjourn at 8:37PM. Vote 3-0-1.**

Respectfully submitted by:

  
Cynthia L. Sykes, Deputy Clerk

We, the undersigned do hereby approve as written, or with changes as noted, the Minutes of the April 6, 2015 Planning Board Meeting.

  
Jonathan Eaton, Chairman

  
Wilder Hunt, Vice-Chairman

  
Stephen Cole

  
Shari Sage

  
Bruce Garren

5/4/15

