

Town of Damariscotta  
Planning Board Meeting  
March 2, 2015  
Minutes

**ROLL CALL**

Members present: Chairman Jonathan Eaton, Vice-Chairman Wilder Hunt, Stephen Cole, Shari Sage, and Bruce Garren. Also present were Anthony Dater, Planner and Cindy Sykes, Secretary.

Audience: Tom Hoepner, Matt Lutkus, Ronn Orenstein, Robin Mayer and Debra Luchesi

**A. MINUTES**

The Board reviewed February 2, 2015 minutes. **On Motion Cole/Hunt to approve as written. Vote 4-0-1.**

**B. NEW BUSINESS**

1, Lutkus updated the Board on the Adult Entertainment Moratorium. Public Hearing to be held on March 4<sup>th</sup> at 5PM on the proposed Adult Entertainment Ordinance. Selectmen will turn the meeting over to the Planning Board for the public hearing.

Rusty Hoffman was considering opening an adult entertainment store at the Chasse plaza on Main St last fall. A 6 month moratorium was voted in to allow the town to research and create an ordinance which would limit the location of such establishments. It is a violation of constitutional rights to prohibit them in all areas of town. If the business would cause a detrimental impact to the town, can limit the location. Ordinance can be restrictive without depriving the business. The proposed Ordinance would limit the location to areas outside a 1500 foot buffer to schools, churches, parks, and daycares. Jenny Villeneuve, town attorney, feels this proposal would not be considered too restrictive. It would be incorporated into the Land Use Ordinance.

-Sage – Feels that performing arts, lectures and exhibitions, theatrical performances need to be defined in the ordinance.

- Lutkus – Public Hearing will be posted in newspaper; proposed ordinance available by request; wording almost the same as the moratorium
- Orenstein – Villeneuve’s presentation will be available on videotape
- Garren – does not see live theatrical performance addressed in ordinance
- Lutkus – this is a combination of other towns ordinances, i.e. Eliot and Wiscasset
- Garren – Are there other regulations for theaters in Damariscotta?
- Dater – no; read definition of theater from the Site Plan Ordinance
- Cole – if stand alone, would it be reviewed by the Selectmen?
- Lutkus – Yes, requests would be reviewed by the Selectmen; would need appeals process in place.
- Dater – strictest guidelines will govern
- Lutkus – conditional use; will be reviewed by Planning Board. Can be stand alone or included in Land Use Ordinance.
- Garren – given short notice about upcoming public hearing. Attorney not here to ask questions.
- Lutkus – Attorney will be at the public hearing
- Garren – sees structural and definition issues in the proposed ordinance
- Lutkus – can request an extension of moratorium
- Eaton – supports it as a basis; can be amended; could have been a subsection of the land use ordinance.
- Orenstein – agreed it is confusing as written in the proposed Land Use Ordinance.
- Dater – It is legal to reindex with separate section for adult entertainment.

## **OTHER**

2. Town Sign Ordinance - Tom Hoepner explained that the current Land Use Ordinance does not allow the type of sign that the Fire Dept is requesting to install near the entrance to Massasoit Drive. They propose a changeable, not flashing, 4 by 8 foot electronic sign to advertise community events. Suggested that ordinance wording could allow for flashing signs, and the Fire Dept is willing to help with the ordinance wording. Eaton supports the Fire Dept sign, but feels it is time to create a complete sign ordinance.

Eaton requested that Dater collect some ordinance sample wording from other towns. Hoepner to return to the April 6<sup>th</sup> meeting.

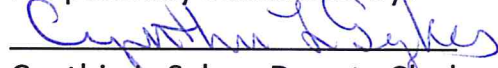
1. FEMA maps – Dater explained that Towns wanting to be part of the flood insurance need to adopt the new flood insurance model by July 16, 2015. Freeboard will be changed from one foot to three feet for substantial new construction. Current are grandfathered. Coastal resiliency study looked at two feet. If adopted, the downtown businesses would receive reduced insurance premiums. Dater will check with Sue Baker to see if the word substantial can be removed.

3. Debra Lucchesi – There has been a lot of equipment at the Blue Haven Property; concerned about the piping for plumbing.  
Eaton – Contact GSBSD, they oversee that.

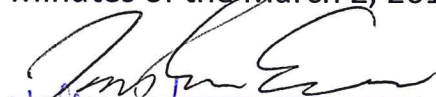
## ADJOURN

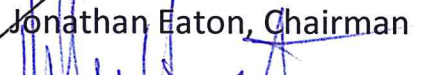
**F. On Motion Garren/Sage to adjourn at 8:12PM. Vote 4-0-1.**

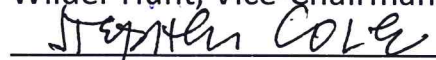
Respectfully submitted by:

  
Cynthia L. Sykes, Deputy Clerk

We, the undersigned do hereby approve as written, or with changes as noted, the Minutes of the March 2, 2015 Planning Board Meeting.

  
Jonathan Eaton, Chairman

  
Wilder Hunt, Vice-Chairman

  
Stephen Cole

  
Shari Sage

  
Bruce Garren

Dated 4/16/15

