

Damariscotta Land Use Advisory Committee (LUAC) Agenda, October 1, 2018.  
4:30pm at the Town Hall.

1. Approve agenda with any amendments as proposed at this meeting.
2. Review and approve Minutes (if not available, table this to next meeting).

### **Old Business**

3. Discuss your views of the bullet points and draft of the revised **Subdivision Ordinance** so we can pass on our comments, if any, to the Planning Board and Selectboard Public Hearings this week.
4. Follow up report on **community engagement** from Ann J. and Jenny B. In particular we want to have an informational table at the town hall on November 6<sup>th</sup>'s election day to help make people aware of what we are working on and ask them to participate in the process.  
Shall invited local Historical Society and Land Trusts to participate with us on this process? Other organizations?
5. We put off revising the bylaws to our second meeting in October to allow that task force more time to review our discussion. Tony Dater emailed me suggesting we include a Planning Board member as well as a Selectman on the list of members of the LUAC. And we discussed having volunteers serve on task forces or subcommittees who might not be able to devote time to the LUAC but could help in one of these bodies.
6. Time permitting we can also talk some more about the SPRO, though it may come up in our discussion of community engagement. Tony sent us a draft Timeline and a draft Check List for a "complete application" keyed to the updated SPRO draft we will want to go over closely at a future meeting. And include an updated flow chart in Section 16 of the SPRO before we can consider it final.

### **New Business**

7. A public hearing is being held this Thursday October 4<sup>th</sup> on the revised Ban on Single Use Plastic Bags. If we have time tonight we may want to discuss it. In any case I encourage you to read it and attend the public hearing.
8. Other?

Minutes through September 10 are posted on the town web site, and agendas through Sept 24 also posted. I resent the latest subdivision ordinance draft on Friday.

Bruce L. Rockwood, Chair, LUAC

Town of Damariscotta  
Site Plan Review Ordinance (for updated 2019 SPRO)

**CHECK LIST**

**For a Complete Application**

(other than for Wireless Telecommunication Facilities)

INITIAL STEP FOR ALL SITE PLAN APPLICATIONS

- \_\_\_ Building/Land Use Permit Application – Building/Land Use Permit Application from the Code Enforcement Officer (CEO) assigning the application to the Planning Board for a Site Plan Review permit as a conditional use and/or Shoreland or Floodplain Management permit application.
- \_\_\_ Statement of conformance to the Comprehensive Plan.
- \_\_\_ Payment of Site Plan Review Ordinance application fee.
- \_\_\_ The Ordinance presumes that applicants will meet the requirements in full and that waivers may only be granted for good cause. The burden of proof resides with the applicant to prove that any waiver request would still meet the purpose and objective of the ordinance requirements.

ALL SITE PLAN APPLICATIONS

**SUBMISSIONS**

- \_\_\_ Obtain Site Plan Checklist and Procedural Flow Chart.
- \_\_\_ Establish a Review Escrow account for all projects that include building(s) of 7,500 square feet or more footprint in the aggregate, or 5,000 sq. ft. or more impervious ground surface, or with more than 10,000 sq.ft. of combined roof and ground impervious surface.
- \_\_\_ Fully executed and signed copy of the application for site plan review.
- \_\_\_ Evidence of right, title or interest in the property such as a deed, option to purchase, lease or agreement.
- \_\_\_ Site Plan at a scale sufficient for review, but not more than 50 feet to the inch for that portion proposed for development. (North arrow; graphic scale; PB signature box; Area for Notes). For presentation at Planning Board meetings, large paper sheets at least 20' x 32" with scales of 20' to 50' to the inch as appropriate. Also, provide the Board electronic copies of all approved site plan sheets.
- \_\_\_ Names and addresses of all abutters on the plan.
- \_\_\_ Names and addresses of all abutters on a separate listing.
- \_\_\_ Sketch map showing general location of the site within Town (aka Location Map). A Tax Map may be suitable.

- \_\_\_ Boundaries of all contiguous property under the control of the owner or applicant regardless of whether all or part is being developed at this time.
- \_\_\_ The bearings and distances of all property lines and the source of this information. (The Board may waive the requirement of a formal boundary survey when sufficient information is available to establish, on the ground, all property boundaries.)
- \_\_\_ Classification(s) of the property and the location of zoning district boundaries as applicable.
- \_\_\_ Soils test pit study (log) demonstrating suitable soils for subsurface sewage disposal\* unless connection to a public sanitary sewer is proposed, in which case a letter from the Great Salt Bay Sanitary District attesting to its ability to accept sanitary wastes from the proposed development {Sect. 11.R}. \*(HHE 200 Forms required for a Building Permits)
- \_\_\_ Building Envelope: The location of all building setbacks required by this or other Town ordinances.(applicable Resource Protection, Shoreland, wetland unbuildable land and floodplain lines).
- \_\_\_ The location, size and character of all signs and exterior lighting of signs {Sect. 11.U}. See Sign Ordinance.
- \_\_\_ The location of all existing and proposed buildings (including size and height), driveways, sidewalks, parking spaces and associated structures, snow storage areas, loading areas, open spaces, large trees, open drainage courses, signs, exterior lighting, service areas, easements and landscaping.
- \_\_\_ Location of all buildings within 50 feet of the subject site plan parcel and the location of intersecting roads or driveways within 200 feet of the parcel. (Intersecting roads could be on a 'Location Map'.)
- \_\_\_ Elevations and graphics on how proposed structures comply with the "Building Appearance Requirements" of Sect. 11.V for building or buildings totaling 7,500 square feet or less gross floor area. {Sect. 11.V}
- \_\_\_ Elevations and graphics on how proposed structures comply with the "Building Appearance Requirements" of Sect. 12.A for building or buildings totaling 7,500 square feet or more gross floor area. {Sect. 12.A}
- \_\_\_ Existing and proposed topography of the site at two foot contour intervals if major changes to the existing topography are being proposed {Sect. 11.Q}.
- \_\_\_ Copies of any proposed or existing easements, covenants, deed restrictions, etc.
- \_\_\_ Copies of all applicable State and federal approvals and permits (*These may include Maine DEP stormwater permits, wetland disturbance permits, NRPA permits or Site Location permits; MDOT Traffic movement permits; federal Army Corps of Engineers or EPA permits*).

- \_\_\_ Identification of districts, sites, buildings, structures or objects significant in American history, architecture, archeology, engineering or culture that are listed or eligible for listing in the National Register of Historic Places (see 16 U.S.C. 470 w(5)36 CFR 60 and 800).
- \_\_\_ Letters from appropriate state authorities attesting to the project's impact, if any, on historic, archeological and rare or endangered plant or animal species on or in the vicinity of the project parcel {Sects. 11.O and P}.
- \_\_\_ Financial and Technical Capacity – Demonstration applicant has the ability to pay for the proposed project and the technical expertise to construct the proposal through letters from lending institutions and documentation of past projects or similar testimony.
- \_\_\_ Location of any floodplains, wetlands and streams on the project parcel identified by a wetlands scientist.
- \_\_\_ A phosphorous impact report if the project is within the watershed of a great pond. {Sect.11.S}
- \_\_\_ An estimate of the amount of domestic water required of the project. If connection to the public water system is proposed, a letter from the Great Salt Bay Water District attesting to its ability to provide sufficient water to the project. If water to be supplied by wells, the results of a hydrological study if required by the Planning Board. {Sect.10.N}
- \_\_\_ Plan for supplying water for fire protection {Sect. 11.N}.
- \_\_\_ Access into the Site: Demonstration that access to the sight will be safe and will meet or exceed minimum required sight distance determined by the Planning Board {Sect. 11.G} or the Driveway and Driveway Entrance Ordinance or the Maine Department of Transportation regulations.

## PERFORMANCE STANDARDS

*Review of proposed site plans are done reviewing both the checklist and the ordinance simultaneously.*

- \_\_\_ Waivers sought: Submit two site plans, one that meets all the ordinance requirements in full; the second that shows the proposed waivers graphically accompanied by a written narrative supporting each waiver request(s). *The burden of proof for waivers resides with the applicant.*
- \_\_\_ Preserve & Enhance the Landscape: Compliance with applicable soil preservation and bufferyard requirements or with excavation requirements. {Sect. 11.A}
- \_\_\_ Relationship to Environment & Neighboring Buildings: Compliance with applicable setback and buffers ~~strips~~ from parking and paved areas. {Sect.11.B}
- \_\_\_ Air Quality: Demonstration that the project will comply with applicable air quality standards {Sect. 11.C}

- \_\_\_ Lighting & Glare Control: Demonstration that the project will comply with applicable height, location, glare control standards (kelvins, lumens, foot-candles) including security lighting. Larger projects are required to submit lighting plans on a 10 foot grid. {Sect 11.D}
- \_\_\_ Noise Control: Demonstration that the project will comply with applicable noise control standards {Sect. 11.E}
- \_\_\_ Adequacy of Public Road System: Demonstration that the project will meet applicable MDOT Level-of-Service standards. {Sect. 11.F} (Applicant is financially responsible for meeting level-of-service improvement on public roads.)
- \_\_\_ Driveways: Demonstration that the project will meet applicable driveway standards including sight distance requirements along roads from the driveway. {Sect. 11.G}
- \_\_\_ Parking and Vehicle Circulation: Demonstration that the project will meet applicable parking space numbers and design including no parking in the bufferyard between the front road and principal buildings unless a waiver is granted. {Sect. 11.H}
- \_\_\_ Pedestrian Circulation: Demonstration that the project will meet applicable pedestrian circulation and external linkages including both internal and external pedestrian-ways. {Sect. 11.I}
- \_\_\_ Existing Utilities and Municipal Services: Demonstration that the project will meet applicable requirements for connecting to existing public facilities including any applicable fee payment. {Sect. 11.J}
- \_\_\_ Water Quality: Demonstration that the project will meet applicable water quality maintenance requirements including applicable standards of the 'State Drinking Water Regulations, pursuant to Title 22, MRSA, Section 2601.' {Sect. 11.K}
- \_\_\_ Storm Water Management: A storm water management plan in accordance with, *LID Guidance Manual for Maine Communities, 9/21/07 or the Maine DEP Stormwater Management Regulations, LID Standards*. {Sect. 11.L}  
<maine/gov/mdep/home → Land Resources → Programs → Watershed → Materials → Best Management Practices → LID Guidance Manual for Maine Communities>
- \_\_\_ Erosion and Sediment Control: An erosion and sediment control plan in accordance with, '*Standard Erosion and Sediment Control Measures Agreement*' (Appendix of Ordinance) {Sect. 11.M}
- \_\_\_ Water Supply: Sufficient for potable plus fire fighting uses without burdening local wells or the GSBSD capacity. {11.N}
- \_\_\_ Natural Beauty: Demonstration that the project will meet applicable guidelines for maintaining the scenic, natural, historic, rare and irreplaceable natural areas on the site. {Sect. 11.O for developments <7,500 sf} {Sect. 12.E for developments > 7,500 sf}
- \_\_\_ Historic and Archeological Resources: Appropriate measures, as applicable to protect identified historic and archeological resources. {Sect. 11.P}

- \_\_\_ Filling & Excavation: Excavation/reclamation plan via standards {Sect. 11.Q}.
- \_\_\_ Sewage Disposal: Demonstration that the project will be in compliance with town standards and the State Plumbing Code. {Sect. 11.R}
- \_\_\_ Buffer Areas: Demonstration that the project will meet applicable requirements for maintaining screening of the site. {Sect. 11.T}
- \_\_\_ Signs: See the Sign Ordinance and the Code Enforcement Officer. {11.U}

ADDITIONAL SUBMITTALS FOR SITES WITH BUILDING(S) LESS THAN 7,500 SQUARE FEET

- \_\_\_ Building appearance: Demonstrate that project will meet applicable architectural and aesthetic standards for buildings that reflect traditional New England building forms. Waivers are not permitted. {Sect. 11.V}

**SECTION 12. LARGE-SCALE DEVELOPMENT**

ADDITIONAL SUBMITTALS FOR SITES WITH BUILDING(S) 7,500 SQUARE FEET OR MORE

- \_\_\_ Building appearance: Demonstrate the building(s) meet architectural and aesthetic standards. Flat roofs are discouraged; must be hidden from ground view. {Sect. 12.A}
- \_\_\_ Outdoor Sales: Demonstrate that site will meet requirements for display of goods outdoors. Outdoor sales areas must not be on required bufferyards or other required setback areas. {Sect.12.B}
- \_\_\_ Parking: Meet applicable parking lot layout and design requirements of Sect. 11.H. {Sect. 12.C}
- \_\_\_ Bicycles and Pedestrian facilities: Meet applicable standards for bicycle facilities and lay-out of pedestrian circulation. {Sect. 12.D}
- \_\_\_ Landscaping: Prepare the required landscaping plan that meets applicable standards including 75% of vegetation be native. {Sect. 12.E}
- \_\_\_ Screening: Meet all applicable screening requirements. {Sect. 12.F}
- \_\_\_ Building Reuse: Submit evidence that for building(s) of 7,500 sq. ft. or more that there will be no private prohibition on the type of reuse of that building. {Sect. 12.G}

ADDITIONAL SUBMITTALS FOR SITES WITH BUILDING(S) 20,000 SQUARE FEET OR MORE

- \_\_\_ Landscaping: Meet applicable setback, screening and landscaping standards. {Sect.H.1}
- \_\_\_ Out-lots: Alternatively meet standards of Section H.1 by placing smaller commercial buildings around perimeter of site per applicable standards. {Sect. H.2}
- \_\_\_ Community Impacts: Planning Board requires an assessment report of likely community impacts of the proposed project per applicable standards. {Sect. 12.H.3}

