

# Planning Board Meeting Agenda

Town of Damariscotta

Monday, January 8, 2024 – 6:00PM

Hybrid Meeting:

Damariscotta Town Office, 21 School Street

Zoom Meeting: <https://us02web.zoom.us/j/88985249796>

Meeting ID: 889 8524 9796 Passcode: DamaPB

1. Pledge of Allegiance
2. Call to Order
4. Old Business:
  - a. Site Plan Application: 599 Main St (GSB School)  
Public Hearing
  - b. Site Plan Application: 100 Main St (Bangor Savings Bank)  
Public Hearing
5. New Business:  
*none*
6. Other Business:
  - a. LD 2003 Land Use Ordinance Amendments, Discussion
  - b. Shoreland Zoning density in the C-1 District, Discussion
  - c. Planner's Report & Housekeeping
7. Adjournment

**NOTICE OF PUBLIC HEARING  
TOWN OF DAMARISCOTTA PLANNING BOARD**

The Damariscotta Planning Board will hold a Public Hearing on **Monday, February 5, 2024 at 6:00pm** at the Town Office located at **21 School St, Damariscotta** to take comment on an application for Site Plan Approval. The application has been submitted by **Bangor Savings Bank** to reconstruct the parking lot at the rear of **100 Main St, Damariscotta (Map 006, Lots 28, 30, and 31)**. The Planning Board may approve, approve with conditions, or deny the application at this meeting.

For further information about this application or other matters of the Planning Board, contact Michael Martone, Town Planner at [Planner@DamariscottaME.com](mailto:Planner@DamariscottaME.com) or at (207) 563-5168.

**Date:** January 3, 2024  
**To:** Damariscotta Planning Board  
**From:** Michael Martone, Town Planner  
**Re:** Applicability of the Site Plan Review Ordinance to Parking Lot Reconfiguration.

Presented with the question of whether reconfiguring an existing parking lot would require Planning Board review, I found that the Town's ordinances were not completely clear. While each application should be reviewed on its own merits, constructing, expanding, or altering parking lots is not an uncommon project. The following is provided for the Board's consideration as the interpretation of the Town's land use ordinances in matters similar to this usually falls under their purview.

Given an application to reconfigure a legally existing parking lot on a property with a legally existing non-residential building which is not being altered, what is the appropriate reviewing body and what ordinances apply?

### **Accessory Parking as a Conditional Use**

Parking would seem to clearly fit the definition of an 'Accessory Use or Structure', which is defined in the Land Use Ordinance as "A use or structure of a nature incidental and subordinate to those of the principal use or structure."

Additionally, per note 2 in the Land Use Table of the Land Use Ordinance, "Accessory buildings and uses to permitted uses are permitted; accessory buildings and uses to conditional uses are conditional." Therefore, parking that is accessory to a conditional use would be a conditional use itself.

'Conditional Use' is defined as "A conditional use of land or buildings is a use that would not be appropriate in the land use district for which it is proposed, except with certain restrictions and controls, it will meet the intentions and purposes of this Ordinance. Except for Home Occupations, conditional uses are permitted only after review and approval by the Planning Board for conformance with the Site Review Ordinance." This definition clearly requires proposed conditional uses to be reviewed by the Planning Board and for them to be reviewed for conformance with the Site Plan Review Ordinance. However, this does not address alterations to an existing use or structure.

### **Construction vs. Reconstruction vs. Repair**

Paragraph F.1. of *§101.8 Administration* states that "This Ordinance does not require permits for maintenance and repair, or for accessory structure(s) or addition(s) of less than 100 square feet." This clearly exempts maintaining and repairing of property from review by either the Planning Board or the Code Enforcement Officer.

Paragraph F.2. of *§101.8 Administration* states that "The owner of the property shall obtain a permit issued by the Code Enforcement Officer for all structure(s) constructed, reconstructed, enlarged, relocated in or moved to the Town of Damariscotta, prior to the fact." This would seem to require all new development—or the creation of new structures—to obtain a building permit, but seems to also require *reconstruction* of structures to obtain a building permit as well.

The two references above draw a clear distinction between ‘maintenance and/or repairs’–which are exempt from the Land Use Ordinance–and ‘reconstruction’, which seems to be handled similarly to “construction” or new development.

### **Permit Required**

As determined above, a building permit is required for the reconstruction of any structure. However, in order to obtain a building permit for a conditional use, the Planning Board must approve the application because the definition of Conditional Use states “conditional uses are permitted only after review and approval by the Planning Board for conformance with the Site Review Ordinance”. Therefore, a permit is required, but may only be issued upon the approval of the conditional use application by the Planning Board.

### **Is a Parking Lot a ‘Structure’?**

‘Structure’ is defined as “Anything constructed or erected, except a boundary wall or fence, the use of which requires location on the ground or attachment to something on the ground.” This definition seems to be particularly broad to a point where it can almost include any object. However, a structure must be constructed or erected, and so would only seem to include objects that are intentional or not naturally occurring. A pile of rocks would not fit this, but rocks configured into a rockwall would–if it were not specifically exempt in the definition. This would also seem to include any type of paving that is not naturally occurring (whatever that might be), especially if such paving is laid out and organized into a facility for driving or parking. A dirt parking area might not fit the definition of a structure, and a gravel road or lot would seem to blur the line that separates ‘structure’ from ‘non-structure’.

### **Conclusion**

Ultimately, my recommendation to the Board is to find that reconstructing a parking lot which is accessory to a conditional use does require a building permit under the Land Use Ordinance and that said building permit will require approval of the application by the Planning Board.

## **Findings of Fact and Conclusions of Law for:**

Land Use Approval,  
Site Plan Review Approval, and  
**GSB School Front Parking Lot Expansion  
599 Main Street (Map 003, Lot 014)**

### **General Project Description**

The development proposed under the submitted application includes the reconstruction and reconfiguration of the existing parking lot at the front of the Great Salt Bay School property, between the school building and Main Street. The proposed reconfiguration is intended to allow more vehicles to queue on the site, rather than onto and along Main Street.

### **Application Review**

The Planning Board has considered the application, the staff reports, and all written and oral public comments on the Project which were submitted up to and at the time of the meeting for the application.

A Pre-Application Meeting was held on Jan. 8, 2024 where the Planning Board considered the applicability of the Site Plan Review Ordinance and initial proposed plans submitted by the applicant.

Notice of the February 5, 2024 Public Hearing regarding this application appeared in the Lincoln County News on January 18, 2024 and January 25, 2024, were mailed to the owners of the 11 properties abutting the subject property on January 19, 2024, and was posted at the Town Office.

## **FINDINGS OF FACT**

The Town of Damariscotta Planning Board issues the following Findings of Fact and Conclusions of Law at its duly-noticed meeting of Monday, February 5, 2024.

### **PROJECT OVERVIEW**

#### **Applicant**

Great Salt Bay School  
599 Main Street, Damariscotta, ME 04543

#### **Property Owner**

Great Salt Bay School  
599 Main Street, Damariscotta, ME 04543

#### **Agent for Application**

Mark Hagar  
Great Salt Bay School

### **Project Location**

Tax Map 003, Lot 14 (599 Main Street, Damariscotta)

*Note: The current tax maps for the town show Lot 12 has been combined with Lot 14, and the entire area is referred to as Lot 14.*

The proposed development is located at the front of the site, between the school building and Main Street.

### **Proposed Development**

The submitted application proposes to reconfigure and reconstruct the existing parking area to accommodate longer queuing of vehicles, and safer, more efficient movement of buses and students.

### **Applicable Zoning District**

According to the Zoning Map for the Town of Damariscotta and Appendix A of *Chapter 101, Land Use Ordinance*, the entirety of Tax Map 003, Lot 14 (599 Main St) falls within the Town's 'Other Commercial' (C-2) land use zoning district..

### **Applicability of Site Plan Review Ordinance**

See memo re: *Applicability of SPR to Parking Lot Recon*

The application is subject to the following local ordinances:

**Chapter 101, Land Use Ordinance**

**Chapter 102, Site Plan Review Ordinance**

## Ch. 101, LAND USE ORDINANCE

Per *§101.1 Authority*, the Land Use Ordinance is enacted pursuant to MRSA T30-A §4352.

Per *§101.3 Applicability*, the Town's Land Use Ordinance applies to all of the land area within Damariscotta.

### ***§101.5 Land Use Districts***

Per the table under *§101.5 D.1. Schedule of Land Uses*, 'Academic institutions' is listed under the 'Institutional' section as an allowed **Conditional Use** in the **Other Commercial (C-2)** land use zoning district.

*Note: The complete text for which schools and academic institutions falls under in the Land Use Table is as follows: "Academic institutions, including buildings or structures for classroom, administrative, laboratory, art, theater, dining services, library, bookstores, athletic facilities and student recreational uses, together with buildings accessory to the foregoing permitted principal buildings or structures"*

Per *§101.5.D.2. Dimensional Standards*, a sewered lot, in the C-2 Land Use Zoning district, requires a minimum of 10,000 sq. ft. (0.23 acres) of land area per principal building.

The area of Map 003, Lot 014 is approximately 21.38 acres or 931,312 sq. ft. in area.

The setback requirements are not applicable as no buildings are proposed to be built under this application.

*Note: ('Setback' is defined in the Land Use Ordinance as "The minimum horizontal distance from a lot line to the nearest part of a building.")*

The minimum required street frontage for sewerred parcels in the C-2 Land Use district is 100 feet.

The street frontage of Map 003, Lot 014 is approximately 270 ft. in length.

According to note 15 in **Section D.1: Schedule of Land Uses**, within the C-1 Land Use district, parking standards of the Site Plan Review Ordinance as amended for this district shall apply.

### **§101.6 General Provisions**

Per **§101.6.C. Parking Standards:**

*(See also, Site Plan Review Ordinance standards addressed below.)*

Each space shall be a minimum of 9 feet wide by 20 feet long exclusive of drives, aisles, or entrances, fully accessible for the storage or parking of vehicles.

At a minimum, the following off-street parking requirements shall be provided and maintained unless it can be demonstrated fewer spaces will be adequate with requiring on-street parking.

Per **§101.6.0.: Conditional Use Standards**, conditional uses shall meet the requirements of the Site Review Ordinance and Shoreland Ordinance, in addition to any specific requirement of this ordinance.

### **§101.9 Appeals And Conditional Uses**

The conditions for approval of conditional uses (or expansion thereof), as defined by **§101.9 C.2.**, are:

The (proposed or expanded) use meets the requirements set forth in Articles 1 - 8 of the Land Use Ordinance and in the Site Review Ordinance.

The (proposed or expanded) use will not have an adverse effect on the health, safety, or general welfare of residents or the general public.

## **Ch. 102, SITE PLAN REVIEW ORDINANCE**

Per **§102.1 Authority**, the Site Plan Review Ordinance is enacted pursuant to the authority given to the Town in *MRSA Title 30-A, Section 3001*.

Per **§102.2 Purpose**, the Site Plan Review Ordinance is intended to protect the public health and safety, promote the general welfare of the community, conserve the environment, and to fit the project harmoniously into the fabric of the community.

Replacing structures, significant changes to design or landscape plans are not exempt from this Ordinance.

Per *§102.3 Applicability*, the standards set forth under the Site Plan Review Ordinance are applicable to this project. See memo re: *Applicability of SPR to Parking Lot Recon*

**§102.6 Performance Standards**

**A. Preserve and Enhance the Landscape**

The proposed development is located within the footprint of the existing paved parking lot and is not proposed to alter the existing green space adjacent to Main Street. The proposed project will not expand the total impervious coverage.

**B. Relationship to Environment and Neighboring Buildings**

A 50-foot setback from the property line along Main Street is required for parking areas within the C-2 district.

The existing and proposed parking lot area is set back approximately 100 feet from Main Street.

A 30-foot buffer strip from rear and side lot lines is required on parcels over three acres in area.

No changes to the paved area along either side lot line is being proposed.

**C. Air Quality**

The proposed development under this application will only reconfigure the existing parking and circulation, which is not expected to have any significant impact on air quality.

**D. Lighting and Glare**

No changes to the existing lighting is proposed under this application.

**E. Noise**

The proposed development under this application will only reconfigure the existing parking and circulation, which is not expected to have any significant impact on noise on- or off-site.

**F. Adequacy of Public Road System**

No expansion of the existing school use is proposed under the application. The provision of additional space for vehicles to queue on-site is expected to reduce conflicts and congestion on the adjacent section of Main Street.

**G. Access into the Site**

The existing access to the site is not proposed to physically change under this application. The proposed reconfigured circulation on-site is intended to reduce queuing in the street and actually improve site access.



## H. Parking and Circulation

### 1. Parking and Streetscape

The proposed reconfiguration of the parking lot is intended to improve the circulation of vehicles—both cars and school buses— as well as minimize interactions and conflicts between people walking (specifically the student population) and people driving.

### 3. Off-street Surface Parking Lot Placement

The existing location of the parking lot between the front facade of the school and the primary abutting street (Main Street) is an existing non-conforming condition and may therefore continue.

### 4. Vehicular And Pedestrian Circulation

The proposed design identifies parking arrangements, separated vehicle and pedestrian flow, and designated loading areas which are intended to facilitate safe and efficient movement on the site.

### 5. Entrances and Exits

The design of the parking lot directs people driving to leave the site in a forward motion. The existing two curb cuts are permitted to remain.

### 6. Parking Lot Lay-out

The parking lot is made up of two sections of 90° head-in parking containing 20 and 18 spaces each (including 4 accessible spaces) with the standard spaces each being 9' wide by 18' deep with 24' wide aisles.

No landscaped islands are currently proposed adjacent to the parking aisles.

### 7. Required Parking Spaces

The parking spaces included under this application are intended for visitor parking and will function in conjunction with the existing spaces provided at the rear of the school to accommodate the School's parking needs.

The proposed parking stalls will not be directly accessible from major interior travel lanes or from any public way.

## I. Pedestrian Circulation

The proposed reconfiguration provides for a pedestrian way connecting the sidewalk along Main Street with the existing sidewalks at the front of the school building. In addition, crosswalks are proposed to provide access across the proposed carpool lane to the proposed loading island and parking area.

## J. Existing Public Utilities and Services

No expansion of the School use is proposed, therefore no impact to the GSBSD water or sewer network is expected under this application.

Need information on the existing and any proposed stormwater management.

**K. Water Quality**

No known aquifers are in the vicinity of the proposed project. The proposed impervious surface is located within the area of existing paved parking lot and should therefore not unduly affect the quality or quantity of the ground water.

**L. Stormwater Management**

The development proposed by this application does not require review under Maine's Site Location of Development Act (SALA) as it does not meet the definition of a '*Development of state or regional significance that may substantially affect the environment*' as defined under *M.R.S. Title 38, §482, Definitions*. Further, the proposed development does not require a DEP permit under Maine's Stormwater Law, per *DEP Chapter 500, Paragraph 2, Applicability*, as that chapter only applies to a project that disturbs one acre or more of land area. The area addressed by this application is currently paved and is not proposed to be expanded..

**M. Erosion and Sediment Control**

Need contact name and number for erosion control plan

Need a map showing temporary erosion control measures.

**N. Water Supply**

No changes that would impact the water usage are proposed under this application.

**O. Natural Beauty**

Due to the already developed nature of the project area and the limited scope of the reconfiguration, the proposed project is not expected to have any undue adverse effect on the scenic or natural beauty of the area.

**P. Historic and Archaeological Resources**

No portion of the site has been identified as containing any historic or archaeological resources.

**Q. Filling and Excavation**

No fill is proposed to be brought onto or off of the site and no regrading is proposed under this application.

**R. Sewage Disposal**

No changes that would impact the sewer usage are proposed under this application.

**S. Phosphorus Control**

The location of the parcel addressed by this application falls within the Damariscotta River Watershed and not within the watershed of any Great Pond. Therefore the provisions laid out under **§102.6(S) Phosphorus Control** are not applicable to the development proposed under this application.

**T. Buffer Areas**

The school or academic use existing on the site is neither industrial or commercial and is therefore not subject to the requirements of *Section T. Buffer Areas*.

**U. Signs**

*Permits for signs are reviewed and issued by the Code Enforcement Officer.*

**V. Building Appearance**

No changes to the existing building on the site is proposed under this application.

**§102.7 LARGE-SCALE DEVELOPMENT**

*The standards of this section only apply to buildings and only to buildings over 7,500 sf. The development under this application does not include any buildings.*

**CONCLUSIONS OF LAW**

**Ch. 101, Land Use Ordinance**

The proposed project meets the requirements set forth in the Land Use Ordinance for 'Financial institutions including banks', including the Dimensional Standards, the General Provisions—which include Parking Standards and Conditional Use Standards—and the requirements set forth for Conditional Uses under §101.9.

**Ch. 102, Site Plan Review Ordinance**

The proposed project meets the requirements of the Site Plan Review Ordinance, including all Performance Standards set forth under §102.6, as detailed above.

**DECISION:**

Based on its review of the entire record herein, including the January 29, 2024 Planning Board staff report; all supporting, referenced, and incorporated documents; and all comments received through February 5, 2024; the Land Use, Site Plan Review, and Shoreland Zoning application for the proposed Bangor Savings Bank rear parking expansion project at 100 Main Street (Map 006, Lots 28, 30, and 31), as represented by Jeffrey Read, P.E. of Sevee & Maher Engineers, Inc; is hereby **Approved With Conditions** following a vote of the Damariscotta Planning Board as detailed below.

On the vote to **Approve With Conditions**, the Land Use, Site Plan Review, and Shoreland Zoning application for the proposed Bangor Savings Bank rear parking expansion project at 100 Main Street (Map 006, Lots 28, 30, and 31), held on February 5, 2024, the Damariscotta Planning Board voted as follows:

Motion:	...	
Moved by:	...	
Second:	...	
Vote:	Yae:	0
	Nae:	0
	Abstain:	0
Result:	...	

## Conditions of Approval

All conditions of approval must be satisfied before a building permit can be issued, unless specifically stated otherwise.

Prior to the issuance of a building permit, or release of the recording subdivision plat (if applicable), the applicant shall pay all outstanding review escrow account fees.

Prior to issuance of a building permit, the applicant shall submit two hard-copy plans at 24" x 36" size to the Town Planner with all conditions and waivers listed on the plans.

## Additional Terms And Limitations

All approvals are dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed to by the applicant. Any variation from the plans, proposals and supporting documents are subject to the review and approval of the Planning Board prior to implementation.

This Planning Board approval is valid for 12 months from the date of approval by the Planning Board and shall expire if work has not substantially commenced within that time period.

The applicant may only secure a Building Permit from the Code Enforcement Officer in coordination with the Town Planner, Fire Department, and all relevant review authorities, prior to commencing any construction activities.

Construction shall be considered to be substantially commenced when any work beyond the state of excavation, including but not limited to, the pouring of a slab or footings, the installation of piles, the construction of columns, or the placement of a manufactured home on a foundation has begun.

Construction shall be considered to be substantially completed when it has been completed to the point where normal functioning, use, or occupancy can occur without concern for the general health, safety, and welfare of the occupant and the

general public. At a minimum it shall include the completion of no less than seventy (70) percent of the costs of the proposed improvements within a development and shall include permanent stabilization and/or revegetation of areas of the site that were disturbed during construction.

\_\_\_\_\_  
Jonathan Eaton, Chair      Date

\_\_\_\_\_  
Wilder Hunt      Date

\_\_\_\_\_  
Neil Genthner      Date

\_\_\_\_\_  
Jenny Begin      Date

\_\_\_\_\_  
Ann Jackson      Date

DRAFT

Town of Damariscotta  
Site Plan Review Ordinance  
**CHECK LIST**

**For a Complete Application**

(other than for Wireless Telecommunication Facilities)

Applicant Name: Great Salt Bay School  
Address: 559 Main Street Damariscotta  
Map/Lot: 3 / 12 / 14

INITIAL STEP FOR ALL SITE PLAN APPLICATIONS

N/A Building Permit Application – Building plans showing, at a minimum, floor plans and all elevations clearly indicating the type, color and texture of all exterior surfacing materials of all proposed principal buildings and structures and all accessory buildings and structures.

\_\_\_ Payment of Site Plan Review Ordinance application fee.

N/A 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 requirement.

ALL SITE PLAN APPLICATIONS

\_\_\_ E.1 Fully executed and signed copy of the application for site plan review.

✓ E.2 Evidence of right, title or interest in the property such as a deed, option to purchase, lease or agreement.

✓ E.3 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?)

\_\_\_ a. Names and addresses of all abutters on the plan and names and addresses of all abutters on a separate listing.

✓ b. Sketch map showing general location of the site within Town (aka Location Map).

✓ c. 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.

✓ d. 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.)

\_\_\_ e. Classification(s) of the property and the location of zoning district boundaries as applicable.

- N/A f. Soil types and location of soil boundaries suitable for waste water disposal as certified by a registered engineer or soil scientist. [HHE 200 FORMS or equivalent] {Sect. 11.R}.
- ✓ g. The location of all building setbacks required by this or other Town ordinances.(applicable Resource Protection, Shoreland, wetland unbuildable land and floodplain lines).
- ✓ h. The location, size and character of all signs and exterior lighting of signs {see SIGN Ord}. *No change in lighting*
- ✓ i. The location of all existing and proposed buildings (including size and height), driveways, sidewalks, parking spaces, loading areas, open spaces, large trees, open drainage courses, signs, exterior lighting, service areas, easements and landscaping and wetlands and streams as identified by a wetlands scientist.
- ✓ j. 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'.) *No change to entrance*
- ✓ k. 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}.
- ✓ E.4 Stormwater management plan in conformance with the provisions of Section 11.L *same*
- ✓ E.5 Erosion and sediment control plan in conformance with the provisions of Section 11.M *same*
- N/A E.6 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 or Section 12.A for building or buildings totaling 7,500 square feet or more gross floor area, as applicable.
- N/A E.7 Copies of any proposed or existing easements, covenants, deed restrictions, etc.
- E.8 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*). ~
- N/A E.9 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).
- ✓ E.10 Demonstration applicant has the ability to pay and the technical expertise to construct the proposed project in accordance with this ordinance and the approved plan through letters from lending institutions and documentation of past projects or similar testimony.
- ✓ E.11 Location of any floodplains on the project parcel.

- ✓ E.12 Soils test pit log {HHE 200 Forms or equivalent} 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}. *No change*
- ✓ E.13 A phosphorous impact report if the project is within the watershed of a great pond. {Sect.11.S} *No change then now*
- ✓ E.14 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}
- ✓ E.15 Plan for supplying water for fire protection {Sect. 11.N}. - *No change*
- ✓ E.16 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}. *No change*
- ✓ E.17 Demonstration that access to the site will be safe and will meet or exceed minimum required sight distance {Sect. 11.G}. *No change - will get traffic off the roadway.*
- ✓ E.18 Air Quality: Demonstration that the project will comply with applicable noise and air quality standards {Sect. 11.C, 11.E} *No change*

Mark Hagar - Great Salt Bay School -  
Applicant

12/23/2023  
Date

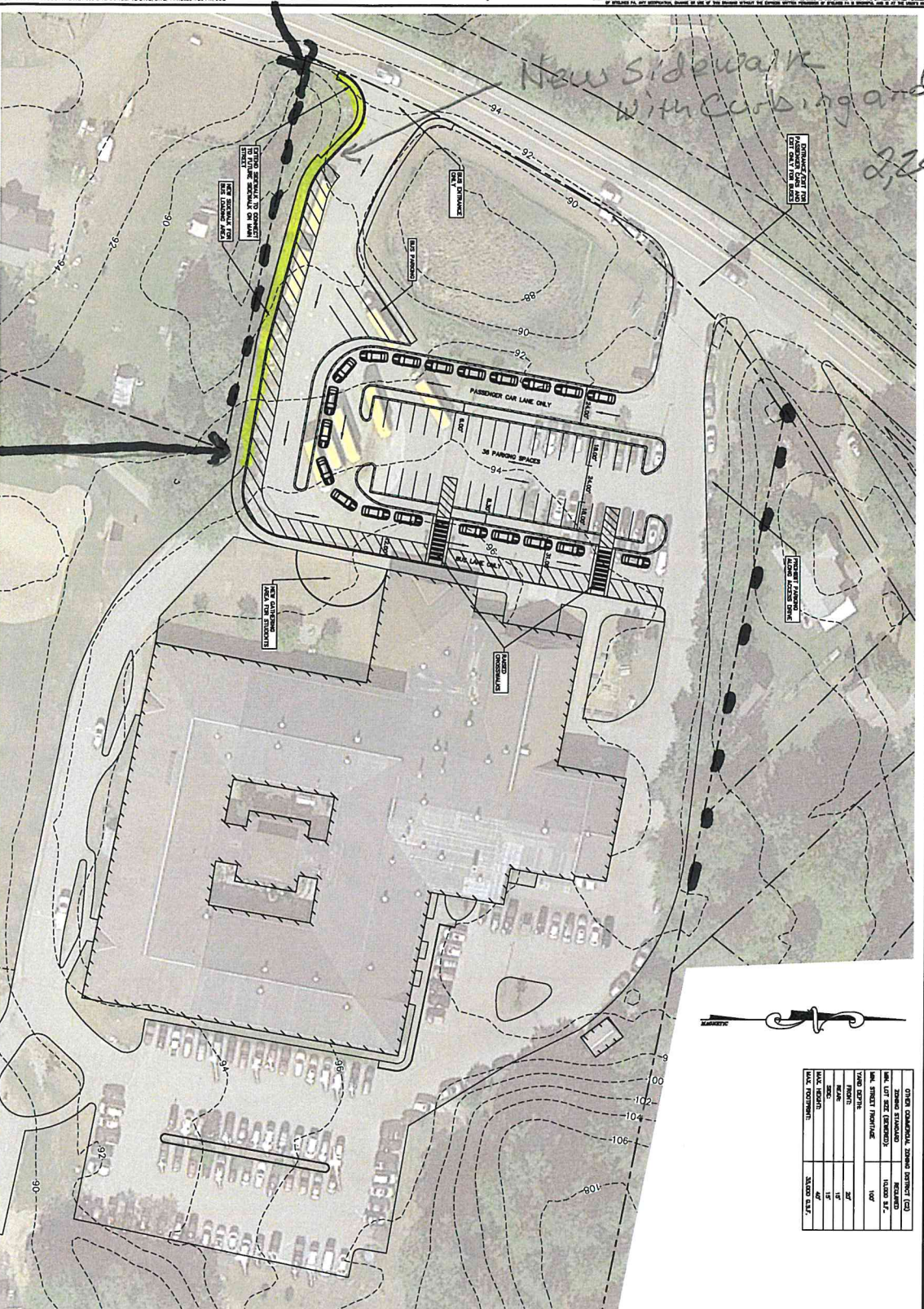


Approximately - 50' to Property Line

Approximately 15' to Property Line  
 New Paving Surface added -  
 New Sidewalk

New Sidewalk  
 With Curbing and Paved  
 2,200 SF  
 tot

No change  
 in distance  
 to Property  
 Line



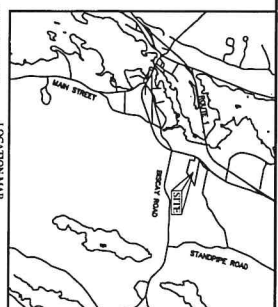
PROGRESS PRINT  
 THIS PLAN IS A PRELIMINARY CONCEPT AND IS NOT FOR CONSTRUCTION. IT IS SUBJECT TO CHANGE AND IS NOT FOR RECORD. IT IS THE RESPONSIBILITY OF THE CLIENT TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.

CALLING CARD  
 1-888-344-7233  
 UTILITY LOCATIONS  
 AT LEAST 2 FEET FROM THE CENTER OF THE UTILITY LINE  
 18 INCHES FROM THE SURFACE OF THE UTILITY LINE

GRAPHIC SCALE  
 1" = 20' (AS SHOWN)  
 ISSUED FOR:  
 CONCEPT REVIEW

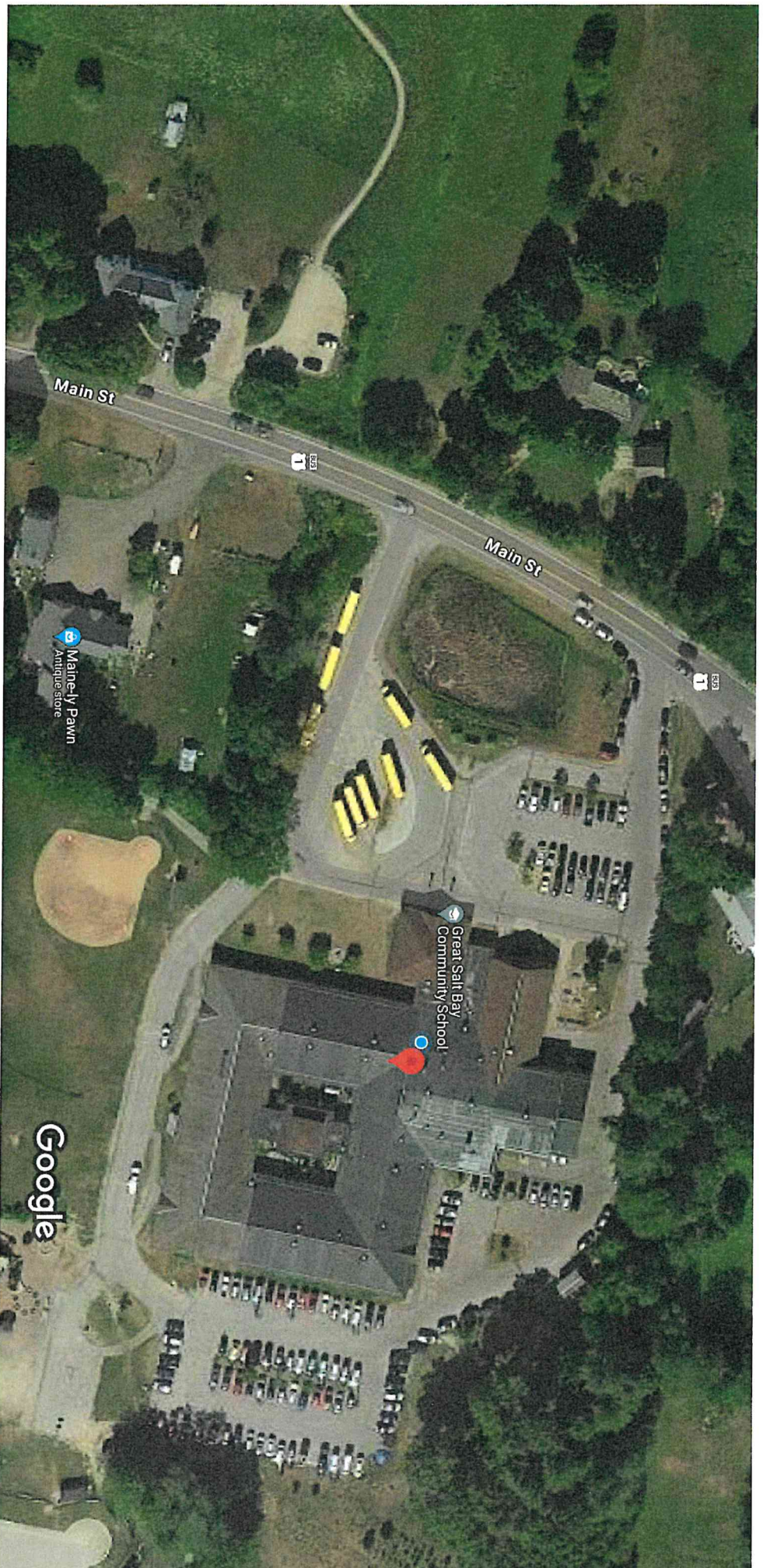


OTHER COMMERCIAL ZONING DISTRICT (CD)	REQUIREMENTS
MIN. LOT SIZE (SQUARE FEET)	10,000 S.F.
MIN. STREET FRONTAGE	100'
MIN. SETBACK	10'
MIN. HEIGHT	12'
MIN. AREA	10,000 S.F.
MIN. COVERAGE	40%
MIN. PAVEMENT	3,000 S.F.

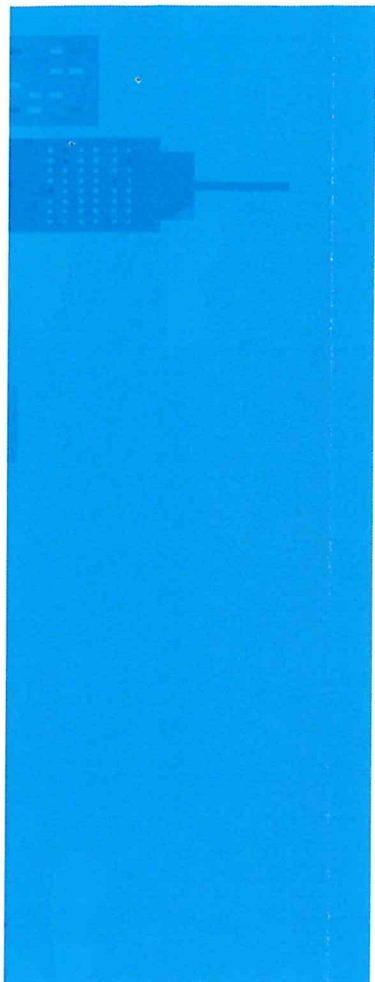


- GENERAL NOTES:  
 1. SEE ATTACHED DIMENSIONS SHEET.  
 2. SEE EXHIBIT A.  
 3. SEE EXHIBIT B.  
 4. SEE EXHIBIT C.  
 5. SEE EXHIBIT D.  
 6. SEE EXHIBIT E.  
 7. SEE EXHIBIT F.  
 8. SEE EXHIBIT G.  
 9. SEE EXHIBIT H.  
 10. SEE EXHIBIT I.  
 11. SEE EXHIBIT J.  
 12. SEE EXHIBIT K.  
 13. SEE EXHIBIT L.  
 14. SEE EXHIBIT M.  
 15. SEE EXHIBIT N.  
 16. SEE EXHIBIT O.  
 17. SEE EXHIBIT P.  
 18. SEE EXHIBIT Q.  
 19. SEE EXHIBIT R.  
 20. SEE EXHIBIT S.  
 21. SEE EXHIBIT T.  
 22. SEE EXHIBIT U.  
 23. SEE EXHIBIT V.  
 24. SEE EXHIBIT W.  
 25. SEE EXHIBIT X.  
 26. SEE EXHIBIT Y.  
 27. SEE EXHIBIT Z.

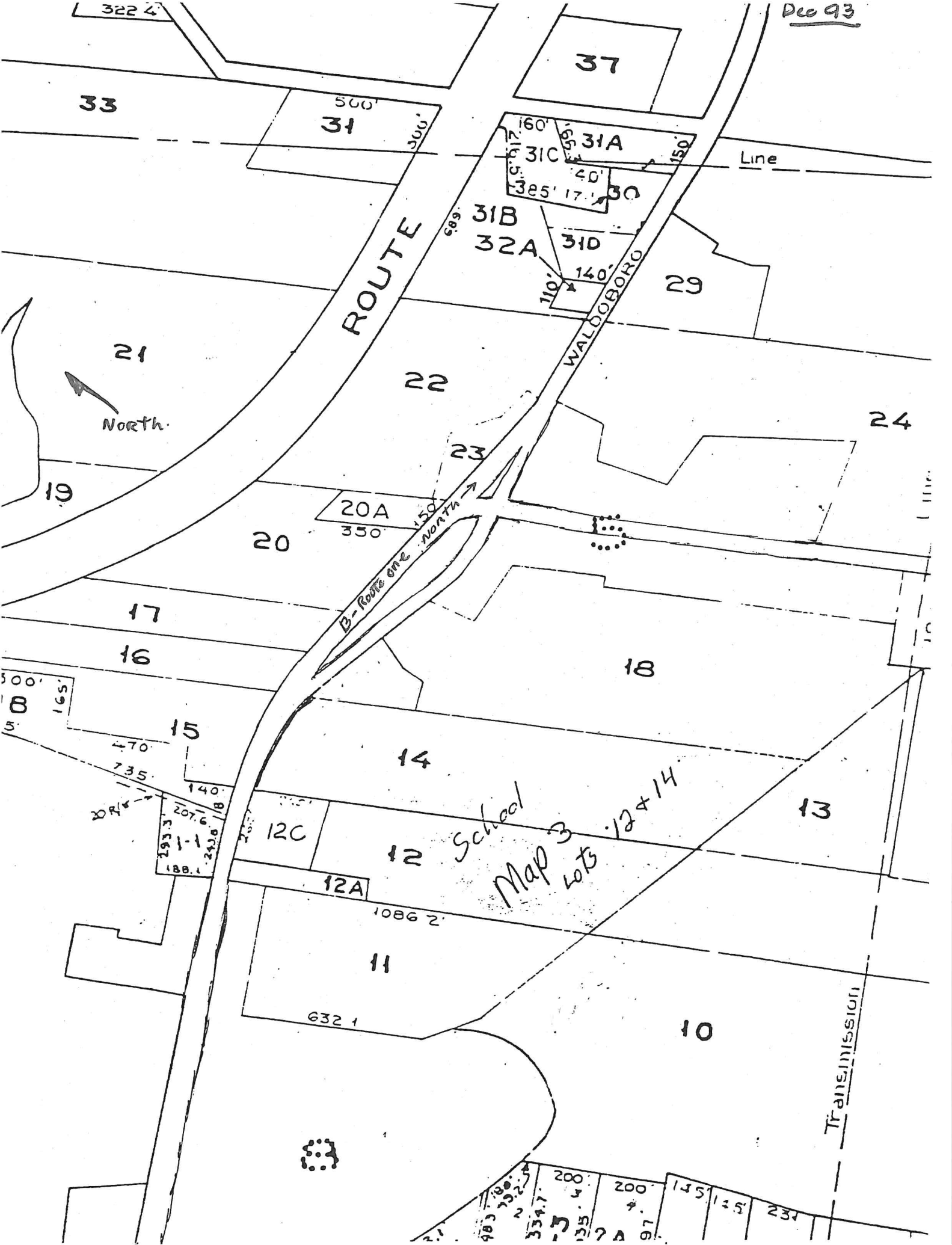
PROJECT: CONCEPT PLAN - B  
 559 MAIN STREET, DAMASCUS, ME 04843  
 559 MAIN STREET, DAMASCUS, ME 04843  
 CIVIL ENGINEERS & PLANNERS & LAND SURVEYORS  
 115 BRIMMINGTON ROAD, SUITE 101  
 DAMASCUS, MAINE 04841  
 SCALE: 1" = 40'  
 SHEET: 1  
 DATE: 11/07/23

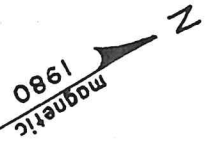


Imagery ©2023 Airbus, CNES / Airbus, Maine Geolibrary, Maxar Technologies, USDA/FPAC/GEQ, Map data ©2023 50 ft









to Damariscotta Business Rt. 1 to Waldoboro

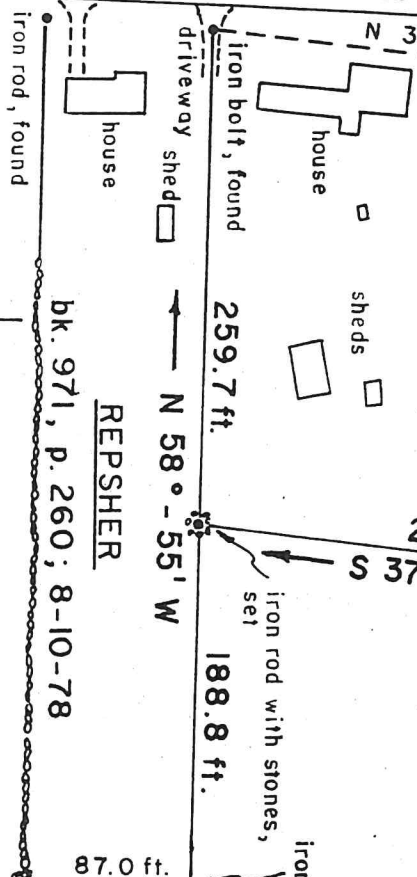
GREAT SALT BAY  
COMMUNITY SCHOOL DISTRICT  
bk. 956, p. 83; 5-17-78

S 60°-22' E 260.5 ft. iron pipe, found  
S 60°-16' E 1267.0 ft. (tie line) to property corner

**Proposed Conveyance**  
1.5 acres ±  
well  
(portion of) bk. 1056, p. 38; 1-2-81

remaining land of  
Great Salt Bay Community  
School District # 914  
8.5 acres ±  
remainder of bk. 1056, p. 38; 1-2-81

Driveway easement  
(see bk. 971, p. 260)



ALNA  
LODGE  
NO. 4

TOWN OF DAMARISCOTTA  
bk. 935, p. 1; 9-29-77

REPSHER

bk. 971, p. 260; 8-10-78

(see L.C.R.D. plan bk. 29, p. 78)

(tie line) 775.3 ft.  
iron rod, found  
N 59°-49' W

Revised 5-8-81; area change of pro. conv. 5-8-81

Plan of Proposed Conveyance  
surveyed for

Great Salt Bay Community  
School District # 914

Damariscotta, Maine.  
March 20, 1981

drawn by: [Signature] checked by: L.L.B. file no. 486



02274

I, EDWARD W. FREEMAN,  
of Damariscotta,  
~~(being unmarried)~~, for consideration paid,  
grant to  
LIncoln County, State of Maine,  
GREAT SALT BAY COMMUNITY SCHOOL DISTRICT, having a principal office  
in Damariscotta,  
with Warranty Covenants  
the land in Damariscotta,  
LIncoln County, State of Maine. bounded  
and described as follows:

BEGINNING at the eastern side of U.S. Highway #1, Business, at the  
northeast corner of land now or formerly of Mrs. Benj. F. McDonald,  
formerly of Mrs. Samuel F. Chaplin;  
THENCE easterly by said McDonald land to the road leading from  
the Damariscotta Driving Park to the dwelling house now or formerly  
of Roscoe H. Knowlton;  
THENCE northerly by said last named road to land now or formerly  
of George Hammond;  
THENCE westerly by said Hammond land and land formerly of  
Creighton Hitchcock to the said U.S. Highway #1, Business;  
THENCE by said highway to the point of beginning.

Containing approximately sixteen (16) acres.

BEING a portion of the premises described in deed of Round Top  
Farms Company to Edward W. Freeman, recorded in Lincoln County  
Registry of Deeds in Book 370, Page 538.

DOROTHY P. FREEMAN,  
joins as grantor and releases all rights by descent and all other rights. wife of said grantor,

Witness OUR hands and seals this 17th day of May 1978

*[Signature]* *[Signature]*  
*[Signature]* *[Signature]*

The State of Maine Lincoln ss. May 17 1978

Then personally appeared the above named Edward W. Freeman

and acknowledged the foregoing instrument to be his free act and deed,

LINCOLN, SS. Before me, *[Signature]*  
RECEIVED MAY 18 1978 1 H. 28 M. P. Justice of the Peace - Attorney at Law - Notary Public

FILED RECORDED FROM THE ORIGINAL

15





## **Findings of Fact and Conclusions of Law for:**

Land Use Approval,  
Site Plan Review Approval, and  
Shoreland Zoning Approval

### **Bangor Savings Rear Lot Parking Expansion 100 Main Street (Map 006, Lots 28, 30, and 31)**

#### **General Project Description**

The development proposed under the submitted application includes the reconstruction and reconfiguration of the existing parking lot at the rear (Lots 28 and 30) of the Bangor Savings Bank property, including the former location of the Damariscotta Savings and Loan office building. The proposed reconfiguration is intended to accommodate the bank's customers and employees. The proposed project will also include raising the grade of the site to minimize flooding and adding rip-rap to stabilize the bank of the Damariscotta River. Additional site improvements will include underground utilities, lighting, signage, and landscaping as well as the adjustment of propertyline internal to the property.

#### **Application Review**

The Planning Board has considered the application, the staff reports, and all written and oral public comments on the Project which were submitted up to and at the time of the meeting for the application.

A Pre-Application Meeting was held on Jan. 8, 2024 where the Planning Board considered the applicability of the Site Plan Review Ordinance and initial proposed plans submitted by the applicant.

Notice of the February 5, 2024 Public Hearing regarding this application appeared in the Lincoln County News on January 18, 2024 and January 25, 2024, were mailed to the eight property owners abutting the subject property on January 19, 2024, and were posted at the Town Office.

## **FINDINGS OF FACT**

The Town of Damariscotta Planning Board issues the following Findings of Fact and Conclusions of Law at its duly-noticed meeting of Monday, February 5, 2024.

### **PROJECT OVERVIEW**

#### **Applicant**

Bangor Savings Bank, c/o Jason Donovan  
11 Hamlin Way, Bangor, ME 04401

#### **Property Owner**

Bangor Savings Bank, c/o Jason Donovan  
11 Hamlin Way, Bangor, ME 04401

#### **Agent for Application**

Sevee & Maher Engineers, INC - Jeffrey Read, P.E.  
P.O. Box 85A, Cumberland, ME 04021

### **Project Location**

Tax Map 006, Lots 28, 30, and 31 (100 Main Street, Damariscotta)

The proposed development is located at the rear of the site (Lots 28 and 30), behind the existing Bangor Savings Bank building (on Lot 31) and across the privately owned Courtyard Street.

### **Proposed Development**

The submitted application proposes to reconfigure and expand the existing parking area into a 25-space parking lot at the rear of the Bangor Savings Bank property..

### **Applicable Zoning District**

According to the Zoning Map for the Town of Damariscotta and Appendix A of *Chapter 101, Land Use Ordinance*, the entirety of Tax Map 006, Lots 28, 30, and 31 (100 Main St) falls within the Town's 'Downtown' (C-1) land use zoning district.

### **Applicability of Shoreland Zoning**

According to the Shoreland Zoning Map for the Town of Damariscotta the entirety of Tax Map 006, Lots 28 and 31, and part of Lot 30, fall within the 'Commercial' (C) shoreland zoning district.

### **Applicability of Site Plan Review Ordinance**

See memo re: *Applicability of SPR to Parking Lot Recon*

The application is subject to the following local ordinances:

**Chapter 101, Land Use Ordinance**

**Chapter 102, Site Plan Review Ordinance**

**Chapter 105, Shoreland Zoning Ordinance**

**Floodplain Management Ordinance**

## **Ch. 101, LAND USE ORDINANCE**

Per *§101.1 Authority*, the Land Use Ordinance is enacted pursuant to MRSA T30-A §4352.

Per *§101.3 Applicability*, the Town's Land Use Ordinance applies to all of the land area within Damariscotta.

### ***§101.5 Land Use Districts***

Per the table under *§101.5 D.1. Schedule of Land Uses*, 'Financial institutions including banks' is listed under the 'Commercial-Service' section as an allowed Conditional Use in the Downtown (C-1) Land Use Zoning district.

Per *§101.5.D.2. Dimensional Standards*, a sewered lot, in the C-1 Land Use Zoning district, requires a minimum of 10,000 sq. ft. or 0.23 acres of land area per principal building.

The combined area of the three lots that make up the site that is addressed by this application is approximately 1.36 acres or 59,241 sq. ft. in area.

The setback requirements are not applicable as no buildings are proposed to be built.

*Note: ('Setback' is defined in the Land Use Ordinance as "The minimum horizontal distance from a lot line to the nearest part of a building.")*

There is no required minimum street frontage for sewerred parcels in the C-1 Land Use district.

According to note 15 in **Section D.1: Schedule of Land Uses**, within the C-1 Land Use district, parking standards of the Site Plan Review Ordinance as amended for this district shall apply.

### **§101.6 General Provisions**

Per **§101.6.C. Parking Standards:**

*(See also, Site Plan Review Ordinance standards addressed below.)*

Each space shall be a minimum of 9 feet wide by 20 feet long exclusive of drives, aisles, or entrances, fully accessible for the storage or parking of vehicles.

At a minimum, the following off-street parking requirements shall be provided and maintained unless it can be demonstrated fewer spaces will be adequate with requiring on-street parking.

Per **§101.6.I.**, Businesses and Service Establishments shall meet the requirements of the Site Review Ordinance.

Per **§101.6.O.: Conditional Use Standards**, conditional uses shall meet the requirements of the Site Review Ordinance and Shoreland Ordinance, in addition to any specific requirement of this ordinance.

### **§101.9 Appeals And Conditional Uses**

The conditions for approval of conditional uses (or expansion thereof), as defined by **§101.9 C.2.**, are:

The (proposed or expanded) use meets the requirements set forth in Articles 1 - 8 of the Land Use Ordinance and in the Site Review Ordinance.

The (proposed or expanded) use will not have an adverse effect on the health, safety, or general welfare of residents or the general public.

## **Ch. 102, SITE PLAN REVIEW ORDINANCE**

Per **§102.1 Authority**, the Site Plan Review Ordinance is enacted pursuant to the authority given to the Town in *MRSA Title 30-A, Section 3001*.

Per **§102.2 Purpose**, the Site Plan Review Ordinance is intended to protect the public health and safety, promote the general welfare of the community, conserve the environment, and to fit the project harmoniously into the fabric of the community.

To minimize impacts caused by nonresidential development.

Replacing structures, significant changes to design or landscape plans are not exempt from this Ordinance.

Per *§102.3 Applicability*, the standards set forth under the Site Plan Review Ordinance are applicable to this project. See memo re: *Applicability of SPR to Parking Lot Recon*

### **§102.6 Performance Standards**

#### **A. Preserve and Enhance the Landscape**

Almost the entirety of the project area is paved or impervious with little to no natural vegetation. The proposed project will reduce the total impervious coverage, especially at the shoreline.

The proposed grade changes will result in more regularly sloping site and improve stormwater drainage.

#### **B. Relationship to Environment and Neighboring Buildings**

No buildings are proposed under this application and Section B.2. does not apply within the Downtown (C-1) Land Use district.

The Planning Board finds that Courtyard Street is not a Road for the purposes of determining required setbacks. In addition, no side or rear setbacks are required for parking areas in the C-1 District.

#### **C. Air Quality**

The proposed development under this application will continue and expand existing employee and customer parking, which is not expected to have any significant impact on air quality.

#### **D. Lighting and Glare**

The proposed lights, Viper Area/Site type light by Beacon (TWIN VP-1-36L-85-3K7-4W), are to be mounted 16 feet above the ground and be a maximum of 8,085 lumens, with a light color of 3,000 Kelvins and zero up-light when mounted with zero degrees of tilt.

“shall not exceed one-tenth (0.1) foot-candles upon abutting residential properties” Proposed lighting level at property lines is 0.4 in some areas.

“Parking lots shall not exceed a maximum of 1.0 foot-candles throughout.” Proposed on-site maximum is 3.5 footcandles.

#### **E. Noise**

The proposed development under this application will continue and expand existing employee and customer parking, which is not expected to create any significant additional noise.

## F. Adequacy of Public Road System

While the proposed development under this application will expand existing employee and customer parking, no expansion of the existing use is proposed under the application. Therefore no significant additional vehicular traffic is expected.

## G. Access into the Site

The existing access to the site is not impacted by the development proposed under this application. Therefore, it is beyond the scope of this review.

## H. Parking and Circulation

### 1. Parking and Streetscape

Question for the Planning Board: Does the proposed parking area provide safe, convenient, and efficient access for vehicles and pedestrians?

### 3. Off-street Surface Parking Lot Placement

No standards for required setbacks for parking in the C-1 District are provided in the Land Use Ordinance. In addition, the location of the proposed parking lot falls within the location of the existing parking lot.

### 6. Parking Lot Lay-out

The parking lot is made up of a single blade of 90° head-in parking containing 25 spaces (including 2 accessible spaces) with the standard spaces each being 9' wide by 19' deep with 24' wide aisles.

The landscaped islands at the end of the rows of parking are proposed to be approximately 520 square feet in area.

Vegetated swales are provided along either edge of the parking lot and are expected to retain stormwater and reduce runoff off of the site.

### 7. Required Parking Spaces

Per §102.6H.7.i., banks require 4.0 parking spaces per 1,000 sf of floor area. Need to know the floor area of the building

## I. Pedestrian Circulation

A marked crosswalk is provided from the existing building on Lot 31, across Courtyard St, to the proposed reconstructed parking lot.

## J. Existing Public Utilities and Services

No expansion of the Bank use is proposed, therefore no impact to the GSBSD water or sewer network is expected under this application.

The existing and proposed on-site stormwater system does not appear to be connected with any municipal infrastructure.

#### K. Water Quality

The development proposed by this application is not expected to unduly affect the quality or quantity of groundwater in the area and will not degrade any known drinking water supply. The reduction in the amount of impervious surface proposed in the application should improve groundwater and reduce runoff issues.

#### L. Stormwater Management

The development proposed by this application does not require review under Maine's Site Location of Development Act (SALA) as it does not meet the definition of a '*Development of state or regional significance that may substantially affect the environment*' as defined under *M.R.S. Title 38, §482, Definitions*. Further, the proposed development does not require a DEP permit under Maine's Stormwater Law, per *DEP Chapter 500, Paragraph 2, Applicability*, as that chapter only applies to a project that disturbs one acre or more of land area. The total area disturbed under the submitted application is 26,022 sf.

#### M. Erosion and Sediment Control

Need contact name and number for erosion control plan

The applicant has provided a vicinity map showing the relation to the Damariscotta River, the proposed drainage patterns, defined limits of proposed work, and temporary erosion control measures.

#### N. Water Supply

No changes that would impact the water usage are proposed under this application.

#### O. Natural Beauty

Due to the already developed nature of the site, the removal of impervious surfaces and the addition of any vegetation will have the opposite of "an undue adverse effect".

#### P. Historic and Archaeological Resources

No portion of the site has been identified as containing any historic or archaeological resources.

*(See also, review under Historic Preservation Review Ordinance.)*

#### Q. Filling and Excavation

No fill is proposed to be brought onto or off of the site. The application proposes to regrade the site to reduce the existing slopes and create an overall more level site. As part of this regarding, the elevation of an area near the water is proposed to be raised, which is expected to alter the Flood Hazard area onsite and potentially reduce flooding on site.

**R. Sewage Disposal**

No changes that would impact the sewer usage are proposed under this application.

**S. Phosphorus Control**

The location of the parcel addressed by this application falls within the Damariscotta River Watershed and not within the watershed of any Great Pond. Therefore the provisions laid out under *§102.6(S) Phosphorus Control* are not applicable to the development proposed under this application.

**T. Buffer Areas**

The commercial use existing on the site is already established without a landscaped buffer.

Due to the mixed-use nature of the adjacent buildings (along Main St), is a buffer or fence required between this property and any adjacent ones?

**U. Signs**

*Permits for signs are reviewed and issued by the Code Enforcement Officer.*

**V. Building Appearance**

No changes to the existing building on the site is proposed under this application.

**§102.7 LARGE-SCALE DEVELOPMENT**

*The standards of this section only apply to buildings and only to buildings over 7,500 sf. The development under this application does not include any buildings.*

**Ch. 105, SHORELAND ZONING ORDINANCE**

Per *§105.2 Authority*, the Shoreland Zoning Ordinance is enacted in accordance with the provisions of Title 38 Sections 435-449 of the Maine Revised Statutes Annotated (M.R.S.A.).

Per *§105.3 Applicability*, the Shoreland Zoning Ordinance applies to all land areas within 250 feet, horizontal distance, of the upland edge of a freshwater wetland, which includes the entirety Tax Map 006, Lots 28, and 31 and a portion of Lot 30 as well as the entirety of the area potentially impacted by the project proposed under this application.

Per *§105.4 Definitions*, the following relevant terms are defined by the Shoreland Zoning Ordinance:

**Expansion of use:** the addition of one or more months to a use's operating season; or the use of more floor area or ground area devoted to a particular use.

**Non-conforming structure:** a structure which does not meet any one or more of the following dimensional requirements; setback, height, or lot coverage, but which is allowed solely because it was in lawful existence at the time this Ordinance or subsequent amendments took effect.

**Structure:** anything temporarily or permanently located, built, constructed or erected for the support, shelter or enclosure of persons, animals, goods or property of any kind, together with anything constructed or erected with a fixed location on or in the ground, exclusive of fences and poles, wiring and other aerial equipment normally associated with service drops as well as guying and guy anchors. The term includes structures temporarily or permanently located, such as decks, patios and satellite dishes.

### **§105.5 Shoreland Districts**

Per *§105.5.1* and the *Official Shoreland Zoning Map* Tax Map 006, Lots 28 and 31 and part of Lot 30 fall within the Commercial Shoreland Zoning District.

### **§105.6 Shoreland Uses and Standards**

Per *§105.6.I Land Use Requirements*, “no building, structure or land shall hereafter be used or occupied and no building or structure or part thereof shall hereafter be erected, constructed, expanded, moved or altered and no new lot shall be created except in conformity with all of the regulations herein specified for the district in which it is located...”

Per *§105.6 II: Table of Land Uses*, ‘Parking facilities’ are allowed in the Commercial shoreland district with a permit issued by the Planning Board.

Per *§105.6 II: Table of Land Uses*, ‘Filling and earth moving of >10 cubic yards’ is allowed in the Commercial shoreland district with a permit issued by the Code Enforcement Officer.

#### **A. Minimum Lot Standards**

Per *§105.6.III A.1.*, all lots within the Commercial shoreland district shall have a minimum lot size of 10,000 sf per principal structure for commercial use and a minimum shore frontage of 100 feet.

The combined area of the three lots that make up the site that is addressed by this application is approximately 1.36 acres or 59,241 sq. ft. in area and is proposed to continue to have the single principal structure.

The combined shore frontage of the site is approximately 125 feet.

#### **B. Principal and Accessory Structures**

Per *§105.6.III B.*, in the Commercial shoreland district, the setback from the normal high-water line shall be at least 25 feet, horizontal distance from upland edge of a wetland.

*Note: All tidal land which is subject to tidal action during the maximum spring tide is coastal wetland.*



100 Main St (Bangor Savings) Tax Map 006, Lots 28, 30, and 31

Per *§105.6.III B.4.b.*, in tidal water, all substantial improvements shall be at least one foot above the elevation of the 100-year flood.

What will be the final elevation of the parking lot?

Per *§105.6.III B.5.*, the total footprint area of all structures, parking lots, and other non-vegetated surfaces within the Commercial shoreland district shall not exceed 70%.

The existing impervious surface on the site is approximately 33,100 sf or 94.5%. The proposed impervious surface on the site is approximately 26,022 sf or 74.3%--a reduction of approximately 7,078 sf.

Per *§105.6.III B.6.*,

The installation of riprap will stabilize the embankment at the Damariscotta River. Need to confirm the location of riprap. .

No retaining walls are proposed under this application.

Additionally, how will the regraded site adjust the 100-year floodplain area?

Furniture and other fixtures or installations--temporary or otherwise--are not permitted within 25 feet of the high water line.

### **G. Parking Areas**

Per *§105.6.III G.1.*, in the Commercial shoreland district, parking areas shall be set back at least 25 feet, horizontal distance, from the shoreline.

Per *§105.6.III G.2.*, parking areas shall be designed to prevent stormwater runoff from flowing directly into the Damariscotta River and where feasible, to retain all runoff on-site.

## **Ch. 107, HISTORIC PRESERVATION ORDINANCE**

Per item (a.) of *§107.3 Applicability*, the Historic Preservation Ordinance applies to all properties in the Main Street Historic District, which 100 Main Street (Map 006, Lot 31) falls within. However, Lot 28 and Lot 30 of Map 006 are not included within the Main Street Historic District as they are not listed under *§107.8 Boundaries of the Main Street Historic District* nor are they within the District outlines on the Main Street Historic District map on page 19 of the Historic Preservation Ordinance.

## **FLOODPLAIN MANAGEMENT ORDINANCE**

Parts of Map 006, Lots 28 and 30 fall within the AE Flood Zone identified by FEMA in 2015.

Per Article II of the Floodplain Management Ordinance, before any construction or other development begins within any areas of special flood hazard, established in Article I, a Flood Hazard Development Permit shall be obtained.

Per Article VII, the Planning Board shall hear and decide upon applications for conditional uses.

Per Article XIV - Definitions the following relevant term(s) are defined by Damariscotta's Floodplain Management Ordinance as follows:

**Structure:** a walled and roofed building. A gas or liquid storage tank that is principally above ground is also a structure.

#### **Article VI - Development Standards**

##### **A. All Development**

Proposed development under his application will be constructed so as to prevent flotation, collapse, or lateral movement during flood events and will be constructed of materials that are resistant to flood damage, including wood, metal, and pavement.

##### **B. Water Supply**

No water supply systems are proposed within the Flood Hazard Area or under this application.

##### **C. Sanitary Sewage Systems**

No sanitary sewage systems are proposed within the Flood Hazard Area or under this application.

##### **D. On Site Waste Disposal Systems**

No on-site waste disposal systems are proposed within the Flood Hazard Area or under this application.

##### **E. Watercourse Carrying Capacity**

No alteration or relocation of the watercourse is proposed under this application.

##### **G. Non Residential**

No structures—residential or non-residential—are proposed to be located within the Flood Hazard Area.

##### **P. Coastal Floodplains**

All proposed development under this application is to be located landward of the reach of mean high tide.

## **CONCLUSIONS OF LAW**

### **Ch. 101, Land Use Ordinance**

The proposed project meets the requirements set forth in the Land Use Ordinance for 'Financial institutions including banks', including the Dimensional Standards, the General Provisions—which include Parking Standards and Conditional Use Standards—and the requirements set forth for Conditional Uses under §101.9.

### **Ch. 102, Site Plan Review Ordinance**

The proposed project meets the requirements of the Site Plan Review Ordinance, including all Performance Standards set forth under §102.6, as detailed above.

### **Ch. 105, Shoreland Zoning Ordinance**

The proposed project meets the requirements of the Shoreland Zoning Ordinance, including those set forth under §105.6 *Shoreland Uses and Standards* which address Minimum Lot Standards, Principal and Accessory Structures, and Parking Areas.

### **Ch. 107, Historic Preservation Ordinance**

The development proposed in this application are not subject to the requirements or standards of Damariscotta's Historic Preservation Ordinance due to the fact that the work is located outside of the Main Street Historic District.

### **Floodplain Management Ordinance**

The proposed project meets the requirements of the Floodplain Management Ordinance, including those set forth under *Article VI - Development Standards*.

## **DECISION**

Based on its review of the entire record herein, including the January 29, 2024 Planning Board staff report; all supporting, referenced, and incorporated documents; and all comments received through February 5, 2024; the Land Use, Site Plan Review, and Shoreland Zoning application for the proposed Bangor Savings Bank rear parking expansion project at 100 Main Street (Map 006, Lots 28, 30, and 31), as represented by Jeffrey Read, P.E. of Sevee & Maher Engineers, Inc; is hereby **Approved With Conditions** following a vote of the Damariscotta Planning Board as detailed below.

On the vote to **Approve With Conditions**, the Land Use, Site Plan Review, and Shoreland Zoning application for the proposed Bangor Savings Bank rear parking expansion project at 100 Main Street (Map 006, Lots 28, 30, and 31), held on February 5, 2024, the Damariscotta Planning Board voted as follows:

Motion:	...		
Moved by:	...		
Second:	...		
Vote:	Yae:	0	
	Nae:	0	
	Abstain:	0	
Result:	...		

## Conditions of Approval

All conditions of approval must be satisfied before a building permit can be issued, unless specifically stated otherwise.

Prior to the issuance of a building permit, or release of the recording subdivision plat (if applicable), the applicant shall pay all outstanding review escrow account fees.

Prior to issuance of a building permit, the applicant shall submit two hard-copy plans at 24" x 36" size to the Town Planner with all conditions and waivers listed on the plans.

During nighttime hours (define) exterior lighting shall be turned off. (Per §102.6 D.5.)

## Additional Terms And Limitations

All approvals are dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed to by the applicant. Any variation from the plans, proposals and supporting documents are subject to the review and approval of the Planning Board prior to implementation.

This Planning Board approval is valid for 12 months from the date of approval by the Planning Board and shall expire if work has not substantially commenced within that time period.

The applicant may only secure a Building Permit from the Code Enforcement Officer in coordination with the Town Planner, Fire Department, and all relevant review authorities, prior to commencing any construction activities.

Construction shall be considered to be substantially commenced when any work beyond the state of excavation, including but not limited to, the pouring of a slab or footings, the installation of piles, the construction of columns, or the placement of a manufactured home on a foundation has begun.

Construction shall be considered to be substantially completed when it has been completed to the point where normal functioning, use, or occupancy can occur without concern for the general health, safety, and welfare of the occupant and the general public. At a minimum it shall include the completion of no less than seventy (70) percent of the costs of the proposed improvements within a development and shall include permanent stabilization and/or revegetation of areas of the site that were disturbed during construction.

Flood insurance is not available for structures located entirely over water or seaward of mean high tide.

\_\_\_\_\_  
Jonathan Eaton, Chair

\_\_\_\_\_  
Date

\_\_\_\_\_  
Wilder Hunt

\_\_\_\_\_  
Date

\_\_\_\_\_  
Neil Genthner                      Date

\_\_\_\_\_  
Jenny Begin                      Date

\_\_\_\_\_  
Ann Jackson                      Date

DRAFT

January 22, 2024

Michael Martone, Town Planner  
Damariscotta Town Hall  
21 School Street  
Damariscotta, Maine 04062

Subject: Bangor Savings Bank  
Parking Lot Reconfiguration  
Site Plan Application

Dear Michael:

On behalf of Bangor Savings Bank (BSB), Sevee & Maher Engineers, Inc. (SME) is pleased to submit the attached Site Plan Application for a reconfiguration of an existing 25-space parking lot at 100 Main Street in Damariscotta. Please consider this project for placement on the Planning Board meeting agenda for February 5, 2024.

In accordance with previous submission requirements, we included seven (7) hard copies of the application and supporting documents for Staff and Planning Board review. An electronic copy of the application materials will be forwarded to your office via email later this afternoon.

We appreciate your consideration of our application and look forward to reviewing the project in more detail with the Planning Board on February 5, 2024. Please feel free to contact me at 207.829.5016 or [jtr@smemaine.com](mailto:jtr@smemaine.com) if you have any questions or need additional information.

Very truly yours,

SEVEE & MAHER ENGINEERS, INC.



Jeffrey Read, P.E.  
Senior Civil Engineer

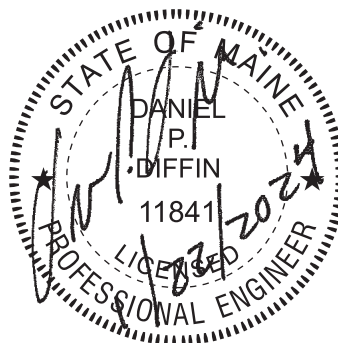
Attachments

**TOWN OF DAMARISCOTTA PLANNING BOARD  
SITE PLAN APPLICATION  
BANGOR SAVINGS BANK PARKING LOT  
RECONFIGURATION**

Prepared for

**BANGOR SAVINGS BANK**  
100 Main Street  
Damariscotta Maine

January 2024



4 Blanchard Road  
P.O. Box 85A  
Cumberland, Maine 04021  
Phone: 207.829.5016 smemaine.com

**SME**   
SEVEE & MAHER  
ENGINEERS

ENVIRONMENTAL • CIVIL • GEOTECHNICAL • WATER • COMPLIANCE

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**TOWN OF DAMARISCOTTA PLANNING BOARD  
SITE PLAN APPLICATION  
BANGOR SAVINGS BANK PARKING LOT RECONFIGURATION  
DAMARISCOTTA, MAINE**

**1.0 PROJECT DESCRIPTION**

Bangor Savings Bank (BSB) proposes to reconstruct a portion of the existing parking area north of their branch office at 100 Main Street in Damariscotta, Maine. The overall parcel owned by BSB consists of three separate properties identified as Lots 028, 030, and 031 on Town of Damariscotta Tax Map 006. The combined parcel area is 1.36 acres.

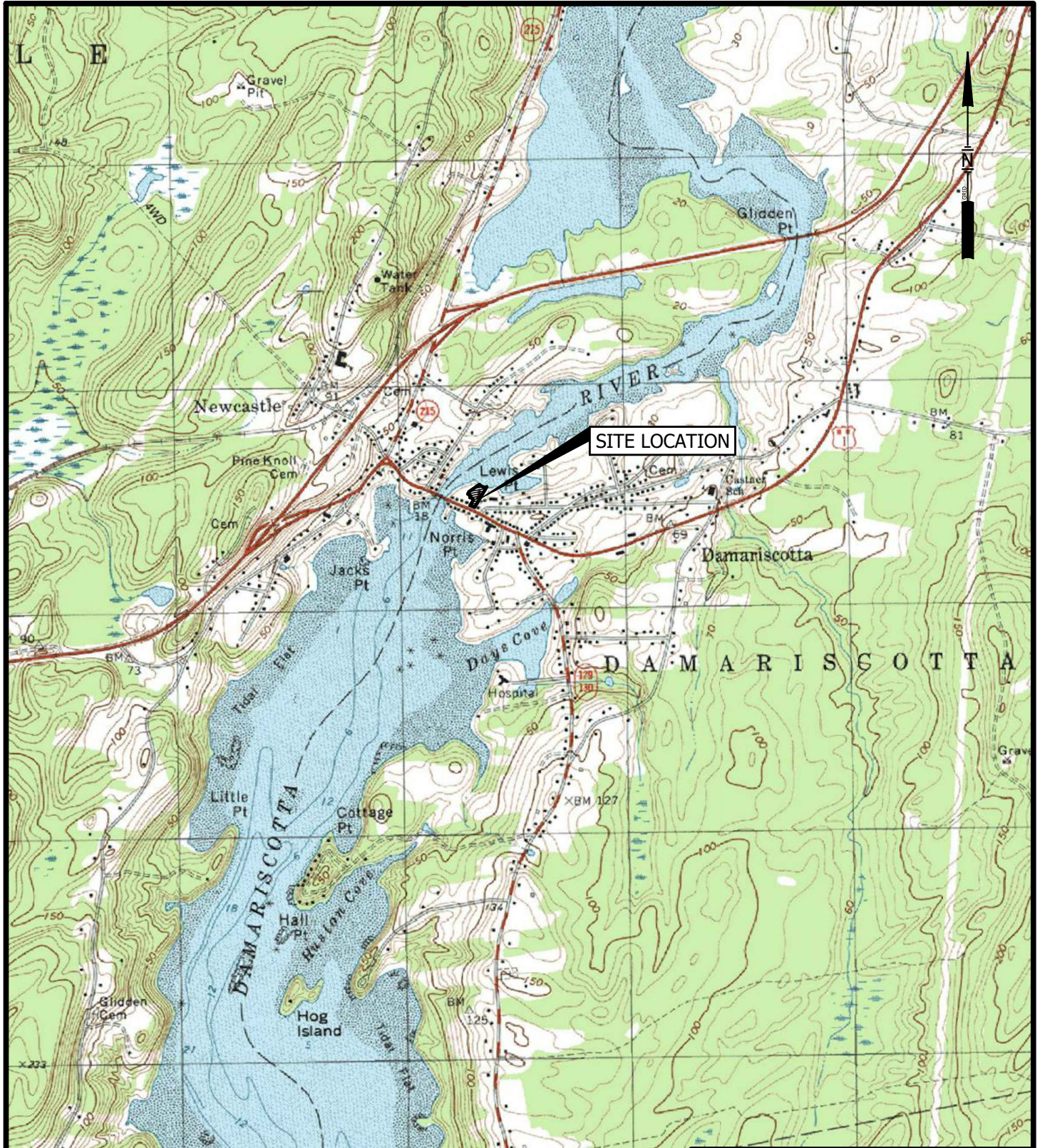
The subject properties are mapped in the Commercial 1 (C1) Zoning District and Commercial Shoreland Zone. The project site is bounded by Main Street on the south and the Damariscotta River on the north. Developed commercial properties exist to the east and west. The property has approximately 141 linear feet of frontage on Main Street and approximately 223 linear feet of shoreland frontage on the Damariscotta River. The property location is outlined on the attached Figure 1 - Site Location Map.

The project area is located on Lots 028, 030 and portion of 031, which have a combined parcel size of 35,019 square feet (sf). This area was formerly occupied by the Damariscotta Bank and Trust Operations Center with an existing paved parking lot. The existing building and supporting utilities were removed in 2022. Proposed development includes a twenty-five (25)-space parking lot to support BSB customers and employees, underground utilities, site lighting, an enclosed dumpster pad, and landscaping.

As part of this project, the applicant intends to adjust the property line separating Lots 28 and 30. Lot 30 will be enlarged to include the redeveloped parking area. Lot 28 will be reduced to include the portion of the existing paved parking area, which will not be impacted by the proposed development.

A portion of the existing parking area is in the Federal Emergency Management Agency (FEMA) Flood Zone AE. This is outlined in the project plan set. A copy of the FEMA flood map is included in Appendix A. The parking lot will be elevated approximately two feet at the northern end to protect from flooding and improve resiliency for future sea level rise. Riprap will be installed to stabilize and protect the embankment at the Damariscotta River. The project will maintain existing site access from Courtyard Street and Main Street.

Impervious area on Lots 28, 30 and portion of 31 is approximately 33,100 sf, which includes the former operations center building, a small shed, paved parking areas, and access drives. Existing impervious coverage on these lots is approximately 94.5 percent. Proposed development will replace approximately 7,078 sf of impervious area with grassed and landscape area, reducing the impervious coverage in the



BASEMAP ADAPTED FROM 7.5 MIN USGS TOPO QUADS  
 DAMARISCOTTA, ME - 2000  
 BRISTOL, ME - 2000  
 WALDOBORO-WEST, ME - 1988  
 LOUDS ISLAND, ME - 1979



FIGURE 1  
 SITE LOCATION MAP  
 DAMARISCOTTA BANK BRANCH  
 BANGOR SAVINGS BANK  
 DAMARISCOTTA, MAINE



\\server\dfs\Bangor\_Savings\_Bank\Damariscotta-100\_Main\_Site\Acad\Figures\SITELOC.dwg\_A\_FIG 1\_2/24/2022 1:47:50 PM.sjm

project area to approximately 74.3 percent. The total redeveloped project area will be approximately 26,022 sf.

This project will disturb less than one acre of land. Per the current municipal ordinance, the project is designed to meet Basic Standards as outlined in Maine Department of Environmental Protection (MEDEP) Chapter 500. The project is not required to obtain a MEDEP Stormwater Management Permit.

The following describes how the project complies with the applicable Sections of the Land Use Ordinance, Shoreland Zoning Ordinance, and Site Plan Review Ordinance of the Town of Damariscotta:

## **2.0 SECTION 101.6 –GENERAL PROVISIONS**

The following describes how the project complies with Section 101.6 General Provisions of the Town of Damariscotta’s Land Use Ordinance. The following corresponds with the specific General Provisions:

### **2.1 Conformance**

The proposed parking lot conforms with the Town of Damariscotta Land Use Ordinance and Site Plan Review Performance Standards.

### **2.2 Property Damage**

There are no damaged structures on this site. This section does not apply to the project.

### **2.3 Parking Standards**

The proposed parking lot conforms with the Town of Damariscotta Site Plan Review Performance Standards. The project uses existing curb cuts on Courtyard Street and Main Street (US Route 1) for access to the proposed twenty-five (25)-space parking lot.

Parking on-site was designed to maximize the number of parking spaces. It is not anticipated that the parking will be full during most periods of use. The proposed parking area and drive aisles were designed to meet the requirements for ninety-degree off-street parking outlined in this Ordinance. The Site Layout Plan, Drawing C-102, outlines design and construction dimensions for the proposed parking area.

### **2.4 HUD Code (Mobile) Homes**

This site is not a mobile home. This section does not apply to the project.

## 2.5 Mobile Homes Parks

This site is not a mobile home park. This section does not apply to the project.

## 2.6 Single-Family, Two-Family and Multi-Family Dwelling Units

This site is not a housing project. This section does not apply to the project.

## 2.7 Planned Unit Development

This site is not a housing project. This section does not apply to the project.

## 2.8 Businesses and Services Establishments

The proposed parking lot reconfiguration will provide parking for Bangor Savings Bank Branch customers and staff. The parking meets the requirements of the Site Plan Ordinance.

## 2.9 Campgrounds

This site is not a campground. This section does not apply to the project.

## 2.10 Professional Offices

The proposed parking lot reconfiguration is not in the General Residential District. Therefore, this section does not apply to the project.

## 2.11 Rooming & Bed and Breakfast

This site is not a bed and breakfast. This section does not apply to the project.

## 2.12 Outdoor Sale and Storage

This site will not be used for outdoor sales or storage. This section does not apply to the project.

## 2.13 Corner Lots

This site is not corner lot. This section does not apply to the project.

#### 2.14 Wireless Communication Facilities

This site is not a wireless communication facility. This section does not apply to the project.

#### 2.15 Conditional Use Standards

The project does not require a conditional use permit. This section does not apply to the project.

#### 2.16 Accessory Apartment

This site is not a housing project. This section does not apply to the project.

#### 2.17 Limit on Home Cultivation of Marijuana

This site is not used for home cultivation of marijuana. This section does not apply to the project.

#### 2.18 Limit on Location of Marijuana Establishments

This site is not a marijuana establishment. This section does not apply to the project.

#### 2.19 Limit on Location of Medical Marijuana Establishments

This site is not a medical marijuana establishment. This section does not apply to the project.

### **3.0 SECTION 102.6 – PERFORMANCE STANDARDS**

The following describes how the project complies with Section 102.6 Performance Standards of the Town of Damariscotta Site Plan Review Ordinance. The following paragraphs correspond with the specific performance standards.

#### 3.1 Preserve and Enhance the Landscape

This project consists of redevelopment of an existing paved parking area with minimal landscaping. Any existing vegetation on site will be preserved in its natural state to the greatest extent practicable. Proposed landscaping improvements will be accomplished by reducing the overall impervious area on the project site and adding landscaped islands to the redeveloped parking area, and a small pocket park adjacent to the Damariscotta River at the north end of the property. Proposed landscaping was designed by Land Design Solutions, landscape architects, in accordance with the standards outlined in the Code of Ordinances. A copy of the Site Landscaping Plan L-1 is included in the project plan set.

### 3.2 Relationship to Environment and Neighboring Buildings

There are no proposed structures associated with the proposed redevelopment. The new parking area was designed to relate harmoniously to the terrain, existing development on-site, and adjacent properties. Proposed landscaping will provide additional green space and improve views of the parking lot for users and abutters.

### 3.3 Air Quality

The proposed parking area will not impact air quality. There will not be any emissions of dust, fly ash, fumes, vapors, or gases associated with the proposed redevelopment.

### 3.4 Lighting and Glare

Site lighting is designed to meet the requirements of the municipal ordinance and provide for safe use of the new parking area. Site lighting fixtures will be full cut-off and shielded to minimize upward light pollution for the night sky. LED lights are planned to provide minimal light beyond what is necessary for parking lot security and safe access to the building to reduce impact to abutting properties. The proposed light pole locations are outlined on the Site Utilities Plan, Drawing C-104. Lighting fixture cut sheets and a photometrics plan are included in Appendix B.

### 3.5 Noise

The noise levels of the proposed parking area will meet the requirements of the municipal ordinance. Anticipated sound levels will be under 65 decibels (dB) between 7:00 am and 7:00 pm and under 55 dB between 7:01 pm and 6:59 am.

### 3.6 Adequacy of Public Road System

The existing site has two access locations on Main Street, one access location on Courtyard Street, and one 133-foot-wide curb cut location on Elm Street. Proposed development is designed to reduce the width of the existing curb cut on Elm Street by adding a landscaped island to create separate entrance and exit locations for the proposed 25-space lot. The improved site access is designed to meet the requirements of the current municipal Ordinance and provide efficient site circulation and safe access to the property.

### 3.7 Access into the Site

Driveways are located to provide safe and convenient ingress and egress to and from the site and minimize conflict with the flow of traffic on adjacent streets. Sight distance at the proposed parking access off Elm



Street is greater than 200 feet in both directions. Available sight distance at this location exceeds the minimum required sight distances outlined in the Code of Ordinances.

As previously outlined, parking lot access will be improved using two drive aisles aligned to connect to Elm Street at a ninety-degree angle. The proposed parking access is designed to Maine Department of Transportation (MEDOT) standards for commercial traffic, including a paved 24-foot-wide access and egress drives with turning radii suitable for emergency vehicles. Driveway entrances were located to conform to requirements outlined in the municipal Code of Ordinances. Neither driveway entrance is located within 10 feet of a side property line.

Driveway grades conform to the requirements outlined in the municipal Code of Ordinances. Proposed grades at the main entrance driveways will be less than 3 percent for the first 40 feet. Driveways shall not be located where visibility is limited by curves or topography.

### 3.8 Parking and Circulation

This project will provide 25 parking spaces for the 4,500-sf Bank Branch. The Ordinance for bank parking requires four parking spaces per 1,000 sf of building. The square footage of Bangor Savings Bank's building is 4,500 sf; therefore, the total required parking spaces is 18 parking spaces. The proposed parking area and drive aisles were designed to meet the requirements for ninety-degree off-street parking outlined in this Ordinance. The Site Layout Plan, Drawing C-103, outlines design and construction dimensions for the proposed parking area. The 25 parking spaces include 23 parking spaces and two ADA accessible parking spaces for the property.

The parking area will be paved and feature well-defined circulation routes, traffic control signage, and pedestrian crossings to minimize conflict between vehicles and pedestrians. The Site Layout Plan, Drawing C-102, outlines design and construction for the proposed parking area.

### 3.9 Pedestrian Circulation

The parking area will be paved and feature well-defined circulation routes, traffic control signage, and pedestrian crossings to minimize conflict between vehicles and pedestrians. The Site Layout Plan, Drawing C-102, outlines design and construction for the proposed parking area.

### 3.10 Existing Public Utilities and Services

The parking lot reconfiguration of the existing Bank Branch will not impact municipal services or public utilities, including sewers, storm drains, and water lines.

### 3.11 Water Quality

The proposed parking area redevelopment is not designed to store or discharge any treated or untreated liquid, gases, or solids that will contaminate or pollute groundwater. Groundwater quality of water will not be impacted by this project.

### 3.12 Stormwater Management

Exhibit 9 contains a Stormwater Management Report for the project outlining the impacted watershed area and projected site runoff. There are no adverse impacts on abutting properties or downstream structures anticipated from this project. A Post-construction Stormwater Management Plan is provided in the report to outline required inspections and maintenance of the site.

### 3.13 Erosion and Sediment Control

All grading, filling, and associated site construction will be conducted in accordance with the Maine Erosion and Sediment Control Best Management Practices (BMPs) latest edition, dated October 2016. This will be the minimum standard for erosion and sedimentation control for the project, as adopted by the Town of Damariscotta from the MEDEP standards. Erosion and sedimentation control notes and details are included on Drawing C-105 and Drawing C-300 in the attached drawing set.

### 3.14 Water Supply

The parking lot reconfiguration will not have any impacts on the Town water supply.

### 3.15 Natural Beauty

The site is currently developed and located in an urban area. There are no significant wildlife habitats, or rare and irreplaceable natural areas identified on this property. The proposed parking reconfiguration will improve the surrounding area by reducing impervious area and providing landscaping to create a small park setting along the Damariscotta River.

### 3.16 Historic and Archaeological Resources

The project will be completed on an existing developed parcel. No disturbance to historic buildings or structures is proposed as part of this project. SME is working with the Maine Historic Preservation Commission (MHPC) to identify archaeological survey requirements for the project based on historic buildings currently or formerly near the project area. Based on conversations with MHPC, we anticipate a State licensed archaeologist will observe excavation for light pole bases and underground electrical

conduit during construction. A copy of our most recent correspondence with MHPC is included in Exhibit 7 for reference.

### 3.17 Filling and Excavating

The proposed site is less than one acre of disturbance. Therefore, this section is not applicable.

### 3.18 Sewage Disposal

There is no proposed sewer or septic system on this site. Therefore, this section is not applicable.

### 3.19 Phosphorus Control

The site is not within the on Paradise Pond, Little Pond, Pemaquid Pond, or Biscay Pond watersheds. Therefore, this section is not applicable.

### 3.20 Buffer Areas

This site is in a developed commercial area. This section is not applicable to the project.

### 3.21 Signs

All signs associated with this project will conform to Maine DOT and municipal standards for traffic control, wayfinding, parking, and safe site circulation. There are no proposed business advertising signs for this site. Therefore, this section is not applicable.

**EXHIBIT 1**

**APPLICATION FORMS AND DOCUMENTS**

**EXHIBIT 1**

**APPLICATION FORMS AND DOCUMENTS**

Application forms and documents are attached for review.

Planning Department  
Damariscotta Town Office  
21 School Street,  
Damariscotta, ME 04543



Isabelle Oechsle  
Town Planner  
Phone: (207) 563-5168  
[IOechsle@damariscottame.com](mailto:IOechsle@damariscottame.com)

# PLANNING BOARD APPLICATION

## OFFICE USE ONLY

Application Fee: \_\_\_\_\_ PID: \_\_\_\_\_

Date Received: \_\_\_\_\_

*Applications may be accepted electronically, though the Planning Board reserves the right to request physical submissions. Please email your full submission binder to the Town Planner.*

## SITE DETAILS

Street Address: \_\_\_\_\_  
[Deed Book and Page:](#) \_\_\_\_\_  
Existing Subdivision Name: \_\_\_\_\_  Not Applicable  
Lot within subdivision: \_\_\_\_\_  Not Applicable  
[Tax Map & Lot:](#) \_\_\_\_\_  
[Zoning district:](#) \_\_\_\_\_  
Existing land use(s): \_\_\_\_\_

## PROPERTY OWNER INFORMATION

Property Owner Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
Email: \_\_\_\_\_

## APPLICANT INFORMATION (IF DIFFERENT FROM ABOVE)

Applicant Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
Email: \_\_\_\_\_

## CONTACT PERSON / AGENT INFORMATION

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The Planner will only contact one designated person regarding the application. Please identify the primary contact:

- Property owner       Applicant       Other (fill out section below):

Applicant Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email: \_\_\_\_\_

## PROJECT INFORMATION

---

Description: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Is the project located within any of the following? *(Please select all that apply):*

- [Special Flood Hazard Area](#)       [Shoreland Zoning Area](#)  
 Historic District

## APPLICATION TYPE

---

Please select **ALL** that apply:

- |  |  |
|--|--|
| <input type="checkbox"/> Conditional Use Application               | <input type="checkbox"/> Site Plan Application         |
| <input type="checkbox"/> Small Wind Energy System                  | <input type="checkbox"/> Site Plan Pre-application     |
| <input type="checkbox"/> Conditional Use Application               | <input type="checkbox"/> Preliminary Major Subdivision |
| <input type="checkbox"/> Final Major Subdivision                   | <input type="checkbox"/> Minor Subdivision             |
| <input type="checkbox"/> Sketch Plan Pre-application (Subdivision) |  |
| <input type="checkbox"/> Zoning Map Amendment                      | <input type="checkbox"/> Zoning Text Amendment         |

*Note: Please consult with the Planner if you are unsure about which applications you will need.*

## SIGNATURES

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### PROPERTY OWNER'S CONSENT REQUIRED:

I declare under penalty of perjury that I am the owner of said property. I certify that all of the submitted information is true and correct to the best of my knowledge and belief. I understand that any misrepresentation of submitted data may invalidate any approval of this application.

  
\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Date

I, \_\_\_\_\_, authorize the noted applicant or agent  
named on this application to file this application on my behalf.

\_\_\_\_\_  
OWNER  
INITIAL

### APPLICANT / AGENT CERTIFICATION:

I certify that all of the information provided within this application form and accompanying materials is true and accurate to the best of my knowledge. I understand that any misrepresentation of submitted data may invalidate any approval of this application.

  
\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name and Title





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## SITE PLAN APPLICATION CHECKLIST

Project Address: 100 Main Street, Damariscotta, ME 04543

Applicant Name: \_\_\_\_\_

*Note: Applications and supporting materials must be submitted in PDF format, via email to the Town Planner.*

### APPLICATION SUBMITTAL REQUIREMENTS

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#### Exhibit 1 – Application Forms and Documents

- Universal Application Form
- Cover Letter summarizing project intent
- All applicable application fees (see the Town's Fee Schedule or contact the Planner)

#### Exhibit 2 – Project Data Sheet, including the following information:

- Total land area of site (all contiguous land in same ownership) in square feet
- Total amount of land disturbance proposed in square feet
- Footprint of each proposed building in square feet
- Height of proposed buildings (both feet and stories)
- Total number of proposed parking spaces
- Number of proposed handicap parking spaces
- Existing conditions of the site

#### Exhibit 3 – Construction

- Construction schedule outlining the anticipated sequence of construction (beginning and completion) for major aspects of the proposed project, including roads, erosion control and drainage measures, etc.



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A construction phasing plan showing parking, vehicles and pedestrian circulation, traffic control, and tree and wetland protections during construction. The plan will consist of a written explanation and drawings, as appropriate, and will include such items as parking for construction workers, parking for displaced employees or customers, and provisions for deliveries.

Estimated cost of the project (building and site work)

Evidence of applicant's financial capacity to complete the project. This item may be satisfied using any of the following:

1. A written statement from the applicant's bank or a certified public accountant who recently audited the applicant's finances stating that the applicant has cash reserves in the amount of the estimated cost of the project and can devote those reserves to the project.
2. When the applicant will personally finance the development, provide copies of bank statements or other evidence, which will indicate availability of funds, and evidence that the applicant can devote these funds to the project.
3. The most recent corporate annual report indicating availability of sufficient funds to finance the development, together with a statement from the applicant that the funds are available and will be used for the proposed project.
4. Copies of contracts, which will provide the source of funding for the operation and maintenance of the development when completed.
5. A letter from a financial institution, governmental agency, or other funding agency which indicates a timely commitment to provide a specified amount of funds and the uses for which the funds may be utilized.
6. In cases where outside funding is required, but there can be no commitment of money until regulatory approvals are received, a formal letter of "intent to fund upon approval" from the appropriate funding institution indicating the amount of funds it is prepared to provide and their specified uses and the conditions on which funds will be made available.
7. A letter from a financial institution indicating knowledge of the applicant and a potential interest in providing funding for the project. If this type of letter is submitted as evidence of financial capacity to complete the project, the application may be deemed to be complete but the Planning Board may require as a condition of approval that one of the other six methods provided herein for demonstrating financial capacity be submitted before a building permit may be issued for the project. (Please note: If this option is chosen, the Planning Board will condition the by approval requiring one of the above methods to be provided prior to issuing a Building Permit or holding a preconstruction meeting.)



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Evidence of the applicant's technical capacity to complete the project, including a list of any or all projects completed by the applicant within the last 5 years as well as a list of all consultants retained for this proposed project, such as engineers, landscape architects, architects, environmental consultants; and those firms or personnel who will be responsible for constructing, operating and maintaining the project.

#### **Exhibit 4 – Right, Title, or Interest**

Evidence of applicant's right, title, or interest in the site (in the form of a lease, deed, purchase & sale agreement, or similar)

Summary of all existing and all proposed easements or other burdens for this property. Reference each easement to the plan or drawing on which it is shown. Copies of all relevant documents relating to existing and proposed easements and burdens placed on the property, including metes and bounds descriptions or other specific mechanisms to describe proposed easements. Each copy should be numbered to correspond to the lists.

If a condominium, homeowners, or property owners association will be established: the articles of incorporation, the Declaration of Covenants and Responsibilities, and the proposed by-laws of the organization

#### **Exhibit 5 – Service and Infrastructure Capacity for the Project**

A written confirmation from all public services providers necessary to serve the proposed project, indicating sufficient capacity exists for the project. If connection to public water and/or public sewer is proposed, a letter from the Great Salt Bay Sanitary District indicating sufficient capacity to serve the project.

Proposed sewer use in gallons per day (GPD) and the types and amounts of any industrial or non-sanitary waster that will enter the public sewer or drains, if applicable

A written evaluation and demonstration of the adequacy and availability of adjacent streets to handle traffic generated by the proposed project (including construction traffic)

An estimate of the amount and type of vehicular traffic to be generated on a daily basis and at peak hours, and the sight distances for each driveway that intersects and existing or proposed public or private road in accordance with the requirements of Sec. 102.6G.



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For developments estimated to generate more than 200 vehicle trips per day, a traffic impact analysis prepared by a registered professional engineer with experience in traffic engineering which shall include: the expected average daily vehicular trips, peak-hour volumes, access conditions at the site, distribution of traffic, types of vehicles expected, effect upon the Level of Service on the road giving access to the proposed development and neighboring roads that may be affected, and recommended improvements to maintain the desired level of service on the affected roads. Trip Generation rates shall be obtained from the latest edition of the Institute of Traffic Engineers Trip Generation Manual.

A written evaluation and demonstration of the adequacy and availability of adjacent streets to handle traffic generated by the proposed project (including construction traffic)

A description of the proposed method for handling solid waste (trash), both during and after construction

Plan for supplying water sufficient for fire protection

If use of a septic system is proposed, an on-site soils investigation report identifying the types of soil, location of all test pits, and the proposed location and design of the subsurface disposal system

#### **Exhibit 6 – Third Party Authorizations**

A list of approvals needed from other agencies and copies of all necessary reviews, licenses, permits, variances, and approvals from other agencies

#### **Exhibit 7 – Natural Resources**

A letter from the Maine Department of Inland Fisheries & Wildlife attesting to whether or not there are any habitats of any rare or endangered animals on the project site

If there are any major natural features on or within 250' of the site, including wetlands, streams, ponds, floodplains, groundwater aquifers, significant wildlife habitats, significant stands of trees, archeological resources or other important natural features, a statement of how such features will be maintained or protected

If a wetland is impacted, an alternatives analysis must be submitted explaining what steps were taken to avoid or mitigate wetland impact, including why other sites were not considered or if the project could reasonably have been reduced or reconfigured.

If any portion of the development is within the watershed of a great pond, a phosphorus impact report



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## Exhibit 8 – Plan Set

*All plans presented for site plan review shall be drawn at a scale of 50 feet or less to the inch. All plan sets shall include the following:*

- The name and address of the property owner and the name and address of the applicant (if different)
- The property lines of all abutting properties, including those across the street and waterways
- Sketch map showing general location of the site within the town
- Location map showing the boundaries of all contiguous property under the control of the owner or applicant, regardless of whether all or only part is being developed at this time
- The bearings and distances of all property lines and the source of this information (Note: the Board may waive the requirement of a formal boundary survey when sufficient information is available to clearly establish, on the ground, all property boundaries)
- The names and professional seals of those who aided in preparation of the plan
- Zoning classification(s) of the property and location of zoning district boundaries, if the property is located in more than one zoning district or abuts a different district (including the Shoreland zone and either the 75' or 100' Shoreland Zone setback, as appropriate)
- Location and size of any existing and proposed sewer and water mains, culverts, and drains on the property to be developed and any that will serve the development from abutting streets or land
- Location, names and present widths of existing or proposed streets and rights-of-way within or adjacent to the proposed development
- The location, dimensions, required buffers, and setbacks of all existing and proposed buildings on site
- The location of buildings on abutting properties and within 50 feet of the property lines of the parcel to be developed
- Location of intersecting roads or driveways within 200 feet of the site
- Location of any floodplains on the project parcel, as well as any wetlands and streams (as identified by a wetlands scientist or other certified wetlands professional)
- Existing topography of the site at two foot contour intervals (Note: this item may be waived by the Board if no major changes to the existing topography are being proposed)



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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, or, if none, the applicant shall provide documentation from the Maine State Historic Preservation Office documenting such

Floor plans of the proposed buildings and any accessory structures

Elevations drawings of all sides of proposed buildings and accessory structures clearly indicating the type, color, and texture of all exterior surfacing materials of all proposed buildings and any accessory structures

A landscaping plan intended to meet the standards of 102.6A

A photometric plan of all exterior lighting proposed, intended to meet the standards of 102.6D

#### **Exhibit 9 – Stormwater Management Report**

A description of drainage on the site and topography, including direction of flow, existing grades, and a description of any existing impact to surrounding properties

A complete stormwater management plan, including drainage calculations, a drainage plan, an assessment of any pollutants in the stormwater, and any Low Impact Development (LID) measures being proposed in conformance with the provisions of Sec. 102.6.L

#### **Exhibit 10 – Erosion Control**

An erosion and sedimentation control plan as described in Sec. 102.6M

A medium intensity soil survey (though please be advised that a high intensity soils map may be required if issues of water quality, wetlands, or other natural constraints are noted)

#### **Exhibit 11 – Miscellaneous**

Documentation that the project will comply with applicable standards for noise (Sec. 102.6E) and air quality (Sec. 102.6C)

Copies of any proposed easements, covenants, deed restrictions, etc.

A written request for any desired waivers, including an explanation of the undue hardship or special design requirements which are the basis for the requests as well as supporting documentation as to why the waiver should be granted



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***Additional, Project-Specific Standards***

**Exhibit 12 – Additional Requirements for Large-Scale Developments (>7,500 s.f. of total floor area, per Sec. 102.7)**

Elevations drawings showing the exterior of the proposed structure on all sides, prepared in accordance with the referenced section

**Exhibit 13 – Additional Requirements for Large-Scale Developments (>20,000 s.f. of total floor area, per Sec. 102.7H)**

An economic and fiscal impact analysis that includes the following elements:

1. Identification and assessment of the impacts of the proposed project, including positive, negative, and indirect impacts.
2. Proposed measures to mitigate adverse impacts and/or maximize positive impacts, including provision of infrastructure or public service improvements sufficient to support this project. Any adverse impacts that cannot be mitigated shall be identified. Any mitigation measures to be implemented by the applicant shall be identified.
3. Proposed measures to mitigate negative traffic impacts to road plans of the Town and how to integrate the proposed development into the road plans of the Town.
4. Types of jobs created.
5. Number of full-time (40 hours per week) and part-time (less than 40 hours per week) jobs created.
6. Evaluation of the market and financial feasibility of the project. Include a trade area analysis indicating the market area proposed for the project and the area from which patrons will be attracted and any plans for phased construction. Include any further market studies prepared for the project by the applicant.
7. Evaluation for the potential of the proposed project to create an over-supply of retail space in Town using industry-accepted standards for commercial floor area per resident.
8. Evaluation of the impact of the proposed project on commercial vacancy rates in Damariscotta and Lincoln County.
9. Estimate to what extent the proposed project would reduce the diversity of the Town's economic base by eliminating smaller businesses.



- 
10. Comparison and evaluation of the projected costs and benefits to the Town resulting from the project including:
- a. Projected costs arising from increased demand for and required improvements to public services and infrastructure.
  - b. Value of improvements to public services and infrastructure to be provided by the project.
  - c. Projected tax revenues to the Town to be generated by the project and the need for increased financial support for infrastructure improvements and protective services.
  - d. Projected impact of the project on land values (both residential and commercial) and potential loss or increase in tax revenues to the Town.
  - e. Short-term and long-term projection of increased revenues to the Town and costs resulting from the proposed project.
  - f. Estimate the difference between how much of the revenue generated by the proposed project would be retained and redirected back into the economy of the community compared to other retail chain stores and locally-owned, independent retailers in Town.



**EXHIBIT 2**

**PROJECT DATA SHEET**

## EXHIBIT 2

### PROJECT DATA SHEET

#### A. EXISTING CONDITIONS

The existing parcel is currently developed with one commercial structure and a paved parking area. The former Damariscotta Bank and Trust Operations Center was previously removed from site. Existing impervious area on the parcel is approximately 30,350 square feet, consisting of two buildings, and the existing developed project area is approximately one acre.

#### B. PROPOSED CONDITIONS

Tax map 06, Lots 028, 030, and 031 include a total land area of approximately 59,240 square feet. The total amount of land disturbance proposed for this project is approximately 43,560 square feet. There are no new structures proposed. The proposed 25 - space parking area will include two ADA parking spaces.

**EXHIBIT 3**

**CONSTRUCTION**

## EXHIBIT 3

### CONSTRUCTION

#### A. CONSTRUCTION SCHEDULE

Construction is scheduled to start in April 2024 and end in June 2024.

#### B. ESTIMATED COSTS

Anticipated construction cost for the site work of the project will total at approximately \$255,000. A letter outlining the Applicant's relationship with the lender and their capacity to complete the proposed project is attached.

#### B. FINANCIAL CAPACITY

Bangor Savings Bank plans to self-finance this project. The attached letter outlines the financial capacity to complete the proposed project.

#### C. TECHNICAL CAPACITY

Bangor Savings Bank has contracted with experienced, qualified firms to manage the facility's design and permitting. The following is a list of the firms and the roles for this project:

Bangor Savings Bank has contracted with Sevee & Maher Engineers, Inc. (SME) to assist with project design and permitting. The following personnel are integral to the site planning, design, and permitting of the Parking Lot Reconfiguration Project:

Daniel P. Diffin, P.E., LEED AP - Site Design and Permitting  
Sevee & Maher Engineers, Inc.

Mr. Diffin has more than 16 years of experience on a wide variety of civil engineering design and construction management projects for private and public sector clients. Mr. Diffin has been responsible for the engineering, design, and construction services for land development projects, commercial, industrial, medical site developments, educational campuses, stormwater management and erosion control projects, and versed in local, state, and federal permitting. Typical projects include: Bath Iron Works, Bath, Maine – Facility Build-out Plan; Woodland Pulp Mill – Tissue Machine Project at the Baileyville, Maine mill; Backyard Farms, Madison, Maine R&D Station and other facility upgrades, and Long Creek Watershed, Westbrook, Maine stormwater retrofits in Catchment B21 of the Long Creek Watershed Management Plan.

SME is working with the following subconsultants to support the Town Site Plan application:

**Surveyor:**

Boundary Points a division of  
Main-Land Development Consultants, Inc.  
Dave Bouffard, PLS  
Falmouth, Maine 04105

**Landscape Architect:**

Land Design Solutions  
160 Longwoods Road  
Cumberland, ME 04021

# Bangor Savings Bank

**You matter more.®**

January 19, 2024

Damariscotta Planning Board  
Town of Damariscotta  
21 School Street  
Damariscotta, Maine 04543

Re: Proposed Parking Lot Improvements Bangor Savings Bank. 100 Main Street, Damariscotta, Maine

To Damariscotta Planning Board:

Bangor Savings Bank is proposing to make improvements to the rear parking lot of 100 Main street, Damariscotta, Maine. Based on our past experiences, Bangor Savings has the technical and financial capabilities to successfully complete the proposed project.

Sincerely,



Wendy Durrach  
SVP, Chief of Staff

Founders Place • 24 Hamlin Way • PO Box 930 • Bangor, ME 04402-0930

207.942.5211 • 877.226.4671

[www.bangor.com](http://www.bangor.com)

Member FDIC |  Equal Housing Lender

**EXHIBIT 4**

**RIGHT, TITLE, OR INTEREST**

**SECTION 4**

**TITLE, RIGHT, OR INTEREST**

**A. OWNERSHIP**

Property deeds, outlining the ownership of the 1.38 -acre property, are attached for review.

**B. EASEMENTS**

A memorandum of easements across of the 1.38 -acre property is attached for review.



(106)  
02798**Know all Men by these Presents,**

**That** I, CHARLES J. COFFIN, of Millinocket, County of Washington  
and State of Maine,

in consideration of one dollar and other valuable consideration

paid by DAMARISCOTTA BANK & TRUST CO., a corporation duly organized  
and existing under the laws of the State of Maine, with a principal  
place of business in Damariscotta, County of Lincoln and State of  
Maine

the receipt whereof I do hereby acknowledge, do hereby

give, grant, bargain, sell and convey, unto the said DAMARISCOTTA BANK & TRUST

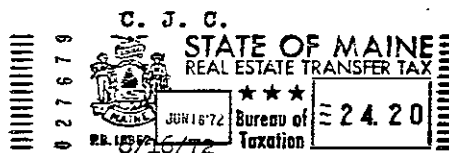
CO., its successors

~~MEINE~~ and assigns forever,

a certain lot or parcel of land situated in the Town of Damariscotta,  
County of Lincoln and State of Maine, bounded and described as  
follows:

Northerly by the right of way, so-called, easterly by land now  
or formerly of Sunie C. Clifford, southerly by Main Street and west-  
erly by land now or formerly of Neil Parsons.

Being the same premises conveyed to the Grantor herein by  
warranty deed from Perley L. Waltz and Geraldine B. Waltz dated  
November 6, 1971 and recorded in Book 682 at Page 164 of the Lincoln  
County Registry of Deeds.



to have and to hold the aforegranted and bargained premises with all the privileges and appurtenances thereof to the said DAMARISCOTTA BANK & TRUST CO., its successors and assigns, to it and its use

~~XXXXXXXXXXXXXXXXXXXX~~ ~~XXXXXXXXXXXX~~ and behoof forever. its successors ~~XXXXXX~~

And I do COVENANT with the said Grantee, and assigns, that I am lawfully seized in fee of the premises that they are free of all encumbrances:

that I have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that I and my heirs shall and will WARRANT and DEFEND the same to the said Grantee, its successors and assigns forever, against the lawful claims and demands of all persons.

In Witness Whereof, I, the said CHARLES J. COFFIN

and

TERESA COFFIN wife of the said CHARLES J. COFFIN

joining in this deed as Grantor, and relinquishing and conveying all right by descent and all other rights in the above described premises, have hereunto set our hands and seals this 1st day of June in the year of our Lord one thousand nine hundred and seventy-two.

Signed, Sealed and Delivered in presence of  
*Alfred J. Hammon*

*Charles J. Coffin*  
*Teresa Coffin*



State of Maine } ss. JUNE 1st. 1972 .

Personally appeared the above named CHARLES J. COFFIN

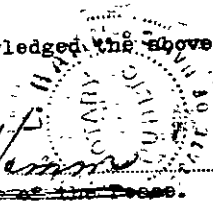
and acknowledged the above

instrument to be his free act and deed.

LINCOLN, ES.

Before me,

*Alfred J. Hammon*



Notary Public.

RECEIVED JUN 16 1972 8 H. 45 M. A.M.  
AND RECORDED FROM THE ORIGINAL

Robert L. Chasse of Moraga, California being unmarried, for consideration paid, grants to Damariscotta Bank and Trust Co. a Maine corporation with it's principal place of business at Damariscotta, Lincoln County, Maine (P.O. Address: Main St., Damariscotta, Maine 04543) with WARRANTY COVENANTS, land in Damariscotta, Lincoln County, Maine as follows:

Two certain lots or parcels of land with buildings thereon, situated in the Town of Damariscotta, Lincoln County, Maine and being more particularly bounded and described as follows:

PARCEL I: Beginning at an iron pipe situated on the southwesterly side of a road leading to the within described premises, said point being also the northeasterly corner of land formerly of Waltz and now of Damariscotta Bank & Trust Company, said pipe being also located on the northerly line of land formerly of Clifford, and now of Chapman; thence North 39°56' West 64 feet, more or less, to a pipe in the earth; thence North 49°13' East 11.7 feet, more or less, to a point; thence North 75°39'35" East 39.25 feet to a pipe in the earth; thence North 54°31'11" East 75.92 feet to an iron pin set in a stump; thence continuing same course 103.77 feet to an iron rod set in the earth; thence continuing on the same course a distance of 6 feet, more or less, to a point of intersection with the high water mark of the Damariscotta River, also known as Cottrill's Cove; thence by and along the high water mark in a generally southeasterly direction along said cove for an approximate distance of 35 ft. to a point which is 8 feet, more or less, and lying North 49°13' East of said high water mark; thence 8 feet, more or less, to said pipe in the earth on a course North 49°13' East; thence continuing same course, through a series of pipes 244.55 feet to the point of beginning.

TOGETHER with the shores and flats adjoining the above described premises to the low water mark of the Damariscotta River, also known as Cottrill's Cove.

TITLE REFERENCE: Meaning and intending to convey the same premises conveyed by Newton Blakeslee to George C. Chasse and Katherine Chasse by deed dated August 19, 1963 and recorded in Lincoln County Registry of Deeds, Book 594, Page 76.

PARCEL II: Beginning at the northwesterly corner of Parcel I above described, said point being marked by an iron rod; thence North 37°39' West 60 feet, more or less; thence South 40°27' West 13.1 feet to a point; thence North 43°06' West 20 inches to a point; thence South 46°59' West 7.7 feet to a point; thence North 46°03' West 2.8 feet to a private road (said private road being hereafter referred to); thence Northeasterly along said private road a distance of approximately 8 feet to a pipe; thence North 45°58'45" West 10.5 feet to a pipe at land now or formerly of the Cricket Shop and now of Meade; thence North 50°34'45" East 25.10 feet to a point at the northeasterly corner of land of Meade; thence North 41°32'15" West along land of Meade 52.20 feet to a pipe at the northwest corner of Meade; thence North 47°48'27" East 36.84 feet to a pipe; thence North 73°35'19" East a distance of 183.19 feet, through a series of pipes to a point; thence continuing same course to the high water mark of Cottrill's Cove; thence running in a general southerly and southeasterly direction by and along the high water mark of said cove to a point of intersection with Parcel I above; thence North 54°32'11" East from the high water mark six feet, more or less, to an iron rod in the earth; thence continuing same course 179.69 feet to a point; thence North 75°39'35" East 39.25 feet to a point; thence North 49°13' East 11.7 feet to the point of beginning.

TOGETHER with the shores and flats adjoining the above described premises to the low water mark of the Damariscotta River, also known as Cottrill's Cove.

The above described premises are subject to a right of way as described in an instrument of record dated July 30, 1974 between Neil L. Parsons and the within grantors, said instrument being recorded in Book 817, Page 77 at the Lincoln County Registry.

ALSO conveying hereby an undivided one-half interest in and to Foye Street, so-called.

ALSO conveying hereby all right, title and interest in and to the private road, and fee ownership thereof, known as the "Byway" located between land now or formerly of Parsons and land now or formerly of Margo Moore.

TITLE REFERENCE: Meaning and intending to convey the same premises conveyed by Grace F. Nivens to George C. Chasse and Katherine Chasse by deed dated January 27, 1968 and recorded in said Registry, Book 641, Page 156, and deed of Katherine Chasse to Robert L. Chasse recorded in said Registry, Book 1168, Page 139.

Witness my hand and seal this 28 day of February 1985.

Edward Fisher  
Witness

Robert L. Chasse  
Robert L. Chasse

MAINE REAL ESTATE  
TRANSFER TAX PAID

State of Maine  
County of Lincoln

February 28, 1985

Personally appeared the above named Robert L. Chasse and acknowledged the foregoing instrument to be his free act and deed.

Before me,

William H. Dunlavey  
Notary Public  
WILLIAM H. DUNLAVEY  
NOTARY PUBLIC  
My Commission Expires Oct. 16, 1989

LINCOLN SS.  
RECEIVED FEB 28 1985 2 H 25 M P M  
AND RECORDED FROM THE ORIGINAL

## MEMORANDUM

TO: Jason Donovan, SVP Facilities Manager, Bangor Savings Bank

FROM: Kacy Bailey

RE: Rights to Properties in Damariscotta

DATE: April 12, 2022

---

Bangor Savings Bank is the owner of the following properties in Damariscotta, Lincoln County, Maine by virtue of its acquisition of Damariscotta Bank and Trust, Co. (in chronological order of acquisition).

- Tax Map 6, **Lot 31**, by virtue of a Warranty Deed from Charles J. Coffin to Damariscotta Bank & Trust Co. dated June 1, 1972 and recorded in Book 734, Page 29;
- Portion of Tax Map 6, **Lot 29**, by virtue of a Warranty Deed from Neil L. Parsons to Damariscotta Bank & Trust Company dated August 6, 1982 and recorded in Book 1111, Page 26, excepting most of the parcel that was conveyed to Best Thai Holdings LLC by Quitclaim Deed dated December 29, 2020 and recorded in Book 5644, Page 158 (see Plan Book 112, Page 70);
- Tax Map 6, **Lot 28**, by virtue of a Warranty Deed from Robert L. Chasse to Damariscotta Bank & Trust Co. dated February 28, 1985 and recorded in Book 1229, Page 81 (second parcel – the first parcel being Lot 30); and
- Tax Map 6, **Lot 30**, by virtue of a Warranty Deed from Robert L. Chase to Damariscotta Bank & Trust Co. dated February 28, 1985 and recorded in Book 1229, Page 81 (first parcel).

Please note that I am using the tax lot numbers as shorthand and easy identification for the various parcels. It should be noted that the tax lots do not necessarily reflect accurate deed description lines.

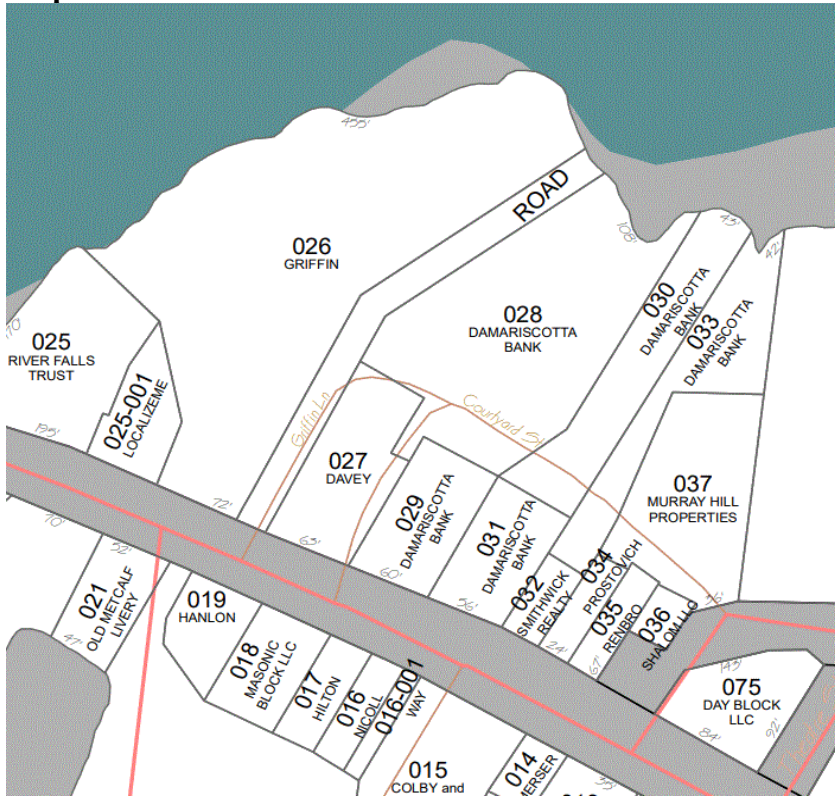
Please see Map #1 on following page for relevant portion of Tax Map 6.

For purposes of this memorandum, the following described locations shall refer to those locations as approximately shown on Map #2 on the following page:

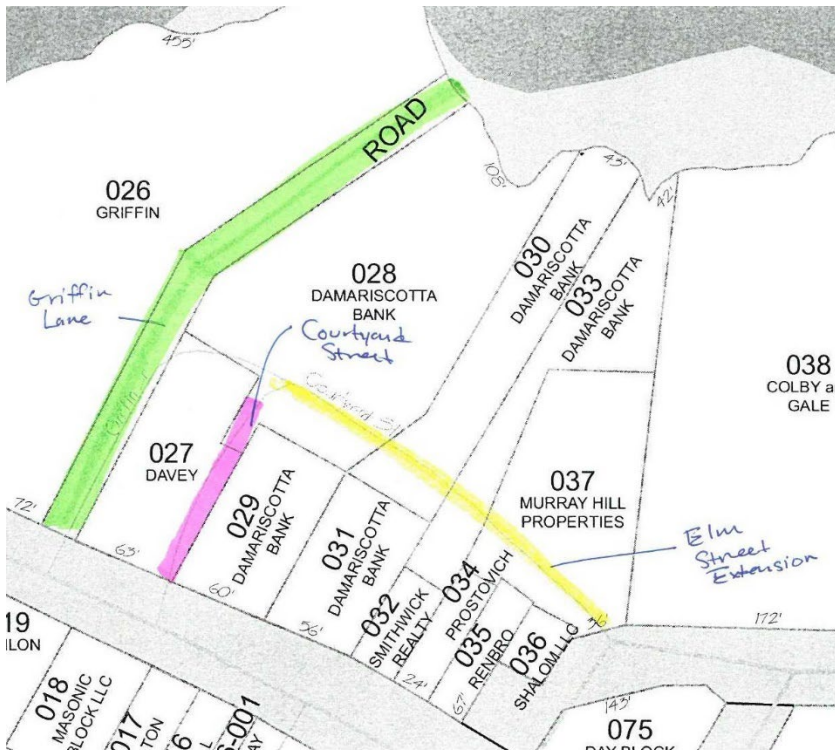
- Griffin Lane (formerly called Foye Street)
- Courtyard Street
- Elm Street Extension

[continued on following page]

Map #1



Map #2



## APPURTENANT RIGHTS

### Lot 30:

#### Rights to Elm Street Extension:

The deed to Damariscotta Bank & Trust Co. (Book 1229, Page 81, parcel 1) describes the parcel as commencing at an iron pipe on the southwesterly side of the road leading to the within described premises, but does not include any easement rights to cross the properties to the east over that road. My conclusion is that any rights to Elm Street Extension arise by prescription (i.e. adverse possession) and not by grant of easement. The neighbor at the end of Elm Street Extension may have successfully cut off those rights by blocking the access if he is blocking passage onto Elm Street.

#### Rights to Courtyard Street:

The deed to Damariscotta Bank & Trust Co. (Book 1229, Page 81, parcel 1) also conveys “all right, title, and interest in and to the private road, and fee ownership thereof, known as the “Byway” located between land now or formerly of Parsons and land now or formerly of Margo Moore.” The land of Parsons was the approximate location of Tax Map 6, Lot 29 and the land of Margo Moore was in the approximate location of Tax Map 6, Lot 27. Therefore the reference to the “Byway” is referring to Courtyard Street. This states that at least a portion of Courtyard Street is owned in fee by Bangor Savings Bank, subject to the rights of others to use it. See also plan recorded in Plan Book 90, Page 61, which shows Courtyard Street as part of the parcel owned by Damariscotta Bank & Trust Co. Note, however, that the description of Lot 27 describes the southeasterly corner as being 10.5 feet from the northerly bound of the land of Dr. Neil Parsons. Therefore, the fee interest in Courtyard Street held by Bangor Savings Bank is likely only 10.5 feet wide. The plan at Plan Book 112, Page 70 (the boundary survey made for the conveyance of the restaurant) shows the paved width of Courtyard Street to be 20+ feet. Based on the foregoing, it appears that Courtyard Street is owned in part by Bangor Savings Bank and in part by the owner of Lot 27.

#### Rights to Griffin Lane:

See discussion below with respect to Lot 28 as to the rights to Griffin Lane. Those rights derive from ownership of Griffin Lane, not by way of easement rights.

### Lot 28

#### Rights to Elm Street Extension:

See discussion above with respect to Lot 30.

#### Rights to Courtyard Street:

The deed to Damariscotta Bank & Trust Co. (Book 1229, Page 81, parcel 2) also conveys “all right, title, and interest in and to the private road, and fee ownership thereof, known as the “Byway” located between land now or formerly of Parsons and land now or formerly of Margo Moore.” As discussed above, this states that at least a part of Courtyard Street is owned in fee by Bangor Savings Bank, subject to the rights of others to use it.

Rights to Griffin Lane:

The deed at Book 1229, Page 81 also conveys to Damariscotta Bank & Trust Co. “an undivided one-half interest in and to Foye Street, so-called.” The prior deed in the chain of title (Book 1168, Page 130) more particularly describes Foye Street as:

“BEGINNING on the northerly side of Main Street in the Town of Damariscotta at the easterly bound of land formerly of Dr. Rufus Stetson, now or formerly of Joseph. Griffin;  
THENCE North 47° 48' 27" East a distance of one hundred eighty-eight (188) feet to an iron pipe set;  
THENCE North 73° 35' 19" East a distance of one hundred eighty-seven and thirty-three hundredths (187.33) feet to an iron pipe set;  
THENCE continuing same course a distance of ten (10) feet, more or less, to the high water mark of the Damariscotta River at Cottrill's Cove;  
THENCE in a general southerly direction by and along the shore or Cottrill's Cove a distance to the high water mark of the Damariscotta River to a point lying a course North 73° 35' 19" East one (1) foot from an iron pipe set in the ground:  
THENCE South 73° 35' 19" West a distance of one (1) foot, more or less, to said iron pipe;  
THENCE south 73° 35' 19" west through a series of iron pipes set at irregular intervals a distance of one hundred eighty-two and nineteen hundredths (182.19) feet to an iron pipe set in the ground;  
THENCE South 47° 48' 27" West a distance of thirty-six and eighty-four hundredths (36.84) feet to an iron pipe set in the ground, said pipe being the extreme northerly corner, now or formerly of the Cricket Shop;  
THENCE South 47° 48' 27" west a distance of one hundred forty-three and sixteen hundredths (143.16) feet to an iron pipe set in the ground near the northerly side of Main Street;  
THENCE in a northwesterly direction by Main Street to the point of beginning, this Parcel being known as Foye Street.”

This appears to run the distance from Main Street to the river, in the approximate location as shown on the tax map.

There is a question as to title to Griffin Lane that arises from the deed from Matthew Cottrill to Samuel Glidden dated February 27, 1846 and recorded in Book 183, Page 501. This describes the same parcel as is described in the deed to Joseph W. Griffin (the current owner of Lot 26; see Book 781, Page 249) and states “N.B. The street laid down on said Plan of one rod and nine links in width is left in common, but belonging to aforegranted premises.” This note is not clear as to who may have common rights in the road and, while it suggests that the fee interest in the road follows what is now Lot 26, the document does not use granting language for the road. It is therefore not clear whether this note has the effect of conveying the fee interest in Foye Street (a/k/a Griffin Lane) to Griffin’s predecessor. Griffin’s immediate predecessor (Irma Stetson) obtained easement



rights in Griffin Lane in order to convey them to Griffin, which suggests that this ancient deed language did not convey the fee interest in Griffin Lane with the land that is now Lot 26 or there was a severance of those rights from Lot 26 at some time after that 1846 deed. A later deed to Joseph W. Griffin (following conveyances from by him to family members), includes a grant of “all my right, title and interest in and to the said street laid down on a plan taken by John S. Foye, January 14, 1814.” Based on this language, there does appear to at least be a claim for ownership of Foye Street by Joseph W. Griffin. (See also easement deed from Griffin to the Cricket Shop (Book 781, Page 252) discussed below.) However, Bangor Savings Bank also has a good basis for claiming 50% interest based on the Warranty Deed at Book 1229, Page 81. We have not been able to find the origin of the creation of the 50% interests in Griffin Lane with the records available online to resolve this issue. We would need to make a visit to the Lincoln County Registry of Deeds to do further research.

### **Lot 31**

Lot 31 does not appear to have any easement rights in Griffin Lane, Courtyard Street, or the Elm Street Extension. Notwithstanding, Lot 31 is able to use Courtyard Street, because of the fee interest in Courtyard Street held by Bangor Savings Bank (discussed above). If these lots are split, express easement rights should be granted.

### **Lot 29**

#### **Rights to Courtyard Street and Elm Street Extension:**

Deed from Neil L. Parsons (Book 1126, Page 26) includes “all of the land, estates, easements, rights of ways, and privileges of every nature and description” and specifically describes the Agreement at Book 817, Page 77, the Judgment at Book 795, Page 63, and the Plan at Plan Book 21, Page 29. These documents stem from the litigation between Neil Parsons and George D. and Katherine M. Chasse. The order established certain easements in favor of Parsons, which Neil Parsons and George and Katherine Chasse appear to have amended by the Agreement. The Agreement established:

...the right to use for ordinary purposes of travel to and from the premises of said Parsons on the northeast side of said street in common with others:

A. A 10.5 foot right of way from Main Street in a northeastern direction between the premises of Parsons and the Cricket Shop premises, so-called, for a distance of 120 feet, more or less, and

B. A 10.5 foot right of way which connects with the first at about right angles at the northeasterly end thereof and runs from Elm Street in a northwesterly direction past the Beer Parlor and adjacent to the northeasterly line of the premises of said Parsons.

The above describes rights to use Courtyard Street and the Elm Street Extension, at least to the extent that the Elm Street Extension runs over Lots 28 and 30 (as those are the only properties the Chasse’s had the right to create easements over). When Damariscotta Bank & Trust Co. acquired Lots 28 and 30 in 1985 (after having acquired Lot 29 in 1982), these easement rights

merged with the fee interest and were terminated. Any portion of these easements that are over other property not held by Bangor Savings Bank, if there is any, would continue. When most of Lot 29 was sold to Best Thai Holdings, LLC, the only easement rights granted are those stated in that deed. That is, the old easements were not resurrected.

Rights to Griffin Lane:

We don't find any rights to Griffin Lane for Lot 29.

**EASEMENTS BURDENING THE PARCELS**

Rights of Others in Griffin Lane:

- **Lot 26:** By virtue of the easement deed from George Chasse and Katherine Chasse and The Cricket Shop, dated July 5, 1973 and recorded in Book 781, Page 242, Lot 26 has rights in "Foye Street" so-called. However, this does not appear to extend the full length of Griffin Lane to the water. As described it extends approximately 152 feet from Main Street. Below is an excerpt from the deed describing the easement (land of Irma Stetson is Lot 26). The easement is for the right to pass and repass by foot and by vehicle. The use of the easement is also made on the following conditions: (1) there is no right to park vehicles within the right of way; (2) the cost of snow removal is shared by the grantors and grantee; and (3) if Lot 26 is used for business purposes, the cost of repair and maintenance of the way is to be shared among grantors and grantee.

BEGINNING at a pipe in the ground on the northerly side of Main Street at the southeast corner bound of land of Irma T. Stetson; THENCE N 47° 48' 27" E along the southeast boundary of said land of Stetson 152 feet 4 inches, more or less, to an iron pipe in the ground; THENCE southeasterly, at right angle, 21 feet, more or less, to an iron pipe on the easterly side of said private-way; THENCE S 47° 48' 27" W 152 feet, 4 inches, more or less, to the northerly side of Main Street, and THENCE northwesterly by said street to the point of beginning,

The deed at Book 781, Page 252 purports to be an easement conveyed by Joseph Griffin to The Cricket Shop (i.e. Lot 27). This deed makes a few changes to the conditions stated in the above-referenced deed which indicate that George and Katherine Chasse's obligations are for "so long as the said Chasse's are permitted a use of Foye Street." This language also suggests that Griffin claims ownership of Griffin Lane. Regardless, the owner of Lot 26 does appear to have rights in at least a portion of Griffin Lane.

- **Lot 27:** The current deed for Lot 27 (and the same description is used in deeds back to Book 527, Page 443) describes the conveyance as including "one-half of the old street, first mentioned, as running from Cottrill's Cove to Main Street..." This is a bit unclear as to whether it intends to convey a 1/2 interest or the full interest to the centerline. Going back into the chain of title to the deed at Book 440, Page 287, it is confirmed that this is intended to be a 1/2 interest. However, the current deed also grants as the Third Parcel, the right to

use, in common with other, Foye Street. This parcel uses the same legal description as excerpted above. It's unclear why easement rights are needed when this lot appears to own a ½ interest in Foye Street. Regardless, the owners of Lot 27 appear to have rights in Griffin Lane.

#### Rights of Others in Courtyard Street:

- **Lot 27:** The current deed for this parcel (Book 5075, Page 257), describes a “right of way in common with others located between the property now or formerly occupied by Dr. Neil L. Parsons and the property now occupied now (sic) or formerly by the Cricket Shop...extending from Main Street in a northerly direction...” This is the location of Courtyard Street.
- **Lot 29:** The current deed for Lot 29 to Best Thai Holdings LLC includes a right to travel to and from and park in four parking spaces on other land of Bangor Savings Bank. The location of access would be over Courtyard Street. The Existing Conditions survey dated August 23, 2021 by Boundary Points locates these four parking spaces on land of Davey (i.e. Lot 27). It is not currently clear to me whether this is the correct location or if the boundary shown on the plan is correct.
- **Great Salt Bay Sanitary District:** Pursuant to the Notice of Eminent Domain Taking dated June 25, 1986, recorded in Book 1319, Page 31 and the plan recorded in Plan Book 37, Page 19, the sewer district has an easement over the area of Courtyard Street from Main Street and extending out the Elm Street Extension. See the referenced deed for terms and restrictions on the easement area.

#### Rights of Others in Elm Street Extension

The tax lots shown as Lot 32 and 33, appear to have rights over Elm Street Extension only easterly to Elm Street. The language in the deed for Lot 32 is not exactly clear on this point. It states: “Together with a right-of-way by vehicle and by foot over the traveled way for purposes of egress and ingress for all purposes to and from the above described property.” (See Book 2267, Page 119). Although this language does not expressly limit use of the Elm Street Extension to access Elm Street, we haven't found any language in the chain of title for parcels westerly of Lot 32 that would create the right to access that lot over Courtyard Street or Lots 28 and 30. These rights also do appear to burden Lot 37, which states an exception for “a right of way for the use of owners of the other lots abutting on the northwest and southwest lines thereof.” Based on the language of these deeds, I conclude that the rights to Elm Street Extension do not extend westerly to connect to Courtyard Street. However, to the extent that people have used the Elm Street Extension in this way, prescriptive rights (i.e. by adverse possession) may have been acquired.

## Appendix

Chain of Title Deed References by Lot (all references are to Lincoln County Registry of Deeds by Book.Page):

### **Lot 27**

- 1727.47
- 835.132
- 821.157
- 821.154
- 616.38
- 527.443
- 324.242 (not locatable online)

### **Lot 28**

- 1168.139
- 641.156
- 457.572
- 324.242 (not locatable online)

### **Lot 29**

- 445.479
- 412.546
- 408.271

### **Lot 30**

- 1168.139
- 594.76

### **Lot 31**

- 734.29
- 682.164
- 566.179
- 539.378

### **Lot 33**

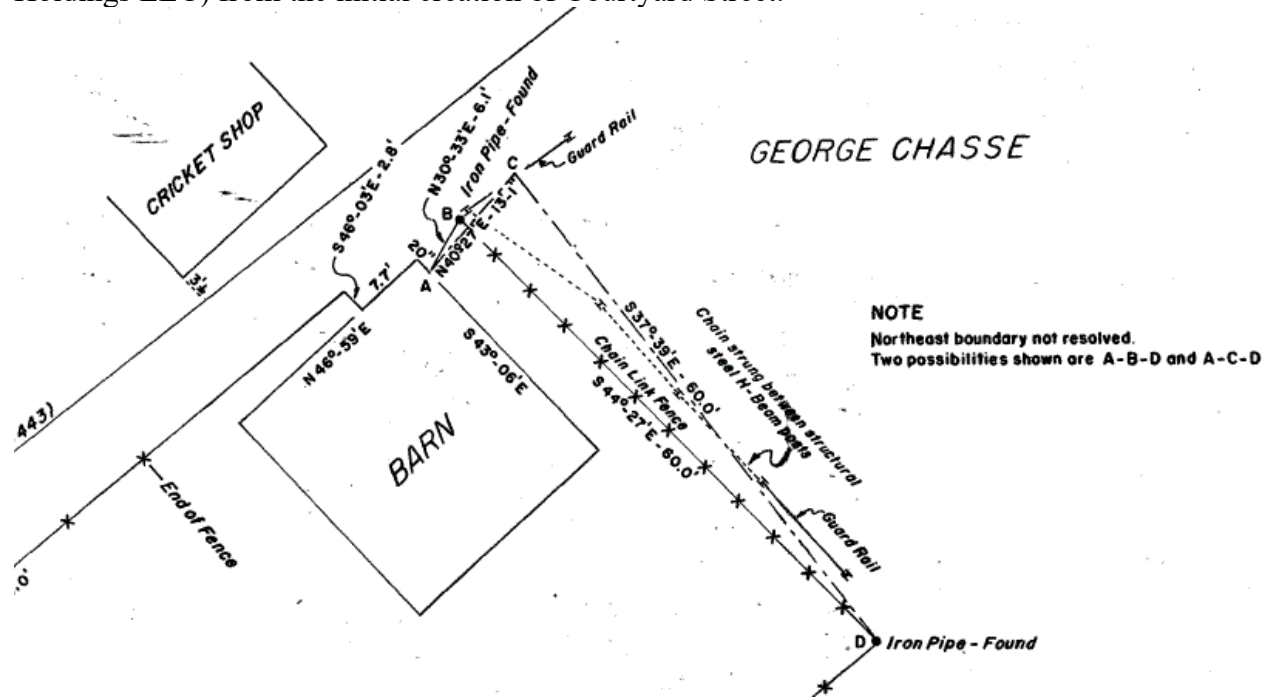
- 5468.273
- 1729.282
- 1729.280
- 1131.152
- 1083.68
- 983.107
- 750.259

**Comments on Existing Conditions survey dated August 23, 2021 by Boundary Points:**

- Land identified on the northwest of the subject property is identified as N/F Murray Hill Properties, Inc. with B/P 5468/273. Griffin Lane should be depicted in this location and the lot owner on the other side of Griffin Lane being Joseph W. Griffin.
- The boundary line around Best Thai Holdings LLC does not appear to match the deed description or the Boundary Survey plan at Plan Book 112, Page 70.
- Please also review the description of Parcel II in the deed at Book 1229, Page 81. There is an area described as:

West 60 feet, more or less; thence South 40°27' West 13.1 feet to a point; thence North 43°06' West 20 inches to a point; thence South 46°59' West 7.7 feet to a point; thence North 46°03' West 2.8 feet to a private road (said private road being hereafter referred to); thence Northeasterly along said private road a distance of approximately 8 feet to a pipe; thence North 45°58'45" West 10.5 feet to a pipe at land now or formerly of the Cricket Shop and now of Meade; thence North 50°34'45" East 25.10 feet to a point at the northeasterly corner of land of Meade;

which appears to match the plan at Plan Book 21, Page 29, showing a more convoluted corner of this land (which I believe was excluded from the conveyance to Best Thai Holdings LLC) from the initial creation of Courtyard Street.



**EXHIBIT 5**

**SERVICE AND INFRASTRUCTURE CAPACITY**

## **EXHIBIT 5**

### **SERVICE AND INFRASTRUCTURE CAPACITY**

#### **A. PUBLIC SERVICES**

The parking lot reconfiguration does not include connection to, or modification of, any public utilities, including water, sewer, and storm drain services.

#### **B. SEWER CAPACITY**

The parking lot reconfiguration will not include sewer service. This section does not apply to this project.

#### **C. ADEQUACY AND AVAILABILITY OF ADJACENT STREETS**

This project will use existing streets and travel corridors to access the proposed parking area. Existing street openings will be reduced from a single 133-foot-wide street opening to two 24-foot-wide entries realigned to connect to Elm Street at a ninety-degree angle. The proposed Bank parking access is designed to Maine Department of Transportation (MEDOT) standards for commercial traffic. Driveway entrances were located to conform to requirements outlined in the municipal Code of Ordinances. Neither driveway entrance is located within 10 feet of a side property line.

#### **D. TRAFFIC STUDY**

Driveways are located to provide safe and convenient ingress and egress to and from the site and minimize conflict with the flow of traffic on the public street. Sight distance at the proposed parking access off Elm Street is greater than 200 feet in both directions. Available sight distances exceed the minimum required sight distances outlined in the Code of Ordinances.

#### **E. TRAFFIC IMPACT ANALYSIS**

A total of 16 employees are working for the existing Bank Branch and office building. Seven (7) employees are working at the Bank Branch, and nine (9) employees will occupy the office space.

The anticipated maximum weekday daily trip generation is 229 trips for the Bank Branch and 71 trips for the office space. The total combined trip ends for the site on a weekday is 300 trips. The anticipated maximum peak-hour vehicle trip ends for the Bank Branch will be 31 for the PM peak-hour on a weekday and 17 for the office space during the PM peak-hour on a weekday. The total combined trip ends for the site on a weekday is 47. Since the proposed total does not exceed 100 trips, a Traffic Movement Permit (TMP) will not be required from the Maine Department of Transportation (MEDOT). Total trips for the property will be divided between the two proposed site entrances, which should help reduce impact to adjacent streets.

#### **F. SOLID WASTE HANDLING**

There will be a dumpster on-site for the solid waste during and after construction. Waste will be removed by a private hauler contracted by Bangor Savings Bank.

#### **G. FIRE PROTECTION WATER SUPPLY**

This project does not include any work associated with the existing public water service. The proposed parking lot reconfiguration will not have any impact on fire protection water supply in the area.

#### **H. SEPTIC SYSTEM**

This project does not include any work associated with the sanitary sewer. The proposed parking lot reconfiguration will not have any impact on sewer service in the area.



**EXHIBIT 6**

**THIRD PARTY AUTHORIZATIONS**

## **EXHIBIT 6**

### **THIRD PARTY AUTHORIZATIONS**

This project will be within 75 feet of the Damariscotta River. A Maine Department of Environmental Protection (MEDEP) Natural Resources Protection Act (NRPA) Permit-by-Rule for activities adjacent to protected natural resources will be required for this project. A NRPA Permit-by-Rule notification will be filed with MEDEP prior to construction. A copy of the notification will be forwarded to the Town office in compliance with application submission requirements.

**EXHIBIT 7**

**NATURAL RESOURCES**

## EXHIBIT 7

### NATURAL RESOURCES

SME has reached out to the Maine Department of Inland Fisheries & Wildlife (MIFW), the Maine Natural Areas Program (MNAP), and the Maine Historic Preservation Commission (MHPC) to review natural resources and historic features in the project area.

We have not received a response from MIFW regarding the presence of any rare, threatened, or endangered species in the project area. A copy of our request letter is attached for review. As a fully developed site, we do not anticipate our project will impact any animal species in the area. SME will provide a copy of the written MIFW response as soon as it is received.

A letter from the Maine Natural Areas Program (MNAP) is attached for review. MNAP has determined that there are not any at-risk species, natural ecosystems, wildlife habitats, ecological reserves, or invasive plants on the project site.

As previously outlined, this project will be completed on an existing developed parcel. No disturbance to historic buildings or structures is proposed or anticipated. SME is working with the Maine Historic Preservation Commission (MHPC) to identify archaeological survey requirements for the project based on historic buildings currently or formerly near the project area. Based on conversations with MHPC, we anticipate a State licensed archaeologist will observe excavation for light pole bases and underground electrical conduit during construction. A copy of our most recent correspondence with MHPC is attached for reference.

All grading, filling, and associated site construction will be conducted in accordance with the Maine Erosion and Sediment Control Best Management Practices (BMPs) latest edition, dated October 2016. This will be the minimum standard for erosion and sedimentation control for the project, as adopted by the Town of Damariscotta from the MEDEP standards. Erosion and sedimentation control notes and details are included on Drawing C-105 and Drawing C-300 in the attached drawing set.

A double row of silt fence and additional riprap will be installed along the edge of the Damariscotta River to protect the natural resource in accordance with MEDEP standards. There are no other major natural features within 250 feet of the project site, including wetlands, streams, ponds, floodplains, groundwater aquifers, significant wildlife habitats, significant stands of trees, archeological resources, or other important natural features.

December 4, 2023

John Perry, Environmental Review Coordinator  
Maine Department of Inland Fisheries and Wildlife  
284 State Street, 41 SHS  
Augusta, ME 04333-0041

Subject: Bangor Savings Bank – Parking Lot Reconfiguration  
100 Main Street, Damariscotta, Maine

Dear John:

Bangor Savings Bank is seeking approval for reconfiguration of an existing 25-space Parking Lot at 100 Main Street in Damariscotta, Maine, under a Town of Damariscotta (Town) Planning Board Site Plan Application.

The existing property is developed with a bank branch fronting to Main Street with a paved parking lot behind the structure to the north. The property is currently identified as Lots 028, 030, and 031 on the Town of Damariscotta Tax Map No. 006.

The 1.04-acre parcel is bordered to the South by Main Street, Damariscotta River to the north, existing commercial development to the west, and an additional existing parking lot to the east. The project location is outlined in the attached Figure 1 - Site Location Map.

We would appreciate receiving any information relative to rare, threatened, or endangered species or the presence of important wildlife or fisheries habitat at or in the immediate vicinity of our project.

Please feel free to contact me at 207.829.5016 or [jtr@smemaine.com](mailto:jtr@smemaine.com) if you have any questions or need additional information.

Sincerely,

SEVEE & MAHER ENGINEERS, INC.



Jeffrey Read, P.E.  
Project Manager

Attachments: MDIFW Environmental Review and Resource Map Request  
Figure 1 - Site Location Map



**Maine Department of Inland Fisheries and Wildlife**  
**353 Water Street, 41 SHS, Augusta, ME 04333**  
**IFWEnvironmentalReview@maine.gov**

## **MDIFW Environmental Review and Resource Map Request**

The Maine Department of Inland Fisheries and Wildlife provides environmental project reviews, recommendations, and agency resource maps for landowners, preliminary reviews of potential project sites, and formal agency regulatory reviews that include information on important fisheries, wildlife, and critical habitat resources. To facilitate your request, please provide the following information:

**1. This is a request for a:**

- New Project
- Follow-up for an existing project or prior information request.

**2. Project Location (provide ONE of the following options):**

Street address (include town) – Preferred option: 100 Main Street, Damariscotta, Maine 04543

UTM East [ ] & UTM North [ ] coordinates (integers only).

Latitude [ ] & Longitude [ ] coordinates (decimal degrees, e.g., 45.03020)

Provide a GIS shapefile of the project footprint.

Provide a GoogleEarth KML/KMZ File of the project footprint.

Please also attach a project site map with location coordinates. GoogleEarth is a popular tool to create project site maps. If you click over the location in GoogleEarth, it will reveal the latitude/longitude coordinate of that spot.

If the project footprint is based on a parcel boundary, in addition to the street address, please provide the parcel map [ ] and lot [ ] numbers. Map 006, Lots 028, 30, 31

**3. Project Description:**

Please provide the name and as much detail as possible for your proposed project. If this a general request for information, please indicate so.

Reconfiguration of of an existing parking lot which includes 25 spaces, new site lighting and underground electric service.

**4. Permit Application Number:**

If this request is related to a project currently or previously subject to regulatory review, please indicate your permit application number(s) and the agency(s) involved.

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## MDIFW Environmental Review and Resource Map Request

### 5. **Contact Information:**

Last name: Latulippe

First name: Abigail

Relationship to project: **Consultant**

Organization: Sevee & Maher Engineers, Inc

Street Address: 4 Blanchard Road

City: Cumberland

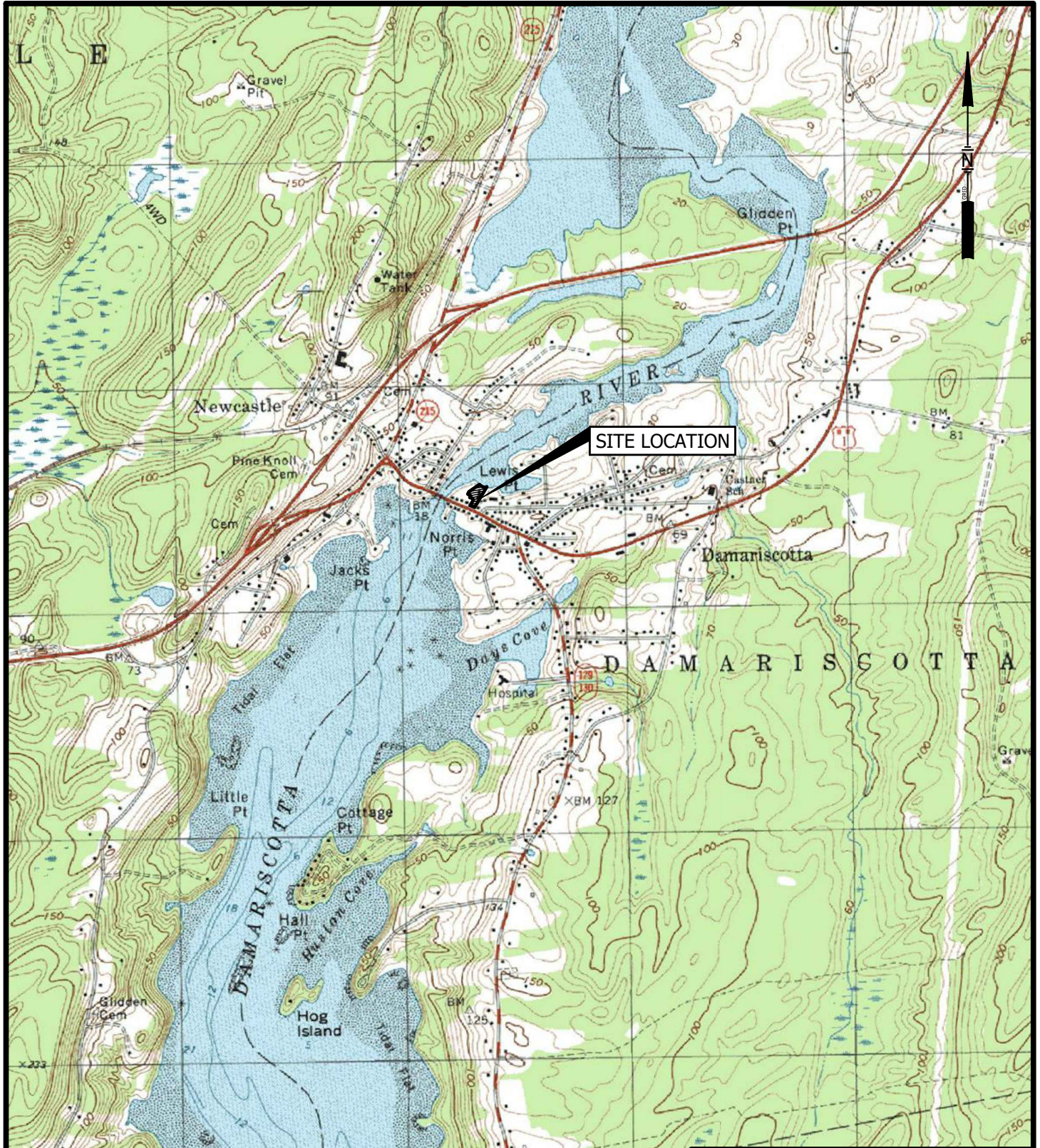
State: Maine

Zip Code: 04021

Phone Number: 207-829-5016

Email Address: aml@smemaine.com

Please provide all information requested. Omission of information may delay or prevent the ability to fulfill requests. Please submit this request and any other supplemental information (e.g. site plans, if available) to [IFWEnvironmentalReview@maine.gov](mailto:IFWEnvironmentalReview@maine.gov). Thank you.



BASEMAP ADAPTED FROM 7.5 MIN USGS TOPO QUADS  
 DAMARISCOTTA, ME - 2000  
 BRISTOL, ME - 2000  
 WALDOBORO-WEST, ME - 1988  
 LOUDS ISLAND, ME - 1979



FIGURE 1  
 SITE LOCATION MAP  
 DAMARISCOTTA BANK BRANCH  
 BANGOR SAVINGS BANK  
 DAMARISCOTTA, MAINE

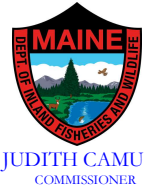






JANET T. MILLS  
GOVERNOR

STATE OF MAINE  
DEPARTMENT OF  
INLAND FISHERIES & WILDLIFE  
353 WATER STREET  
41 STATE HOUSE STATION  
AUGUSTA ME 04333-0041



JUDITH CAMUSO  
COMMISSIONER

January 22, 2024

Abigail Latulippe  
Sevee & Maher Engineers  
4 Blanchard Road  
P.O. Box 85A  
Cumberland, ME 04021

**RE: Information Request – 100 Main Street, Damariscotta Project (ERID 7287)**

Dear Abigail:

Per your request received on December 04, 2023, we have reviewed current Maine Department of Inland Fisheries and Wildlife (MDIFW) information for known locations of Endangered, Threatened, and Special Concern species; designated Essential and Significant Wildlife Habitats; and inland fisheries habitat concerns within the vicinity of the *100 Main Street, Damariscotta* project.

Our information indicates no locations of State-listed Endangered, Threatened, or Special Concern species within the project area that would be affected by your project. Additionally, our Department has not mapped any Essential or Significant Wildlife Habitats or inland fisheries habitats that would be directly affected by your project.

This consultation review has been conducted specifically for known MDIFW jurisdictional features and should not be interpreted as a comprehensive review for the presence of other regulated features that may occur in this area. Prior to the start of any future site disturbance, we recommend additional consultation with the municipality, and other state resource agencies including the Maine Natural Areas Program, Maine Department of Marine Resources, and Maine Department of Environmental Protection in order to avoid unintended protected resource disturbance.

Please feel free to contact my office if you have any questions regarding this information, or if I can be of any further assistance.

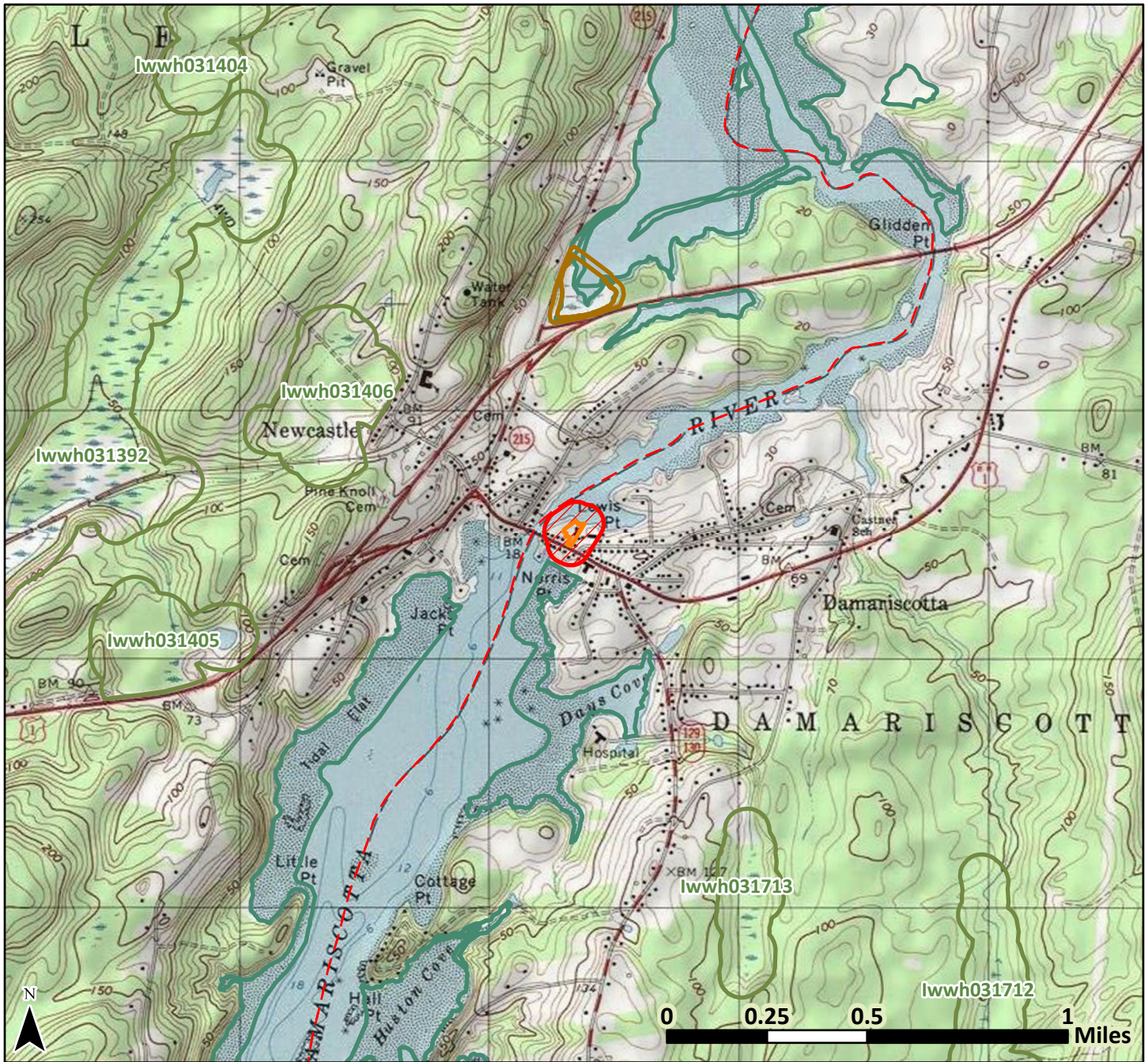
Best regards,

Ciara Wentworth  
Resource Biologist



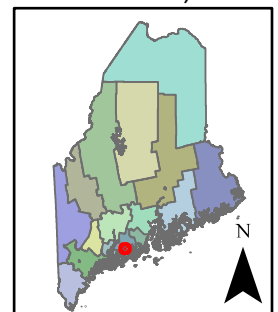
# Maine Department of Inland Fisheries and Wildlife Project Area Review of Fish and Wildlife Observations and Priority Habitats

## 100 Main Street, Damariscotta



-  County Boundary
-  Township Boundary
-  Project Footprint
-  Search Area
-  Inland Waterfowl/Wading Bird
-  Shorebird Area
-  Tidal Waterfowl/Wading Bird

Date: 12/6/2023  
Projection:  
UTM Zone 19N, NAD83



Legend only lists resources visible in the map; see response letter for all resources that were evaluated.



STATE OF MAINE  
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY

177 STATE HOUSE STATION  
AUGUSTA, MAINE 04333

JANET T. MILLS  
GOVERNOR

AMANDA E. BEAL  
COMMISSIONER

December 6, 2023

Jeffrey Read  
Sevee & Maher Engineers  
PO Box 85A  
Cumberland, ME 04021

Via email: [jtr@smemaine.com](mailto:jtr@smemaine.com)

Re: Rare and exemplary botanical features in proximity to: #21719, Bangor Savings Bank Parking Lot Reconfiguration, 100 Main Street, Damariscotta, Maine

Dear Jeffrey Read:

I have searched the Maine Natural Areas Program's Biological and Conservation Data System files in response to your request received December 4, 2023 for information on the presence of rare or unique botanical features documented from the vicinity of the project in Damariscotta, Maine. Rare and unique botanical features include the habitat of rare, threatened, or endangered plant species and unique or exemplary natural communities. Our review involves examining maps, manual and computerized records, other sources of information such as scientific articles or published references, and the personal knowledge of staff or cooperating experts.

Our official response covers only botanical features. For authoritative information and official response for zoological features you must make a similar request to the Maine Department of Inland Fisheries and Wildlife, 284 State Street, Augusta, Maine 04333.

According to the information currently in our Biological and Conservation Data System files, there are no rare botanical features documented specifically within the project area. Based on the information in our files and the landscape context of this project, there is a low probability that rare or significant botanical features occur at this project location.

This finding is available and appropriate for preparation and review of environmental assessments, but it is not a substitute for on-site surveys. Comprehensive field surveys do not exist for all natural areas in Maine, and in the absence of a specific field investigation, the Maine Natural Areas Program cannot provide a definitive statement on the presence or absence of unusual natural features at this site.

The Maine Natural Areas Program (MNAP) is continuously working to achieve a more comprehensive database of exemplary natural features in Maine. We would appreciate the contribution of any information obtained should you decide to do field work. MNAP welcomes coordination with individuals or organizations proposing environmental alteration or conducting environmental assessments. If, however, data provided by MNAP are to be published in any form, the Program should be informed at the outset and credited as the source.

MOLLY DOCHERTY, DIRECTOR  
MAINE NATURAL AREAS PROGRAM  
90 BLOSSOM LANE, DEERING BUILDING



PHONE: (207) 287-8044  
WWW.MAINE.GOV/DACF/MNAP

Letter to SME  
Comments RE: Bangor Savings Bank, Damariscotta  
December 6, 2023  
Page 2 of 2

The Maine Natural Areas Program has instituted a fee structure of \$75.00 an hour to recover the actual cost of processing your request for information. You will receive an invoice for \$150.00 for two hours of our services.

Thank you for using MNAP in the environmental review process. Please do not hesitate to contact me if you have further questions about the Natural Areas Program or about rare or unique botanical features on this site.

Sincerely,

*Lisa St. Hilaire*

Lisa St. Hilaire | Information Manager | Maine Natural Areas Program  
207-287-8044 | [lisa.st.hilaire@maine.gov](mailto:lisa.st.hilaire@maine.gov)





**EXHIBIT 8**

**PLANS**

**EXHIBIT 8**

**PLANS**

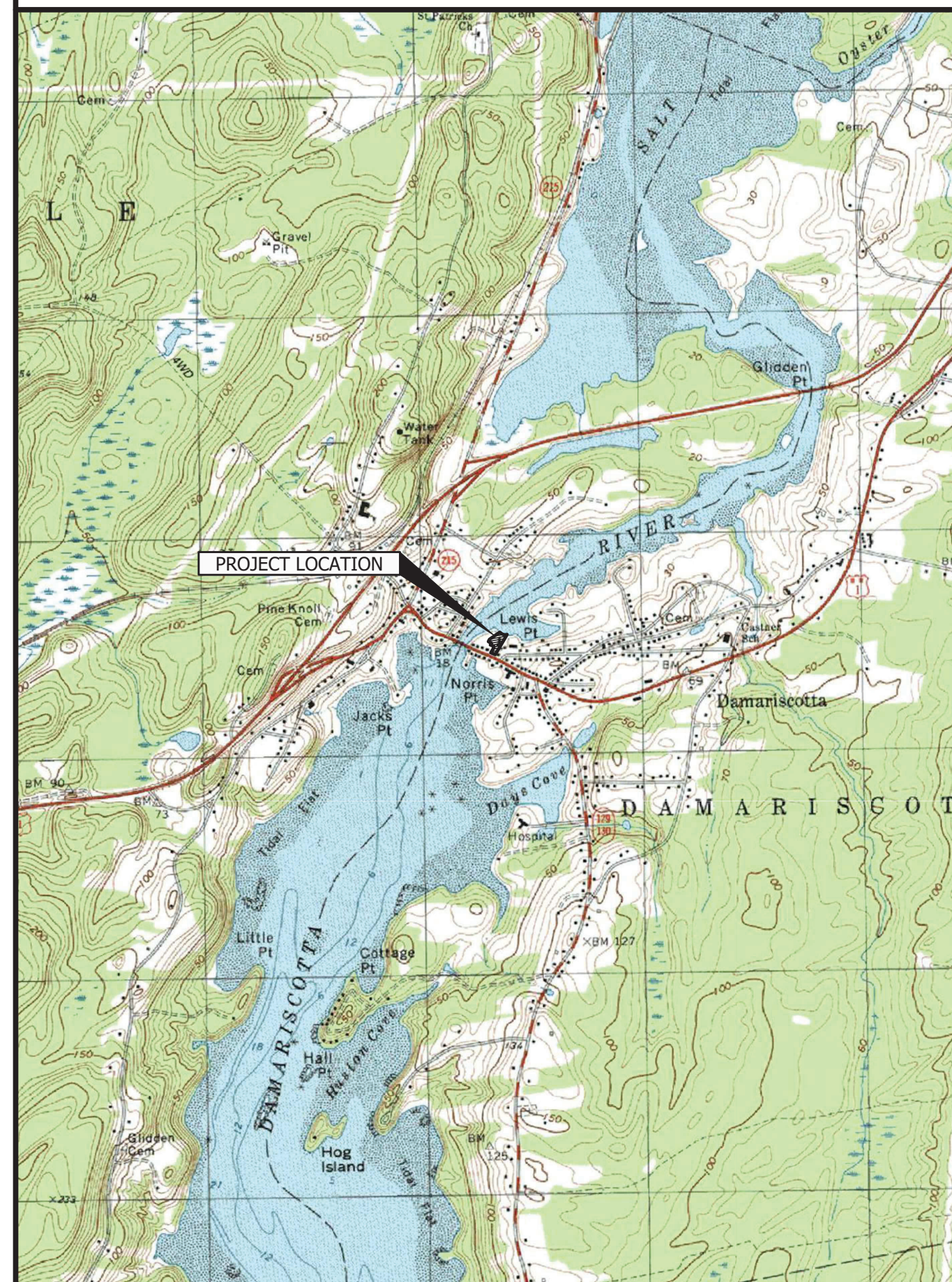
A copy of the project plan set is attached for review.



# BANGOR SAVINGS BANK PARKING LOT RECONFIGURATION 100 MAIN STREET DAMRISCOTTA, MAINE

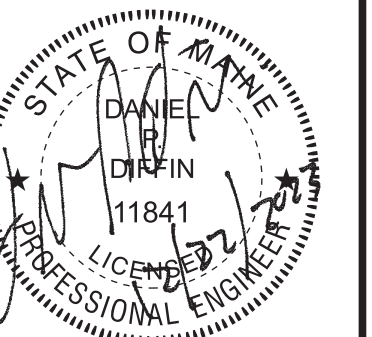
TITLE	DWG NO
COVER SHEET	
GENERAL NOTES, LEGEND, AND ABBREVIATIONS	C-100
EXISTING CONDITIONS AND DEMOLITION PLAN	C-101
SITE LAYOUT PLAN	C-102
SITE UTILITY PLAN	C-103
SITE GRADING, DRAINAGE, AND EROSION CONTROL PLAN	C-104
LOT CONSOLIDATION PLAN	C-105
EROSION CONTROL NOTES AND DETAILS	C-300
SECTIONS AND DETAILS	C-301
STORMWATER MANAGEMENT PLAN - PRE-DEVELOPED CONDITIONS	D-100
STORMWATER MANAGEMENT PLAN - POST-DEVELOPMENT CONDITIONS	D-101
LANDSCAPE PLAN	L-1
EXISTING CONDITIONS SURVEY	1

LOCATION MAP

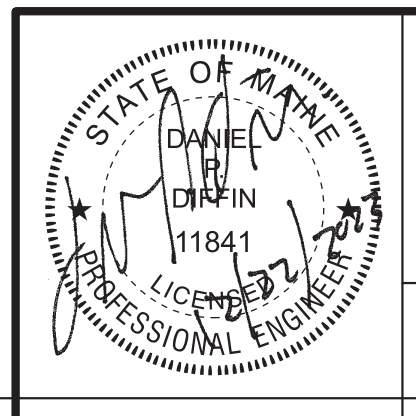
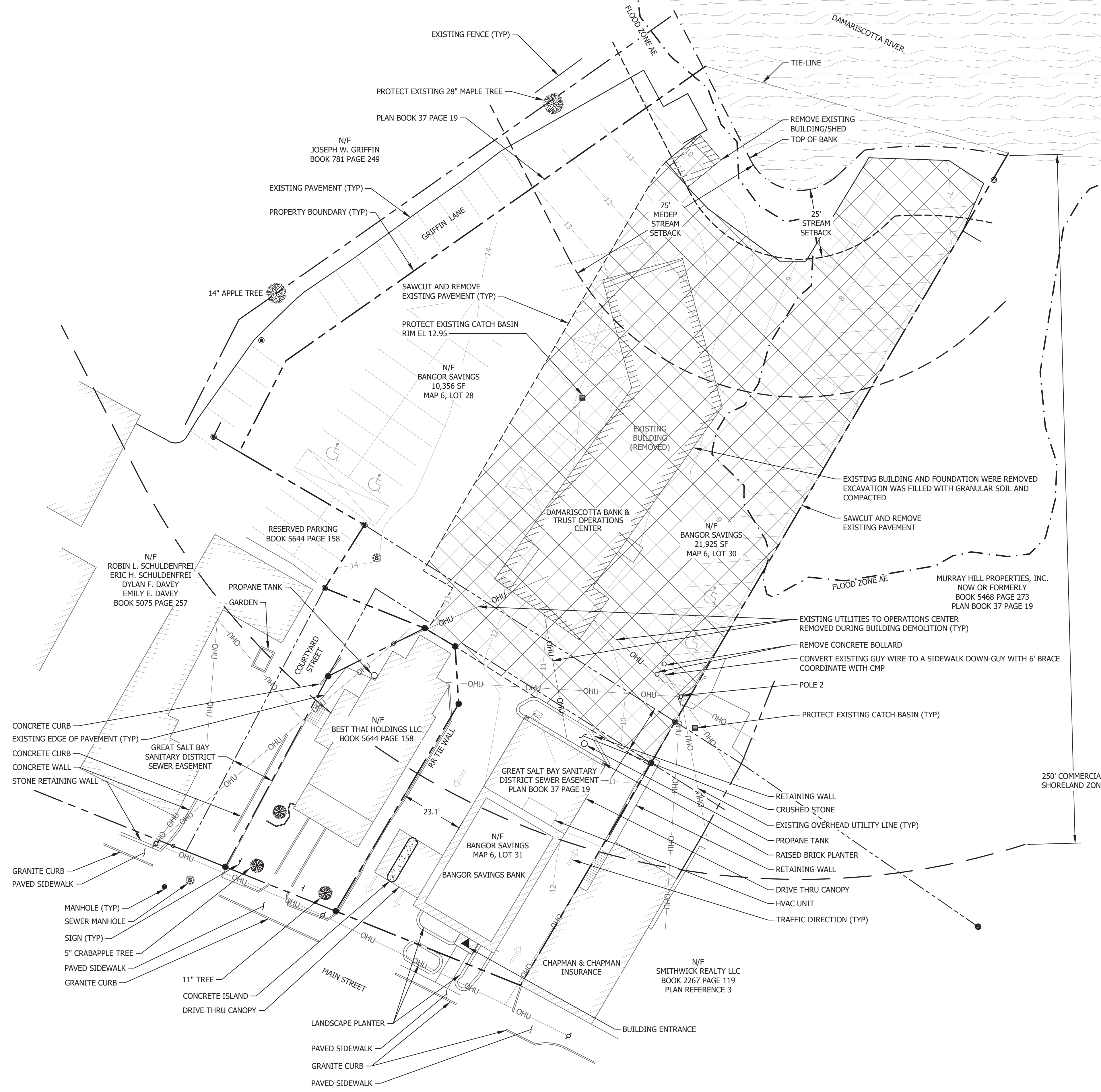


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4 Blanchard Road, PO Box 85A, Cumberland, Maine 04021  
Phone 207.829.5016 • Fax 207.829.5692 • smemaine.com





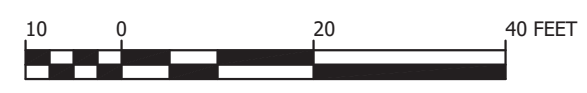


**BANGOR SAVINGS BANK  
PARKING LOT RECONFIGURATION  
100 MAIN STREET  
DAMARISCOTTA, MAINE**

**EXISTING CONDITIONS AND DEMOLITION PLAN**

 <b>SME</b> SEVEE & MAHER ENGINEERS <small>ENVIRONMENTAL • CIVIL • GEOTECHNICAL • WATER • COMPLIANCE</small> 4 Blanchard Road, PO Box 85A, Cumberland, Maine 04021 Phone 207.829.5016 • Fax 207.829.5692 • sme-engineers.com	DESIGN BY: JTR
	DRAWN BY: JRL
	DATE: 12/2023
	CHECKED BY: DPD
	LMN: EXCON
	CTB: SME-STD
JOB NO. 21719	DWG FILE BASE-ALT
	<b>C-101</b>

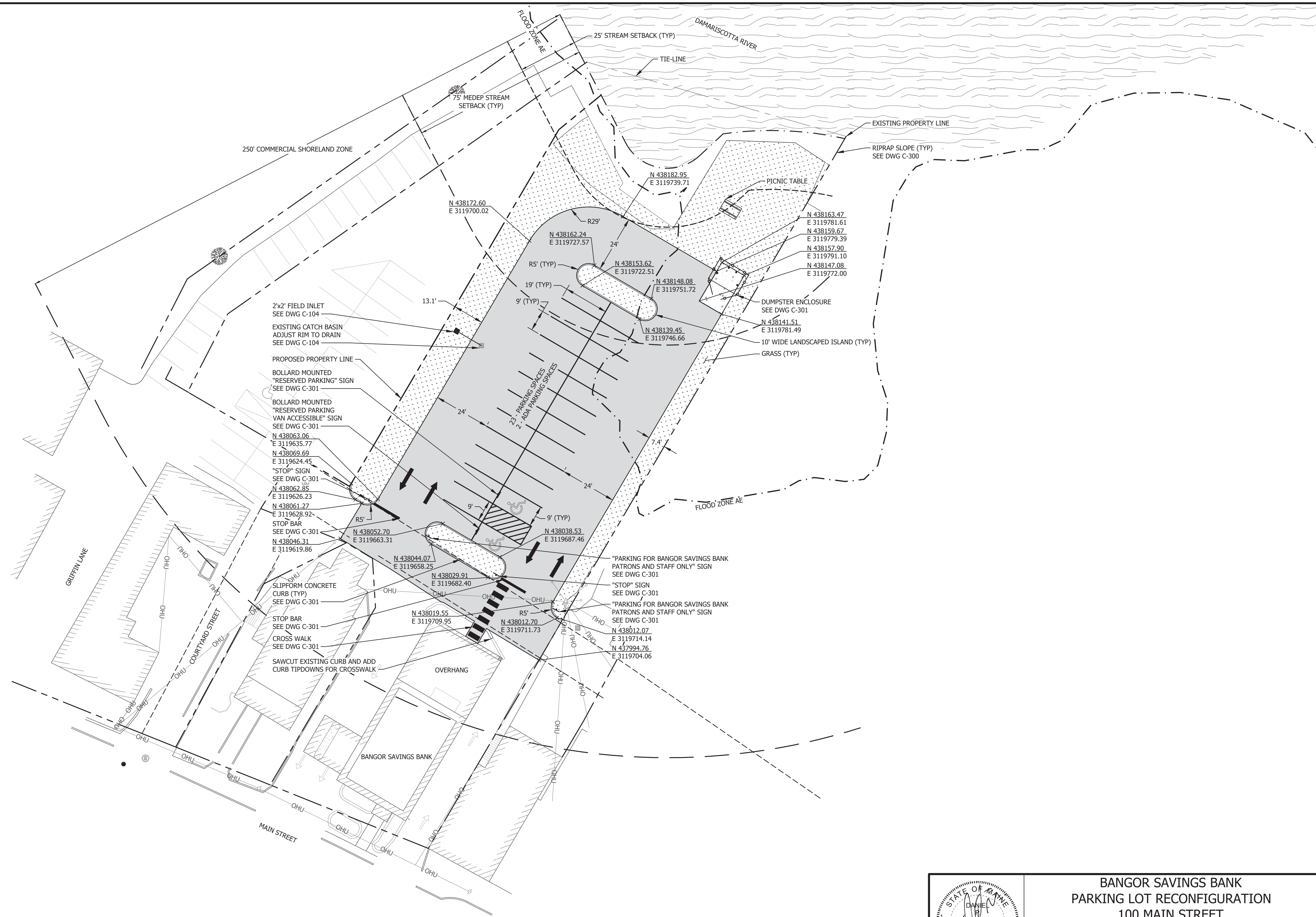
**NOTE:**  
1. SEE DRAWING C-100 FOR GENERAL SITE NOTES AND PLAN REFERENCES.



REV.	BY	DATE	STATUS
	DPD	12/2023	ISSUED FOR TOWN REVIEW

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- 2'x2' FIELD INLET SEE DWG C-104
- EXISTING CATCH BASIN ADJUST RIM TO DRAIN SEE DWG C-104
- PROPOSED PROPERTY LINE
- BOLLARD MOUNTED "RESERVED PARKING" SIGN SEE DWG C-301
- BOLLARD MOUNTED "RESERVED PARKING VAN ACCESSIBLE" SIGN SEE DWG C-301
- N 438063.06 E 3119635.77
- N 438069.69 E 3119624.45
- "STOP" SIGN SEE DWG C-301
- N 438062.85 E 3119626.23
- N 438061.27 E 3119628.92
- STOP BAR SEE DWG C-301
- N 438046.31 E 3119619.86
- N 438044.07 E 3119658.25
- N 438029.91 E 3119682.40
- N 438019.55 E 3119709.95
- N 438012.70 E 3119711.73
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- N 438012.70 E 3119711.73



NOTE:  
1. SEE DRAWING C-100 FOR GENERAL SITE NOTES AND PLAN REFERENCES.

REV.	BY	DATE	STATUS
	DPD	12/2023	ISSUED FOR TOWN REVIEW

**BANGOR SAVINGS BANK  
PARKING LOT RECONFIGURATION  
100 MAIN STREET  
DAMARISCOTTA, MAINE**

**SITE LAYOUT PLAN**

DESIGN BY: JTR  
DRAWN BY: JRL  
DATE: 12/2023  
CHECKED BY: DPD  
LMN: SITE-LAYO  
CTB: SME-STD

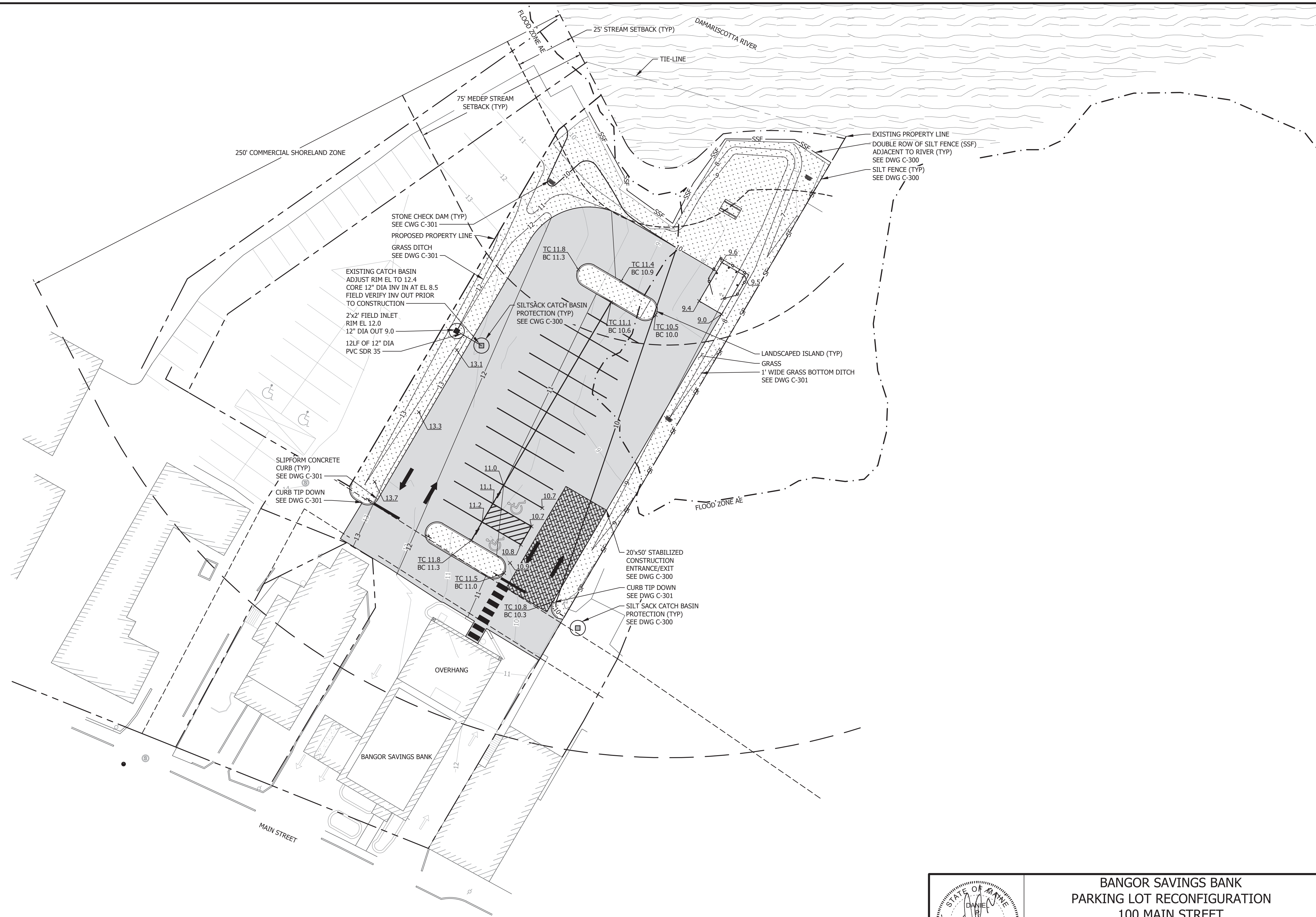
**SME**  
SEVEE & MAHER  
ENGINEERS

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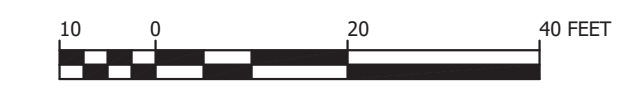
4 Blanchard Road, PO Box 85A, Cumberland, Maine 04021  
Phone 207.829.5016 • Fax 207.829.5692 • sme-engineers.com

JOB NO. 21719    DWG FILE BASE-ALT    **C-102**

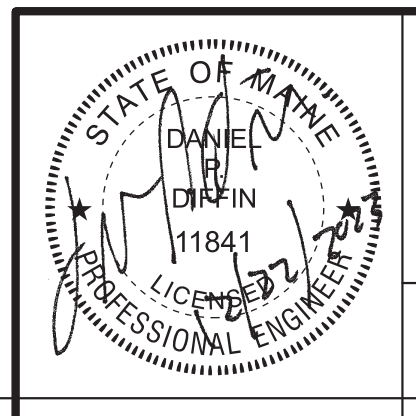
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NOTE:  
1. SEE DRAWING C-100 FOR GENERAL SITE NOTES AND PLAN REFERENCES.



REV.	BY	DATE	STATUS
	DPD	12/2023	ISSUED FOR TOWN REVIEW



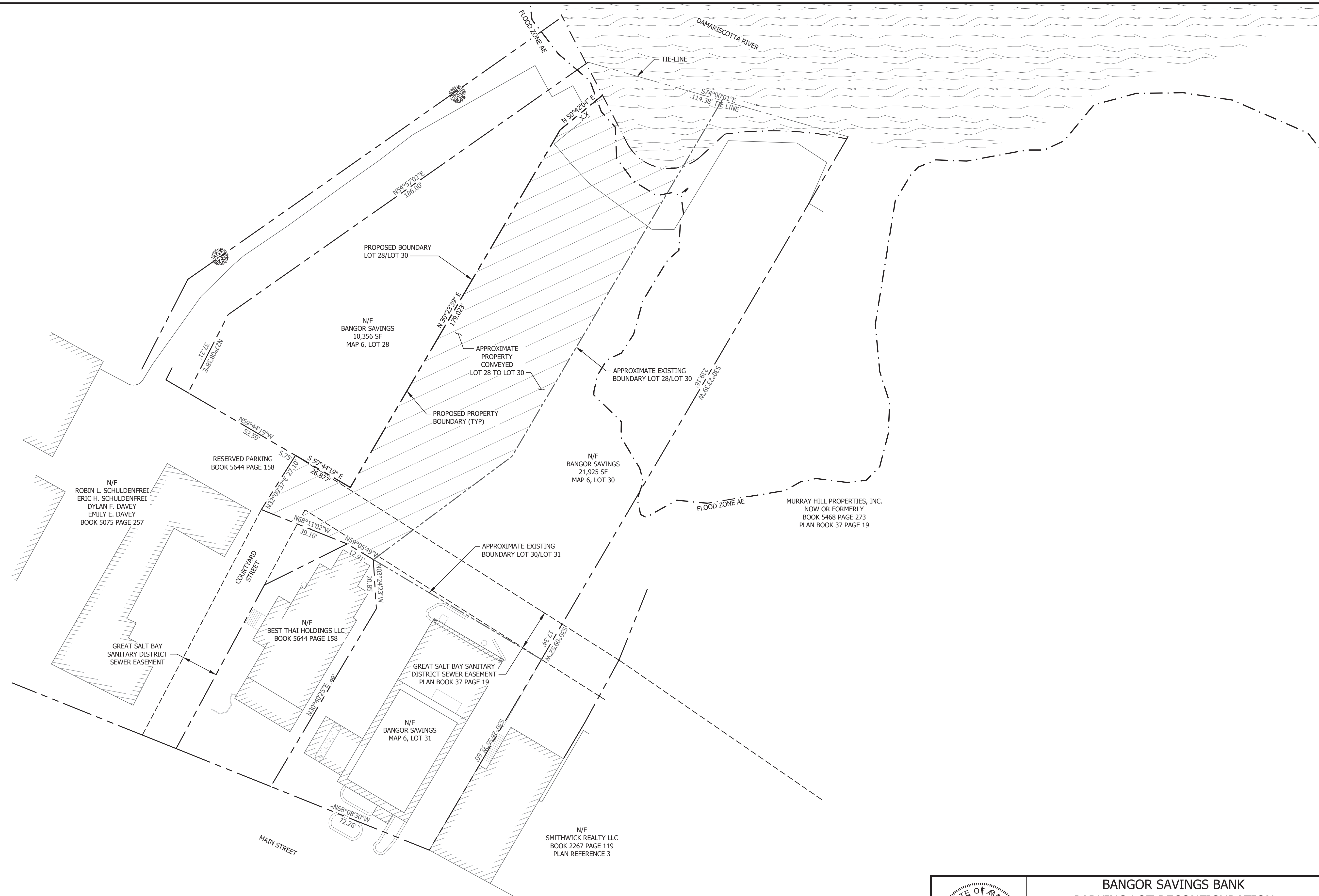
**BANGOR SAVINGS BANK  
PARKING LOT RECONFIGURATION  
100 MAIN STREET  
DAMARISCOTTA, MAINE  
SITE GRADING, DRAINAGE,  
AND EROSION CONTROL PLAN**

**SME**  
SEVEE & MAHER  
ENGINEERS  
ENVIRONMENTAL • CIVIL • GEOTECHNICAL • WATER • COMPLIANCE  
4 Blanchard Road, PO Box 85A, Cumberland, Maine 04021  
Phone 207.829.5016 • Fax 207.829.5692 • sme-engineers.com

DESIGN BY: JTR
DRAWN BY: JRL
DATE: 12/2023
CHECKED BY: DPD
LMN: GRAD-EROS
CTB: SME-STD

JOB NO. 21719    DWG FILE BASE-ALT    **C-104**

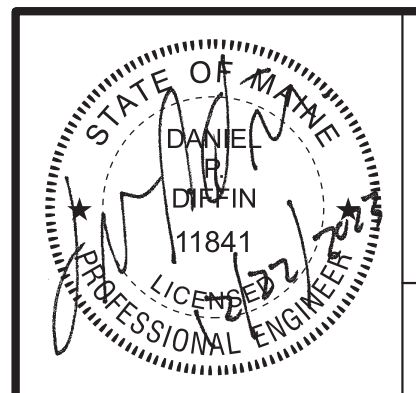
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NOTE:  
1. SEE DRAWING C-100 FOR GENERAL SITE NOTES AND PLAN REFERENCES.



REV.	BY	DATE	STATUS
	DPD	12/2023	ISSUED FOR TOWN REVIEW



**BANGOR SAVINGS BANK  
PARKING LOT RECONFIGURATION  
100 MAIN STREET  
DAMARISCOTTA, MAINE**

**LOT CONSOLIDATION PLAN**

 <b>SME</b> SEVEE & MAHER ENGINEERS <small>ENVIRONMENTAL • CIVIL • GEOTECHNICAL • WATER • COMPLIANCE</small> 4 Blanchard Road, PO Box 85A, Cumberland, Maine 04021 Phone 207.829.5016 • Fax 207.829.5692 • sme-engineers.com	DESIGN BY: JTR
	DRAWN BY: JRL
	DATE: 12/2023
	CHECKED BY: DPD
	LMN: SITE-LAYO
	CTB: SME-STD
JOB NO. 21719	DWG FILE BASE-ALT
	<b>C-105</b>

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# EROSION CONTROL NOTES:

## A. GENERAL

- All soil erosion and sediment control will be done in accordance with: (1) the Maine Erosion and Sediment Control Handbook: Best Management Practices, Maine Department of Environmental Protection (MEDEP), October 2016.
- The site Contractor (to be determined) will be responsible for the inspection and repair/replacement/maintenance of all erosion control measures, disturbed areas, material storage areas, and vehicle access points until all disturbed areas are stabilized.
- Disturbed areas will be permanently stabilized within 7 days of final grading. Disturbed areas not to be worked upon within 14 days of disturbance will be temporarily stabilized within 7 days of the disturbance.
- In all areas, removal of trees, bushes and other vegetation, as well as disturbance of topsoil will be kept to a minimum while allowing proper site operations.
- Any suitable topsoil will be stripped and stockpiled for reuse as directed by the Owner. Topsoil will be stockpiled in a manner such that natural drainage is not obstructed and no off-site sediment damage will result. In any event, stockpiles will not be located within 100 feet of wetlands and will be at least 50 feet upgradient of the stockpile's perimeter silt fence. The sideslopes of the topsoil stockpile will not exceed 2:1. Silt fence will be installed around the perimeter of all topsoil stockpiles. Topsoil stockpiles will be surrounded with siltation fencing and will be temporarily seeded with Aroostook rye, annual or perennial ryegrass within 7 days of formation, or temporarily mulched.

- Winter excavation and earthwork will be completed so as to minimize exposed areas while satisfactorily completing the project. Limit exposed areas to those areas in which work is to occur during the following 15 days and that can be mulched in one day. All areas will be considered denuded until the subbase gravel is installed in roadway areas or the areas of future loam and seed have been loamed, seeded, and mulched.

Install any added measures necessary to control erosion/sedimentation. The particular measure used will be dependent upon site conditions, the size of the area to be protected, and weather conditions.

To minimize areas without erosion control protection, continuation of earthwork operations on additional areas will not begin until the exposed soil surface on the area being worked has been stabilized.

## B. TEMPORARY MEASURES

### 1. STABILIZED CONSTRUCTION ENTRANCE/EXIT

A crushed stone stabilized construction entrance/exit will be placed at any point of vehicular access to the site, in accordance with the detail shown on this sheet.

### 2. SILT FENCE

- Silt fence will be installed prior to all construction activity, where soil disturbance may result in erosion. Silt fence will be erected at locations shown on the plans and/or downgradient of all construction activity.
- Silt fences will be removed when they have served their useful purpose, but not before the upgradient areas have been permanently stabilized.
- Silt fences will be inspected immediately after each rainfall and at least daily during prolonged rainfall. They will be inspected if there are any signs of erosion or sedimentation below them. Any required repairs will be made immediately. If there are signs of undercutting at the center or the edges, or impounding of large volumes of water behind them, they will be replaced with a temporary crushed stone check dam.
- Sediment deposits will be removed after each storm event if significant build-up has occurred or if deposits exceed half the height of the barrier.

### 3. STONE CHECK DAMS

Stone check dams should be installed before runoff is directed to the swale. Stone check dams will be installed in grass-lined swales and ditches during construction. Remove stone check dams when they have served their useful purpose, but not before upgradient areas have been permanently stabilized.

### 4. EROSION CONTROL MIX SEDIMENT BARRIER

- It may be necessary to cut, pack down, or remove tall grasses, brush, or woody vegetation to avoid voids and bridges that allow the washing away of fine soil particles.
- Where approved, erosion control mix sediment barriers may be used as a substitute for silt fence. See the details in this drawing set for specifications.
- Rock Filter Berms: To provide more filtering capacity or to act as a velocity check dam, a berm's center can be composed of clean crushed rock ranging in size from the french drain stone to riprap.

### 5. TEMPORARY SEEDING

Stabilize disturbed areas that will not be brought to final grade and reduce problems associated with mud and dust production from exposed soil surface during construction with temporary vegetation.

### 6. TEMPORARY MULCHING

Use temporary mulch in the following locations and/or circumstances:

- In sensitive areas (within 100 feet of streams, wetlands and in lake watersheds) temporary mulch will be applied within 7 days of exposing spill or prior to any storm event.
- Apply temporary mulch within 14 days of disturbance or prior to any storm event in all other areas.
- Areas which have been temporarily or permanently seeded will be mulched immediately following seeding.
- Areas which cannot be seeded within the growing season will be mulched for over-winter protection and the area will be seeded at the beginning of the growing season.
- Mulch can be used in conjunction with tree, shrub, vine, and ground cover plantings.
- Mulch anchoring will be used on slopes greater than 5 percent in late fall (past October 15), and over-winter (October 15 - April 15).

The following materials may be used for temporary mulch:

- Hay or Straw material shall be air-dried, free of seeds and coarse material. Apply 2 bales/1,000 sf or 1.5 to 2 tons/acre to cover 90% of ground surface.
- Erosion Control Mix: It can be used as a stand-alone reinforcement:
  - 2-inches thick for slopes flatter than 3H:1V;
  - 4-inches thick for slopes greater than 3H:1V;
  - on slopes 2 horizontal to 1 vertical or less;
  - on frozen ground or forested areas; and
  - at the edge of gravel parking areas and areas under construction.
- Erosion control mix alone is not suitable:
  - on slopes with groundwater seepage;
  - at low points with concentrated flows and in gullies;
  - at the bottom of steep perimeter slopes exceeding 100 feet in length;
  - below culvert outlet aprons; and around catch basins and closed storm systems.

- Chemical Mulches and Soil Binders: Wide ranges of synthetic spray-on materials are marketed to protect the soil surface. These are emulsions that are mixed with water and applied to the soil. They may be used alone, but most often are used to hold wood fiber, hydro-mulches or straw to the soil surface.
- Erosion Control Blankets and Mats: Mats are manufactured combinations of mulch and netting designed to retain soil moisture and modify soil temperature. During the growing season (April 15th to November 1st) use mats indicated on drawings or North American Green (NAG) S75 (or mulch and netting) on:
  - the base of grassed waterways;
  - steep slopes (15 percent or greater); and
  - any disturbed soil within 100 feet of lakes, streams, or wetlands.

During the late fall and winter (November 1st to April 15th) use heavy grade mats indicated on drawings for NAG SC250 on all areas noted above plus use lighter grade mats NAG S75 (or mulch and netting) on:

- sideslopes of grassed waterways; and moderate slopes (between 8 and 15 percent).

## C. TEMPORARY DUST CONTROL

To prevent the blowing and movement of dust from exposed soil surfaces, and reduce the presence of dust, use water or calcium chloride to control dusting by preserving the moisture level in the road surface materials.

## D. CONSTRUCTION DE-WATERING

- Water from construction de-watering operations shall be cleaned of sediment before reaching wetlands, water bodies, streams or site boundaries. Utilize temporary sediment basins, erosion control soil filter berms backed by staked hay bales, A Dirt Bag 55" sediment filter bag by ACF Environmental, or other approved Best Management Practices (BMP's).
- In sensitive areas near streams or ponds, discharge the water from the de-watering operation into a temporary sediment basin created by a surrounding filter berm of uncompacted erosion control mix immediately backed by staked hay bales (see the site details). Locate the temporary sediment basin at least 100 feet from the nearest water body, such that the filtered water will flow through undisturbed vegetated soil areas prior to reaching the water body or property line.

## E. PERMANENT MEASURES

- Riprapped Aprons: All storm drain pipe outlets and the inlet and outlet of culverts will have riprap aprons to protect against scour and deterioration.
- Topsoil, Seed, and Mulch: All areas disturbed during construction, but not subject to other restoration (paving, riprap, etc.) will be loamed, limed, fertilized, seeded, and mulched.

Seeded Preparation: Use stockpiled materials spread to the depths shown on the plans, if available. Approved topsoil substitutes may be used. Grade the site as needed.

- Seeding will be completed by August 15 of each year. Late season seeding may be done between August 15 and October 15. Areas not seeded or which do not obtain satisfactory growth by October 15, will be seeded with Aroostook Rye or mulched. After November 1, or the first killing frost, disturbed areas will be seeded at double the specified application rates, mulched, and anchored.

### PERMANENT SEEDING SPECIFICATIONS OUTSIDE OF SOLAR ARRAY FOOTPRINT

Mixture:	Roadside (lbs/acre)	Lawn (lbs/acre)
Kentucky Bluegrass	20	55
White Clover	5	0
Creeping Red Fescue	20	55
Perennial Ryegrass	5	15

- Provide New England Meadow mix seed in areas of solar array
- Mulch in accordance with specifications for temporary mulching.
- If permanent vegetated stabilization cannot be established due to the season of the year, all exposed and disturbed areas not to undergo further disturbance are to have dormant seeding applied and be temporarily mulched to protect the site.

- Ditches and Channels: All ditches on-site will be lined with North American Green S75 erosion control mesh (or an approved equal) upon installation of loam and seed.

## F. WINTER CONSTRUCTION AND STABILIZATION

- Natural Resource Protection: During winter construction, a double-row of sediment barriers (i.e., silt fence backed with hay bales or erosion control mix) will be placed between any natural resource and the disturbed area. Projects crossing the natural resource will be protected a minimum distance of 100 feet on either side from the resource.
- Sediment Barriers: During frozen conditions, sediment barriers may consist of erosion control mix berms or any other recognized sediment barriers as frozen soil prevents the proper installation of hay bales or silt fences.
- Mulching:
  - All areas will be considered to be denuded until seeded and mulched. Hay and straw mulch will be applied at a rate of twice the normal accepted rate.
  - Mulch will not be spread on top of snow.
  - After each day of final grading, the area will be properly stabilized with anchored hay or straw or erosion control matting.
  - Between the dates of November 1 and April 15, all mulch will be anchored by either mulch netting, emulsion chemical, tracking or wood cellulose fiber.
- Soil Stockpiling: Stockpiles of soil or subsoil will be mulched for over-winter protection with hay or straw at twice the normal rate or with a 4-inch layer of erosion control mix. This will be done within 24 hours of stocking and re-established prior to any rainfall or snowfall. Any soil stockpiles shall not be placed (even covered with mulch) within 100 feet from any natural resources. Sediment barriers should be installed downgradient of stockpiles. Stormwater shall be directed away from stockpiles.
- Seeding: Dormant seeding may be placed prior to the placement of mulch or erosion control blankets. If dormant seeding is used for the site, all disturbed areas will receive 4 inches of loam and seed at an application rate of three times the rate for permanent seeding. All areas seeded during the winter will be inspected in the spring for adequate catch. All areas insufficiently vegetated (less than 75 percent catch) will be revegetated by replacing loam, seed, and mulch.

If dormant seeding is not used for the site, all disturbed areas will be revegetated in the spring.

- Maintenance: Maintenance measures will be applied as needed during the entire construction season. After each rainfall, snow storm, or period of thawing and runoff, and at least once a week, the site Contractor will perform a visual inspection of all installed erosion control measures and perform repairs as needed to ensure their continuous function.

- Identified repairs will be started no later than the end of the net work day and be completed within seven (7) calendar days.

Following the temporary and/or final seeding and mulching, the Contractor will, in the spring, inspect and repair any damages and/or bare spots. An established vegetative cover means a minimum of 85 to 90 percent of areas vegetated with vigorous growth.

## G. OVER-WINTER CONSTRUCTION EROSION CONTROL MEASURES

- Stabilization of Disturbed Soil: By October 15, all disturbed soils on areas having a slope less than 15 percent will be seeded and mulched. If the Contractor fails to stabilize these soils by this date, then the Contractor shall stabilize the soil for late fall and winter, by using either temporary seeding or mulching.
- Stabilization of Disturbed Slopes: All slopes to be vegetated will be completed by October 15. The Owner will consider any area having a grade greater than 15 percent (6.5H:1V) to be a slope. Slopes not vegetated by October 15 will receive one of the following actions to stabilize the slope for late fall and winter:
  - Stabilize the soil with temporary vegetation and erosion control mesh.
  - Stabilize the slope with erosion control mix.
  - Stabilize the slope with stone riprap.
  - Slopes steeper than 1.5:1 are prohibited.

- Stabilization of Ditches and Channels: All stone-lined ditches and channels to be used to convey runoff through the winter will be constructed and stabilized by November 15. Grass-lined ditches and channels will be completed by September 15. Grass-lined ditches not stabilized by September 15 shall be lined with either sod or riprap.

## H. MAINTENANCE PLAN

- Routine Maintenance: Inspection will be performed as outlined in the project's Erosion Control Plan. Inspection will be by a qualified person during wet weather to ensure that the facility performs as intended. Inspection priorities will include checking erosion controls for accumulation of sediments.

## I. Housekeeping

- Spill prevention. Controls must be used to prevent pollutants from being discharged from materials on site, including storage practices to minimize exposure of the materials to stormwater, and appropriate spill prevention, containment, and response planning and implementation.
- Groundwater protection. During construction, liquid petroleum products and other hazardous materials with the potential to contaminate groundwater may not be stored or handled in areas of the site draining to an infiltration area. An "infiltration area" is any area of the site that by design or as a result of soils, topography and other relevant factors accumulates runoff that infiltrates into the soil. Dikes, berms, sumps, and other forms of secondary containment that prevent discharge to groundwater may be used to isolate portions of the site for the purposes of storage and handling of these materials.
- Fugitive sediment and dust. Actions must be taken to ensure that activities do not result in noticeable erosion of soils or fugitive dust emissions during or after construction. Oil may not be used for dust control. If off-site tracking occurs roadways should be swept immediately and no loss once a week and prior to significant storm events.

- Debris and other materials. Litter, construction debris, and chemicals exposed to stormwater must be prevented from becoming a pollutant source.

- Trench or foundation de-watering. Trench de-watering is the removal of water from trenches, foundations, coffer dams, ponds, and other areas within the construction area that retain water after excavation. In most cases the collected water is heavily silted and hinders correct and safe construction practices. The collected water must be removed from the ponded area, either through gravity or pumping, and must be spread through natural wooded buffers or removed to areas that are specifically designed to collect the maximum amount of sediment possible, like a cofferdam sedimentation basin. Avoid allowing the water to flow over disturbed areas of the site. Equivalent measures may be taken if approved by the department.

- Authorized Non-stormwater discharges. Identify and prevent contamination by non-stormwater discharges. Where allowed non-stormwater discharges exist, they must be identified and steps should be taken to ensure the implementation of appropriate pollution prevention measures for the non-stormwater component(s) of the discharge. Authorized non-stormwater discharges are:

- Discharges from firefighting activity;
- Fire hydrant flushings;
- Vehicle washwater if detergents are not used and washing is limited to the exterior of vehicles (engine, undercarriage and transmission washing is prohibited);
- Dust control runoff in accordance with permit conditions and section 13;
- Routine external building washdown, not including surface paint removal, that does not involve detergents;
- Pavement washwater (where spills/leaks of toxic or hazardous materials have not occurred, unless all spilled material had been removed) if detergents are not used;
- Uncontaminated air conditioning or compressor condensate;
- Uncontaminated groundwater or spring water;
- Foundation or footer drain-water where flows are not contaminated;
- Uncontaminated excavation dewatering (see requirements in section 15);
- Potable water sources including waterline flushings; and
- Landscape irrigation.

- Unauthorized non-stormwater discharges. The Department's approval under this Chapter does not authorize a discharge that is mixed with a source of non stormwater, other than those discharges in compliance with section 16. Specifically, the Department's approval does not authorize discharges of the following:

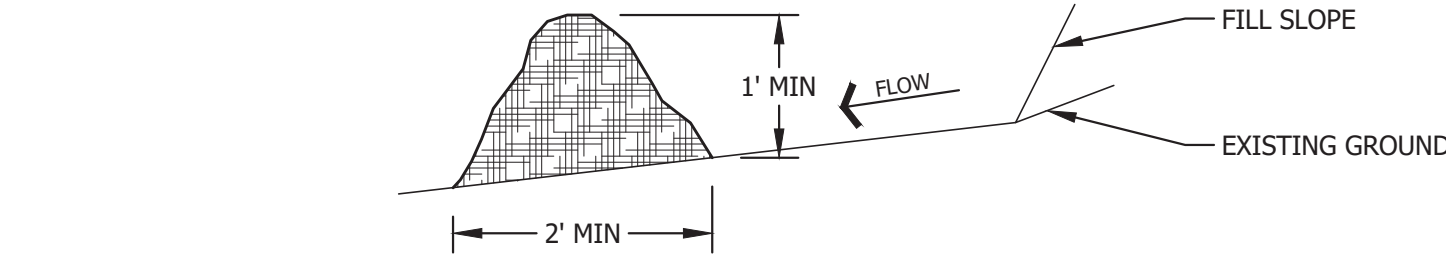
- Wastewater from the washout or cleanout of concrete, stucco, paint, form release oils, curing compounds or other construction materials;
- Fuels, oils or other pollutants used in vehicle and equipment operation and maintenance;
- Soaps, solvents, or detergents used in vehicle and equipment washing; and
- Toxic or hazardous substances from a spill or other release.

- Additional requirements. Additional requirements may be applied on a site-specific basis.

## J. CONSTRUCTION SEQUENCE

In general, the expected sequence of construction for each phase is provided below. Construction is proposed to start in Spring 2024 and end in Summer 2024.

- Mobilization
- Install temporary erosion control measures
- Demolition, clearing, and grubbing
- Site Grading
- Site stabilization, pavement, loam and seed, and landscaping
- Remove temporary erosion control measures



### EROSION CONTROL MIX SEDIMENT BARRIER

- NOTES:**
- EROSION CONTROL MIX CAN BE MANUFACTURED ON OR OFF THE SITE. IT MUST CONSIST PRIMARILY OF ORGANIC MATERIAL SEPARATED AT THE POINT OF GENERATION, AND MAY INCLUDE: SHREDDED BARK, STUMP GRINDINGS, COMPOSTED BARK, OR FLUME GRIT AND FRAGMENTED WOOD GENERATED FROM WATER-FLUME LOG HANDLING SYSTEMS. WOOD CHIPS, GROUND CONSTRUCTION DEBRIS, REPROCESSED WOOD PRODUCTS OR BARK CHIPS WILL NOT BE ACCEPTABLE AS THE ORGANIC COMPONENT OF THE MIX. EROSION CONTROL MIX SHALL CONTAIN A WELL-GRADED MIXTURE OF PARTICLE SIZES AND MAY CONTAIN ROCKS LESS THAN 4" IN DIAMETER. EROSION CONTROL MIX MUST BE FREE OF REFUSE, PHYSICAL CONTAMINANTS, AND MATERIAL TOXIC TO PLANT GROWTH.

- THE MIX COMPOSITION SHALL MEET THE FOLLOWING STANDARDS:
- ORGANIC MATERIAL: BETWEEN 20% - 100% (DRY WEIGHT BASIS)
  - PARTICLE SIZE: BY WEIGHT, 100% PASSING 6" SCREEN, 70-85% PASSING 0.75" SCREEN
  - THE ORGANIC PORTION NEEDS TO BE FIBROUS AND ELONGATED.
  - LARGE PORTIONS OF SILTS, CLAYS OR FINE SANDS ARE NOT ACCEPTABLE IN THE MIX.
  - SOLUBLE SALTS CONTENT SHALL BE LESS THAN 4.0 MPPHOS/CM.
  - PH: 5.0 - 8.0

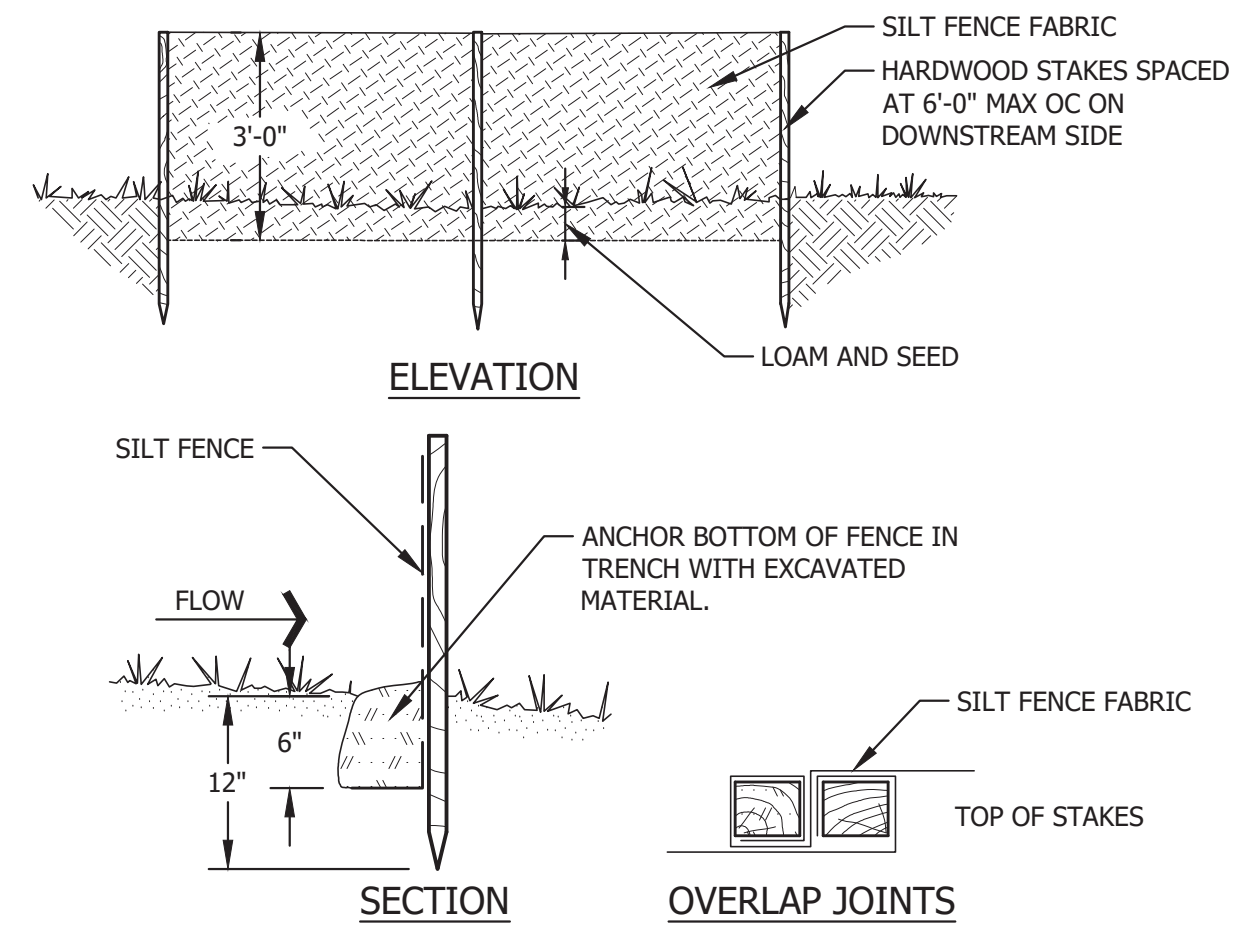
- ON SLOPES LESS THAN 5% OR AT THE BOTTOM OF SLOPES 2:1 OR LESS UP TO 20 FEET LONG, THE BARRIER MUST CONFORM TO THE ABOVE DIMENSIONS. ON THE LONGER OR STEEPER SLOPES, THE BARRIER SHOULD BE WIDER TO ACCOMMODATE THE ADDITIONAL FLOW.
- THE BARRIER MUST BE PLACED ALONG A RELATIVELY LEVEL ELEVATION. IT MAY BE NECESSARY TO CUT TALL GRASSES OR WOODY VEGETATION TO AVOID CREATING VOIDS AND BRIDGES THAT WOULD ENABLE FINES TO WASH UNDER THE BARRIER THROUGH THE GRASS BLADES OR PLANT STEMS.

- LOCATIONS WHERE OTHER BMP'S SHOULD BE USED:
  - AT LOW POINTS OF CONCENTRATED FLOW
  - BELOW CULVERT OUTLET APRONS
  - WHERE A PREVIOUS STAND-ALONE EROSION CONTROL MIX APPLICATION HAS FAILED
  - AT THE BOTTOM OF STEEP PERIMETER SLOPES THAT ARE MORE THAN 50 FEET FROM TOP TO BOTTOM (LARGE UPGRADIENT WATERSHED)
  - AROUND CATCH BASINS AND CLOSED STORM DRAIN SYSTEMS

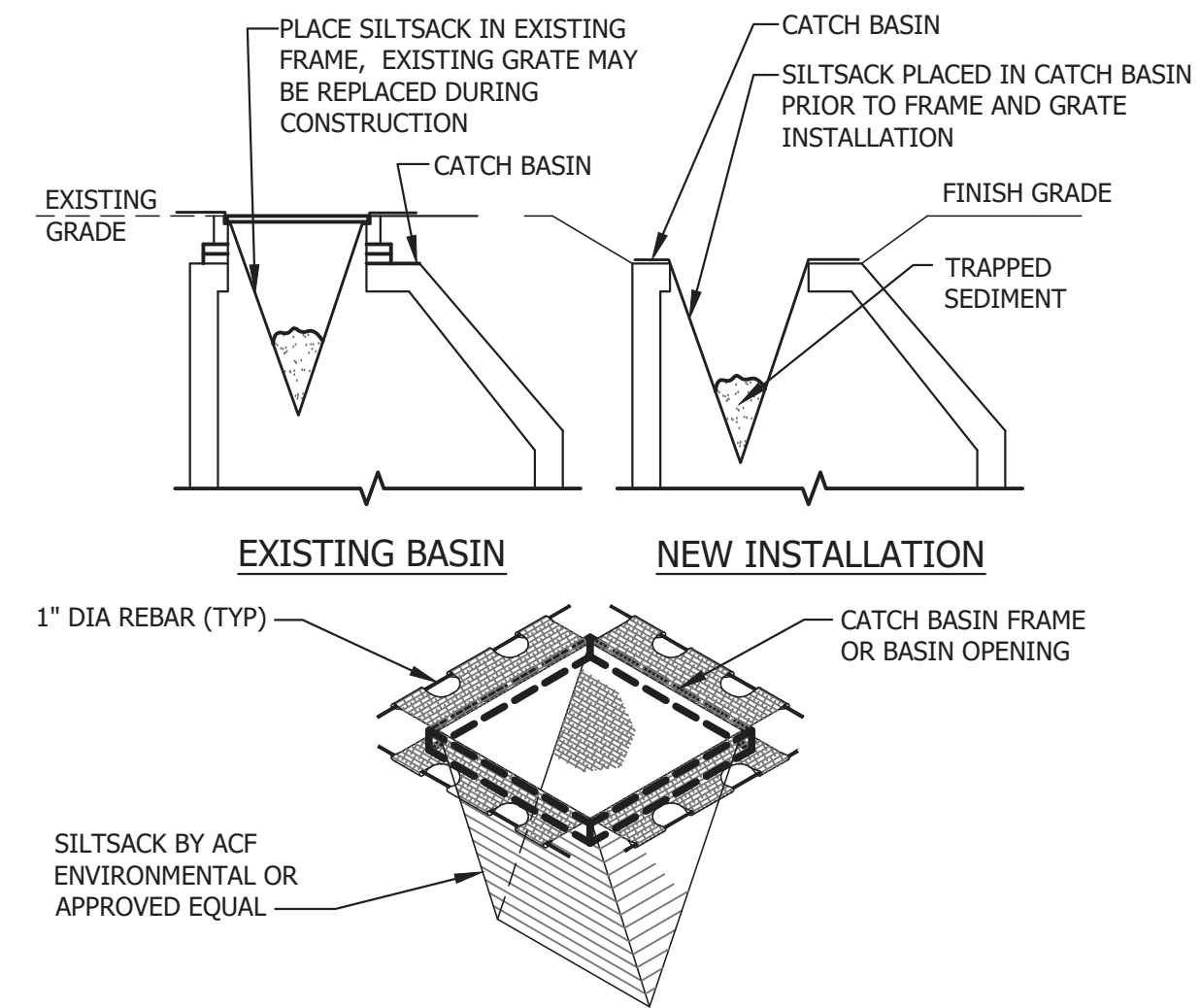
- THE EROSION CONTROL MIX BARRIERS SHOULD BE INSPECTED REGULARLY AND AFTER EACH LARGE RAINFALL. REPAIR ALL DAMAGED SECTIONS OF BERM IMMEDIATELY BY REPLACING OR ADDING ADDITIONAL MATERIAL PLACED ON THE BERM TO THE DESIRED HEIGHT AND WIDTH.
- IT MAY BE NECESSARY TO REINFORCE THE BARRIER WITH SILT FENCE OR STONE CHECK DAMS IF THERE ARE SIGNS OF UNDERCUTTING OR THE IMPOUNDMENT OF LARGE VOLUMES OF WATER.
- SEDIMENT DEPOSITS SHOULD BE REMOVED WHEN THEY REACH APPROXIMATELY ONE-HALF THE HEIGHT OF THE BARRIER.
- REPLACE SECTIONS OF BERM THAT DECOMPOSE, BECOME CLOGGED WITH SEDIMENT OR OTHERWISE BECOME INEFFECTIVE. THE BARRIER SHOULD BE RESHAPED AS NEEDED.
- EROSION CONTROL MIX BARRIERS CAN BE LEFT IN PLACE AFTER CONSTRUCTION. ANY SEDIMENT DEPOSITS REMAINING IN PLACE AFTER BARRIER IS NO LONGER REQUIRED SHOULD BE SPREAD TO CONFORM TO THE EXISTING GRADE AND BE SEEDED AND MULCHED. WOODY VEGETATION CAN BE PLANTED INTO THE BARRIERS, OR THEY CAN BE OVER-SEED WITH LEGUMES. IF THE BARRIER NEEDS TO BE REMOVED, IT CAN BE SPREAD OUT INTO THE LANDSCAPE.
- IF TEMPORARY BERMS ARE USED AS SILT BARRIERS, THEY ARE PROHIBITED AT THE BASE OF SLOPES STEEPER THAN 8% OR WHERE THERE IS FLOWING WATER WITHOUT THE SUPPORT OF ADDITIONAL MEASURES SUCH AS SILT FENCE.

## SURFACE DRAINAGE SEDIMENT CONTROL

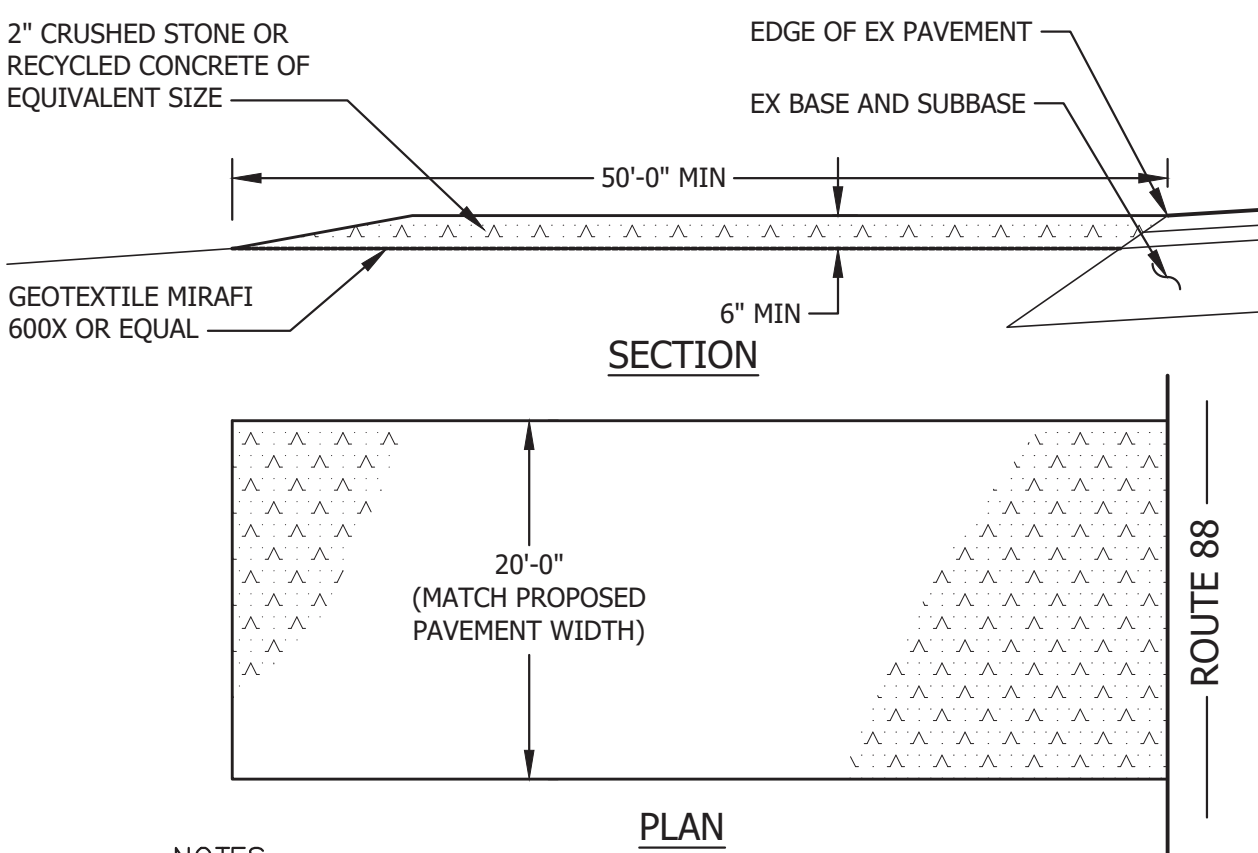
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**SILT FENCE**  
NOTE: CONTRACTORS OPTION TO USE SEDIMENT BARRIER OR SILT FENCE FOR SLOPE PROTECTION.



**SILTSACK CATCH BASIN PROTECTION**  
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**NOTES:**

- MAINTAIN ENTRANCE IN A CONDITION THAT WILL PREVENT TRACKING OF SEDIMENT ONTO PUBLIC RIGHT-OF-WAY. IF WASHING IS REQUIRED PREVENT SEDIMENT FROM ENTERING WATERWAYS, DITCHES OR STORM DRAINS.
- REMOVE STABILIZED CONSTRUCTION ENTRANCE TO FINISH ROAD CONSTRUCTION AND PAVEMENT.

### STABILIZED CONSTRUCTION ENTRANCE DETAIL

NTS

REV.	BY	DATE	STATUS
	DPD	12/2023	ISSUED FOR TOWN REVIEW

**BANGOR SAVINGS BANK**  
**PARKING LOT RECONFIGURATION**  
**100 MAIN STREET**  
**DAMARISCOTTA, MAINE**

**EROSION CONTROL NOTES AND DETAILS**

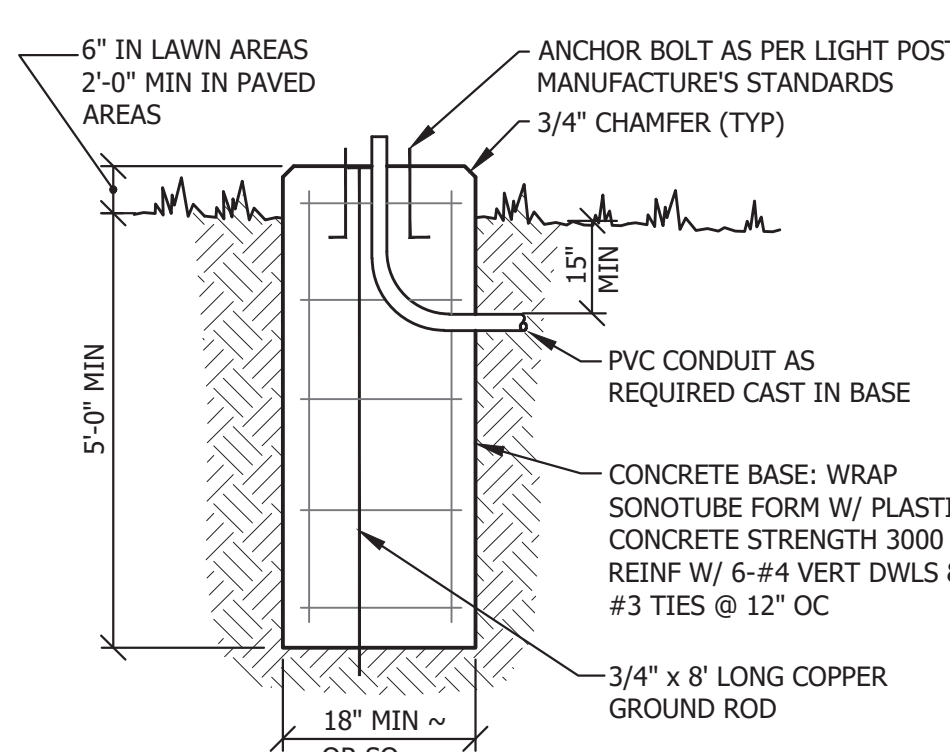
**SME SEVEE & MAHER ENGINEERS**  
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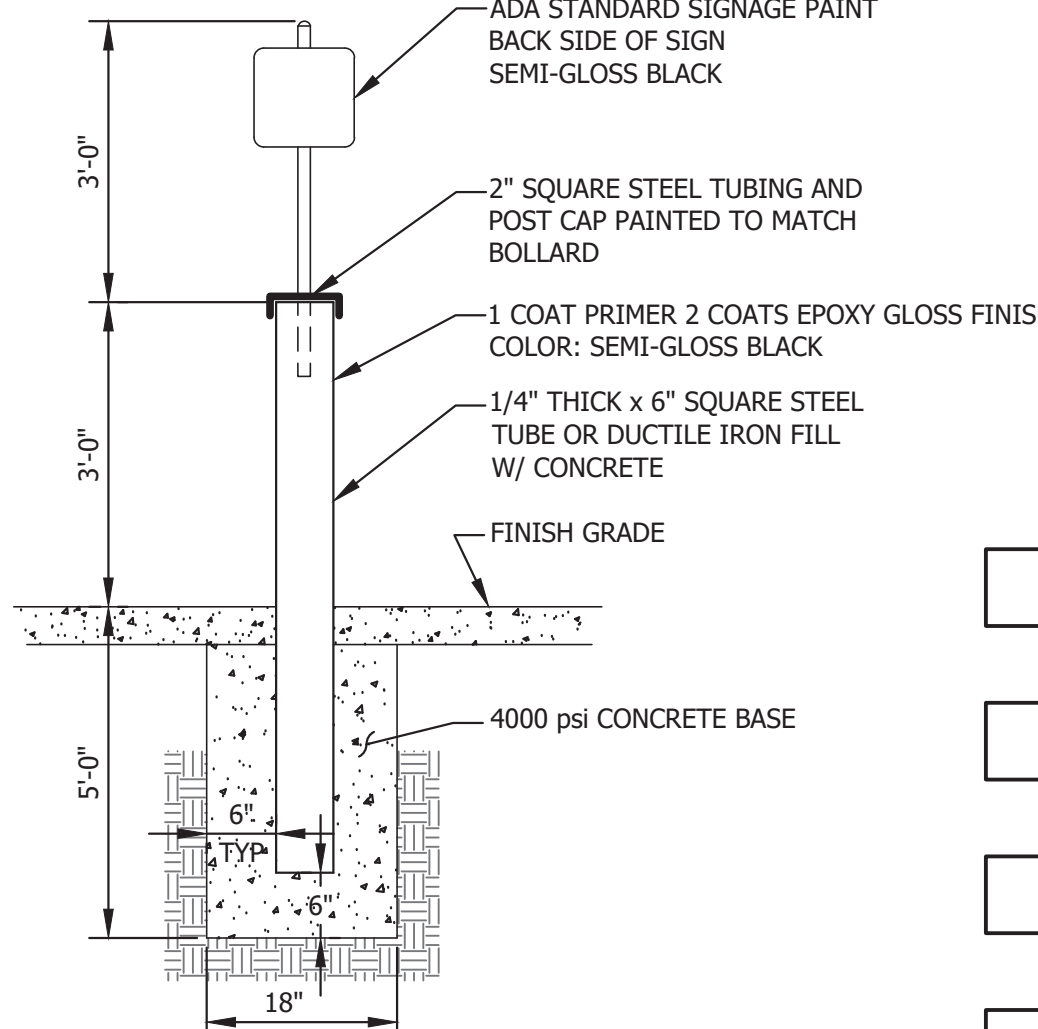
JOB NO. 21719 DWG FILE DETAILS **C-300**



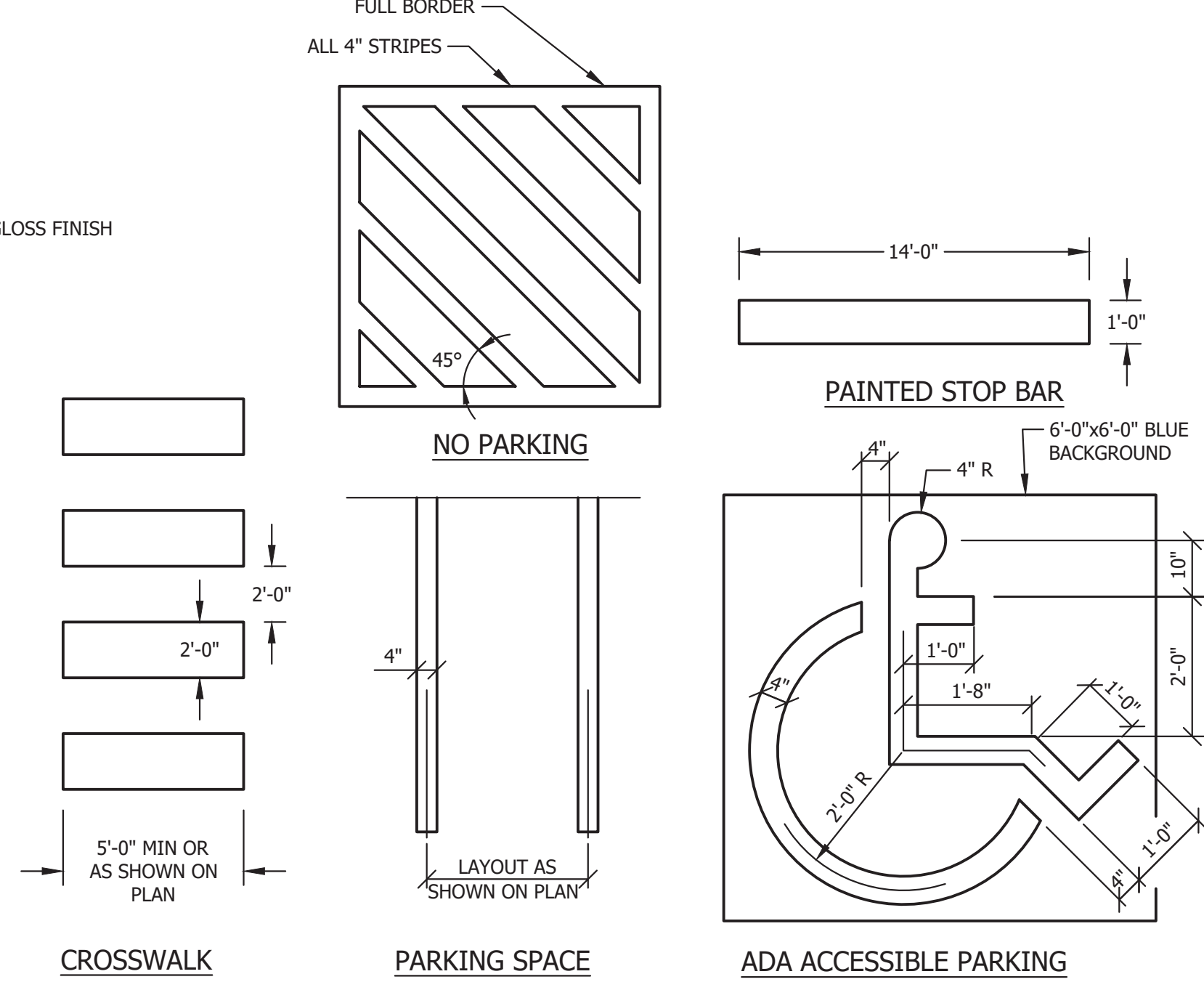
CONSTRUCTION	USE
	<b>BITUMINOUS</b> ACCESS ROAD PARKING LOT
	<b>GRASS</b> ALL DISTURBED AREAS
	<b>CONCRETE</b> DUMPSTER PAD



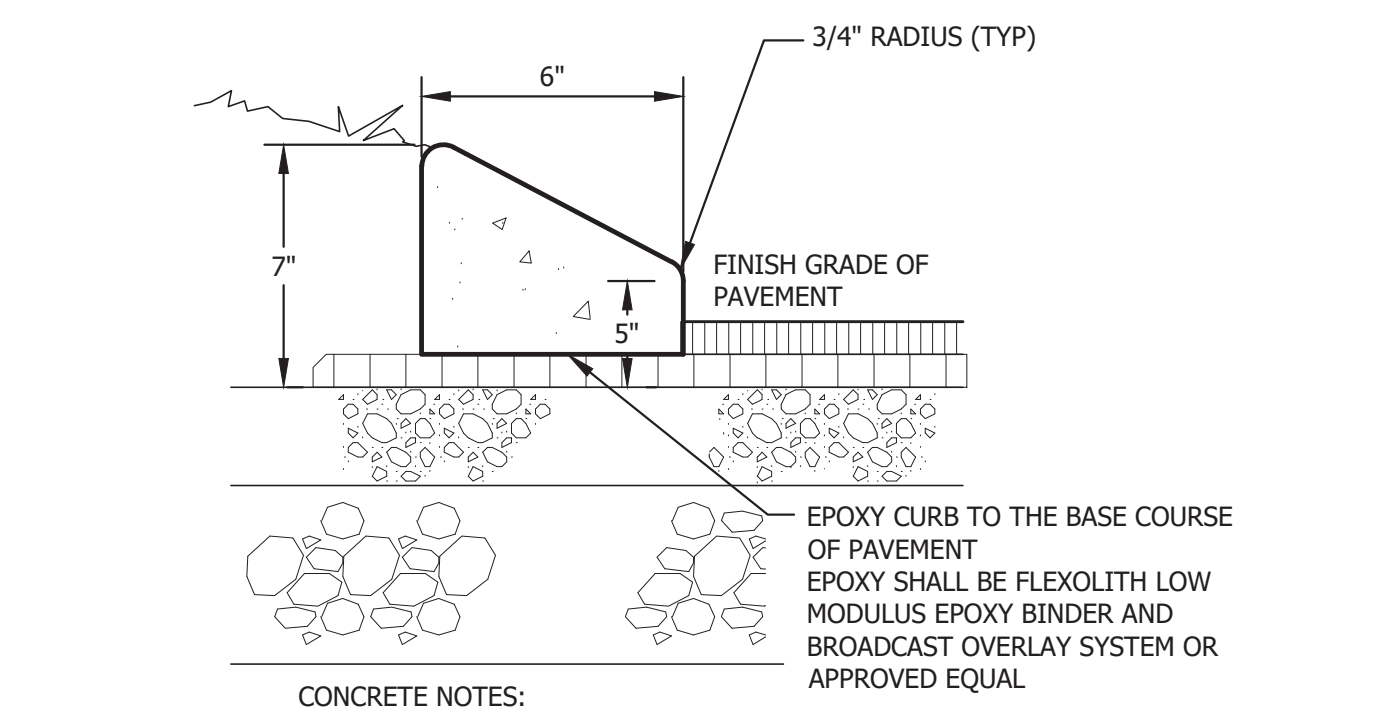
**LIGHT POLE BASE**  
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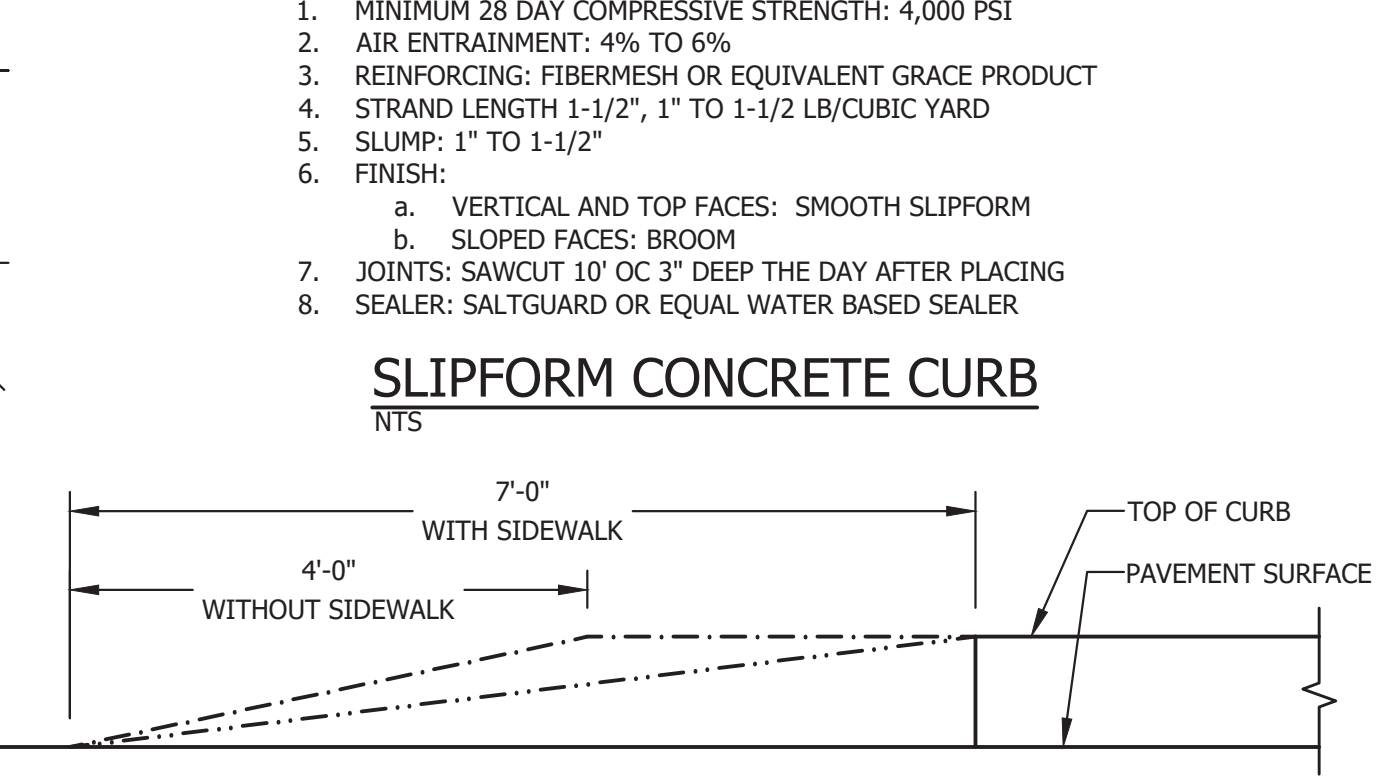
**METAL BOLLARD/ADA SIGN**  
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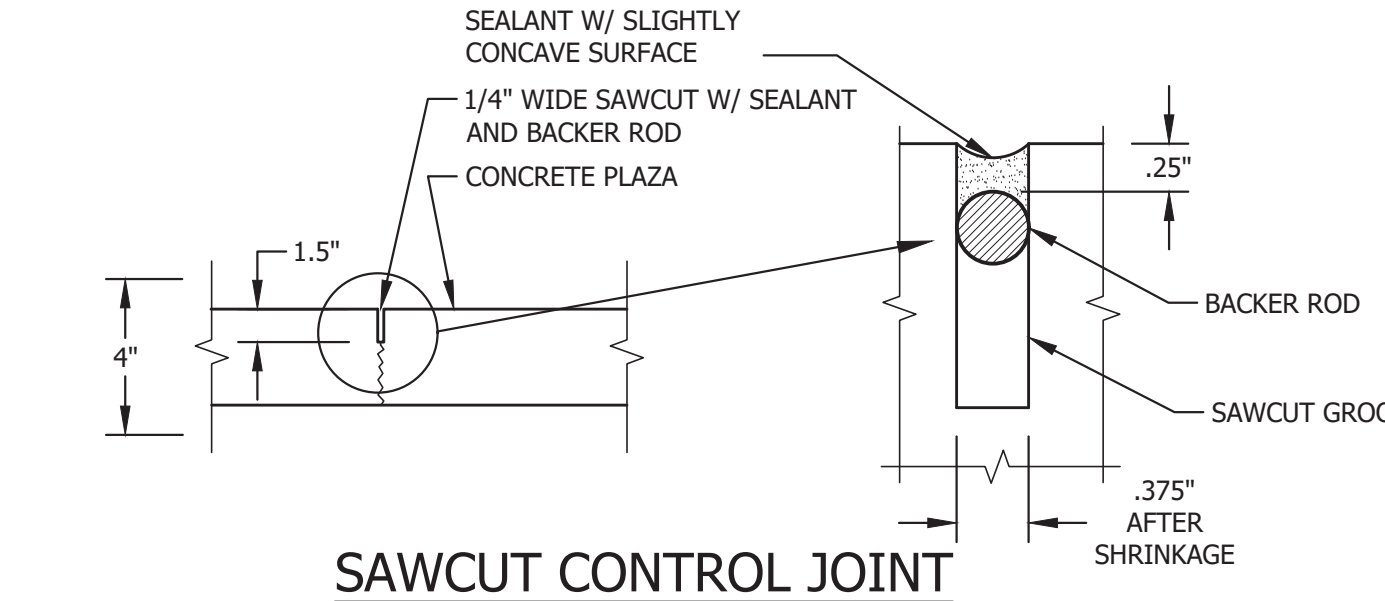
**STRIPING DETAILS**  
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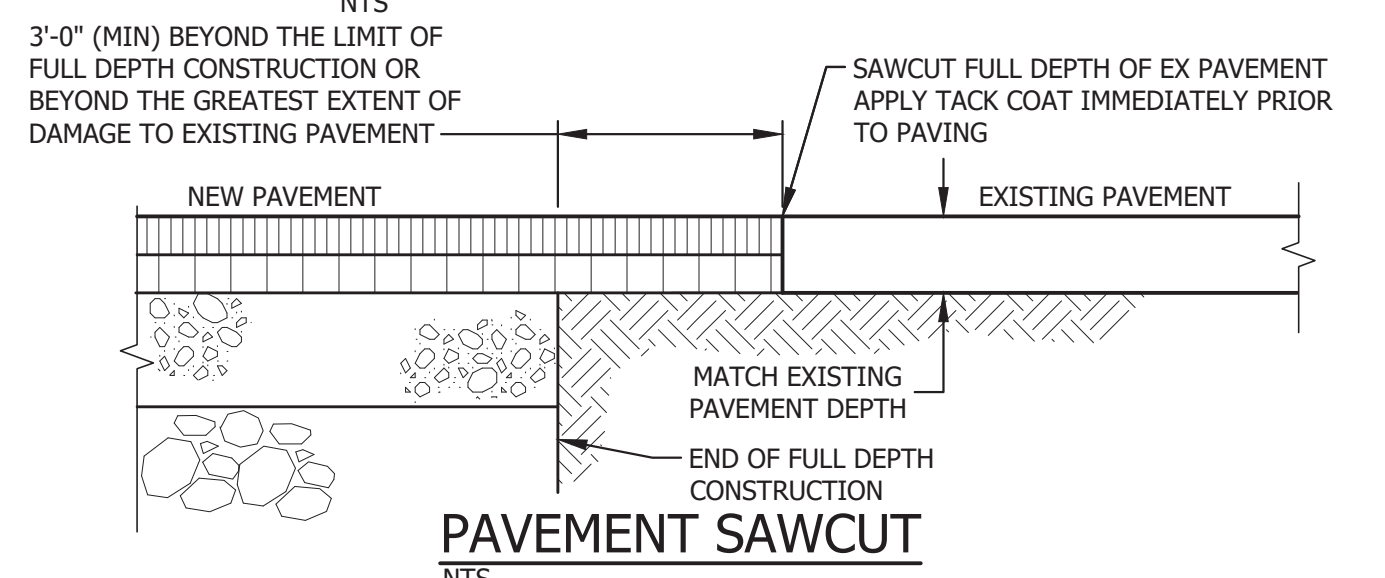
**SLIPFORM CONCRETE CURB**  
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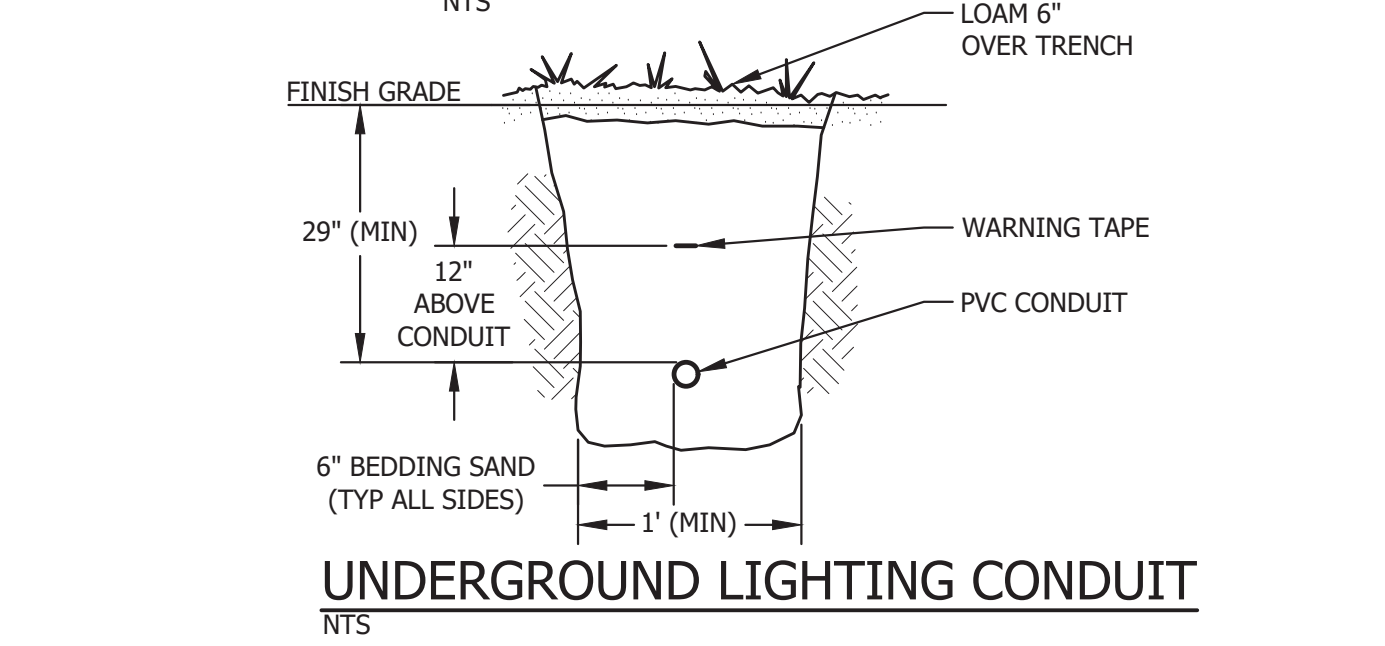
**CURB TERMINAL END (TIP DOWN)**  
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**SAWCUT CONTROL JOINT**  
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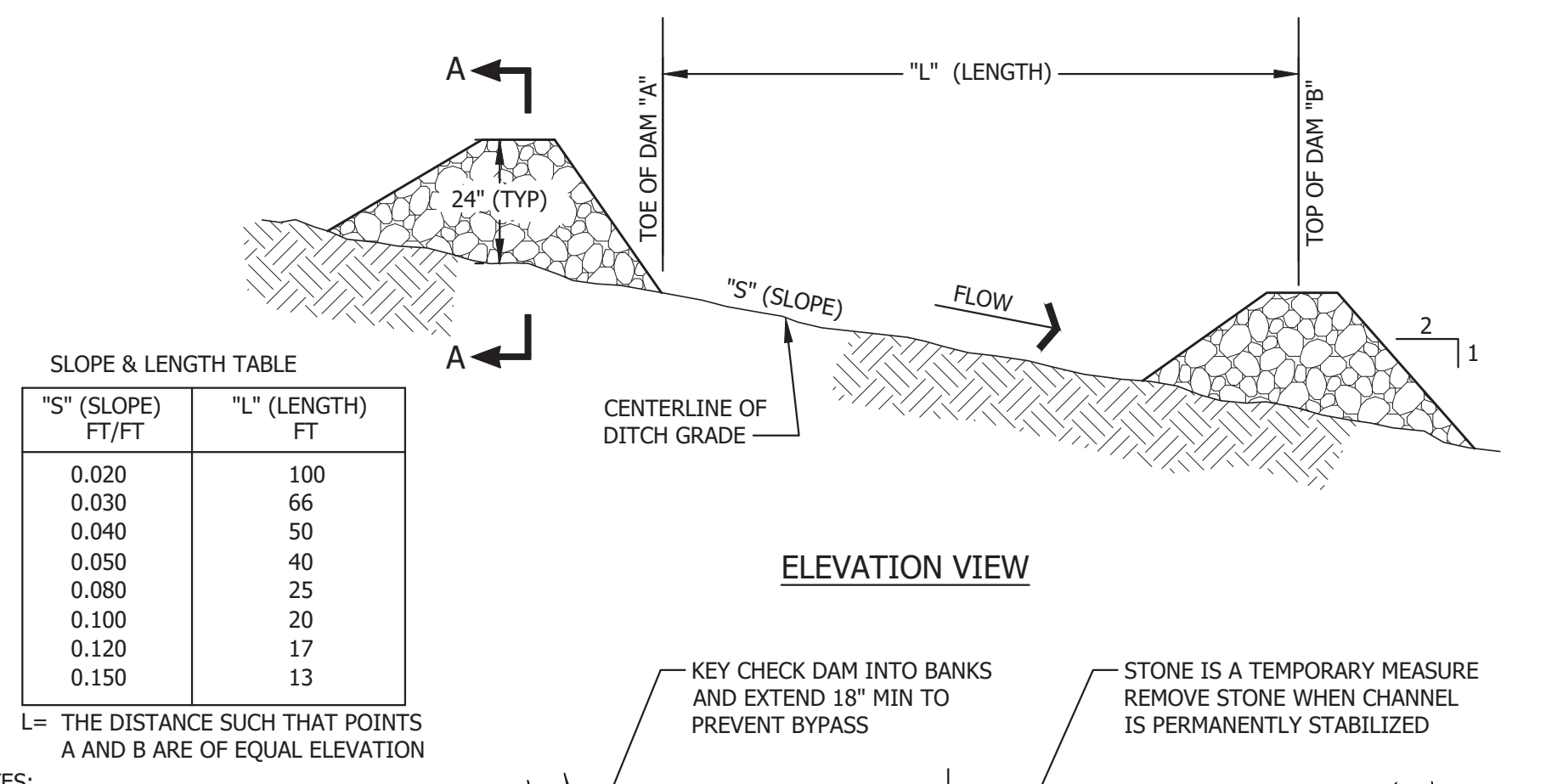
**PAVEMENT SAWCUT**  
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**UNDERGROUND LIGHTING CONDUIT**  
NTS

NOTES:  
1. HMA = HOT MIX ASPHALT.  
MDOT = MAINE DEPARTMENT OF TRANSPORTATION.  
2. ALL COURSE THICKNESSES AFTER FINAL COMPACTION.

**SCHEDULE OF SURFACE FINISHES**  
NTS

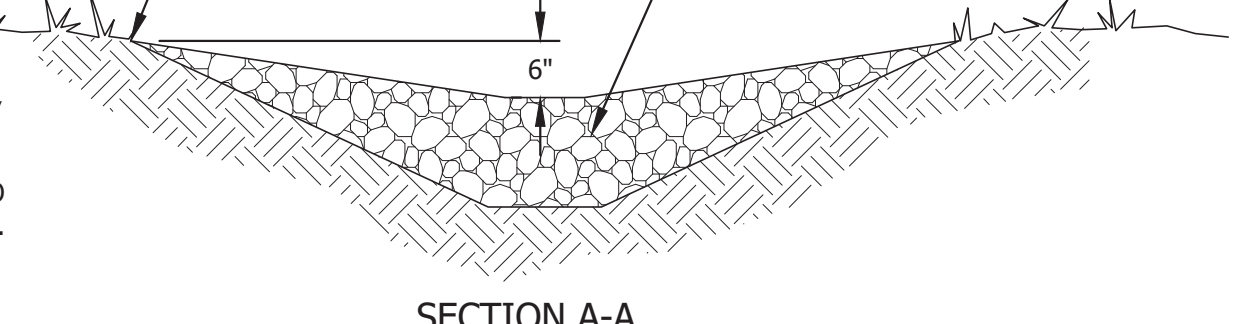


**ELEVATION VIEW**

"S" (SLOPE) FT/FT	"L" (LENGTH) FT
0.020	100
0.030	66
0.040	50
0.050	40
0.080	25
0.100	20
0.120	17
0.150	13

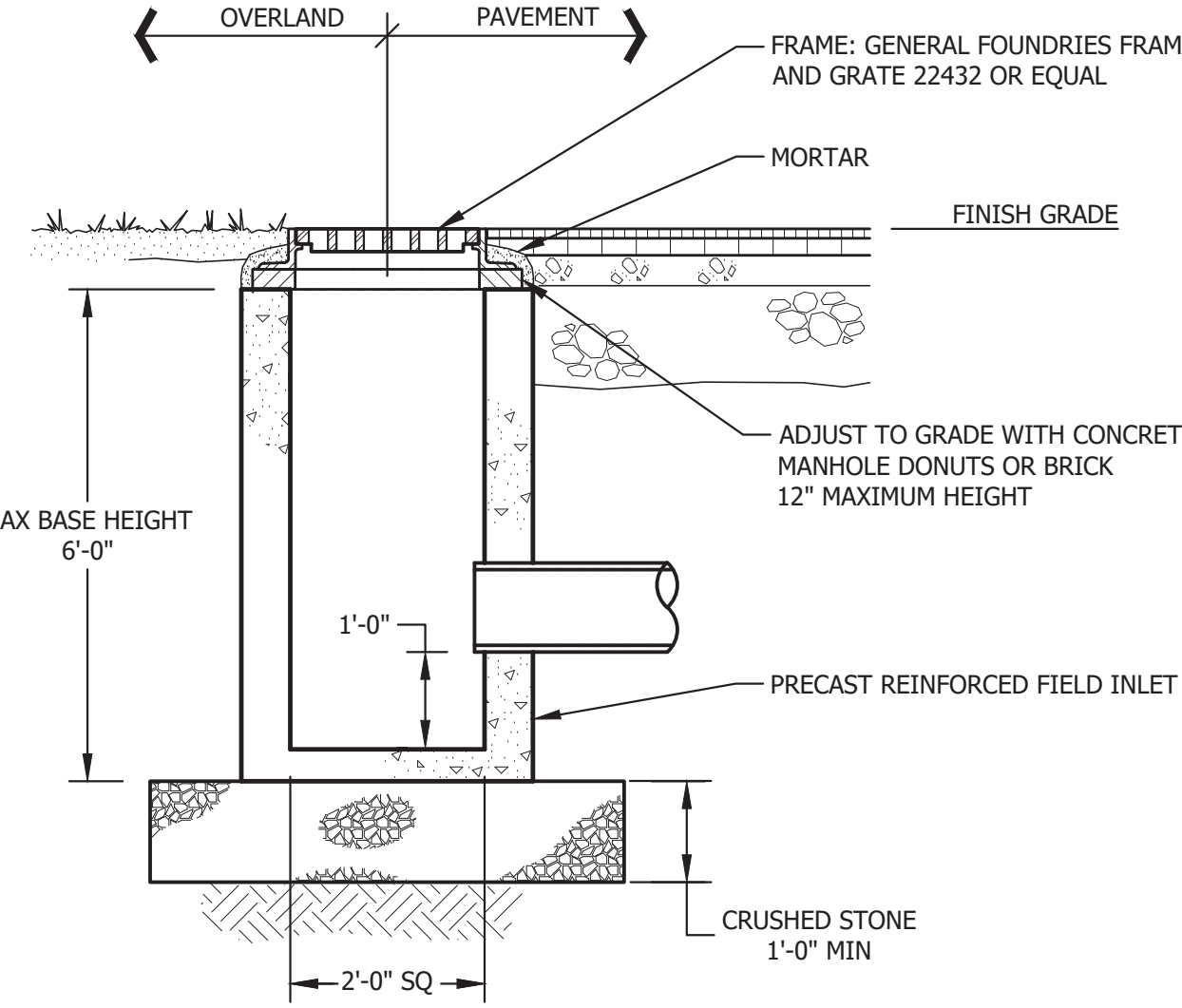
L = THE DISTANCE SUCH THAT POINTS A AND B ARE OF EQUAL ELEVATION

- NOTES:
- WHILE THIS PRACTICE IS NOT INTENDED TO BE USED PRIMARILY FOR SEDIMENT TRAPPING, SOME SEDIMENT WILL ACCUMULATE BEHIND DAMS. SEDIMENT SHOULD BE REMOVED FROM BEHIND DAMS WHEN IT HAS ACCUMULATED TO ONE HALF THE ORIGINAL HEIGHT OF THE DAM.
  - STONE: 1"-6" WELL GRADED CRUSHED STONE

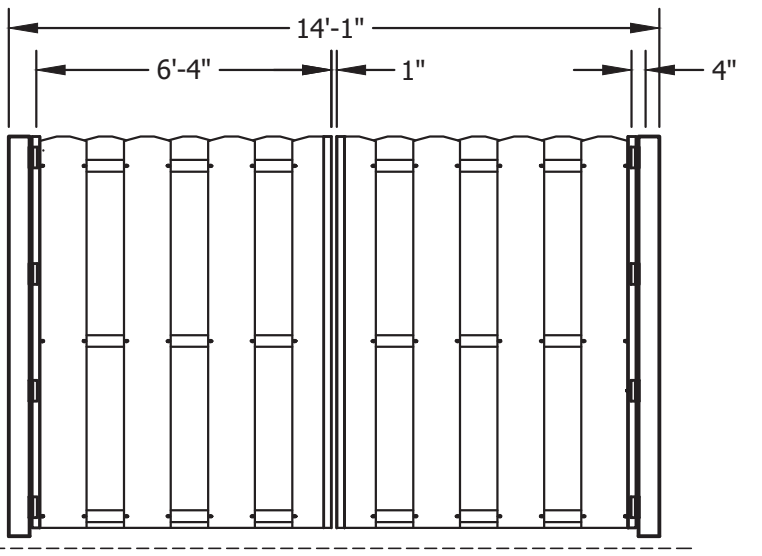


**SECTION A-A**

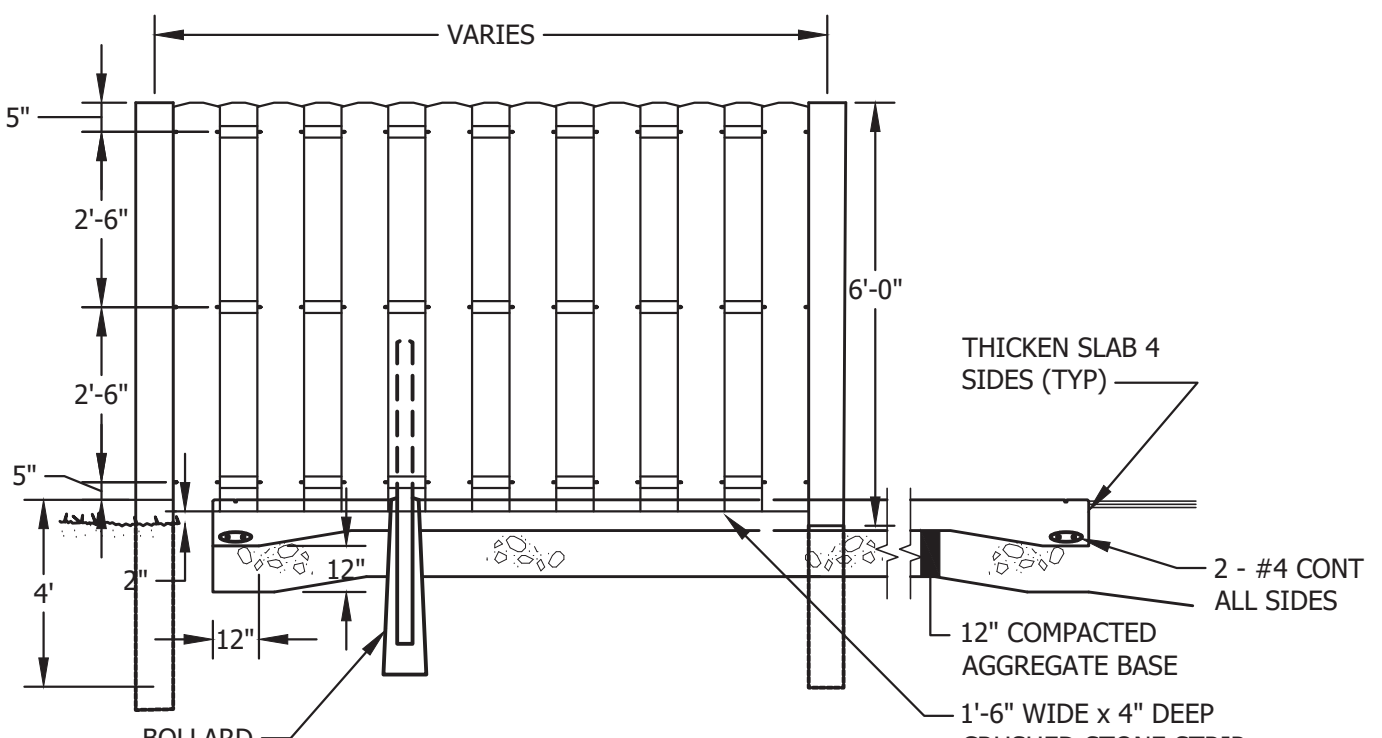
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NTS



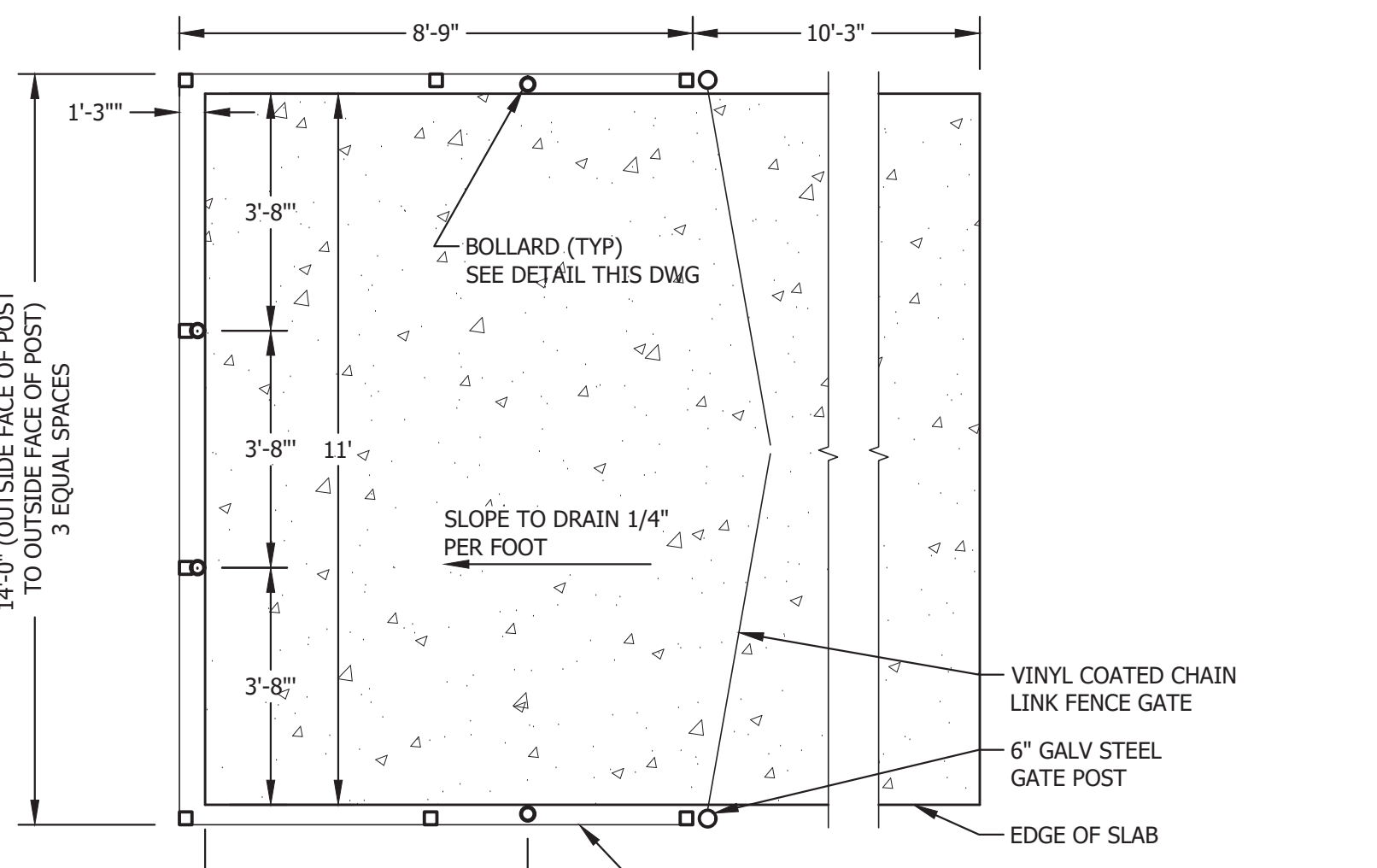
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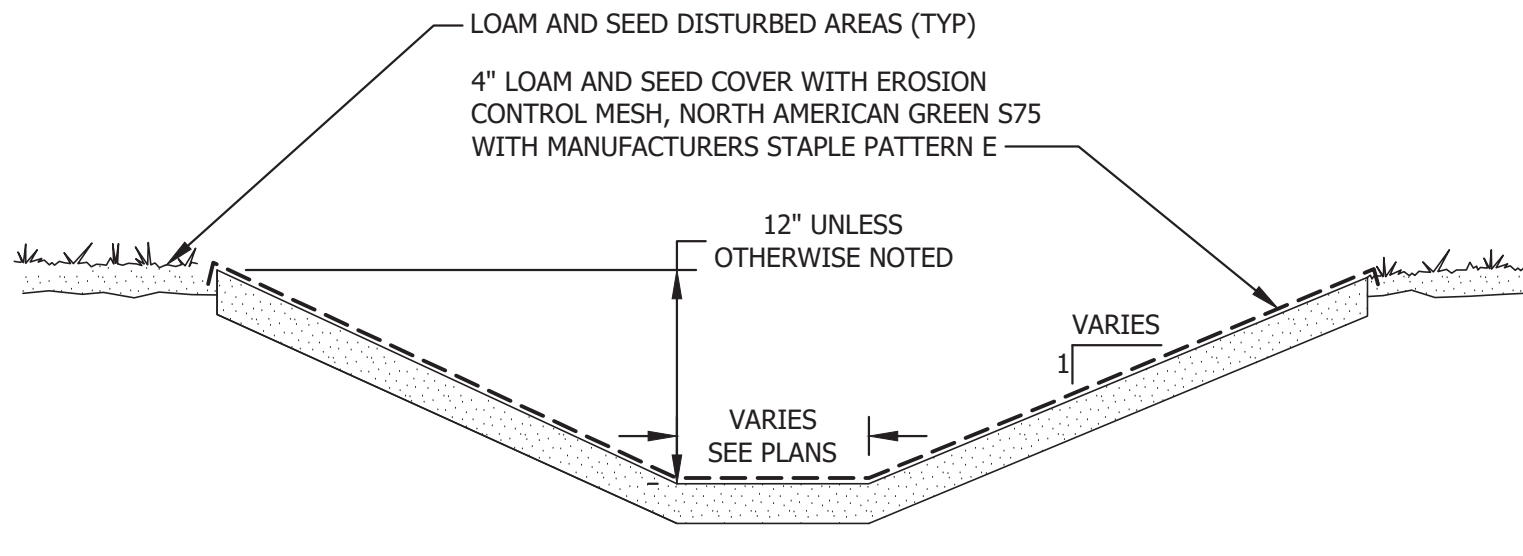
**GATE DETAIL**



**SIDE ELEVATION**



**DUMPSTER ENCLOSURE**  
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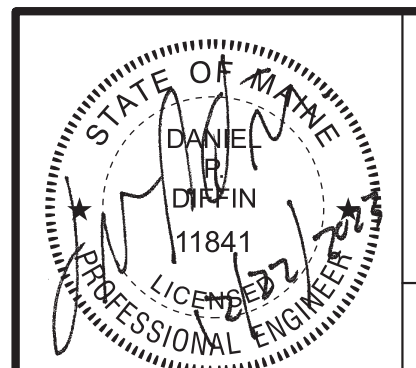


**GRASS DITCH SECTION**  
NTS

REV.	BY	DATE	STATUS
	DPD	12/2023	ISSUED FOR TOWN REVIEW

- SIGNAGE NOTES:**
- SIGNS SHALL BE FABRICATED AND INSTALLED IN ACCORDANCE WITH MAINE DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS, HIGHWAYS AND BRIDGES REVISION OF DECEMBER 2002, SECTION 645.
  - ALL PERMANENT SIGNS ON THIS PROJECT ARE CLASSIFIED UNDER SECTION 645.03(b) TYPE 1 REGULATORY WARNING AND ROUTE MARKER ASSEMBLY SIGNS.
  - SIGN MATERIAL SHALL BE AS SPECIFIED IN SECTION 719 OF THE MDOT STANDARD SPECIFICATIONS.

**SIGN LEGEND**  
NTS



**BANGOR SAVINGS BANK  
PARKING LOT RECONFIGURATION  
100 MAIN STREET  
DAMARISCOTTA, MAINE**

**SECTIONS AND DETAILS**





**SME SEVEE & MAHER ENGINEERS**  
ENVIRONMENTAL • CIVIL • GEOTECHNICAL • WATER • COMPLIANCE  
4 Blanchard Road, PO Box 85A, Cumberland, Maine 04021  
Phone 207.829.5016 • Fax 207.829.5692 • sme-engineers.com

DESIGN BY: JTR  
DRAWN BY: JRL  
DATE: 12/2023  
CHECKED BY: DPD  
LMN: LMN  
CTB: SME-STD

JOB NO. 21719 DWG FILE DETAILS **C-301**

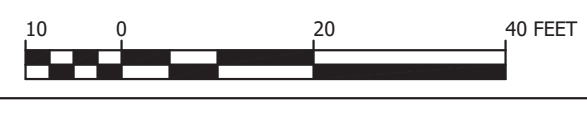


**STORMWATER MANAGEMENT LEGEND**

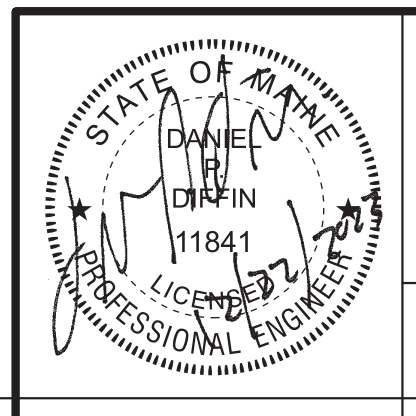
-  SUBCATCHMENT DESIGNATION
-  SUBCATCHMENT BOUNDARY
-  SOIL TYPE BOUNDARY
-  SOIL TYPE DESIGNATION

NOTE: TC PATH = 5 MINUTES FOR ALL SUBCATCHMENTS (ASSUMED).

NOTE:  
1. SEE DRAWING C-100 FOR GENERAL SITE NOTES AND PLAN REFERENCES.



REV.	BY	DATE	STATUS
	DPD	12/2023	ISSUED FOR TOWN REVIEW



**BANGOR SAVINGS BANK  
PARKING LOT RECONFIGURATION  
100 MAIN STREET  
DAMARISCOTTA, MAINE**

**STORMWATER MANAGEMENT PLAN  
PRE-DEVELOPED CONDITIONS**

**SME**  
SEVEE & MAHER  
ENGINEERS  
ENVIRONMENTAL • CIVIL • GEOTECHNICAL • WATER • COMPLIANCE  
4 Blanchard Road, PO Box 85A, Cumberland, Maine 04021  
Phone 207.829.5016 • Fax 207.829.5692 • sme-engineers.com





DESIGN BY: JTR
DRAWN BY: JRL
DATE: 12/2023
CHECKED BY: DPD
LMN: SMP-E
CTB: SME-STD

JOB NO. 21719      DWG FILE BASE-ALT      **D-100**

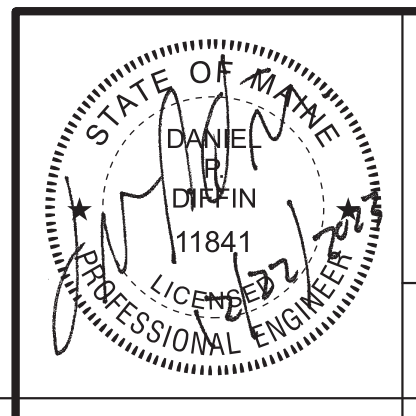
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**STORMWATER MANAGEMENT LEGEND**

-  SUBCATCHMENT DESIGNATION
-  SUBCATCHMENT BOUNDARY
-  SOIL TYPE BOUNDARY
-  SOIL TYPE DESIGNATION

NOTE: TC PATH = 5 MINUTES FOR ALL SUBCATCHMENTS (ASSUMED).



**BANGOR SAVINGS BANK  
PARKING LOT RECONFIGURATION  
100 MAIN STREET  
DAMARISCOTTA, MAINE**

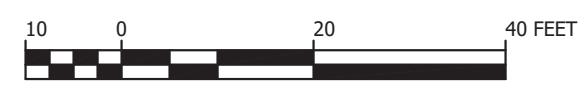
**STORMWATER MANAGEMENT PLAN  
POST-DEVELOPMENT CONDITIONS**

**SME**  
SEVEE & MAHER  
ENGINEERS  
ENVIRONMENTAL • CIVIL • GEOTECHNICAL • WATER • COMPLIANCE  
4 Blanchard Road, PO Box 85A, Cumberland, Maine 04021  
Phone 207.829.5016 • Fax 207.829.5692 • sme-engineers.com

DESIGN BY: JTR  
DRAWN BY: JRL  
DATE: 12/2023  
CHECKED BY: DPD  
LMN: SMP-P  
CTB: SME-STD

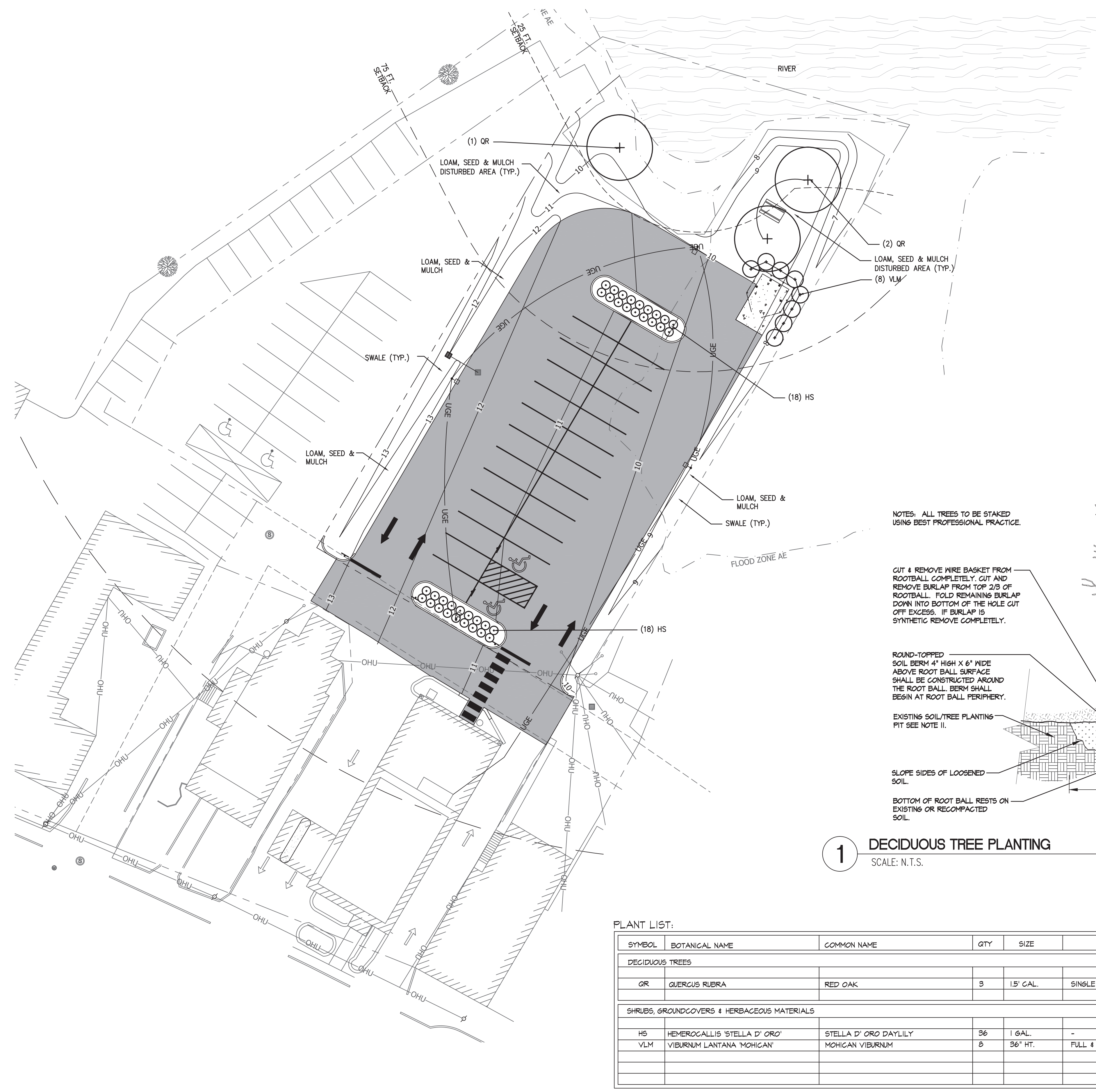
JOB NO. 21719      DWG FILE BASE-ALT      **D-101**

NOTE:  
1. SEE DRAWING C-100 FOR GENERAL SITE NOTES AND PLAN REFERENCES.



REV.	BY	DATE	STATUS
	DPD	12/2023	ISSUED FOR TOWN REVIEW

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- LANDSCAPE NOTES:**
- PRIOR TO THE START OF ANY EXCAVATION FOR THE PROJECT BOTH ON AND OFF THE SITE, THE CONTRACTOR SHALL NOTIFY DIGSAFE AND BE PROVIDED WITH A DIGSAFE NUMBER INDICATING THAT ALL EXISTING UTILITIES HAVE BEEN LOCATED AND MARKED.
  - LANDSCAPE CONTRACTOR IS ENCOURAGED TO PROVIDE THE LANDSCAPE ARCHITECT WITH CONCERNS AND/OR SUGGESTIONS WITH REGARDS TO PROPOSED PLANT MATERIAL SELECTION PRIOR TO PLACING A PURCHASE ORDER.
  - THE LANDSCAPE CONTRACTOR SHALL SUPPLY ALL PLANT MATERIALS IN QUANTITIES SUFFICIENT TO COMPLETE ALL PLANTINGS SHOWN GRAPHICALLY ON THIS DRAWING. CLARIFY ANY DISCREPANCIES WITH THE LANDSCAPE ARCHITECT PRIOR TO PRICING ANY PLANT MATERIAL.
  - ALL PLANT MATERIALS SHALL CONFORM TO THE GUIDELINES ESTABLISHED BY THE LATEST EDITION OF THE AMERICAN ASSOCIATION OF NURSERYMEN'S "AMERICAN STANDARD OF NURSERY STOCK".
  - ALL PLANT MATERIALS ARE SUBJECT TO THE APPROVAL OF THE OWNER'S REPRESENTATIVE AT THE SITE. PLANTS WHICH ARE REJECTED SHALL BE REMOVED FROM THE SITE IMMEDIATELY AND REPLACED AT NO ADDITIONAL COST TO THE OWNER.
  - MULCH FOR PLANTED AREAS TO BE AGED SOFTWOOD BARK, PARTIALLY DECOMPOSED, DARK BROWN IN COLOR AND FREE OF WOOD CHIPS THICKER THAN 1/4 INCH.
  - NO PLANTS SHALL BE PLANTED BEFORE ACCEPTANCE OF ROUGH GRADING AND BEFORE CONSTRUCTION HAS BEEN COMPLETED IN THE IMMEDIATE AREA.
  - ALL TREES SHALL BEGIN BRANCHING AT 6' HT. MIN.
  - ALL PLANT MATERIAL OR REPRESENTATIVE SAMPLES SHALL BE LEGIBLY TAGGED WITH PROPER COMMON AND BOTANICAL NAMES. TAGS SHALL REMAIN ON THE PLANTS UNTIL FINAL ACCEPTANCE.
  - CONTRACTOR SHALL LOAM DISTURBED AREAS AS FOLLOWS:
    - LAWN AREAS 6" DEPTH OF TOPSOIL (LOAM)
    - PARKING LOT ISLAND BEDS 18" DEPTH OF TOPSOIL (LOAM)
    - TREE AREAS (10'X10') AROUND EACH TREE INSTALL 24" DEPTH OF TOPSOIL (LOAM).
  - SEED MIXTURES LAWN AREAS SHALL BE "PARK MIX" AS DISTRIBUTED BY ALLEN, STERLING AND LOTHRUP OF FALMOUTH MAINE. SEEDING RATE TO BE 5 LBS PER 1,000 S.F.
  - CONTRACTOR SHALL BEGIN MAINTENANCE IMMEDIATELY AFTER PLANTING AND WILL CONTINUE UNTIL FINAL ACCEPTANCE. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL MEANS AND METHODS OF WATERING AND MAINTENANCE.
  - THE LANDSCAPE CONTRACTOR SHALL GUARANTEE ALL PLANT MATERIALS FOR ONE (1) FULL YEAR FROM DATE OF FINAL ACCEPTANCE.
  - SCREENED IMAGES SHOW EXISTING CONDITIONS, WHERE EXISTING CONDITIONS LIE UNDER OR ARE IMPINGED UPON BY PROPOSED BUILDINGS AND OR SITE ELEMENTS, THE EXISTING CONDITION WILL BE REMOVED, ABANDONED AND OR CAPPED OR DEMOLISHED AS REQUIRED.
  - SEE CIVIL DRAWINGS FOR ADDITIONAL INFORMATION.
  - THE CONTRACTOR SHALL INSTALL WATERING BAGS SUCH AS THE TREEGATOR ON ALL TREES AT THE TIME OF INSTALLATION. THESE BAGS SHALL REMAIN ON THE TREES UNTIL FREEZING TEMPERATURES.

NOTES: ALL TREES TO BE STAKED USING BEST PROFESSIONAL PRACTICE.

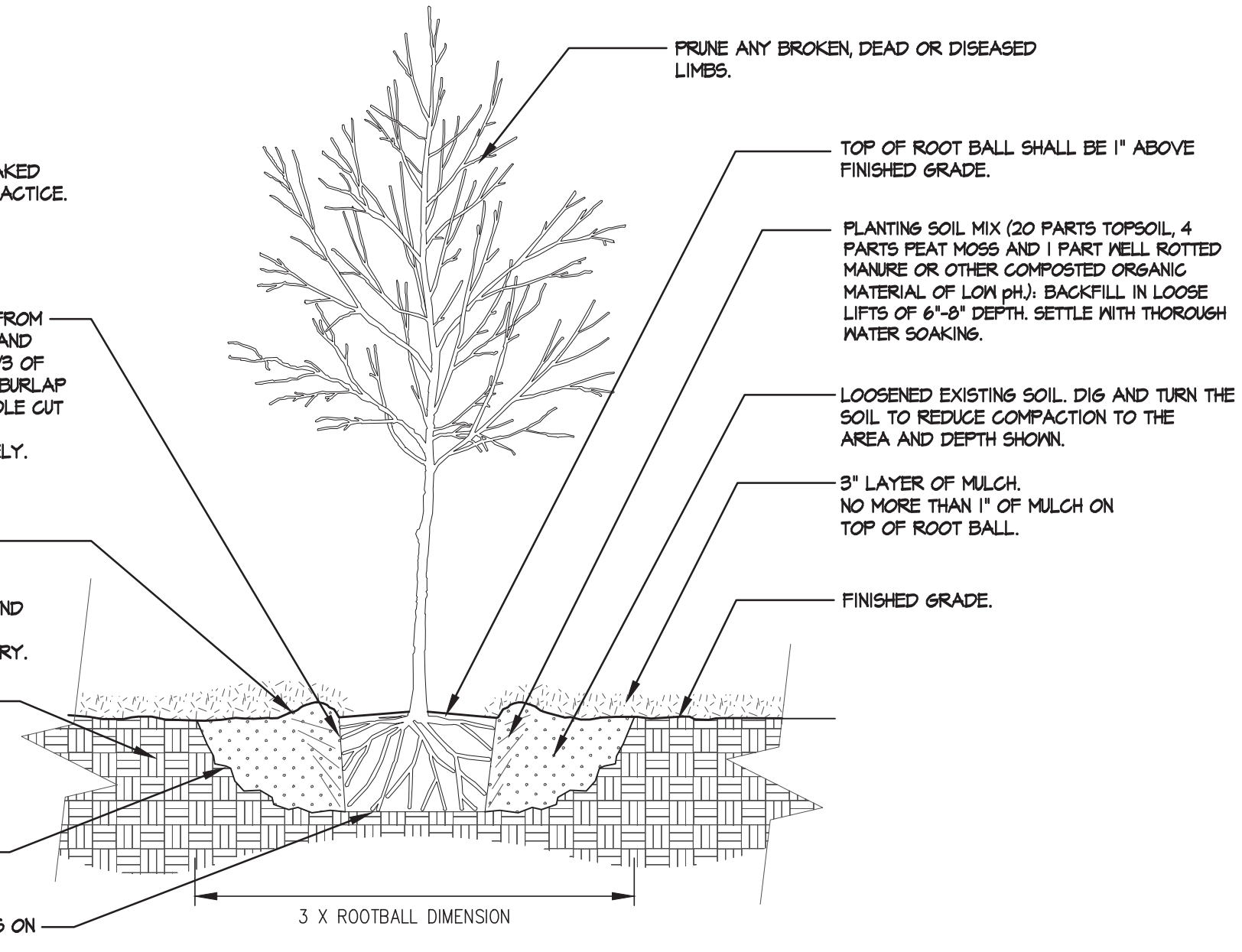
CUT & REMOVE WIRE BASKET FROM ROOTBALL COMPLETELY. CUT AND REMOVE BURLAP FROM TOP 2/3 OF ROOTBALL. FOLD REMAINING BURLAP DOWN INTO BOTTOM OF THE HOLE CUT OFF EXCESS. IF BURLAP IS SYNTHETIC REMOVE COMPLETELY.

ROUND-TOPPED SOIL BERM 4" HIGH X 6" WIDE ABOVE ROOT BALL SURFACE SHALL BE CONSTRUCTED AROUND THE ROOT BALL. BERM SHALL BEGIN AT ROOT BALL PERIPHERY.

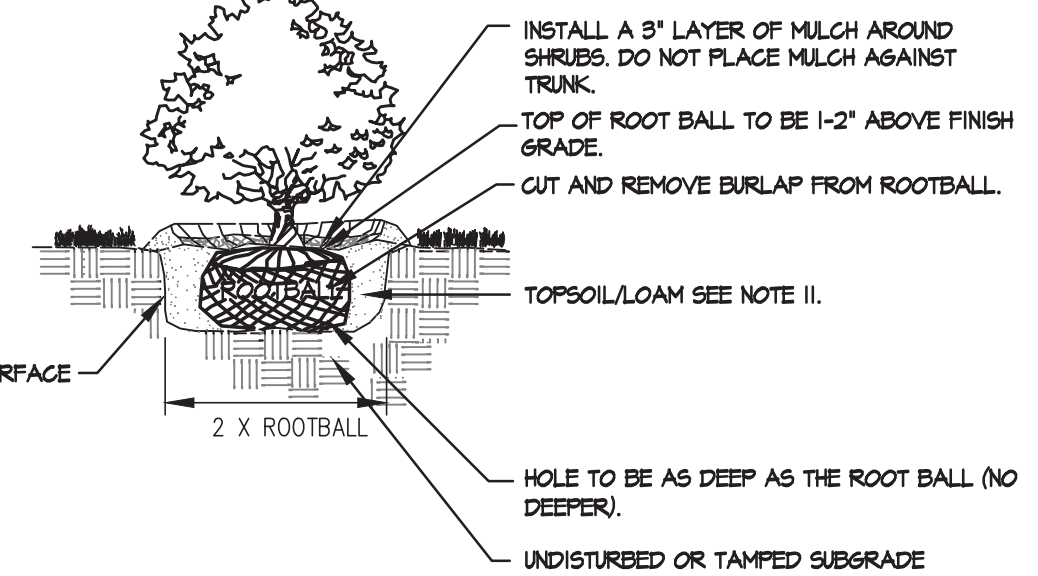
EXISTING SOIL/TREE PLANTING PIT SEE NOTE II.

SLOPE SIDES OF LOOSENEED SOIL.

BOTTOM OF ROOT BALL RESTS ON EXISTING OR RECOMPACTED SOIL.



- NOTES:
- CONSTRUCT TEMPORARY PLANT SAUCIER FROM MULCH TO ASSIST WITH WATER RETENTION. SAUCIER NOT REQUIRED WHEN SHRUB OCCURS IN A PLANT BED.
  - WHEN PLANTING CONTAINER GROWN PLANTS-REMOVE THE BALL FROM THE CONTAINER AND LOOSEN THE OUTSIDE LAYER OF THE ROOT SYSTEM BY SCORING WITH A CLEAN KNIFE. DIVIDE ALL CIRCLING ROOTS.
  - SHRUBS TO BE WATERED IMMEDIATELY AFTER PLANTING.

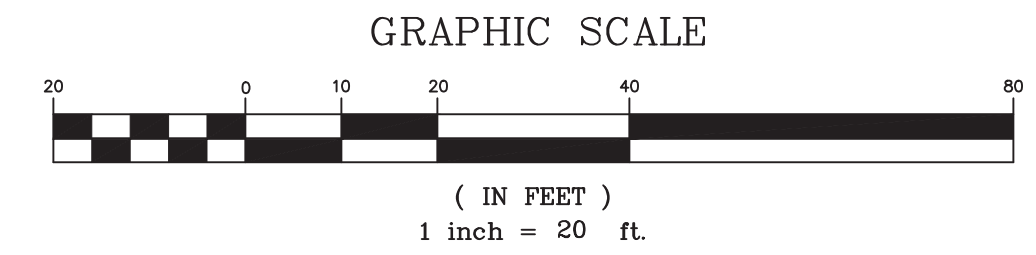
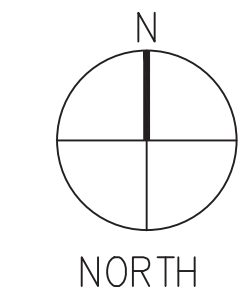


**1 DECIDUOUS TREE PLANTING**  
SCALE: N.T.S.

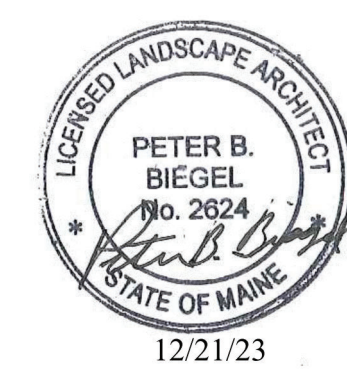
**2 SHRUB PLANTING DETAIL**  
SCALE: N.T.S.

**PLANT LIST:**

SYMBOL	BOTANICAL NAME	COMMON NAME	QTY	SIZE	COMMENTS
<b>DECIDUOUS TREES</b>					
OR	QUERCUS RUBRA	RED OAK	3	1.5' CAL.	SINGLE LEADER, B&B
<b>SHRUBS, GROUNDCOVERS &amp; HERBACEOUS MATERIALS</b>					
HS	HEMEROCALLIS 'STELLA D' ORO'	STELLA D' ORO DAYLILY	36	1 GAL.	-
VLM	VIBURNUM LANTANA 'MOHICAN'	MOHICAN VIBURNUM	8	36" HT.	FULL & BUSHY



										<p><b>LAND DESIGN SOLUTIONS</b> LAND PLANNING, SITE PLANNING &amp; LANDSCAPE ARCHITECTURE 1 Faraday Drive, Suite 7, Cumberland, ME 04021 tel:(207) 494-1717</p>		<p>DESIGN: DEPT. DRAWN: DEPT. CHKD: PBB</p>		<p><b>PROPOSED BANGOR SAVINGS BANK BRANCH</b> MAIN STREET, DAMARISCOTTA, MAINE</p>	
										<p>CLIENT: <b>SEVEE &amp; MAHER ENGINEERS</b> 4 BLANCHARD ROAD, CUMBERLAND, MAINE 04021</p>		<p>DATE: MARCH 2023 SCALE: 1"=20'</p>		<p><b>LANDSCAPE PLAN</b></p>	
B	12-21-23	REVISED PER UPDATED SITE PLAN	DEPT.	PBB	PBB										
A	4-21-23	ISSUED FOR TOWN OF DAMARISCOTTA SITE PLAN REVIEW	DEPT.	PBB	PBB										
REV.	DATE	STATUS	BY	CHKD	APPD.	REV.	DATE	STATUS	BY	CHKD	APPD.				



23-114  
L-1  
REV. B

# SURVEYOR'S NOTES

THIS SURVEY PLAN IS COPYRIGHT PROTECTED. THIS PLAN IS THE PROPERTY OF BOUNDARY POINTS, AND SHALL NOT BE USED FOR ANY PURPOSE WITHOUT THE WRITTEN CONSENT OF AN AUTHORIZED AGENT OF BOUNDARY POINTS. ALL RIGHTS RESERVED.

THIS SURVEY PLAN IS ONLY VALID IF AUTHENTIC EMBOSSED SEAL AND SIGNATURE OF CERTIFYING PROFESSIONAL APPEAR ON THE FACE OF THIS SURVEY PLAN.

REFERENCE IS MADE TO THE CONTRACTUAL AGREEMENT BETWEEN THE PROFESSIONAL LAND SURVEYOR AND THE CLIENT.

THIS SURVEY PLAN IS SUBJECT TO POSSIBLE REVISION UPON RECEIPT OF A CERTIFIED TITLE OPINION.

ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF I CERTIFY EXCLUSIVELY TO THE CLIENT THAT THIS SURVEY PLAN, MADE TO THE NORMAL STANDARD OF CARE, SUBSTANTIALLY CONFORMS TO THE MAINE BOARD OF LICENSURE FOR LAND SURVEYOR STANDARDS.

NO CERTIFICATION IS MADE TO THE EXISTENCE OR NONEXISTENCE OF HAZARDOUS SUBSTANCES, ENVIRONMENTALLY SENSITIVE AREAS, UNDERGROUND UTILITIES, UNDERGROUND STRUCTURES, ZONING REGULATIONS OR REAL ESTATE TITLE.

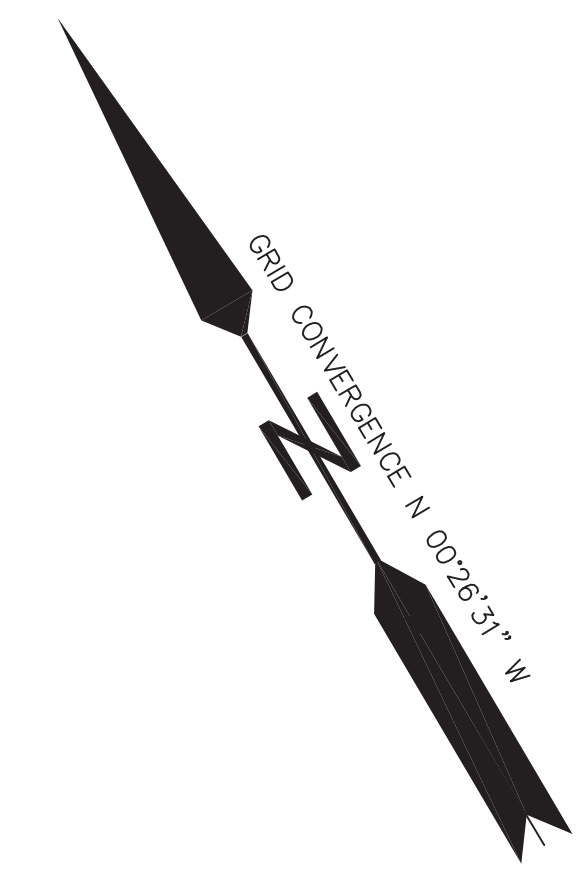
DIG SAFE MUST BE CONTACTED AND CONTRACTOR SHALL FIELD VERIFY LOCATIONS AND DIMENSIONS OF ALL UTILITIES PRIOR TO EXCAVATION.

THE SOURCE OF BEARINGS FOR THIS LAND SURVEY WAS DETERMINE FROM PLAN BOOK 37 PAGE 19 BEING MAINE STATE GRID PLANE 83 AND NGVD 88.

THE PROPERTY SURVEYED IS DESCRIBED IN DEED BOOK 734 PAGE 29, BOOK 1229 PAGE 81, MINUS OUTSALES OF BOOK 5644 PAGE 158 AND BOOK 5468 PAGE 273.

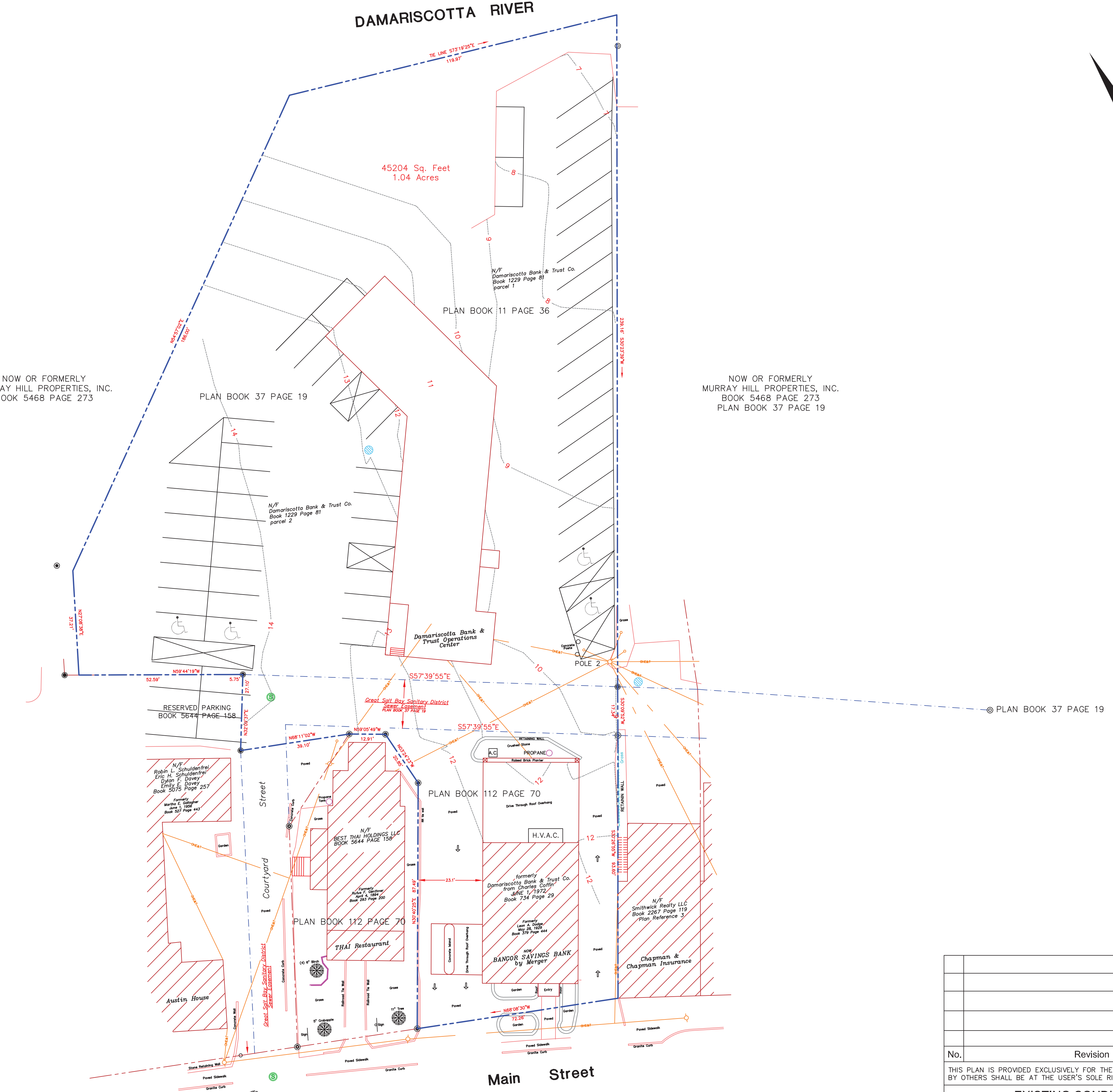
THE PROPERTY IS DEPICTED ON THE TOWN ASSESSOR'S MAP 6 AS LOTS 28,30,31.

# DAMARISCOTTA RIVER



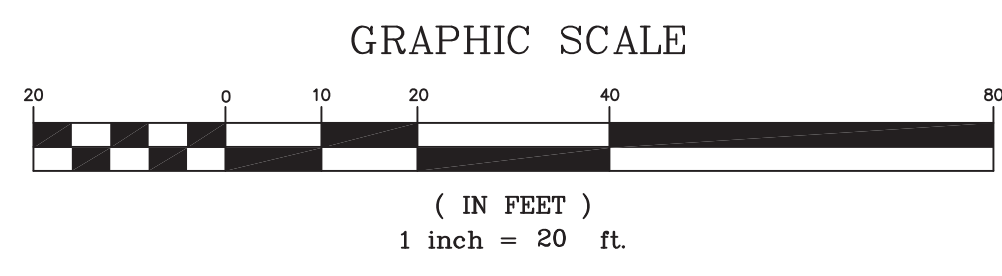
NOW OR FORMERLY  
MURRAY HILL PROPERTIES, INC.  
BOOK 5468 PAGE 273

NOW OR FORMERLY  
MURRAY HILL PROPERTIES, INC.  
BOOK 5468 PAGE 273  
PLAN BOOK 37 PAGE 19



## LEGEND

EXISTING	DESCRIPTION	PROPOSED
	PROPERTY LINE	
	ADJOINER LINE	
	BUILDING SETBACK	
	EASEMENT	
	CENTER LINE	
	MONUMENT	
	IRON PIPE	
	IRON ROD	
	5/8" IRON REBAR	
	IRON REBAR WITH CAP	
	DRILL HOLE	
	BUILDING	
	WET LANDS	
	EDGE WETLAND	
	SIGN	
	STREAM	
	ROCK OUTCROP	
	EDGE PAVEMENT	
	GRAVEL ROAD	
	CURB LINE	
	EDGE WATER	
	TREE LINE	
	TP-7	
	-124	
	CONTOURS	
	MW-8	
	MONITORING WELL	
	GAS	
	GAS VALVE	
	WATER	
	SEWER	
	STORM DRAIN	
	ELECTRIC LINES	
	MAIL BOX	
	WATER VALVE	
	LIGHT POLE	
	UTILITY POLE	
	HYDRANT	
	CATCH BASIN	
	MAN HOLE	
	POTABLE WELL	
	CULVERT	
	FENCE LINE	
	STONE WALL	
	CONIFEROUS TREE	
	DECIDUOUS TREE	
	TREE STUMP	
	SHRUB BUSHES	
	GUARD RAIL	
	BENCH MARK	
	SURVEY CONTROL	
	OPUS GPS CONTROL	
	OPUS RAPID STATIC CONTROL	
	+ 24.81	SPOT GRADE ELEVATION



No.	Revision	Date	Plan Date: 8-23-2021

THIS PLAN IS PROVIDED EXCLUSIVELY FOR THE CLIENT STATED HEREON. ANY USE OR ALTERATION OF THIS PLAN BY OTHERS SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO BOUNDARY POINTS, LLC.

EXISTING CONDITIONS SURVEY  
FOR  
SEVEE & MAHER ENGINEERS, INC.  
OF  
100 MAIN STREET  
DAMARISCOTTA MAINE

*Boundary Points*

PROFESSIONAL LAND SURVEYING, LLC  
P.O. BOX 175  
CUMBERLAND MAINE 04021-0175

1

David Bouffard

**EXHIBIT 9**

**STORMWATER MANAGEMENT REPORT**

**EXHIBIT 9**

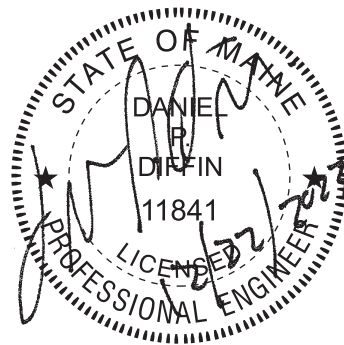
**STORMWATER MANAGEMENT REPORT**

A copy of the Stormwater Management Report is attached for review.

# STORMWATER MANAGEMENT REPORT BANGOR SAVINGS BANK PARKING LOT RECONFIGURATION

Prepared for

**BANGOR SAVINGS BANK**  
100 Main Street  
Damariscotta, Maine



December 2023

4 Blanchard Road  
P.O. Box 85A  
Cumberland, Maine 04021  
Phone: 207.829.5016 smemaine.com

**SME**   
SEVEE & MAHER  
ENGINEERS

ENVIRONMENTAL • CIVIL • GEOTECHNICAL • WATER • COMPLIANCE



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<b>3.0</b>	<b>SITE WATERSHED .....</b>	<b>3</b>
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APPENDIX B	PRE-DEVELOPMENT HYDROCAD CALCULATIONS
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**STORMWATER MANAGEMENT REPORT  
BANGOR SAVINGS BANK PARKING LOT RECONFIGURATION  
DAMARISCOTTA, MAINE**

**1.0 INTRODUCTION**

The following outlines the Stormwater Management Design for the Bangor Savings Bank (BSB) Parking Lot Reconfiguration project at 100 Main Street in Damariscotta, Maine. The stormwater design prepared by Sevee & Maher Engineers, Inc. (SME) is based on the water quality and quantity objectives identified by the Town of Damariscotta (Town) Land Use Ordinance and Maine Department of Environmental Protection (MEDEP) Chapter 500 Standards.

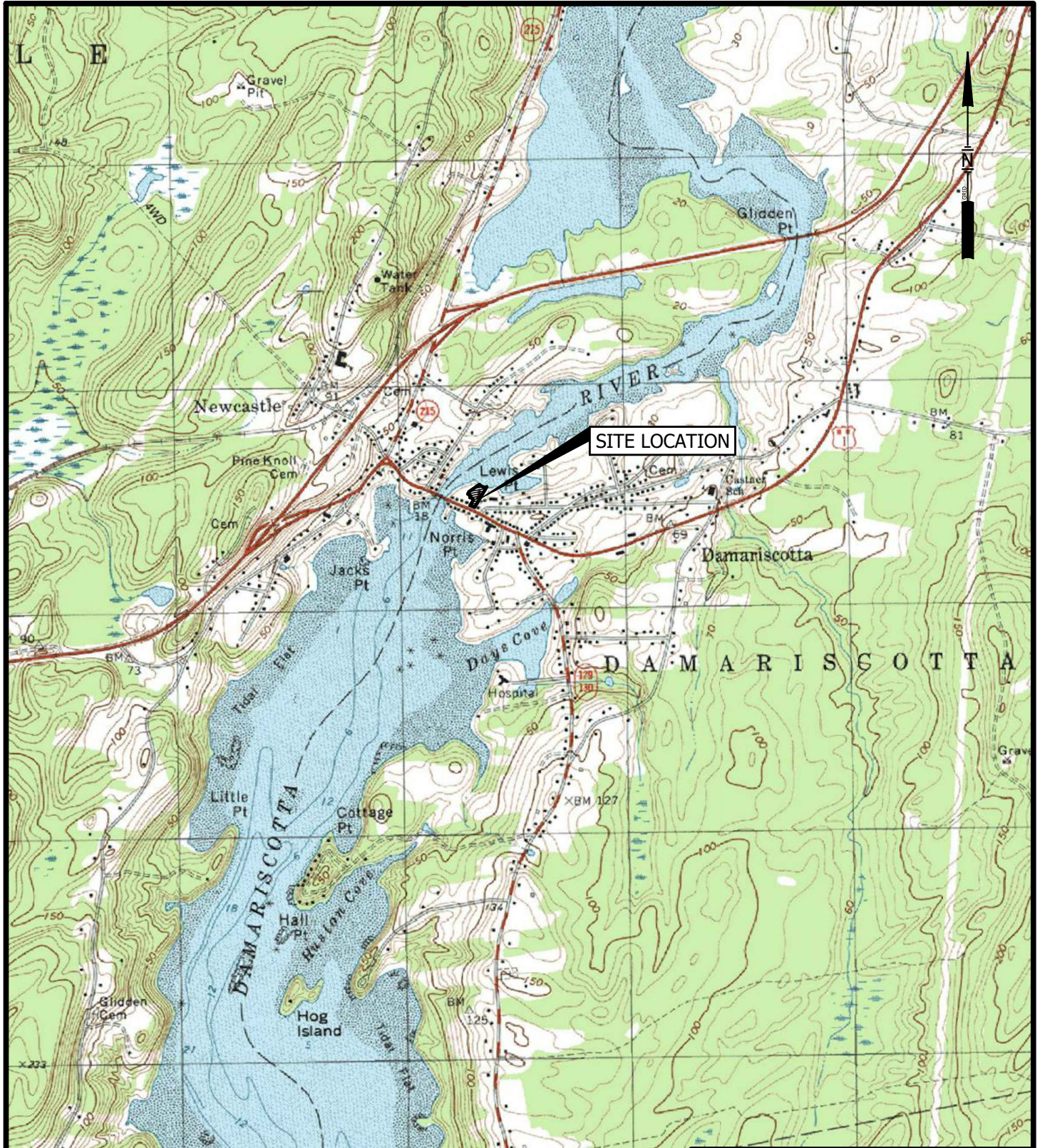
**2.0 PROJECT DESCRIPTION**

BSB proposes to reconstruct a portion of the existing parking area north of their branch office at 100 Main Street in Damariscotta, Maine. The overall parcel owned by BSB consists of three separate properties identified as Lots 028, 030, and 031 on Town of Damariscotta Tax Map 006. The combined parcel area is 1.36 acres.

The subject properties are mapped in the Commercial 1 (C1) Zoning District and Commercial Shoreland Zone. The project site is bounded by Main Street on the south and the Damariscotta River on the north. Developed commercial properties exist to the east and west. The property has approximately 141 linear feet of frontage on Main Street and approximately 223 linear feet of shoreland frontage on Damariscotta River. The property location is outlined on the attached Figure 1 - Site Location Map.

The project area is located on Lots 28, 30 and portion of 31, which have a combined parcel size of 35,019 square feet (sf). This area was formerly occupied by the Damariscotta Bank and Trust operations center and an existing paved parking lot. The existing building and supporting utilities were removed in 2022. Proposed development includes a twenty-five (25)-space parking lot to support BSB customers and employees, underground utilities, site lighting, an enclosed dumpster pad, and landscaping.

A portion of the existing parking area is in Federal Emergency Management Agency (FEMA) Flood Zone AE. This is outlined in the project plan set. A copy of the FEMA flood map is included in Appendix B. The parking lot will be elevated approximately two feet at the at the northern end to protect from flooding and improve resiliency for future sea level rise. Riprap will be installed to stabilize and protect the embankment at the Damariscotta River. The project will maintain existing site access from Courtyard Street and Main Street.



BASEMAP ADAPTED FROM 7.5 MIN USGS TOPO QUADS  
 DAMARISCOTTA, ME - 2000  
 BRISTOL, ME - 2000  
 WALDOBORO-WEST, ME - 1988  
 LOUDS ISLAND, ME - 1979



FIGURE 1  
 SITE LOCATION MAP  
 DAMARISCOTTA BANK BRANCH  
 BANGOR SAVINGS BANK  
 DAMARISCOTTA, MAINE



Already Developed impervious area on Lots 28, 30 and portion of 31 is approximately 33,100 sf, which includes the former operations center building, a small shed, paved parking areas, and access drives. Existing impervious coverage on these lots is approximately 94.5 percent. Proposed development will replace approximately 7,078 sf of impervious area with grassed and landscape area, reducing the impervious coverage in the project area to approximately 74.3 percent. The total redeveloped project area will be approximately 26,022 sf.

This project will disturb less than one acre of land. Per the current municipal ordinance, the project is designed to meet Basic Standards as outlined in Maine Department of Environmental Protection (MEDEP) Chapter 500. The project is not required to obtain a MEDEP Stormwater Management Permit.

### **3.0 SITE WATERSHED**

On-site soils were identified using the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) soil information for Knox County and Lincoln Counties, Maine. A copy of the custom Soil Resource Report is included in Appendix A. The soil in the area of work consists of Udorthents-Urban land complex (Ud). The soil natural drainage classifications is “Moderately well drained” and the hydrologic soil group is Type A.

The site is currently developed with a parking lot and two buildings. The ground surface generally slopes from southwest to northeast at slopes ranging from 2 to 20 percent and discharges directly to the Damariscotta River. The Damariscotta River was selected as Analysis Point 1 (AP-1) for this analysis.

In the developed condition, stormwater runoff drainage patterns will be similar to existing conditions. Runoff from the proposed parking area will sheet flow to shallow vegetated swales east and west of the proposed parking area, which will direct flows to the Damariscotta River.

Stormwater management plans identify the on-site drainage patterns before and after development (see Drawings D-100 and D-101). These drawings are included in the project plan set for reference. Appendix B provides pre- and post-development stormwater calculations using TR-20 methodologies prepared with the HydroCAD Version 10.20-2f computer stormwater modeling system by Applied Microcomputer Systems of Chocorua, New Hampshire.

### **4.0 STORMWATER QUALITY ANALYSIS**

As previously outlined, stormwater treatment will not be required for this project based on Town stormwater requirements and Maine Department of Environmental Protection (MEDEP) Chapter 500 standards. The proposed impervious area will be approximately 26,022 sf which represents a slight decrease of approximately 7,078 sf.

This project is designed to meet Basic Standards outlined in Maine Department of Environmental Protection (MEDEP) Chapter 500; construction will adhere to MEDEP Best Management Practices (BMPs) for erosion and sedimentation control as shown on the drawings. Based on the size of the project and the scope of proposed development, we do not anticipate development of the parcel will adversely impact the quality of stormwater runoff from the property.

**5.0 STORMWATER QUANTITY ANALYSIS**

Stormwater quantity is managed to the maximum extent practicable by reducing the amount of impervious area on the site.

Stormwater peak flow rates were modeled for the 2-, 10-, and 25-year/24-hour storm events with Type III Soil Conservation Service rainfall distribution, using the HydroCAD computer modeling system by Applied Microcomputer Systems of Chocorua, New Hampshire. The peak flow rates at the Analysis Point are summarized in Table 1. Copies of the calculations for the pre-development and post-development models are provided in Appendix B.

**TABLE 1**

**STORMWATER QUANTITY SUMMARY**

AP	2-yr Storm		10-yr Storm		25-yr Storm	
	Pre-(cfs)	Post-(cfs)	Pre-(cfs)	Post-(cfs)	Pre-(cfs)	Post-(cfs)
1	2.75	1.90	4.14	3.30	5.12	4.31

Site drainage from the proposed redevelopment will generally follow the pre-development conditions. As outlined in Table 1, our model indicates a decrease in peak flow rates at AP-1 for the post-development conditions, which represents a decrease in runoff to the river as compared to the existing conditions.

**6.0 SUMMARY**

The stormwater management for this project was designed in accordance with the water quality and quantity objectives identified by the Town of Damariscotta (Town) Land Use Ordinance and MEDEP Chapter 500 requirements for development projects. There will be no adverse impact to adjacent properties or downstream structures as a result of this project.

**APPENDIX A**

**NRCS SOIL REPORT**



United States  
Department of  
Agriculture

**NRCS**

Natural  
Resources  
Conservation  
Service

A product of the National  
Cooperative Soil Survey,  
a joint effort of the United  
States Department of  
Agriculture and other  
Federal agencies, State  
agencies including the  
Agricultural Experiment  
Stations, and local  
participants

# Custom Soil Resource Report for Knox and Lincoln Counties, Maine





# Preface

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Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (<http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/>) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (<https://offices.sc.egov.usda.gov/locator/app?agency=nrcs>) or your NRCS State Soil Scientist ([http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2\\_053951](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951)).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

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# How Soil Surveys Are Made

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Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil

## Custom Soil Resource Report

scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and

## Custom Soil Resource Report

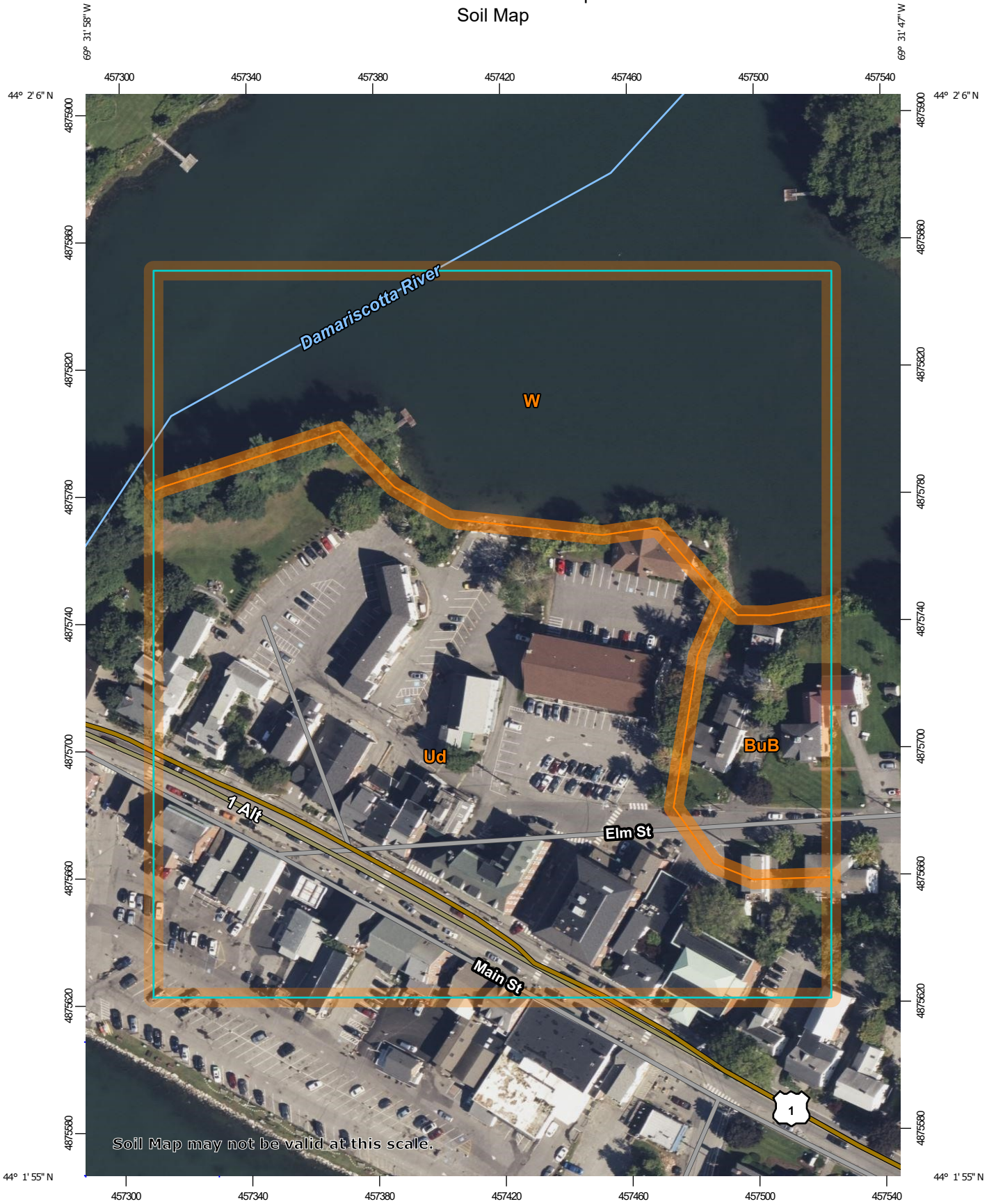
identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

# Soil Map

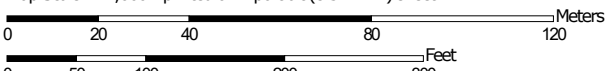
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The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

Custom Soil Resource Report  
Soil Map



Map Scale: 1:1,660 if printed on a portrait (8.5" x 11") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 19N WGS84



### MAP LEGEND

**Area of Interest (AOI)**

 Area of Interest (AOI)

**Soils**

 Soil Map Unit Polygons

 Soil Map Unit Lines


 Soil Map Unit Points

**Special Point Features**

-  Blowout
-  Borrow Pit
-  Clay Spot
-  Closed Depression
-  Gravel Pit
-  Gravelly Spot
-  Landfill
-  Lava Flow
-  Marsh or swamp
-  Mine or Quarry
-  Miscellaneous Water
-  Perennial Water
-  Rock Outcrop
-  Saline Spot
-  Sandy Spot
-  Severely Eroded Spot
-  Sinkhole
-  Slide or Slip
-  Sodic Spot

-  Spoil Area
-  Stony Spot
-  Very Stony Spot
-  Wet Spot
-  Other
-  Special Line Features

**Water Features**

 Streams and Canals

**Transportation**

-  Rails
-  Interstate Highways
-  US Routes
-  Major Roads
-  Local Roads

**Background**

 Aerial Photography

### MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
 Web Soil Survey URL:  
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Knox and Lincoln Counties, Maine  
 Survey Area Data: Version 23, Sep 5, 2023

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jul 11, 2021—Oct 29, 2021

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
BuB	Lamoine silt loam, 3 to 8 percent slopes	0.9	7.5%
Ud	Udortheents-Urban land complex	7.1	58.4%
W	Water bodies	4.1	34.1%
<b>Totals for Area of Interest</b>		<b>12.1</b>	<b>100.0%</b>

## Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the

## Custom Soil Resource Report

development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

## Knox and Lincoln Counties, Maine

### BuB—Lamoine silt loam, 3 to 8 percent slopes

#### Map Unit Setting

*National map unit symbol:* 2t0kc

*Elevation:* 10 to 490 feet

*Mean annual precipitation:* 33 to 60 inches

*Mean annual air temperature:* 36 to 52 degrees F

*Frost-free period:* 90 to 160 days

*Farmland classification:* Farmland of statewide importance

#### Map Unit Composition

*Lamoine and similar soils:* 85 percent

*Estimates are based on observations, descriptions, and transects of the mapunit.*

#### Description of Lamoine

##### Setting

*Landform:* River valleys, marine terraces

*Landform position (two-dimensional):* Footslope

*Landform position (three-dimensional):* Base slope

*Down-slope shape:* Linear

*Across-slope shape:* Linear

*Parent material:* Fine glaciomarine deposits

##### Typical profile

*Ap - 0 to 7 inches:* silt loam

*Bw - 7 to 13 inches:* silt loam

*Bg - 13 to 24 inches:* silty clay loam

*Cg - 24 to 65 inches:* silty clay

##### Properties and qualities

*Slope:* 3 to 8 percent

*Depth to restrictive feature:* More than 80 inches

*Drainage class:* Somewhat poorly drained

*Capacity of the most limiting layer to transmit water (Ksat):* Very low to moderately low (0.00 to 0.14 in/hr)

*Depth to water table:* About 6 to 17 inches

*Frequency of flooding:* None

*Frequency of ponding:* None

*Maximum salinity:* Nonsaline (0.0 to 1.9 mmhos/cm)

*Available water supply, 0 to 60 inches:* Moderate (about 7.6 inches)

##### Interpretive groups

*Land capability classification (irrigated):* None specified

*Land capability classification (nonirrigated):* 3w

*Hydrologic Soil Group:* C/D

*Ecological site:* F144BY401ME - Clay Flat

*Hydric soil rating:* No

## Ud—Udorthents-Urban land complex

### Map Unit Setting

*National map unit symbol:* 9k97  
*Elevation:* 0 to 310 feet  
*Mean annual precipitation:* 48 to 53 inches  
*Mean annual air temperature:* 45 to 46 degrees F  
*Frost-free period:* 155 to 175 days  
*Farmland classification:* Not prime farmland

### Map Unit Composition

*Udorthents and similar soils:* 70 percent  
*Urban land:* 30 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

### Description of Udorthents

#### Setting

*Down-slope shape:* Convex  
*Across-slope shape:* Linear

#### Typical profile

*H1 - 0 to 65 inches:* very gravelly sandy loam

#### Properties and qualities

*Slope:* 0 to 35 percent  
*Depth to restrictive feature:* More than 80 inches  
*Drainage class:* Moderately well drained  
*Capacity of the most limiting layer to transmit water (Ksat):* Moderately low to very high (0.06 to 20.00 in/hr)  
*Depth to water table:* About 24 to 42 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Available water supply, 0 to 60 inches:* Moderate (about 6.6 inches)

#### Interpretive groups

*Land capability classification (irrigated):* None specified  
*Hydrologic Soil Group:* A  
*Ecological site:* F144BY501ME - Loamy Slope (Northern Hardwoods)  
*Hydric soil rating:* No

### Description of Urban Land

#### Setting

*Down-slope shape:* Convex  
*Across-slope shape:* Linear

#### Typical profile

*H1 - 0 to 6 inches:* variable

#### Properties and qualities

*Slope:* 0 to 45 percent  
*Drainage class:* Moderately well drained

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*Depth to water table:* About 24 to 72 inches

*Available water supply, 0 to 60 inches:* Very low (about 0.0 inches)

### **Interpretive groups**

*Land capability classification (irrigated):* None specified

*Land capability classification (nonirrigated):* 8s

*Hydric soil rating:* No

## **W—Water bodies**

### **Map Unit Composition**

*Water:* 100 percent

*Estimates are based on observations, descriptions, and transects of the mapunit.*

### **Description of Water**

#### **Setting**

*Landform:* Lakes

# References

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- American Association of State Highway and Transportation Officials (AASHTO). 2004. Standard specifications for transportation materials and methods of sampling and testing. 24th edition.
- American Society for Testing and Materials (ASTM). 2005. Standard classification of soils for engineering purposes. ASTM Standard D2487-00.
- Cowardin, L.M., V. Carter, F.C. Golet, and E.T. LaRoe. 1979. Classification of wetlands and deep-water habitats of the United States. U.S. Fish and Wildlife Service FWS/OBS-79/31.
- Federal Register. July 13, 1994. Changes in hydric soils of the United States.
- Federal Register. September 18, 2002. Hydric soils of the United States.
- Hurt, G.W., and L.M. Vasilas, editors. Version 6.0, 2006. Field indicators of hydric soils in the United States.
- National Research Council. 1995. Wetlands: Characteristics and boundaries.
- Soil Survey Division Staff. 1993. Soil survey manual. Soil Conservation Service. U.S. Department of Agriculture Handbook 18. [http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2\\_054262](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_054262)
- Soil Survey Staff. 1999. Soil taxonomy: A basic system of soil classification for making and interpreting soil surveys. 2nd edition. Natural Resources Conservation Service, U.S. Department of Agriculture Handbook 436. [http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2\\_053577](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053577)
- Soil Survey Staff. 2010. Keys to soil taxonomy. 11th edition. U.S. Department of Agriculture, Natural Resources Conservation Service. [http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2\\_053580](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053580)
- Tiner, R.W., Jr. 1985. Wetlands of Delaware. U.S. Fish and Wildlife Service and Delaware Department of Natural Resources and Environmental Control, Wetlands Section.
- United States Army Corps of Engineers, Environmental Laboratory. 1987. Corps of Engineers wetlands delineation manual. Waterways Experiment Station Technical Report Y-87-1.
- United States Department of Agriculture, Natural Resources Conservation Service. National forestry manual. [http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/home/?cid=nrcs142p2\\_053374](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/home/?cid=nrcs142p2_053374)
- United States Department of Agriculture, Natural Resources Conservation Service. National range and pasture handbook. <http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/landuse/rangepasture/?cid=stelprdb1043084>

## Custom Soil Resource Report

United States Department of Agriculture, Natural Resources Conservation Service. National soil survey handbook, title 430-VI. [http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/scientists/?cid=nrcs142p2\\_054242](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/scientists/?cid=nrcs142p2_054242)

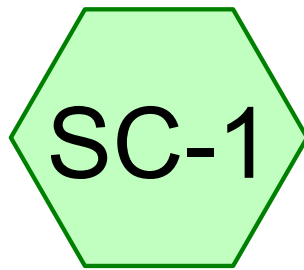
United States Department of Agriculture, Natural Resources Conservation Service. 2006. Land resource regions and major land resource areas of the United States, the Caribbean, and the Pacific Basin. U.S. Department of Agriculture Handbook 296. [http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2\\_053624](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053624)

United States Department of Agriculture, Soil Conservation Service. 1961. Land capability classification. U.S. Department of Agriculture Handbook 210. [http://www.nrcs.usda.gov/Internet/FSE\\_DOCUMENTS/nrcs142p2\\_052290.pdf](http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcs142p2_052290.pdf)

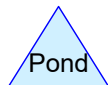
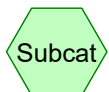
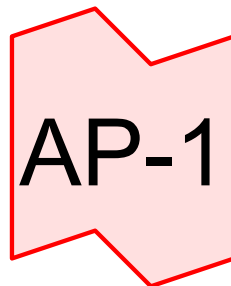


**APPENDIX B**

**PRE-DEVELOPMENT HYDROCAD CALCULATIONS**



Site



**Routing Diagram for Existing\_12212023**

Prepared by Sevee & Maher Engineers, Printed 12/21/2023  
HydroCAD® 10.20-2f s/n 01260 © 2022 HydroCAD Software Solutions LLC

**Existing\_12212023**

Type III 24-hr 2-yr Storm Rainfall=3.10"

Prepared by Sevee & Maher Engineers

Printed 12/21/2023

HydroCAD® 10.20-2f s/n 01260 © 2022 HydroCAD Software Solutions LLC

Page 2

Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points  
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN  
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

**Subcatchment SC-1: Site**

Runoff Area=42,122 sf 94.13% Impervious Runoff Depth>2.41"  
Tc=5.0 min CN=95 Runoff=2.75 cfs 0.194 af

**Link AP-1:**

Inflow=2.75 cfs 0.194 af  
Primary=2.75 cfs 0.194 af

**Total Runoff Area = 0.967 ac Runoff Volume = 0.194 af Average Runoff Depth = 2.41"**  
**5.87% Pervious = 0.057 ac 94.13% Impervious = 0.910 ac**

**Summary for Subcatchment SC-1: Site**

Runoff = 2.75 cfs @ 12.07 hrs, Volume= 0.194 af, Depth> 2.41"  
 Routed to Link AP-1 :

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs  
 Type III 24-hr 2-yr Storm Rainfall=3.10"

Area (sf)	CN	Description
31,912	98	Paved parking, HSG A
7,738	98	Roofs, HSG A
2,472	39	>75% Grass cover, Good, HSG A
42,122	95	Weighted Average
2,472		5.87% Pervious Area
39,650		94.13% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0					<b>Direct Entry,</b>

**Summary for Link AP-1:**

Inflow Area = 0.967 ac, 94.13% Impervious, Inflow Depth > 2.41" for 2-yr Storm event  
 Inflow = 2.75 cfs @ 12.07 hrs, Volume= 0.194 af  
 Primary = 2.75 cfs @ 12.07 hrs, Volume= 0.194 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs

**Existing\_12212023**

Type III 24-hr 10-yr Storm Rainfall=4.50"

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Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points  
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN  
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

**Subcatchment SC-1: Site**

Runoff Area=42,122 sf 94.13% Impervious Runoff Depth>3.70"  
Tc=5.0 min CN=95 Runoff=4.14 cfs 0.298 af

**Link AP-1:**

Inflow=4.14 cfs 0.298 af  
Primary=4.14 cfs 0.298 af

**Total Runoff Area = 0.967 ac Runoff Volume = 0.298 af Average Runoff Depth = 3.70"**  
**5.87% Pervious = 0.057 ac 94.13% Impervious = 0.910 ac**

**Summary for Subcatchment SC-1: Site**

Runoff = 4.14 cfs @ 12.07 hrs, Volume= 0.298 af, Depth> 3.70"  
 Routed to Link AP-1 :

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs  
 Type III 24-hr 10-yr Storm Rainfall=4.50"

Area (sf)	CN	Description
31,912	98	Paved parking, HSG A
7,738	98	Roofs, HSG A
2,472	39	>75% Grass cover, Good, HSG A
42,122	95	Weighted Average
2,472		5.87% Pervious Area
39,650		94.13% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0					<b>Direct Entry,</b>

**Summary for Link AP-1:**

Inflow Area = 0.967 ac, 94.13% Impervious, Inflow Depth > 3.70" for 10-yr Storm event  
 Inflow = 4.14 cfs @ 12.07 hrs, Volume= 0.298 af  
 Primary = 4.14 cfs @ 12.07 hrs, Volume= 0.298 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs

**Existing\_12212023**

Type III 24-hr 25-yr Storm Rainfall=5.50"

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Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points  
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN  
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

**Subcatchment SC-1: Site**

Runoff Area=42,122 sf 94.13% Impervious Runoff Depth>4.62"  
Tc=5.0 min CN=95 Runoff=5.12 cfs 0.372 af

**Link AP-1:**

Inflow=5.12 cfs 0.372 af  
Primary=5.12 cfs 0.372 af

**Total Runoff Area = 0.967 ac Runoff Volume = 0.372 af Average Runoff Depth = 4.62"**  
**5.87% Pervious = 0.057 ac 94.13% Impervious = 0.910 ac**

**Summary for Subcatchment SC-1: Site**

Runoff = 5.12 cfs @ 12.07 hrs, Volume= 0.372 af, Depth> 4.62"  
Routed to Link AP-1 :

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs  
Type III 24-hr 25-yr Storm Rainfall=5.50"

Area (sf)	CN	Description
31,912	98	Paved parking, HSG A
7,738	98	Roofs, HSG A
2,472	39	>75% Grass cover, Good, HSG A
42,122	95	Weighted Average
2,472		5.87% Pervious Area
39,650		94.13% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0					<b>Direct Entry,</b>

**Summary for Link AP-1:**

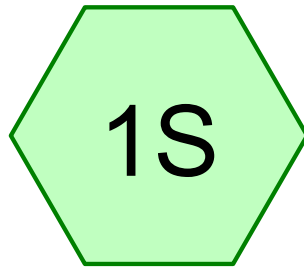
Inflow Area = 0.967 ac, 94.13% Impervious, Inflow Depth > 4.62" for 25-yr Storm event  
Inflow = 5.12 cfs @ 12.07 hrs, Volume= 0.372 af  
Primary = 5.12 cfs @ 12.07 hrs, Volume= 0.372 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs

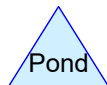
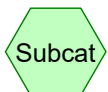
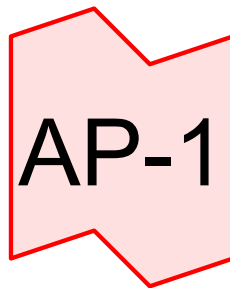


**APPENDIX C**

**POST-DEVELOPMENT HYDROCAD CALCULATIONS**



Site



**Proposed\_12212023**

Type III 24-hr 2-yr Storm Rainfall=3.10"

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Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points  
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN  
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

**Subcatchment 1S: Site**

Runoff Area=42,122 sf 77.33% Impervious Runoff Depth>1.56"  
Tc=5.0 min CN=85 Runoff=1.90 cfs 0.126 af

**Link AP-1:**

Inflow=1.90 cfs 0.126 af  
Primary=1.90 cfs 0.126 af

**Total Runoff Area = 0.967 ac Runoff Volume = 0.126 af Average Runoff Depth = 1.56"**  
**22.67% Pervious = 0.219 ac 77.33% Impervious = 0.748 ac**

**Proposed\_12212023**

Type III 24-hr 2-yr Storm Rainfall=3.10"

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**Summary for Subcatchment 1S: Site**

Runoff = 1.90 cfs @ 12.08 hrs, Volume= 0.126 af, Depth> 1.56"  
Routed to Link AP-1 :

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs  
Type III 24-hr 2-yr Storm Rainfall=3.10"

Area (sf)	CN	Description
29,473	98	Paved parking, HSG A
3,099	98	Roofs, HSG A
9,550	39	>75% Grass cover, Good, HSG A
42,122	85	Weighted Average
9,550		22.67% Pervious Area
32,572		77.33% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0					<b>Direct Entry,</b>

**Summary for Link AP-1:**

Inflow Area = 0.967 ac, 77.33% Impervious, Inflow Depth > 1.56" for 2-yr Storm event  
Inflow = 1.90 cfs @ 12.08 hrs, Volume= 0.126 af  
Primary = 1.90 cfs @ 12.08 hrs, Volume= 0.126 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs

**Proposed\_12212023**

Type III 24-hr 10-yr Storm Rainfall=4.50"

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Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points  
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN  
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

**Subcatchment 1S: Site**

Runoff Area=42,122 sf 77.33% Impervious Runoff Depth>2.73"  
Tc=5.0 min CN=85 Runoff=3.30 cfs 0.220 af

**Link AP-1:**

Inflow=3.30 cfs 0.220 af  
Primary=3.30 cfs 0.220 af

**Total Runoff Area = 0.967 ac Runoff Volume = 0.220 af Average Runoff Depth = 2.73"**  
**22.67% Pervious = 0.219 ac 77.33% Impervious = 0.748 ac**

**Proposed\_12212023**

Type III 24-hr 10-yr Storm Rainfall=4.50"

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**Summary for Subcatchment 1S: Site**

Runoff = 3.30 cfs @ 12.07 hrs, Volume= 0.220 af, Depth> 2.73"  
Routed to Link AP-1 :

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs  
Type III 24-hr 10-yr Storm Rainfall=4.50"

Area (sf)	CN	Description
29,473	98	Paved parking, HSG A
3,099	98	Roofs, HSG A
9,550	39	>75% Grass cover, Good, HSG A
42,122	85	Weighted Average
9,550		22.67% Pervious Area
32,572		77.33% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0					Direct Entry,

**Summary for Link AP-1:**

Inflow Area = 0.967 ac, 77.33% Impervious, Inflow Depth > 2.73" for 10-yr Storm event  
Inflow = 3.30 cfs @ 12.07 hrs, Volume= 0.220 af  
Primary = 3.30 cfs @ 12.07 hrs, Volume= 0.220 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs

**Proposed\_12212023**

Type III 24-hr 25-yr Storm Rainfall=5.50"

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Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points  
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN  
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

**Subcatchment 1S: Site**

Runoff Area=42,122 sf 77.33% Impervious Runoff Depth>3.61"  
Tc=5.0 min CN=85 Runoff=4.31 cfs 0.291 af

**Link AP-1:**

Inflow=4.31 cfs 0.291 af  
Primary=4.31 cfs 0.291 af

**Total Runoff Area = 0.967 ac Runoff Volume = 0.291 af Average Runoff Depth = 3.61"**  
**22.67% Pervious = 0.219 ac 77.33% Impervious = 0.748 ac**

**Proposed\_12212023**

Type III 24-hr 25-yr Storm Rainfall=5.50"

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**Summary for Subcatchment 1S: Site**

Runoff = 4.31 cfs @ 12.07 hrs, Volume= 0.291 af, Depth> 3.61"  
Routed to Link AP-1 :

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs  
Type III 24-hr 25-yr Storm Rainfall=5.50"

Area (sf)	CN	Description
29,473	98	Paved parking, HSG A
3,099	98	Roofs, HSG A
9,550	39	>75% Grass cover, Good, HSG A
42,122	85	Weighted Average
9,550		22.67% Pervious Area
32,572		77.33% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0					<b>Direct Entry,</b>

**Summary for Link AP-1:**

Inflow Area = 0.967 ac, 77.33% Impervious, Inflow Depth > 3.61" for 25-yr Storm event  
Inflow = 4.31 cfs @ 12.07 hrs, Volume= 0.291 af  
Primary = 4.31 cfs @ 12.07 hrs, Volume= 0.291 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs



**EXHIBIT 10**

**EROSION CONTROL**

**EXHIBIT 10**

**EROSION CONTROL**

Erosion and Sedimentation Control notes and details are included in the project plan set provided with this application. A copy of the medium intensity soil survey is attached for review.



United States  
Department of  
Agriculture

**NRCS**

Natural  
Resources  
Conservation  
Service

A product of the National  
Cooperative Soil Survey,  
a joint effort of the United  
States Department of  
Agriculture and other  
Federal agencies, State  
agencies including the  
Agricultural Experiment  
Stations, and local  
participants

# Custom Soil Resource Report for Knox and Lincoln Counties, Maine



# Preface

---

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (<http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/>) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (<https://offices.sc.egov.usda.gov/locator/app?agency=nrcs>) or your NRCS State Soil Scientist ([http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2\\_053951](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951)).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

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# How Soil Surveys Are Made

---

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil

## Custom Soil Resource Report

scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and



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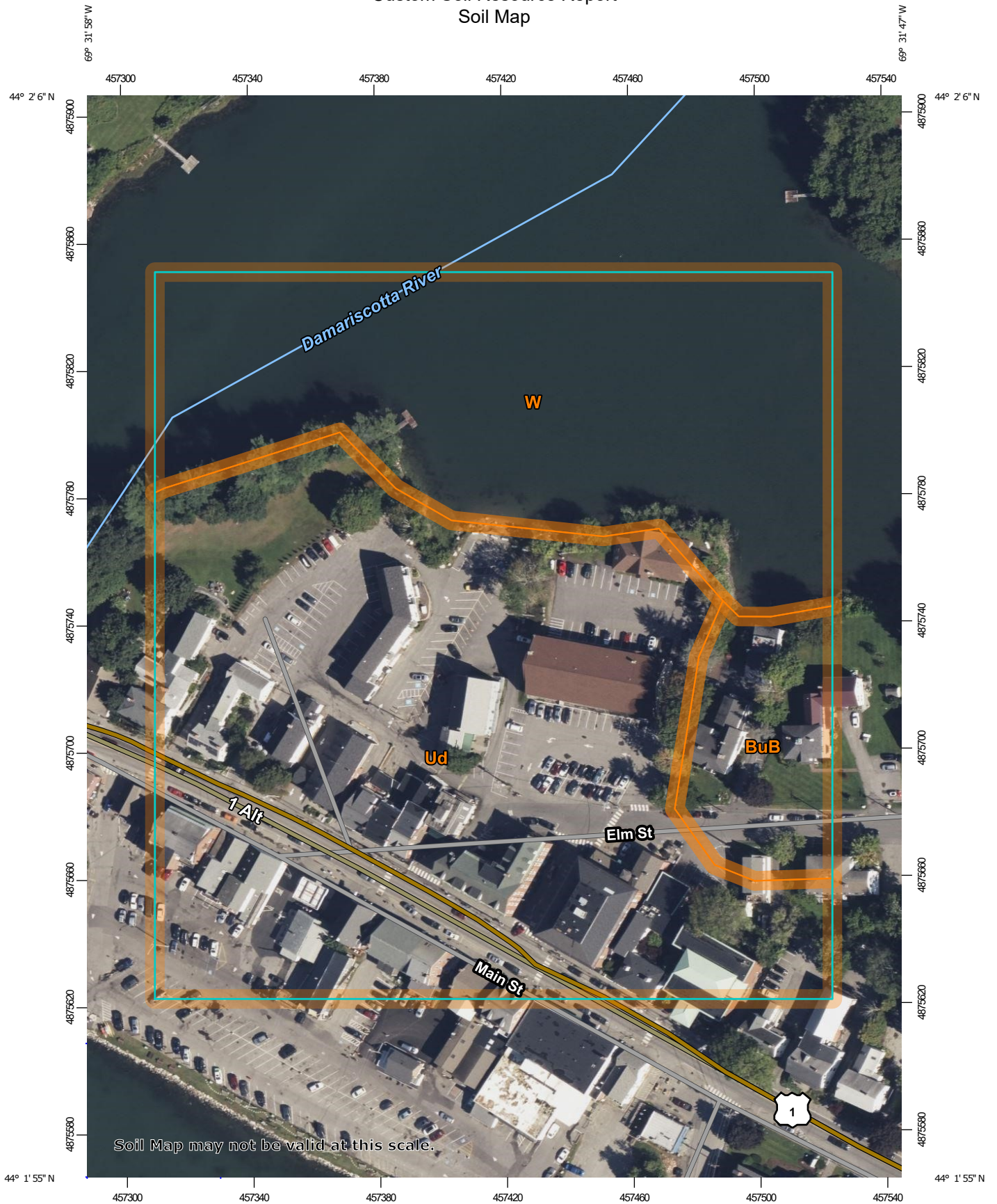
identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

# Soil Map

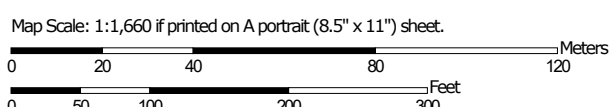
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The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

# Custom Soil Resource Report Soil Map



Soil Map may not be valid at this scale.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 19N WGS84

### MAP LEGEND

**Area of Interest (AOI)**

 Area of Interest (AOI)

**Soils**

 Soil Map Unit Polygons

 Soil Map Unit Lines


 Soil Map Unit Points

**Special Point Features**

-  Blowout
-  Borrow Pit
-  Clay Spot
-  Closed Depression
-  Gravel Pit
-  Gravelly Spot
-  Landfill
-  Lava Flow
-  Marsh or swamp
-  Mine or Quarry
-  Miscellaneous Water
-  Perennial Water
-  Rock Outcrop
-  Saline Spot
-  Sandy Spot
-  Severely Eroded Spot
-  Sinkhole
-  Slide or Slip
-  Sodic Spot

-  Spoil Area
-  Stony Spot
-  Very Stony Spot
-  Wet Spot
-  Other
-  Special Line Features


**Water Features**

 Streams and Canals

**Transportation**

-  Rails
-  Interstate Highways
-  US Routes
-  Major Roads
-  Local Roads

**Background**

 Aerial Photography

### MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
 Web Soil Survey URL:  
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Knox and Lincoln Counties, Maine  
 Survey Area Data: Version 23, Sep 5, 2023

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jul 11, 2021—Oct 29, 2021

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
BuB	Lamoine silt loam, 3 to 8 percent slopes	0.9	7.5%
Ud	Udorthents-Urban land complex	7.1	58.4%
W	Water bodies	4.1	34.1%
<b>Totals for Area of Interest</b>		<b>12.1</b>	<b>100.0%</b>

## Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the

## Custom Soil Resource Report

development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

## Knox and Lincoln Counties, Maine

### BuB—Lamoine silt loam, 3 to 8 percent slopes

#### Map Unit Setting

*National map unit symbol:* 2t0kc

*Elevation:* 10 to 490 feet

*Mean annual precipitation:* 33 to 60 inches

*Mean annual air temperature:* 36 to 52 degrees F

*Frost-free period:* 90 to 160 days

*Farmland classification:* Farmland of statewide importance

#### Map Unit Composition

*Lamoine and similar soils:* 85 percent

*Estimates are based on observations, descriptions, and transects of the mapunit.*

#### Description of Lamoine

##### Setting

*Landform:* River valleys, marine terraces

*Landform position (two-dimensional):* Footslope

*Landform position (three-dimensional):* Base slope

*Down-slope shape:* Linear

*Across-slope shape:* Linear

*Parent material:* Fine glaciomarine deposits

##### Typical profile

*Ap - 0 to 7 inches:* silt loam

*Bw - 7 to 13 inches:* silt loam

*Bg - 13 to 24 inches:* silty clay loam

*Cg - 24 to 65 inches:* silty clay

##### Properties and qualities

*Slope:* 3 to 8 percent

*Depth to restrictive feature:* More than 80 inches

*Drainage class:* Somewhat poorly drained

*Capacity of the most limiting layer to transmit water (Ksat):* Very low to moderately low (0.00 to 0.14 in/hr)

*Depth to water table:* About 6 to 17 inches

*Frequency of flooding:* None

*Frequency of ponding:* None

*Maximum salinity:* Nonsaline (0.0 to 1.9 mmhos/cm)

*Available water supply, 0 to 60 inches:* Moderate (about 7.6 inches)

##### Interpretive groups

*Land capability classification (irrigated):* None specified

*Land capability classification (nonirrigated):* 3w

*Hydrologic Soil Group:* C/D

*Ecological site:* F144BY401ME - Clay Flat

*Hydric soil rating:* No

## **Ud—Udorthents-Urban land complex**

### **Map Unit Setting**

*National map unit symbol:* 9k97  
*Elevation:* 0 to 310 feet  
*Mean annual precipitation:* 48 to 53 inches  
*Mean annual air temperature:* 45 to 46 degrees F  
*Frost-free period:* 155 to 175 days  
*Farmland classification:* Not prime farmland

### **Map Unit Composition**

*Udorthents and similar soils:* 70 percent  
*Urban land:* 30 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

### **Description of Udorthents**

#### **Setting**

*Down-slope shape:* Convex  
*Across-slope shape:* Linear

#### **Typical profile**

*H1 - 0 to 65 inches:* very gravelly sandy loam

#### **Properties and qualities**

*Slope:* 0 to 35 percent  
*Depth to restrictive feature:* More than 80 inches  
*Drainage class:* Moderately well drained  
*Capacity of the most limiting layer to transmit water (Ksat):* Moderately low to very high (0.06 to 20.00 in/hr)  
*Depth to water table:* About 24 to 42 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Available water supply, 0 to 60 inches:* Moderate (about 6.6 inches)

#### **Interpretive groups**

*Land capability classification (irrigated):* None specified  
*Hydrologic Soil Group:* A  
*Ecological site:* F144BY501ME - Loamy Slope (Northern Hardwoods)  
*Hydric soil rating:* No

### **Description of Urban Land**

#### **Setting**

*Down-slope shape:* Convex  
*Across-slope shape:* Linear

#### **Typical profile**

*H1 - 0 to 6 inches:* variable

#### **Properties and qualities**

*Slope:* 0 to 45 percent  
*Drainage class:* Moderately well drained



## Custom Soil Resource Report

*Depth to water table:* About 24 to 72 inches

*Available water supply, 0 to 60 inches:* Very low (about 0.0 inches)

### **Interpretive groups**

*Land capability classification (irrigated):* None specified

*Land capability classification (nonirrigated):* 8s

*Hydric soil rating:* No

## **W—Water bodies**

### **Map Unit Composition**

*Water:* 100 percent

*Estimates are based on observations, descriptions, and transects of the mapunit.*

### **Description of Water**

#### **Setting**

*Landform:* Lakes

# References

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- American Association of State Highway and Transportation Officials (AASHTO). 2004. Standard specifications for transportation materials and methods of sampling and testing. 24th edition.
- American Society for Testing and Materials (ASTM). 2005. Standard classification of soils for engineering purposes. ASTM Standard D2487-00.
- Cowardin, L.M., V. Carter, F.C. Golet, and E.T. LaRoe. 1979. Classification of wetlands and deep-water habitats of the United States. U.S. Fish and Wildlife Service FWS/OBS-79/31.
- Federal Register. July 13, 1994. Changes in hydric soils of the United States.
- Federal Register. September 18, 2002. Hydric soils of the United States.
- Hurt, G.W., and L.M. Vasilas, editors. Version 6.0, 2006. Field indicators of hydric soils in the United States.
- National Research Council. 1995. Wetlands: Characteristics and boundaries.
- Soil Survey Division Staff. 1993. Soil survey manual. Soil Conservation Service. U.S. Department of Agriculture Handbook 18. [http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2\\_054262](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_054262)
- Soil Survey Staff. 1999. Soil taxonomy: A basic system of soil classification for making and interpreting soil surveys. 2nd edition. Natural Resources Conservation Service, U.S. Department of Agriculture Handbook 436. [http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2\\_053577](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053577)
- Soil Survey Staff. 2010. Keys to soil taxonomy. 11th edition. U.S. Department of Agriculture, Natural Resources Conservation Service. [http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2\\_053580](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053580)
- Tiner, R.W., Jr. 1985. Wetlands of Delaware. U.S. Fish and Wildlife Service and Delaware Department of Natural Resources and Environmental Control, Wetlands Section.
- United States Army Corps of Engineers, Environmental Laboratory. 1987. Corps of Engineers wetlands delineation manual. Waterways Experiment Station Technical Report Y-87-1.
- United States Department of Agriculture, Natural Resources Conservation Service. National forestry manual. [http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/home/?cid=nrcs142p2\\_053374](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/home/?cid=nrcs142p2_053374)
- United States Department of Agriculture, Natural Resources Conservation Service. National range and pasture handbook. <http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/landuse/rangepasture/?cid=stelprdb1043084>

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United States Department of Agriculture, Natural Resources Conservation Service. National soil survey handbook, title 430-VI. [http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/scientists/?cid=nrcs142p2\\_054242](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/scientists/?cid=nrcs142p2_054242)

United States Department of Agriculture, Natural Resources Conservation Service. 2006. Land resource regions and major land resource areas of the United States, the Caribbean, and the Pacific Basin. U.S. Department of Agriculture Handbook 296. [http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2\\_053624](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053624)

United States Department of Agriculture, Soil Conservation Service. 1961. Land capability classification. U.S. Department of Agriculture Handbook 210. [http://www.nrcs.usda.gov/Internet/FSE\\_DOCUMENTS/nrcs142p2\\_052290.pdf](http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcs142p2_052290.pdf)

**EXHIBIT 11**

**MISCELLANEOUS**

**EXHIBIT 11**

**MISCELLANEOUS**

**A. NOISE**

The noise levels of the proposed parking will be under 65 decibels (dB) between 7:00 am and 7:00 pm and under 55 dB between 7:01 pm and 6:59 am.

**B. AIR QUALITY**

The proposed parking lot reconfiguration will not impact air quality. There will not be any emissions of dust, fly ash, fumes, vapors, or gases on-site.

**C. EASEMENTS, COVENANTS AND DEED RESTRICTIONS**

A copy of the memo outlining existing easements in the project area is attached for reference. There are no additional easements, covenants, or deed restrictions proposed as part of this project.

**D. WAIVERS**

The proposed parking lot reconfiguration project will not require any waivers.

## MEMORANDUM

TO: Jason Donovan, SVP Facilities Manager, Bangor Savings Bank

FROM: Kacy Bailey

RE: Rights to Properties in Damariscotta

DATE: April 12, 2022

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Bangor Savings Bank is the owner of the following properties in Damariscotta, Lincoln County, Maine by virtue of its acquisition of Damariscotta Bank and Trust, Co. (in chronological order of acquisition).

- Tax Map 6, **Lot 31**, by virtue of a Warranty Deed from Charles J. Coffin to Damariscotta Bank & Trust Co. dated June 1, 1972 and recorded in Book 734, Page 29;
- Portion of Tax Map 6, **Lot 29**, by virtue of a Warranty Deed from Neil L. Parsons to Damariscotta Bank & Trust Company dated August 6, 1982 and recorded in Book 1111, Page 26, excepting most of the parcel that was conveyed to Best Thai Holdings LLC by Quitclaim Deed dated December 29, 2020 and recorded in Book 5644, Page 158 (see Plan Book 112, Page 70);
- Tax Map 6, **Lot 28**, by virtue of a Warranty Deed from Robert L. Chasse to Damariscotta Bank & Trust Co. dated February 28, 1985 and recorded in Book 1229, Page 81 (second parcel – the first parcel being Lot 30); and
- Tax Map 6, **Lot 30**, by virtue of a Warranty Deed from Robert L. Chase to Damariscotta Bank & Trust Co. dated February 28, 1985 and recorded in Book 1229, Page 81 (first parcel).

Please note that I am using the tax lot numbers as shorthand and easy identification for the various parcels. It should be noted that the tax lots do not necessarily reflect accurate deed description lines.

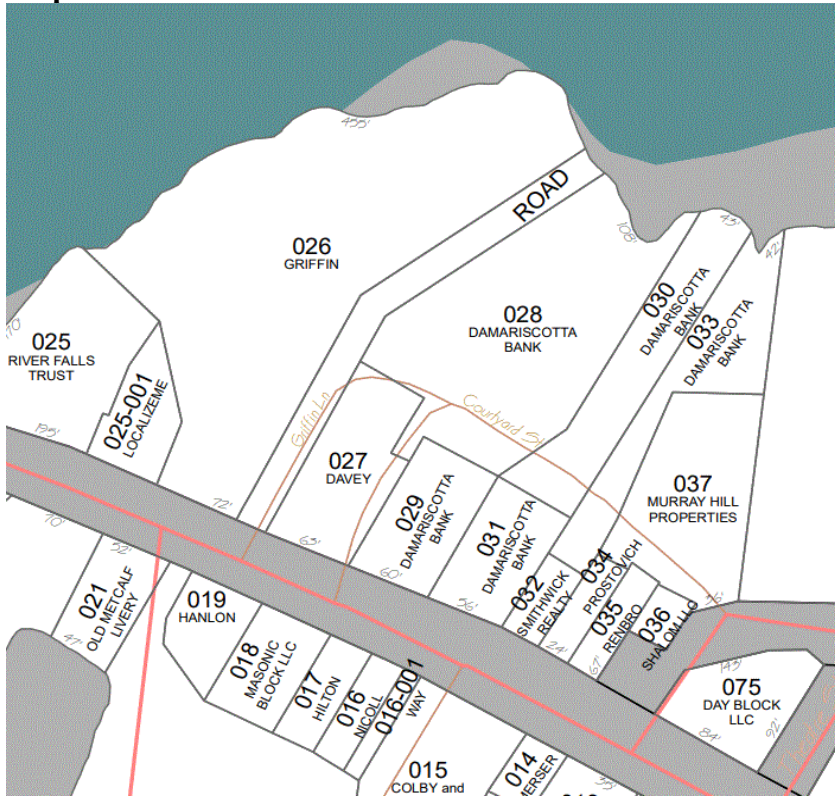
Please see Map #1 on following page for relevant portion of Tax Map 6.

For purposes of this memorandum, the following described locations shall refer to those locations as approximately shown on Map #2 on the following page:

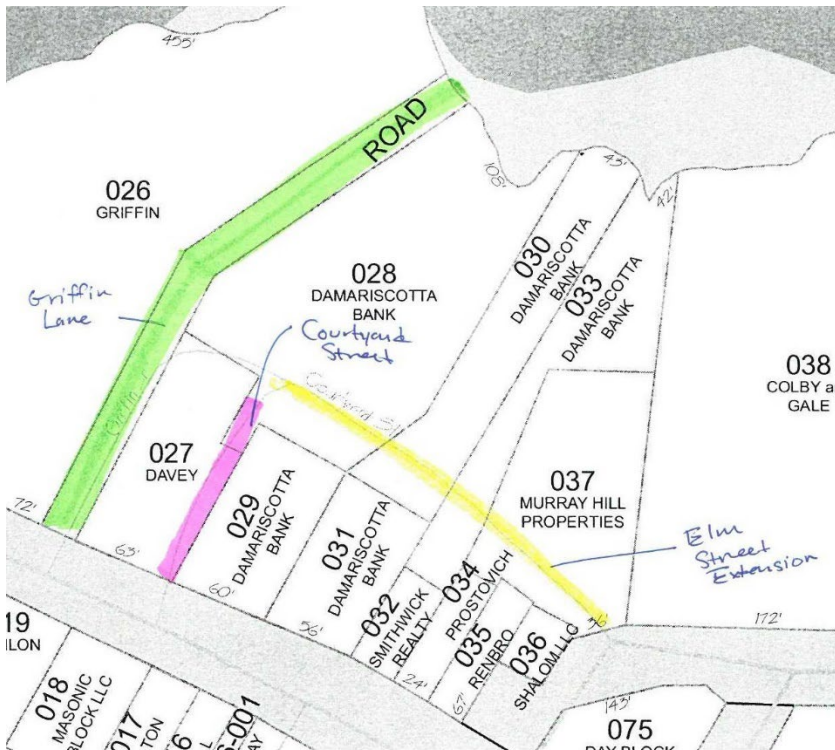
- Griffin Lane (formerly called Foye Street)
- Courtyard Street
- Elm Street Extension

[continued on following page]

Map #1



Map #2



## APPURTENANT RIGHTS

### Lot 30:

#### Rights to Elm Street Extension:

The deed to Damariscotta Bank & Trust Co. (Book 1229, Page 81, parcel 1) describes the parcel as commencing at an iron pipe on the southwesterly side of the road leading to the within described premises, but does not include any easement rights to cross the properties to the east over that road. My conclusion is that any rights to Elm Street Extension arise by prescription (i.e. adverse possession) and not by grant of easement. The neighbor at the end of Elm Street Extension may have successfully cut off those rights by blocking the access if he is blocking passage onto Elm Street.

#### Rights to Courtyard Street:

The deed to Damariscotta Bank & Trust Co. (Book 1229, Page 81, parcel 1) also conveys “all right, title, and interest in and to the private road, and fee ownership thereof, known as the “Byway” located between land now or formerly of Parsons and land now or formerly of Margo Moore.” The land of Parsons was the approximate location of Tax Map 6, Lot 29 and the land of Margo Moore was in the approximate location of Tax Map 6, Lot 27. Therefore the reference to the “Byway” is referring to Courtyard Street. This states that at least a portion of Courtyard Street is owned in fee by Bangor Savings Bank, subject to the rights of others to use it. See also plan recorded in Plan Book 90, Page 61, which shows Courtyard Street as part of the parcel owned by Damariscotta Bank & Trust Co. Note, however, that the description of Lot 27 describes the southeasterly corner as being 10.5 feet from the northerly bound of the land of Dr. Neil Parsons. Therefore, the fee interest in Courtyard Street held by Bangor Savings Bank is likely only 10.5 feet wide. The plan at Plan Book 112, Page 70 (the boundary survey made for the conveyance of the restaurant) shows the paved width of Courtyard Street to be 20+ feet. Based on the foregoing, it appears that Courtyard Street is owned in part by Bangor Savings Bank and in part by the owner of Lot 27.

#### Rights to Griffin Lane:

See discussion below with respect to Lot 28 as to the rights to Griffin Lane. Those rights derive from ownership of Griffin Lane, not by way of easement rights.

### Lot 28

#### Rights to Elm Street Extension:

See discussion above with respect to Lot 30.

#### Rights to Courtyard Street:



The deed to Damariscotta Bank & Trust Co. (Book 1229, Page 81, parcel 2) also conveys “all right, title, and interest in and to the private road, and fee ownership thereof, known as the “Byway” located between land now or formerly of Parsons and land now or formerly of Margo Moore.” As discussed above, this states that at least a part of Courtyard Street is owned in fee by Bangor Savings Bank, subject to the rights of others to use it.

Rights to Griffin Lane:

The deed at Book 1229, Page 81 also conveys to Damariscotta Bank & Trust Co. “an undivided one-half interest in and to Foye Street, so-called.” The prior deed in the chain of title (Book 1168, Page 130) more particularly describes Foye Street as:

“BEGINNING on the northerly side of Main Street in the Town of Damariscotta at the easterly bound of land formerly of Dr. Rufus Stetson, now or formerly of Joseph. Griffin;  
THENCE North 47° 48' 27" East a distance of one hundred eighty-eight (188) feet to an iron pipe set;  
THENCE North 73° 35' 19" East a distance of one hundred eighty-seven and thirty-three hundredths (187.33) feet to an iron pipe set;  
THENCE continuing same course a distance of ten (10) feet, more or less, to the high water mark of the Damariscotta River at Cottrill's Cove;  
THENCE in a general southerly direction by and along the shore or Cottrill's Cove a distance to the high water mark of the Damariscotta River to a point lying a course North 73° 35' 19" East one (1) foot from an iron pipe set in the ground:  
THENCE South 73° 35' 19" West a distance of one (1) foot, more or less, to said iron pipe;  
THENCE south 73° 35' 19" west through a series of iron pipes set at irregular intervals a distance of one hundred eighty-two and nineteen hundredths (182.19) feet to an iron pipe set in the ground;  
THENCE South 47° 48' 27" West a distance of thirty-six and eighty-four hundredths (36.84) feet to an iron pipe set in the ground, said pipe being the extreme northerly corner, now or formerly of the Cricket Shop;  
THENCE South 47° 48' 27" west a distance of one hundred forty-three and sixteen hundredths (143.16) feet to an iron pipe set in the ground near the northerly side of Main Street;  
THENCE in a northwesterly direction by Main Street to the point of beginning, this Parcel being known as Foye Street.”

This appears to run the distance from Main Street to the river, in the approximate location as shown on the tax map.

There is a question as to title to Griffin Lane that arises from the deed from Matthew Cottrill to Samuel Glidden dated February 27, 1846 and recorded in Book 183, Page 501. This describes the same parcel as is described in the deed to Joseph W. Griffin (the current owner of Lot 26; see Book 781, Page 249) and states “N.B. The street laid down on said Plan of one rod and nine links in width is left in common, but belonging to aforegranted premises.” This note is not clear as to who may have common rights in the road and, while it suggests that the fee interest in the road follows what is now Lot 26, the document does not use granting language for the road. It is therefore not clear whether this note has the effect of conveying the fee interest in Foye Street (a/k/a Griffin Lane) to Griffin’s predecessor. Griffin’s immediate predecessor (Irma Stetson) obtained easement

rights in Griffin Lane in order to convey them to Griffin, which suggests that this ancient deed language did not convey the fee interest in Griffin Lane with the land that is now Lot 26 or there was a severance of those rights from Lot 26 at some time after that 1846 deed. A later deed to Joseph W. Griffin (following conveyances from by him to family members), includes a grant of “all my right, title and interest in and to the said street laid down on a plan taken by John S. Foye, January 14, 1814.” Based on this language, there does appear to at least be a claim for ownership of Foye Street by Joseph W. Griffin. (See also easement deed from Griffin to the Cricket Shop (Book 781, Page 252) discussed below.) However, Bangor Savings Bank also has a good basis for claiming 50% interest based on the Warranty Deed at Book 1229, Page 81. We have not been able to find the origin of the creation of the 50% interests in Griffin Lane with the records available online to resolve this issue. We would need to make a visit to the Lincoln County Registry of Deeds to do further research.

### **Lot 31**

Lot 31 does not appear to have any easement rights in Griffin Lane, Courtyard Street, or the Elm Street Extension. Notwithstanding, Lot 31 is able to use Courtyard Street, because of the fee interest in Courtyard Street held by Bangor Savings Bank (discussed above). If these lots are split, express easement rights should be granted.

### **Lot 29**

#### **Rights to Courtyard Street and Elm Street Extension:**

Deed from Neil L. Parsons (Book 1126, Page 26) includes “all of the land, estates, easements, rights of ways, and privileges of every nature and description” and specifically describes the Agreement at Book 817, Page 77, the Judgment at Book 795, Page 63, and the Plan at Plan Book 21, Page 29. These documents stem from the litigation between Neil Parsons and George D. and Katherine M. Chasse. The order established certain easements in favor of Parsons, which Neil Parsons and George and Katherine Chasse appear to have amended by the Agreement. The Agreement established:

...the right to use for ordinary purposes of travel to and from the premises of said Parsons on the northeast side of said street in common with others:

A. A 10.5 foot right of way from Main Street in a northeastern direction between the premises of Parsons and the Cricket Shop premises, so-called, for a distance of 120 feet, more or less, and

B. A 10.5 foot right of way which connects with the first at about right angles at the northeasterly end thereof and runs from Elm Street in a northwesterly direction past the Beer Parlor and adjacent to the northeasterly line of the premises of said Parsons.

The above describes rights to use Courtyard Street and the Elm Street Extension, at least to the extent that the Elm Street Extension runs over Lots 28 and 30 (as those are the only properties the Chasse’s had the right to create easements over). When Damariscotta Bank & Trust Co. acquired Lots 28 and 30 in 1985 (after having acquired Lot 29 in 1982), these easement rights

merged with the fee interest and were terminated. Any portion of these easements that are over other property not held by Bangor Savings Bank, if there is any, would continue. When most of Lot 29 was sold to Best Thai Holdings, LLC, the only easement rights granted are those stated in that deed. That is, the old easements were not resurrected.

Rights to Griffin Lane:

We don't find any rights to Griffin Lane for Lot 29.

**EASEMENTS BURDENING THE PARCELS**

Rights of Others in Griffin Lane:

- **Lot 26:** By virtue of the easement deed from George Chasse and Katherine Chasse and The Cricket Shop, dated July 5, 1973 and recorded in Book 781, Page 242, Lot 26 has rights in "Foye Street" so-called. However, this does not appear to extend the full length of Griffin Lane to the water. As described it extends approximately 152 feet from Main Street. Below is an excerpt from the deed describing the easement (land of Irma Stetson is Lot 26). The easement is for the right to pass and repass by foot and by vehicle. The use of the easement is also made on the following conditions: (1) there is no right to park vehicles within the right of way; (2) the cost of snow removal is shared by the grantors and grantee; and (3) if Lot 26 is used for business purposes, the cost of repair and maintenance of the way is to be shared among grantors and grantee.

BEGINNING at a pipe in the ground on the northerly side of Main Street at the southeast corner bound of land of Irma T. Stetson; THENCE N 47° 48' 27" E along the southeast boundary of said land of Stetson 152 feet 4 inches, more or less, to an iron pipe in the ground; THENCE southeasterly, at right angle, 21 feet, more or less, to an iron pipe on the easterly side of said private-way; THENCE S 47° 48' 27" W 152 feet, 4 inches, more or less, to the northerly side of Main Street, and THENCE northwesterly by said street to the point of beginning,

The deed at Book 781, Page 252 purports to be an easement conveyed by Joseph Griffin to The Cricket Shop (i.e. Lot 27). This deed makes a few changes to the conditions stated in the above-referenced deed which indicate that George and Katherine Chasse's obligations are for "so long as the said Chasse's are permitted a use of Foye Street." This language also suggests that Griffin claims ownership of Griffin Lane. Regardless, the owner of Lot 26 does appear to have rights in at least a portion of Griffin Lane.

- **Lot 27:** The current deed for Lot 27 (and the same description is used in deeds back to Book 527, Page 443) describes the conveyance as including "one-half of the old street, first mentioned, as running from Cottrill's Cove to Main Street..." This is a bit unclear as to whether it intends to convey a 1/2 interest or the full interest to the centerline. Going back into the chain of title to the deed at Book 440, Page 287, it is confirmed that this is intended to be a 1/2 interest. However, the current deed also grants as the Third Parcel, the right to

use, in common with other, Foye Street. This parcel uses the same legal description as excerpted above. It's unclear why easement rights are needed when this lot appears to own a ½ interest in Foye Street. Regardless, the owners of Lot 27 appear to have rights in Griffin Lane.

#### Rights of Others in Courtyard Street:

- **Lot 27:** The current deed for this parcel (Book 5075, Page 257), describes a “right of way in common with others located between the property now or formerly occupied by Dr. Neil L. Parsons and the property now occupied now (sic) or formerly by the Cricket Shop...extending from Main Street in a northerly direction...” This is the location of Courtyard Street.
- **Lot 29:** The current deed for Lot 29 to Best Thai Holdings LLC includes a right to travel to and from and park in four parking spaces on other land of Bangor Savings Bank. The location of access would be over Courtyard Street. The Existing Conditions survey dated August 23, 2021 by Boundary Points locates these four parking spaces on land of Davey (i.e. Lot 27). It is not currently clear to me whether this is the correct location or if the boundary shown on the plan is correct.
- **Great Salt Bay Sanitary District:** Pursuant to the Notice of Eminent Domain Taking dated June 25, 1986, recorded in Book 1319, Page 31 and the plan recorded in Plan Book 37, Page 19, the sewer district has an easement over the area of Courtyard Street from Main Street and extending out the Elm Street Extension. See the referenced deed for terms and restrictions on the easement area.

#### Rights of Others in Elm Street Extension

The tax lots shown as Lot 32 and 33, appear to have rights over Elm Street Extension only easterly to Elm Street. The language in the deed for Lot 32 is not exactly clear on this point. It states: “Together with a right-of-way by vehicle and by foot over the traveled way for purposes of egress and ingress for all purposes to and from the above described property.” (See Book 2267, Page 119). Although this language does not expressly limit use of the Elm Street Extension to access Elm Street, we haven't found any language in the chain of title for parcels westerly of Lot 32 that would create the right to access that lot over Courtyard Street or Lots 28 and 30. These rights also do appear to burden Lot 37, which states an exception for “a right of way for the use of owners of the other lots abutting on the northwest and southwest lines thereof.” Based on the language of these deeds, I conclude that the rights to Elm Street Extension do not extend westerly to connect to Courtyard Street. However, to the extent that people have used the Elm Street Extension in this way, prescriptive rights (i.e. by adverse possession) may have been acquired.

## Appendix

Chain of Title Deed References by Lot (all references are to Lincoln County Registry of Deeds by Book.Page):

### **Lot 27**

- 1727.47
- 835.132
- 821.157
- 821.154
- 616.38
- 527.443
- 324.242 (not locatable online)

### **Lot 28**

- 1168.139
- 641.156
- 457.572
- 324.242 (not locatable online)

### **Lot 29**

- 445.479
- 412.546
- 408.271

### **Lot 30**

- 1168.139
- 594.76

### **Lot 31**

- 734.29
- 682.164
- 566.179
- 539.378

### **Lot 33**

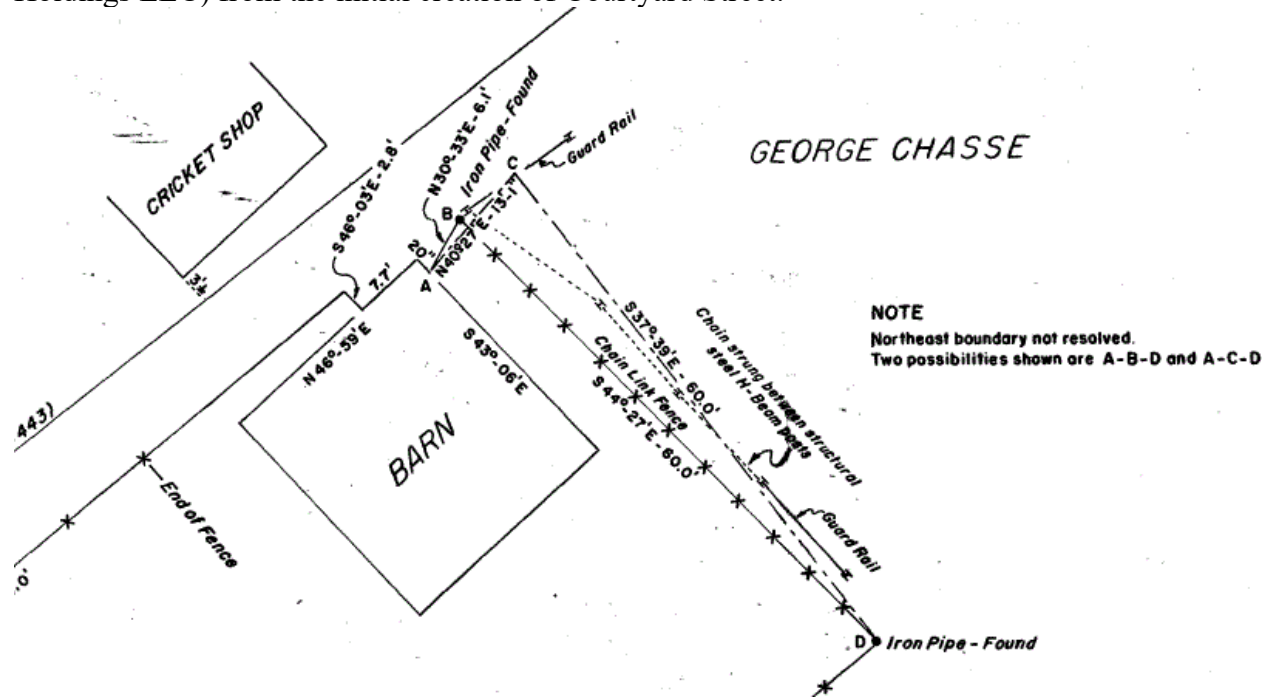
- 5468.273
- 1729.282
- 1729.280
- 1131.152
- 1083.68
- 983.107
- 750.259

**Comments on Existing Conditions survey dated August 23, 2021 by Boundary Points:**

- Land identified on the northwest of the subject property is identified as N/F Murray Hill Properties, Inc. with B/P 5468/273. Griffin Lane should be depicted in this location and the lot owner on the other side of Griffin Lane being Joseph W. Griffin.
- The boundary line around Best Thai Holdings LLC does not appear to match the deed description or the Boundary Survey plan at Plan Book 112, Page 70.
- Please also review the description of Parcel II in the deed at Book 1229, Page 81. There is an area described as:

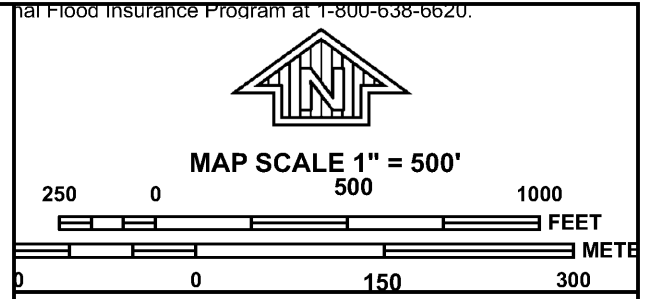
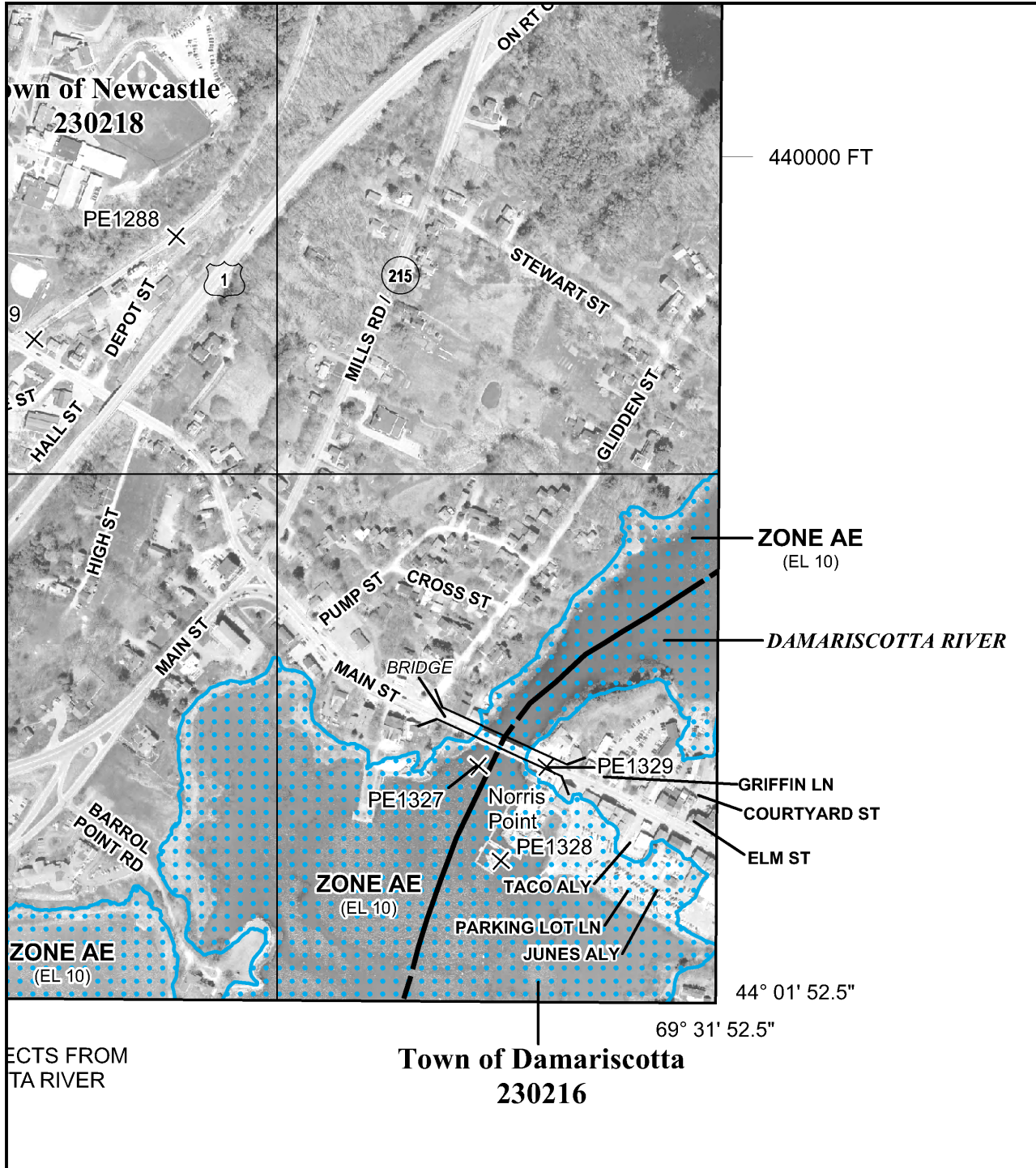
West 60 feet, more or less; thence South 40°27' West 13.1 feet to a point; thence North 43°06' West 20 inches to a point; thence South 46°59' West 7.7 feet to a point; thence North 46°03' West 2.8 feet to a private road (said private road being hereafter referred to); thence Northeasterly along said private road a distance of approximately 8 feet to a pipe; thence North 45°58'45" West 10.5 feet to a pipe at land now or formerly of the Cricket Shop and now of Meade; thence North 50°34'45" East 25.10 feet to a point at the northeasterly corner of land of Meade;

which appears to match the plan at Plan Book 21, Page 29, showing a more convoluted corner of this land (which I believe was excluded from the conveyance to Best Thai Holdings LLC) from the initial creation of Courtyard Street.



**APPENDIX A**

**FEMA MAP**



National Flood Insurance Program at 1-800-638-6620.

PANEL 0266D

## FIRM

### FLOOD INSURANCE RATE MAP LINCOLN COUNTY, MAINE (ALL JURISDICTIONS)

PANEL 266 OF 525  
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
DAMARISCOTTA, TOWN OF	230216	0266	D
NEWCASTLE, TOWN OF	230218	0266	D

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.

**MAP NUMBER**  
23015C0266D

**EFFECTIVE DATE**  
JULY 16, 2015

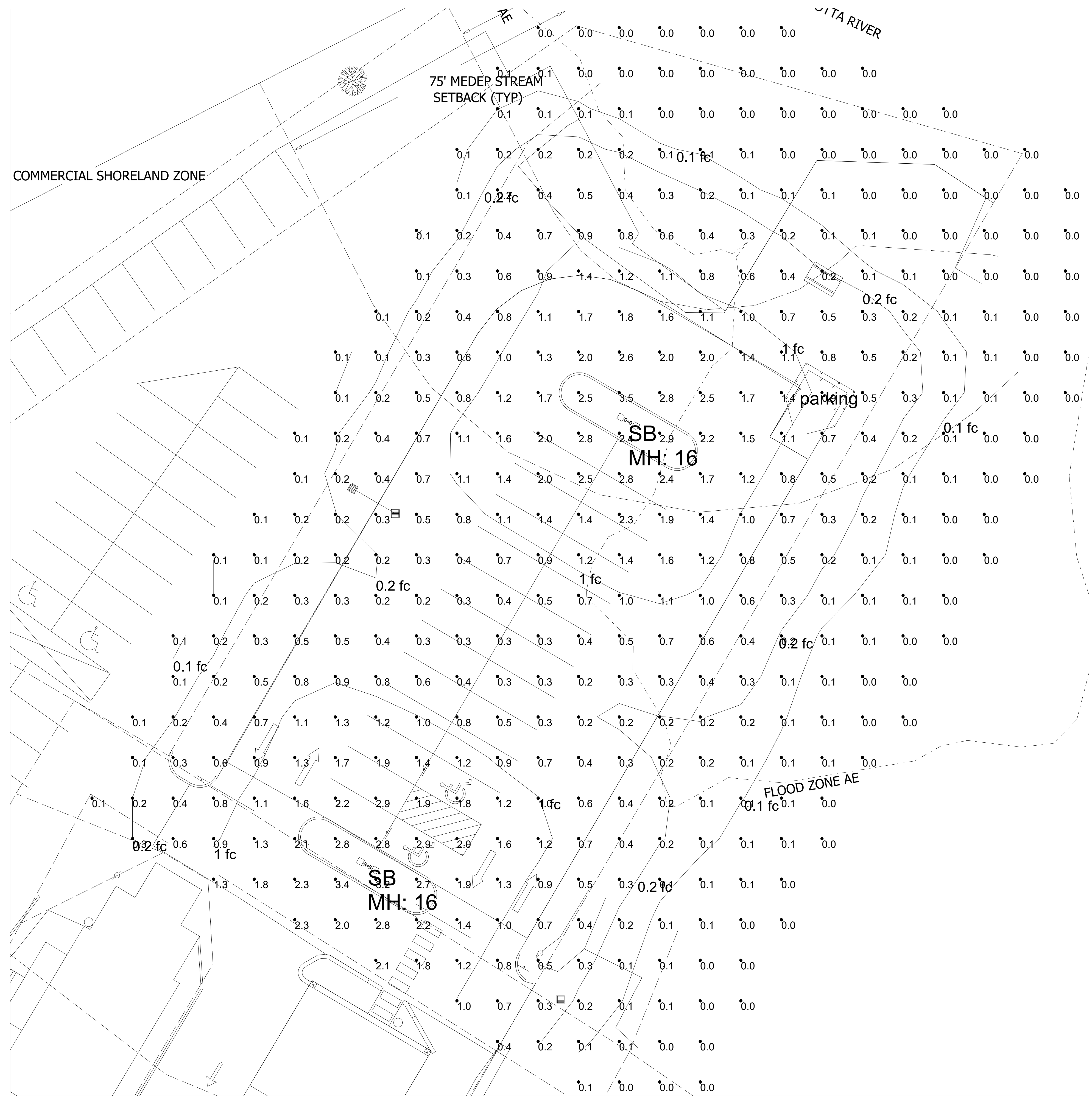
Federal Emergency Management Agency

This is an official FIRMette showing a portion of the above-referenced flood map created from the MSC FIRMette Web tool. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For additional information about how to make sure the map is current, please see the Flood Hazard Mapping Updates Overview Fact Sheet available on the FEMA Flood Map Service Center home page at <https://msc.fema.gov>.



**APPENDIX B**

**EXTERIOR LIGHTING CUT SHEETS AND PHOTOMETRIC PLAN**



PLAN VIEW

- NOTES:
- 1) EXACT MOUNTING DETAILS TO BE DETERMINED AT JOBSITE BY OTHERS.
  - 2) CALCULATIONS MAY OR MAY NOT SHOW THE EFFECT OF SHADOWING CAUSED BY BUILDINGS AND OBJECTS WITHIN THE CALCULATED SPACE OR IN THE SITE AREA.
  - 3) READINGS SHOWN ARE INITIAL HORIZONTAL FOOTCANDLES ON A FLAT SITE WITHOUT REFLECTIONS OR OBSTRUCTIONS UNLESS OTHERWISE INDICATED.
  - 4) THIS CALCULATION IS BASED ON LIMITED INFORMATION SUPPLIED BY OTHERS TO SWANEY LIGHTING ASSOCIATES AND STANDARD ASSUMPTIONS OF THE SPACE AND/OR SITE.
  - 5) CONFORMANCE TO CODES AND OTHER LOCAL REQUIREMENTS AS DETERMINED BY THE AHJ ARE THE RESPONSIBILITY OF THE OWNER AND/OR THE OWNER'S REPRESENTATIVE.
  - 6) THIS LAYOUT DRAWING MUST BE COORDINATED WITH THE SITE LOCATION FOR CORRECT FIXTURE ORIENTATION.
  - 7) DOCUMENTS PRINTED OR PLOTTED FROM ELECTRONIC FILES MAY APPEAR AT OTHER THAN THE DESIRED OR ASSUMED GRAPHIC SCALES. IT IS THE RESPONSIBILITY OF THE RECIPIENT TO VERIFY THAT THE PRINTED OR PLOTTED-TO-SCALE DRAWING IS PRINTED TO SCALE.

Calculation Summary					
Label	Avg	Max	Min	Avg/Min	Max/Min
site	0.59	3.5	0.0	N.A.	N.A.
parking	1.21	3.5	0.2	6.05	17.50

Luminaire Schedule (note fixture catalogue numbers are not complete)						
Type	Qty	Lum. Lumens	LLF	Lum. Watts	Description	Mounting Height
SB	2	8085	0.900	83.6	TWIN VP-1-36L-85-3K7-4W	16

100 MAIN ST - BANGOR SAVINGS  
 DAMARISCOTTA, ME  
 PARTIAL LIGHTING LAYOUT  
 GENERATED BY SWANEY LIGHTING, SCARBOROUGH ME - 207-883-7100 - swaneylighting.com  
 Date: 1/19/2024  
 Page 1 of 1  
 SCALE NOT TO SCALE  
 SEVEE & MAHER ENGINEERS  
 SWANEY LIGHTING ASSOCIATES, INC.

NOTICE: THIS DRAWING IS THE EXCLUSIVE PROPERTY OF SWANEY LIGHTING ASSOCIATES. CONFIDENTIAL. THIS DRAWING IS TO BE USED FOR THE PURPOSES INDICATED. THIS DRAWING IS TO BE INFORMATION CONCERNING THE OPERATION OF UNITS INDICATED. THIS DRAWING IS TO BE AS EXPRESSLY AUTHORIZED BY SWANEY LIGHTING ASSOCIATES. NO REPRODUCTION, COPIED, EXCEPT AS EXPRESSLY AUTHORIZED BY SWANEY LIGHTING ASSOCIATES. ANY VARIATION IN FIXTURE PERFORMANCE FROM PERFORMANCE SHOWN IN THIS FILE IS NOT THE RESPONSIBILITY OF THE MANUFACTURER. ITS USE FOR ANY OTHER PURPOSE IS NOT AUTHORIZED BY SWANEY LIGHTING ASSOCIATES.

# VIPER Area/Site

VIPER LUMINAIRE

## FEATURES

- Low profile LED area/site luminaire with a variety of IES distributions for lighting applications such as auto dealership, retail, commercial, and campus parking lots
- Featuring two different optical technologies, Strike and Micro Strike Optics, which provide the best distribution patterns for retrofit or new construction
- Rated for high vibration applications including bridges and overpasses. All sizes are rated for 1.5G
- Control options including photo control, occupancy sensing, NX Lighting Controls™, LightGRID+ and 7-Pin with networked controls
- New customizable lumen output feature allows for the wattage and lumen output to be customized in the factory to meet whatever specification requirements may entail
- Field interchangeable mounting provides additional flexibility after the fixture has shipped



## CONTROL TECHNOLOGY



## SERVICE PROGRAMS



## SPECIFICATIONS

### CONSTRUCTION

- Die-cast housing with hidden vertical heat fins are optimal for heat dissipation while keeping a clean smooth outer surface
- Corrosion resistant, die-cast aluminum housing with 1000 hour powder coat paint finish
- External hardware is corrosion resistant

### OPTICS

- Micro Strike Optics (160, 320, 480, or 720 LED counts) maximize uniformity in applications and come standard with mid-power LEDs which evenly illuminate the entire luminous surface area to provide a low glare appearance. Catalog logic found on page 2
- Strike Optics (36, 72, 108, or 162 LED counts) provide best in class distributions and maximum pole spacing in new applications with high powered LEDs. Strike optics are held in place with a polycarbonate bezel to mimic the appearance of the Micro Strike Optics so both solutions can be combined on the same application. Catalog logic found on page 3
- Both optics maximize target zone illumination with minimal losses at the house-side, reducing light trespass issues. Additional backlight control shields and house side shields can be added for further reduction of illumination behind the pole
- One-piece silicone gasket ensures a weatherproof seal
- Zero up-light at 0 degrees of tilt
- Field rotatable optics

### INSTALLATION

- Mounting patterns for each arm can be found on page 11
- Optional universal mounting block for ease of installation during retrofit applications. Available as an option (ASQU) or accessory for square and round poles
- All mounting hardware included
- Knuckle arm fitter option available for 2-3/8" OD tenon
- For products with EPA less than 1 mounted to a pole greater than 20ft, a vibration damper is recommended

### ELECTRICAL

- Universal 120-277 VAC or 347-480 VAC input voltage, 50/60 Hz
- Ambient operating temperature -40°C to 40°C
- Drivers have greater than 90% power factor and less than 20% THD
- LED drivers have output power over-voltage, over-current protection and short circuit protection with auto recovery
- Field replaceable surge protection device provides 20kA protection meeting ANSI/ IEEE C62.41.2 Category C High and Surge Location Category C3; Automatically takes fixture off-line for protection when device is compromised
- Dual Driver option provides 2 drivers within luminaire but only one set of leads exiting the luminaire, where Dual Power Feed provides two drivers which can be wired independently as two sets of leads are extended from the luminaire. Both options cannot be combined

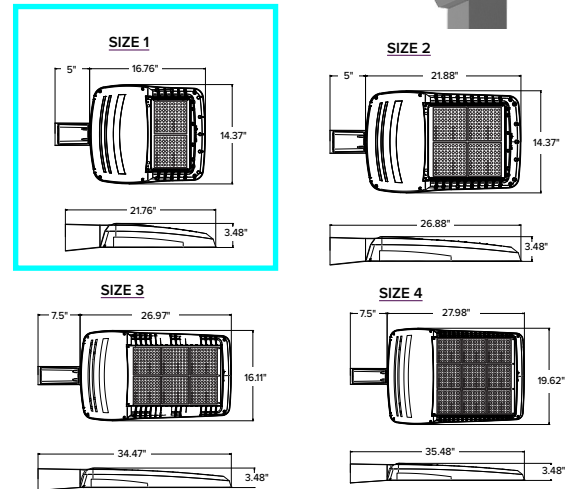
### CONTROLS







- Photo control, occupancy sensor programmable controls, and Zigbee wireless controls available for complete on/off and dimming control
- Please consult brand or sales representative when combining control and electrical options as some combinations may not operate as anticipated depending on your application
- 7-pin ANSI C136.41-2013 photocontrol receptacle option available for twist lock photocontrols or wireless control modules (control accessories sold separately)

### CONTROLS (CONTINUED)

- 0-10V Dimming Drivers are standard and dimming leads are extended out of the luminaire unless control options require connection to the dimming leads. Must specify if wiring leads are to be greater than the 6" standard
- NX Lighting Controls™ available with in fixture wireless control module, features dimming and occupancy sensor
- LightGRID+ available with in fixture wireless control module, features dimming and occupancy sensor. Also available in 7-pin configuration

## MICRO STRIKE | STRIKE OPTICS



	EPA				Config
	VP1 (Size 1)	VP2 (Size 2)	VP3 (Size 3)	VP4 (Size 4)	
Single Fixture	0.454	0.555	0.655	0.698	
Two at 180	0.908	1.110	1.310	1.396	
Two at 90	0.583	0.711	0.857	0.948	
Three at 90	1.037	1.266	1.512	1.646	
Three at 120	0.943	1.155	1.392	1.680	
Four at 90	1.166	1.422	1.714	1.896	

### CERTIFICATIONS

- DLC® (DesignLights Consortium Qualified), with some Premium Qualified configurations. Not all product variations listed in this document are DLC® qualified. Refer to <http://www.designlights.org> for the most up-to-date list.
- Listed to UL1598 and CSA C22.2#250.0-24 for wet locations and 40°C ambient temperatures
- 1.5 G rated for ANSI C136.31 high vibration applications
- Fixture is IP65 rated
- Meets IDA recommendations using 3K CCT configuration at 0 degrees of tilt
- This product meets federal procurement law requirements under the Buy American Act (FAR 52.225-9) and Trade Agreements Act (FAR 52.225-11). See Buy America(n) Solutions (link to <https://www.currentlighting.com/resources/america-solutions>).

### WARRANTY

- 5 year warranty

# VIPER Area/Site

VIPER LUMINAIRE

## STRIKE OPTIC – ORDERING GUIDE

**Example:** VP-ST-1-36L-39-3K7-2-UNV-A-BLT

CATALOG # \_\_\_\_\_

VP Series	Optic Platform	Size	Light Engine	CCT/CRI	Distribution	Optic Rotation	Voltage
VP Viper	ST Strike	1 Size 1	36L-39 <sup>8</sup> 5500 lumens 36L-55 <sup>8</sup> 7500 lumens 36L-85 10000 lumens 36L-105 12500 lumens 36L-120 14000 lumens	AM monochromatic amber, 595nm 27K8 2700K, 80 CRI 3K7 3000K, 70 CRI 3K8 3000K, 80 CRI 3K9 3000K, 90 CRI 35K8 3500K, 80 CRI 4K7 4000K, 70 CRI 4K8 4000K, 80 CRI 4K9 4000K, 90 CRI 5K7 5000K, 70 CRI 5K8 5000K, 80 CRI	FR Auto Front Row 2 Type 2 3 Type 3 4F Type 4 Forward 4W Type 4 Wide 5QN Type 5 Square Narrow 5QW Type 5 Square Wide 5QM Type 5 Square Medium 5W Type 5 Wide (Round) 5RW Type 5 Rectangular C Corner Optic TC Tennis Court Optic	BLANK No Rotation L Optic rotation left R Optic rotation right	UNV 120-277V 120 120V 208 208V 240 240V 277 277V 347 347V 480 480V
		2 Size 2	72L-115 15000 lumens 72L-145 18000 lumens 72L-180 21000 lumens 72L-210 24000 lumens 72L-240 27000 lumens				
		3 Size 3	108L-215 <sup>8</sup> 27000 lumens 108L-250 30000 lumens 108L-280 33000 lumens 108L-315 36000 lumens 108L-345 40000 lumens				
		4 Size 4	162L-320 40000 lumens 162L-365 <sup>10</sup> 44000 lumens 162L-405 48000 lumens 162L-445 52000 lumens 162L-485 55000 lumens 162L-545 <sup>8</sup> 60000 lumens CLO Custom Lumen Output <sup>1</sup>				

Mounting	
A	Arm mount for square pole/flat surface
A_	Arm mount for round pole <sup>3</sup>
ASQU	Universal arm mount for square pole
A_U	Universal arm mount for round pole <sup>3</sup>
AAU	Adjustable arm for pole mounting (universal drill pattern)
AA_U	Adjustable arm mount for round pole <sup>3</sup>
ADU	Decorative upswept Arm (universal drill pattern)
AD_U	Decorative upswept arm mount for round pole <sup>3</sup>
MAF	Mast arm fitter for 2-3/8" OD horizontal arm
K	Knuckle
T	Trunnion
WB	Wall Bracket, horizontal tenon with MAF
WM	Wall mount bracket with decorative upswept arm
WA	Wall mount bracket with adjustable arm

Color	
BLT	Black Matte Textured
BLS	Black Gloss Smooth
DBT	Dark Bronze Matte Textured
DBS	Dark Bronze Gloss Smooth
GTT	Graphite Matte Textured
LGS	Light Grey Gloss Smooth
LGT	Light Grey Gloss Textured
PSS	Platinum Silver Smooth
WHT	White Matte Textured
WHS	White Gloss Smooth
VGT	Verde Green Textured
Color Option	
CC	Custom Color

Options	
F	Fusing
E	Battery Backup <sup>1,2,7,8,9</sup>
2PF	Dual Power Feed
2DR	Dual Driver
TE	Toolless Entry
BC	Backlight Control
TB	Terminal Block

Network Control Options	
NXWS16F	NX Networked Wireless Enabled Integral NXSM2-LMO PIR Occupancy Sensor with Automatic Dimming Photocell and Bluetooth Programming <sup>1,4,5</sup>
NXWS40F	NX Networked Wireless Enabled Integral NXSM2-HMO PIR Occupancy Sensor with Automatic Dimming Photocell and Bluetooth Programming <sup>1,4,5</sup>
NXW	NX Networked Wireless Radio Module NXRM2 and Bluetooth Programming, without Sensor <sup>4,5</sup>
WIR	LightGRID+ In-Fixture Module <sup>4,5</sup>
WIRSC	LightGRID+ Module and Occupancy Sensor <sup>4,5</sup>
Stand Alone Sensors	
BTS-14F	Bluetooth® Programmable, BTSMP-LMO PIR Occupancy Sensor with Automatic Dimming Photocell and 360° Lens
BTS-40F	Bluetooth® Programmable, BTSMP-HMO PIR Occupancy Sensor with Automatic Dimming® Photocell and 360° Lens
BTSO-12F	Bluetooth® Programmable, BTSMP-OMNI-O PIR Occupancy Sensor with Automatic Dimming Photocell and 360° Lens
7PR	7-Pin Receptacle <sup>4</sup>
7PR-SC	7-Pin Receptacle with shorting cap <sup>4</sup>
3PR	3-Pin twist lock <sup>4</sup>
3PR-SC	3-Pin receptacle with shorting cap <sup>4</sup>
3PR-TL	3-Pin PCR with photocontrol <sup>4</sup>
Programmed Controls	
SCP_F	Sensor Control Programmable, 8F or 40F <sup>11</sup>
ADD	AutoDim Timer Based Dimming <sup>4</sup>
ADT	AutoDim Time of Day Dimming <sup>4</sup>
Photocontrols	
PC	Button Photocontrol <sup>4,7</sup>

1 – Items with a grey background can be done as a custom order. Contact brand representative for more information  
 2 – Battery temperature rating -20C to 55C  
 3 – Replace “\_” with “3” for 3.5”-4.13” OD pole, “4” for 4.18”-5.25” OD pole, “5” for 5.5”-6.5” OD pole  
 4 – Networked Controls cannot be combined with other control options  
 5 – Not available with 2PF option  
 6 – Not available with 480V  
 7 – Not available with 347 or 480V  
 8 – Not available with Dual Driver option

9 – Only available in Size 1 housing, up to 105 Watts  
 10 – Some voltage restrictions may apply when combined with controls  
 11 – At least one SCPREMOTE required to program SCP motion sensor. Must select 8ft or 40ft.

# VIPER Area/Site

VIPER LUMINAIRE

## ORDERING GUIDE (CONT'D)











CATALOG # \_\_\_\_\_

Accessory Type	Size	Option	Color	Current Control Solutions — Accessories (Sold Separately)
<b>SHD</b> Shield	<b>1</b> Size 1 <b>2</b> Size 2 <b>3</b> Size 3 <b>4</b> Size 4	<b>HSS-90-B</b> House Side Shield 90° Back <b>HSS-90-F</b> House Side Shield 90° Front <b>HSS-90-S</b> House Side Shield 90° Side <b>HSS-270-BSS</b> House Side Shield 270° Back/Side/Side <b>HSS-270-FSS</b> House Side Shield 270° Front/Side/Side <b>HSS-270-FSB</b> House Side Shield 270° Front/Side/Back <b>HSS-360</b> House Side Shield 360° <b>BC</b> Back Light Control	<b>BLS</b> Black Gloss Smooth <b>BLT</b> Black Matte Textured <b>DBS</b> Dark Bronze Gloss Smooth <b>DBT</b> Dark Bronze Matte Textured <b>GTT</b> Graphite Matte Textured <b>LGS</b> Light Gray Gloss Smooth <b>PSS</b> Platinum Silver Smooth <b>WHS</b> White Gloss Smooth <b>WHT</b> White Matte Textured <b>VGT</b> Green Landscape Decorative <b>LEG</b> Legacy Colors	<b>NX Lighting Controls</b> <input type="checkbox"/> <b>NXOFM-1R1D-UNV</b> On-fixture Module (7-pin), On / Off / Dim, Daylight Sensor with NX Radio and Bluetooth® Radio, 120–480VAC  <b>LightGRID+ Lighting Control</b> <input type="checkbox"/> <b>WIR-RME-L</b> On-fixture Module (7-pin or 5-pin), On / Off / Dim, Daylight Sensor with LightGRID+ Radio, 110–480VAC  <input type="checkbox"/> <b>SCP-REMOTE</b> Remote Control for SCP/_F option. Order at least one per project to program and control the occupancy sensor  For additional information related to these accessories please visit <a href="http://currentlighting.com/beacon">currentlighting.com/beacon</a> . Options provided for use with integrated sensor, please view specification sheet ordering information table for details.
<b>MTG</b> Mounting		<b>A</b> Arm Mount for square pole/flat surface <b>ASQU</b> Universal Arm Mount for square pole <b>AAU</b> Adjustable Arm for pole mounting <b>ADU</b> Decorative upswept Arm <b>RPA</b> Round Pole Adapter <b>MAF</b> Mast Arm Fitter for 2-3/8" OD horizontal arm  <b>K</b> Knuckle <b>T</b> Trunion <b>WB</b> Wall Bracket (compatible with universal arm mounts)	<b>Color Option</b> <b>CC</b> Custom Color	
<b>MSC</b> Miscellaneous		<b>BIRD SPK</b> Bird Spike		

# VIPER Area/Site

VIPER LUMINAIRE

## OUTDOOR LIGHTING CONTROLS OPTIONS    CONTROLS FUNCTIONALITY    LIGHT GRID+

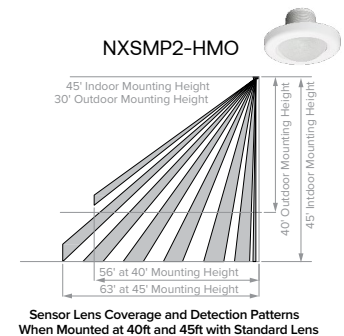
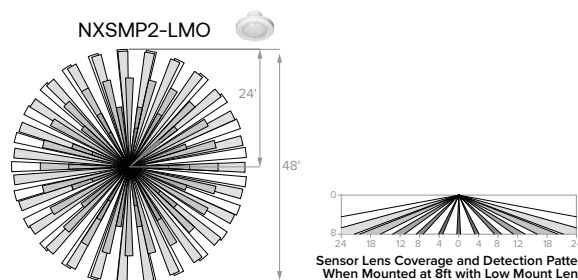
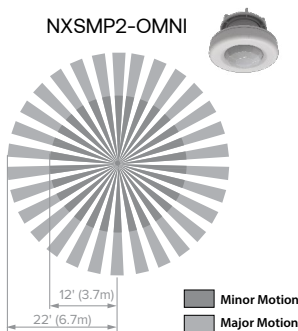
Control Option Ordering Logic & Description	Control Option Functionality										Control Option Components
	Networkable	Grouping	Scheduling	Occupancy/Motion	Daylight Harvesting	0-10V Dimming	On/Off Control	Bluetooth App Programming	Sensor Height		
<b>NX Wireless</b> NXOFMIRID-UNV NX 7-Pin Twist-Lock® with NX Networked Wireless Radio, Integral Automatic Dimming Photocell, Integral Single Pole Relay with Dimming, and Bluetooth Programming	✓	✓	✓	Paired with external control	✓	✓	✓	✓	-		NXOFM-IRID-UV
NXW NX Networked Wireless Radio Module NXR2 and Bluetooth Programming, without Sensor	✓	✓	✓	-	-	✓	✓	✓	-		NXR2-H
NXWS12F NX Networked Wireless Enabled Integral NXSMP2-OMNI-O PIR Occupancy Sensor with Automatic Dimming Photocell and Bluetooth Programming	✓	✓	✓	✓	✓	✓	✓	✓	12ft		NXSMP2-OMNI-O
NXWS16F NX Networked Wireless Enabled Integral NXSMP2-LMO PIR Occupancy Sensor with Automatic Dimming Photocell and Bluetooth Programming	✓	✓	✓	✓	✓	✓	✓	✓	16ft		NXSMP2-LMO
NXWS40F NX Networked Wireless Enabled Integral NXSMP2-HMO PIR Occupancy Sensor with Automatic Dimming Photocell and Bluetooth Programming	✓	✓	✓	✓	✓	✓	✓	✓	40ft		NXSMP2-HMO
<b>LightGRID+</b> WIR LightGRID+ In-Fixture Module	✓	-	✓	-	-	✓	✓	Gateway	-		WIR
WIR-RME-L LightGRID+ On Fixture Module	✓	-	✓	-	-	✓	✓	Gateway	-		WIR-RME-L
WIRSC LightGRID+ Module and Occupancy Sensor	✓	✓	✓	✓	✓	✓	✓	Gateway	14ft - 40ft		BTMSP
<b>Independent</b> BTSO-12F Bluetooth® Programmable, BTSMP-OMNI-O PIR Occupancy Sensor with Automatic Dimming Photocell and 360° Lens	-	-	-	✓	✓	✓	✓	✓	12ft		BTSMP-OMNI-O
BTS-14F Bluetooth® Programmable, BTSMP-LMO PIR Occupancy Sensor with Automatic Dimming Photocell and 360° Lens	-	-	-	✓	✓	✓	✓	✓	14ft		BTSMP-LMO
BTS-40F Bluetooth® Programmable, BTSMP-HMO PIR Occupancy Sensor with Automatic Dimming Photocell and 360° Lens	-	-	-	✓	✓	✓	✓	✓	40ft		BTSMP-HMO

### DEFAULT SETTINGS

<b>NX Wireless</b>	Occupancy Sensor	Enabled
	Occupancy Sensor Sensitivity	7
	Occupancy Sensor Timeout	15 Minutes
	Occupied Dim Level	100%
	Unoccupied Dim Level	0%
	Daylight Sensor	Disabled
	Bluetooth	Enabled
	2.4GHz Wireless Mesh	On
	*Passcode Factory Passcode: HubbN3T!	Enabled

<b>Stand Alone</b>	Occupancy Sensor	Enabled
	Occupancy Sensor Sensitivity	7
	Occupancy Sensor Timeout	8 Minutes
	Occupied Dim Level	100%
	Unoccupied Dim Level	50%
	Daylight Sensor	Disabled

### NX WIRELESS COVERAGE PATTERNS



# VIPER Area/Site

VIPER LUMINAIRE

## NX LIGHTING CONTROLS FREE APP

## CONTROLS TECH SUPPORT 800-888-8006 (7:00 AM - 7:00 PM)



The NX Lighting Controls App is free to use mobile application for programming both NX Lighting Controls System or Standalone Bluetooth Sensors. The mobile app allows you to configure devices, discover and setup wireless enable luminaires and program NX system settings.

Apple App: <https://apps.apple.com/us/app/nx-lighting-controls/id962112904>

Google Play: [https://play.google.com/store/apps/details?id=io.cordova.NXBTR&hl=en\\_US&q=US](https://play.google.com/store/apps/details?id=io.cordova.NXBTR&hl=en_US&q=US)






Apple App

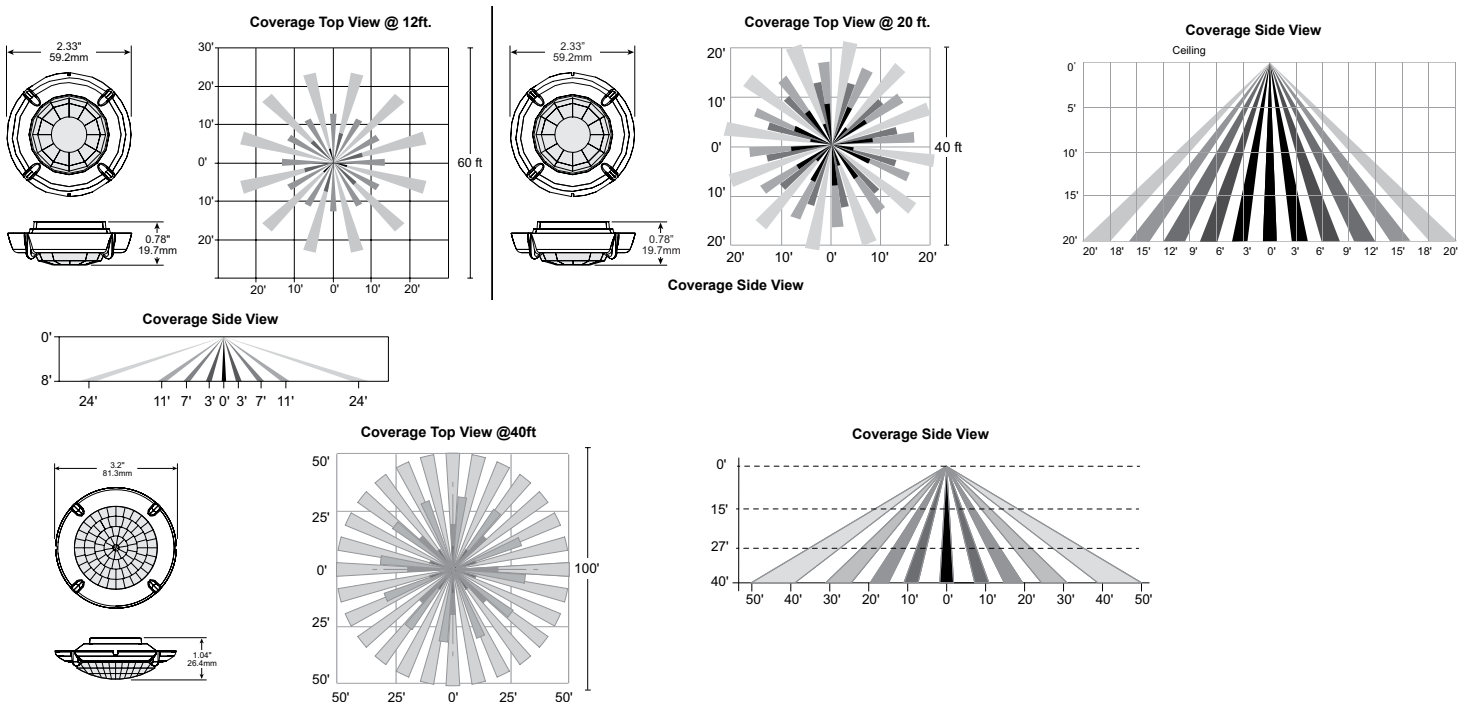


Google Play

## OUTDOOR LIGHTING CONTROLS OPTIONS CONTROLS FUNCTIONALITY

Control Option Ordering Logic & Description	Control Option Functionality										Control Option Components
	Networkable	Grouping	Scheduling	Occupancy/Motion	Daylight Harvesting	0-10V Dimming	On/Off Control	Bluetooth App Programming	Sensor Height		
SCP_F Sensor Control Programmable, 8F or 40F	-	-	-	✓	✓	✓	✓	-	8ft or 40ft	SCP_F	
ADD AutoDIM Timer Based Dimming	-	-	✓	-	-	-	✓	-	-	ADD	
ADT AutoDIM Time of Day Dimming	-	-	✓	-	-	-	✓	-	-	ADT	
7PR 7-Pin Receptacle	-	-	Paired with external control	-	Paired with external control	-	Paired with external control	-	-	7PR	
7PR-SC 7-Pin Receptacle with shorting cap	-	-	-	-	-	-	-	-	-	 7PR-SC	
3PR 3-Pin twist lock	-	-	-	-	-	-	Paired with external control	-	-	3PR	
3PR-SC 3-Pin Receptacle with shorting cap	-	-	-	-	-	-	-	-	-	 3PR-SC	
3PR-TL 3-Pin with photocontrol	-	-	-	-	✓	-	✓	-	-	 3PR-TL	

## COVERAGE PATTERNS FOR SCP\_F



# VIPER Area/Site

VIPER LUMINAIRE

## PROGRAMMED CONTROLS

### ADD-AutoDim Timer Based Options

- Light delay options from 1-9 hours after the light is turned on to dim the light by 10-100%. To return the luminaire to its original light level there are dim return options from 1-9 hours after the light has been dimmed previously.

EX: ADD-6-5-R6

ADD Control Options	Configurations Choices	Example Choice Picked
Auto-Dim Options	1-9 Hours	6 - Delay 6 hours
Auto-Dim Brightness	10-100% Brightness	5 - Dim to 50% brightness
Auto-Dim Return	Delay 0-9 Hours	R6 - Return to full output after 6 hours

### ADT-AutoDim Time of Day Based Option

- Light delay options from 1AM-9PM after the light is turned on to dim the light by 10-100%. To return the luminaire to its original light level there are dim return options from 1AM-9PM after the light has been dimmed previously.

EX: ADT-6-5-R6

ADD Control Options	Configurations Choices	Example Choice Picked
Auto-Dim Options	12-3 AM and 6-11 PM	6 - Dim at 6PM
Auto-Dim Brightness	10-100% Brightness	5 - Dim to 50%
Auto-Dim Return	12-6 AM and 9-11P	R6 - Return to full output at 6AM

## DELIVERED LUMENS

For delivered lumens, please see Lumens Data PDF on [www.Currentlighting.com](http://www.Currentlighting.com)

## PROJECTED LUMEN MAINTENANCE

Ambient Temp.	0	25,000	*TM-21-11 36,000	50,000	100,000	Calculated L <sub>70</sub> (Hours)
25°C / 77°F	1.00	0.97	0.96	0.95	0.91	408,000
40°C / 104°F	0.99	0.96	0.95	0.94	0.89	356,000

## LUMINAIRE AMBIENT TEMPERATURE FACTOR (LATF)

Ambient Temperature		Lumen Multiplier	Micro Strike Lumen Multiplier				Strike Lumen Multiplier			
			CCT	70 CRI	80 CRI	90 CRI	CCT	70 CRI	80 CRI	90 CRI
0°C	32°F	1.03	2700K	-	0.841	-	2700K	0.9	0.81	0.62
10°C	50°F	1.01	3000K	0.977	0.861	0.647	3000K	0.933	0.853	0.659
20°C	68°F	1.00	3500K	-	0.900	-	3500K	0.959	0.894	0.711
25°C	77°F	1.00	4000K	1	0.926	0.699	4000K	1	0.9	0.732
30°C	86°F	0.99	5000K	1	0.937	0.791	5000K	1	0.9	0.732
40°C	104°F	0.98	AP-Amber Phosphor Converted Multiplier				Monochromatic Amber Multiplier			
			Amber	0.710			Amber	See Amber Spec Sheet		



# VIPER Area/Site

VIPER LUMINAIRE

## ELECTRICAL DATA: STRIKE

# OF LEDS	36				
NOMINAL WATTAGE	39	55	85	105	120
SYSTEM POWER (W)	39.6	56.8	83.6	108.2	120.9
INPUT VOLTAGE (V)	CURRENT (Amps)				
120	0.33	0.46	0.71	0.88	0.96
208	0.19	0.26	0.41	0.50	0.55
240	0.16	0.23	0.35	0.44	0.48
277	0.14	0.20	0.31	0.38	0.42
347	0.11	0.16	0.24	0.30	0.33
480	0.08	0.11	0.18	0.22	0.24

# OF LEDS	72				
NOMINAL WATTAGE	115	145	180	210	240
SYSTEM POWER (W)	113.7	143.2	179.4	210.2	241.7
INPUT VOLTAGE (V)	CURRENT (Amps)				
120	1.00	1.21	1.50	1.75	1.79
208	0.58	0.70	0.87	1.01	1.03
240	0.50	0.60	0.75	0.88	0.90
277	0.43	0.52	0.65	0.76	0.78
347	0.35	0.42	0.52	0.61	0.62
480	0.25	0.30	0.38	0.44	0.45

# OF LEDS	108				
NOMINAL WATTAGE	215	250	280	325	365
SYSTEM POWER (W)	214.8	250.8	278.3	324.7	362.6
INPUT VOLTAGE (V)	CURRENT (Amps)				
120	2.00	2.08	2.33	3.04	2.67
208	1.15	1.20	1.35	1.75	1.54
240	1.00	1.04	1.17	1.52	1.33
277	0.87	0.90	1.01	1.32	1.16
347	0.69	0.72	0.81	1.05	0.92
480	0.50	0.52	0.58	0.76	0.67

# OF LEDS	162					
NOMINAL WATTAGE	320	365	405	445	485	545
SYSTEM POWER (W)	322.1	362.6	403.6	445.1	487.1	543.9
INPUT VOLTAGE (V)	CURRENT (Amps)					
120	2.71	2.67	3.38	3.71	4.04	4.54
208	1.56	1.54	1.95	2.14	2.33	2.62
240	1.35	1.33	1.69	1.85	2.02	2.27
277	1.17	1.16	1.46	1.61	1.75	1.97
347	0.94	0.92	1.17	1.28	1.40	1.57
480	0.68	0.67	0.84	0.93	1.01	1.14

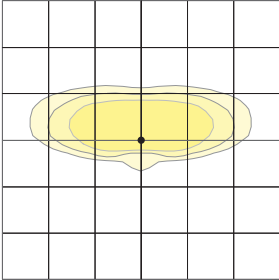
# VIPER Area/Site

VIPER LUMINAIRE

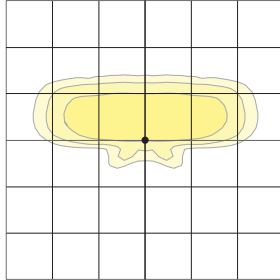
## OPTIC STRIKE PHOTOMETRY

The following diagrams represent the general distribution options offered for this product. For detailed information on specific product configurations, see website photometric test reports.

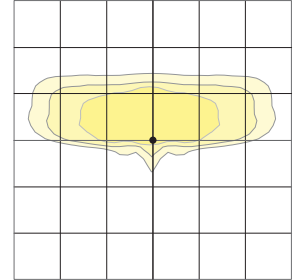
Type FR – Front Row/Auto Optic



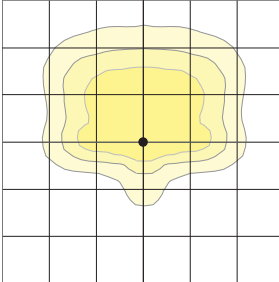
Type 2



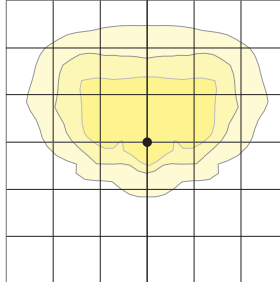
Type 3



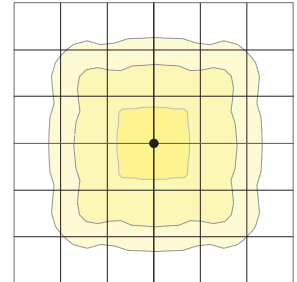
Type 4 Forward



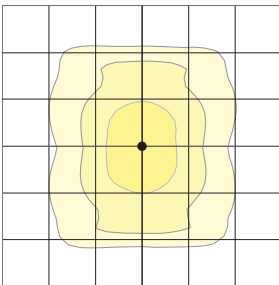
Type 4 Wide



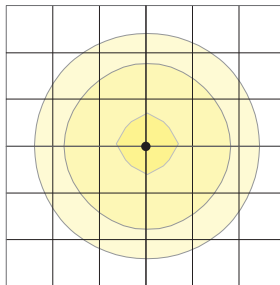
Type 5QM



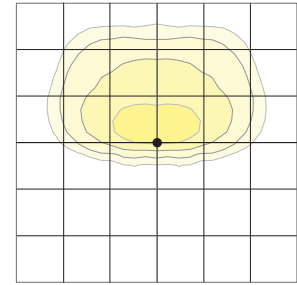
Type 5RW (rectangular)



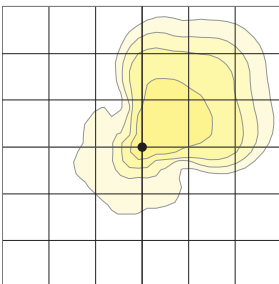
Type 5W (round wide)



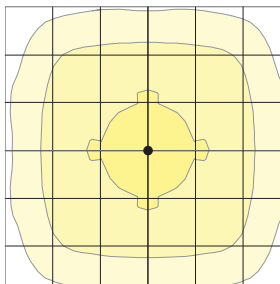
Type TC



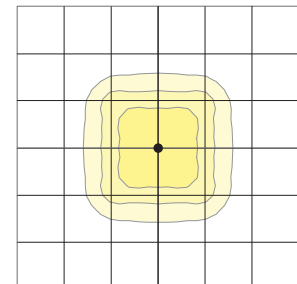
Type Corner



Type 5QW



Type 5QN

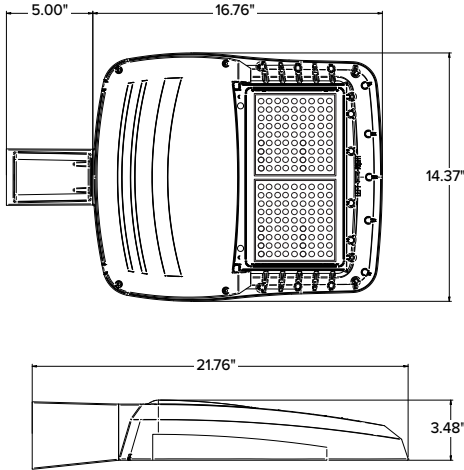


# VIPER Area/Site

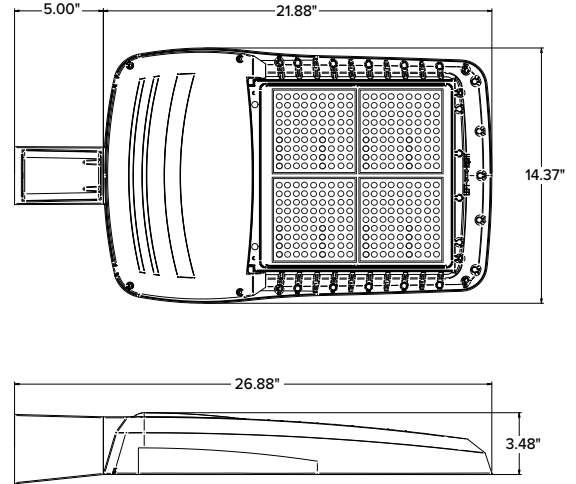
VIPER LUMINAIRE

## DIMENSIONS

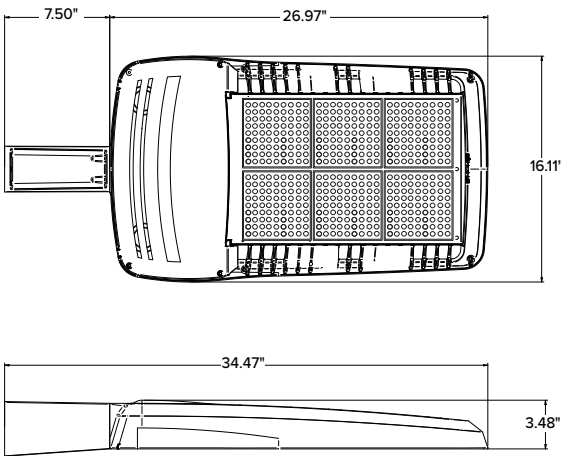
### SIZE 1



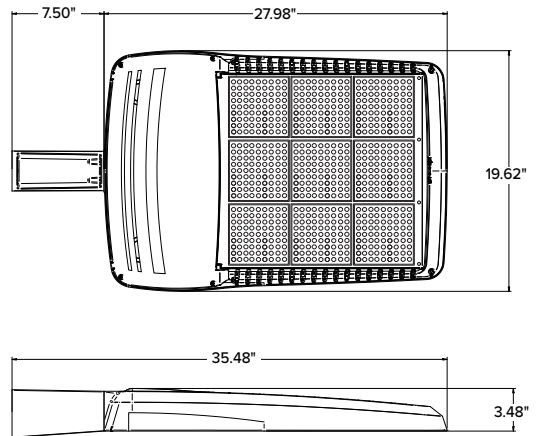
### SIZE 2









### SIZE 3



### SIZE 4



	EPA				Config.
	VP1 (Size 1)	VP2 (Size 2)	VP3 (Size 3)	VP4 (Size 4)	
Single Fixture	0.454	0.555	0.655	0.698	
Two at 180	0.908	1.110	1.310	1.396	
Two at 90	0.583	0.711	0.857	0.948	
Three at 90	1.037	1.266	1.512	1.646	
Three at 120	0.943	1.155	1.392	1.680	
Four at 90	1.166	1.422	1.714	1.896	

	Weight	
	lbs	kgs
VP1 (Size 1)	13.7	6.2
VP2 (Size 2)	16.0	7.26
VP3 (Size 3)	25.9	11.7
VP4 (Size 4)	30.8	13.9

# VIPER Area/Site

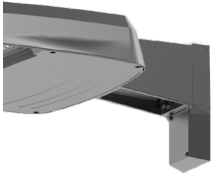
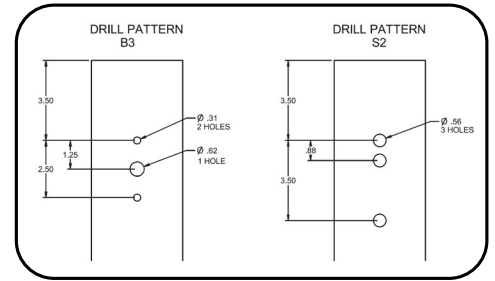
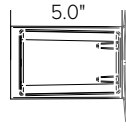
VIPER LUMINAIRE

## MOUNTING



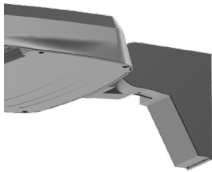
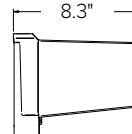
### A-STRAIGHT ARM MOUNT

Fixture ships with integral arm for ease of installation. Compatible with Current Outdoor B3 drill pattern for ease of installation on square poles. For round poles add applicable suffix (2/3/4/5)



### ASQU-UNIVERSAL ARM MOUNT

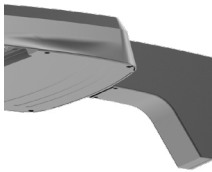
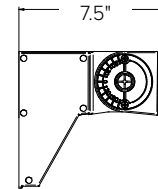
Universal mounting block for ease of installation. Compatible with drill patterns from 1.5" to 5.25" and Current drill pattern S2. For round poles add applicable suffix (2/3/4/5)



### AAU-ADJUSTABLE ARM FOR POLE MOUNTING

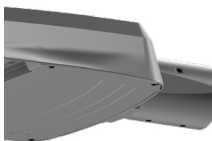
Rotatable arm mounts directly to pole. Compatible with drill patterns from 1.5" to 5.25" and Current drill pattern S2 and B3. For round poles add applicable suffix (2/3/4/5). Rotatable in 15° aiming angle increments. Micro Strike configurations have a 45° aiming limitation.

Strike configurations have a 30° aiming limitation.



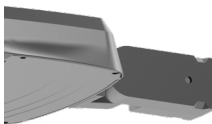
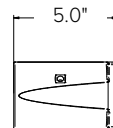
### ADU-DECORATIVE UPSWEPT ARM

Upswept Arm compatible with drill patterns from 1.5" to 5.25" and Current drill pattern S2. For round poles add applicable suffix (2/3/4/5).



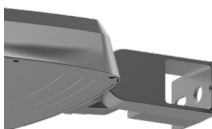
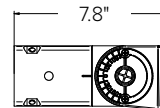
### MAF-MAST ARM FITTER

Fits 2-3/8" OD horizontal tenons.



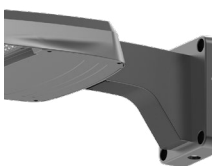
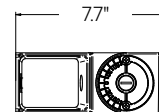
### K-KNUCKLE

Knuckle mount 15° aiming angle increments for precise aiming and control, fits 2-3/8" tenons or pipes. Micro Strike configurations have a 45° aiming limitation. Strike configurations have a 30° aiming limitation.



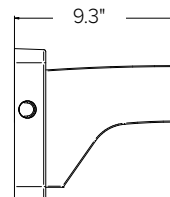
### T-TRUNNION

Trunnion for surface and crossarm mounting using (1) 3/4" or (2) 1/2" size through bolts. Micro Strike configurations have a 45° aiming limitation. Strike configurations have a 30° aiming limitation.



### WM-WALL MOUNT

Compatible with universal arm mount, adjustable arm mount, and decorative arm mount. The WA option uses the same wall bracket but replaces the decorative arm with an adjustable arm.



# VIPER Area/Site

VIPER LUMINAIRE

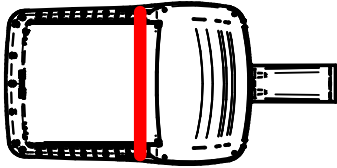
## ADDITIONAL INFORMATION (CONTINUED)

### HOUSE SIDE SHIELD FIELD INSTALL ACCESSORIES

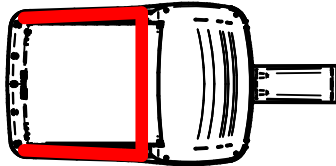
HSS has a depth of 5" for all Viper sizes

Not to be used with Occupancy Sensors as the shield may block the light to the sensor.

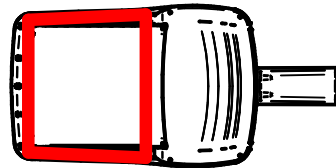
VPR2x HSS-90-B-xx



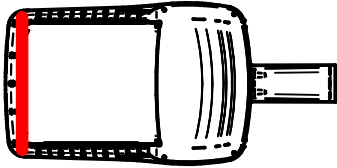
VPR2x HSS-270-BSS-xx



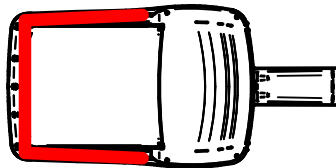
VPR2x HSS-360-xx



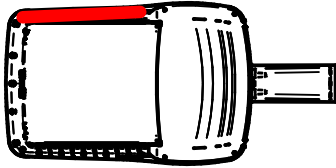
VPR2x HSS-90-F-xx



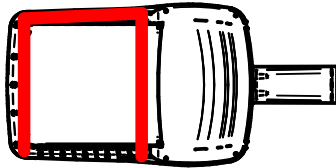
VPR2x HSS-270-FSS-xx



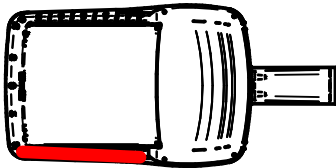
VPR2x HSS-90-S-xx



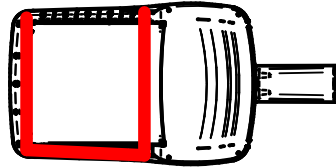
VPR2x HSS-270-FSB-xx



VPR2x HSS-90-S-xx



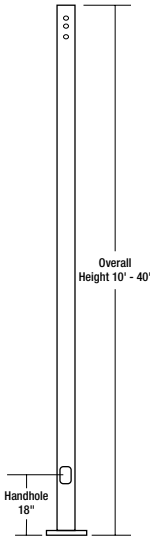
VPR2x HSS-270-FSB-xx



# SSS-B Series Poles

SQUARE STRAIGHT STEEL

DATE: \_\_\_\_\_ LOCATION: \_\_\_\_\_  
 TYPE: \_\_\_\_\_ PROJECT: \_\_\_\_\_  
 CATALOG #: \_\_\_\_\_



### APPLICATIONS

- Lighting installations for side and top mounting of luminaires with effective projected area (EPA) not exceeding maximum allowable loading of the specified pole in its installed geographic location

### CONSTRUCTION

- **SHAFT:** One-piece straight steel with square cross section, flat sides and minimum 0.23" radius on all corners; Minimum yield of 46,000 psi (ASTM-A500, Grade B); Longitudinal weld seam to appear flush with shaft side wall; Steel base plate with axial bolt circle slots welded flush to pole shaft having minimum yield of 36,000 psi (ASTM A36)
- **BASE COVER:** Two-piece square aluminum base cover included standard
- **POLE CAP:** Pole shaft supplied with removable cover when applicable; Tenon and post-top configurations also available
- **HAND HOLE:** Rectangular 3x5 steel hand hole frame (2.38" x 4.38" opening); Mounting provisions for grounding lug located behind gasketed cover
- **ANCHOR BOLTS:** Four galvanized anchor bolts provided per pole with minimum yield of 55,000 psi (ASTM F1554). Galvanized hardware with two washers and two nuts per bolt for leveling

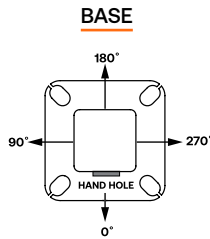
Anchor bolt part numbers: 3/4 x 30 x 3 — TAB-30-M38  
 1 x 36 x 4 — TAB-36-M38

### FINISH

- Durable thermoset polyester powder coat paint finish with nominal 3.0 mil thickness
- Powder paint prime applied over "white metal" steel substrate cleaned via mechanical shot blast method
- Decorative finish coat available in multiple standard colors; Custom colors available; RAL number preferable

### WAREHOUSE 'STOCKED' POLES:

- SSSH20-40A-4-HV-DB-RDC, SSSH25-40A-4-HV-DB-RDC and SSSH30-50B-4-HV-DB-RDC
- The HV designation in the above catalog numbers is a combination drill pattern of the Current S2 pattern and the Beacon B3/B4 Viper pattern (rectangular arm mounting)



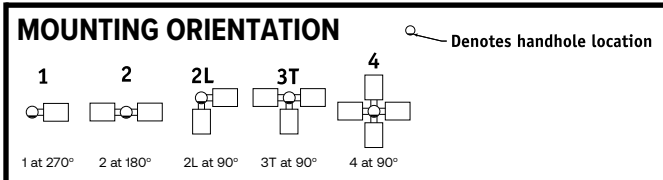
<b>POLE CAP</b>	<b>TENON</b>	<b>BASE COVER</b>	<b>BASE DETAIL</b>

### ORDERING INFORMATION

ORDERING EXAMPLE:

\_\_\_\_\_ Reference page 2 for available configurations

SERIES	HEIGHT	SHAFT	THICKNESS	MOUNTING	FINISH	OPTIONS
<b>SSS-B</b> Square Straight Steel Pole Beacon	Reference page 2 Ordering matrix	Reference page 2 Ordering matrix	Reference page 2 Ordering matrix A - .125" Wall B - .188" Wall C - .250" Wall	<b>1</b> Single arm mount <b>2</b> Two fixtures at 180° <b>2L</b> Two fixtures at 90° <b>3T</b> Three fixtures at 90° <b>4</b> Four fixtures at 90° <b>TA</b> Tenon (2.38" OD x 4" Tall) <b>TB</b> Tenon (2.88" OD x 4" Tall) <b>TC</b> Tenon (3.5" OD x 6" Tall) <b>TR<sup>1</sup></b> Removable Tenon (2.375 x 4.25) <b>OT</b> Open Top (includes pole cap)	<b>BLT</b> Black Matte Textured <b>BLS</b> Black Gloss Smooth <b>DBT</b> Dark Bronze Matte Textured <b>DBS</b> Dark Bronze Gloss Smooth <b>GTT</b> Graphite Matte Textured <b>LGT</b> Light Grey Gloss Textured <b>LGS</b> Light Grey Gloss Smooth <b>PSS</b> Platinum Silver Smooth <b>WHT</b> White Matte Textured <b>WHS</b> White Gloss Smooth <b>VGT</b> Verde Green Textured <b>Color Option</b> <b>CC</b> Custom Color	<b>GF<sup>2</sup></b> 20 Amp GFCI Receptacle and Cover <b>EHH<sup>2</sup></b> Extra Handhole <b>C05<sup>2</sup></b> .5" Coupling <b>C07<sup>2</sup></b> .75" Coupling <b>C20<sup>2</sup></b> 2" Coupling <b>MPB<sup>2</sup></b> Mid-pole Luminaire Bracket <b>VM1<sup>3</sup></b> 1st mode vibration damper <b>VM2</b> 2nd mode vibration damper <b>LAB</b> Less Anchor Bolts <b>UL</b> UL Certified



1 Removable tenon used in conjunction with side arm mounting. First specify desired arm configuration followed by the "TR" notation. Example: **SSS-B-25-40-A-1-B1-TR-BBT**  
 2 Specify option location using logic found on page 2 (Option Orientation)  
 3 VM1 recommended on poles 20' and taller with EPA of less than 1.

### ACCESSORIES - Order Separately

Catalog Number	Description
VM2SXX	2nd mode vibration damper

### DRILL PATTERN

- B1** Cruiser, "AM" arm
- B3** 2 bolt (2-1/2" spacing), Viper "A" arm
- S2** 2 bolt (3-1/2" spacing), Viper "AD" arm
- UDP** Universal Drill Pattern

# SSS-B Series Poles

SQUARE STRAIGHT STEEL

DATE: \_\_\_\_\_ LOCATION: \_\_\_\_\_

TYPE: \_\_\_\_\_ PROJECT: \_\_\_\_\_

CATALOG #: \_\_\_\_\_

## ORDERING INFORMATION Cont.

Catalog Number	Height		Nominal Shaft Dimensions	Wall Thickness	Bolt Circle (suggested)	Bolt Circle (range)	Bolt Square (range)	Base Plate Square	Anchor bolt size	Bolt Projection	Pole weight
	Feet	Meters									
SSS-B-10-40-A-XX-XX	10	3.0	4" square	.125"	9"	8" - 10"	5.66" - 7.07"	9"	3/4" x 30" x 3"	3.5	77
SSS-B-12-40-A-XX-XX	12	3.7	4" square	.125"	9"	8" - 10"	5.66" - 7.07"	9"	3/4" x 30" x 3"	3.5	90
SSS-B-14-40-A-XX-XX	14	4.3	4" square	.125"	9"	8" - 10"	5.66" - 7.07"	9"	3/4" x 30" x 3"	3.5	103
SSS-B-16-40-A-XX-XX	16	4.9	4" square	.125"	9"	8" - 10"	5.66" - 7.07"	9"	3/4" x 30" x 3"	3.5	116
SSS-B-18-40-A-XX-XX	18	5.5	4" square	.125"	9"	8" - 10"	5.66" - 7.07"	9"	3/4" x 30" x 3"	3.5	129
SSS-B-20-40-A-XX-XX	20	6.1	4" square	.125"	9"	8" - 10"	5.66" - 7.07"	9"	3/4" x 30" x 3"	3.5	142
SSS-B-25-40-A-XX-XX	25	7.6	4" square	.125"	9"	8" - 10"	5.66" - 7.07"	9"	3/4" x 30" x 3"	3.5	175
SSS-B-14-40-B-XX-XX	14	4.3	4" square	.188"	11"	10" - 12"	7.07" - 8.48"	10.50"	3/4" x 30" x 3"	3.5	152
SSS-B-16-40-B-XX-XX	16	4.9	4" square	.188"	11"	10" - 12"	7.07" - 8.48"	10.50"	3/4" x 30" x 3"	3.5	171
SSS-B-18-40-B-XX-XX	18	5.5	4" square	.188"	11"	10" - 12"	7.07" - 8.48"	10.50"	3/4" x 30" x 3"	3.5	190
SSS-B-20-40-B-XX-XX	20	6.1	4" square	.188"	11"	10" - 12"	7.07" - 8.48"	10.50"	3/4" x 30" x 3"	3.5	209
SSS-B-25-40-B-XX-XX	25	7.6	4" square	.188"	11"	10" - 12"	7.07" - 8.48"	10.50"	3/4" x 30" x 3"	3.5	257
SSS-B-30-40-B-XX-XX	30	9.1	4" square	.188"	11"	10" - 12"	7.07" - 8.48"	10.50"	3/4" x 30" x 3"	3.5	304
SSS-B-16-50-B-XX-XX	16	4.9	5" square	.188"	11"	10.25" - 13.25"	7.25" - 9.37"	11.50"	1" x 36" x 4"	4.5	219
SSS-B-18-50-B-XX-XX	18	5.5	5" square	.188"	11"	10.25" - 13.25"	7.25" - 9.37"	11.50"	1" x 36" x 4"	4.5	243
SSS-B-20-50-B-XX-XX	20	6.1	5" square	.188"	11"	10.25" - 13.25"	7.25" - 9.37"	11.50"	1" x 36" x 4"	4.5	267
SSS-B-25-50-B-XX-XX	25	7.6	5" square	.188"	11"	10.25" - 13.25"	7.25" - 9.37"	11.50"	1" x 36" x 4"	4.5	327
SSS-B-30-50-B-XX-XX	30	9.1	5" square	.188"	11"	10.25" - 13.25"	7.25" - 9.37"	11.50"	1" x 36" x 4"	4.5	387
SSS-B-25-50-C-XX-XX	25	7.6	5" square	.25"	11"	10.25" - 13.25"	7.25" - 9.37"	11.50"	1" x 36" x 4"	4.5	427
SSS-B-30-50-C-XX-XX	30	9.1	5" square	.25"	11"	10.25" - 13.25"	7.25" - 9.37"	11.50"	1" x 36" x 4"	4.5	507
SSS-B-20-60-B-XX-XX	20	6.1	6" square	.188"	12"	11.00" - 13.25"	7.81" - 9.37"	12.25"	1" x 36" x 4"	4.5	329
SSS-B-25-60-B-XX-XX	25	7.6	6" square	.188"	12"	11.00" - 13.25"	7.81" - 9.37"	12.25"	1" x 36" x 4"	4.5	404
SSS-B-30-60-B-XX-XX	30	9.1	6" square	.188"	12"	11.00" - 13.25"	7.81" - 9.37"	12.25"	1" x 36" x 4"	4.5	479
SSS-B-35-60-B-XX-XX	35	10.7	6" square	.188"	12"	11.00" - 13.25"	7.81" - 9.37"	12.25"	1" x 36" x 4"	4.5	554
SSS-B-40-60-B-XX-XX	40	12.2	6" square	.188"	12"	11.00" - 13.25"	7.81" - 9.37"	12.25"	1" x 36" x 4"	4.5	629

NOTE Factory supplied template must be used when setting anchor bolts. Beacon Products will deny any claim for incorrect anchorage placement resulting from failure to use factory supplied template and anchor bolts.

# SSS-B Series Poles

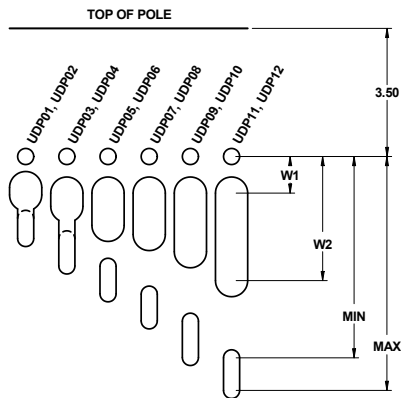
SQUARE STRAIGHT STEEL

## ADDITIONAL INFORMATION

<p><b>EHH - EXTRA HANDHOLE</b></p> <p>Provision for Grounding</p>	<p><b>C05 - C07 - C20 - COUPLING</b></p> <p>2" - 11.5 NPS Threads 3/4" - 14 NPS Threads 1/2" - 14 NPS Threads</p>	<p><b>VM1 - VIBRATION DAMPER 1ST MODE</b></p> <p>VM1 Pole</p> <p>Field Installed Pole Top damper designed to reduce pole top deflection or sway. VM1 is recommended for pole systems 25' and taller with a total EPA of 1.0 or less.</p>	<p><b>VM2 - VIBRATION DAMPER 2ND MODE</b></p> <p>Factory installed, internal damper designed to alter pole resonance to reduce movement and material fatigue caused by 2nd mode vibration.</p>	<p><b>VM2SXX - VIBRATION DAMPER 2ND MODE</b></p> <p>Field installed, internal damper designed to alter pole resonance to reduce movement and material fatigue caused by 2nd mode vibration.</p> <p>VM2S08 – 8' VM2S12 – 12' VM2S16 – 16' VM2S20 – 20' VM2S24 – 24'</p>
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<p><b>GFI – 20 AMP GFCI RECEPTACLE &amp; COVER</b></p>	<p><b>MPB - MID POLE BRACKET</b></p>	<p><b>OPTION ORIENTATION</b></p> <p>Follow the logic below when ordering location specific options. For each option, include its orientation (in degrees) and its height (in feet). Example: Option C05 should be ordered as: <b>SSS-B-20-40-A-TA-DB-C05-0-15</b> (.5" coupling on the handhole/arm side of pole, 15 feet up from the pole base) 1' spacing required between option.</p> <p>Height of option in feet</p>
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## UNIVERSAL DRILL PATTERN (UDP)



TWO BOLT MOUNTING WITH CENTER WIREWAY						
MOUNTING HARDWARE	Universal Mounting Patterns					
	3/8" OR LESS	UDP01	UDP03	UDP05	UDP07	UDP09
7/16" TO 1/2"	UDP02	UDP04	UDP06	UDP08	UDP10	UDP12
*"MIN" ATTACHMENT DIMENSION	1.69	2.25	3.00	3.76	4.50	5.50
*"MAX" ATTACHMENT DIMENSION	2.24	2.99	3.75	4.49	5.49	6.00
W1 (Wireway min)	0.85	1.00	1.00	1.00	1.00	1.00
W2 (Wireway max)	1.05	1.36	1.88	2.13	2.60	3.00

For more information about pole vibration and vibration dampers, please consult factory. Due to our continued efforts to improve our products, product specifications are subject to change without notice. Unwrap poles immediately upon receipt to avoid condensation build up and possible corrosion. Note: There will be a weld witness mark on the side of the pole with the Factory installed VM2.

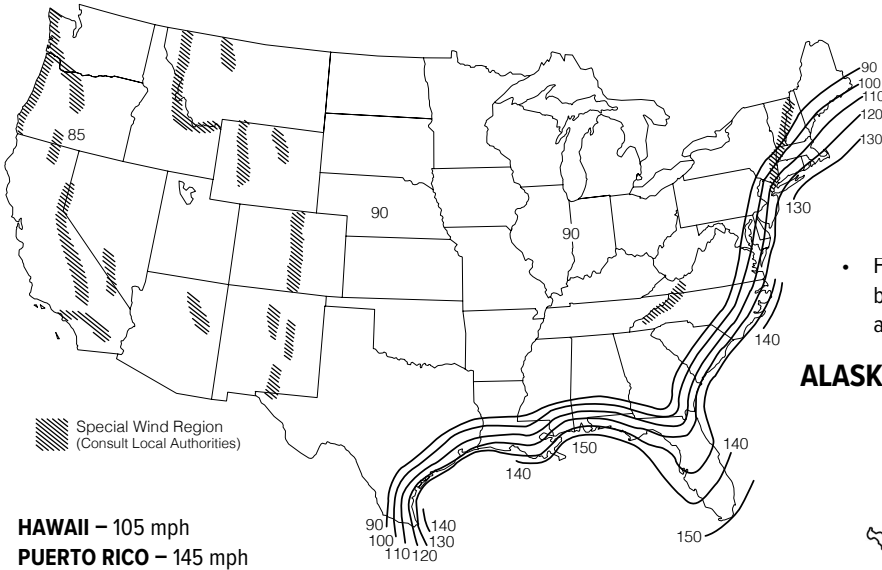


# SSS-B Series Poles

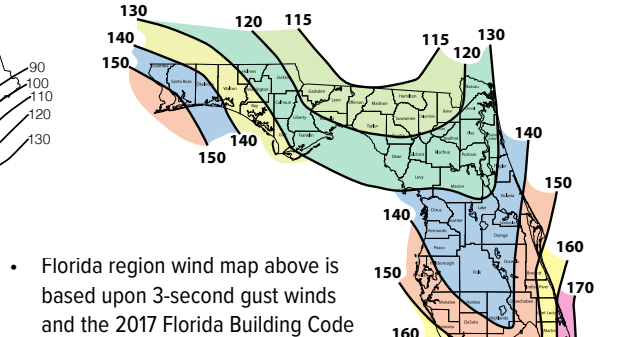
SQUARE STRAIGHT STEEL

DATE: \_\_\_\_\_ LOCATION: \_\_\_\_\_  
 TYPE: \_\_\_\_\_ PROJECT: \_\_\_\_\_  
 CATALOG #: \_\_\_\_\_

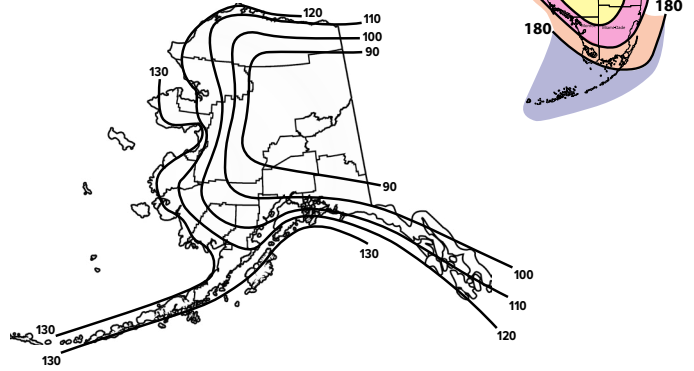
## ASCE7-05 WIND MAP



## FLORIDA REGION WIND MAP



## ALASKA REGION WIND MAP



ASCE 7-05 wind map EPA Load Rating - 3 second gust wind speeds (Use for all locations except Florida)										
Catalog Number	85	90	100	105	110	120	130	140	145	150
SSS-B-10-40-A	25.0	25.0	25.0	22.8	20.6	17.0	14.2	11.9	11.0	10.1
SSS-B-12-40-A	25.0	25.0	20.0	18.0	16.1	13.2	10.8	8.9	8.1	7.4
SSS-B-14-40-A	23.1	20.4	16.1	14.3	12.8	10.2	8.2	6.6	5.9	5.3
SSS-B-16-40-A	19.0	16.7	13.0	11.5	10.1	7.9	6.2	4.7	4.1	3.6
SSS-B-18-40-A	15.6	13.6	10.0	9.0	7.8	5.9	4.4	3.1	2.6	2.1
SSS-B-20-40-A	12.7	10.9	7.9	6.9	5.9	4.2	2.8	1.7	1.3	0.9
SSS-B-25-40-A	7.3	5.9	3.8	2.9	2.1	0.8	NR	NR	NR	NR
SSS-B-14-40-B	25.0	25.0	23.3	20.8	18.6	15.1	12.3	10.2	9.2	8.4
SSS-B-16-40-B	25.0	24.9	19.4	17.3	15.4	12.3	9.9	8.0	7.2	6.4
SSS-B-18-40-B	24.0	20.8	16.1	14.2	12.5	9.8	7.7	6.1	5.3	4.7
SSS-B-20-40-B	20.2	17.5	13.2	11.6	10.1	7.7	5.9	4.4	3.8	3.2
SSS-B-25-40-B	12.8	11.0	7.9	6.7	5.5	3.7	2.3	1.2	0.7	NR
SSS-B-30-40-B	8.0	6.6	4.1	3.1	2.2	0.8	NR	NR	NR	NR
SSS-B-16-50-B	25.0	25.0	25.0	25.0	24.8	20.1	16.5	13.6	12.3	11.2
SSS-B-18-50-B	25.0	25.0	25.0	22.9	20.4	16.4	13.2	10.7	9.6	8.6
SSS-B-20-50-B	25.0	25.0	21.3	18.9	16.7	13.2	10.4	8.1	7.2	6.3
SSS-B-25-50-B	20.7	17.8	13.3	11.5	9.8	7.2	5.0	3.3	2.6	1.9
SSS-B-30-50-B	13.5	11.3	7.7	6.2	4.9	2.8	1.1	NR	NR	NR
SSS-B-25-50-C	25.0	25.0	19.4	17.1	15.1	11.7	9.0	6.9	6.0	5.1
SSS-B-30-50-C	20.1	17.3	12.7	10.9	9.3	6.6	4.5	2.8	2.1	1.4
SSS-B-20-60-B	25.0	25.0	25.0	25.0	25.0	20.2	16.1	12.9	11.5	10.3
SSS-B-25-60-B	25.0	25.0	20.6	18.0	15.6	11.8	8.7	6.2	5.2	4.2
SSS-B-30-60-B	21.4	18.1	12.9	10.7	8.8	5.7	3.3	1.3	NR	NR
SSS-B-35-60-B	14.0	11.3	6.9	5.2	3.6	1.0	NR	NR	NR	NR
SSS-B-40-60-B	8.1	5.8	2.2	nr	NR	NR	NR	NR	NR	NR

Florida Building Code 2017 EPA Load Rating - 3 second gust wind speeds (Use for Florida only)								
Catalog Number	115	120	130	140	150	160	170	180
SSS-B-10-40-A	25.0	25.0	25.0	25.0	21.4	18.4	15.9	13.9
SSS-B-12-40-A	25.0	25.0	23.6	19.8	16.7	14.2	12.1	10.4
SSS-B-14-40-A	25.0	23.1	19.0	15.7	13.1	10.9	9.1	7.6
SSS-B-16-40-A	20.8	18.7	15.2	12.3	10.1	8.2	6.7	5.4
SSS-B-18-40-A	16.8	15.0	11.9	9.4	7.5	5.9	4.5	3.4
SSS-B-20-40-A	13.6	11.9	9.2	7.1	5.3	3.9	2.7	1.7
SSS-B-25-40-A	7.4	6.2	4.1	2.5	1.1	NR	NR	NR
SSS-B-14-40-B	25.0	23.6	19.4	16.1	13.4	11.2	9.4	7.8
SSS-B-16-40-B	21.4	19.2	15.6	12.7	10.4	8.5	6.9	5.6
SSS-B-18-40-B	17.2	15.4	12.2	9.7	7.7	6.1	4.7	3.6
SSS-B-20-40-B	13.9	12.3	9.5	7.3	5.5	4.1	2.9	1.9
SSS-B-25-40-B	7.7	6.4	4.3	2.6	1.3	NR	NR	NR
SSS-B-30-40-B	3.2	2.1	NR	NR	NR	NR	NR	NR
SSS-B-16-50-B	25.0	25.0	25.0	25.0	25.0	21.4	18.2	15.5
SSS-B-18-50-B	25.0	25.0	25.0	24.4	20.4	17.0	14.2	11.9
SSS-B-20-50-B	25.0	25.0	24.4	19.9	16.3	13.4	11.0	8.9
SSS-B-25-50-B	21.8	19.3	15.0	11.5	8.8	6.5	4.7	3.1
SSS-B-30-50-B	13.7	11.7	8.2	5.5	3.3	1.5	NR	NR
SSS-B-25-50-C	21.8	19.3	15.0	11.5	8.8	6.5	4.7	3.1
SSS-B-30-50-C	13.7	11.7	8.2	5.5	3.3	1.5	NR	NR
SSS-B-20-60-B	25.0	25.0	25.0	21.9	17.8	14.5	11.7	9.4
SSS-B-25-60-B	23.8	20.9	16.1	12.3	9.2	6.6	4.5	2.8
SSS-B-30-60-B	14.6	12.3	8.4	5.3	2.8	0.8	NR	NR
SSS-B-35-60-B	7.5	5.6	2.4	NR	NR	NR	NR	NR
SSS-B-40-60-B	1.8	NR	NR	NR	NR	NR	NR	NR



# SSS-B Series Poles

SQUARE STRAIGHT STEEL

DATE:	LOCATION:
TYPE:	PROJECT:
CATALOG #:	

## NOTES

### Wind-speed Website disclaimer:

Current has no connection to the linked website and makes no representations as to its accuracy. While the information presented on this third-party website provides a useful starting point for analyzing wind conditions, Current has not verified any of the information on this third party website and assumes no responsibility or liability for its accuracy. The material presented in the windspeed website should not be used or relied upon for any specific application without competent examination and verification of its accuracy, suitability and applicability by engineers or other licensed professionals. Current does not intend that the use of this information replace the sound judgment of such competent professionals, having experience and knowledge in the field of practice, nor to substitute for the standard of care required of such professionals in interpreting and applying the results of the windspeed report provided by this website. Users of the information from this third party website assume all liability arising from such use. Use of the output of these referenced websites do not imply approval by the governing building code bodies responsible for building code approval and interpretation for the building site described by latitude/longitude location in the windspeed report. <http://windspeed.atcouncil.org>

### NOTES

- Allowable EPA, to determine max pole loading weight, multiply allowable EPA by 30 lbs.
- The tables for allowable pole EPA are based on the ASCE 7-05 Wind Map or the Florida Region Wind Map for the 2010 Florida Building Code. The Wind Maps are intended only as a general guide and cannot be used in conjunction with other maps. Always consult local authorities to determine maximum wind velocities, gusting and unique wind conditions for each specific application
- Allowable pole EPA for jobsite wind conditions must be equal to or greater than the total EPA for fixtures, arms, and accessories to be assembled to the pole. Responsibility lies with the specifier for correct pole selection. Installation of poles without luminaires or attachment of any unauthorized accessories to poles is discouraged and shall void the manufacturer's warranty
- Wind speeds and listed EPAs are for ground mounted installations. Poles mounted on structures (such as bridges and buildings) must consider vibration and coefficient of height factors beyond this general guide; Consult local and federal standards
- Wind Induced Vibration brought on by steady, unidirectional winds and other unpredictable aerodynamic forces are not included in wind velocity ratings.
- Extreme Wind Events like, Hurricanes, Typhoons, Cyclones, or Tornadoes may expose poles to flying debris, wind shear or other detrimental effects not included in wind velocity ratings

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Due to our continued efforts to improve our products, product specifications are subject to change without notice.

**APPENDIX C**

**ABUTTER LIST AND PUBLIC NOTICE**

**LIST OF ABUTTERS – BANGOR SAVINGS BANK, 100 MAIN STREET, DAMARISCOTTA, ME**  
Parcel 006-030 and 006-031

<b>Map/Lot</b>	<b>Name &amp; Address</b>	<b>Location</b>
006-026	Griffin, Joseph W. PO Box 456 Damariscotta, ME 04543-0456	60 Main Street
006-027	Davey, Dylan Et Al C/O Eskesen, Elaine D PO Box 506 Damariscotta, ME 04543-0456	74 Main Street
006-029	Best Thai Holdings, LLC 88 Main Street Damariscotta, ME 04543	88 Main Street
006-017	John R Hilton Amended and Restated Revocable Trust 277 Main Street Ste 10 Damariscotta, ME 04543-4704	87 Main Street
006-016	Citizen Maine Holdings LLC 49 Mills Road Newcastle, ME 04553-3406	93 Main Street Unit #1
006-016-001	Oyster View LLC PO Box 82 Damariscotta, ME 04543-0082	95 Main Street
006-032	Smithwick Realty, LLC C/O Chris Smithwick 366 US Route One Falmouth, ME 04105	108 Main Street
006-033	Murray Hill Properties, Inc. C/O Wayne Moore, President PO Box 21 East Boothbay, ME 04544-0021	Main Street

**PUBLIC NOTICE**

**NOTICE OF PUBLIC HEARING  
TOWN OF DAMARISCOTTA PLANNING BOARD**

The Damariscotta Planning Board will hold a at Public Hearing on **Monday, February 5, 2024 at 6:00 pm** at the Town Office located at **21 School St, Damariscotta** to take comment on an application for Site Plan Approval. The application has been submitted by **Bangor Savings Bank** to reconstruct the parking lot at the rear of **100 Main St, Damariscotta (Map 006, Lots 28, 30, and 31)**. The Planning Board may approve, approve with conditions, or deny the application at this meeting.

For further information about this application or other matters of the Planning Board, contact Michael Martone, Town Planner at [Planner@DamariscottaME.com](mailto:Planner@DamariscottaME.com) or at 207.563.5168.

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Extra Services & Fees (check box, add fee as appropriate)	\$7.55	04
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	

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Total \$8.56

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Davey, Dylan Et Al  
C/O Eskesen, Elaine D

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<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	

Postage \$0.66  
Total \$8.56

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John R Hilton Amended and Restated Revocable  
Trust

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Extra Services & Fees (check box, add fee as appropriate)	\$7.55	04
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	

Postage \$0.66  
Total \$8.56

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Oyster View LLC  
PO Box 82  
Damariscotta, ME 04543-0082

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Extra Services & Fees (check box, add fee as appropriate)	\$7.55	04
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<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	

Postage \$0.66  
Total \$8.56

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Damariscotta, ME 04543-0456

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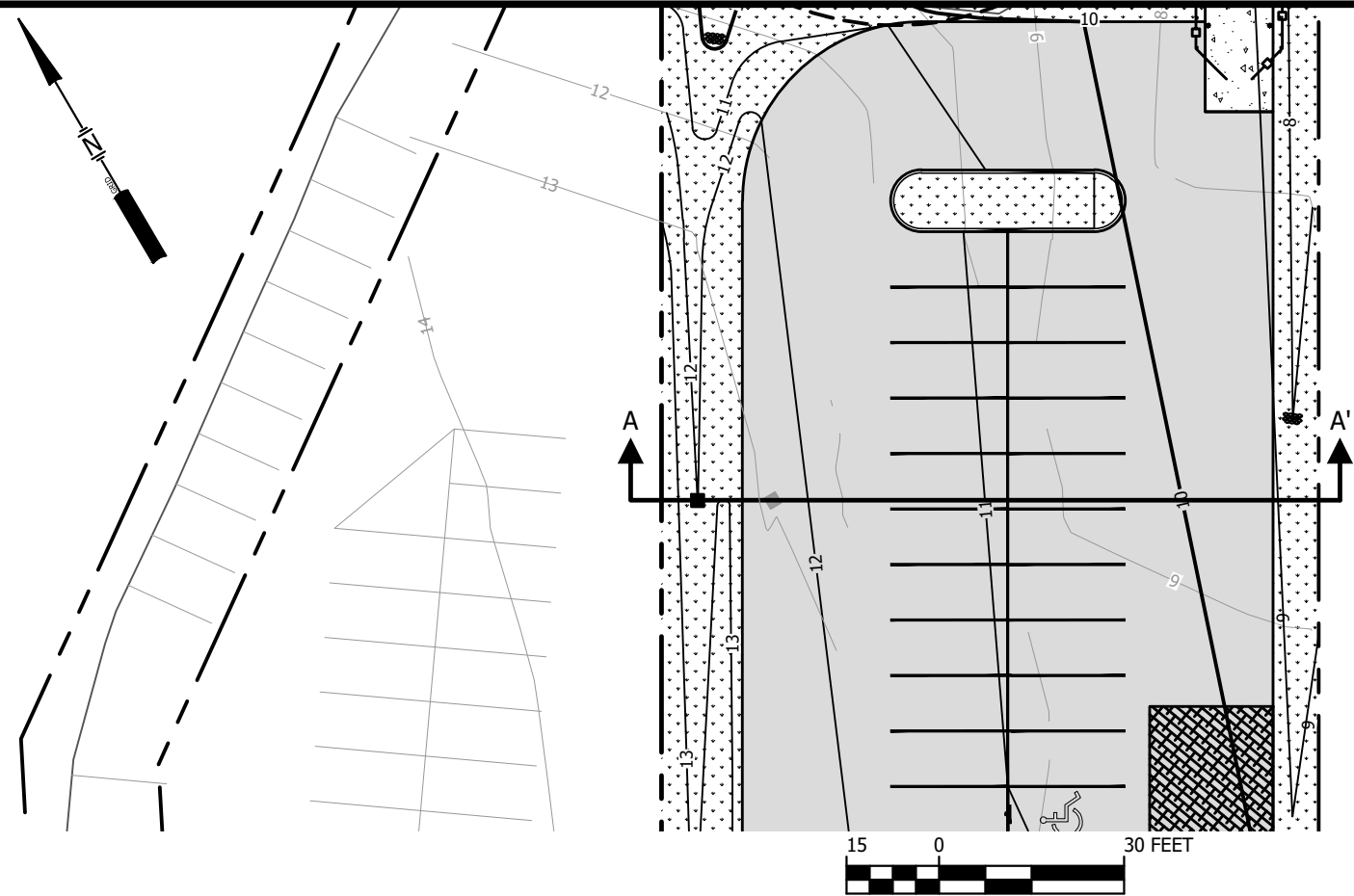
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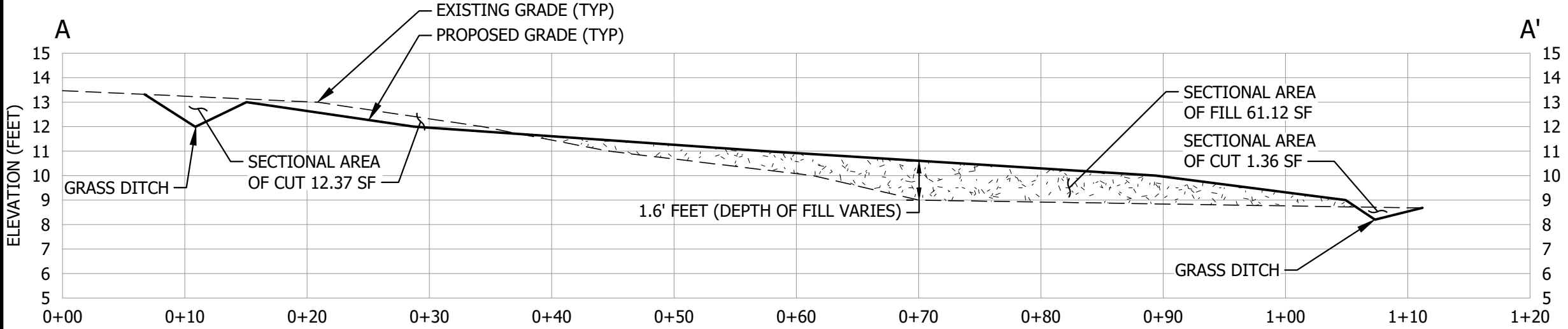
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CROSS-SECTION A-A' PLAN VIEW



CROSS-SECTION A-A'

**DRAFT**

SITE CROSS-SECTION  
BANGOR SAVINGS BANK  
PARKING LOT RECONFIGURATION  
100 MAIN STREET  
DAMARISCOTTA, MAINE





# CHAPTER 101

## LAND USE ORDINANCE

To Do:

- 1. Affordable Housing
  - o Add definition 'Affordable Housing' and 'Affordable Housing Development' that will be consistent with LD 2003.
  - o Address Affordable Housing density requirements
  - o Ensure deeded restriction on affordability
- 2. Allow at least two units per lot.
  - o Remove the term 'Single-Family' and similar restrictions specifically limiting properties to only one unit.
  - o
- 3. Allow for ADUs as provided by LD 2003
  - o Overhaul or replace Section Q of §101.6 GENERAL PROVISIONS to accommodate ADUs
  - o Redefine 'Accessory Apartment' (Replace term with ADU)
  - o Remove references to 'Condominium' and remove definition.
- 4. Short-Term Rentals
  - o Define 'Short-Term Rental'?
  - o Define 'Long-Term Rental'?
- 5. Other
  - o Replace the use of the term 'family' with 'unit' or 'household'
  - o Should we address 'Bed & Breakfast', 'Boardinghouse' or 'Hotels, Motels, Inns'?
  - o Should we address 'Mixed Residential Development'?
  - o Should we address 'Net Residential Area or Acreage'?
- 6. Separate Uses from Form and Regulations/Standards.
  - o The Use Table can be condensed and simplified to only address Uses, design standards can be addressed by district (and by use as needed) with definitions and regulations/standards made clear and straight-forward.

Proposed local definition of 'Affordable Housing':

For rental housing, any unit which a household whose income does not exceed **80%** of the median income for the area (as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as amended), can afford without spending more than 30% of the household's monthly income on housing costs; or

For owned housing,...

**Commented [TP1]:** Should we add the qualifier that the property needs to be deed restricted? For a min amount of time?

**Commented [TP2]:** We need a better definition.

Proposed definition of "Workforce Housing"

For rental housing, any unit which a household whose income does not exceed **120%** of the median income for the area (as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as amended), can afford without spending more than 30% of the household's monthly income on housing costs; or

For **owned housing**...

**Commented [TP3]:** We need a better definition.

Proposed local definition of "Affordable Housing Development":

For rental housing, a development in which at least **51%** of the rentable residential floor area is occupied by units which meet the definition of Affordable Housing.

For **owned housing**...

**Commented [TP4]:** The State's definition of "Affordable Housing Development":

A. For rental housing, a development in which a household whose income does not exceed 80% of the median income for the area as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as amended, can afford a majority of the units that the developer designates as affordable without spending more than 30% of the household's monthly income on housing costs; and

B. For owned housing, a development in which a household whose income does not exceed 120% of the median income for the area as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as amended, can afford a majority of the units that the developer designates as affordable without spending more than 30% of the household's monthly income on housing costs.

**Commented [TP5]:** Alternatively, we could require at least 51% of the units to meet the definition. (so floor area vs unit count.

**Commented [TP6]:** We need a better definition.

DAMARISCOTTA, MAINE  
Approved June 15, 2022 ATM

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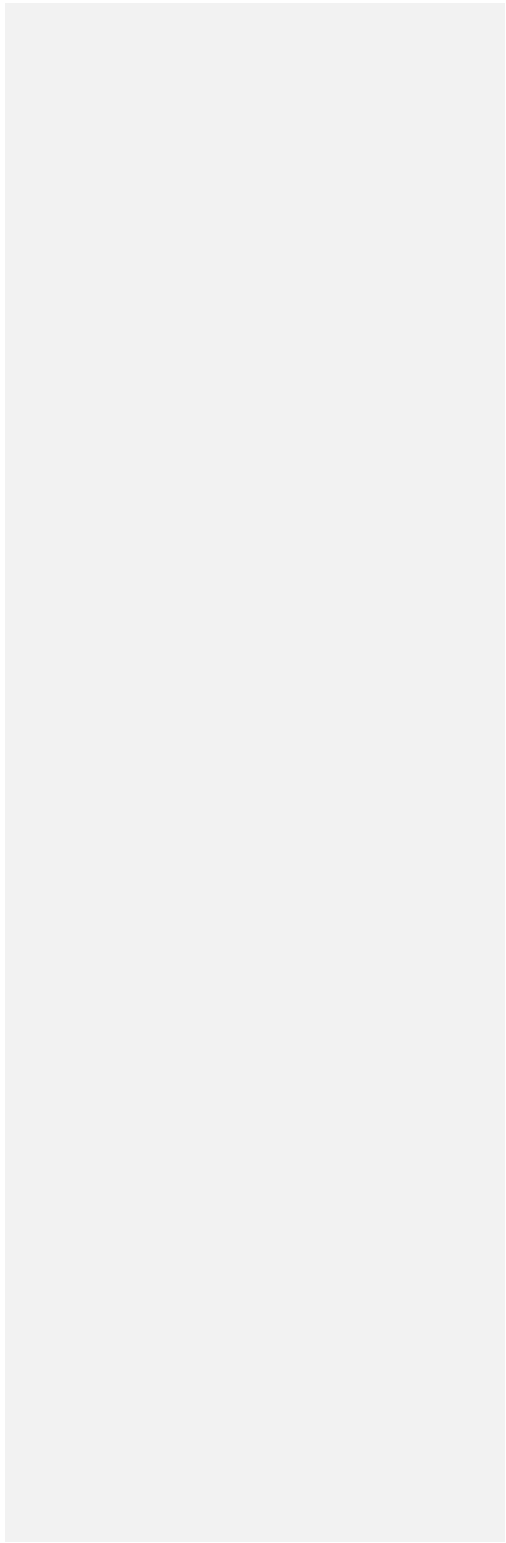
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### §101.1 AUTHORITY

This ordinance is enacted pursuant to MRSA T30-A §4352.

### §101.2 PURPOSE

The purpose of this Ordinance is to further the maintenance of safe and healthful conditions and the general welfare, to prevent and control water pollution, to protect wildlife, to control building sites and location of structures and land uses, and to conserve shoreland areas, at the same time providing the greatest possible latitude in individual choices of land use. The Ordinance is intended to preserve the character and objectives of the community as determined by its citizens and outlined in its Comprehensive Plan. This ordinance is designed to implement the purposes included in the Maine Revised Statutes for Municipal Land Use plans.

### §101.3 APPLICABILITY

This ordinance shall apply to all of the land area within the Town of Damariscotta.

### §101.4 DEFINITIONS

Except where specifically defined, all words used in this ordinance shall carry their customary meanings. The Word "shall" is always mandatory. The word "may" is always permissive. For the purposes of this Ordinance, the following words or terms shall have the following meanings, unless the context clearly indicates otherwise.

#### **Accessory Apartment**

~~A small dwelling, either attached or detached (unattached) which is part of an existing single family owner-occupied home on the same lot and which is secondary to the single family home. Both units shall be occupied as primary residences and neither unit may be rented for less than on a monthly basis.~~

**Commented [TP7]:** This needs to be updated to be consistent with LD2003.

#### **Accessory Dwelling Unit**

...

**Commented [TP8]:** Definition need to address:  
- Min size (State says 190 sf; I say 400)  
- Max size? No more than 60% of the primary residence?

#### **Accessory Use or Structure**

A use of structure of a nature incidental and subordinate to those of the principal use or structure.

#### **Adult Use Marijuana**

Marijuana cultivated, manufactured, distributed or sold by an adult-use marijuana establishment.

**Adult Use Marijuana Cultivation Facility**

A facility licensed under state and local laws to purchase marijuana plants and seeds from other cultivation facilities; to cultivate, prepare and package adult use marijuana; to sell adult use marijuana to products manufacturing facilities, to marijuana stores and to other cultivation facilities; and to sell marijuana plants and seeds to other cultivation facilities and immature marijuana plants and seedlings to marijuana stores.

**Adult Use Marijuana Product**

A marijuana product that is manufactured, distributed or sold by a marijuana establishment for other than for medical use.

**Adult Use Marijuana Products Manufacturing Facility**

A facility licensed under state and local laws to purchase adult use marijuana from a cultivation facility or another products manufacturing facility; to manufacture, label and package adult use marijuana and adult use marijuana products; and to sell adult use marijuana and adult use marijuana products to marijuana stores and to other products manufacturing facilities.

**Adult Use Marijuana Store**

A facility licensed under state and local laws to purchase adult use marijuana, immature marijuana plants and seedlings from a cultivation facility, to purchase adult use marijuana and adult use marijuana products from a products manufacturing facility and to sell adult use marijuana, adult use marijuana products, immature marijuana plants and seedlings to consumers.

**Adult Use Marijuana Testing Facility**

A facility licensed under state and local laws to develop, research and test adult use marijuana, marijuana products and other substances.

**Affordable Housing**

For rental housing, any unit which a household whose income does not exceed 80% of the median income for the area (as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as amended), can afford without spending more than 30% of the household's monthly income on housing costs; or

For owned housing...

**Affordable Housing Development**

For rental housing, a development in which at least 51% of the rentable residential floor area is occupied by units which meet the definition of Affordable Housing.

For owned housing...

**Agriculture**

The cultivation of the soil, production of crops, including crops in commercial greenhouses, and raising and keeping of livestock, including animal husbandry, orchards, truck gardens, plant nurseries, poultry and other nondomestic animals, bees, the use of manure and fertilizers, the processing of agricultural products.

**Alteration**

Any change, addition or modification in construction, or change in the structural members of a building, such as bearing walls, columns, beams, and girders.

**Assisted Living Facility**

A residential facility that provides supervision, assistance with activities of daily living, recreational activities, dietary services housekeeping and care management. An assisted living facility may provide medication administration and nursing services.

**Automobile Services Including Repair**

Facilities for major maintenance and repair of passenger vehicles, motorcycles, pickup trucks and similar vehicles. The type of work normally provided includes engine overhauls, transmission repairs, glass replacement, body work, painting and similar work. Automobile services shall include muffler shops, brake shops, body shops, paint shops, tune-up centers, car washes, detailing, automotive diagnostic centers, lubricating services, road services, rustproofing and other service uses similar to those listed.

**Bed and Breakfast Establishment**

A single family dwelling occupied by the owner as his/her principal place of that accommodates paying guests for a limited duration with sleeping and dining facilities; payable on a per-diem basis; having more than three (3) but less than ten (10) sleeping rooms; and in which some bath, sitting room and dining rooms are used in common by such guests.

All dining facilities are limited to use by overnight guests of that particular establishment. For purposes of this definition, principal place of residence means that the owner of the land and buildings must be in residence on the premises while the bed-and-breakfast business is conducted. The residence of the owner must be in the main building where all bed and breakfast activities occur.

Additional buildings on the lot that meet space, set back and parking requirements may be used for additional bed and breakfast activities. This use is considered a commercial use.

**Bed and Breakfast Establishment As a Home Occupation**

A single family dwelling occupied by the owner as his/her principal place of residence that accommodates paying guests for a limited duration with sleeping and dining facilities; payable on a per-diem basis;

having between two (2) and three (3) guest rooms and limited to serving breakfast to said overnight guests shall be considered a home occupation accessory to principal use of the dwelling and shall be allowed under the standards applicable to home occupations. For purposes of this definition, principal place of residence means that the owner of the land and buildings must be in residence on the premises while the bed-and breakfast business is conducted.

**Boarding House, Rooming House or Lodging House**

A building with a maximum of ten rooms, which, for compensation, lodging, or lodging and meals are provided. No provisions for cooking in individual rooms other than a main kitchen is allowed.

**Building**

~~A structure for the support, shelter, or enclosure of persons, animals, goods, or property of any kind.~~

A structure with at least three exterior walls and a roof, for shelter, support, or enclosure of persons, animals, or property.

**Building Height**

The building height shall be the height measured from the mean ground level at the foundation line to the highest point of the roof. Features of buildings and structures, such as chimneys, towers, ventilators, and spires shall not be considered as part of the roof. Buildings within the shoreland zone shall meet the definition of that ordinance.

**Campground**

Any area or tract of land used to accommodate two or more groups of people, in temporary living quarters, including tents, travel trailers or other temporary shelters.

**Code Enforcement Officer**

A person appointed by the Board of Selectmen to administer and enforce this Ordinance. Reference to the Code Enforcement Officer may be construed to include Building Inspector, Electrical Inspector, and the like, where applicable.

**Community Garden**

The use of a lot(s) or a portion thereof for the purpose of growing vegetables, flowers and/or other cultivated plants which are intended for consumption and/or use primarily by the surrounding neighborhood.

**Conditional Use**

A conditional use of land or buildings is a use that would not be appropriate in the land use district for which it is proposed, except with certain restrictions and controls, it will meet the intentions and purposes of this Ordinance. Except for Home Occupations, conditional uses are permitted only after review and approval by the Planning Board for conformance with the Site Review Ordinance.

**Condominium**

~~A building containing dwelling units arranged, intended or designed to be individually owned by their occupants under Maine State Law prevailing.~~

**Commented [TP9]:** This term only shows up under the current regulations for 'Accessory Appartements', and so will no longer be needed. Additionally, regulating forms of ownership can be trouble.

**Congregate Care and Independent Living Facilities**

A residential facility that is primarily engaged in providing residential and personal care services for the elderly and/or other persons who are unable to or do not desire to live independently. The care typically includes room, board, supervision, and assistance with activities of daily living, such as housekeeping, transportation, meal service and other specializes services such as medical support and physical therapy. These services may be provided in private apartments or multiple tenant rooms with community spaces and common dining areas.

**Day Care Center**

A building, structure or other place in which a person, or combination of persons, maintains or otherwise carries out a regular program, for consideration, for any part of the day providing protection and child care for more than twelve (12) children under thirteen (13) years of age, who are unattended by parents or guardians for any part of the day.

**Drinking Place (alcoholic beverages)**

A business or commercial establishment which customarily excludes persons under the age of twenty-one (21) from admission to its premises, including, but not limited to, uses for which a special amusement permit is required class A lounges, dance halls and establishments serving alcoholic beverages other than restaurants as defined herein. Drinking places shall not include retail stores where alcoholic beverages are sold for consumption off premises.

**Dwelling**

A building designed or used as the permanent or seasonal living quarters for one or more ~~families~~households.

**Dwelling Unit**

A room or group of rooms designed and equipped ~~exclusively~~ for use as ~~permanent, seasonal, or temporary~~ living quarters for only one ~~family~~household. The term shall include mobile homes, but not recreational vehicles or motels, hotels and other similar facilities not equipped with a kitchen.

**Emergency Operations**

Operations conducted for the public health, safety or general welfare, such as protection of resources from immediate destruction or loss, law enforcement, and operations to rescue human beings and livestock from the threat of destruction or injury.

**Excavation**

Any removal of earth or earth material from its original position.



**Farmers Market**

A food market at which local famers sell fruit, vegetables, meat, cheese, bakery products and similar items directly to consumers.

**Family Household**

One or more persons living together as a single housekeeping unit under a unified management with obligations of mutual support.

Commented [TP10]: May want to find a different term for this.

**Forest Management Activities**

Activities designed and intended to manage timber resources, including timber cruising and other forest resources evaluation activities, management planning activities, insect and disease control, timber stand improvement, pruning, timber harvesting, and other harvesting, rejuvenation of forest stands, and other similar associated activities, not including the construction of roads.

**Formula Business**

A type of retail sales establishment (i.e., chain store, outlet store), restaurant, tavern, bar, or take-out food establishment, which along with 20 or more other establishments maintains two or more of the following features:

- (1) Standardized menu or standardized array of merchandise with 50% or more of in-stock merchandise from a single distributor bearing uniform markings.
- (2) Trademark or service mark, defined as a word, phrase, symbol or design, or a combination of words, phrases, symbols or designs that identifies and distinguishes the source of the goods from one party from those of others, on products or as part of store design.
- (3) Standardized interior decor including but not limited to style of furniture, wall-coverings or permanent fixtures.
- (4) Standardized color scheme used throughout the interior or exterior of the establishment.
- (5) Standardized uniform including but not limited to aprons, pants, shirts, smocks or dresses, hat, and pins (other than name tags).

**Frontage**

The length of a lot bordering on a street, road, or right-of-way. For a lot fronting on public waters, the length in a straight line measured between the intersections of the side lot lines with the shoreline at normal high water elevation. For a corner lot, the frontage shall be on the way most traveled, as determined by the Code Enforcement Officer.

**Gallery**

An establishment that displays and sells works of art.

**Gasoline Station**

A facility that sells fuel and lubricants for motor vehicles.

### Home Cultivation of Marijuana

Cultivation for personal adult use by a person 21 years of age or older is limited to cultivation of three (3) mature marijuana plants, twelve (12) immature marijuana plants, and an unlimited number of seedlings by each person 21 years of age or older who is domiciled on a parcel or tract of land.

### Home Occupation

An occupation conducted in a dwelling unit or a structure accessory thereto, provided that all of the following criteria are met:

- (1) No more than two persons other than a member of the ~~family household~~, residing on the premises, shall be employed in such occupation; and
- (2) The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than twenty-five (25) percent of the total floor area of the dwelling unit and accessory structures used in the home occupation shall be used in the conduct of the home occupation; and
- (3) There shall be no change in the outside appearance of the building or premises, or any visible evidence of the conduct of such home occupation other than one (1) sign, except as hereinafter permitted; and
- (4) No traffic shall be generated by such home occupations in greater volumes than would normally be expected in the neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street and other than in a required yard; and
- (5) No equipment or process shall be used in such home occupation which noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off the lot, if the home occupation is conducted in a detached ~~one-family single-unit~~ dwelling, or outside the dwelling unit if conducted in any other form of dwelling. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in a radio or television receiver off the premises, or causes fluctuations in line voltage off the premises; and
- (6) There shall be no stock in trade regularly maintained or any new commodity sold on the premises; and
- (7) The following are specifically excluded as home occupations: Convalescent or nursing home, tourist home, animal hospital, restaurants, doctors' offices, dentists' offices, real estate offices, registered primary caregivers, beauty shops and barber shops, except those that are owner-occupied, one (1) chair, appointment-only shops that meet all the other home occupation criteria.

**Hotel, Motel or Inn**

A commercial building or group of buildings of more than 10 lodging rooms with each room having its own private bathroom and each room having its own entrance and built primarily to accommodate for a fee travelers and other transient guests, who are staying for a limited duration, with sleeping and associated rooms. A hotel or motel may include suites or rooms, cooking and similar facilities within the rooms to accommodate guests, restaurant facilities where food is prepared and meals served to its guests and other customers, and associated facilities for the convenience and servicing of guests. A hotel or motel room or suite of rooms, as distinguished from a dwelling unit, each shall contain less than a total of six hundred (600) square feet of living area, provided that the area may be larger if, in the sole opinion of the planning board, the facility will function or is functioning as a hotel or motel and not as a residential dwelling unit. For the purpose of determining land area requirements, 3 lodging rooms shall require the same land area as one dwelling unit.

**Light manufacturing**

Businesses manufacturing, assembling or storing products where there is no exterior effect of the manufacturing use, including no exterior noise, odors, or air pollution, as defined in the site review ordinance. It may include laboratory or research facilities, printing or publishing plants, warehousing, wholesale business or storage, building materials, contractor's offices, dry batch concrete plants, trade shops, (including cabinetry, carpentry, plumbing, electrical or finishing); and related exterior equipment and product storage for those uses. It shall not include heavy manufacturing or industrial uses such as asphalt and wet batch mixing plants, rock crushing or processing or chemical reprocessing and storage.

**Lot**

A single parcel of land, described on a deed, plot, or other similar legal document.

**Lot Coverage**

The ratio of the total area of all structures on a lot divided by the area of the lot.

**Marijuana Cultivation**

The planting, propagation, growing, harvesting, drying, curing, grading, trimming or other processing of marijuana for use or sale. "Cultivation" or "cultivate" does not include manufacturing, testing or marijuana extraction.

**Marijuana Establishment**

A cultivation facility, a products manufacturing facility, a testing facility or a marijuana store licensed under state and local laws.

**Marijuana Manufacturing or Manufacture**

The production, blending, infusing, compounding or other preparation of marijuana and marijuana products, including, but not limited to, marijuana extraction or preparation by means of chemical synthesis. "Manufacturing" or "manufacture" does not include cultivation or testing.

**Marijuana Product**

A product composed of marijuana or marijuana concentrate and other ingredients that is intended for use or consumption. "Marijuana product" includes, but is not limited to, an edible marijuana product, a marijuana ointment and a marijuana tincture. "Marijuana product" does not include marijuana concentrate.

**Marina**

A shore front commercial facility with provisions for one or more of the following: boat storage, boat launching, or the sale of supplies and services for watercraft and their equipment and accessories.

**Medical Facilities**

Hospital and related uses shall include acute care, intermediate care, adult day care facilities, physician's offices, clinics, and other related uses.

**Medical Marijuana Establishment**

A registered caregiver retail store, registered dispensary, medical marijuana testing facility, or medical marijuana manufacturing facility.

**Medical Marijuana Testing Facility**

A public or private laboratory authorized under state and local laws to test medical marijuana for contamination, potency or cannabinoid profile.

**Medical Marijuana Manufacturing Facility**

A manufacturing facility authorized under state and local laws to manufacture marijuana products for medical use or to engage in marijuana extraction for medical use.

**~~Mixed Residential Development~~**

~~A residential development involving a mixture of detached single family dwellings, single family attached dwellings with less than eight (8) common walls, two family dwellings or multifamily dwellings with less than five (5) dwelling units per structure. A mixed residential development may contain a mixture of the listed building types; but, multifamily dwellings shall not constitute more than sixty (60) percent of the total number of dwelling units in the development. Mixed single family residential development means a planned residential development involving a mixture of single family detached dwellings and attached single family dwellings.~~

**Commented [TP11]:** Remove this definition and related content.

**Mixed-use Structure**

A building containing one (1) or more dwelling units and nonresidential space. Said nonresidential space must be permitted in the underlying zoning district.

**Mobile Home**

A prefabricated self-contained dwelling unit manufactured on a permanent chassis and transported as a single unit to the site where it is to be occupied.

**Mobile Home Park**

A lot on which 2 or more mobile home sites are to be rented.

**Modular Home**

A prefabricated self-contained dwelling unit which is manufactured and transported in 2 or more sections to the site where it is to be occupied, and there joined together and set on a permanent foundation.

**Multi-family-unit Dwellings**

Three or more dwelling units in single or multiple buildings on a single lot.

**Neighborhood Store**

A retail store that occupies less than five thousand (5,000) square feet of total floor space and within which no alcoholic beverages are consumed.

**Net Residential Area or Acreage**

The area of a parcel, which is suitable for development as determined by the Planning Board, shall be calculated by subtracting the following from the total or gross acreage of a parcel:

1. Total acreage that is used for street and sidewalk rights-of-way.
2. Portions of the parcel containing slopes over thirty-five (35) percent.
3. Portions of the parcel shown to be within the 100-year flood plain and floodway as designated on Federal Emergency Management Agency (FEMA) maps.
4. Portions of the parcel located in the Resource Protection District.
5. Portions of the parcel which are unsuitable for development in their natural state due to drainage or subsoil conditions, including, but not limited to:
  - 5.1. Water table at or near the surface for all or part of the year.
  - 5.2. Unstable soils such as Searsport Mucky Peat.
6. Portions of the parcel covered by surface waterbodies. Where the extent of unsuitability in a specific case requires interpretation, the Planning Board shall be guided by whether or not the potentially unsuitable area could be incorporated and used in parcel if the entire tract were developed as a traditional minimum size subdivision.

**Net Residential Density**

Net Residential Density shall mean the number of units per net residential acre.

**Nursing Care Facility**

A facility that provides 24-hour skilled nursing care services, rehabilitation and long-term care nursing services to patients or residents. Nursing care facilities are regulated and licensed by the State of Maine.

**Non-conforming Use**

A building, structure, or use of land, or portion thereof, existing at the effective date of adoption or amendment of this Ordinance which does not conform to all applicable provisions of this Ordinance.

**Commented [TP12]:** These are weird and would seem to only encourage sprawl and degradation of natural landscapes.

**Non-combustible**

A material that, in the form in which it is used and under the conditions anticipated, will not aid combustion or add appreciable heat to an ambient fire. Materials, where tested in accordance with ASTM E136, Standard Test Method for Behavior of Materials in a Vertical Tube Furnace at 750 degrees C, shall be considered as noncombustible.

**Parking Facilities as a Principal Use**

A facility for the short or long term parking of passenger vehicles which is not accessory to another use.

**Personal Service**

A service exemplified by the types of services listed under NAICS 812, including but not limited to laundry and cleaning services, photography studios, shoe repair shops, funeral homes, mortuaries, beauty salons, barber shops, day spas, and similar services to the general public. This definition does not include tattoo parlors.

**Places of Assembly, Amusement, Recreation, Entertainment, or Culture**

Facilities designed to accommodate the public for amusement, entertainment, recreation or social activities including halls, auditoria, sports arenas, gymnasiums, skating and hockey rinks, stadia, golf courses, racetrack operations ( excluding motorized vehicle racing), meeting rooms, theaters, and similar facilities but not including movie theaters.

**Planned Unit Development**

A concept of planned development to allow maximum variations of design provided that required residential densities are not exceeded. The development must be planned as a whole according to comprehensive and detailed plans including street, utilities, lots or building sites, design of all buildings to be constructed, and other uses and improvements on the land.

**Principal Building**

The building in which the primary use of the lot is conducted.

**Professional Office**

Offices for the practice of the professions of medicine, law architecture, engineering, accounting, and dentistry, and other commonly accepted professions.

**Public Utility**

Any person, firm, corporation, municipal department, board or commission authorized to furnish gas, steam, electricity, waste disposal, communication facilities, transportation or water to the public, and subject to regulations by the Public Maine Utilities Commission.

**Recreational Vehicle**

A vehicle or vehicular attachment designed for temporary sleeping or living quarters for one or more persons, which is not a dwelling. It may include a pick-up camper, travel trailer, tent trailer, or motor home.

**Recycling and Reprocessing Facility**

A commercial enterprise involving the handling, storing and processing of waste materials including but not limited to scrap metal, paper, rags, chemicals, oils, solvents and similar materials but not including automobiles or involving the onsite disposal of these materials.

**Registered Caregiver**

A person who is registered by the Maine Department of Administrative and Financial Services, or other Department designated by Statute, per 22 M.R.S. § 2425-A.

**Registered caregiver retail store**

A store licensed under State and local laws that has attributes generally associated with retail stores, including, but not limited to, a fixed location, a sign, regular business hours, accessibility to the public and sales of goods or services directly to a consumer, and that is used by a registered caregiver to offer marijuana plants or harvested marijuana for sale to qualifying patients.

**Registered dispensary**

A dispensary authorized under state law to cultivate and dispense medical marijuana to qualifying patients and caregivers.

**Residential Care Facility**

A facility that provides residents in need of supervision, assistance with activities of daily living, recreational activities, dietary services, medication administration and nursing services, but do not require skilled nursing care services. Some residential care facilities provide specialized assisted living services including memory care.

**Restaurant**

A business or commercial establishment which serves food to the public for consumption on the premises and may include the sale of food for consumption off premises. Restaurants serving alcoholic beverages, also referred to as food service establishments FSE-Class A, B, C, and E, must offer full course meals at all times while open, shall not exclude persons under the age of twenty-one (21) from full use of the establishment at all times, and shall not possess a special amusement permit for dancing. Restaurants serving alcoholic beverages that do not satisfy the above provisions shall be deemed to be and regulated as drinking places.

**Retail Business**

Business establishment for the sale of merchandise to the public.

**Service Establishment**

Profit and non-profit business whose function it is to provide service to the public.

**Setback**

The minimum horizontal distance from a lot line to the nearest part of a building.

**Sewered**

Connected to the municipal sewer system.

**Short-Term Rental**

Overnight accommodations, provided in a dwelling unit, to guests for compensation, for periods of not more than 30 days.

**Structure**

~~Anything constructed or erected, except a boundary wall or fence, the use of which requires location on the ground or attachment to something on the ground.~~

Anything constructed or erected which requires a location on the ground or to be attached to something having a location on the ground, excluding fences and other boundary markers or constructed groundcover like pavement.

**Two-family-unit Dwelling**

A single building containing two separate dwelling units separated by a common wall or on separate levels.

**Wholesale Business**

Business established for the sale or distribution of products to retail businesses.

**Warehousing**

The storage of goods, wares and merchandise in a warehouse.

**Water Supply Standpipe**

A structure associated with municipal utility that is a large water container on top of a tower usually 35 feet or more above ground to store water and to facilitate gravity flow, e.g. water pressure, to customers in buildings in the service area of a municipal water supply utility.

**Wireless Telecommunications Facility or Facilities**

Any structure, antenna, tower, or other device which provides radio/television transmission, commercial mobile wireless services, unlicensed wireless services, cellular phone services, specialized mobile radio communications (SMR), common carrier wireless exchange phone services, specialized mobile radio communications (SMR), common carrier wireless exchange access services, and personal communications service (PCS) or pager services.

**Yard**

The area of land on a lot not occupied by the principal building or accessory structure.

**Yard, Front**

The area of land between the front lot line and the front line of any building, and extending the full width of the lot.

**Yard, Side**

The area of land between the side lot line and the side line of any building, and extending from the front yard to the rear yard. Any yard area not a front yard or rear yard, shall be deemed a side yard.



**Yard, Rear**

The area of land between the rear lot line and the rear line of any building, and extending the full width of the lot. A corner lot has no rear yard.

**§101.5 LAND USE DISTRICTS**

**A. Districts and Purposes**

To implement the provisions of this Ordinance, the Town of Damariscotta is hereby divided into the following Land Use Districts with the following purposes:

**1. General Residential**

To preserve the physical, aesthetic, and social quality of Damariscotta's developed residential areas and to provide for areas within the Town for residential growth.

**2. Commercial**

To provide general retail sales, service, and business space within the Town of Damariscotta in locations capable of conveniently servicing community wide and/or regional trade areas. To preserve the scale character, and economy of the Downtown in accordance with the Comprehensive Plan by implementing a 35,000 square foot size cap on retail development in all commercial districts, effective November 1, 2005

- a. (C1) Downtown
- b. (C2) Other Commercial

**3. Rural**

To allow a maximum diversity of uses, while still maintaining the essential rural character of this area.

**4. Wireless Communication**

This district is an overlay district within portions of the C2 and Rural districts. All wireless telecommunication facilities are limited to this area. All standards and procedures for permitting these facilities are contained in the Site Review Ordinance.

**5. Municipal**

To allow a maximum use of the land by the Town of Damariscotta for the purpose of Municipal offices.

The Shoreland area is controlled by the existing Damariscotta Shoreland Zoning Ordinance and shall be considered an "overlay" district. In other words, in the Shoreland areas the Shoreland Use requirements and permit procedures of the Shoreland Ordinance shall be in effect in addition to the requirements of this Land Use Ordinance.

**B. MAP**

1. The location and boundaries of the above districts are hereby established on the map entitled "Land Use Map of the Town of Damariscotta," dated January 23, 1998, filed with the Town Clerk, which map is hereby made a part of this Ordinance. And, as amended June 10, 2015 on the map entitled "Damariscotta Maine - June 10, 2015 - Zoning Map" filed with the Town Clerk.
2. Where uncertainty exists with respect to district boundaries as shown upon such map the following rules shall apply:
  - a. Unless otherwise indicated, district boundary lines are the center lines of roads, streets or rights of way.
  - b. Where discrepancy exists between the map and written description of each district, the written word shall prevail.
  - c. Where discrepancy exists between physical features existing on the ground and the official map and/or written district description, the Board of Appeals shall interpret the district boundaries.

**C. DISTRICT DESCRIPTIONS (see Appendix A)**

**D. DISTRICT REGULATIONS**

**1. SCHEDULE OF LAND USES**

Land Use	District					
	GR	C1	C2	R	WC	M
<b>Commercial-Service</b>						
Veterinary facilities excluding kennels and humane societies			C	C		
Veterinary facilities including kennels and humane societies				C		
Small day care facilities (3-12 children under 13 years of age)	C	C	C	C		
Day care centers (more than 12 children under 13 years of age)			C	C		
Day care centers accessory to public schools, religious facilities, MF or mixed res. developments, and MH parks (see note 2)						
Engineering, management and professional offices and related services						
Research and testing laboratories			C	C		
Restaurants		C	C			

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Formula business			C <sup>3</sup>			
Drinking places		C	C			
Adult business establishments			C			
Hotels, motels, inns		C	C			
Movie theaters except drive-in theaters		C	C			
Places of indoor assembly, amusement or culture		C	C	C		
Financial institutions including banks		C	C			
Neighborhood stores		C	C			
Art and crafts studios, antique shops and galleries	C	C	C	C		
Personal Services		C	C			
Retail stores		C <sup>3</sup>	C <sup>3</sup>			
Lumber and building materials dealer			C			
Gasoline service stations			C			
Gasoline service stations which are a part of and subordinate to a retail use			C			
Service stations		C	C			
New and used car dealers			C			
Recreational vehicle, mobile home dealers			C			
Equipment dealers and equipment repair			C			
Automotive services including repair		C	C			
Contractor's offices and associated facilities			C	C		
Drive-thru facilities as an accessory use		C	C			
Boat storage and repair			C			
Farmer's market	C	C	C	P		
<b>Industrial</b>	<b>GR</b>	<b>C1</b>	<b>C2</b>	<b>R</b>	<b>WC</b>	<b>M</b>
Light manufacturing uses (other than industrial uses)			C			
Industrial uses (includes assembling, fabricating, finishing, manufacturing, packaging or processing operations, including the processing of raw materials)						
Printing facilities including newspaper publishers and information services			C			
Building and construction contractors			C	C		
Fuel oil dealers and related facilities			C			
Wholesale sales			C <sup>3</sup>			
Warehousing and distribution facilities and self-storage facilities			C			
Commercial solid waste disposal facilities						
Junkyards and auto graveyards						
Recycling and reprocessing facilities			C	C		
<b>Transportation</b>	<b>GR</b>	<b>C1</b>	<b>C2</b>	<b>R</b>	<b>WC</b>	<b>M</b>
Airports or heliports				C		
Truck wash facilities			C			
Parking facilities as a principal use			C	C		
Transit and ground transportation facilities including bus stations			C	C		
<b>Public and Utility</b>	<b>GR</b>	<b>C1</b>	<b>C2</b>	<b>R</b>	<b>WC</b>	<b>M</b>
Pumping stations, standpipes or other water supply uses involving facilities located on or above the ground surface and towers for municipal use	C	C	C	C	C	C
Power transmission lines, substations, telephone exchanges, microwave towers or other public utility or communications use	C	C	C	C	C	C

Solar energy systems (see §109 Solar Energy Systems Ordinance)						
Wireless communication facilities	C <sup>4</sup>	C <sup>4</sup>	C <sup>4</sup>	C <sup>4</sup>	C <sup>4</sup>	C <sup>4</sup>
Municipal buildings and facilities	C	C	C	C	C	C
<b>Institutional</b>	<b>GR</b>	<b>C1</b>	<b>C2</b>	<b>R</b>	<b>WC</b>	<b>M</b>
Religious facilities		C	C			
Cemeteries	C		C	C		C
Congregate care and independent living facilities, assisted living facilities, institutions or services for the disabled, nursing care facilities, residential care facilities, group care facilities		C	C	C		
Hospitals, medical clinics <sup>9</sup>			C			
All medical and medical related facilities <sup>8</sup>			C			
Museums, libraries, and non-profit art galleries and theaters		C	C			
Academic institutions, including buildings or structures for classroom, administrative, laboratory, art, theater, dining services, library, bookstores, athletic facilities and student recreational uses, together with buildings accessory to the foregoing permitted principal buildings or structures		C	C			
Civic and social organizations		C	C	C		
Governmental buildings and operations		C	C	C		C
<b>Residential</b>	<b>GR</b>	<b>C1</b>	<b>C2</b>	<b>R</b>	<b>WC</b>	<b>M</b>
Single-unit <del>family</del> -detached dwellings on individual residential lots	P	P	P	P		
Mobile homes on individual residential lots	P	P	P	P		
Two-unit <del>family</del> -dwellings	P	P	P	P		
Multi-unit <del>family</del> dwellings		C	C	C		
Single-unit <del>Family</del> attached dwellings	C	C	C	C		
Mixed single-family residential developments (mixed single-family attached and detached dwellings)	C		C	C		
Mixed residential developments (mixed single-family attached and detached, two-family and multi-family dwellings)	C		C	C		
Mixed use structures (one or more residential units and non-residential space)		C	C			
Mobile home parks				C		
Planned unit developments	C	C	C	C		
Boardinghouse, rooming house or lodginghouse	C	C	C	C		
Home occupations	C	C	C	C		
Bed and breakfast establishments as a home occupation	C	C	C	C		
Bed and breakfast establishments	C	C	C	C		
<del>In-law or a</del> Accessory Dwelling Unit/apartments	P <sup>+</sup>	P <sup>+</sup>	P <sup>+</sup>	P <sup>+</sup>		
<b>Natural Resource</b>	<b>GR</b>	<b>C1</b>	<b>C2</b>	<b>R</b>	<b>WC</b>	<b>M</b>
Agriculture		C	C	P		
Equestrian facilities				C		
Plant nurseries		C	C	P		
Forest management and timber harvesting activities				P		
Earth material removal				C		
Community gardens	C		C	C		
Non-residential structures for educational, scientific or nature interpretation purposes, containing a maximum floor area of not more than ten thousand (10,000) square feet		C	C	C		
<b>Recreation</b>	<b>GR</b>	<b>C1</b>	<b>C2</b>	<b>R</b>	<b>WC</b>	<b>M</b>

**Commented [TP13]:** Consider separating out regulations of Wireless Communications into a true overlay zone.

Public or private facilities for nonintensive outdoor recreation			C	C		
Campgrounds				C		
Golf courses and related facilities				C		
Commercial outdoor recreation such as playgrounds, facilities associated with boating and kayaking classes and rentals, climbing walls, zip line operations, skateboard parks and similar facilities and activities operated as a business and which require payment of a fee for usage or participation		C	C	C		
Drive-in theaters			C	C		
Fitness and recreational sports centers		C	C			
<b>Marijuana-Related</b>	<b>GR</b>	<b>C1</b>	<b>C2</b>	<b>R</b>	<b>WC</b>	<b>M</b>
Home Cultivation of Marijuana	P	P	P	P		
Marijuana cultivation facilities			C <sup>5</sup>	C <sup>5</sup>		
Marijuana products manufacturing facilities			C <sup>5</sup>	C <sup>5</sup>		
Medical marijuana manufacturing facilities			C	C		
Marijuana stores			C <sup>5</sup>	C <sup>5</sup>		
Registered caregiver retail stores			C	C		
Marijuana testing facilities			C <sup>5</sup>	C <sup>5</sup>		

<sup>1</sup>As long as the requirements of Article 9.Q are met, accessory apartments are allowable under a permit from the Code Enforcement Officer (CEO). The CEO may forward an accessory apartment application to the Planning Board for review as a 'Conditional Use Permit' under the Site Plan Review Ordinance. NOTE: Accessory apartments are not allowed in overlay Shoreland Zones.

<sup>2</sup> Accessory buildings and uses to permitted uses are permitted; accessory buildings and uses to conditional uses are conditional.

<sup>3</sup> No outside storage

<sup>4</sup> Within the bounds of the Wireless Communications District

<sup>5</sup> Must be located at least 1,000 feet from schools

<sup>6</sup> A use which is not specifically listed as a permitted or conditional use shall be regulated as a conditional use if the planning board determines that the proposed use is substantially similar to and compatible with permitted or conditional uses in that district.

<sup>7</sup> Use not listed in current Land Use Table

<sup>8</sup> Also permitted as a conditional use in the Medical District

**2. DIMENSIONAL STANDARDS**

Dimensional Standard	District					
	GR	C1	C2	R	WC	M
Minimum land area						
-Sewered						
-Non-sewered						

Setbacks						
-Front						
-Side						
-Rear						
Minimum street frontage						
-Sewered						
-Non-sewered						
Maximum building height						

<sup>1</sup> Or the average of existing setbacks on abutting properties

<sup>2</sup> Or as required by the Shoreland Zoning Ordinance

<sup>3</sup> For those lots with existing buildings, front yard setbacks shall be the same or greater than the setback of existing buildings on that lot. If a structure is removed as part of the project, the location of that structure may be considered as an existing building provided the permit for new construction remains valid. For those lots with no existing buildings, the setback shall be the average setback of buildings on abutting properties.

<sup>4</sup> If walls adjacent to side lot lines on buildings on both the applicants and adjacent property are of noncombustible construction as defined in this ordinance, the setback from the property lines may be reduced to 0 feet.

<sup>5</sup> If the conditions stated in note 4 are not met, then a minimum 10-foot buffer strip to the side or rear lot lines or a 20-foot separation distance to adjacent building shall be maintained.

<sup>6</sup> Yards abutting other districts shall be at least 15 feet deep and have a landscaped buffer strip.

<sup>7</sup> No single retail store whether located in a single building, a combination of buildings, single tenant space, and/or combination of tenant spaces shall exceed 35, 000 gross square feet of floor area in the aggregate. This size restriction shall apply to new retail stores and expansion of existing retail stores, effective November 1, 2005.

<sup>8</sup> Unless modified by the requirements of §101.6.

<sup>9</sup> Except abutting the Municipal District they shall be 0 feet

<sup>10</sup> Maximum 190 feet for wireless communications facilities

<sup>11</sup> Water supply standpipes for water supply utilities may be 100 feet above the ground

<sup>12</sup> A new or expanded wireless telecommunications facility must comply with the setback requirements for the zoning district in which it is located, or be set back one hundred five percent (105%) of its height from all property lines, whichever is greater. The setback may be satisfied by including the areas outside the property boundaries if secured by an easement. The following exemptions apply: i. The setback may be reduced by the Planning Board upon a showing by the applicant that the facility is designed to collapse in a manner that will not harm other property. ii. An antenna is exempt from the setback requirement if it extends no more than five (5) feet horizontally from the edge of the structure to which it is attached, and it does not encroach upon an abutting property.

<sup>13</sup> The standards of the specific district (C2 or Rural) will apply.

<sup>14</sup> See §101.7 for additional performance standards for adult entertainment establishments

<sup>15</sup> The parking standards of the Site Plan Review Ordinance as amended for this district shall apply.

## §101.6 GENERAL PROVISIONS

### A. Conformance

1. All buildings or structures hereinafter erected, altered, enlarged, or moved, and all uses of the real property in the Town of Damariscotta shall be in conformity with the provisions of this Ordinance. No building, structure, land or water area shall be used for any purpose or in any manner except as permitted within the district in which such building, structure, land or water area is located. The lawful use of real property existing at the time of the adoption of this Ordinance or any subsequent amendment may be continued as provided in this Ordinance.
  - a. Non-conforming uses shall be subject to the following provisions:
    - a. A non-conforming building or structure may be repaired, maintained, and improved, provided that there is no expansion of the non-conforming use.
    - b. The purchaser of property that is a lawful non-conforming use may continue that use.
    - c. A non-conforming use may not be enlarged, or extended except as follows:
      - i. Expansion shall be limited to 30 % of the existing Building floor area or volume whichever is less building floor area and volume shall be as defined in the Damariscotta Shoreland Zoning Ordinance.
    - d. Whenever a non-conforming use is changed to a permitted use, such use shall not revert to a non-conforming status notwithstanding any other provisions of this Ordinance.
    - e. Any non-conforming use shall be presumed extinguished if it is abandoned or not used for a period of one year. The Board of Appeals may find this presumption does not apply because of extenuating circumstances beyond the control of the applicant or undue hardship.



- b. Undersized lots shall conform to the following criteria:
  - a. A single lot of record, which at adoption of this Ordinance does not meet the area or width requirements, may be built upon provided that such a lot is at least 10,000 square feet in a sewer area of town or 20,000 square feet in other areas of town, adheres to the Maine State Plumbing code as far as sewage disposal is concerned and structures must be in compliance with setbacks and other requirements as designated for the area by this and other ordinances.
  - b. Except for an approved subdivision, two or more contiguous lots in single ownership at the time of adoption of this Ordinance shall be considered a single parcel.

**B. Property Damage**

An owner shall not permit any damaged building, structure or other ruins to be left abandoned, but shall remove or repair it within one year of the damage. Owner must secure the property for proper safety, pending removal or repair.

**C. Parking Standards**

- 1. Adequate off street parking shall be provided for residents, guests, and employees. Each space shall be a minimum of 9 feet wide by 20 feet long exclusive of drives, aisles, or entrances, fully accessible for the storage or parking of vehicles. At a minimum, the following off-street parking requirements shall be provided and maintained unless it can be demonstrated fewer spaces will be adequate with requiring on-street parking.

One- & two-unit family dwellings and mobile homes: 1 per dwelling unit  
For other uses, refer to Site Review Ordinance.

**D. HUD Code (mobile) Homes**

1. Mobile homes shall meet all of the requirements of this Ordinance for a ~~single-unit family~~ dwelling.
2. In the General Residential district, they shall meet the following additional criteria:
  - a. Mobile homes shall be placed on a permanent foundation of concrete or masonry.
  - b. Mobile homes shall have a pitched shingled roof.
  - c. Mobile homes shall have siding compatible with that of a residential character.

**E. Mobile Home Parks.**

Mobile homes parks shall meet all the requirements of the State Regulations.

**F. ~~Single-Family Unit, Two-Family Unit and Multi-Family Unit Dwelling Units~~**

1. ~~Single Family Unit dwellings units.~~
  - a. ~~Single-family-unit~~ dwelling units shall meet all the dimensional requirements for the district therein.
2. ~~Two-unit-family dwellings units.~~
  - a. Lots for ~~two-unit dwellings family units~~ shall meet all the dimensional requirements for single ~~family-unit~~ dwelling units, except that the lot area shall be a minimum of 30,000 square feet per dwelling unit for lots that are unsewered and the road frontage shall exceed by 50% the requirements for a single ~~unit-family~~ dwelling ~~unit~~.

**3. ~~Multi-unit family dwellings units.~~**

Multi-~~unit family~~ (3 or more) dwelling units shall meet all of the following criteria:

- a. Lot area shall be equal to the following minimum requirements:
  - a. For lots, other than those in the C2 District, served by a private central collection system, the minimum area for 3 units shall be 60,000 square feet and an additional 10,000 square feet per dwelling unit for each unit thereafter.
  - b. For lots in the C2 District, the minimum area shall be as specified in Article 5.C.3.b, sewerred.
- b. Lots for multi-~~family unit~~ dwellings-~~units~~ shall meet all other dimensional requirements for single-~~family unit~~ dwellings.
- c. No building shall contain more than thirty-two (32) dwelling units, except housing for the elderly associated with extended care facilities, which shall contain no more than 45 dwellings.
- d. Multi-~~unit family~~-dwellings-~~units~~ shall submit and comply with the requirements of the Damariscotta Site Review Ordinance.

**G. Planned Unit Development**

**1. Purpose**

The purpose of these provisions is to allow for new concepts of housing development where maximum variations of design may be allowed, provided that the net residential density shall be no greater than is permitted in the district in which the development is proposed except that for a planned unit development that is served by public water and sewer, up to one-half of the land area excluded from net residential acreage may be included in calculating permitted residential density.

**2. Basic requirements**

Planned unit developments and cluster developments shall meet all of the following criteria:

- a. All planned unit and cluster developments shall meet all requirements for a residential subdivision.
- b. The minimum area of land in a planned unit development or cluster development shall be 5 acres.

- a. Any lot abutting a public road shall have a frontage and area no less than normally required in the District. On other than public roads, any individual lot's area and road frontage may be reduced by not more than 50% from the requirements of the district in which the proposed development is located provided that the frontage of lots abutting a circular turn-around may be reduced to 50 feet, provided that the minimum lot width at the face of the building shall be 75 feet.
- c. In no case shall shore frontage be reduced below the minimum shore frontage normally required in the District.
- d. Except as provided for in § 101.6.G.c, lots in the planned unit development or cluster development shall meet all other dimensional requirements for the district in which they are located.
- e. If more than one principal building or accessory structure is located on an individual lot, they shall be separated by a minimum of 10 feet at their closest point unless fire protection codes require a greater separation.
- f. The setback from any internal property line shall be 20 feet.
- g. No building shall be located within 50 feet of the overall external perimeter of the planned unit development. This required setback shall be maintained as a vegetated buffer except for road, utility and similar crossings where the development abuts a property in residential use at the time of approval of the development.
- h. All residential dwelling units shall be sited so that each dwelling unit has a relationship to the common open space.
- i. At least one-third of the gross acreage of the planned unit development shall be retained as common open space. All common land for recreational or conservation purposes only shall be owned jointly or in common by the owners of the building lots, by a trust or association or by the Town which has as its principal purpose the conservation or preservation of land in essentially its natural condition.
- j. Further subdivision of common land or its use for other than non-commercial recreation or conservation, except for easements for underground utilities, shall be prohibited. Structures and buildings accessory to non-commercial recreational conservation uses may be erected on the common land.

**H. Reserved**

**I. Businesses and Service Establishments**

Businesses and service establishments shall meet the requirements of the Site Review Ordinance.

**J. Campgrounds.**

The following provisions apply to campgrounds:

1. An applicant for a campground permit must furnish specific information to the Planning Board concerning the campground, including a site plan illustrating the location and design of the sewage disposal and water supply systems, the means of firefighting, and the type and location of roads proposed within the campground as well as other documentation submitted to the State for their Review.
2. In all other regards, the campground shall comply with the provisions of State law governing campgrounds.

**K. Professional Offices.**

In the General Residential District, the following provisions shall apply:

1. Offices shall exist within the conversion of existing buildings without substantial exterior alterations where practical Additions shall be compatible with the existing structure.
2. The maximum number of separate offices shall be three (3).
3. Offices shall comply with Site Review Ordinances.

**L. Rooming & Bed and Breakfast Houses.**

In the General Residential District, the following provisions apply:

1. No parking shall be located within the setback areas.
2. For the purposes of these standards, 2 rooms shall be deemed to be one dwelling unit.

Lot area per dwelling unit shall be equal to the following minimum requirements.

- |           |             |                    |
|-----------|-------------|--------------------|
| <b>a.</b> | Sewered     | 10,000 square feet |
| <b>b.</b> | Non-Sewered | 20,000 square feet |

3. Rooming houses shall meet all other requirements for single-unit family dwellings.
4. One bathroom shall be provided for at least every 2 rooms of rent.
5. Provide one parking space for each unit.
6. Meet requirements of Site Review Ordinance.

**M. Outdoor Sale and Storage**

1. All outdoor sales and storage shall be stored in a neat and orderly manner.
2. Where this use abuts residential properties, materials shall be screened from ordinary view of occupants of these properties by a suitable fence, wall, or plantings.

**N. Corner Lots.**

In districts where yards are required, buildings located at the intersection of two streets shall meet the front yard requirements of both streets and the rear yard shall meet the side yard requirement of the side street.

**O. Conditional Use Standards.**

Conditional uses shall meet the requirements of the Site Review Ordinance and Shoreland Ordinance, in addition to any specific requirement of this ordinance.

**P. Wireless Communication Facilities**

Wireless Communication Facilities shall meet all the standards contained in the Site Review Ordinance in addition to the requirements of this ordinance.

**Q. Accessory ~~Apartment~~ Dwelling Units (ADUs)**

Commented [TP14]: Update regs specific to ADUs

**1. Purpose**

~~To allow for the development of additional, subordinate, dwelling units on lots which contain a primary building, therefor increasing the local housing supply at a scale that is compatible with existing development. The purpose of accessory apartments is to allow single-family house owners to create a living space for a relative, such as a grandparent, or to rent to another household, thus helping to enable the single-family house owner to remain in her/his home. The house owner may live in the accessory apartment and provide or rent the main house to a relative or another household. The single-family house owner may also use an accessory apartment to rent for additional income.~~

**2. Standards ~~Regulations~~**

~~a. The house owner must reside in either the main house or the accessory apartment.~~

~~An accessory apartment may be created in one of the following ways:~~

**a. Review**

- ~~i. The CEO may forward an accessory apartment application to the Planning Board for review as a 'Conditional Use Permit' under the Site Plan Review Ordinance.~~
- ~~ii. Accessory Dwelling Units are permitted in all districts that allow residential uses.~~
- ~~iii. No more than two Accessory Dwellings Units shall be permitted on any single lot.~~

**b. Exemptions**

- ~~i. Accessory Dwelling Units shall not be considered to be an additional dwelling unit for determining the required minimum lot area, or net residential density.~~
- ~~ii. Accessory Dwelling Units shall not require any parking.~~
- ~~iii. Accessory Dwelling Units, or parts thereof, may occupy legally existing non-conforming structures.~~

**c. Form**

- ~~i. Accessory Dwelling Units may be created:
  - ~~a) Within an existing building;~~
  - ~~b) Attached to or sharing a wall with an existing building; or~~
  - ~~c) As a new building, on a lot occupied by a primary building.~~~~

- ii. Accessory Dwelling Units shall be no larger in area than 40% of the finished and heated portion of Primary Building; and be no smaller in area than 320 square feet.

**d. Wastewater Disposal**

- i. Accessory Dwelling Units located on a lot which is served by a public sewer system, or when any part of that lot falls within 200 feet of a public sewer system, all units on the lot shall be connected to the public sewer system.
- ii. Accessory Dwelling Units not served by a public sewer system shall conform to the State of Maine Minimum Lot Size law, specifically §4807-A of Title 12, Chapter 423-A Minimum Lot Size Required, and the sewage disposal system(s) for all dwelling units on the lot shall comply with the Maine Subsurface Wastewater Disposal rules, as determined by the Local Plumbing Inspector.
  - b. ~~by using space within an existing detached **single family** dwelling;~~
  - c. ~~by building an addition onto an existing detached **single family** dwelling such that the addition is made part of the principal dwelling;~~
  - d. ~~by using space within an existing or proposed accessory structure (to a detached **single family** structure) that is within 50 feet of the **single family** dwelling;~~
  - e. ~~buildings existing prior to November 8, 2016 that are greater than 50 feet from the **single family** dwelling may be used for an accessory apartment provided no additions are added to the existing structure;~~
  - f. ~~new construction as part of a new single family house.~~
    - b. ~~For the purposes of this section, the accessory apartment shall not be considered to be a second dwelling unit for determining the required minimum lot area, or net residential density.~~
    - c. ~~Accessory apartments shall be part of, or accessory to, a **single family** house and cannot be sold as a condominium dwelling.~~



- d.** — Accessory apartments may only be converted to a duplex unit under separate (condominium) ownership or (for those accessory apartments in a detached accessory building such as a garage) into a separately owned **single-family** dwelling only if all the density and dimensional requirements for a duplex or a **single-family** dwelling are met for both the original dwelling and the newly created dwelling.
- e.** — If the **single-family** dwelling unit is already connected to a public sewer system, both the **single-family** dwelling and the new accessory apartment must be connected to the public sewer system. If the lot is served by on-site subsurface sewage disposal, the owner must demonstrate to the Town Plumbing Inspector that the use conforms to the State of Maine Minimum Lot Size law and that the sewage disposal system(s) for both the **single-family** dwelling and the accessory apartment complies with the Maine Subsurface Wastewater Disposal rules.
- f.** — In all cases, the accessory apartment shall be no larger than 40% of the finished and heated portion of the **single-family** house, or more than 650 square feet, whichever is less; and be no smaller in area than 320 square feet, and have no more than two bedrooms.
- g.** — Any exterior alteration of the **single-family** dwelling or accessory buildings or construction of an accessory building shall preserve the **single-family** appearance, architectural style, and character of the original structure and shall be in harmony with the general appearance of the neighborhood. Any alteration shall preserve the front entrance of the original structure to preserve the **single-family** character. A separate entrance for the accessory apartment may be created but shall be clearly secondary to the main entrance, such as but not limited to an entrance that is setback further from the road than the primary entrance.
- h.** — At least one off-street parking space shall be available to the occupants of the accessory apartment. The visual impact on abutting residences from the accessory apartment parking area shall be minimized. Suggested aesthetic screening materials may include landscaping, vegetative buffering, wall or fence screening.

**R. Limit on Home Cultivation of Marijuana.**

No person shall be permitted to cultivate marijuana plants or seedlings on a parcel or tract on which he or she is not domiciled.

**S. Limit on Location of Marijuana Establishments.**

A marijuana establishment may not be permitted or operated within 1000 feet of a public or private educational facility including but not limited to child care facility, nursery schools, preschools, kindergartens, elementary schools, private schools, intermediate schools, junior high schools, middle schools, high schools, vocational schools, secondary schools, continuation schools, special education schools, junior colleges, and universities; school includes the school ground, but does not include the facilities used primarily for another purpose and only incidentally as a school.

**T. Limit on Location of Medical Marijuana Establishments**

A medical marijuana establishment may not be permitted or operated within 1000 feet of a public or private educational facility including but not limited to child care facility, nursery schools, preschools, kindergartens, elementary schools, private schools, intermediate schools, junior high schools, middle schools, high schools, vocational schools, secondary schools, continuation schools, special education schools, junior colleges, and universities; school includes the school ground, but does not include the facilities used primarily for another purpose and only incidentally as a school.

**§101.7 ADULT ENTERTAINMENT ESTABLISHMENT DEFINITIONS AND STANDARDS**

**A. DEFINITIONS:**

**Adult amusement store**

means the same as ADULT BOOKSTORE.

**Adult arcade**

means any place to which the public is permitted or invited wherein coin operated or slug-operated or anatomical areas."

**Adult bookstore or adult video store**

means a commercial establishment that utilizes at least 15% of the establishment's floor space for display, sale, or rental, for consideration any one or more of the following: books, magazines, periodicals or other printed matter, or photographs, films, motion picture, video cassettes or video reproductions, slides, or other visual representations that are distinguished or characterized by the depicting or describing of "specified sexual activities" or "specified anatomical areas;" or instruments, devices, or paraphernalia that are designed for use in connection with "specified sexual activities."

**Adult cabaret**

means a nightclub, bar, restaurant, cafe, or similar commercial establishment that regularly, commonly, habitually, or consistently features:

- a. persons who appear in a state of semi-nudity; or
- b. live performances that are distinguished or characterized by the exposure of "specified anatomical areas" or by "specified sexual activities"; or
- c. films, motion pictures, video cassettes, slides, photographic reproductions, or other image producing devices that are distinguished or characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas"; or
- d. persons who engage in "exotic" or erotic dancing or performances that are intended for the sexual interests or titillation of an audience or customers.

**Adult entertainment establishment**

means the operation of adult amusement stores, adult video stores, adult bookstores, adult novelty stores, adult motion picture theaters, on-site video screening establishments, adult arcades, adult entertainment nightclubs or bars, adult spas, establishments featuring strippers or erotic dancers, escort agencies or other sexually oriented businesses.

**Adult entertainment nightclub or bar**

means the same as ADULT CABARET.

**Adult motel**

means a hotel, motel or similar establishment that:

- a. offers accommodations to the commercial public for any form of consideration and provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions that are distinguished or characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas;" and has a sign visible from the public right of way that advertises the availability of this adult type of photographic reproductions; or
- b. offers a sleeping room for rent for a period of time that is less than twenty-four (24) hours; or
- c. allows a tenant or occupant of a sleeping room to sub rent the room for a period of time that is less than twenty-four (24) hours.

**Adult motion picture theater**

means a commercial establishment where, for any form of consideration, films, motion pictures, video cassettes, slides, or similar photographic reproductions are regularly, commonly, habitually, or consistently shown that are distinguished or characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas."

**Adult novelty store**

means the same as ADULT BOOKSTORE.

**Adult theater**

means a theater, concert hall, auditorium, or similar commercial establishment that regularly, commonly, habitually, or consistently features persons who appear, in person, in a state of nudity and/or semi-nudity, and/or live performances that are distinguished or characterized by the exposure of "specified anatomical areas" or by "specified sexual activities."

**Adult video store**

means the same as ADULT BOOKSTORE.

**Employee**

means a person who performs any service on the premises of an adult entertainment establishment on a full time, part time, contract basis, or independent basis, whether or not the person is denominated an employee, independent contractor, agent, or otherwise, and whether or not the said person is paid a salary, wage, or other compensation by the operator of said business. "Employee" does not include a person exclusively on the premises for repair or maintenance of the premises or equipment on the premises, or for the delivery of goods to the premises, nor does "employee" include a person exclusively on the premises as a patron or customer.

**Escort**

means a person who, for consideration, agrees or offers to act as a companion, guide, or date for another person, or who agrees or offers to privately model lingerie or to privately perform a striptease for another person.

**Escort agency**

means a person or business association who furnishes, offers to furnish, or advertises to furnish escorts as one of its primary business purposes for a fee, tip, or other consideration.

**Establishment**

means and includes any of the following:

- a. the opening or commencement of any adult entertainment establishment as a new business;
- b. the conversion of an existing business, whether or not an adult entertainment establishment, to any adult entertainment establishment;
- c. the additions of any adult entertainment establishment to any other existing adult entertainment establishment; or
- d. the relocation of any adult entertainment establishment; or
- e. an adult entertainment establishment or premises on which the adult entertainment establishment is located.

**Establishments featuring strippers or erotic dancers**

means the same as ADULT CABARET.

**Nude model studies**

means any place where a person who appears in a state of nudity or displays "specified anatomical areas" is provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons for consideration.

**Nudity or state of nudity**

means the appearance of a human anus, pubic area, male genitals, or female genitals with less than a fully opaque covering; or a female breast with less than a fully opaque covering of any part of the areola; or human male genitals in a discernibly turgid state even if completely and opaquely covered.

**On-site video screening establishment**

means the same as ADULT ARCADE.

**Person**

means an individual, proprietorship, partnership, corporation, association, or other legal entity.

**Premises**

means the real property upon which the adult entertainment establishment is located, and all appurtenances thereto and buildings thereon, including, but not limited to, the adult entertainment establishment, the grounds, private walkways, and parking lots and/or parking garages adjacent thereto, under the ownership, control, or supervision of the owner or operator of the adult entertainment establishment.

**Sexual encounter center**

means a business or commercial enterprise that, as one of its principal business purposes, offers for any form of consideration:

- a. physical contact in the form of wrestling or tumbling between persons of the opposite sex; or
- b. activities between persons of the opposite sex and/or persons of the same sex when one or more of the persons is in a state of nudity or semi-nudity. A principal business purpose exists if the services offered are intended to generate business income.

**Sexually oriented business**

means an adult arcade, adult bookstore or adult video store, adult cabaret, adult motel, adult motion picture theater, adult theater, escort agency, nude model studio, or sexual encounter center.

**Specified anatomical areas**

means:

- a. the human male genitals in a discernibly turgid state, even if fully and opaquely covered;

- b. less than completely and opaquely covered human genitals, pubic region, buttocks, or a female breast below a point immediately above the top of the areola.

**Specified sexual activities**

means and includes any of the following:

- a. the fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breasts, whether covered or uncovered;
- b. sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy;
- c. masturbation, actual or simulated; or
- d. excretory functions as part of or in connection with any of the activities set forth in (a) through (c) above.

**Substantial enlargement of an adult entertainment establishment**

means the increase in floor areas occupied by the business by more than twenty-five (25%) percent, as the floor areas existed on the date of enactment of this ordinance

**B. STANDARDS**

Adult Entertainment Establishments shall meet all of the standards contained in the Land Use Ordinance, Conditional Use Standards, and Site Review Ordinance as applicable, and Additional Standards specific to Adult Entertainment Establishments as set forth below:

**1. Purpose**

It is the purpose of this ordinance to regulate adult entertainment establishments and related activities to promote the health, safety, and general welfare of the citizens of the municipality, and to establish reasonable and uniform regulations to prevent the deleterious location and concentration of adult entertainment establishments within the Town of Damariscotta. The provisions of this ordinance have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative materials, including sexually oriented materials. Similarly, it is neither the intent nor effect of this ordinance to restrict or deny access by adults to sexually oriented materials protected by the First Amendment, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market. Neither is it the intent nor effect of this ordinance to condone or legitimize the distribution of obscene materials.

The Town hereby finds that adult amusement stores in communities in Maine and elsewhere are associated with a wide variety of deleterious secondary effects including, without limitation, personal and property crimes, prostitution, potential spread of disease, public lewdness and indecency, obscenity, illicit drug use and trafficking, negative impacts on the condition and value of closely-situated surrounding properties, urban blight, litter, and sexual assault and exploitation. The location of adult amusement stores in proximity to residences, schools, daycares, places of worship, recreational and other public parks, liquor licensees, and other incompatible land uses are of particular concern. These findings are supported by research and studies by municipalities and others across the Nation, reflected in a substantial published literature on the subject, including materials provided by Town Counsel for the Legislative body's review and consideration, which materials are incorporated herein by reference as part of the record of the adoption of the following regulations for adult amusement stores.

The Town further finds that preventing the deleterious secondary effects associated with adult amusement stores through the adoption of content-neutral regulations of the times, places, and manner in which such establishments may be operated falls within the Town of Damariscotta's inherent police power as a municipal corporation and subdivision of the State of Maine, and its home rule authority granted by the Legislature pursuant to Title 30-A, Maine Revised Statutes, Section 3001, and serves the substantial governmental interest in preventing such deleterious effects. Finally, the proposed regulation is intended to be no greater than is necessary to achieve the purpose of preventing the deleterious secondary effects associated with adult amusement stores, and to allow for reasonable locations in the Town for such establishments.

**2. Location Restrictions.**

Adult entertainment establishments shall be a conditional use in accordance with Article V of the Town of Damariscotta Land Use Ordinance Section C and also provided that:

- a.** The adult entertainment establishment may not be permitted or operated within:
  - a. 1,500 feet of a church, synagogue, mosque, temple or building which is used primarily for religious worship and related religious activities;
  - b. 1,500 feet of a public or private educational facility including but not limited to child care facility, nursery schools, preschools, kindergartens, elementary schools, private schools, intermediate schools, junior high schools, middle schools, high schools, vocational schools, secondary schools, continuation schools, special education school, junior colleges, and universities; school includes the school ground, but does not include the facilities used primarily for another purpose and only incidentally as a school;
  - c. 1,500 feet of a public park or recreational area or private recreational facility which has been designated for park or recreational activities, including, but not limited to, a park, playground, nature trails, swimming pool, reservoir, athletic field, basketball or tennis courts, skating rink, pedestrian/bicycle paths, wilderness areas, or other similar public land within the Town which is under the control, operation, or management of the Town park and recreation authorities or a private entity;
  - d. 1,500 feet of another adult entertainment establishment.
- b.** An adult entertainment establishment may not be operated in the same building, structure, or portion thereof, containing another adult entertainment establishment.
- c.** For the purpose of this ordinance, measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or structure used as a part of the premises where an adult entertainment establishment is conducted, to the nearest property line of the premises of a church, synagogue, regular place of worship, or public or private elementary or secondary school, or to the nearest boundary of an affected recreational facility or licensed child care facility.



- d. For purposes of subsection (C) of this section, the distance between any two adult entertainment establishment uses shall be measured in a straight line, without regard to intervening structures or objects, from the closest exterior wall of the structure in which each business is located.

**3. Adult Entertainment Establishment Signage.**

- a. All signs shall be in accordance with any Ordinances or Regulations of the Town of Damariscotta relative to Signs.
- b. Notwithstanding anything to the contrary, an Adult Entertainment Establishment shall not be permitted more than one (1) sign advertising its business, which shall be an on-premise freestanding or attached wall sign only. No such sign shall:
  - a. Be placed in any window, except that one sign no larger than one (1) sq. ft. may be placed on the door to state only the store's hours of operation and that admittance is for adults only;
  - b. Be neon or internally-illuminated or contain any flashing lights, moving elements, or mechanically changing messages;
  - c. Contain any depiction of the human form or any part thereof, whether by photograph, painting, drawing, silhouette, or pictorial representation;
  - d. Contain any sexually explicit or suggestive language such as "nude dancing";
  - e. Be located off-site;
  - f. Have more than two display surfaces; or;
  - g. Exceed twenty (20) sq. ft.
- c. Any sign located on the premises of a multi-unit commercial center such as a shopping center or plaza and identifying one or more of the businesses that comprise the center shall also comply with this subsection if such sign identifies an Adult Entertainment Establishment on the premises.

**4. Amortization of Existing Adult Entertainment Establishments**

- a.** Any Adult Entertainment Establishment lawfully operating upon the adoption of this Ordinance that is in violation of this Ordinance shall be deemed to be a nonconforming use. This nonconforming use shall be permitted to continue for a period of twenty-four (24) months from the effective date of this Ordinance, unless sooner terminated for any reason or voluntarily discontinued for a period of 30 days or more. Such nonconforming use may not be increased, enlarged, extended, or altered except that the use may be changed to a conforming use.
- b.** An Adult Entertainment Establishment lawfully operating as a conforming use as of the effective date of this ordinance, shall not be rendered a nonconforming use by the subsequent location of a church, synagogue, or other house of religious worship, public or private elementary or secondary school, recreational facility, or municipal facility, within the distance limitations of this ordinance.

**5. Conflicts**

Notwithstanding the foregoing, if there is any conflict between this Section 12 and other Damariscotta Codes and Ordinances, the more stringent provisions shall apply.

**6. Severability**

If any section, phrase, sentence, or portion of this Section 12 is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**7. Retroactivity**

The provisions set forth in this Section shall be effective, to the maximum extent permitted by law but subject to the severance clause herein, and shall be applied to all proceedings or applications not pending, and business activities not commenced, established, located or operating within the Town, as of August 20, 2014.

## **§101.8 ADMINISTRATION**

### **A. Jurisdictions**

1. The Board of Selectmen shall administer and enforce the provisions of this Ordinance and coordinate all actions of the Code Enforcement Officer, the Planning Board and Board of Appeals to maintain a documented trail of their actions on matters reviewed by them to substantiate proof for legal review.

### **B. Administration**

- i. The Board of Selectmen shall annually, following the Town Meeting appoint a Code Enforcement Officer.

### **C. Powers and Duties of the Code Enforcement Officer**

1. The Code Enforcement Officer (CEO) shall have the following duties:
  - a. Examine preliminary plans
  - b. Act upon building permit applications received by the Town Office.
  - c. Refer permits requiring Site Review, Conditional Use, Flood and Shoreland approved to the Planning Board as required.
  - d. Inspect sites where building permits have been issued to insure compliance with this Ordinance.
  - e. Investigate complaints and report violations.
  - f. Keep written inspection reports and thorough records stored in the Town Office.
  - g. Issue violation notices.
  - h. Appear in court when necessary.
  - i. Offer advice upon request.
  - j. Participated in appeals procedures.
  - k. All powers conferred by state statute.
2. When there is a question concerning interpretation of this Ordinance, the Code Enforcement Officer shall refer to the Board of Appeals for interpretation.

**D. Violations**

1. If the Code Enforcement Officer believes a violation of this Ordinance has occurred, he shall notify by certified mail the person(s) responsible for such violations indicating the nature of the violation and ordering the necessary action to correct it. He shall order discontinuance of illegal use of land, buildings, or structures, or of any unpermitted additions, alterations, of structural changes thereto; or discontinuance of any illegal activity.

**E. Fines**

1. Any person, firm, or corporation violating a provision of this Ordinance shall be fined not more than \$100.00 for each day such violation exists. All fines shall inure to the benefit of the Town of Damariscotta

**F. Building Permits**

**1. Applicability**

The provisions of this section apply to all structure(s) constructed, reconstructed, enlarged, relocated or moved in the Town of Damariscotta. This Ordinance does not require permits for maintenance and repair, or for accessory structure(s) or addition(s) of less than 100 square feet. Except that, all accessory structure(s) or addition(s) of less than 100 square feet within the Shoreland Zone shall obtain permits.

The provisions of this Section shall apply to any change in ownership of any commercial enterprise within the Town of Damariscotta.

**2. Permits Required**

The owner of the property shall obtain a permit issued by the Code Enforcement Officer for all structure(s) constructed, reconstructed, enlarged, relocated in or moved to the Town of Damariscotta, prior to the fact.

**a. Application**

The application for the permit shall be in writing on a form available from the Municipal Office, and shall contain:

- a. a description of any structure(s) prior to their construction, reconstruction, enlargement, or relocation in or movement to the Town of Damariscotta is contemplated;
- b. a description of the establishment of any commercial business in the Town of Damariscotta or change in a business establishment, regardless of the size of the floor area;

Each application shall contain a drawing of the structure(s) and a plan of the site shall accompany the application. The drawing shall include project dimensions, distances to property lines, names of abutters, roads, streets and bodies of water, location of sewer disposal and water supply. When required by the State Plumbing Code, the Code Enforcement Officer shall require evidence of adequate capacity of the septic system to support the structure(s) contemplated.

**b. Permit Approval**

The Code Enforcement Officer, after receipt of the application, shall either issue the requested permit or transmit notice of refusal to the applicant within a reasonable time, not to exceed five (5) working days for residential applicants, and fifteen (15) working days for commercial applicants. The application shall be approved if all relevant ordinance requirements have been met. Notice of any refusal shall be in writing and shall state the reason therefore. All other permits required for the proposal shall be obtained prior to issuance of the permit.

**c. Modifications**

Any modifications to the description, drawing, or site plan required in Section 6 (a) of the proposed structure(s) shall require a revised permit application and a permit prior to beginning the work.

**d. Appeals**

An appeal to the Board of Appeals may be taken from an order issued by the Code Enforcement Officer or from his refusal to grant a permit. Such appeal shall be filed within thirty (30) days of the date of the order being appealed, accompanied by a \$50.00 fee to cover the cost of appeal. The board may reverse the decision, or failure to act, of the Code Enforcement Officer only upon a finding that the decision, or failure to act, was clearly contrary to specific provisions of this Ordinance or unsupported by weight of the evidence in the record.

**e. Duration of Permit**

All building permits shall be void unless there is substantial completion of the project within three (3) years of the date of the permit. Construction authorized by a permit and which is not completed within three (3) years of the effective date of the permit shall not continue until another permit is obtained.

**f. Conditional Use Permit**

In cases where the CEO believes that a Conditional Use Permit is required, the CEO shall also provide a copy of his decision to the Planning Board.

**g. Records**

Applications for permits with their accompanying plans and Building Permits shall be maintained as a permanent record by the Municipal Officers and the Code Enforcement Officer.

**h. Other Permits**

Where plumbing or septic work is required to make a building habitable, no Building Permit shall be issued unless a Plumbing Permit has been previously obtained. All sewerage and water connections and systems must comply with the regulations of the Maine State Plumbing Code.

**3. Fees**

A fee payable to the Town of Damariscotta in accordance with the following shall accompany each application:

**a. Commercial or Industrial:**

Under 10,000 square feet	\$0.30 per square foot
10,001 to 25,000 square feet	\$0.15 per square foot
More than 25,000 square feet	\$0.10 per square foot

**b. Residential**

\$0.15 per square foot  
With a maximum fee of \$250.00

**c. Accessory Structure or Addition (such as deck, garage, greenhouse, barn, etc.**

\$0.10 per square foot

- d. **Swimming Pool (in-ground or above-ground)** \$25.00

- e. **After-the-fact Permit Fee:**

If work is performed which requires a permit, but the permit is not obtained until after the work has begun, in addition to any other fees and fines, the fees for such after-the-fact permits shall be two (2) times the regular permit fee or \$100.00, whichever is greater.

- f. **Variance and Conditional Use Hearing Fee**

For each Variance and Conditional Use hearing required, a fee will be charged to cover administrative and advertising expenses as follows:

administrative expenses	\$50.00
advertising fee	\$30.00

These fees are subject to adjustment as deemed appropriate by the Board of Selectmen after public hearing.

- 4. **Proof of Compliance**

No building shall be occupied after its construction, reconstruction, enlargement, or relocation in or movement to the Town of Damariscotta until a Certificate of Occupancy has been issued by the Code Enforcement Officer. The Code Enforcement Officer shall issue said Certificate after proper examination shows that all work performed is in compliance with the provisions of all State and Local codes.

## **§101.9 APPEALS AND CONDITIONAL USES**

### **A. Authority**

1. All Appeals or applications for conditional Use Permits shall be based upon a written decision of the Code Enforcement Officer or the Planning Board.
2. **Board of Appeals Authorization:**
  - a. The Board of Appeals as established in the Town of Damariscotta Board of Appeals Ordinance shall hear and decide applications for variances and appeals in accordance with State law and the provisions of that Ordinance.
  - b. The Planning Board shall hear and approve, approve with modifications or conditions, or deny an application for a Conditional Use Permit. A Conditional Use Permit shall not be issued unless specific provision for such conditional Use is made in this Ordinance.
  - c. On request of the Board of Appeals, the Planning Board shall prepare an informational report on pending requests for a variance.



**B. Procedure**

**1. Application**

- a.** These procedures and limitations apply to all appeals and requests for variances or conditional use permits. In all cases, a person aggrieved by a decision shall commence his appeal within 30 days after that decision is made. The appeal shall be filed with the Board of Appeals on forms approved by the Board, and shall specifically set forth the grounds for the appeal.
- b.** A person informed by the Code Enforcement Officer that he requires a Conditional Use Permit shall file an application for the Permit with the Planning Board on forms provided by the Town of Damariscotta. In order to describe the conditions adequately the applicant may be requested by the Code Enforcement Officer or the Planning Board to supply the following information.

  - a.** Detailed information to demonstrate compliance with the applicable standards or criteria.
  - b.** Plans showing location of new and existing buildings, parking areas, traffic access, driveways, landscaping, open spaces.

**2. Notification**

- a. Publication**  
Within 30 days of the filing of an appeal or application for a variance, the Board of Appeals shall hold a public hearing in accordance with Section 4.D of the Board of Appeals Ordinance. The Board shall notify the Code Enforcement Officer and, in the case of an appeal, the Planning Board, at least 20 days in advance, of the time and place of the hearing. It shall publish notice of the hearing at least 10 days in advance of it in a newspaper of general circulation in the county.

**b. Notification of abutters**

The Board of Appeals shall notify by certified mail, the appellant or applicant at least 10 days in advance of the hearing. The appellant or applicant shall be responsible for notifying all abutting property owners and owners of property within 500 feet of the property involved (even if the property is on the other side of the road) of the nature of the hearing and the time and place of the hearing. For the purpose of this section, abutting property owners shall include properties directly across a street from the property involved.

- c.** The owners of property shall be determined on the basis of town tax records. Failure of any property owner to receive a notice of public hearing shall not necessitate another hearing or invalidate any action by the Board of Appeals.

**3. Hearing**

- a.** At any hearing, a party may be represented by agent or attorney. Hearings may be continued for good cause.
- b.** The Code Enforcement Officer shall attend all hearings and may present to the Board all plans, photographs, or other material he deems appropriate for an understanding of the appeal.
- c.** The hearing shall proceed according to the By-Laws of the Board of Appeals.

**4. Decision**

- a.** A decision shall require an affirmative vote of a majority of the members in accordance with Section 3 of the Board of Appeals Ordinance.
- b.** The Board of Appeals shall reach a decision at the initial or continued public hearing and shall inform, in writing, the appellant or applicant, the Code Enforcement Officer, the Planning Board (on appeals) and the Municipal Officers of its decision with the conditions of the approval, or reasons for its denial.
- c.** Upon notification of the decision of the Board of Appeals, the Code Enforcement Officer, as instructed, shall immediately issue or deny a permit, with or without conditions, as prescribed by the Board of Appeals.

**C. Standards**

**1. Variance**

- a. A variance may be granted in accordance with Title 30-A Section 4353 by the Board of Appeals only where strict application of the ordinance, or a provision thereof, to the petitioner and his property would cause undue hardship. The words "undue hardship" as used are defined in accordance with Title 30-A Section 4353.
- b. A variance is not justified unless all elements are present in the case.
- c. As used in this Ordinance, a variance is authorized only for height, area, parking requirements and size of structures or size of yards or open spaces. Establishment of a use otherwise prohibited shall not be allowed by a variance. Financial hardship shall not constitute grounds for granting a variance.
- d. Variances for dimensions are not allowed within the Shoreland Zone.

**2. Conditional Uses**

- a. The Planning Board may grant a conditional use upon presentation by the applicant of proof of the following:
  - a. **Certain Requirements Met**  
That the use requested meets the requirements of this Ordinance as set forth in Articles 1 through 8 and the requirements for the Damariscotta Site Review Ordinance.
  - b. **Effect not adverse**  
That the use requested will not have an adverse effect on the health, safety, or general welfare of the residents of the area or the general public. In making this determination, the Planning Board shall take into consideration the potential effect of the use on the environment from air, water, or soil pollution, noise, traffic, congestion, soil erosion, the burden on the sewage disposal, or water supply systems or other municipal facilities, services, or public ways, and any other relevant factors as set forth in Articles 1 through 8.

**c. Conditions attached to Conditional Uses**

The Planning Board may attach such conditions as necessary to ensure that the above requirements are met.

**§101.10 SEVERABILITY**

Should any section or provision of this ordinance be declared by the Courts to be invalid, such decision shall not invalidate any other section or provision of this ordinance.

**§101.11 CONFLICT WITH OTHER ORDINANCES**

This Ordinance shall not repeal, annul, or in any other way impair the necessity of compliance with any other rule, regulation, bylaw or provision of the Federal, State or local government including Damariscotta's Shoreland Zoning Ordinance. Where this Ordinance imposes a greater restriction upon the use of land, buildings, or structures than the State or Federal regulations, this Ordinance shall control.

**§101.12 AMENDMENTS**

All changes and amendments to this Ordinance must be made at a regular or special Town Meeting of Damariscotta, by a majority of the governing body.

**§101.13 EFFECTIVE DATE**

The effective date of this Ordinance is 1 April 1998 and revisions as of 2/23/2002, 6/12/2002, 7/10/2002, 12/4/03, 11/10/04, 3/21/06 6/11/08,1/21/09, 3/18/15, 3/10/15 and June 15, 2016.

Revised 11/05/2019, effective 01/06/2020- Medical and Adult-Use Marijuana

Revised 06/15/2022, effective 06/16/2022 - Definitions, permitted & conditional uses, formula based businesses

**§101.14 REPEAL OF EXISTING ORDINANCES:**

The enactment of this ordinance hereby amends the Land Use Ordinance of November 16, 2016.