

TOWN OF DAMARISCOTTA

PLANNING BOARD MEETING AGENDA

When: Monday, January 3, 2022 - 6:00 PM

Where: Town Office

Note - Also available by Zoom

Join Zoom Meeting

<https://us02web.zoom.us/j/89432429418?pwd=blo4emdWSzExL1dGWUI4YXRjWnMzdz09>

Meeting ID: 894 3242 9418

Passcode: 552348

Pledge of Allegiance

REGULAR MONTHLY MEETING for January 3, 2022

MINUTES December 6, 2021 Meeting

December 13, 2021 PB Site Visit

A. OLD BUSINESS

1. 276 Main Street – Damariscotta Information Center – Review of Site Plan Review Application and Plans and Public Hearing

B. NEW BUSINESS - None

C. OTHER

1. Questions from the public
2. Housekeeping
3. Planner's Reports

D. ADJOURN

## **Damariscotta Planning Board**

### **Site Visit**

#### **35 Water Street**

**December 13, 2021 – 3:00 PM**

Members Present: Ann Jackson, Jenny Begin, Dan Day

Staff Present: Bob Faunce

Applicant: Michelle Phelps

Abutter: Peter Kiley

The applicant reviewed plans for the addition including the area to be revegetated. There were several questions regarding applicability of grandfathering to the proposal. The screen room will be two stories with the upper story replacing a portion of an existing deck and extending out from the area occupied by the deck. It will also extend into the required 10- side setback. Jenny questioned how the HAT setback was determined. Dan questioned how the existing deck was approved since it extends closer to the shore than the rest of the building and whether it can be considered legally grandfathered. Bob said he would research when permits were issued for the deck and the grandfathering issue. The site visit concluded at 3:30 PM.

## Memorandum

**To:** Damariscotta Planning Board  
**Fm:** Bob Faunce  
**Date:** December 23, 2021  
**Re:** Damariscotta Information Center – 276 Main Street

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On behalf of the Damariscotta Area Chamber of Commerce, Dan Phelps, AIA, has submitted a Site Plan Review – Conditional Use application for renovation and expansion of the Damariscotta Information Center and redevelopment of the site at 276 Main Street. The project will include construction of an addition and parking lot, installation of a one-way entrance from Main Street and a one-way exit onto Vine Street, pedestrian facilities, landscaping, signage, lighting and other site improvements.

The PB reviewed the pre-application at its meeting on December 6, 2021 and conducted a site visit on September 21, 2020. The project is scheduled for a Public Hearing at the Board's January 3, 2022 meeting. Attached are the following:

- Site Plan Review Application
- Existing Conditions Plan
- C1 Site Plan
- Exterior Elevations
- Floor Plan
- C2 Details
- C3 Details
- MDOT Entrance Permit
- Site Plan Review Findings
- Conditional Use Criteria

The project will utilize public water and sewer. The applicant is working with the Great Salt Bay Sanitary District to determine the location of water and sewer lines in Vine Street. Given the project's very modest future use of water, there will be very little impact on water and sewer capacity and the GSBSD will ensure that interconnections will meet their standards. The applicant has calculated a modest increase of 0.79-0.93 cfs in stormwater during a 25-year storm event compared to existing conditions. Stormwater will be discharged to a small riprap basin at the easterly side of the Vine Street exit drive.

The applicant will be granting an easement for a communications utility line with the location to be determined. The Chamber of Commerce, which will acquire the property from the town once MDOT transfers title to the town, is currently conducting a campaign to fund the improvements.

Currently, the small parking lot serving the property requires cars to back out onto Main Street. The applicant proposes to create a one-way entrance from Main Street and a one-way exit onto Vine Street. MDOT has approved the circulation plan and has issued an entrance permit. Four parking spaces are proposed on the east side of the building and one on the west side.

The applicant has not asked for any waivers but suggests a number of submission items are not applicable. Staff agrees with the non-applicable items. Refer to the Site Plan Review application for explanations.

Pending comments at the Public Hearing, staff believes the application is complete and supports approval of the Site Plan and the Conditional Use Permit. See the findings presented as the last two attachments.



Application Fee \$30 + Site Review Fee \$50 minimum or \$0.02 per sf  
 Conditional Use Fee \$100  
 Advertising Fee \$45 if Public Hearing

For Office Use Only:  
 Submission Date \_\_\_\_\_  
 Fee Amount: \_\_\_\_\_

## Town of Damariscotta Site Plan Review *Application* Form

**Project Name:** Damariscotta Region Chamber of Commerce Information Bureau

1-Applicant

Damariscotta Region  
 Chamber of Commerce

2. Applicant's Address

P.O. Box 13  
 Damariscotta, ME 04543

3. Applicant's Tel/Email

207-563-8340  
 jroberts@lcnme.com  
 John Roberts

4. Property Owner

Town of Damariscotta  
 pending

5. Owner's Address

21 School Street  
 Damariscotta, ME 04543

6. Owner's Tel # and Email

207-563-5168  
 Robert Faunce  
 rfaunce8@gmail.com

7. Engineer/Consultant/Architect

Gartley & Dorsky  
 Engineering Inc  
 Phelps Architects Inc

8. E/C/A Address

59 Union Street, Camden,  
 ME 04843  
 278 Main Street  
 Damariscotta, ME 04543

9. E/C/A Tel/Email

207-236-3055/AHedrich@Gartl  
 eyDorsky.com  
 207-563-1616/dphelps@phelp  
 sarchitects.com

10. Location/Address of Property

276 Main Street  
 Damariscotta, ME 04543

11. Tax Map/Lot

6/117

12. Zoning District

C-2

<input checked="" type="checkbox"/>	<i>If submitted. If you believe a submission is not applicable or you want to request a waiver, so indicate by <b>NA</b> or <b>W</b> and explain in the spaces provided at the end of the form.</i>	
x	E.1	Signed SPR Application
x	E.2	Evidence of Right, Title or Interest
<b>X</b>	E.3	Site Plan at a scale of not more than 50'=1" with two 24'x36" for presentation purposes showing all of the following information:
x	E.3 a	Names & addresses of all abutters on plan and on a separate listing
x	E.3.b	Sketch map showing General location of site within the town
X	E.3.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.
X	E.3.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 clearly establish, on the ground, all property boundaries
X	E.3.e	Classification(s) of the property and the location of zoning district boundaries as applicable.

NA	E.3.f	Soil types and location of soil boundaries suitable for waste water disposal as certified by a registered engineer or soil scientist.
X	E.3.g	The location of all building setbacks and buffers required by this or other ordinances of the Town of Damariscotta.
X	E.3.h	The location, size, and character of all signs and exterior lighting.
X	E.3.i	The location of all existing and proposed buildings (including size and height), driveways, sidewalks, parking spaces and associated structures, snow storage areas, loading areas, open spaces, large trees, open drainage courses, signs, exterior lighting, service areas, easements, and landscaping.
X	E.3.j	The location of all buildings within 50 feet of the parcel to be developed and the location of intersecting roads or driveways within 200 feet of the parcel.
X	E.3.k	The location of all buildings within 50 feet of the parcel to be developed and the location of intersecting roads or driveways within 200 feet of the parcel.
X	E.4	A Stormwater Management Plan including Low Impact Development (LID) measures in conformance with the provisions of §102.6.L. See definition of LID in §102.4
X	E.5	An erosion and sediment control plan in conformance with the provisions of §102.6.M
X	E.6	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.
PEND	E.7	Copies of any proposed or existing easements, covenants, deed restrictions, etc.
NA	E.8	A list of all applicable State & Federal permits
NA	E.9	Identification of districts, sites, buildings, structures or objects, significant in American history, architecture, archaeology, engineering or culture, that are listed, or eligible for listing, in the National Register of Historic Places (see 16 U.S.C. 470w(5); 36 CFR 60 and 800).
W	E.10	Demonstration of financial and technical capacity to complete the project, as proposed, in accordance with this ordinance and the approved plan.
NA	E.11	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.
PEND	E.12	Soils test pit log demonstrating suitable soils for subsurface sewage disposal unless connection to a public sanitary sewer is proposed, in which case a letter from the Great Salt Bay Sanitary District attesting to its ability to accept sanitary wastes from the proposed development.
NA	E.13	A phosphorus impact report if the project is within the watershed of a great pond.
PEND	E.14	An estimate of the amount of domestic water required for 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 is to be supplied by wells, the results of a hydrological study if required by the Planning Board.
NA	E.15	Plan for supplying water for fire protection.
NA	E.16	Letters from appropriate state authorities attesting to the project's impact, if any on historic, archaeological and rare or endangered plant or animal species on or in the vicinity of the project parcel.
X	E.17	Demonstration that access to the site will be safe and will meet or exceed minimum required sight distance.
NA	E.18	Demonstration that the project will comply with applicable noise and air quality standards.
X	E.19	A scenic assessment and landscaping plan for the site consistent with the recommendations of the Damariscotta Comprehensive Plan that includes drawings and/or photo simulations including elevations of proposed buildings, topography and landscaping as well as sidewalks (if applicable), illustrating the view from each public roadway adjacent to the proposed development.

Note: The applicant shall submit a plan that fully satisfies the §102.6 Performance Standards and, if applicable, the §102.7 Large Scale Development Performance Standards. The applicant may also submit an accompanying separate plan that sets out any proposed waivers from §102.6 and §102.7 Performance Standards accompanied by a written statement(s) explaining why the applicant believes the waivers would still accomplish the purpose of the performance standard so proposed to be altered.

Explain any requested waivers or submission requirements you believe are not applicable.

Please see attached list.

Check if Required

Planning Board Review/Approval (e.g. Subdivision)

Board of Appeals Review/Approval

Flood Hazard Development Permit

Exterior Plumbing Permit (Approved HHE-200 Application Form)

Interior Plumbing Permit

DEP Permit (Site Location, NRPA)

Army Corps of Engineers (Sec. 404 of Clean Water Act)

MaineDOT Entrance or Traffic Permit

Others:

Fire Department

\_\_\_\_\_

\_\_\_\_\_

Note: Applicant is Advised to Consult with the Code Enforcement Officer and Appropriate State and Federal Agencies to Determine Whether Additional Permits, Approvals and/or Reviews are Required

I Certify That All Information Given in this Application is Accurate. All Proposed Uses Shall be in Conformance with this Application and the Applicable Town of Damariscotta Zoning Ordinances. I Agree to Future Inspections by the Code Enforcement Officer at Reasonable Hours.

Applicant's Signature

Date

PHILIPS ARCHITECTS INC.  
Agent's Signature (if applicable)



12-20-21

Date

E.3.f - waste water will connect to municipal sewer

E.7 - Easement for local communications utility line to cross property from Vine Street to Main Street to be finalized upon property formally deeded to Town from State.

E.8 – No known permits required at this time.

E.9 – No known listings or identifications known at this time.

E.10 – Chamber is a known local organization.

E.11 – No known locations of items or identified by existing site survey.

E.12 – Further information to be provided for Board review at or prior to scheduled Application review meeting. District currently reviewing.

E.13 – Project is not within watershed of great pond.

E.14 - Further information to be provided for Board review at or prior to scheduled Application review meeting. District currently reviewing.

E.15 – Building fire protection (sprinklers) not required per building code.

E.16 – No known impact at this time.

E.18 - No significant impact anticipated based on proposed use of project



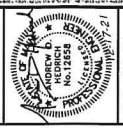








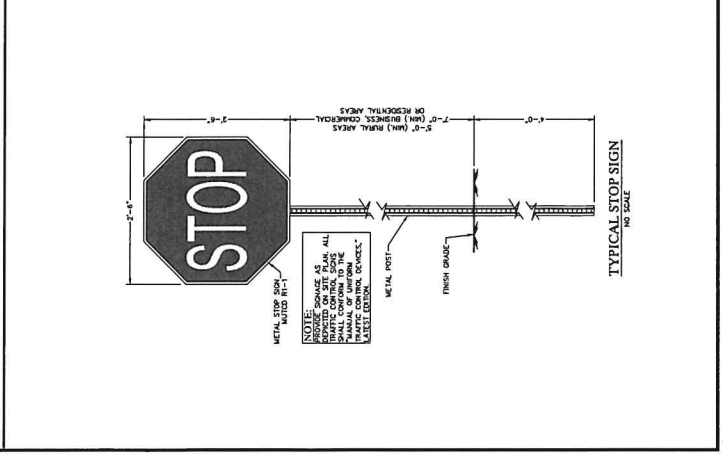
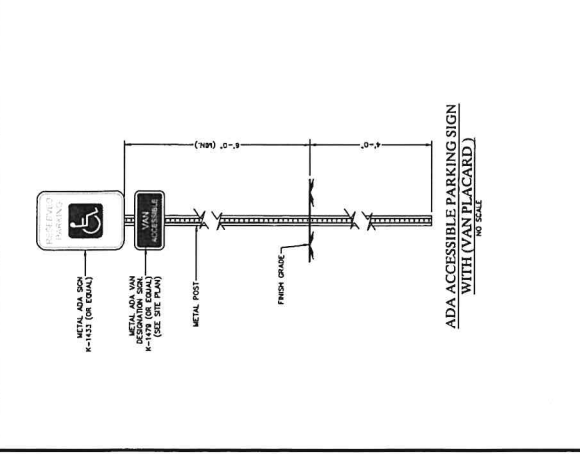
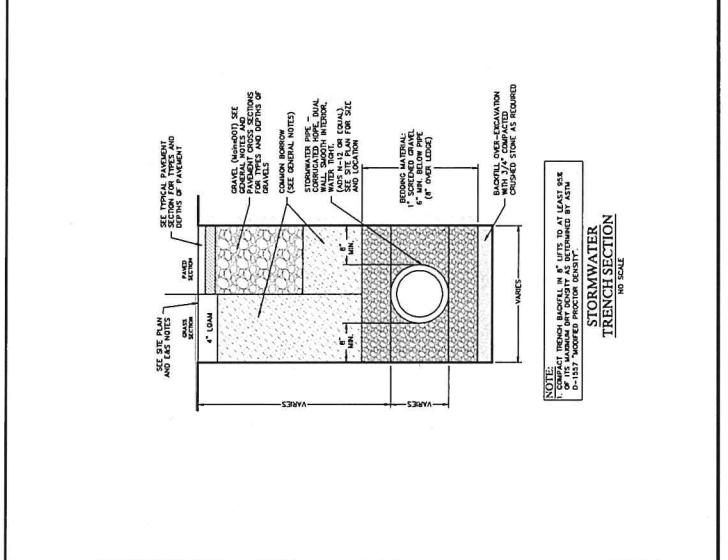
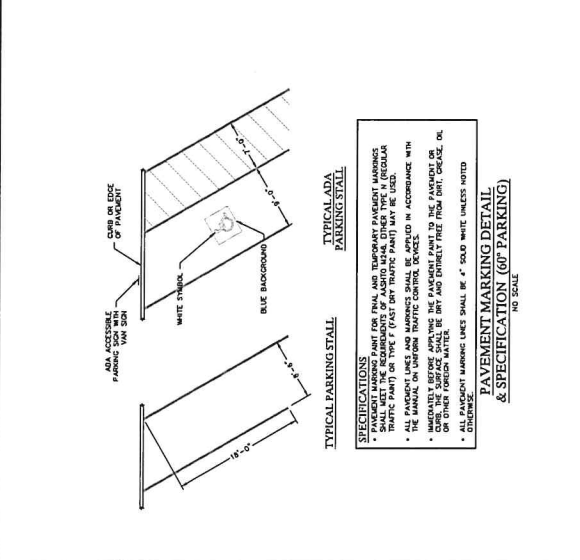
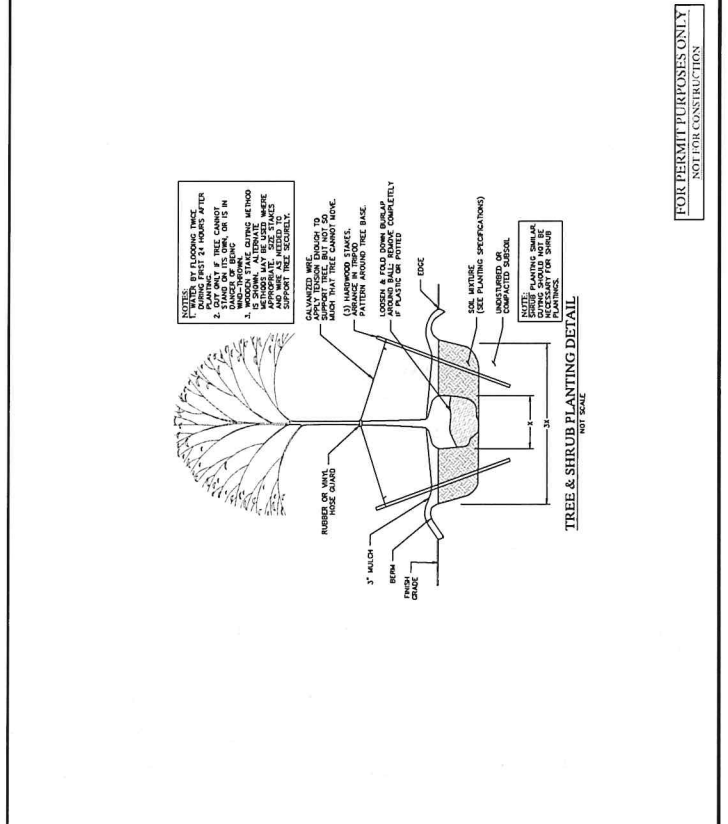
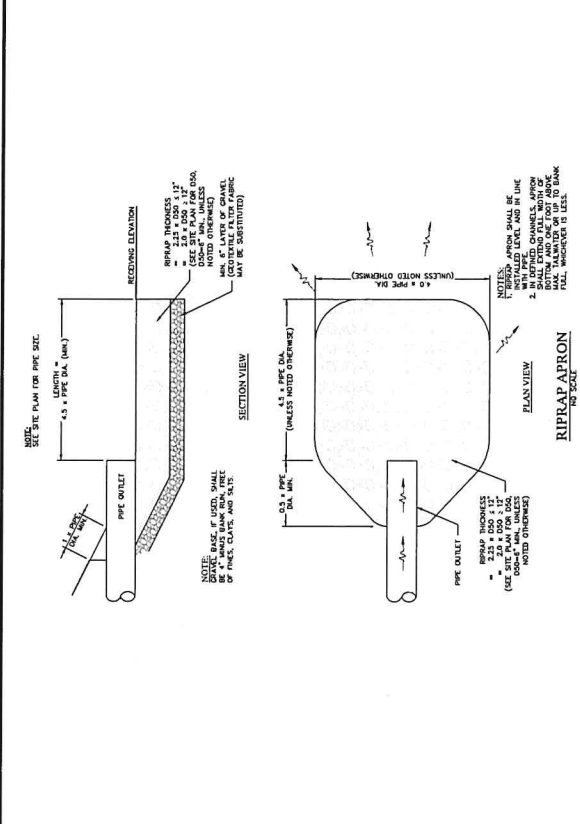




**Gately & Dorsky**  
 ENGINEERING & SURVEYING  
 165 Main Street, Suite 110, Lynn, MA 01904  
 Tel: (781) 794-5000  
 Fax: (781) 794-5005  
 165 Main Street, Suite 110, Lynn, MA 01904  
 Tel: (781) 794-5000  
 Fax: (781) 794-5005

CLIENT PROJECT: DAMARISCOTTA INFORMATION CENTER  
 LOCATION: 276 MAIN STREET, LINCOLN, MASSACHUSETTS  
 DATE: DECEMBER 17, 2021  
 CHECKED BY: JCH  
 DRAWN BY: JCH  
 SCALE: AS NOTED

NO.	REVISIONS	DATE





## **STANDARD CONDITIONS AND APPROVAL**

1. Provide, erect and maintain all necessary barricades, lights, warning signs and other devices as directed by MaineDOT to properly safeguard traffic while the construction is in progress.
2. At no time cause the highway to be closed to traffic
3. Where the driveway is located within a curb, curb and gutter, and/or sidewalk section, completely remove the existing curb, curb and gutter, and/or sidewalk as may be required to create the driveway and restore drainage. All driveways abutting sidewalk sections shall meet the requirements set forth in the Americans with Disabilities Act of 1990, 42 U.S.C. Sec. 12131 et seq.
4. Obtain, have delivered to the site, and install any culverts and/or drainage structures which may be necessary for drainage, the size, type and length as called for in the permit pursuant to 23 M.R.S.A. Sec. 705. All culverts and/or drainage structures shall be new.
5. Start construction of the proposed driveway within twenty-four (24) months of the date of permit issuance and substantially complete construction of the proposed driveway within twelve months of commencement of construction.
6. Comply with all applicable federal, state and municipal regulations and ordinances.
7. Do not alter, without the express written consent of the MaineDOT, any culverts or drainage swales within the MaineDOT right of way.
8. File a copy of the approved driveway permit with the affected municipality or LURC, as appropriate within 5 business days of receiving the MaineDOT approval.
9. Construct and maintain the driveway side slopes to be no steeper than the adjacent roadway side slopes, but in no case to be steeper than 3 horizontal to 1 vertical, unless the side slope is behind existing roadway guardrail, in which case it shall be no steeper than 2 horizontal to 1 vertical.
10. Notify the MaineDOT of a proposed change of use served by the driveway when increase in traffic flow is expected to occur. This does not exempt the need for obtaining a Traffic Movement Permit (TMP) if trip generation meets or exceeds 100 passenger car equivalents (PCE) during the peak hour of the day.
11. Construct or implement and maintain erosion and sedimentation measures sufficient to protect MaineDOT facilities.
12. Driveways shall be designed such that all maneuvering and parking of any vehicles will take place outside the highway right-of-way and where vehicles will exit the premises without backing onto the highway traveled way or shoulders. All driveways will have a turnaround area to accommodate vehicles using the premises.
13. Closing any portion of a highway or roadway including lanes, shoulders, sidewalks, bike lanes, or ATV access routes is not permitted without MaineDOT approval.

## **FURTHER CONDITION OF THE PERMIT**

The owner shall assume, the defense of, and pay all damages, fines, and penalties for which he/she shall become liable, and shall indemnify and safe harmless said Department, its representatives, agents and employees from liability, actions against all suits, claims, damages for wrongful death, personal injuries or property damage suffered by any person or association which results from the willful or negligent action or inaction of the owner/applicant (agent) and in proceedings of every kind arising out of the construction and maintenance of said entrance(s), including snow removal.

Nothing herein shall, nor is intended to, waive any defense, immunity or limitation of liability which may be available to the MaineDOT, their officers, agents or employees under the Maine Tort Claims Act or any other privileges and/or immunities provided by law. It is a further condition that the owner will agree to keep the right of way inviolate for public highway purposes and no signs (other than traffic signs and signals), posters, billboards, roadside stands, culvert end walls or private installations shall be permitted within Right of Way limits.

State of Maine  
Department of Transportation  
Mid Coast Region  
98 State House Station, Augusta, Maine 04333  
Telephone (207) 624-8200 Fax (207) 287-4753

**NOTICE OF AUTHORIZATION TO PROCEED**

THIS CERTIFICATE MUST BE POSTED IN A VISIBLE LOCATION AT THE  
DEVELOPMENT SITE

A Maine Department of Transportation, Mid Coast Region permit has been issued for this location. Descriptions of the approved development, including conditions of approval, are as specified in Department of Transportation, Mid Coast Region Permit identified below. Copies of the actual permit have been provided to the Permittee and are available for inspection at the Mid Coast Region, Augusta office.

**Permit No: 30425**

**Issued To: Town of Damariscotta**

**Effective Date: November 17, 2021**

**Expiration for Start Up: November 2023**

**Authorized Activity: Entrance Office**


**Location: Damariscotta County: Lincoln**

**Route No. and Road Name: 0001B, Main Street**

**Route Log Mile(s): 0.99 LT**

**Culvert Required: Not Required**

Signed:

  
Brian Reeves, Region Engineer  
Maine Department of Transportation, Region 2

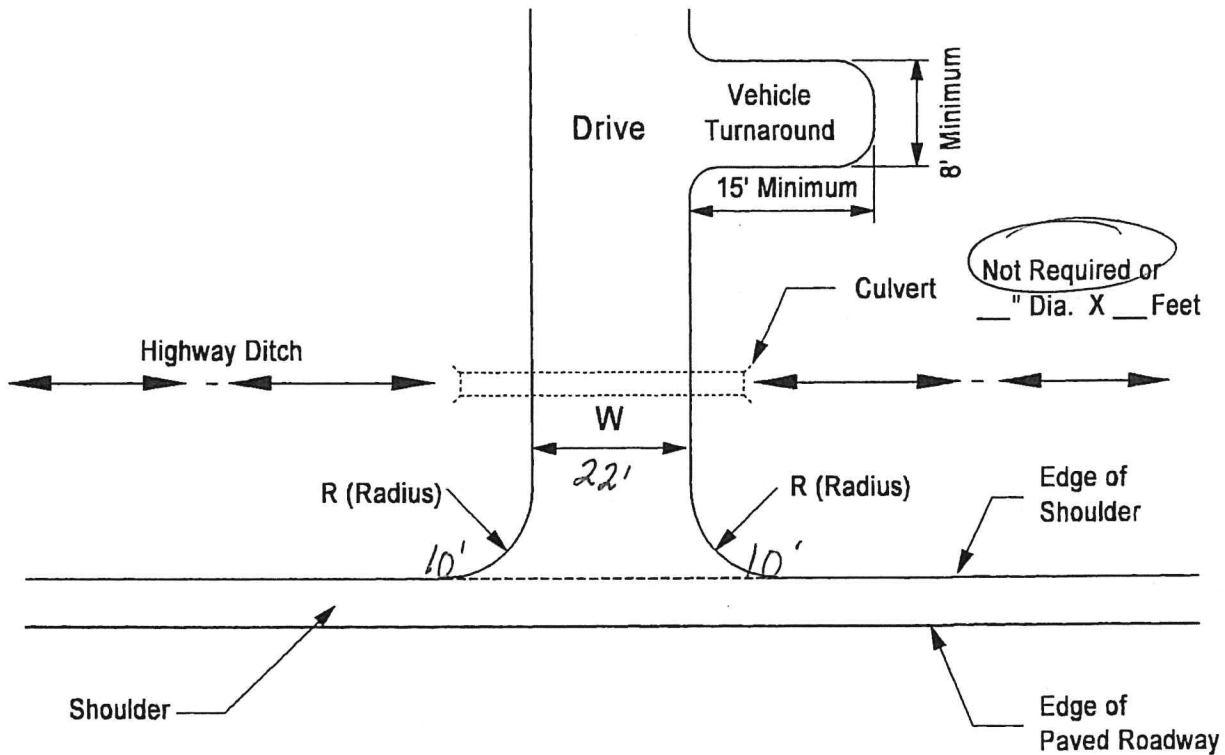
**(THIS CERTIFICATE IS NOT A PERMIT)**  
(This notice is printed on weather proof paper)



State of Maine  
Department of Transportation

# Entrance / Driveway Details

## PLAN

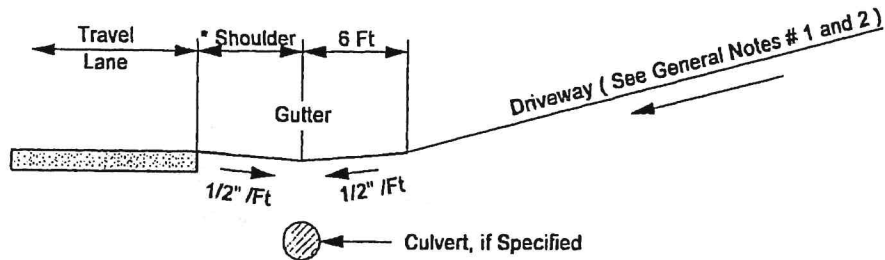


### GENERAL NOTES -

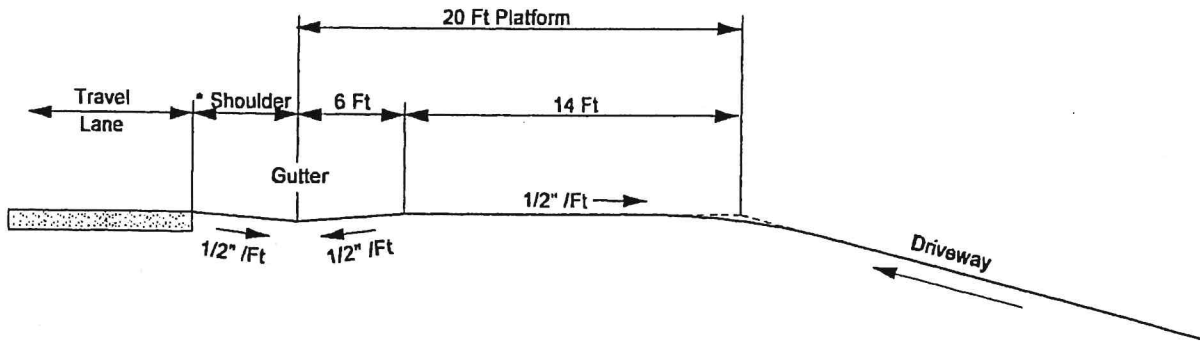
1. ALL RESIDENTAL OR COMMERCIAL DRIVES WITH 10% GRADE OR MORE SLOPING DOWN TOWARDS THE HIGHWAY SHALL BE PAVED TO THE RIGHT OF WAY LINE, AS A MINIMUM, INCLUDING SHOULDER, IF GRAVEL AND HAVE DITCHES TO CONTROL RUNOFF.
2. DRIVES SLOPING TO THE HIGHWAY SHALL BE CROWNED ( 1/2" PER FT. MINIMUM ).
3. TO THE MAXIMUM EXTENT PRACTICAL, THE ENTRANCE MUST BE CONSTRUCTED PERPENDICULAR TO THE HIGHWAY AT THE POINT OF ACCESS. EXCEPT WHERE CURBING EXISTS OR IS PROPOSED, THE MINIMUM RADIUS ON THE EDGES OF THE ENTRANCE MUST BE 10 FEET OR AS OTHERWISE REQUIRED AS SHOWN.
4. ENTRANCES/DRIVEWAYS WILL BE BUILT WITH AN ADEQUATE TURN-AROUND AREA ON SITE TO ALLOW ALL VEHICLES TO MANUEVER AND PARK WITHOUT BACKING ONTO THE HIGHWAY. THIS TURN-AROUND SHALL BE AT LEAST 8 FEET WIDE BY 15 FEET LONG.
5. ENTRANCES/DRIVEWAYS AND OTHER ASSOCIATED SITE WORK WHICH DIRECTS WATER (RUNOFF) TOWARD THE HIGHWAY MUST BE CONSTRUCTED, CROWNED STABILIZED AND MAINTAINED WITH MATERIALS AND APPROPRIATE TEMPORARY/PERMANENT EROSION CONTROL MATERIALS IN ACCORDANCE WITH MDOT BEST MANAGEMENT PRACTICES.
6. THE PROFILE OF THE ENTRANCES MUST COMPLY WITH THE DETAILS SHOWN ON PAGE 2.

# MaineDOT Entrance/Driveway Details, Continued

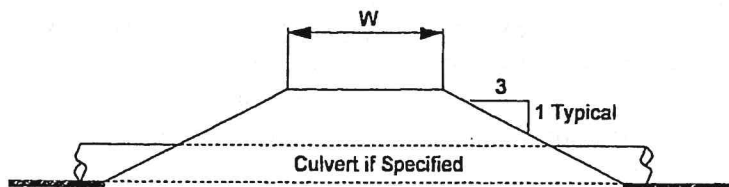
## PROFILE Details



NOTE :  
Grade of Existing Shoulder Should Be Maintained To Create A Gutter  
With a Minimum Of Three Inches Below The Edge Of Traveled Way.  
\* Distance Of The Gutter From The Edge Of Traveled Way Should Be  
The Same As Existing Shoulder Or A Minimum Of 4 Feet.



## Driveway Cross Section





# **\*\* Notice \*\***

Please be aware that a driveway entrance permit must be issued prior to constructing a new or modifying an existing driveway on any State of Maine highway.

## **Underground Electrical Service**

Any construction including underground service such as electrical, water, sewer, a cellar drain or any digging (other than a permitted driveway) within MaineDOTs Right of Way does require a HIGHWAY OPENING PERMIT.

Highway opening applications and additional driveway permit applications are available online at [www.maine.gov/mdot](http://www.maine.gov/mdot)

<b>Project Name:</b>		Damariscotta Region Chamber of Commerce Information Bureau
<b>Date:</b>		
<b>Site Plan Review Performance Standards</b>		<b>Findings</b>
A.	Preserve and Enhance the Landscape	Trees along abutting property line to be preserved. Landscaping plan submitted
B.	Relationship to Environment and Neighboring Buildings	<b>Existing building</b>
C.	Air Quality	<b>No impact</b>
D.	Lighting and Glare	Lighting to conform with town requirements
E.	Noise	<b>No impact</b>
F.	Adequacy of Public Road System	<b>Minor traffic generation</b>
G.	Access into the Site	<b>MDOT entrance permit</b>
H.	Parking and Circulation	One-way circulation; parking adequate
I.	Pedestrian Circulation	<b>Proposed sidewalk</b>
J.	Existing Public Utilities and Services	<b>No impact anticipated</b>
K.	Water Quality	<b>No impact</b>
L.	Stormwater Management	Minor stormwater increase - .79-.93 cfs
M.	Erosion and Sedimentation Control	<b>Plan notes</b>
N.	Water Supply	<b>GSBSD - connection TBD</b>
O.	Natural Beauty	<b>Existing developed site</b>
P.	Historic and Archaeological Resources	Not on historic register; outside of historic district
Q.	Filling and Excavation	<b>Minor</b>
R.	Sewage Disposal	<b>GSBSD - connection to be determined</b>
S.	Phosphorus Control	<b>N/A</b>

T.	Buffer Areas	None
U.	Signs	Two signs - will comply with town requirements
V.	Building Appearance	Addition compatible with existing building
<b>Large Scale Development Performance Standards</b>		<b><i>Findings</i></b>
A.	Building Appearance	
B.	Outdoor Sales	
C.	Parking	
D.	Bicycle and Pedestrian Facilities	
E.	Landscaping	
F.	Screening	
G.	Building Reuse	
<b>Additional Standards for Buildings &gt; 20,000 sf</b>		<b><i>Findings</i></b>
H-1.	Visibility from roads	
H-2.	Outbuildings	
H-3.	Community Impact Statement	

### Conditional Use Criteria

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:

Project Name	Damariscotta Region Chamber of Commerce Information Bureau
Air Pollution	No impact
Water Pollution	No impact
Soil Pollution	No impact
Noise	Office use - limited outdoor activity
Traffic	Minor traffic generation
Congestion	No impact
Soil Erosion	Erosion control provisions
Sewage Disposal	GSBSD
Water Supply	GSBWD
Municipal Facilities	None required
Municipal Services	None required
Public Ways	MDOT Entrance Permit