

TOWN OF DAMARISCOTTA

PLANNING BOARD MEETING AGENDA

When: Monday, December 6, 2021 - 6:00 PM

Where: Town Office

Note - Also available by Zoom

<https://us02web.zoom.us/j/88682351444?pwd=bjkzRnVHV2JZTUt5Y1FzRmxjdGtUUT09>

Meeting ID: 886 8235 1444

Passcode: 496587

Pledge of Allegiance

REGULAR MONTHLY MEETING for December 6, 2021

MINUTES November 8, 2021 Meeting
November 15, 2021 PB Site Visit

A. OLD BUSINESS

1. Damariscotta 1 Solar – Final Review

B. NEW BUSINESS

1. 35 Water Street – Expansion of Residential Structure in the Shoreland Zone – Preliminary Review and Scheduling of Site Visit
2. 276 Main Street – Damariscotta Information Center – Review of Updated Sketch Plan and Scheduling of Public Hearing

C. OTHER

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

D. ADJOURN

Damariscotta Planning Board

Site Visit

Rick Guislin – 137 Cottage Point Road

November 15, 2021 – 4PM

Members Present: Jonathan Eaton, Jenny Begin, Neil Genthner, Ann Jackson

Staff Present: Bob Faunce

Applicant: Rick Guislin

Mr. Guislin explained that the owner of the lot on which a permanent dock would be installed also owns a residence across Cottage Point Road from the site. The proposed dock would provide better access for boaters during low tide.

Some of the PB members and staff expressed concern about the steepness of the grade from the road to the shore and the presence of tree roots and rocks and suggested installing a stabilized path or, preferably, a stairway similar to what exists on several nearby properties. Mr. Guislin said he would discuss this with the property owner.

Site visit concluded at 4:15 PM.

Memorandum

To: Damariscotta Planning Board

Fm: Bob Faunce

Dt: November 29, 2021

RE: **Damariscotta 1 Solar – Site Plan Review and Public Hearing**

At its November 8, 2021 meeting, the PB gave conditional approval to the project subject to the following:

- Fire Chief approval of a plan that satisfies the following concerns:
 - How to safely respond to a person who has been (or is being) shocked or electrocuted, and how to safely conduct a rescue
 - How to safely respond to and extinguish a small fire (arcing panel, shorted electronics, etc.)
 - How to safely respond to and extinguish a large fire (full panel involved or larger)
- Calculate the current value of a 20-year bond at 2.5% annual interest vs. 1.5 times the total cost of the project
- Estimate what portion of the waste materials generated during decommissioning that cannot be reused or recycled and would go to the town's transfer station and what they will consist of
- Provide a copy of the MDOT entrance permit

Based on a conversation with Rachel Clar, Director of Development of Syncarpha Capital, LLC, sponsor of the solar project, the consultants have been working closely with the Fire Chief to develop a satisfactory protocol that addresses his concerns. One aspect of their proposal is to retain a Maine-based fire safety expert at the applicant's expense to provide solar system-related advice and training for the Fire Department. I expect the protocol with the Fire Chief will be finalized prior to the December 6 meeting. I also expect that information regarding the bonding amount and waste materials will also be provided prior to the meeting. Please see attached the final MDOT and US Army Corps permits.



Maine Department of Transportation

Janet T. Mills
Governor

Driveway/Entrance Permit

Bruce A. Van Note
Commissioner

Permit Number: 30324 - Entrance ID: 1

OWNER
Name: **Wayne Oliver**
Address: **2683 Atamasco Lily Loop
The Villages, FL 32163**
Telephone: **(207)233-7397**

Date Printed: **October 21, 2021**

LOCATION

Route: **0001X, Atlantic Highway**
Municipality: **Damariscotta**
County: **Lincoln**
Tax Map: **3 Lot Number: 64-5**
Culvert Size: **0 inches**
Culvert Type: **N/R**
Culvert Length: **0 feet**
Date of Permit: **October 20, 2021**
Approved Entrance Width: **16 feet**

In accordance with rules promulgated under 23 M.R.S.A., Chapter 13, Subchapter I, Section 704, the Maine Department of Transportation (MaineDOT) approves a permit and grants permission to perform the necessary grading to construct, in accordance with sketch or attached plan, a **Driveway to Solar Array** at a point **1545 feet North** from **Center Street**, subject to the Chapter 299 Highway Driveway and Entrance Rules, standard conditions and special conditions (if any) listed below.

Conditions of Approval:

This Permittee acknowledges and agrees to comply with the Standard Conditions and Approval attached hereto and to any Specific Conditions of Approval shown here.

(G = GPS Location; W = Waiver; S = Special Condition)

G - THE ENTRANCE SHALL BE LOCATED AT GPS COORDINATES: 44.063187N, -69.492162W.

S - PERMITTEE MUST PAVE THE APRON TO A DISTANCE OF THREE (3) FEET TOWARDS THE PROPERTY TO PROTECT THE EDGE OF HIGHWAY DURING CONSTRUCTION.


S - THIS PERMIT IS FOR AGRICULTURAL, FORESTING AND ACCESS TO SOLAR ARRAY. PERMITTEE MUST ENSURE THAT THE DRIVEWAY IS GATED WHEN NOT IN USE. THIS ACCESS IS LIMITED TO THE APPROVED USE ONLY. ANY CHANGE IN THE USE AT THIS ACCESS WILL REQUIRE ADDITIONAL PERMIT APPROVAL OR MAY BE PROHIBITED.

S - THE ENCLOSED NOTICE OF AUTHORIZATION TO PROCEED MUST BE POSTED IN A LOCATION CLEARLY VISIBLE FROM THE ROADWAY FROM AT LEAST 24 HOURS PRIOR TO COMMENCEMENT OF CONSTRUCTION TO ONE MONTH AFTER THE CONCLUSION OF THE CONSTRUCTION.

S - OWNER IS RESPONSIBLE FOR ANY AND ALL CULVERT(S) AND MUST DITCH TO ENSURE WATER FLOWS ADEQUATELY THRU CULVERT(S) AND AT NO TIME ALLOW WATER TO FLOW INTO OR ONTO THE HIGHWAY. PERMITTEE MUST KEEP BUSHES & ALL VEGETATION CUT BACK AND CLEARED AS GENERAL MAINTENANCE OF SIGHT DISTANCE FOR DRIVEWAYS OR ENTRANCES.

S - THIS APPROVED DRIVEWAY / ENTRANCE IS APPROVED FOR ALL NECESSARY PARKING FOR FACILITY. THERE MUST BE NO PARKING ON THE SIDE OF THE ROADWAY OR WITHIN THE MaineDOT RIGHT OF WAY.

S - ENTRANCE MUST NOT BE USED TO PROVIDE ACCESS TO ANY PORTION OF A SUBDIVISION.

Approved by:  Date: 10/21/21

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.



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
NEW ENGLAND DISTRICT, CORPS OF ENGINEERS
696 VIRGINIA ROAD
CONCORD, MASSACHUSETTS 01742-2751

**MAINE GENERAL PERMITS (GPS)
AUTHORIZATION LETTER AND SCREENING SUMMARY**

Rachel Clar
Damariscotta Solar I, LLC
250 West 57th St., Suite 701
New York, NY 10107

CORPS PERMIT # NAE-2021-02667
CORPS GP(s) # 22
STATE ID# NRPA-Exempt

DESCRIPTION OF WORK:

Place and maintain a total of 2,921 sq. ft. (0.066 acre) of fill in 2 locations of freshwater wetlands on property denoted as Map/Lot 3-64-5; 1-20 on the east side of U.S. Route 1 in Nobleboro and Damariscotta, Lincoln Co., Maine. The purpose of the fill is to install a culverted wetland crossing using a 2 ft.x18 ft. culvert and a minor wetland fill at the northwest perimeter of the solar array.
The impact areas are shown on the plans entitled: "Wetland Crossing Area", Figure 2, undated and "Wetland Impacts (North)", Figure 3, undated and "Civil Details", Figure 4, undated as prepared by Weston & Samson.Engineering.

LAT/LONG COORDINATES : 44.0639190 °N -69.4897380 °W USGS QUAD: Waldoboro West

I. CORPS DETERMINATION:

Based on our review of the information you provided, we have determined that your project will have only minimal individual and cumulative impacts on waters and wetlands of the United States. Your work is therefore authorized by the U.S. Army Corps of Engineers under the Federal Permit, the Maine General Permit(s) which can be found at: <https://www.nae.usace.army.mil/Missions/Regulatory/State-General-Permits/>. Accordingly, we do not plan to take any further action on this project.

You must perform the activity authorized herein in compliance with all the terms and conditions of the GP(s) [including any attached Additional Conditions and any conditions placed on the State 401 Water Quality Certification including any required mitigation]. Please review the GP(s) carefully, including the GP(s) conditions beginning on page 5, to familiarize yourself with its contents. You are responsible for complying with all of the GP(s) requirements; therefore, you should be certain that whoever does the work fully understands all of the conditions. You may wish to discuss the conditions of this authorization with your contractor to ensure the contractor can accomplish the work in a manner that conforms to all requirements.

If you change the plans or construction methods for work within our jurisdiction, please contact us immediately to discuss modification of this authorization. This office must approve any changes before you undertake them.

Condition 45 of the GP(s) (page 19) provides one year for completion of work that has commenced or is under contract to commence prior to the expiration of the GP(s) on October 14, 2025. You will need to apply for reauthorization for any work within Corps jurisdiction that is not completed by October 14, 2026.

This authorization presumes the work shown on your plans noted above is in waters of the U.S. Should you desire to appeal our jurisdiction, please submit a request for an approved jurisdictional determination in writing to the undersigned.

No work may be started unless and until all other required local, State and Federal licenses and permits have been obtained. This includes but is not limited to a Flood Hazard Development Permit issued by the town if necessary.

II. STATE ACTIONS:

PENDING [], ISSUED [], DENIED [], DATE: November 8, 2021
APPLICATION TYPE: PBR: TIER 1: TIER 2: TIER 3: INDIV: LURC: DMR LEASE: NA: X

III. FEDERAL ACTIONS:

JOINT PROCESSING MEETING: NA LEVEL OF REVIEW: Self-Verification: X Pre-Construction Notification:
AUTHORITY (Based on a review of plans and/or State/Federal applications): SEC 10 404 X 10/404 103
EXCLUSIONS: The exclusionary criteria identified in the general permit do not apply to this project.
FEDERAL RESOURCE AGENCY OBJECTIONS: EPA: No USFWS: No NMFS: No

If you have any questions on this matter, please contact my staff at 207-623-8367 at our Augusta, Maine Project Office. In order for us to better serve you, we would appreciate your completing our Customer Service Survey located at <https://regulatory.ops.usace.army.mil/customer-service-survey/>

Peter Tischbein
PETER TISCHBEIN
PROJECT MANAGER
MAINE PROJECT OFFICE

Peter Tischbein 11/9/2021
For FRANK J. DEL GIUDICE
CHIEF, PERMITS & ENFORCEMENT BRANCH
REGULATORY DIVISION



**US Army Corps
of Engineers**[®]
New England District

WORK-START NOTIFICATION FORM

EMAIL TO: peter.tischbein@usace.army.mil and cenae-r@usace.army.mil; or

MAIL TO: Peter Tischbein
Regulatory Division
U.S. Army Corps of Engineers, New England District
696 Virginia Road
Concord, Massachusetts 01742-2751

A Corps of Engineers Permit (NAE-2021-02667) was issued to Damariscotta Solar I, LLC to place and maintain a total of 2,921 sq. ft. (0.066 acre) of fill in 2 locations of freshwater wetlands on property denoted as Map/Lot 3-64-5; 1-20 on the east side of U.S. Route 1 in Nobleboro and Damariscotta, Lincoln Co., Maine. The purpose of the fill is to install a culverted wetland crossing using a 2 ft.x18 ft. culvert and a minor wetland fill at the northwest perimeter of the solar array.

The people (e.g., contractor) listed below will do the work, and they understand the permit's conditions and limitations.

PLEASE PRINT OR TYPE

Name of Person/Firm: _____

Business Address: _____

Phone & email: () _____ () _____

Proposed Work Dates: Start: _____ Finish: _____

Permittee/Agent Signature: _____ Date: _____

Printed Name: _____ Title: _____

Date Permit Issued: _____ Date Permit Expires: _____

FOR USE BY THE CORPS OF ENGINEERS

PM: Tischbein Submittals Required: No

Inspection Recommendation: _____ Random MEGP compliance _____



**US Army Corps
of Engineers** [®]
New England District

(Minimum Notice: Permittee must sign and return notification
within one month of the completion of work.)

COMPLIANCE CERTIFICATION FORM

Permit Number: NAE-2021-02667

Name of Permittee: Damariscotta Solar I, LLC

Permit Issuance Date: _____

Please sign this certification and return it to the following address upon completion of the activity and any mitigation required by the permit. You must submit this after the mitigation is complete, but not the mitigation monitoring, which requires separate submittals.

* MAIL TO: U.S. Army Corps of Engineers, New England District *
* Permits and Enforcement Branch C *
* Regulatory Division *
* 696 Virginia Road *
* Concord, Massachusetts 01742-2751 *

Please note that your permitted activity is subject to a compliance inspection by an U.S. Army Corps of Engineers representative. If you fail to comply with this permit you are subject to permit suspension, modification, or revocation.

I hereby certify that the work authorized by the above referenced permit was completed in accordance with the terms and conditions of the above referenced permit, and any required mitigation was completed in accordance with the permit conditions.

Signature of Permittee

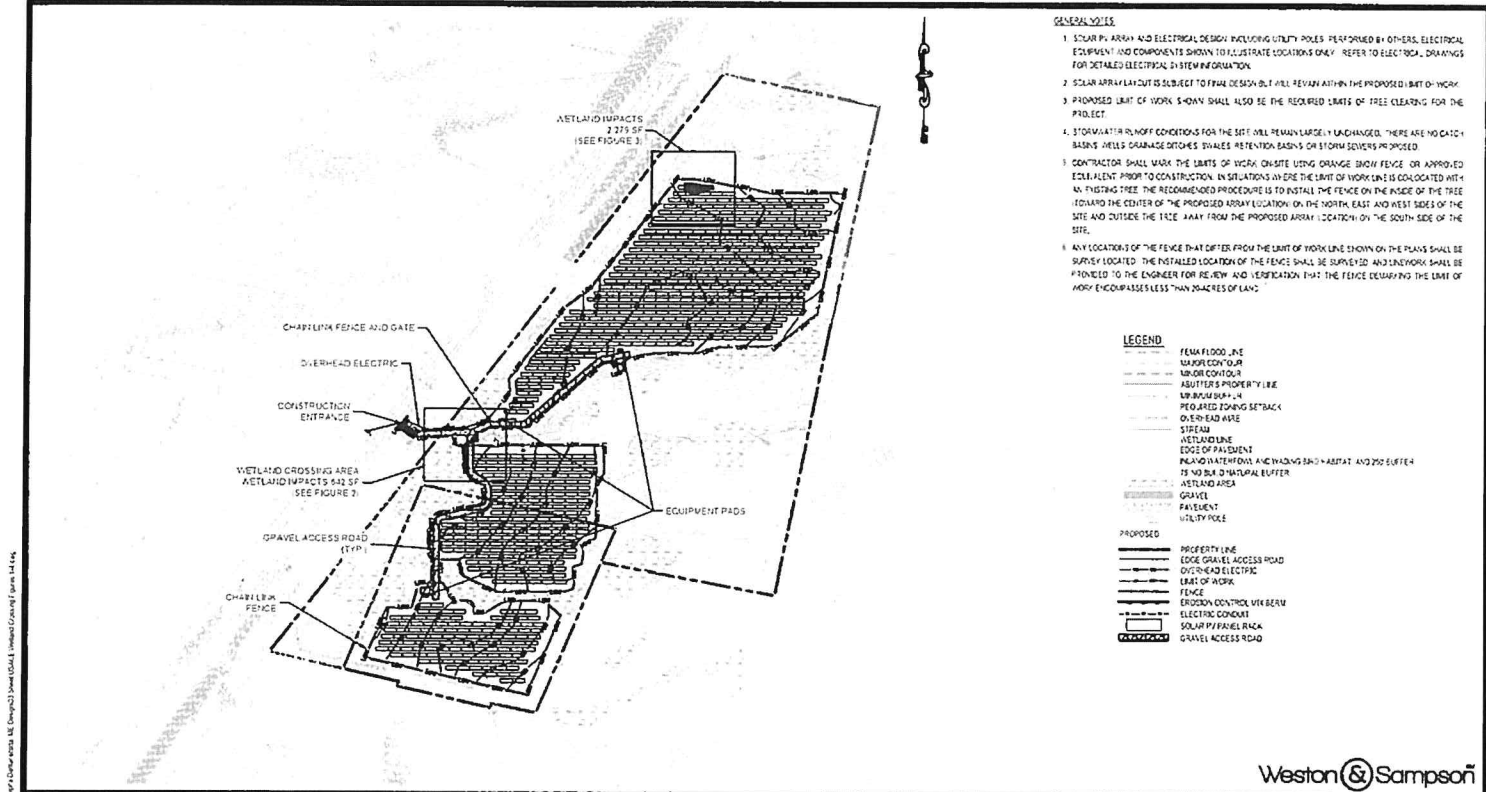
Date

Printed Name

Date of Work Completion

() _____
Telephone Number

() _____
Telephone Number

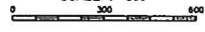


- GENERAL NOTES**
1. SOLAR PV ARRAY AND ELECTRICAL DESIGN INCLUDING UTILITY POLES PROVIDED BY OTHERS, ELECTRICAL EQUIPMENT AND COMPONENTS SHOWN TO ILLUSTRATE LOCATIONS ONLY. REFER TO ELECTRICAL DRAWINGS FOR DETAILED ELECTRICAL SYSTEM INFORMATION.
 2. SOLAR ARRAY LAYOUT IS SUBJECT TO FINAL DESIGN. LINES WILL REVEAL WITHIN THE PROPOSED LIMIT OF WORK.
 3. PROPOSED LIMIT OF WORK SHOWN SHALL ALSO BE THE REQUIRED LIMITS OF TREE CLEARING FOR THE PROJECT.
 4. SITE-WATER RUNOFF CONDITIONS FOR THE SITE WILL REMAIN UNLESS OTHERWISE CHANGED. THERE ARE NO CATCH BASINS, WELLS, DRAINAGE DITCHES, DIVALES, RETENTION BASINS OR STORM SEWERS PROPOSED.
 5. CONTRACTOR SHALL MARK THE LIMITS OF WORK ON-SITE USING ORANGE SHOWN FENCE OR APPROVED EQUIVALENT PRIOR TO CONSTRUCTION. IN SITUATIONS WHERE THE LIMIT OF WORK LINE IS COLOCATED WITH AN EXISTING TREE, THE RECOMMENDED PROCEDURE IS TO INSTALL THE FENCE ON THE INSIDE OF THE TREE (TOWARD THE CENTER OF THE PROPOSED ARRAY LOCATION) ON THE NORTH, EAST AND WEST SIDES OF THE SITE AND OUTSIDE THE TREE AWAY FROM THE PROPOSED ARRAY LOCATION ON THE SOUTH SIDE OF THE SITE.
 6. ANY LOCATIONS OF THE FENCE THAT DIFFER FROM THE LIMIT OF WORK LINE SHOWN ON THE PLANS SHALL BE SURVEY LOCATED. THE INSTALLED LOCATION OF THE FENCE SHALL BE SURVEYED AND A NETWORK SHALL BE PROVIDED TO THE ENGINEER FOR REVIEW AND VERIFICATION THAT THE FENCE DELINEATES THE LIMIT OF WORK ENCOMPASSES LESS THAN 20 ACRES OF LAND.

LEGEND

---	FEMA FLOOD LINE
---	UNAPPROVED LOT LINE
---	UNAPPROVED CONTOUR
---	ADJUTANT'S PROPERTY LINE
---	UNAPPROVED SURVEY
---	PROPOSED EROSION SETBACK
---	OVERHEAD WIRE
---	STREAM
---	WETLAND LINE
---	EDGE OF PAVEMENT
---	PAVED WATERFLOW AND INLANDS 30'x30' ASHTRAY AND 25'x25' SURFER
---	75' NO-BUILD MUNICIPAL BUFFER
---	WETLAND AREA
---	GRAVEL
---	PAVEMENT
---	UTILITY POLE
---	PROPOSED
---	PROPERTY LINE
---	EDGE GRAVEL ACCESS ROAD
---	OVERHEAD ELECTRIC
---	LIMIT OF WORK
---	FENCE
---	EROSION CONTROL VEGETATION
---	ELECTRIC CONDUIT
---	SOLAR PV PAVEMENT BLOCK
---	GRAVEL ACCESS ROAD

FIGURE 1
 DAMARISCOTTA, ME AND NOBLEBORO, ME
 US ROUTE 1 SOLAR PV DEVELOPMENT
 OVERALL PROJECT PLAN
 SCALE 1"=300'



Weston & Sampson

syncarpha capital

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DRAWN BY: MRC, CHK BY: RJB, DATE: 08/31/2021

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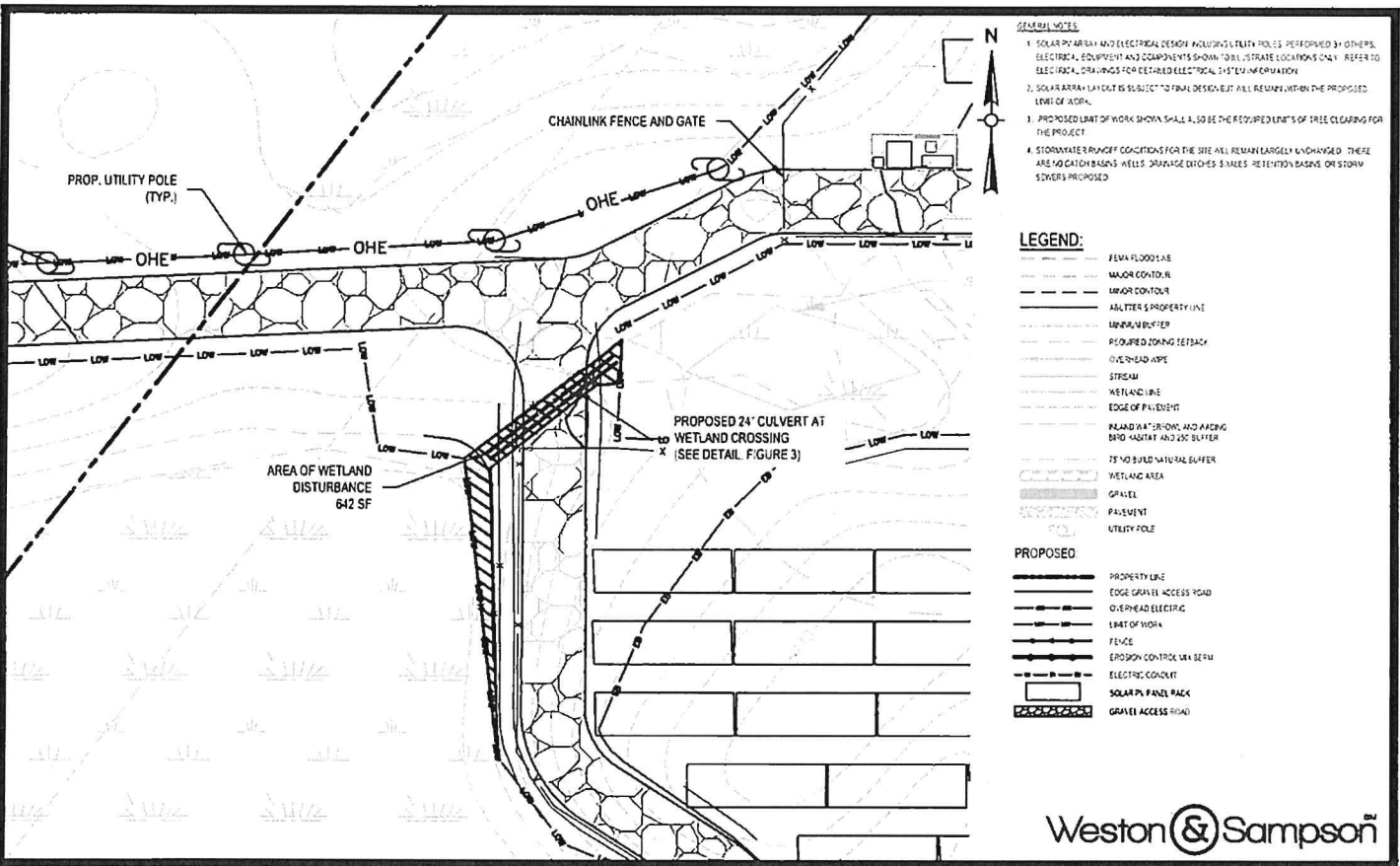
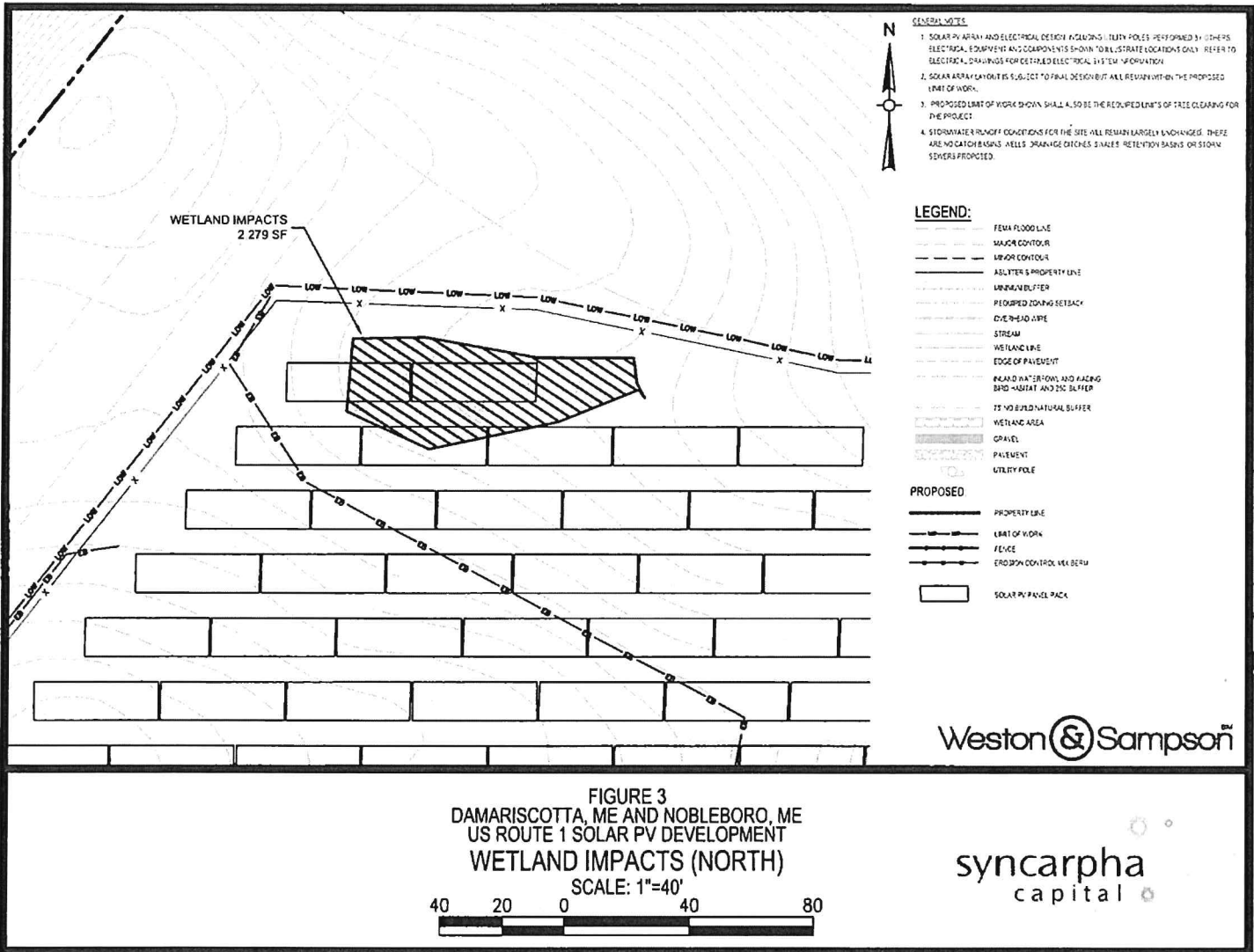


FIGURE 2
 DAMARISCOTTA, ME AND NOBLEBORO, ME
 US ROUTE 1 SOLAR PV DEVELOPMENT
 WETLAND CROSSING AREA
 SCALE: 1"=40'

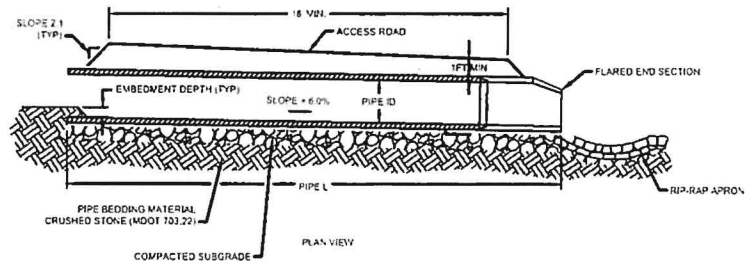
Weston & Sampson

syncarpha capital

\\w031.local\WSE\Projects\Private\Syncarpha\Damariscotta_ME\Design\03_Sheet\USACE Wetland Crossing Figures_1-4.dwg



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- NOTES
1. REFER TO SHEET C001 FOR MATERIAL AND PLACEMENT SPECIFICATIONS.
 2. CULVERT SHALL BE ADS, SINGLE WALL HEAVY DUTY PIPE OR APPROVED EQUAL BY THE ENGINEER. SUBCONTRACTOR SHALL FOLLOW INSTALLATION GUIDELINES PROVIDED BY ADS.
 3. PIPE BEDDING MATERIAL SHALL BE HAND COMPACTED TO A NON-YIELDING CONDITION AND TO ELIMINATE VOIDS IN MATERIAL.
 4. MATERIAL AROUND CULVERT IN THE HAUNCH ZONE (UP TO CENTERLINE OF PIPE) SHALL BE PLACED IN 6 INCH LIFTS AND COMPACTED BY HAND TO A NON-YIELDING CONDITION TO REMOVE VOIDS IN MATERIAL. CONTINUE TO PLACE MATERIAL ABOVE HAUNCH ZONE IN 6 INCH LIFTS.

CROSSING NO.	ROAD WIDTH (FT)	PIPE ID (FT)	PIPE L (FT)	INV IN ELEV (FT)	EMBEDMENT DEPTH (IN)	INV OUT. ELEV (FT)
1	18	2.0	45	107.1	6	104.3

WETLAND CROSSING
NOT TO SCALE

Weston & Sampson™

FIGURE 4
DAMARISCOTTA, ME AND NOBLEBORO, ME
US ROUTE 1 SOLAR PV DEVELOPMENT
CIVIL DETAILS
SCALE: NTS

syncarpha
capital

Memorandum

To: Damariscotta Planning Board
Fm: Bob Faunce
Date: November 29, 2021
Re: Damariscotta Information Center – 276 Main Street

On behalf of the Damariscotta Area Chamber of Commerce Dan Phelps, AIA, has submitted a pre-application for renovation of the Damariscotta Information Center at 276 Main Street, construction of an addition and parking lot, installation of a one-way entrance from Main Street and a one-way exit onto Vine Street and other site improvements. The PB reviewed a previously submitted pre-application at its meeting on September 14, 2020 and conducted a site visit on September 21, 2020. Based on the meeting and site visit, the main issues that needed to be resolved were domestic water, sanitary sewer and stormwater services to the building, site landscaping, site circulation and parking.

Attached are the 2021 pre-app application form, an updated rendering of the proposed improvements, minutes of the site visit and an MDOT entrance permit. The applicant will explain how the pending issues have been addressed at the upcoming PB meeting. Based on input from the Board members, the applicant will submit the full site plan application for consideration at the January 3, 2022 meeting. I suggest that the Board schedule a Public Hearing for the January 3 meeting.

For Office Use Only:
PB Pre-App Meeting Date: _____
PB Site Visit Date: _____

Town of Damariscotta Site Plan Review Pre-Application Form

(Submit 10 Copies to Code Enforcement Officer)

General Information

1. Applicant
DAMARISCOTTA REGION
CHAMBER OF
COMMERCE (DRCC)

2. Applicant's Address
P.O. Box 13
DAMARISCOTTA, ME
04543

3. Applicant's Tel # and Email
207-563-8340
jroberts@lcnme.com
JOHN ROBERTS

4. Property Owner
TOWN OF
DAMARISCOTTA

5. Owner's Address
21 SCHOOL STREET
DAMARISCOTTA, ME
04543

6. Owner's Tel # and Email
207-563-5168

7. Engineer/Consultant
PHELPS ARCHITECTS INC.

8. Engineer/Consultant Address
P.O. Box 32
DAMARISCOTTA, ME
04543

9. Engineer/Consultant Tel #
and Email
207-563-1616
dphelps@phelpsarchitects.com

10. Location/Address of
Property
216 MAIN STREET
DAMARISCOTTA, ME

11. Tax Map/Lot
6/117

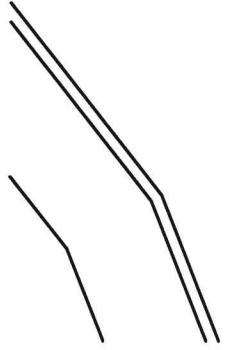
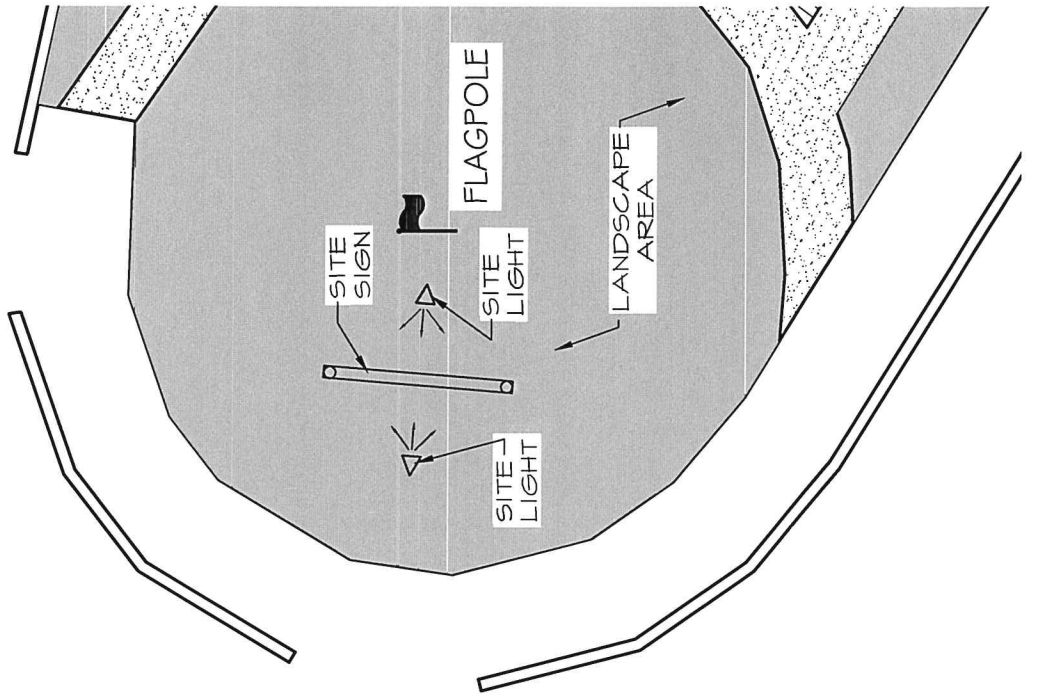
12. Zoning District
C-2

13. Description of Proposed Project and Any Requested Waivers (Note - There is a Presumption of No Waivers. The Applicant Must Document the Negative Effects of Denied Waiver(s))

Sketch Plan

Please Include: Outline of the Tract or Parcel with Estimated Dimensions, Road Rights of Way and Existing Easements; North Arrow; Proposed Layout of the Building(s), Driveways and Parking Areas; Identification of General Areas of Steep Slopes, Wetlands, Streams and Flood Plains; and Other Information Pertinent to the Project.

· PLEASE SEE ATTACHED
SITE PLAN



Damariscotta Planning Board

Site Visit

276 Main Street

Damariscotta Information Center

September 21, 2020

Members Present: Wilder Hunt, Neil Genthner, Jonathan Eaton, Ann Jackson, Jenny Begin

Staff Present: Bob Faunce

Others Present: John Robert, Jim Gallagher, Michelle Phelps, Dan Phelps, Representatives of the Chamber of Commerce

The project will involve restoring the existing information center building and constructing an addition. The existing parking area with in- and out access from Main Street would be replaced by a larger parking lot and access drive with one way in from Main Street and one way out onto Vine Street. Due to the very small size of the lot most of the trees will be removed.

The applicants were informed that the site plan will need to include information on proposed water, sewer and stormwater services. If a direct connection can be made to the municipal stormwater system, on-site detention will likely not be required.

The access drive will be immediately adjacent to the abutting property and the preferred parking arrangement will be closer than the minimum 15' setback from Vine Street. Contrary to information provided earlier to the applicant, there is no minimum required setback between the access drive and a property line and the PB can reduce the Vine Street setback rather than requiring BOA approval.

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

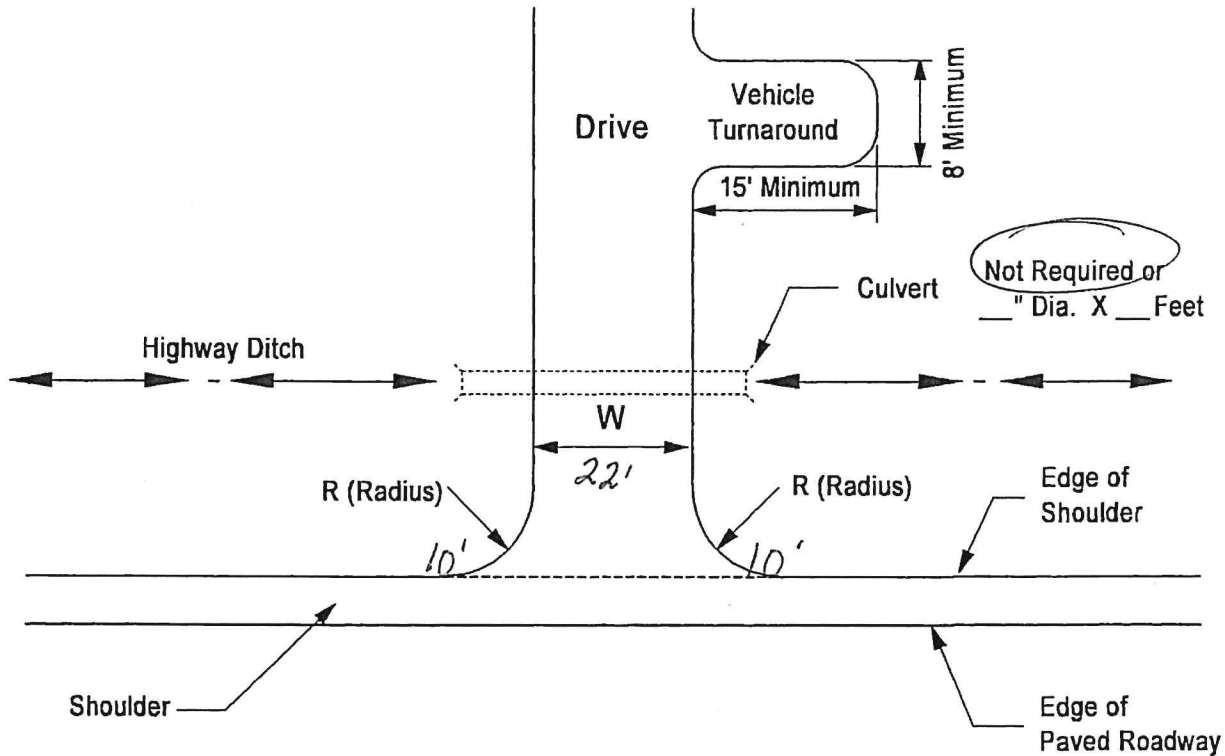
(THIS CERTIFICATE IS NOT A PERMIT)
(This notice is printed on weather proof paper)



State of Maine
Department of Transportation

Entrance / Driveway Details

PLAN

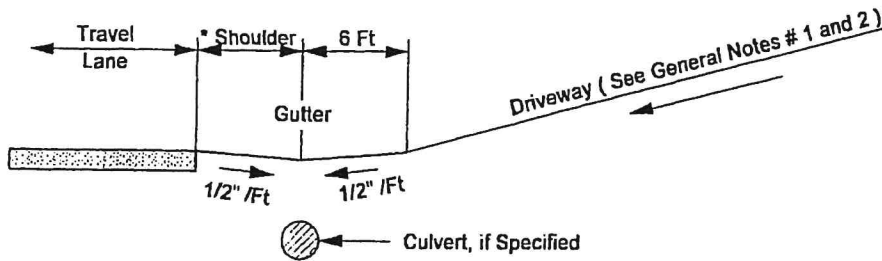


GENERAL NOTES -

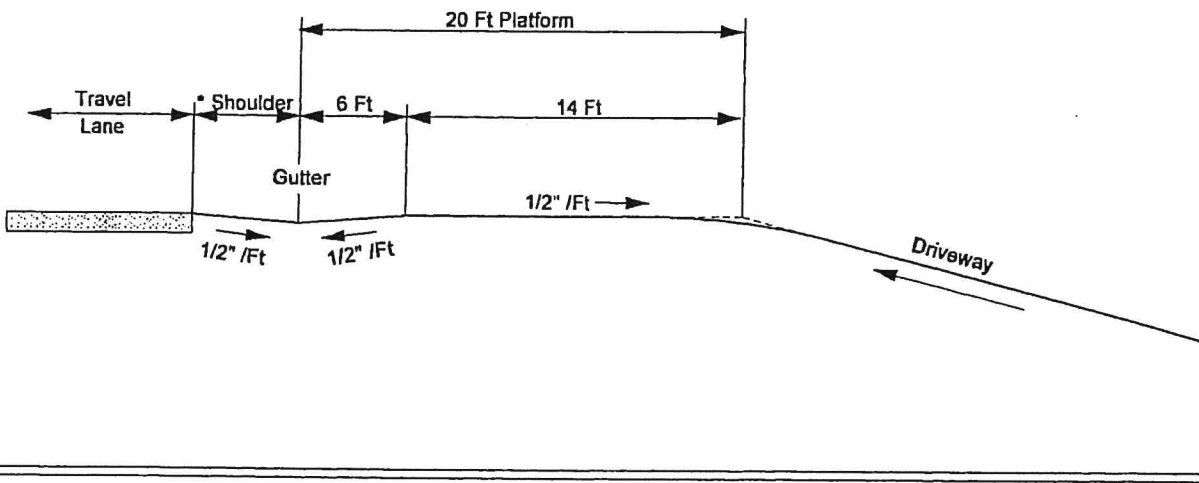
1. ALL RESIDENTAL OR COMMERCIAL DRIVES WITH 10% GRADE OR MORE SLOPING DOWN TOWARDS THE HIGHWAY SHALL BE PAVED TO THE RIGHT OF WAY LINE, AS A MINIMUM, INCLUDING SHOULDER, IF GRAVEL AND HAVE DITCHES TO CONTROL RUNOFF.
2. DRIVES SLOPING TO THE HIGHWAY SHALL BE CROWNED (1/2" PER FT. MINIMUM).
3. TO THE MAXIMUM 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

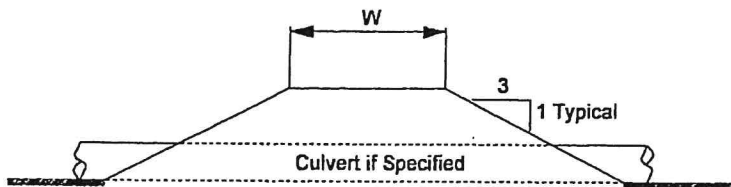
PROFILE Details



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

Memorandum

To: Damariscotta Planning Board

Fm: Bob Faunce

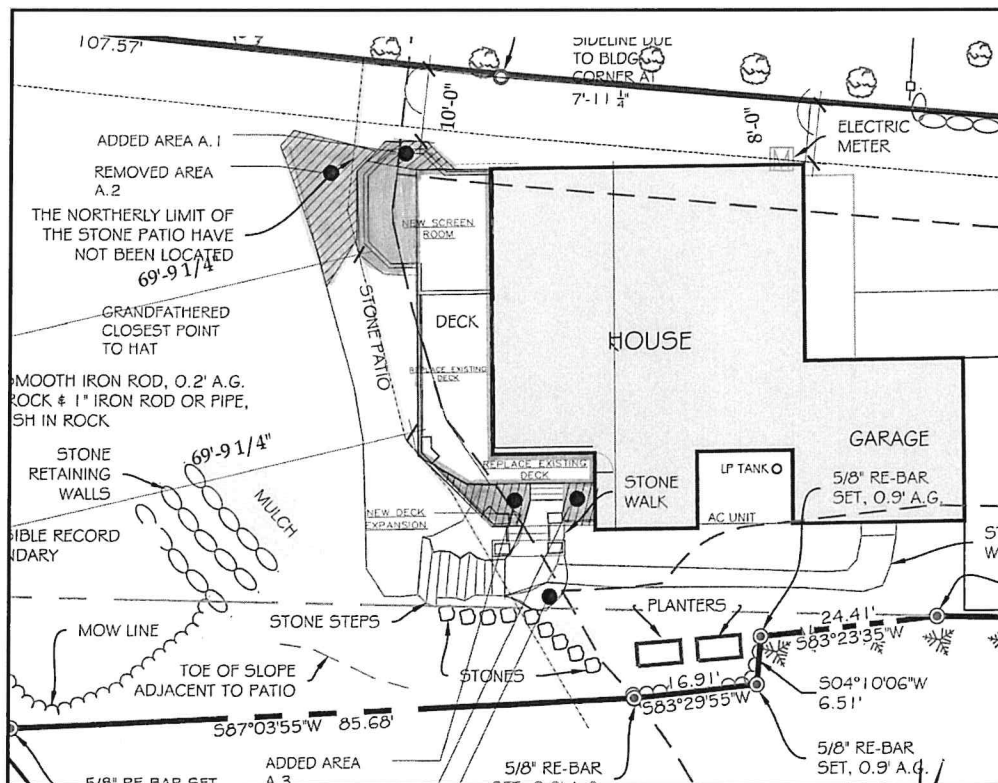
Date: November 22, 2021

Re: 35 Water Street – Expansion of Structures in the Shoreland Zone

On behalf of Bruce Bykowski, the owner of a residence at 35 Water Street, Michelle Phelps, AIA, has submitted a Shoreland Zoning Application to replace and expand a portion of an existing deck, replace and convert the remaining portion of the deck to a screen room and make several other changes to the property. Attached are the following submissions:

- Shoreland Zoning Application Form
- Letter from Phelps Architects presenting the scope of work
- Enlarged version of Plans S-001.1 & S-002.1 (the full-size plans exceed maximum email attachment size but they will be presented at the meeting)
- Existing and proposed lot coverage summary
- Net lot coverage change within the 75' setback

In order to better understand the proposed project, I have prepared the following sketch plan that highlights the improvements and changes proposed by the applicant.



- The existing deck is highlighted in blue
- The dashed red line is the 75' SZ setback
- The yellow line represents the closest the existing deck is to the shore (69' - 9 ¼")
- The purple areas represent expansions (deck extension and screen room) into the 75' setback but in no instance are they any closer to the shore than the existing deck
- The green areas represent deck and screen room expansions outside of the 75' setback
- The orange area is that portion of the existing stone patio that will be removed and revegetated

Base on the lot coverage calculations supplied by the applicant, the additional impervious area within the 75' setback will be fully offset by removal and revegetation of a portion of the stone patio.

The property is in the Residential District, which requires a 15' side setback. The existing building is slightly more than 7' from the sideline, which makes it legally non-conforming. The applicant is requesting permission to extend the northerly side of the screen house to within 10' of the side lot line.

Staff recommends that the PB schedule the project for a site visit. I have asked the applicant to stake out the locations of the proposed improvements, setback lines and the portion of the patio to be removed.

For Office Use Only:

Permit # _____

Issue Date: _____

Fee Amount: _____

Town of Damariscotta Shoreland Zoning Application Form

General Information

1. Applicant

Phelps Architects, Inc
Mrs. Michelle B. Phelps, AIA

2. Applicant's Address

P.O. Box 32
278 Main Street
Damariscotta, ME 04543

3. Applicant's Tel # and Email

207-563-1616
mphelps@phelpsarchitects.com

4. Property Owner

Mr. Bruce Bykowski

5. Owner's Address

35 Water Street
Damariscotta, ME 04543

6. Owner's Tel # and Email

804-833-1519
bykowski27@gmail.com

7. Contractor

T.B.D.

8. Contractor's Address

T.B.D.

9. Contractor's Tel # and Email

T.B.D.

**10. Location/Address of
Property**

35 Water Street
Damariscotta, ME 04543

11. Tax Map/Lot & Date Lot

Created Map 6, Lot 1-1
Date Lot Created: 1971
Book 690 page 243
by Katherine R. Johnson to
Henry & Lucy Butler

12. Zoning District

SHORELAND ZONE
RESIDENTIAL

13. Description of Property Including a Description of all Proposed Construction, (e.g. Land Clearing, Road Building, Septic System, & Wells - Please Note that a Site Sketch is Required on Page 3).

REFER TO ATTACHED: SURVEY & SITE PLAN

V2: EXISTING SURVEY
S-100 SITE PLAN (SHOWS CHANGES PROPOSED)

REFER TO ATTACHED LETTER DESCRIBING THE PROPOSED
SCOPE OF WORK AND CHANGES PROPOSED.

14. Proposed Use of Project

RESIDENTIAL

15. Estimated Cost of Construction

\$150,000.

Shoreland and Property Information

16. Lot Area (sq. ft.)

33,617 sf

17. Frontage on Road (ft.)

69.59'

18. Sq. Ft. of Lot to be covered by Non-Vegetated Surfaces

23.77% = 7993 SF existing

19. Elevation Above 100-year Flood

AE ZONE
BFE 10' (NAVD88)

20. Frontage on Water Body (ft.)

102.43'

21. Height of Proposed Structure

EX. BLDG. 32'
ADDITION: 22'-6"

22. Existing Use of Property

RESIDENTIAL

23. Proposed Use of Property

RESIDENTIAL

Note: Question 24 Applies Only to Expansions of Portion of Existing Structures which are Less than the Required Setback

24.A Total Floor Area of Portion of Structure which is Less than the Required Setback as of 1/1/1989 72 SF S.F.

24.B Floor Area of Expansions of Portion of Structure which is Less than the Required Setback from 1/1/1989 to Present 72 SF S.F. 2009 BLDG. WAS REPLACED

24.C Floor Area of Proposed Expansion of Portion of Structure which is Less than the Required Setback 130 SF S. F.

24.D Percentage (%) Increase of Floor Area of Actual and Proposed Expansions of Portion of Structure which are Less than the Required Setback since 1/1/1989 0 S.F.

(% Increase = (B+C)/A x 100)

55 %

ALLOWABLE UP TO 1000 SF
INSIDE 75' (TOTAL
PROPOSED INSIDE 75' = 130
SF EXPANSION + 72 SF EXIST
= TOTAL 202 SF TOTAL)

Site Plan

Please Include: Lot Lines; Area to be Cleared of Trees and Other Vegetation; the Exact Position of Proposed Structures, Including Decks, Porches and Outbuildings with Accurate Setback Distances from the Shoreline; Side and Rear Property Lines; the Location of Proposed Wells, Septic Systems and Driveways; and Areas and Amounts to be Filled or Graded. If the Proposal is for Expansion of an Existing Structure, Please Distinguish between the Existing Structure and the Proposed Expansion. **Note: For All Projects Involving Filling, Grading or other Soil Disturbance You Must Provide a Soil Erosion Control Plan Describing the Measures to be Taken to Stabilize Disturbed Areas Before, During and After Construction (see Shoreland Zoning Ordinance Guidelines).**

Scale 1" = 20' ft.

REFER TO ATTACHED SITE PLAN S-100
REFER TO ATTACHED SITE PLAN S-200
FOR SILT FENCE LOCATION, NO GRADE
CHANGES PROPOSED

Front or Rear Elevation

REFER TO ATTACHED EXTERIOR
ELEVATION

Note : Draw a Simple Sketch Showing Both the Existing and Proposed Structures with Dimensions. Please attach any Photos (with Labels) to back of Application

Side Elevation

REFER TO ATTACHED EXTERIOR
ELEVATION

Note: Draw a Simple Sketch Showing Both the Existing and Proposed Structures With Dimensions. Please Attach any Photos (with Labels) to Back of Application.

Additional Permits, Approvals and/or Reviews Required

Check if Required

_____ Planning Board Review/Approval (e.g. Subdivision, Site Plan Review)

_____ 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)

Others:

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

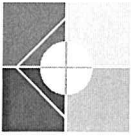
I Certify That All Information Given in this Application is Accurate. All Proposed Uses Shall be in Conformance with this Application and the Town of Damariscotta Shoreland Zoning Ordinance. I Agree to Future Inspections by the Code Enforcement Officer at Reasonable Hours.

Applicant's Signature

Date

Agent's Signature (if applicable)

Date



November 11, 2021

Project Reference Name: Bykowski Residence

Location: 35 Water Street, Damariscotta

Attn: Planning Board

The following are clarifications as to the intent of the addition and changes proposed to the property. There is no change in lot coverage proposed as an area of existing non-permeable surfaces at the existing terrace is proposed to be removed to equal the total Sf that is proposed to be added.

The setback to the closest point of the existing deck is called out on the site plan to the HAT. We propose that the new deck and screen room will meet this grandfathered setback as shown on S-100 Site Plan.

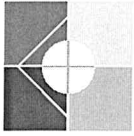
The Existing residence structure is closer to the Northern setback than current set-back requirements and is at 8'-0" to the property line, therefore is grandfathered to the distance of 8'-0" vs. 15'. The proposed screen room is set at 10' to the property line for this reason.

Proposed Scope of Work:

- a. Replace Existing Deck with New Deck.
- b. Replace a Portion of Existing Deck with a New Screen Room
 - i. A portion of the new screen room is over the existing terrace.
 - ii. A portion of the new screen room expands beyond the existing deck (therefore a portion of the existing terrace is proposed to be removed to equalize the lot coverage calculations.)
- c. Add a new screen Room under a portion of the new deck.
- d. Add an area of stone walkway at the new deck.
 - i. A portion of the existing terrace is proposed to be removed to equalize the lot coverage calculations.

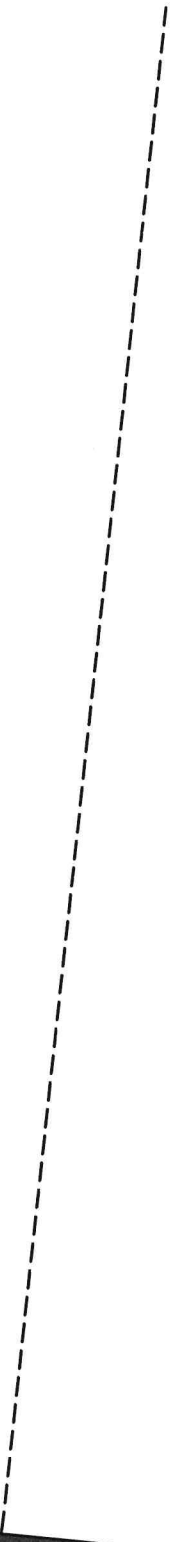
Michelle B. Phelps, AIA, NCARB

Phelps Architects Inc.



PHELPS ARCHITECTS INC
PLANNING | RESIDENTIAL & COMMERCIAL DESIGN | INTERIORS

~~107.57'~~



ADDED AF

REMOVED

A.2

THE NORTHERLY
THE STONE PAT
NOT BEEN L

69'-

~~GRANDF,
CLOSES-
TO HAT~~

PHELPS ARCHITECTS INC

Damariscotta Office: 278 Main Street, P.O. Box 32, Damariscotta, ME 04543

Portland Office: 254 Commercial Street, Merrill's Wharf, Suite 245, Portland, ME 04101

LOT COVERAGE CALCULATIONS

Date:	11/11/21
Project Name:	35 WATER STREET, BYKOWSKI Residence
Location:	DAMARISCOTTA
Existing Building footprint (including house, porches, decks, garage)	3,042
existing shed	121
Walkways, Terrace, Stone Steps and retain walls & planters	1,343
driveway/parking	3,487
TOTAL PROPOSED LOT COVERAGE SF	7,993
LOT SIZE SF:	33,617
ALLOWABLE LOT COVERAGE 20%	
PROPOSED LOT COVERAGE %: (grandfathered)	23.77%

Area proposed to be added is offset by area proposed to be removed: see S-100, no change in lot coverage

0	GROSS CHANGE IN LOT COVERAGE TOTAL SHORELAND ZONE
+ 18	AREA:A.5 PROPOSED EXPANDED STONE WALKWAY AREA
+ 23	AREA:A.4 PROPOSED EXPANDED DECK AREA
+ 46	AREA:A.3 PROPOSED EXPANDED DECK AREA
- 118	AREA:A.2 PROPOSED REMOVED TERRACE TOTAL
+ 31	AREA:A.1 PROPOSED ADDED TOTAL SCREEN ROOM AREA:
PROPOSED SF CHANGE	TOTAL EXISTING LOT COVERAGE INSIDE SHORELAND ZONE 23.77% GRANDFATHERED ALLOWABLE