

**MINUTES
PLANNING BOARD
TOWN of DAMARISCOTTA
February 1, 2021 6:00 P.M.**

Meeting via ZOOM

MEMBERS: Jonathan Eaton, Chairperson; Jenny Begin, Neil Genthner, Wilder Hunt and Ann Jackson

ALTERNATES: Dan Day; Gary Rosenthal, potential alternate

ABSENTEES: None

STAFF PRESENT: Robert Faunce, Interim Town Planner Lynda Letteney, Recording Secretary

PUBLIC PRESENT: Via Zoom: Dominique Pratt; Todd Vincentsen; Patrick Parson; Adolph Galenski; Peter Biegel; Brooks Betts; and Ms. Sharp.

I. The meeting was called to order at 6:20 p.m. by **Chairperson Eaton** (delayed due to technical difficulties)

II. **MINUTES;**

On motion (Hunt/Jackson) to approve the minutes from 1/4/2021.

Vote: 5-0-0

III. **BUSINESS MEETING**

A. OLD BUSINESS:

1. 11 Fir Tree Lane – Shoreland Zoning Permit

There was a site visit on 12/14/2020 and it was generally agreed that the existing building was no worth salvaging. There needs to be a set back from the pond. There is a powerline easement at the rear of the property. By positioning a new camp 62' from the high water mark and 10' from the powerline right of way at the rear of the property, construction is possible. Condition is that a certified by the State of Maine contractor for the dirt work be used. **Jonathan Eaton** asked if the proposed deck was still within the ordinance guidelines. **Bob Faunce** said it was.

On motion (Hunt/Jackson) to accept the building plan as presented.

Vote: 5-0-0

Bob Faunce introduced Gary Rosenthal who is interested in filling the vacancy of alternate on the Planning Board. He stated he had been a resident for 15+ years and thought it was time that he gave something back. He was welcomed by all present.

2. 97 Bristol Road – Lincoln Health Parking Lot – Continued Review

Site visit was conducted 1/12/21 and tonight's meeting is for discussion with no final action to take place. Peter Biegel began the presentation giving an historic overview from 2000-2003 showing with a red line on the topographical map, the entrance with avoidance and minimization of wetlands and the stream. The plan is to relocate the access road 19' from the Sharp property line. To do this there would need to be an expensive retaining wall, with the magenta line showing the compromise. (See attached map of the plan

with all three lines). The blue line is the biggest disturbance. **Wilder Hunt** asked if it was paved within the buffer. **Mr. Biegel** said paved area would be within 30' set back. Pulling back the buffer by 7' to 19' would make the situation better. **Wilder Hunt** said it calls for 30' buffer of vegetation, and when they first came to the Board they said they would go to any length to accommodate Ms. Sharp's residence. In his opinion, that statement has to be honored; the hospital should stand by its statement. **Jonathan** said he went through the site plan review carefully. Granted there is a road there now; can use the existing road, without change, but legally you can't make the buffer smaller. **Robert Faunce** cited the Site Plan Review Ordinance. Performance standards are minimum standards; the Planning Board cannot reduce a standard. A 30' buffer is required unless there is a waiver requested. If granted, the Board must explain why it was granted. If the waiver is denied, no reason need be given other than it doesn't meet the standard.

Jenny Begin said that the two uses (parking lot/residence) are incompatible. She favors a 30' buffer. **Peter Biegel** said he didn't find a definition for "incompatible". Is accessing use of the hospital facilities incompatible with the parking lot or the adjacent residences? He asked, "If we are providing an evergreen buffer, what are you buying with the extra 11'?" **Jonathan Eaton** said that he got that. **Wilder Hunt** stated that they would be buying a complimentary relationship with the resident; the borderline between zones (C2/residential) and he would continue to support the blue line 30' buffer with grassed over area with shrubs and no parking. **Ms. Sharp** stated that with 56 spaces and the entrance/exit next to her living room and bedroom, every vehicle is heard or seen (lights),

Patrick Parson, speaking on behalf of the hospital, said that the hospital has made a positive effort to meet the needs of the resident. They have added vegetation; the layout was changed to herring-boned to be less intrusive; they changed lighting fixtures and direction to minimize effect of the residence. He reemphasized that they are a not for profit entity, not a commercial property. He outlined the hospital's economic situation: 1.) Initial costs were to protect wetlands; 2.) New plan(s) have an increased cost no matter what; 3) the hospital has lost 50% of its revenue during the pandemic and it'll take 3+ years to recover to a break even position. While they are mindful of the 30' buffer, the waiver process is there for a reason. **Wilder Hunt** responded that he fully understood the hospital's position, and he has to remind himself that the residential zoning that was there was changed to C2. He is also mindful of the sharp criticism the Board has come under by granting too many waivers. Over the years the "hospital zone" has gotten its share of waivers and/or bending of the rules. The Town voted in new guidelines so waivers would be minimal.

Jonathan Eaton asked Peter if the outlet was near Bristol Road. If so, he could propose a compromise. By taking out the "bump out" in blue, and if the 11' blue area was reduced to 7', it would create a straightaway to the hospital. **Jenny Begin** asked if what he was saying was that instead of a 30' buffer, you would have a 23' buffer? **Brooks Betts** said this would be costly for the hospital. **Dan Day** interjected that it would still need a waiver. **Jonathan Eaton** said that presently this is an all tarred area; it would bring in vegetation. **Jenny Begin** reminded the Board and hospital that they still would need 2 plans to be in compliance. **Jonathan Eaton** said they already have that in the "three-in-one map" with the colored lines. This would be a 4th proposal. **Ann Jackson** asked if this might be acceptable to the owner. Response was that it was more reasonable and made sense. Discussion about parking spaces lost ensued. Idea was one space could be added in the northeast corner with a reconfiguration of the vegetative islands and 2 - 4 more could be added after the tree line on the south side of the lot. **Peter**

Biegel summarized saying that there would be a 23' buffer and the entrance would move northward to accommodate a straighter line into the hospital.

Both **Wilder Hunt** and **Jenny Begin** wanted to see the new schematic of the revision. This would minimize impact on 30' buffer and reduce the cost burden on the hospital. Neil Genthner had left the meeting before this due to poor connection, but **Bob Faunce** expected he would recuse himself from any vote on this matter, though he was welcome to give input. **Jenny Begin** asked if the moved spaces might be for compact cars and/or motorcycles? It was felt it was something to look into. **Robert Faunce** asked if they lost spaces with new road configuration, could Peter Biegel consider some spaces in the 50' Bristol Road buffer. Spaces on the southwest end, facing south, even if diagonally placed, might cause light issues for resident. **Jonathan Eaton** felt a stockade type fence in the southwest section could solve that problem, allowing for 3-4 more spaces. **Wilder Hunt** said he could support the concept; **Ann Jackson** said it certainly was thinking outside the box; **Jenny** asked how Ms. Sharp felt. **Ms. Sharp** thanked the Board and said she appreciated them looking into this.

Plan is to come back March 1st. **Bob Faunce** asked if they needed a workshop or if they would be ready for approval with changes. **Jonathan Eaton** said he felt they would be ready if everyone was amenable. **Wilder Hunt** said he wanted to see new plans and drainage impact. **Bob Faunce** proposed the hospital have new design that was consistent with what was discussed ready in two weeks. Then he could file a final plan. **Ms. Sharp** wants to see it as well.

B. NEW BUSINESS:

1. Solar Arrays

Robert Faunce informed the Board that there are proposals for several very large scale solar farms in the county. To get an idea of how large, they have approved one in Waldoboro that is approximately 20X bigger than the recently approved Coastal Rivers array. Currently the only large array is the Town's utility. The Town really needs to address larger projects. Large amounts of land are consumed by these. Fear is that if we get a larger project, we'll lose rural landscape. He has drafted an ordinance for LUAC to review. This addresses arrays the size of Coastal Rivers' and larger, and not visible from a public road. Smaller personal use and/or rooftop arrays are not included in this. Two developers have approached Bob on very large scale projects. Because of Covid-19, Town meeting will be by referendum. An ordinance must be submitted 2 months before Town meeting. If we set discussion for March 1st meeting, we could have a special meeting at the end of the month to send it to the Board of Selectmen. He has run this by the Town attorney who thinks it is a good idea, especially given the anxiousness of some developers. We should have something on the books. **Wilder Hunt** asked about a 6 month or year-long moratorium. **Bob** suggested waiting and let's see how it plays out. Draft will be sent to Board once LUAC meets; see what you think. He will send Zoom link and password for anyone who wants to attend LUAC meeting.

C. OTHER

1. Questions from the Public - None

2. Housekeeping - None

3. Planner's Report- None

D. Adjournment

**On motion (Hunt/Eaton) to adjourn the meeting at 7:30 p.m.
(Genthner had left the meeting earlier)**

Vote: 4-0-0

Respectfully submitted,

Lynda Letteney
Recording Secretary

We the undersigned approve the minutes for the Planning Board Meeting of

Jonathan Eaton, Chairperson

Jenny Begin

Neil Genthner

Wilder Hunt

Ann Jackson

Daniel Day (alternate)

Minutes for (February 1, 2021) signed _____
Date

