

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

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

ALTERNATES: Dan Day

ABSENTEES: Jenny Begin (arrived 6:10 p.m.), Gary Rosenthal (Alt); Bruce Batchelder (Alt)

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

PUBLIC PRESENT: Via Zoom: Peter Beigel, Patrick Parson, Brooks Betts, Michael Atkinson, Shari Sage, Brooks (Ms. Sharpe), and Evan Houk, Lincoln County News

I. CALL TO ORDER

The meeting was called to order at 6:00 p.m. by **Chairperson Eaton** Pledge was dispensed with as meeting was via Zoom and no flag was present.

II. MINUTES

On motion (Genthner/Jackson) to approve the minutes of February 1, 2021, as distributed with the following correction: Page 2, paragraph 4, line 2 “. . .blue area was reduced to 7’ should read “. . . reduced by 7’ **Vote: 4-0-0**

III. BUSINESS MEETING

A. OLD BUSINESS

1. 97 Bristol Road- Lincoln Health Parking Lot-Final Action-Site Plan review

Peter Beigel began the discussion by reviewing the changes in the parking lot configuration to accommodate a 30’ buffer between the parking lot and the Sharpe property. Several impervious spaces will be converted to landscape equaling about 1000 sq. ft. in the reduction of parking space. There is now a 30’ buffer between the lot and the residence. The hospital is asking for a waiver for the boundary as the lot is included in the entire parcel and has already been staked out. For the whole campus the Sharpe property is the only parcel the hospital doesn’t own. **Wilder Hunt** asked for a more complete explanation. For the entire hospital campus, this is the only abutter not owned by the hospital. Stakes are in and mark the boundaries everywhere else. Wilder said it sounds complete and complies with the ordinance.

At this point, **Neil Genthner** said he had to recuse himself with a conflict of interest and asked that Dan Day take his place.

On motion (Hunt/Begin) to have Dan Day take Neil Genthner’s place as a voting member.

Vote: 4-0-0

Brooks Sharpe asked if there would be a curb along with the landscaping to act as a buffer. **Peter Beigel** said it was not proposed at this time, and was not felt to be necessary. **Brooks Sharpe** asked if there would be “no parking” signage. **Peter** responded that the slope of the hill between the lot and her property is significant and should be enough to prevent parking on the landscaping.

On motion (Wilder/Jackson) to accept the waiver request. Vote: 5-0-0
On motion (Hunt/Day) to accept the application as “complete.” Vote: 5-0-0
On motion (Hunt/Jackson) to accept the project with findings as described by Bob Faunce as acceptable Vote: 5-0-0

Brooks Sharpe asked about the timeline. **Peter** said ASAP. They would like to have construction completed before the influx of summer population. The hospital’s patient census increases dramatically during the summer months. When asked about the hours of operation, **Peter** said the plan is M-F during daylight hours. Town ordinances govern a 7:00 p.m. end time. There may be some Saturday work as the project progresses. **Jenny Begin** asked if the lights were on all night. **Peter** said some will stay on as security lighting, but others will go off at dusk. **Jenny** reiterated. “So the lights are on for security?” **Brooks Betts** stated that some lights have to be 24/7 for shift changes. They have staff coming in on many different shifts and thru the night. **Peter** elaborated saying that all lights will be rewired with the project. After 7 p.m. some will stay on and some will be off. **Mr. Betts** said no more than necessary will stay on.

Shari Sage had two questions: 1) Because of less staff and patients at night, could this lot not be used at night? 2) Are there any restrictions on types of vehicles that can use the lot? **Bob Faunce** responded that there are no restrictions on types of vehicles. **Shari** said she was thinking of “monster trucks with loud exhausts/music and oversized vehicles. **Bob** said that any legally registered vehicle in Maine is allowed; they can’t govern that. As far as loud noise, that is an issue for Stan Waltz as there are noise ordinances. **Shari** was still unsure why the lot would be needed at night. **Patrick Parson** reiterated that there are shifts coming and going all through the night. The hospital can’t promise where staff will park. **Brooks Betts** said that the hospital allows staff to park in patient spaces after 5 pm as they are closer to the hospital. **Patrick Parson** said the hospital has tried to encourage staff to park at the farthest edges of the lots. **Shari** then asked about the promise of a more aesthetic lot. **Peter** reiterated that the buffer consists of 5-6 foot cedar evergreens. Landscaping is done last to avoid destroying landscape with heavy equipment. **Shari** said she was happy with the answers. **Brooks Sharpe** thanked the Board for their diligence in coming to a mutually agreeable resolution.

On motion (Hunt/Jackson) to have Neil Genthner rejoin the Board as a voting member.

Vote: 5-0-0

B. NEW BUSINESS:

1. Historic Preservation Ordinance-Proposed Amendments

Bob Faunce began the discussion saying the basic amendments had been agreed to and the Board of Selectmen had had a public hearing on the ordinance with a lot of public input. Bob did a PowerPoint for the public. The result of public input produced changes in the demolition section; more flexibility regarding historic condition; no expansion of the historic district without public knowledge and input; Town Meeting can create additional area added to the district. **Bob** stated that if the Planning Board wants to move forward with this ordinance, they would need a Public Hearing no later than March 8, 2021, in order for it to go out to referendum. Bob felt a lot of people did not understand that the ordinance relaxes the current ordinance. If we do not go forward with new one, old one stays in place which is more restrictive. **Neil Genthner** felt they should go forward; he favors a more relaxed ordinance. **Jenny Begin** said she was hesitant. **Jonathan Eaton** asked her if she had read the changes. He reminded her that the committee overseeing this had gone from 3-5; that the requirement that solar panels, etc. couldn’t be street-facing was removed as some felt south-facing for their property meant

installing panels facing the street; there is now a “unique circumstances clause; “a good faith effort” to try and sell to a buyer interested in restoration has been defined more clearly; a demolition delay has been reduced from 120 days to 90 days. **Jenny** said she was confused about the demolition delay. “If someone doesn’t have buyer, what’s the deal?” **Bob** said there would be notice in the paper that the property is for sale and to contact the owner. There are a set of standards for rebuilding. There can be no recreation, making a new building exactly like the old historic one. While a new building must conform to the overall “historic appearance” it must be distinguishable from an historic building. The architectural features must be compatible with the district. It is up to the architect to make those distinctions. **Jenny** remembered this issue with the new library. She asked if someone could just clear the lot and put in a parking lot. **Neil Genthner** said LUAC has done a lot; these amendments clean it up and are in the best interest of the Town. He favors moving the ordinance forward. **Wilder Hunt** felt these were more relaxed and more appealing. As a side note, he asked about membership on the Committee. With 5 members, are there enough owner-residents in the district to fulfill the requirements? **Bob** said there are at this juncture. He felt non-resident owners should not be precluded. **Wilder** said he suspected there were very few owner-residents and that non-residents should be on the Committee. **Bob** said with 40-50 owners, quite a few are out-of-towners. **Bob** suggested a Public Hearing March 8, 2021, at 6 pm via Zoom.

Neil Genthner asked if the majority of committee members had to be from Damariscotta. **Bob** said currently it is a preference at least. Currently 3 are from Damariscotta. **Neil** said he would like to see it worded that way- a majority had to be residents of Damariscotta. **Bob** said he could do that before the public hearing and **Neil** said he like securing that membership. **Neil** asked if there would be separate invites for the public hearings. **Bob** said, “Yes.” **Neil** asked if the gym at GSB School could be used rather than Zoom. The school is a “no go” now they are in session mostly due to COVID-19 concerns. **Bob** said there is a 50 person limit for gatherings which might be limiting, but he will check. The Lincoln Theater was another suggestion, but it runs into the same issues as the school.

2. Proposed Solar Energy Systems Ordinance

Robert Faunce began the discussion stating that every week he gets new development ideas and interest in being in Damariscotta. He has concerns if we get requests for larger solar development. Without a solar ordinance, juggling development and consternation from the community might become a problem. In running it by the Town attorney, she felt an up-to-date ordinance was acceptable. He is proposing having a public hearing on March 8, 2021, to get this on the warrant for the Town Meeting. **Jenny Begin** said some of the lands available for this already fall under farmland easements. **Bob** said he was thinking of Belvedere Road, both sides, as a possible development site (next to the old Walmart site). While it doesn’t prohibit a large solar area, it will regulate certain conditions. **Jonathan** said large arrays are ugly. Is there room at the old dump? Do they want woodland as such, or more accessible areas? **Jenny** said the one in Thomaston is harvesting all the wood. **Bob** said a 600 acre (a 3 town project) is being done in an all forested area. They are able to do it basically because all land is owned by one family. **Jonathan** said things can change down the road; it’s better to be more restrictive and then ease up. This is much better than no rules.

Michael Atkinson was asked about cleared land vs. wooded area. His company understands the desire to preserve farmland. His company has 7 projects in state and so far none are over 20 acres. “We tie in directly to CMP power lines. A 600 acre array would bypass that and tie directly to the high voltage

system.” Arrays 15-40 acres would need direct access to roadside power lines. Larger projects tie into higher transmission lines (100’s of acres). **Neil Genthner** asked if the ordinance was strict enough for our area. **Bob Faunce** said it felt it was a good balance: complete buffering from town road and a 20 acre limit. **Michael Atkinson** said he felt it was a reasonable ordinance and not too restrictive. The phrase ”not able to be viewed” might be a problem, as the closer to the road the array is, the better for syncing up with CMP. “This is not so restrictive that development isn’t possible.” **Wilder Hunt** agreed with Jonathan – they are ugly looking. He said, ‘Either way we pay the price – what benefit do we get out of a privately held array? To him aesthetics are important. **Jonathan Eaton** suggested “pushing ahead, tweaking if we need to,” **Neil Genthner** agreed. He doubted you could screen the array from the road 100%. He would like to hold the public hearing and go from there. **Jenny Begin** said they had to have an ordinance, but could a moratorium be enacted. Neither Jonathan nor Bob knew about a moratorium; **Bob** said that came up at the LUAC meeting as well. **Jenny Begin** wanted to make sure no herbicides were used that would drift. Maintenance had to be mechanical not chemical. These can be addressed with site plan review and approval, according to **Bob**. Neil said, “If we remember.” He thought mechanical vegetation control should be part of the ordinance. **Michael** added that to his knowledge he was not aware of any arrays using chemical control for just these reasons. **Public Hearing scheduled for March 8, 2021, at 6 p.m.**

C. OTHER

1. Questions from the Public - None

2. Housekeeping - None

3. Planner’s Report- None

D. Adjournment

On motion (Hunt/Genthner) to adjourn the meeting at 7:15 p.m.

Vote: 5-0-0

Respectfully submitted,

Lynda Letteney
Recording Secretary

We the undersigned approve the minutes for the Planning Board Meeting of March 1, 2021

Jonathan Eaton, Chairperson

Jenny Begin

Minutes of the Planning Board (March 1, 2021) cont'd:

Neil Genthner

Wilder Hunt

Ann Jackson

Daniel Day (alternate)

Minutes for (3/1/2021) signed _____

Date

