

**SPECIAL BOARD MEETING MINUTES
PUBLIC HEARINGS of the PLANNING BOARD
TOWN of DAMARISCOTTA
March 8, 2021 6:00 P.M.**

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

ALTERNATES: Dan Day

ABSENTEES: None

STAFF PRESENT: Robert Faunce , Interim Town Planner; Lynda Letteney, Recording Secretary (from recording of meeting)

PUBLIC PRESENT: Via Zoom: MidCoast Friend (Bruce Rockwood), Michael Atkinson, and Evan Houk, Lincoln County News

I. CALL TO ORDER

The meeting was called to order at 6:03 p.m. by **Chairperson Eaton** Pledge was dispensed with as meeting was via Zoom and no flag was present.

II. BUSINESS MEETING

A. OLD BUSINESS

1. Historic Preservation Ordinance – Proposed Amendments

Bob Faunce opened the meeting stating that the two changes were regarding the make-up of the Historic Preservation Committee and the guidelines for being a member, as well as the rotating terms of office. **Bruce Rockwood** spoke in favor of the ordinance saying that the changes made he could live with, but would not have removed the guidelines for establishing a separate historic district. He was in favor of the Committee going from 3 to 5 which makes a quorum easier. He can live with eliminating the part that allowed creating district extensions. He strongly feels the need to have a local historic district and this still has to go to the Board of Selectmen (BoS) in order to make it to the Warrant for the June meeting. However, he believes the procedure for creating an additional district should be outlined. He asked if his interpretation was correct in that if the revisions did not pass, the ordinance would stay as is. **Jenny Begin** asked how changes to this would be made. Also, what prompted the revisions? **Bob Faunce** said there had been two public informational meetings. There were comments from 1-2 people in district and 2-3 people from Elm Street. They brought concerns to the BoS who felt the concerns needed addressing. There have been three versions with continuous changes to this version. **Jonathan Eaton** asked if any members of the public were present and wanted to speak. **Bob** said there were none for this; maybe a couple for the solar energy review. **Wilder Hunt** asked how many residents of Damariscotta own property in the historic district as it is. **Bob** said he couldn't tell him the number of residents, but he sent out 50 certified letters, half of which were Damariscotta residents.

Wilder Hunt said he supported what Bob had said and what revisions had been made by the BoS. **Neil Genthner** agreed with Wilder. Despite several changes, he felt it was a workable document. **Jonathan Eaton** asked for any other comments. He felt the changes were good; "they are substantial but we can

live with it.” **Bruce Rockwood** said the local map is an overlay to the National Registry map. He feels in time there will be another historic district elsewhere. He would approve the ordinance as written, although a large chunk has been taken out regarding how to form another district. **Jonathan Eaton** said that the demolition of a house on Water Street started this whole process. In his recollection, the house wasn’t even in the historic district. **Jenny Begin** said the committee had worked hard to make changes to accommodate the rights of the owners. So, it is interesting how a couple of people can change what was carefully crafted. **Bruce Rockwood** said he was sorry he was unable to attend (due to a medical procedure) last winter’s meeting when this was discussed in detail (before Zooming). **Jenny** asked if they were voting on this tonight. **Jonathan** responded that they would vote tonight whether or not to send it on to the Board of Selectmen for placement on the Town Warrant. **Jonathan** pointed out there is a benefit to the home owners adjacent to the district. **Bruce** said there are tax implications. Damariscotta is an historic town and there may be some advantages to expansion. He pointed out anyone can ask for property to be identified as historic within the district. What has been removed is the process for creating separate districts. He emphasized that a lot of work went into the writing of this before the public hearing. **Jonathan** asked if anyone was interested in making an amendment. **Jenny Begin** said she would.

Robert Faunce said there were detailed guidelines for creating a separate district. Taking that portion out makes it easier. An amendment takes it off the June Town Warrant. You can still use those provisions informally. Nothing really changes, but the process is streamlined. **Bruce** said that Bob’s point is well considered. Although that section would give clear guidelines, if we amend now, it won’t make the June ballot. He asked how it was going to be voted on -?Zoom, ?secret ballot, etc. Consensus was it was good to go. Hearing no other speakers, Jonathan closed the public hearing at 6:31 p.m.

On motion (Hunt/Genthner) to move the ordinance on to the Selectmen to put on the Warrant.

Vote: 5-0-0

B. NEW BUSINESS:

1. Proposed Solar Energy Systems Ordinance

Bob began this segment saying there were some people present from the public. The only change from the previous ordinance is the addition of a statement “vegetation control shall be by mechanical means only. Chemical vegetation control is prohibited.” He went on to say that this is a new area and the ordinance reflects the best he could do for now (in conjunction with the Town attorney). It can always be amended once we see how it goes. He feels this is a good and reasonable approach. A 5 megahertz range of 20 acres maximum is viable without overpowering the community. **Jonathan Eaton** said he’d like to see an ordinance on the books; it can always be amended. This way “we can cover our bases”. **Jenny Begin** stated that she was wondering if the acre limit should be 12-13 acres (such as the Bristol project), the theory being start small, go bigger if needed. **Jonathan** asked if the project in Bristol was shielded from the road. **Bob Faunce** said that in reviewing ordinances from around the state, he has not seen one that addressed the visual side of the project. “A developer may want change, but we need to protect ourselves from a larger project. “ **Jenny** said she didn’t like the idea of being able to clear-cut 20 acres to put in a solar farm. She would prefer a statement such as “ no more than ___ acres can be clear cut.” **Bob Faunce** stated that at the public hearing, only the vegetation issue was brought up. The reality is a change now means that the timing prevents it from being on the June Warrant. **Neil Genthner** stated that means it wouldn’t be on the ballot. **Bob** clarified that State regs says that 60 days before referendum, the completed ordinance has to be presented, including having gone through public hearing. If the Board

decides to make a change, he will pass it on for a new public hearing to be scheduled if possible. If the timing doesn't work, the ordinance will be delayed. **Neil Genthner** said if we put it through as written, there still is a possibility of a 20 acre project to be approved before any amendments can be made. **Bob** confirmed this, saying he was most concerned with potential liability. A 50 acre project would be possible without an ordinance in place. A 15 acre maximum or a % to be clear cut is not in the proposal. **Jenny Begin** asked if 15 was big enough for a Community project. **Bruce Rockwood** said that the Belvedere Road project was accessory use. This ordinance at least puts a 20 acre limit on any projects that come forth. He doesn't see any downside to the ordinance as it is now. A maximum of 20 acres will get us protected and there will be time afterwards for changes, such as recommendations for an animal corridor. **Bob** reminded the Board that the 20 acre maximum is for panel coverage; actual farm could be bigger in total acreage. **Jenny** asked if there was a provision for decommissioning the panels. **Bob** said, "Yes!" He has concerns that technology will advance and the life expectancy of the panels is not forever. The ordinance gives guidance as to how they will be removed and under what conditions. He thinks the 600 acre project in mid-Maine is very scary. If you visualize Route 1 north of Damariscotta and into Nobleboro, you could end up with several farms along Route 1. **Jenny** said the one in Edgecomb is 20 acres and is near a CMP substation. **Bob** said the ordinance limits development to C-2 and Rural zones. **Neil Genthner** stated he felt there was a much greater risk to the Town without this ordinance. **Jonathan Eaton** agreed. **Jonathan** asked if anyone from the public wanted to comment. **Michael Atkinson** said that his proposal is less than 20 acres. He was here to listen. Hearing no other comments, the Public Hearing was closed.

On motion (Genthner/Hunt) to move the Solar Energy Systems Ordinance on to the Board of Selectmen for placement on the Warrant. Vote: 5-0-0

D. Adjournment

On motion (Hunt/Genthner) to adjourn the meeting at 6:50 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 8, 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 March 8, 2021, signed _____
Date

