

## PLANNING BOARD MEETING MINUTES

### TOWN of DAMARISCOTTA

Tuesday, July 11, 2023 – 6:00PM

#### Hybrid Meeting: Town Office & via Zoom

**MEMBERS PRESENT:** Jonathan Eaton, Chairperson; Jenny Begin, Neil Genthner, and Ann Jackson

**ALTERNATES PRESENT:** Danial Day (Alternate)

**ABSENTEES:** Wilder Hunt, Gary Rosenthal (Alternate)

**STAFF PRESENT:** Michael Martone, Town Planner

#### 1. Pledge of Allegiance

Chairperson Eaton led the Pledge at 6:00p.m.

#### 2. Call to Order

The meeting was called to order at 6:01p.m. by Chairperson Eaton

#### 3. Review of Meeting Minutes

On motion (Genthner/ Begin) to approve the minutes of June 5, 2023, as presented.

Vote: 4-0-0

#### 4. Public Hearing

*(none)*

#### 5. Other Business

##### a. Site Plan Review Ordinance Amendments

The Board continued the conversation begun at the June 5th Planning Board meeting regarding potential amendments to the Site Plan Review Ordinance. Isabelle Oechsle a consultant working with the Town on the project joined the meeting virtually and began the discussion with a presentation.

##### **Neighborhood Meetings**

Change heading of §102.5 from 'General Pre-Application' to 'Site Plan Review Procedures'

The pre-application meeting could be combined with the neighborhood meeting and required for all non-residential development and 5+ dwelling units located in or directly abutting rural, residential, or medical zoning districts.

Removal of all non-local permitting from the ordinance was discussed.

##### **Traffic**

Retain current traffic standards and add "the proposed development will not cause unreasonable public road congestion with respect to the use of public or private ways which will serve the users of the proposed development"

Add "Condition of adjacent streets and intersections, estimated traffic flow to be generated by proposed development, existing and proposed turning lanes, existing or proposed traffic signalization within the vicinity."

##### **Design Standards**

Discussion of building orientation and how the current standards are problematic. Clearer standards are needed for building footprint, orientation, scale, roof shape, height, and parking location.

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Michael Martone said this was a large part of the work Newcastle did when creating their current code which is largely form-based now. Rather than regulating the “feel” of an area or development, design standards should set clear regulations for form—including things like massing, height, façade articulation—which is the intent of form-based codes.

Jenny Begin asked about the limit of 32 units on one foundation and the Board discussed the historic makeup of development in the C-2 District which is understood to be a mixed of old farms and residences.

Michael Martone suggested that standards can be graduated so smaller buildings will be less regulated but standards can increase as building size increases. This can reduce barriers for owners of smaller properties but make sure large developments with their larger impacts fit the Town’s vision.

#### **Reorganization of Ordinance and Work Structure**

The standards for §102.6 Performance Standards and §102.7 Large Scale Development are largely unchanged but are being reorganized into §102.6 Standards of Review, §102.7 Design Standards, and §102.8 Additional Standards for Large Scale Development. New section 102.8 incorporates “large scale building projects” (20,000 sf) with additional requirements. Two smaller units on one site fall into this category. More requirements are spelled out for 7500 sf or less and mirror the larger scale standards.

Michael Martone commented that two separate issues are being discussed, administrative and qualitative. Administrative is mostly cleaning up and clarifying where qualitative issues are typically derived from a comprehensive plan or at least with some public input.

Jenny Begin said that there should be lots of opportunities for the public to weigh in and determining changes should be part of the Comprehensive Plan process.

Isobelle Oechslie stated that this is intended to be a stop-gap measure until the Comprehensive Plan is approved and wholesale revisions can be made.

Michael Martone and Isobelle Oechslie will discuss the process and path forward with the Town Manager as well.

#### **Landscaping**

Landscape standards have been consolidated in to one section and revised to include a table defining minimum Landscape Screening Requirements showing five levels (Basic, L-1 low screen; L-2 High screen; L-3 high wall and L-4 full screen fence. Isobelle Oechslie asked the Board to review and offer suggestions at the next meeting.

Jenny Begin asked if the standard of one tree every 30 ft. was adequate; she would like to see it every 20 ft. Isobelle Oechslie offered to develop visuals showing tree spacing of 30 ft, 20 ft, and 15 ft. One requirement the Board asked to see added is to discourage or prohibit the linear planting of trees.

#### **Time Limits**

Neil Genthner asked about time limits on approval of projects and public improvements which Isobelle Oechslie said should be addressed when considering condition on any approvals.

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Neil Genthner identified two projects that currently have not completed improvements that were agreed upon at the time they were approved. Michael Martone said requiring new projects to obtain a certificate of occupancy before the development can be used can be a good way to ensure new development completes any conditions of approval or other agreed upon items. However, because the Town's population is under 4,000 issuing such certificates of occupancy is not required by the State, but the Town can consider incorporating that requirement on its own.

For projects with a single building phase improvements would need to be completed before occupancy, but standards can be made to be flexible to account for multi-phased projects or other circumstances.

#### **Rooftop Solar**

Jenny Begin asked how roof-top solar affects big projects. Isabelle Oechsle stated that this issue is being considered as part of the Comprehensive Plan process. The Town already has a solar ordinance so it is a matter of updating the existing ordinance, not creating a whole new one.

The next steps are for the Board to review the current proposed changes to continue the discussion at the next meeting.

#### **b. Questions from the Public**

Mr. Peter Wells, a new resident and retired landscape architect, asked about an application he had submitted to replace the deck on the back of his house. Michael Martone said he had reviewed the application and while it did fall within the Shoreland Zone, it could be approved by the Code Enforcement Officer and did not require Planning Board review.

Jenny Begin said that with Peter Wells' background, she would love to have him weigh in on the landscaping aspect of the proposed changes to the Site Plan Review Ordinance. Peter Wells suggesting considering increasing the minimum tree trunk diameter to 2.5 inches and to require a root ball in burlap which should grow quicker than a 6' tree. He also stated the proposed tree spacing was sufficient. He said he would be happy to help with such issues going forward.

#### **c. Planner's Report**

Michael Martone informed the Board that he has officially began working as the Town Planner and is an employee of the Town of Damariscotta. The position included working at the Town Planner for Newcastle two days a week as well. Tentatively he is in Damariscotta Mondays and Wednesdays and Newcastle Tuesdays and Thursdays which is the same as the Code Enforcement Officer. Michael Martone's office hours are before noon or by appointment.

Ann Jackson asked about the 435 Main Street project and when they are coming back. Michael Martone said he has been in touch with the developer who is working through issues with MEDOT. One point that had been discussed was the possible incorporation of housing into the project. Jenny Begin expressed how hard it is currently to leave the site and drive onto Main Street.

The Board also discussed Dunkin Donuts across the street which often has cars waiting in line for the drive through that goes out into Main Street creating a dangerous situation.

It was noted that Camden National Bank currently has a large surplus of parking, much of which were originally intended to be shared with other buildings proposed on the site and Jenny Begin pointed out that the retention pond created for the development empties into the woods. Michael Martone said he would review the standards and what was approved.

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The question of how much the Town and specifically the Code Enforcement Officer takes note of new construction and whether that work was permitted. It was noted that the Code Enforcement Officer is only contracted for part time work and seeking out violations would require more resources than the Town currently has. Any member of the public or a member of the Planning Board—acting as a private citizen—could report any issues they see and should, but Board Members do not have any additional authority to Code or Zoning issues.

Jenny Begin asked why Sullivan Tire's remodel project had not come to the Planning Board for review. There is no swale or other vegetation to mitigate runoff included in the project. Michael Martone noted that the project review likely went through the Code Enforcement Officer and may have also been before he had started with the Town. He will look into it and see if anything was missed in the approval of that work.

#### Housekeeping

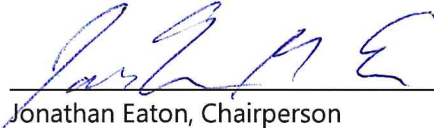
Next Planning Board meeting is August 7, 2023.

#### 6. Adjournment

On motion (Begin/Jackson) to adjourn the meeting at 7:35 p.m.

Vote: 4-0-0

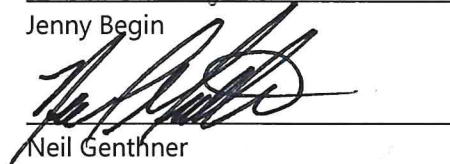
We the undersigned approve the minutes for the Planning Board Meeting of July 11, 2023.

  
Jonathan Eaton, Chairperson

10/2/23  
Date

  
Jenny Begin

10/2/23  
Date

  
Neil Genthner

10/2/23  
Date

  
Ann Jackson

\_\_\_\_\_  
Date