

**PLANNING BOARD MEETING MINUTES
TOWN of DAMARISCOTTA
September 19, 2022 6:00 P.M.**

Live and via Zoom

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

ALTERNATES: Gary Rosenthal, and Dan Day

ABSENTEES: Wilder Hunt

STAFF PRESENT: Isabelle Oechsle, Town Planner; Lynda Letteney, Recording Secretary

PUBLIC PRESENT: Geoff Keochakian, LCTV; Evan Houk, *Lincoln County News*

I. Pledge of Allegiance

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

II. CALL TO ORDER

The meeting was called to order at 6:02 p.m. by **Chairperson Eaton**

On motion (Genthner/Eaton) to seat Dan Day as alternate for Wilder Hunt and Gary Rosenthal for Jenny Begin. **Vote: 3-0-0**

III. MINUTES

On motion (Genthner/Jackson) to approve the minutes from July 11, 2022 as presented **Vote: 5-0-0**

On motion (Genthner/Day) to approve the minutes from August 1, 2022 as presented **Vote: 5-0-0**

On motion (Genthner/Day) to seat Jenny Begin (arrived at 6:15pm) in place of Gary Rosenthal. **Vote: 4-0-0**

IV. BUSINESS MEETING

A. OLD BUSINESS

1. Revised Planning Board By-Laws:

Isabelle introduced this section, noting (in response to a question received over email) that these proposed By-Law changes do not supersede the 2018 adopted Code of Ethics – they are separate documents.

The first essential change regards the timeline on review of application. This is a proposed change from 2 weeks to 1 week in advance of the hearing. **Jenny** asked why the reference to including the agendas in the Town newsletter was removed. **Isabelle** said the agenda could still be in the newsletter, but the newsletter was recently paused for a number of months and that the Town’s website should be the ultimate authority. **Isabelle** noted that she proposed a hard stop time of 10pm for public hearings and other agenda items so that the Board could point to that if it got too late, but allowing for any item already on floor to be completed. The Board suggested a 9pm stop time instead. **Isabelle** noted that she is proposing that the Board adopt a number of “standard” conditions, to be incorporated into the Notice of Decision for each application that

they review. The Board was overall supportive of this, though asked questions regarding the specificity of some of the conditions. **Isabelle** responded that it is intended to reflect the specific requirements of the Town's ordinances.

On motion (Genthner/Eaton) to accept as presented the draft of the Planning Board By-Laws with the time change to end a hearing from 10 pm to 9 pm. Vote: 5-0-0

2. Land Use Ordinance

The intent of the proposed changes is to streamline and define items previously undefined, and to clarify processes. An example is "significant tree" is in the ordinance, but not defined. "30 inches or greater in diameter at breast height" is a common definition. **Jenny** said in Bath the ordinance is that you have to replace a tree if you cut one down. People here are concerned about this. **Neil Genthner** said you have to be mindful of where the cutting is taking place, especially if the tree is a danger. We have to have "give and take" on this. **Isabelle** said if the Board is interested, they could have more analysis and discussion on this matter at a later date as part of a substantive policy change, however, these miscellaneous changes are intended to be non-substantive.

3. Site Plan Review Ordinance

Isabelle said she wanted to get rid of the flow chart currently included in the ordinance and instead make that a more nimble process that could respond to changing technology and needs. She wants to amend the document to clean it up and make it more succinct. i.e. The necessity of "10 copies" is outdated. #2 –pg. 4 would clarify that the burden of proof for a waiver lies with the applicant. Pg. 11 F – there is no policy change, just reformatting to make it easier to read. **Jenny Begin** would like to see a requirement for development to be "EV-ready" as part of the ordinance. **Isabelle** noted that that would similarly be a substantive policy change but that she would add it to her list for future discussion. Overall, the Board thought that the proposed changes in this section looked good.

4. Subdivisions

Editorial changes are similar to the previous sections. There is a carryover of definitions for "Significant trees" from the previously discussed ordinances. Page 4 #5/6 requesting changing 60 days to 30 days in order to streamline and meet applicant's needs. This streamlines the process vs. requiring additional time. When multiple times/meetings are required, everyone must attend two or more. As written it could end up being one or more. **Neil Genthner** said he had no problem with these, but wants to maintain flexibility. **Jenny Begin** said they have to have discipline as a Board to make sure they have *all* the information. **Isabelle** said the Board can always request more information and table applications, they just need to inform applicant of the specific information that they're looking for. **Neil Genthner** also questioned the "10 copies" saying some projects might need that. **Isabelle** said a Board member can get a hard copy anytime, but it falls on the applicant to provide any needed copies. She suggested perhaps adding the phrase "the Planning Board reserves the right to request paper copies" to all application materials.

Isabelle will schedule a Public Hearing on the Ordinance changes for a future meeting to discuss the proposed amendments to the Subdivision, Site Plan Review, and Land Use Ordinances.

B. NEW BUSINESS

1. None

C. OTHER

1. Questions from the Public - None

2. Housekeeping - None

3. Planner's Report- None

D. Adjournment

On motion (Begin/Genthner) to adjourn the meeting at 7:00 p.m.

Respectfully submitted,

Lynda Letteney
Recording Secretary

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

Jonathan Eaton, Chairperson

Jenny Begin

Neil Genthner

Wilder Hunt

Ann Jackson

Daniel Day (alternate)

Gary Rosenthal (alternate)

Minutes for (9-19-22) signed _____
Date