

## **CAMDEN PLANNING BOARD**

### **Minutes of Meeting**

**January 5, 2011**

**PRESENT:** Chair Chris MacLean; Members Richard Householder, Kerry Sabanty and Lowrie Sargent; Alternate Members Sid Lindsley and Nancy McConnel; CEO Steve Wilson and Select Board Liaison Deb Dodge

**ABSENT:** Member Jan MacKinnon

#### **1. PUBLIC COMMENT:**

There were no comments.

#### **2. MINUTES:**

December 15, 2010:

Page 4: Line 38: Vinal Haven was spelled incorrectly.

Page 5: Line 41: CEDAC was spelled incorrectly.

**MOTION by Mr. MacLean seconded by Mr. Householder to approve the Minutes of December 15, 2010 as amended.**

**VOTE: 6-0-0**

#### **3. GATEWAY 1 STATUS UPDATES**

The Chair informed the Board that the Select Board would like to meet with the Planning Board and Bill Kelly for the purpose of discussing Gateway 1.

Don White reporting: The Select Board does not have any issues with the revised Inter-local Agreement, but wants to discuss the procedure for going forward. The Action Plan can be changed – towns will look at the various actions to see if they want to change their Comp Plans and Zoning Ordinances, and they will have two years from the date of adoption to begin to do so. If a town wants to endorse the Plan and not adopt at this time, they have two years in which to adopt or to withdraw. In that case, they gain an additional two years in which to comply with implementing the town's first series of action items as outlined in their agreements. The Select Board wants to discuss the adopt/endorse scenarios and whether or not the package will be ready to go to the voters in June.

Mr. Householder noted that he had reviewed the revised agreement and wonders why there isn't plain language stating that towns retain all authority over land use and planning. Mr. White replied that it was never part of the Inter-local Agreement that towns would lose this authority. There had been language that should have been more clearly stated that might lead to that conclusion, but that language has been clarified and nowhere in the Agreement does the State take away local authority. The Chair asked for a comparison of the Agreement before and after changes, and Deb Dodge suggested that the Board look at the list of comments from towns after the last draft was circulated. Those comments are attached to the revised Agreement and are accompanied by a summary of Gateway's solutions (re-wording/deletion e.g.) to those suggestions they incorporated into the final Agreement.

Mr. White explained that the Plan Adopt Committee made the decision to send the Agreement and only the Executive Summary and Chapter 9 of the Corridor Action Plan to the towns for a single vote for two reasons:

- To eliminate the possibility that one of the two necessary components could be voted up and one down; and
- To remove the parts of the Plan that aren't to be modified by individual towns (Chapter 9 can be changed) to reduce confusion.

The Board is not willing to offer an opinion on how the Town should respond without seeing the entire proposal. Mr. White will provide the Action Plan in book form and on CD.

Mr. White stated that his outlook on the Plan is that it is a work in progress for a new way for towns to do business with MDOT. He agrees that some of the projections for growth along the corridor are off, and with the new census information there will be better information in this regard. But regardless of when this growth comes, communities need to provide relief now for local Route 1 traffic in order to keep it a viable route.

The Board agreed to meet with the Select Board at their January 19<sup>th</sup> meeting. Mr. White asked if he should bring anyone from Gateway 1 and the Chair suggested that Mr. White could expect there would be some very probing questions. Mr. White will ask planner Evan Reichert to come, along with another Gateway 1 representative.

#### **4. DISCUSSION:**

1. *Minor Field Adjustments:* There were none

2. CAHO letter of response: The Chair outlined the history of the Board's interaction with CAHO representatives regarding a proposed amendment to the Subdivision Ordinance beginning with the Board's discussion during the process of CAHO's request of the Town to adopt the Lupine Terrace Subdivision roads – this is when the need for the proposed amendment came to light. Recent appearances before the Board by Dana Strout, CAHO Treasurer, resulted in the Board's request for specific information on how the amendment would put a stop to affordable housing in Camden as Mr. Strout claimed. There was back and forth correspondence between the Board and CAHO with the most recent letter, dated January 3, 2011, under discussion this evening. This letter from CAHO President Joanne Campbell and Mr. Strout is critical of the Board's letter responding to CAHO's offer to make a presentation on affordable housing. CAHO sees the Board's declining of this offer as "a slap in the face", but the letter goes on to offer information on the financing of affordable housing projects as well. The Chair's opinion that CAHO still has not been responsive to the Board's requests for specific financial information proving the harm that would be done with the passage of this amendment, and that this letter is disrespectful of the Board in tone, was shared by other members of the Board.

Ms. Dodge has had a long history with CAHO during her service on various boards in Town, and says that this response indicates two things to her:

- A lack of understanding by Mr. Strout of the role of CAHO in the process of the Town providing affordable housing: CAHO is authorized to do the work *on behalf of* the Town, but it is indeed the Town that is providing the housing. The decision to form CAHO was made, as stated previously, because it was too difficult for the Town as a whole to make the buy and sell decisions involved.

- She believes that the model being used by CAHO to provide affordable housing on the large subdivision scale is perhaps outmoded and their strategy should be re-thought. There are many creative ways to provide affordable housing, and in having to provide a mix of market rate and affordable homes in Lupine Terrace to make it work financially, CAHO has shown that this scale of project is probably too large to accomplish the goals.

Mr. Sargent agrees with Ms. Dodge's observations, but he also believes that the projections for growth used to determine the numbers used as the goal for affordable housing units is way off and that process should also be examined. He doesn't think that the location for Lupine Terrace was right in the first place – the neighbors didn't want that kind of density there, and it isn't working as a market mix either. CAHO spent a great deal of money trying to sell the concept to the Town in the hiring of the professionals from Portland – money they shouldn't have had to spend.

Mr. Householder suggested that the Board is not obligated to respond to CAHO's most recent letter, and thinks they should just drop the matter. Mr. MacLean asked Ms. Dodge if the Select Board ever discusses with CAHO whether or not their way of doing the Town's business is working. Ms. Dodge said that hasn't been a practice, but she is not sure that there are any more projects in CAHO's future and wonders what happens if CAHO folds. Maybe it is time to take a fresh look at how other towns approve affordable housing projects. There has been a Select Board liaison to the Affordable Housing Committee in the past, but she is not sure how active that particular committee is. Mr. MacLean believes that if CAHO is an instrument of the Town, there should be some way to convene a discussion. Mr. Sargent suggested that the Board should be cautious about appearing as if they are involved in the process and are making recommendations on how to proceed because they have no role here. He thinks the Town should be concerned, though, about what happens to the loans that will be coming due if CAHO were to be done – who pays those loans?

Ms. Dodge is comfortable that the Planning Board did do as the Select Board asked, and took another look at the proposed subdivision amendment with regard to the harm it might do to affordable housing. The subject will be added to the agenda for the joint meeting of the Boards so all members of the Select Board will have the same information on this process.

3. *Gateway I Adoption:* Discussed as an agenda item.

4. *Possible Planning Board Attendance Policy*

Mr. MacLean attended the meeting of the Select Board on January 4<sup>th</sup> to inform them of the Board's desire to develop a voluntary attendance policy. He reported that the Select Board had agreed to defer to the Planning Board – if they thought there was a reason to develop this policy then they should do so. There were concerns expressed that a strict policy could affect citizens' willingness to volunteer because it could have an impact on how people lead their lives. It was discussed that a good way to deal with this Board having a unique policy was to provide a separate letter of interest for citizens interested in serving on a board. The Board was asked to create some language for this letter that would outline the attendance policy, and the Chair agreed to draft that document as well as a draft policy for the Board to consider. Mr. MacLean described his understanding of the Board's concept is to have a non-mandatory policy. If a member violates the three unexcused vacancy threshold, the Chair would have a private conversation with that individual, but unless the behavior continued, no action to make a recommendation to the Select Board would be taken. Ms. Dodge noted that the Select Board

pays attention to attendance when considering renewing appointments. Ms. McConnel recommended that there be language in the letter stating clearly that the commitment was a year-round one. Since many retirees go away for part of the winter, they need to know that this probably means that this isn't the board for them. The Board was asked by the Select Board to pay attention to whether or not the policy had an adverse impact on morale or whether it affected the ability to fill vacancies and to review the policy should that be the case.

In the cover letter for applicants they should be notified that they will need to:

- Become familiar with the Comprehensive Plan, the Zoning Ordinance, Site Plan Review and the Subdivision Ordinance;
- Learn technical things (reading blueprints and site plans) and gain expertise in applying the information there to review;
- Understand the function of Town Government and how the various committees and boards interact;
- Be comfortable speaking in a public forum that is often televised; and
- Follow ordinances without letting their personal beliefs interfere.

The Board will discuss the matter soon - a policy change wouldn't go into effect until after the next round of appointments in any case.

5. *Reny's Exercise:*

Mr. Wilson had an inquiry about the possible use of an adjacent residential lot for overflow parking for Reny's. He walked through the various components of the two different zoning districts involved to eliminate the possibility of barriers to the project one by one, and found none. Town Attorney Kelly agreed with his reasoning and suggestion that the Planning Board would be able to grant permission for this use if they found that applicable standards were met during their review.

6. *Planning Board Meeting with Select Board:* Will be held on January 19<sup>th</sup>.

7. *Bill Kelly at next meeting:* Mr. Kelly will attend to help with Gateway 1 issues and to address some of the Board's questions regarding Wind Power. Those two items will be first on the agenda.

8. *Mountain Arrow Update:* The Fire Chief reports that the hydrant has been turned on.

9. *Other:*

Public Landing:

Linda Bean has asked the Town if she might improve the area behind her building and behind the Chamber building by leveling the area, adding landscaping and some picnic tables. This area would be for the general public's use although her intention is to provide the seating area for customers who have purchased food from her restaurant.

Mr. Sargent informed the Board that CEDAC is also looking at ways to use that same space as part of their reconfiguration/upgrade of the whole Public Landing. Perhaps there can be a meeting to discuss the options.

Tannery “land for jobs” giveaway:

The Town has been flooded with offers – too many for the space available, and some businesses are looking at ways to collaborate and share space to try to fit into the plans.

Development Director:

A decision should be made soon – there were lots of applicants. Mr. Sargent is sorry to see Matthew Eddy leave, he has done a good job on the projects he was given to handle by CEDAC.

There being no further business before the Board they adjourned at 7:00 pm.

Respectfully submitted,

Jeanne Hollingsworth, Recording Secretary