

## CAMDEN PLANNING BOARD

### Minutes of Meeting

October 6, 2010

**PRESENT:** Chair Chris MacLean; Members Richard Householder, Jan MacKinnon, Kerry Sabanty and Lowrie Sargent; Alternate Members Nancy McConnel and Sid Lindsley; and CEO Steve Wilson

#### 1. PUBLIC COMMENT:

No one came forward.

#### 2. MINUTES:

##### September 1, 2010:

Page 1: Lines 18: Dr. Sitterly's name had been misspelled

**MOTION by Mr. MacLean seconded by Mr. Sabanty to approve the minutes of September 15, 2010 with the change noted.**

**VOTE: 7-0-0**

##### September 15, 2010:

Page 1:

Line 19: the last sentence now reads: "...performing work on buildings built prior to 1978 that disturbs the painted surface must have..."

Line 29: "stay away from those. (Delete the remainder of the sentence) The Board worked has."

Line 33: Mr. Lindsley, not Mr. Sabanty, seconded the Motion to approve the minutes.

Line 39: Dr. Sitterly's name had been misspelled.

Page 2:

Line 17: Mr. Householder did not attend the Select Board meeting, but Mr. Nims and Mr. Wilson did.

Line 22: a comma was added between the words "work" and "they".

**MOTION by Mr. MacLean seconded by Ms. MacKinnon to approve the Minutes of September 15, 2010, with corrections noted.**

**VOTE: 6-0-1 with Mr. Sabanty abstaining due to his absence**

#### 3. Gateway 1 update from the Plan Adopt Sub-Committee

Mr. White reported that Camden's proposal was the first one submitted, and that it is being used to develop the scoring for the submissions that will be used to judge compliance of the proposal with the overall goals of Gateway 1. Because the Committee is just developing the criteria it is a slow process. The points are awarded as follows: 0 = not addressed; 1 = below expectations; 2 = meets expectations; and 3 = exceeds expectations. Camden's Safety and Mobility issues were graded last meeting: Camden scored less than expected on a couple of items (1.2 Shared access and L 1.3 frontage/rear access) and 2 points for retrofits and for funding language on sidewalk/bicycle path and for 2 points for two other intermediate actions (local roads in need of traffic calming and identifying local roads that can serve as formal routes around Route 1.) The "passing" threshold for this section is 14 and Camden earned 18 points. So this section has passed.

- Gateway 1 applied for HUD's TIGER II Grant (Transportation Investment Generating Economic Recovery) – no word yet.

- The Inter-local Agreement is being reviewed and changes made based on some of the comments.
- Gateway 1 is getting national attention as a model for regional planning. This is the largest and the most rural of the three projects in Maine and is getting the most attention.
- In response to Mr. Sargent's question regarding the reliability of continued funding with a change in administrations at the State level, Mr. White replied that he understands funding is secured through 2012.

There is a CEDAC-sponsored discussion about the development of a proposed economic development plan for Camden beginning at 6pm. The Board discussed whether or not to adjourn to attend this meeting or continue with their agenda. Ms. McConnel referenced one item on the CEDAC agenda – monitoring the Fox Hill project – she was curious to know more about this item: Mr. Sargent, the Board liaison to CEDAC said the Committee is simply keeping an eye out as to what is happening with the proposal with regard to request for zoning, etc.; nothing has happened since Mr. Simmons's death. Right now they are repairing buildings on the property and they are hosting events there – all of which, according to Mr. Wilson appears to be permitted by the Ordinance. They rent the entire property for a week and are not involved in catering or sponsoring any events that are held there. The renters are doing their own work. If the property owners' management was involved in coordinating the events, they would be acting more like a commercial enterprise. As is, all this appears to be allowed. The owner has "house rules" in place regarding how late music can go into the evening and how loud the music can be. Parking is their responsibility and all has to be done on site; they can't block traffic.

The Ragged Mountain Redevelopment is another item on CEDAC's agenda this evening. This item references the redevelopment project proposed for the Snow Bowl, and not the wind turbines project. This discussion will have to do with all the recreational aspects of the project – the lodge, the trails, etc.

The concept of Camden as a "campus" was discussed as well. Mr. Sargent said the idea was not to look at individual venues to determine whether or not the Town has sufficient capacity to host certain events – like major conferences, but to look at the assets available town (area) wide to see whether sufficient capacity can be provided using multiple venues. The Opera house needs several technical upgrades in order to attract certain clients. Some of those improvements are scheduled for work and others are in the conceptual stage. According to Mr. Wilson, wireless internet service is being installed now, and the lighting in the Opera House has been upgraded. Improvements to the camera technology are being considered for the future, and other needs, such as upgrades to dressing rooms and other backstage areas, are being proposed for discussion. They are also looking at developing more places to serve as break-out rooms around Town. The former theatre is going to be hard to redevelop for that kind of use for several reasons: It has lost the grandfathered parking spaces it had when it was a movie theatre; it would need an elevator to be ADA compliant; and it would need a second exit to serve as a fire exit.

Matthew Eddy, the Interim Economic Development Officer, took the information from a previous forum and distilled it into this list of concepts that is being discussed this evening. From here, concepts will be assigned time frames and then they will be prioritized. The Planning Board schedule will be considered in scheduling of future discussions on this planning process.

#### 4. Discussion of Possible Ordinance Amendments:

Mr. Wilson noted an email received from Dorie Klein and a letter to the Select Board from The Friends of Ragged Mountain, both speaking to a proposed Wind Energy Ordinance. The CEO received Wind Energy Ordinances from five towns in the area to serve as models in case the issue is addressed by the Board in the future.

Mr. Wilson had prepared an updated list of Possible Ordinance Amendments lining through the items the Board has decided not to work on at this time. Once they confirm that these are indeed off the table for now, he will remove them from the proposed list.

Home Occupation: Mr. Wilson has prepared a packet to serve as a guideline for discussing the Home Occupation Ordinance. One issue to be addressed is where the line is drawn that will define home Occupations – the number of employees, is the business in the home or is it allowed in an accessory building, where should they be allowed everywhere or limited to certain districts, etc. Right now they are allowed everywhere, and in some cases that is OK. But in others, like a landscaping business or growing plants for sale in a greenhouse – that seems more than a Home Occupation since these situations bring things like outdoor storage of materials and equipment and employees. Right now, employees working off premises don't count, but these employees park vehicles at the home or on the street – does this need to be addressed. Some businesses that don't fit in Town, may work on larger properties out of Town. It comes down to impact on the neighborhood. Mr. Sargent believes that a discussion of Tradesmen Shops needs to be interwoven here because some of these Home Occupations would fit better under that kind of definition. Major and minor Home Occupations can be tailored to fit into different districts through the standards. Sign standards for different districts can also be tailored to fit the needs of a business on a large lot in a rural area.

Mr. Sargent would like to take this issue to CEDAC for discussion as well. One issue that keeps coming up is that there are not very many places for young businesses to start out and grow a little. A Home Occupation could be a good place to start these enterprises and grow to a level of success that they can afford to rent space outside the home.

Right now permits are entered into the data base by map and lot number and reports can be obtained for various types of permits. As time permits, older permits will be entered in as well. When that is done these permits can be mapped. Mr. Wilson is not sure that all Home Occupation permits have been recorded and it may not be possible to see a map showing locations of these businesses.

The Board discussed the issue of allowing the use of commercial equipment in certain Home Occupations and will look at this further.

Mr. Sargent asked Board members to talk to friends and neighbors who had Home Occupations to see what problems are caused by the current ordinance and what issues they thought it was important to address to help promote the development of more Home Occupations.

Subdivision Roads/Fire hydrants: There was discussion about moving forward at this time with a hearing on subdivision roads as the Board had decided to do at an earlier meeting. Mr. Wilson suggested that the Board might get a better public response if they follow their past practice of hold hearings on all the various amendment proposals at the same time. The reason the Board

wanted to go ahead and hold the hearings now was to take advantage of the issue being “fresh”, and to take that one item off their “to do” list. The Board discussed the suggestion of including a hardship provision for affordable housing developments that came out of the Select Board’s discussion of the original proposal – the one they sent back to the Board for further deliberation. During the Board’s previous discussion about including such a hardship provision they had agreed that it was not fair to other taxpayers to do so. In addition, they did not think that the cost of maintaining these roads until the development met the threshold to apply for town take over was a great burden to bear – it certainly did not qualify as a hardship. Mr. Lindsley agreed with the Board’s decision last time to stand their ground and resubmit the same proposal for public hearing in spite of the Select Board’s comments. The Board believes that the Select Board has not been respectful of the Planning Board’s work for some time, but the Planning Board agreed that they will continue to submit a final work product that they believe is in the best interest of the Town in spite of this situation. Mr. Sargent believes that the two subdivision proposal should go together to hearing in the hopes that the Fire Department’s support of the fire hydrant issue will carry over into support of the road issue. Mr. Wilson will try to lump the two issues into one amendment.

Mr. Wilson reported that the fire hydrants at Mountain Arrow still have not been charged, but that he is working with Trygve Bratz on the matter. He is trying to urge him to do this, but it may be the insurance company that tips the scale.

The person selling boats on East Fork Road may have to be licensed by the State. Since there are multiple boats there, and they were not produced in his home – there is no home on this lot – he may have to be considered as a commercial business. Mr. Wilson will check this further.

Restaurants/Sit Down vs. Fast Food:

Mr. Sargent explained to Mr. Wilson that the dilemma that former CEO was facing is that he was aware that there were combinations of the two under one roof and that was not permitted – it was supposed to be one or the other. Many take out restaurants had sit down tables with table service as well as a take-out counter, and in many cases they had more seats than allowed for Fast Food. Also, in most cases sit down restaurants were selling food to go. Both situations are essentially illegal, and Mr. Nims wanted to bring both situations into compliance by changing the Ordinance. Mr. Wilson agreed with Mr. Nims’ assessment that it should be done. It will benefit both new and existing businesses. Mr. Sargent suggested that parking requirements for seasonal businesses, which the Board has discussed a bit before, be included in this discussion.

Property Maintenance: The 2012 Building Code covers Property Maintenance issues, like houses in disrepair.

## **DISCUSSION:**

1. *Site Plan Review pre-applications:* There are none
2. *Minor Field Adjustments:* There were none
3. *Possible Amendments for June (2011):*  
The Board will start work on Home Occupations.
4. *October 20<sup>th</sup> meeting:*

This meeting is cancelled because *PopTech!* will be using the meeting room, and no applications have been received that require Board review.

5. *November 2<sup>nd</sup> meeting:*

Work session on possible ordinance amendments.

6. *Other:*

Mr. Householder reported the Historic District Ordinance Working Group has their first meeting and they came up with some action items. One of them is a request for a map of the Historic Fire District – Mr. Wilson will get copies from the GIS folks.

There being no further business before the Board they adjourned at 6:35pm.

Respectfully submitted,

Jeanne Hollingsworth, Recording Secretary