



Town of Camden
Minutes of the Select Board Meeting
April 28, 2015
6:30pm

PRESENT: Chairperson Martin Cates, John French, Jr., James Heard, Leonard Lookner, Don White, and Town Manager Finnigan. Also present were members of the press and public.

A. Call to Order

The meeting was called to order at 6:30pm.

Martin Cates suggested that the agenda be modified so that the discussion with the Town Attorney could be taken up first.

John French made a motion to modify agenda to take up the discussion with the Town Attorney regarding downtown zoning first. Don White seconded the motion. It was unanimously approved.

B. Communications, Presentations and Recognitions

1. Discussion with the Town Attorney regarding Downtown Zoning

Town Attorney Kristin Collins said that upon reviewing the zoning ordinances covering the district that includes the Knox Mill, she felt the language in the current ordinance lacks clarity.

Chairperson Cates invited Matt Orne, owner of the Knox Mill, up to speak. Orne told the Board that he didn't see anything wrong with the current zoning in the district where his building's located, adding that he doesn't know of a downtown that's not thriving due to residential development. He said he wished that communication had been more direct when questions began to come up about the potential sale of the building. He also said that as a developer he may not have taken the risk of investing in the Mill if he'd thought that at any time people could decide to change the zoning or uses for the property.

Don White said he is not in favor of any retroactive zoning changes. Leonard Lookner apologized for the lack of communication. John French expressed that we should be careful not to tread on personal rights of property owners and said that he would not support anything retroactive. He also thanked Orne for the investment in the building. Jim Heard thanked Orne for opening a conversation on this topic.

Orne said that residential may be the only way to generate enough capital to complete some of the updates that the building needs, noting that if there weren't a buyer he might have begun a partial residential conversion himself for this reason. Martin Cates thanked Orne for coming to talk with the Board.

Attorney Collins spoke about the language in the current ordinance, pointing out the areas

where there is lack of clarity. She said with elderly congregate or other residential uses on the second and third floors, any services associated with the congregate housing (such as a gym, dining facilities or other personal services that exist to support the upstairs residents) should not exist on the first floor. She said this was not the intent of the definition in the ordinance of first floor use. Collins recommended tightening up the language to reflect a clearer definition of the intent and to consider eliminating accessory uses from the allowable first floor uses.

Collins also noted that our site plan review process doesn't touch a lot of projects, for instance in the case of converting a property from commercial to residential - unless it is a subdivision. Collins confirmed that a site plan review is generally standard in the case of a commercial to residential conversion.

Steve Wilson helped clarify what's allowed under the ordinance as it stands at this time and spoke about the flood plain that affects part of the Knox Mill building.

Attorney Collins said she saw a short-term and a long-term approach. The short-term project would be to fix the ordinance to clarify the intent of the first floor uses; the longer-term approach would be to ask whether the goal of the district is to promote commercial uses, and if so to consider limiting non-commercial uses. Collins noted this becomes a Comp Plan issue as well as an economic development question that would need to be addressed first in order to come up with a longer-term plan.

Don White made a motion that under the direction of the Select Board, the Select Board and Planning Board for a subcommittee to begin to review all of Camden's business zones, that they work with staff and Attorney Collins and report back within 60 days. Martin Cates seconded the motion.

Don White said he felt that all the business zoning ordinances should be looked at due to a lack of clarity. Lookner recommended that we wait until the comprehensive plan process is complete before looking at the ordinances.

Leonard Lookner made a motion to amend the original to say that a workshop be held within two weeks between the Planning Board and the Select Board and that then a decision would be made as to where to go from there. Don White seconded the amendment. The amendment passed unanimously.

There was a vote taken on the original motion. The motion failed by a vote of 3-2 (Heard, Lookner and French opposed.)

Leonard Lookner made a motion that a workshop be held within three weeks between the Planning Board and the Select Board and that then a decision would be made as to where to go from there. Don White seconded the amended motion. The motion was unanimously approved.

To clarify questions on use, Martin Cates noted that the Town had rolled the Knox Mill into the TIF district for commercial use. Lookner added that we need to keep a certain portion of our downtown commercial in order to maintain our year-round vitality. French observed the Mill had historically been a commercial site employing a large number of workers.

Matt Orne asked a question about process. White said that coming to the workshops and bringing issues forward is the way to participate and help formulate recommendations.

C. Approval of Select Board Minutes

Don White made a motion to table the approval of the minutes of the Select Board meeting dated April 21, 2015. John French seconded the motion. It was unanimously approved.

D. New Business

1. Approval of the 2015 Annual Town Meeting Warrant

Pat Finnigan distributed the revised Town Meeting Warrant and explained two proposed changes in the warrant. The first was that the amended version of the zoning ordinance was attached to the warrant. Secondly, she recommended modifying the tax due date from November 1st and May 1st to November 15th and May 15th. She explained that since the early November date falls near election day, the process has been challenging for staff to manage.

John French made a motion to accept the Town Meeting Warrant with the changes recommended by the Town Manager. Don White seconded the motion. It was unanimously approved.

2. Approval of Victualer and Lodging Licenses for Whitehall Inn at 52 High Street

John French made a motion to approve the Victualer and Lodging Licenses for Whitehall Inn at 52 High Street. Jim Heard seconded the motion. It was unanimously approved.

E. Citizen Comments

There were no citizen comments.

F. Select Board Closing Comments

There were no closing comments.

Adjourn

Don White made a motion to adjourn the meeting. John French seconded this motion. The motion passed unanimously and the Board adjourned at 7:45pm.

Respectfully submitted,

Karen Brace
Recording Secretary