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**CAMDEN PLANNING BOARD**  
**MINUTES OF MEETING**  
**March 5, 2015**

**PRESENT:** Chair Lowrie Sargent; Members Richard Householder, Jan MacKinnon and John Scholz; and CEO Steve Wilson

**ABSENT:** Member Richard Bernhard

The meeting of the Planning Board convened at 5:00 pm in the Public Safety Building Meeting Room. Meetings here cannot be televised or video-taped.

**1. PUBLIC INPUT ON NON-AGENDA ITEMS:**

Jan MacKinnon: Ms. MacKinnon and Mr. Scholz had attended the Ragged Mountain Redevelopment Community Information Meeting on March 3. They both thought the tone of the meeting was positive with lots of information provided by the presenters and many good questions from the public.

**2. MINUTES:**

February 19, 2015:

There were two substantive changes made to the Minutes; other editing changes appear in the Final Minutes.

Page 3 Line 98: "It was noted that the ~~B-2~~ B-3 is unique..."

Page 3 Line 119: "This provision ~~allows~~ currently allows properties..."

**MOTION by Mr. Scholz seconded by Mr. Householder** that the Minutes of February 19, 2015, as amended, be approved.

**VOTE: 4-0-0**

**3. SITE PLAN REVIEW: Construct, enlarge, piers, wharves, bulkheads...**

**Small Harbor Improvement Project (SHIP) for Public Landing Improvements**

**Town of Camden: MAP 120 Lot 293: 2 Public Landing**

The revised Application for Site Plan Review, dated February 26, 2015, was submitted for review at this evening's meeting. The work proposed by the Town has been scaled down so that all the work will be covered by the State Small Harbor Improvement Program Grant. In reviewing the submissions the Chair realized that the project had been reduced in scope to include only the installation of a fishermen's hoist -- the Board does not review hoists -- and the repair and replacement of pilings in the area of the hoist - this work is classified as maintenance and the Board does not review maintenance projects. Mr. Sargent and Mr. Householder, the Vice Chair, agreed that neither of these activities requires review by the Planning Board. The Site Walk, scheduled for 4:30pm today at the Public Landing, had been canceled earlier in the morning after the Chair and the CEO agreed review was no longer required. The CEO will need to issue a permit and review engineered submissions, and depending upon the extent of soil disturbance required for the installation of electrical conduits for the project, a DEP Permit-by-Rule may be required as well. Details of the history of revisions to the project are included in a letter from TY Lin Project Manager Katherine Kern, dated February 3, 2015 that accompanied the new submission.

Because there was an open application before them, the CEO left the item on the agenda and asked the Board to formalize the decision not to move forward with review so he could close the file.

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**MOTION by Mr. Scholz seconded by Ms. MacKinnon** that because the current proposal is to install a hoist and repair pilings, Site Plan Review is not required.

**VOTE: 4-0-0**

**4. DISCUSSION:**

- 1. Minor Field Adjustments: There were none
- 2. Future Agenda Items:
  - 1) Noise: The CEO sent a Memo dated February 25, 2015 to Mr. Scholz and Dennis McGuirk summarizing his meeting with Police Chief Gagne regarding the proposed Noise Ordinance drafted by Mr. Scholz and Dennis McGuirk. The CEO and the Chief share concerns with regard to problems with enforcement and the related costs of equipment, personnel and training that would be required to implement this proposal. After speaking with Belfast Town Planner Wayne Marshall about Belfast’s Noise Ordinance, Mr. Wilson and the Chief recommend that instead of revising the current proposal, Mr. Scholz and Mr. McGuirk consider proposing an Ordinance similar to Belfast’s. According to Mr. Marshall, the Ordinance, drafted by Bill Kelly (Town Attorney for both Camden and Belfast) has proven effective in controlling the problems that City had with noise complaints, as well as providing a basis for the successful defense of appeals of enforcement actions.

Town Attorney Bill Kelly also reviewed the proposal and offered recommendations to consider so any Noise Ordinance the Town wants to put in place could be enforced, and that challenges to enforcement actions could be defended in Court. Mr. Scholz defended the current draft by quoting from Mr. Kelly’s letter of March 2, 2015: “The comments herein are intended to address the DRAFT in a general way...These comments are subjective, and I believe each community needs to decide the tolerance levels of neighboring activities.” Mr. Scholz understands this to mean that Camden would not have to adopt an ordinance like Belfast’s in order for it to meet the standards of enforceability and defensibility. He believes the track they are on with the current proposal can be refined to address Camden’s needs and solve the problems particular to Camden.

As a result of the memo and the letter, Mr. Scholz announced that the proposal will undergo further discussion before it is brought to the Board again for consideration. Mr. Scholz said that no draft will be back until all four men – himself, Mr. McGuirk, Mr. Wilson and the Chief, are in agreement about how to proceed. Once a revised proposal has been discussed by the Board, it can be run back by Mr. Kelly for his comments. Mr. Sargent would rather see a review by Mr. Kelly of a revised proposal *before* the Board spends time discussing something new. The Board will discuss this at a later date.

- 4. March 19 Meeting:
  - 1) Zoning Ordinance Proposed Amendment: Change to Definition of “Lodging”: Mr. Bernhard

- 98 2) Workshop with Harbor Committee to discuss proposed changes to the Harbor  
99 Ordinance/Zoning Ordinance

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101 5. Middle School Update:

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103 The Chair revised an earlier letter from the Board to the School Board offering  
104 Planning Board assistance when they begin to discuss the next proposal for the Middle  
105 School. After some discussion regarding how such a letter might be received versus the value  
106 in making an offer of assistance, the Board decided to move forward with the revised version  
107 of the letter (see attached). In addition to the Town Manager and Select Board Chair,  
108 Rockport Planning Board Chair John Alexander will be provided with a copy.

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110 **MOTION by Mr. Scholz seconded by Mr. Householder** to send the letter dated March 5, 2015  
111 from Mr. Sargent for the Planning Board to the Superintendent and School Board Chair.

112 **VOTE: 4-0-0**

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114 6. Other:

- 115 1) Mr. Wilson announced that the two Zoning Ordinance Amendments -- the BOZ and the  
116 changes to the V and VE Special Exception Low Impact Use provision -- will be before  
117 the Select Board for a Public Hearing at the March 17 Meeting. Mr. Sargent will attend  
118 to present a summary for presentation to the Select Board.
- 119 2) Mr. Wilson informed the Board that he had issued the Certificate of Occupancy for the  
120 new residence for Coastal Opportunities clients today. The plan is to move the residents  
121 into their new quarters this week-end.

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123 There being no further business before the Board they adjourned at 6:00pm.

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126 Respectfully submitted,

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130 Jeanne Hollingsworth, Recording Secretary  
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132 ATTACHMENT #1: MSAD 28 LETTER

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134

135 March 5, 2015

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137 Elaine Nutter, Superintendent

138 Mathew Dailey, Chair, MSAD 28 School Board

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140 Dear Superintendent Nutter and Chair Dailey;

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142 The Camden Planning Board would like to provide whatever assistance we can as you  
143 continue your work on the future of the Camden-Rockport Middle School. It is  
144 important to all of us that a high quality education is available to our students at a  
145 reasonable price. If Camden is to remain economically and demographically viable as  
146 a town we need to work together to use every planning opportunity we can to attain  
147 those goals.

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149 We are interested in your recommendations as to how we can work with you in this  
150 process. We would be happy to meet with you as a group or just Chair to Chair to  
151 explore ways to cooperate in this effort.

152

153 I look forward to hearing from you.

154

155 Sincerely,

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157 Lowrie B, Sargent, Chair Camden Planning Board

158 On behalf of Richard Householder, Jan MacKinnon, John Scholz and Richard

159 Bernhard

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161 CC: Pat Finnigan

162 Martin Cates

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