

1 **CAMDEN PLANNING BOARD**
2 **MINUTES OF MEETING**
3 **May 3, 2012**

4
5 **PRESENT:** Acting Chair Lowrie Sargent; Members Richard Householder and Jan MacKinnon;
6 Alternate Member Sid Lindsley; Don White, Select Board Liaison to the Planning Board; and
7 CEO Steve Wilson
8 **ABSENT:** Chair Chris MacLean; Member Kerry Sabanty and Alternate Member Nancy
9 McConnell

10
11 Mr. Sargent called the meeting was called to order at 5:00 pm.

12
13 **1. PUBLIC COMMENT on NON-AGENDA ITEMS:** No one came forward.

14
15 **2. MINUTES:**

16 April 9, 2012:

17 Page 1: Line 8: Member ~~and~~ Kerry Sabanty

18 Page 4: Line 29: "...and, therefore, the waiver is approved.

19
20 **MOTION by Mr. Householder seconded by Ms. MacKinnon** to approve the Minutes of April
21 9, 2012, as amended.

22 **VOTE: 4-0-0**

23
24 April 19, 2012:

25 Page 1:

26 Line 5: Add Acting Chair Lowrie Sargent as Present

27 Line 11: "Mr. Sargent called the meeting to order..."

28 Line 20: The date of the rescheduled Public Informational Meeting is May 3, 2012.

29
30 **MOTION by Ms. MacKinnon seconded by Mr. Householder** to approve the Minutes of April
31 19, 2012, as amended.

32 **VOTE: 4-0-0**

33
34 **3. SUBDIVISION: PUBLIC INFORMATIONAL MEETING**

35 Maple Grove Subdivision: Map 229 Lot 5; and Map 230 Lot 9: Rural 2 District (RU-2):

36 Maine Farmland Trust: Simonton Road

37
38 Maine Farmland Trust (MFT), property owner, and Melissa Spear Dove, a prospective
39 buyer, were represented by Tom Fowler of Landmark Corporation, authorized agent. Mr.
40 Fowler is here for the required Major Subdivision Public Informational Meeting.

41
42 Because the subdivision crosses the Camden/Rockport town line Camden and
43 Rockport addressed the issue of joint review as required by the governing Statute, and the two
44 Planning Boards reached an agreement to hold all evidence gathering meetings jointly. This
45 Public Informational Meeting is not part of Rockport's subdivision review process, so
46 Camden is holding this meeting separately.

1
2 There is one abutter attending the meeting, but because no evidence can be gathered
3 outside of a joint meeting per the Agreement, no one from the public will be allowed to
4 address the Board, and Mr. Fowler will not be able to answer any questions the abutter might
5 have. Mr. Fowler proceeded to summarize the proposal for the subdivision:
6

7 The original four-lot subdivision was previously approved by the Town of Rockport.
8 With a new lot being created in Rockport at the site of the driving range across from the golf
9 club, the five-lot subdivision is now classified as a major subdivision in both towns. The
10 reason for the creation of this lot is Ms. Dove’s desire to exercise the option she was given to
11 purchase a lot by the new owner of her family’s farm, the Maine Farmland Trust.
12

13
14 *History of Conveyances:*
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16 Lot 1: 02/2011: The Trust purchased Lot 1, the remainder land of the original four-lot
17 subdivision, from Pamela Spear. At 121 acres it is the largest lot in the subdivision: 40 acres
18 of Lot 1 lies within the Town of Camden; the remaining 80+ acres is in Rockport. The Trust
19 has designated this farmland as a “Forever Farm” protecting it as farmland and guaranteeing
20 there will be no further division or development.
21

22 Lot 5: 02/2011: At the time of the transfer of ownership, the Trust offered Ms. Dove, the
23 daughter of Pamela Spear, the option of purchasing what will become Lot 5. This is an 8.3
24 acre parcel across from the farmhouse, and the Option describes the restrictive conditions of
25 this sale, one of which is that there can be no division of the lot.
26

27 Lot 2: 1/2008: Pamela Spear conveyed this lot to her son’s business, JCS, LLC.
28

29 Lot 3 (1.66 acres) and Lot 4 (1.02 acres), at the intersection of Symington Corner Road and
30 Main Street in Rockport, were created in late 2010 and early 2011.
31

32 Lots 1-4 were approved as the Maple Grove Subdivision by the Town of Rockport in 201, and
33 Lots 3 and 4 were conveyed to abutters.
34

35 *Review Process:*
36

37 The same Subdivision Preliminary Plan has been submitted to both the Camden and
38 Rockport Planning Boards, and on May 3 a joint Site Walk at the farm will be followed by a
39 joint Public Hearing held at the Rockport Opera House as part of the Rockport Planning
40 Board’s regular monthly meeting. Mr. Fowler stated that proposal will be described in the
41 same way that it was here this evening, and the public will be given the opportunity to
42 comment and to ask questions. Following that hearing, the Rockport Board will continue on
43 alone to review the Preliminary Subdivision Plan. The Camden Board will review that same
44 Plan at their meeting on May 17.
45

1 The goal is to work to approval by both Boards in June: If any more information is
2 required, it will either be dually submitted to each Board or a second Public Hearing will be
3 convened; all future submissions required of either Ordinance will also be dually submitted.
4

5 Mr. Flower apologized to the abutter that he could not answer any questions this
6 evening, but noted that the Site Walk *is* a public meeting and abutters are welcome to attend;
7 any concerns can be addressed at that time.
8

9 **4. Workshop: Non Conforming Expansions**

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11 The CEO has drafted and distributed language for a possible Ordinance amendment to
12 address expansion of non-conforming uses. Steve Laite and John French were provided with
13 copies and are back this evening to participate as the Board continues their discussion on how
14 Camden’s Ordinance might be changed to provide for these expansions. Both property
15 owners noted that they had contacted other owners of non-conforming uses to inform them of
16 this meeting; many had expressed interest in the process but none are here this evening.
17

18 Mr. Wilson explained the concept he proposed with different percentages of expansion
19 permitted in varying districts in Town. Most of the non-conformance is found in the B1, B2,
20 B3 and B4 Districts, but there are some B&B’s, and a couple of businesses in the Coastal
21 Residential District that are also non-conforming. Fred Beloin, owner of the take-out on his
22 motel property, is interested in being able to expand that business. He had hoped to be here
23 this evening, but could not make it. Mr. Wilson explained that his intent in drafting the
24 language was to help the non-conforming businesses that are already here remain in place and
25 be able to grow while limiting the adverse impacts of any expansion. Mr. Sargent noted that
26 the fact that the Board can always impose conditions of approval will help limit those impacts
27 as well. Both Mr. Laite and Mr. French like the initial proposal drafted by Mr. Wilson, and
28 they have gotten positive responses on the concept from other business owners as well.
29

30 **Comments from the Board:**

31 Ms. MacKinnon: She has supported this concept from the beginning; she likes this draft and
32 is pleased that property owners are involved – she wants to hear from more owners and hopes
33 they will become involved.
34

35 Mr. Lindsley: He likes the fact that the purpose of the various districts is respected by this
36 draft – especially the residential character of the B3 that voters have said was important and
37 should be protected. Mr. Wilson believes that the results may be that the impact of the
38 business on the neighborhood could be improved by these changes.
39

40 Mr. Householder: He likes the proposal and hopes the Board will continue to keep this
41 amendment on the agenda so it can go to a vote in November.
42

43 Mr. Sargent: He likes this simple concept, but thinks it needs to be made clear with specific
44 language that there is a limit to the expansion.
45

46 → Mr. Wilson will use language from the Shoreland expansion portion of the Ordinance to
47 apply the “30% expansion credits” to this proposal.

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2 Mr. Sargent believes the Board will need language to address whether or not the
3 expansion will have an “adverse impact”. He would also like to be able to address the design
4 of the expansion because that could have a negative impact on the neighborhood. The Special
5 Exceptions Permit review section of the Ordinance (Article VII Section 4 (3)) contains
6 standards the Zoning Board of Appeals uses in reviewing adverse impacts, and Mr. Wilson
7 suggested that he could include those standards in this draft with only some of the standards
8 applying in some districts and all of them applying in others. In other words, tailoring the
9 applicable standards to the district in which the expansion will occur.

10
11 Mr. Sargent also noted that the draft needs to include an application process: What
12 submissions will be required, and what the process of review will look like.

13
14 It may be that an application for expansion of a non-conforming business will go to the
15 ZBA for review, and that the Planning Board will only review the project if Site Plan Review
16 is required. The Planning Board is responsible for drafting all the ordinance amendments
17 even if they are not the reviewing Board, but Mr. Wilson will have to research this issue
18 further in order to clarify who is responsible for the actual review process.

19
20 Mr. Sargent asked Mr. Wilson to provide copies of his proposal to the folks at Gartley
21 and Dorsky and Landmark Associates and ask them if they would offer their profession
22 opinions and comments on the draft. He also wants to hear from other impacted business
23 owners.

24
25 The Board agreed to continue to work on the draft. They want to hold their first public
26 hearing sometime in July so they can start getting public comments and have time to work on
27 any revisions before the amendment deadlines for the November ballot. The Downtown Work
28 Group is meeting to continue with the Master Plan and it might be good to get them copies to
29 review.

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32 DISCUSSION:

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34 1. Minor Field Adjustments: There were none

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36 2. Future agenda items:

37 May 17, 2012: Maple Grove Subdivision Preliminary Plan Review
38 U.S. Cellular: Public Hearing: Cell Tower on Brace Building

39
40 3. Other:

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42 Downtown Master Plan:

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44 Mr. White informed the Board that Brian Hodges had come to the Select Board to discuss
45 grant proposals that would provide money to begin work on two portions of the Downtown
46 Master Plan. The Select Board is hearing public comments on the Plan on the 15th at 6pm in the
47 Conference Room.

1 Comprehensive Plan:
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3 Mr. Sargent reported that there was a meeting last week of the original group that met to
4 discuss how to staff the Comp Plan Committee: the three members of the Planning Board
5 working on the Comprehensive Plan, four members of the Select Board, the Town Manager and
6 the CEO. They met to revisit the process because the request for interested citizens to apply for
7 membership on the Comp Plan Committee which had been posted, and the deadline extended,
8 resulted in only four people coming forward. Not only was that not enough people to staff the
9 committee, it did not bode well to continue in this vein if there was not sufficient public interest
10 to last the two years plus projected for the project.
11

12 The result was that the Planning Board will act as the coordinating committee, and, in
13 concert with the Select Board, try to drum up enough volunteers to staff the Chapter Committees
14 and to always solicit public input at every stage. Before October 1, 2012, the Planning Board is
15 being asked to:

- 16 • Come up with ideas to advertise for people to staff the chapter committees
- 17 • Prepare a list of people and/or groups that could be approached
- 18 • Define committee responsibilities; develop a timeline for submissions
- 19 • Prepare brief Chapter summations to use in the advertising for interested parties which
20 include the Goals and Strategies of each chapter
21

22 Mr. Sargent asked Board members to review the Comp Plan before the next meeting to
23 re-familiarize themselves with the document. The Select Board needs to know what in each
24 chapters need revision. He also noted that there will be new additions to the Plan this time
25 around: The Downtown Master Plan and its goals for one. Mr. White suggested that the Board
26 consider the work done by Mr. Nims with regard to the Gateway project and the revisions to the
27 Plan proposed at that time. Some of those revisions may still be important to consider for
28 inclusion outside of the Gateway project. In addition, Mr. Sargent noted that the Select Board's
29 Multi-year Goals adopted last year should be discussed as well.
30

31 → Mr. Wilson will distribute a copy of these Goals to the Board.
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33 Mr. White noted that Select Board will begin in October to organize the meetings of the
34 subcommittees, and Mr. Sargent added that the groups will be working on a staggered basis so
35 not all the drafts are collected at once, but will instead come back to the Planning Board over
36 time.
37

38 Signs:
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40 The Sign Committee received permission from the Select Board to go forward, and the
41 parking signs and the arrows have arrived and will be installed soon. If there is too much
42 adverse reaction the signs will be pulled. The Sign Committee has developed many proposals
43 for changes to the Ordinance. The CEO noted the real involvement of the Downtown Business
44 Group in making changes to the Ordinance that address their needs but remain sensitive to the
45 character of the Town and concerns raised in the past. Mr. Householder noted that the members
46 of the Sign Committee are very active in soliciting comments from their Group, so the support

1 for the project is sustained. Ms. MacKinnon noted how effective these members are. Especially
2 valuable is the experience shared by Clint Decker from his time in Park City, Utah, who adds
3 valuable “lessons learned” to the discussions. They want these changes to go to a vote in
4 November, and are trying to get much of the work done before the busy summer season takes
5 their time. Mr. Decker suggested the proposal be sent to voters with a one year trial period. The
6 Committee likes this idea because it may overcome some citizens’ resistance to the changes in
7 the Ordinance. To be extended, the proposal would have to come back for another vote.

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9 There being no further business before the Board they adjourned at 6:30 pm.

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11 Respectfully submitted,

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14 Jeanne Hollingsworth, Recording Secretary