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CAMDEN PLANNING BOARD
MINUTES OF MEETING
June 21, 2012

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

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The Chair called the meeting to order at 5:00 pm.

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1. PUBLIC COMMENT on NON-AGENDA ITEMS:

Anne Keefe: Owns property part of which lies in Camden (1 Elm Street) and part in Rockport (162 Camden Street). She is here to request consideration of a zone change for her Camden property from B-3 to a less restrictive business district – probably B-1 – that would permit a more appropriate use of her property. Ms. Keefe noted that the abutting uses are all more commercial in nature. Quarry Hill is now across the street, but it is not a residential neighborhood any longer. And, the fact that there is a gas station across the street and a dog-kennel down the street, means that this is not an attractive property for a residential use.

She brought with her a set of folders containing many of the real estate contracts that were never completed because the sale to prospective buyers was often contingent upon a zoning change, and others just couldn't make the existing rules work. This is a high visibility property at the gateway to Camden, and she hopes there might be interest by the Towns of Camden and Rockport in jointly owning the property for an area "Welcome Center – it would be a perfect place for the Chamber-of-Commerce to be located. That use would be permitted now, but to be able to attract other interested buyers she believes that she should be moved to a new zone – the B-1 would suit best, but the cross-street properties (Subway, Lotus and Hannaford's Plaza) are B-2 – there is no adjacent B-1 property.

The Board asked what uses are allowed now that could take place on the lot, and motels was one she mentioned –most other uses have to take place in buildings that exist on the site at the time the District was created. There is only one structure on the property – an old house, and she has information that the highest spot on that lot where the house sits could be an historical Indian burial site. That is why she has never had the house demolished even though it is run down – she didn't want to disturb the site until any historic value of the site is known. At one time the house lot (.93 acres) and the open field (1.6 acres) were two separate lots. But when she purchased the two, they merged into one lot because of the common ownership.

The Chair asked Ms. Keefe if she was familiar with the process involved in making this kind of change, and Ms. Keefe said that she was. She informed the Board that she had been involved with an Ordinance amendment proposed in 2005 that relaxed some of the Elm Street rules that would have helped her, but it wasn't passed by the voters. The Chair explained that the earliest any changes could be proposed to voters was next June, and Ms. Keefe replied that she was aware of the timeframes involved. The next step for the Board is to discuss whether or not her

1 request merits going forward to develop a proposal and to seek public comments; the Board will
2 decide whether or not to put the item on their agenda and will let her know if they do so.

3
4 Mr. Sargent suggested that if the Board does agree to consider this request, it would be
5 helpful to understand how much more useful the property could be if the zone was changed –
6 what kinds of uses *could* take place there. Ms. Keefe replied that Will Gartley has done an
7 engineering analysis of the site that would be helpful in addressing this question. The Chair
8 asked her to let them know just what kinds of uses she would like to have on the site.
9

10 Mr. Lindsley noted that there had been discussion at the time the Ordinance was written on
11 whether to include this property in the B-2 or B-3 District, and because there was a residential
12 use on the property at that time it was put into the B-3. Mr. Sargent informed Ms. Keefe that the
13 Board’s practice is to try to set their priorities in July for the Ordinance amendments they will
14 work on for the June Town Meeting, so she should know soon whether or not her request is
15 among those slated for consideration. (Ann66keefe@yahoo.com; 941-964-1640)

16
17 **2. MINUTES:**

18 May 17, 2012:

19 Page 1:

20 Line 6: Mr. White was not present at the meeting

21 Line 20: The word “stripped” was changed to the word “striped”

22 Page 3: Line 39: Mr. Fowler’s name had been misspelled

23 Page 5: Line 9: The “√” symbol was deleted

24 Page 7: Line 19: The word “Facility” had been misspelled

25
26 **MOTION by Mr. MacLean seconded by Mr. Lindsley** to approve the Planning Board
27 Minutes of May 17, 2012 with the changes noted.

28 **VOTE: 4-0-0**

29
30 June 7, 2012

31 Page 1:

32 Line 30: The word “how” was deleted

33 Line 44: “...would require ~~and an~~ Ordinance change...”

34 Page 2: Line 4: The term “MS” was replaced by the term “Ms.”

35 Page 8: Beginning on Line 42: *Off-premises Signs*: Mr. Sargent suggested that the summary of
36 this discussion provided in the Minutes was not comprehensive enough; the discussion had been
37 lengthy and the important points made by members during are not covered here. The Recording
38 Secretary will listen to the tapes and revise this section accordingly.

39
40 Action on the Minutes was deferred until the revisions are made and reviewed by the Board.
41
42

43 **3. SITE PLAN REVIEW: Replace Water Tower**

44 Maine Water Company: Map 113 Lot 64: Village Extension District (VE): 125 Mountain
45 Street
46
47

1 **CONTINUATION of PUBLIC HEARING:**

2
3 The Chair re-opened the Public Hearing and called for Public Comments; there were
4 none and the Hearing was closed. The Chair announced that because he was absent at the last
5 meeting and that Public Hearing that he was not eligible to vote on this Application.

6
7 Rick Knowlton, Vice President of Operations, is representing the water company and
8 requesting permission to construct a new water tower. The Board reviewed the changes
9 required to the Plan at the last meeting and found the following items had been addressed:

10 **Site Plan Content:**

- 11 → The Application form was corrected and is for a new non-residential building
12 → Item (h) has been corrected: The height of the tank will be 95'
13 → Item (j) has been completed: All roads and driveways requiring dimensions and distances
14 have them shown on a revised Plan C-2
15 → Item (l): The proposed temporary lay-down area will receive 4" of loam when it is re-
16 stabilized after construction
17 → Item (o): A note has been added to the Plan regarding the exterior light on the accessory
18 shed.

19
20 **MOTION by Mr. Sargent seconded by Mr. Householder** that based on the changes made
21 to the Plan dated June 18, 2012 the Applicant has satisfied the Site Plan Content requirements.

22 **VOTE: 3-0-0**

23
24 **SITE PLAN APPROVAL CRITERIA:**

25 *(1) Preserve and Enhance the Landscape*

26 **MOTION by Mr. Sargent seconded by Mr. Householder** that based on the Plan dated June
27 18, 2012 there will be a minimum amount of disruption to the existing landscape and that area
28 will be re-stabilized after construction.

29 **VOTE: 3-0-0**

30
31 *(2) Erosion Control*

32 **MOTION by Mr. Sargent seconded by Mr. Householder** that based on the revised Plans C-1
33 and C-2 dated June 18, 2012 and the Sediment and Erosion Control Plan shown on Plan C-3
34 dated May 24, 2012, the Applicant has put forward a reasonable plan to stabilize the Site.

35 **VOTE: 3-0-0**

36
37 *(3) Relationship of the Proposed Building to Environment and Neighboring Buildings*

38 **MOTION by Mr. Sargent seconded by Mr. Lindsley** that the Applicant satisfies #3 in part
39 because care was taken to make sure that the new water tower is no higher in elevation than the
40 old and will fit harmoniously with neighboring buildings and will not interfere unreasonably
41 with the solar access of existing buildings or adjacent parcels.

42 **VOTE: 3-0-0**

43
44 *(4) Vehicular Access, Parking, and Circulation*

45
46 **MOTION by Mr. Sargent seconded by Mr. Householder** that #4 is not applicable because the

1 project will use the same driveway that has been used for 110 years and everything has been
2 alright with this driveway so far.

3 **VOTE: 3-0-0**

4
5 (5) *Surface Water Drainage*

6
7 Discussion: The Chair asked if the Water Company was fully ensured to cover any damages that
8 were to result from any failure of the system – catastrophic or otherwise. Mr. Knowlton assured
9 the Board that was the case.

10
11 **MOTION by Mr. Sargent seconded by Mr. Householder** that based on C-1 and C-2 dated
12 June 18, 2012 the Plan has made adequate provisions for surface water and for management of
13 surface drainage.

14 **VOTE: 3-0-0**

15
16 (6) *The development shall not impose an unreasonable burden on sewers and storm drains,*
17 *water lines or other public utilities. New utilities shall be sized and existing utilities*
18 *upgraded to adequately handle the demands of the development.*

19
20 **MOTION by Mr. Sargent seconded by Mr. Householder** that #6 is satisfied because the
21 project will enhance and improve the capacity and reliability of the water supply.

22 **VOTE: 3-0-0**

23
24 (7) *Special Features of Development*

25
26 **MOTION by Mr. Sargent seconded by Mr. Householder** that #7 is satisfied because the
27 existing utility building will not be changed; because the Applicant has assured them that the
28 temporary lay-down area will not become a permanent storage area; and because the Applicant
29 has already shown that this lay-down area will be re-seeded.

30 **VOTE: 3-0-0**

31
32 (8) *Exterior Lighting*

33
34 **MOTION by Mr. Sargent seconded by Mr. Householder** that #8 is satisfied because the
35 existing 23-watt light bulb shown on the utility shed will have no impact.

36 **VOTE: 3-0-0**

37
38 (9) *Emergency Vehicle Access*

39
40 **MOTION by Mr. Householder seconded by Mr. Lindsley** that #9, Emergency Vehicle
41 Access, is not applicable because the needs at the Site have not changed and the access to the
42 Site has not changed.

43 **VOTE: 3-0-0**

44
45 (10) Special criteria for Piers, Wharves, Breakwaters, Municipal Boat Tamps, Municipal
46 Piers, Consolidated Piers and other marine related uses

1 **MOTION by Mr. Sargent seconded by Mr. Lindsley** that #10 does not apply to this
2 Application.

3 **VOTE: 3-0-0**

4
5 (11) Design standards for new construction, additions or exterior renovations in the B-1, B-TH
6 or B-TR Zoning Districts.

7
8 **MOTION by Mr. Sargent seconded by Mr. Householder** that #11 does not apply because the
9 Site is not in any of the named Districts.

10 **VOTE: 3-0-0**

11
12 Discussion:

13 The discussion came back to the issue of insurance to cover a catastrophic failure of the tank
14 when the Chair pursued the degree of coverage that would be available: Mr. Knowlton stated
15 that the Water Company carries \$25M in general liability for this site. In a catastrophic situation
16 he would guess that perhaps two or three properties would be impacted. The Mountain Street
17 drainage ditch can accommodate the additional drainage flow resulting. The problem would
18 occur at the cross-falls of the swales and there is only one abutting residential property that
19 would suffer damage (Mr. Leuhman); the other properties impacted are in the low area along the
20 river and they belong to the Water Company and to the Town of Camden – there are no
21 structures. Mr. Knowlton asserts that the risk to structures is very low. In addition there are
22 daily inspections and a 3-5 year cycle of more intense inspections. The mostly likely failure
23 would be leaking, and that is still a very remote possibility. The Chair agreed that in this
24 scenario, there was more than adequate insurance coverage.

25
26 The cost of the new tower is borne by ratepayers and by the Town of Camden, which in addition
27 to being a ratepayer pays an additional amount to the Water Company to provide “emergency
28 controls” -- water for fire protection. Increased fire protection capacity is one of the benefits of
29 the new tower which will be double in size. This increase in water capacity and water pressure
30 to fight fires will help in the Town’s insurance rating for this purpose.

31
32 **MOTION by Mr. Sargent seconded by Mr. Householder** that since the Board has found that
33 all the Approval Criteria have been found to be satisfied or not applicable the Site Plan is
34 approved.

35 **VOTE: 3-0-0**

36
37 **4. SUBDIVISION: FINAL SUBDIVISION PLAN REVIEW**

38 Maple Grove Subdivision: Map 229 Lot 5; and Map 230 Lot 9: Rural 2 District (RU-2):
39 Maine Farmland Trust: Simonton Road

40
41 All four members will be voting on the Application.

42
43 Maine Farmland Trust (MFT) is the property owner, and Melissa Spear Dove, an
44 option holder, is the Applicant; Ms. Spear is represented by Tom Fowler of Landmark
45 Corporation, authorized agent. Mr. Fowler is here for Major Subdivision Final Plan Approval.
46 The Plan is under Joint Review by the Towns of Camden and Rockport, and Mr. Fowler
47 informed the Board that the Rockport Planning Board had reviewed the Plan, granted

1 unanimous approval, and signed the Final Plan last evening. He has the original copies of that
2 signed Plan for the Camden Board's signatures this evening.

3
4 **ARTICLE 7 – MAJOR SUBDIVISION FINAL PLAN REVIEW**

5 The Board reviewed the items and addressed those that applied:

6
7 **Section 2. Final Plan Submission**

8
9 The Plan is under Joint Review by the Towns of Camden and Rockport, and Mr. Fowler
10 informed the Board that the Rockport Planning Board had reviewed the Final Plan, granted
11 unanimous approval, and signed the Plan last evening.

12 √ *Mr. Fowler has the original signed copies of that Final Plan for the Camden Board's*
13 *review and signatures this evening.*

14
15 **Section 5. State and Federal Permits**

16 5. Maine Department of Transportation Traffic Movement Permit, and/or Highway
17 Entrance/Driveway Access Management Permit.

18 √ *The requirement to submit this information was waived by the Board on April 5, 2012.*

19
20 **Section 6. Final Plan Review**

21 √ *All criteria are met and the Board is able to proceed to Final Plan Review this evening.*

22
23 **Section 7. Public Hearing**

24 √ *A Joint Public Hearing was held with the Town of Rockport's Planning Board on May 9,*
25 *2012.*

26
27 **Section 8. Performance Guarantees**

28 √ *The requirement to submit this information was waived by the Board on April 5, 2012.*

29
30 **Section 9. Recording Plan**

31 The recording plan for a major subdivision shall meet the requirements of Appendix K.

32
33 **Appendix K: Recording Plan Requirements**

34 The Plan under review consists of the following:

35 Application Packet dated June 5, 2012 which includes:

36 Summary of Major Subdivision Final Plan Submission Requirements (Appendix D)

37 Recording Plan Requirements (Appendix K)

38 Summary of Subdivision Approval Criteria (Article 8)

39 Attachment 1: Major Subdivision Final Plan Application

40 Attachment 2: Final Subdivision Plan dated June 5, 2012:

41
42 The Recording Plan shall show only the information relevant to the transfer of an interest in the
43 property including:

44 1. The proposed name of the subdivision or identifying title, the name of the
45 municipality, and the assessor's map and lot number.

1 √ *The Camden property map and lot numbers have been corrected: They are Lots #5 and*
2 *#9 on Map 230*

3
4 √ 2. The names and addresses of the record owner, developer, and individual or company
5 who prepared the plan, and adjoining property owners.

6
7 √ 3. The date the plan was prepared, north point, and graphic map scale.

8
9 √ 4. The zoning district in which the proposed subdivision is located and the location of any
10 zoning boundaries affecting the subdivision.

11
12 5. A standard boundary survey of the parcel
13 √ *The requirement to submit this information was waived by the Board on April 5, 2012.*

14
15 √ 6. The layout of lots, existing and proposed easements, streets including the location,
16 names...

17 Discussion: Mr. Fowler reported on the status of the easement that had been in question at the
18 previous meeting on May 17: The Maine Farmland Trust (MFT), the property owner who would
19 benefit from an easement, had misunderstood the location of the 50' ROW proposed by the
20 former owners; upon consideration MFT determined that an access point in that area was not
21 necessary and they abandoned their request for a ROW over either Lot 5 or Lot 2.

22
23 7. The location of wetlands and vernal pools.
24 √ *The requirement to submit this information was waived by the Board on April 5, 2012.*

25
26 8. The location of all soil test pits including an indication of which pits are suitable for
27 the installation of a subsurface wastewater disposal system.

28 √ *The requirement to submit this information was waived by the Board on April 5, 2012.*

29
30 9. The recording plan shall include space for the approval of the Planning Board
31 including:

32 √ a signature block

33 √ a record of any waivers granted from the submission requirements or approval standards

34 *There are two separate text boxes on the Plan that list in detail the waivers granted by*
35 *Camden and those granted by Rockport*

36 any conditions of approval imposed by the Planning Board

37 √ the net residential acreage calculation, and any other pertinent notes or information.

38 *As various lots were surveyed and broken out, the acreage information for those lots*
39 *became available. That total was deducted from the original parcel's acreage which has never*
40 *been surveyed to determine its actual size. Therefore the 121 acres shown as the size of the*
41 *Camden parcel is an unconfirmed figure.*

42 √ the recording plan shall not include information on topography, grading, site improvements,
43 water and sewer facilities, drainage improvements, and the like. This information should be
44 contained in the Subdivision Plan and related documentation.

45
46 √ 10. The following note shall appear on the recording plat of every plan:

1 “The property shown on this plan may be developed and used only as depicted on this approved
2 plan and as depicted on all final plans and specifications submitted by the applicant in support of
3 the application. No changes whatsoever are permitted unless approved as a minor field change
4 by the Town Planner/CEO or as an amendment by the Planning Board.”
5

6 **MOTION by Mr. Sargent seconded by Mr. Householder** to find the Final Plan Application
7 Complete.

8 **VOTE: 4-0-0**
9

10 **Article 7 Section 1. Purpose**

11
12 The purpose of the Final Plan Review is to determine whether the proposed subdivision meets
13 the standards of Article 8 and Title 30-A, MRSA, Section 4401 et. Seq.
14

15 **ARTICLE 8 - APPROVAL STANDARDS**

16 **Section 1. Pollution**

17 18 **A. State Standard**

19 The proposed subdivision will not result in undue water or air pollution...

20 **MOTION by Mr. Sargent seconded by Mr. Householder** that because none of the land in
21 Camden will be disturbed by the Subdivision there will be no pollution.

22 **VOTE: 4-0-0**
23

24 **Section 2. Sufficient Water**

25 **A. State Standard**

26 The proposed subdivision has sufficient water available for the reasonably foreseeable needs of
27 the subdivision.

28 **MOTION by Mr. Sargent seconded by Mr. Householder** that because no land in Camden is
29 being developed no additional water will be required than is currently needed.

30 **VOTE: 4-0-0**
31

32 **Section 3. Municipal Water Supply**

33 **A. State Standard**

34 The proposed subdivision will not cause an unreasonable burden on an existing water supply, if
35 one is to be used.

36 **MOTION by Mr. Sargent seconded by Mr. Householder** that no existing water supply will be
37 used.

38 **VOTE: 4-0-0**
39

40 **Section 4. Erosion**

41 **A. State Standard**

42 The proposed subdivision will not cause unreasonable sedimentation

43 **MOTION by Mr. Sargent seconded by Mr. Householder** that there will be no erosion caused
44 because there will be no development of the land in Camden.

45 **VOTE: 4-0-0**
46

47 **Section 5. Traffic**

1 **A. State Standard**
2 The proposed subdivision will not cause unreasonable highway or public road congestion or
3 unsafe conditions ...

4 **MOTION by Mr. Sargent seconded by Mr. Householder** that because the property located in
5 Camden will not be developed there will not be any new traffic.

6 **VOTE: 4-0-0**

7
8 **Section 6. Sewage Disposal**

9 **A. State Standard**

10 The proposed subdivision will provide for adequate sewage waste disposal and will not cause an
11 unreasonable burden on municipal services if they are utilized.

12 **MOTION by Mr. Sargent seconded by Mr. Householder** that no sewage disposal will be
13 required for the portion of the subdivision in Camden because there is no development within
14 Camden.

15 **VOTE: 4-0-0**

16
17 **Section 7. Municipal Solid Waste Disposal**

18 **A. State Standard**

19 The proposed subdivision will not cause an unreasonable burden on the municipality's ability to
20 dispose of solid waste, if municipal services are to be utilized.

21 **MOTION by Mr. Sargent seconded by Mr. Householder** that 7, Solid Waste, is not applicable
22 because there will be no solid waste generated.

23 **VOTE: 4-0-0**

24
25 **Section 8. Aesthetic, Cultural and Natural Values.**

26 **A. State Standard**

27 The proposed subdivision will not have an undue adverse effect on the scenic or natural beauty
28 of the area, aesthetics, historic sites, significant wildlife habitat identified by the Department of
29 Inland Fisheries and Wildlife or the municipality, rare and irreplaceable natural areas, or any
30 public rights for physical or visual access to the shoreline.

31 **MOTION by Mr. Sargent seconded by Mr. Householder** that #8 is satisfied because the
32 proposed subdivision will enhance the area because it will preserve the property forever as
33 farmland.

34 **VOTE: 4-0-0**

35
36 **Section 9. Financial and Technical Capacity**

37 **A. State Standard**

38 The developer has adequate financial and technical capacity to meet the standards of this section.

39 **MOTION by Mr. Sargent seconded by Mr. Householder** that the requirement to show financial
40 capacity was waived and the technical capacity is satisfied by the professionally prepared plan
41 signed and sealed by an engineer.

42 **VOTE: 4-0-0**

43
44
45 **Section 10. Surface Waters; Outstanding River Segments**

46 **A. State Standard**

1 Whenever situated entirely or partially within the watershed of any pond or lake or within two
2 hundred and fifty (250) feet of any wetland, great pond, or river as defined in Title 38, Chapter 3,
3 Subchapter I, Article 2-B (Section 435-490)...

4 **MOTION by Mr. Sargent seconded by Mr. Householder** that because the use of the land will
5 not change after subdivision there will be no impact on surface waters or outstanding river
6 segments.

7 **VOTE: 4-0-0**

8
9 **Section 11. Ground Water.**

10 **A. State Standard**

11 The proposed subdivision will not, alone or in conjunction with existing activities, adversely
12 affect the quality or quantity of ground water.

13 **MOTION by Mr. Sargent seconded by Mr. Householder** that because the use of the property
14 will not change there will be no effect on the quality or quantity of ground water.

15 **VOTE: 4-0-0**

16
17 **Section 12. Floodplain Areas**

18 **A. State Standard**

19 Based on the Federal Emergency Management Agency’s Flood Boundary and Floodway Maps
20 and Flood Insurance Rate Maps, and information presented by the develop, whether the
21 subdivision is in a flood-prone area. If the subdivision, or any part of it, is in such an area, the
22 developer shall determine the 100-year flood elevation and flood hazard boundaries within the
23 subdivision. The proposed subdivision plan must include a condition of plan approval requiring
24 that principal structures in the subdivision ...

25
26 Discussion: There was concern that the Standard requires that the developer “shall determine the
27 100-year flood elevation and flood hazard boundaries...” this information is not included. Mr.
28 Fowler explained the technical methods used to make these determinations and stated that there
29 were no 100-year flood elevations shown because they had determined that there were no 100-
30 year flood hazard boundaries within the subdivision. There are 500-year elevations shown in
31 Rockport, but that is the only FIRM-generated flood-related risk found for the property.

32
33 **MOTION by Mr. Sargent seconded by Mr. Lindsley** that because there is no 100-year flood
34 plain within the Camden portion of the subdivision Section 12 is not applicable.

35 **VOTE: 4-0-0**

36
37 **Section 13. Freshwater Wetlands**

38 **A. State Standard**

39 All freshwater wetlands within the proposed subdivision have been identified on any maps
40 submitted as part of the application, regardless of the size of these wetlands. Any mapping of
41 freshwater wetlands may be done with the help of the local soil and water conservation district.

42 **MOTION by Mr. Lindsley seconded by Mr. Householder** that Section 13 is not applicable
43 because the Board waived the requirement to submit information to identify wetlands.

44 **VOTE: 4-0-0**

45
46 **Section 14. River, Stream, or Brook**

47 **A. State Standard**

1 Any river, stream or brook within or abutting the proposed subdivision has been identified on
2 any maps submitted as part of the application. For purposes of this section, “river, stream or
3 brook” has the same meaning as in Title 38, Section 480-B, Subsection 9.

4 **MOTION by Mr. Sargent seconded by Mr. Householder** that the Applicant has satisfied
5 Section 14 because he has identified two streams on the Camden property.

6 **VOTE: 4-0-0**

7 **Section 15. Storm Water**

8 **A. State Standard**

9 The proposed subdivision will provide for adequate storm water management.

10 **MOTION by Mr. Sargent seconded by Mr. Householder** that Section 15, Storm Water, is not
11 applicable because there will be no development within Camden.

12 **VOTE: 4-0-0**

13
14 **Section 16. Spaghetti-lots Prohibited**

15 **A. State Standard**

16 If any lots in the proposed subdivision have shore frontage on a river, stream, brook, great pond,
17 or coastal wetland as these features are defined in Title 38, Section 480-B, none of the lots
18 created within the subdivision have a lot depth to shore frontage ratio greater than five (5) to one
19 (1).

20 **MOTION by Mr. Sargent seconded by Mr. Householder** that Section 16 is not applicable
21 because no lot has frontage on a river, stream, brook, great pond or coastal wetland.

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

23
24 **Section 17. Lake Phosphorus Concentration**

25 **A. State Standard**

26 The long-term cumulative effects of the proposed subdivision will not unreasonably increase a
27 great pond’s phosphorus concentration during the construction phase and life of the proposed
28 subdivision.

29 **MOTION by Mr. Sargent seconded by Mr. Householder** that Section 17, Lake Phosphorus
30 Concentration, is not applicable because there is no change in the use of the land.

31 **VOTE: 4-0-0**

32
33 **Section 18. Impacts on Adjoining Municipality**

34 **A. State Standard**

35 For any proposed subdivision that crosses municipal boundaries, the proposed subdivision will
36 not cause unreasonable traffic congestion or unsafe conditions with respect to the use of existing
37 public ways in an adjoining municipality in which part of the subdivision is located.

38 **MOTION by Mr. Sargent seconded by Mr. Householder** that the Applicant has satisfied
39 Section 18, Impacts on Adjoining Municipality, because the Town of Rockport Planning Board
40 has already signed the Final Plan indicating there will be no unreasonable traffic congestion or
41 unsafe conditions with respect to this subdivision.

42 **VOTE: 4-0-0**

43
44 **Section 19. Lands Subject to Liquidation Harvesting**

45 **A State Standard**

46 Timber on the parcel being subdivided has not been harvested in violation of rules adopted
47 pursuant to Title 12, section 8869 (14).

1 **MOTION by Mr. Sargent seconded by Mr. Householder** that Section 19 does not apply
2 because the proposed subdivision is not a timbered site in Camden.

3 **VOTE: 4-0-0**

4
5 **MOTION by Mr. Sargent seconded by Mr. Householder** that since the Camden Planning
6 Board has found that Sections 1 – 20 in Article 8 have either been satisfied or are not applicable
7 the proposed subdivision is approved.

8 **VOTE: 4-0-0**

9
10
11 **5. PROPOSED SIGN ORDINANCE: PUBLIC HEARING**

12 The Chair opened the Public Hearing. No one was present to speak and the hearing was closed.

13
14 Mr. Householder as Chair of the Sign Working Group: Mr. Householder informed the Board
15 that all changes recommended at the last meeting have been incorporated into this draft, and the
16 Board reviewed those changes one-by-one:

17
18 Comments:

19 Section 4 “Excepted Signs”: (7): This concerns signs that are allowed to be posted on a building
20 to be used for informational purposes. The revision increased the size of these signs from 2 SF
21 to 3 SF. The Chair wondered if these weren’t too small for the purpose, and Mr. Householder
22 replied that the members of the Sign Working Group representing the Downtown Business
23 Group agreed with and approved of this change. The Chair asked why the signs are now
24 required to be a blackboard sign: Mr. Householder replied that the goal was uniformity in
25 signage; they did not want to see a “mish mash” of designs and colors, etc. – uniformity was an
26 important goal of all these changes. They didn’t want to see the gaudy displays found in other
27 communities (like Boothbay) where every sign was a different size, a different shape and a
28 different color.

29
30 Section 8: The language and punctuation in the last sentence on Page XI-4 needs to be
31 corrected.

32
33 Section 9: General Prohibitions in All Zones: (2): It is very confusing that these signs are
34 intended to be allowed but are included in the “Prohibited” category; Mr. Lindsley asked if this
35 shouldn’t be in the Section “Excepted Signs”, but Mr. MacLean suggested that re-titling this
36 Section “General Regulations” instead would do away with the confusion.

37
38 Mr. Sargent noted that there had been discussion at the previous meeting regarding the
39 lack of specifying that signage within Private Ways is not addressed. The CEO is given
40 jurisdiction over placement of these signs and can deny a permit for a specific location if he
41 believes it will create a hazard; this would allow him to deny a permit for a sign placed within a
42 Private Way. However, it will make this process cleaner if the Ordinance specifically prohibits
43 signage within those ways; the Board had agreed this change should be made but it had not. The
44 Chair recommended adding language in this vein: “In determining whether to issue a permit, the
45 CEO shall consider pedestrian and vehicular safety.” This gives Mr. Wilson the ability to deny a
46 permit if the denial is for a specific reason(s) without being challenged on the basis that his
47 decision was arbitrary in nature.

1 Mr. MacLean was concerned that the square footage might be too small for some
2 businesses to be useful. He suggested that the group take a look at signs that are actually that
3 size (1x3 e.g.) to see if they actually are useful. It would be too bad to make this change and
4 then not have the purpose of the new signage realized.
5

6 Both Mr. Sargent and Mr. Householder were insistent that sufficient attention had been
7 given to this detail by the Sign Group, and that further discussion was unnecessary and would
8 delay consideration of the amendment at Public Hearing. Mr. MacLean believes that there are
9 many people who cannot visualize signs sizes without seeing an actual example, and he
10 suggested that such a small sign would not be easily read from cars passing by. Mr. Householder
11 responded that these signs are meant to be seen by pedestrians and not by drivers. Mr. MacLean
12 asked if the businesses that would Mr. Sargent and Mr. Householder together repeated the fact
13 that the Sign Group had universally accepted this proposal, and the members of the DBG had
14 even gone so far as to run the proposal by their members who also approved of the size sign; Mr.
15 Householder and Mr. Sargent firmly resisted consideration of any further changes. Mr. MacLean
16 asked the two Sign Group members if the Group had reached out to any of the business owners
17 further up Route 1 where the signs would be seen by drivers to determine if that size sign was
18 satisfactory to them; they had not, the only business owners that were contacted had shops
19 downtown. Mr. Sargent and Mr. Householder reiterated their position that if the people affected
20 are the ones who approved of this size sign, then it is not the business of the Board to challenge
21 their opinion - to do so is a ridiculous waste of time.
22

23 Mr. MacLean said that he hoped that the discussion could continue in the future without
24 personal attacks. Mr. Lindsley stated that while he might agree that there was sufficient input to
25 send this proposal forward, he believed that every member of the Board deserved respect and the
26 opportunity to be heard with an open mind. He restated his continuing concern that the Board
27 always keeps in mind the integrity of the B-3 District when it comes to maintaining a residential
28 appearance.
29

30 Mr. Lindsley is concerned about the B3 if sandwich board signs are permitted there. Mr.
31 Sargent noted that there are businesses there with these signs – he is not sure they are currently
32 allowed, but they are there in any case. He also made the argument that this District is no longer
33 residential in nature – there are businesses with signs and parking lots all along Elm Street – it
34 has changed. Mr. Lindsley is pushing to keep the zone as residential in appearance as possible
35 and is reluctant to see more signs allowed.
36

37 Mr. MacLean asked Mr. Householder what the members of the Sign Group have said
38 about businesses in the B3; Mr. Householder said he has heard nothing in this regard. Mr.
39 MacLean asked if any of the members of the Group own businesses in this zone; they do not.
40 But, he added that there are signs ranging from small to quite large. Mr. MacLean wonders how
41 many of these signs are lawful; Mr. Householder did not know.
42

43 → The Chair asked Mr. Householder to inquire of the CEO whether or not this particular
44 provision would be a restriction or an expansion regarding allowable signs for businesses in
45 the B-3; Mr. Householder agreed to do so.
46

1 Mr. MacLean added that he believes that the Board is here to serve the entire community
2 and not just the business community and they need to make sure that they keep other businesses
3 and all residents in mind. Mr. Householder heard Mr. MacLean's concerns but added that there
4 are members other than business people on the committee – there is a Select Board member and
5 the CEO on the committee as well.

6
7 Section 10. Off Premise Signs: Mr. Sargent brought spelling errors to Mr. Householder's
8 attention – the word “premises”. He also recommended changing the allowable sign area in (c)
9 to “two signs of 3 SF each” to avoid a huge 6 SF signs.

10
11 Section 11. Specifications:

12
13 (5) Line 6: Properties with more than one home occupation *or more than one Tradesman's*
14 *Shop...*”

15
16 (6) Line 1: “...prior to ~~the~~ November 4, 1992, *the* date of adoption of this Ordinance, ...”

17
18 Public Hearing: A second Public Hearing has not yet been scheduled, and the July 12 meeting is
19 to be a Worksession on the Comp Plan with no other business. Mr. Householder argued for
20 holding the Public Hearing on the Sign Ordinance before the Worksession on the 12th even
21 though the CEO had classified this meeting as a Special Meeting (a Worksession), and not a
22 regular meeting. The Board agreed they could hold the Public Hearing, then adjourn that and go
23 into the Worksession.

24
25 **6. DISCUSSION:**

26 1. Minor field adjustments: Deferred due to the absence of the CEO

27
28 2. Future Agenda Items:

29 July 5: This meeting was cancelled due to the July 4th Holiday

30 July 12: The CEO classified this as a Special Meeting but added a Public Hearing for
31 Non-Conformance; the Public Hearing on the Sign Ordinance will be added as well

32 July 19: This date is not convenient for the Chair, and if the meeting is moved to the 26

33 and work has been completed on Non-Conformance, there will be time to schedule a

34 Public Hearing. A meeting on the 19 would not allow time to advertise for a hearing, and
35 it would have to wait until August. The Board agreed to shift the meeting date to July 26.

36
37 3. Pending Applications: Deferred due to the absence of the CEO

38
39 4. Comp Plan Review for report to the BOS: Mr. Householder restated the need to get to work
40 on the assignment from the Select Board that is due in September, and outlined the various work
41 that needs to be done.

42
43 5. Site Plan timeline change: Deferred due to the absence of the CEO

44
45 There being no further business before the Board they adjourned at 7:30 pm.

46 Respectfully submitted,

47 Jeanne Hollingsworth, Recording Secretary