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**CAMDEN PLANNING BOARD
MINUTES OF MEETING
July 31, 2014**

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

12 The meeting of the Planning Board convened at 5:00 pm.

13 **1. Public Input on Non-agenda Items:** No one came forward to speak.

14 **2. MINUTES:**

15 July 17, 2014:

16 There were two substantive changes made to the draft Minutes; other corrections and
17 recommendations for editorial changes have been included in the Final version.

18 Page 3 Line 118: "...will conclude the Planning Board's work ~~in time to send it to the Select~~
19 ~~Board for their September deadline~~ so they can send it to the Select Board for them to work into
20 their schedule.

21 Page 4 Line 162: "Consider establishing noise standards in the ~~rural residential~~ Rural Recreation
22 District (RR)

23 **MOTION by Ms. MacKinnon seconded by Mr. Bernhard** that the Minutes of the Planning
24 Board meeting of July 19, 2014, be approved.

25 **VOTE: 3-0-2 with Mr. Householder and Mr. Scholz abstaining because they had not time**
26 **to review the draft**

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28 **3. ZONING ORDINANCE AMENDMENT: Business Opportunity Zone (BOZ): PUBLIC**
29 **INFORMATION GATHERING MEETING**

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History and Background

33 The Chair provided a history of the development of the BOZ amendment, noting this had
34 been created in part to respond to comments heard during the review of previous amendment
35 proposals that citizens in Town are concerned about the creep of commercial activities within
36 residential districts and vice versa. The Board is making an attempt to plan proactively to create
37 additional opportunities for commercial development within some of the existing business
38 districts to address the needs of businesses. There is a desire for more modern office space and
39 for flex-space for (start-up) businesses to share facilities, and space where small businesses can
40 grow and still remain in Camden -- CEDAC has found that many business leave Town or start-
41 up elsewhere because of the lack of affordable or suitable space. Many existing buildings are old
42 and are too expensive to update, retrofit or make accessible. Some vacant properties have been
43 hard to sell to developers because business options within the district are limited or because the
44 lot has physical constraints that limit options – or both. The BOZ attempts to address these
45 issues in a manner that respects the purpose and character of the existing districts while
46 providing flexibility for efficient development of the property. For the first time Camden would

47 implement a design tool referred to as FAR – floor area ratio - the ratio of a building's total floor
48 area to the size of the piece of land upon which it is built. A high FAR can, when appropriately
49 applied, result in the creation of useable areas of green space. FAR is a component of form-
50 based zoning which addresses the design of buildings and tailors permitted uses to control the
51 character of a neighborhood's development. The significant perimeter landscaping and buffering
52 requirements of the BOZ are intended to further enhance the property as well as to screen
53 neighboring properties and public ways from adjacent development. A wide variety of low-
54 impact uses have been included in the District to provide flexibility for developers.
55

56 The drafters of the BOZ (Mr. Sargent and Mr. Scholz) started out with a FAR of 2, but
57 when that ratio was applied graphically to specific lots it was not workable. The Board will
58 discuss a FAR of 1.5 instead to permit the creation of buildings that can be tall enough to provide
59 a viable amount of commercial space. A graphic depiction of a 1.5 FAR on a 2-acre lot with
60 various building configurations was provided to illustrate how the concept might look on the
61 ground. Setbacks are another standard that needed adjusting to make the BOZ workable on a
62 two-acre lot. With a 15' setback too much lot area is lost to development – on very large lots it
63 wouldn't have an impact, but on the smaller in-town lots under consideration decreasing the side
64 and rear setbacks to 10' is an important issue to consider.
65

66 With regard to districts where the BOZ will be allowed, the goal is to provide a way to
67 creatively develop some of the odd-shaped vacant lots that are found in various districts. The
68 Board is open to discussion about which districts should or should not be included, or if adding
69 conditions to development in some districts is necessary.
70

71 *Public Comments*

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73 Deb Dodge and Jane LaFleur:
74

75 Ms. Dodge recommended some editing changes and discussed them briefly. In general,
76 she supports the concept and thinks it is a good idea to try implementing some form-based code
77 concepts in Town. Ms. LaFleur likes many pieces of the proposal, especially those that work to
78 maintain the character of the Town while providing for new development.
79

80 The introductory section was re-named “Applicable Zones and Lot Size”:
81

82 *Minimum Lot Size:*

83 Ms. LaFleur noted that the point of applying FAR within a form-based code is to create
84 vibrant spaces for people to use, and she believes there is no reason to exclude lots smaller than 2
85 acres in the proposal; to maximize the benefits of the BOZ there should be no minimum. Some
86 small lots could be in-filled to create new commercial space in already developed areas, and she
87 asked why size of the lot mattered. Mr. Sargent replied that a developer may not be able to
88 afford to comply with all the requirements (landscaping, underground utilities, parking, etc) if
89 there is not enough resulting commercial space to make the development pay. Ms. LaFleur
90 suggested that developers could make the decision of whether or not their project was viable
91 using the BOZ option.
92

93 The question of whether or not there would be room for parking on smaller lots was
94 raised as was the option of allowing on-street parking if it is available.
95

96 The Board later discussed keeping a minimum lot size but reducing that size to 1 acre.
97 ← The term FAR needs to be described and the concept explained in an understandable way.
98

99 *District considerations:*

100 Don White asked if districts should be treated differently to address their unique
101 characteristics. Mr. Sargent explained that the restriction on development in the B-3 (it must be
102 residential in appearance), but Mr. White wondered if the BTH wasn't unique as well. Both Ms.
103 Dodge and Ms. LaFleur agreed that the BOZ standards should not undo the underlying purpose
104 of each district. The BTH in particular contains standards to protect view corridors, and it
105 appeared that BOZ design standards would allow a solid wall of buildings without leaving a
106 view through the structure from the street to the harbor.
107

108 Concerns were also raised about tall buildings permitted within the BOZ (up to 46')
109 would block the view out over the harbor from certain Chestnut Street residences. The Board
110 later discussed the fact that the difference in height between lots on Bayview Street where any
111 possible BOZ development could occur and the lots behind them on Chestnut Street is great
112 enough that unique height restrictions are not necessary to protect views.

113 Mr. Bernhard noted that he had been part of a residential development on lower Bayview
114 Street where the view corridor requirement was applied. He explained that the developer lost
115 three residential units to this requirement. He believes that if the requirement is not adjusted to
116 suit the needs of the BOZ it could deter developers from applying. Other members believe there
117 are many opportunities for views along this particular section of the street and did not see the
118 need to impose that standard on the BOZ in the BTH.
119

120 The issue of varying setbacks by district was also discussed, and Mr. Wilson
121 recommended that the Board could apply the concept of using the average front setback of
122 properties on either side to maintain symmetry along the street. In order to create the result the
123 Board is looking for – a vibrant commercial space - it is more desirable to have the building
124 closer to the street. Perhaps some incentives could be created to make this option more attractive
125 – the closer to the street the taller the building can be, e.g.
126

127 Mr. Wilson suggested that there were some uses that might be permitted in one district
128 but not another, and noted that a property owner in the B-4 District would like the ability to
129 install gas pumps. Board members agreed in general that there is a need for a “gas station” on
130 that side of Town, and settled on recommending that a maximum of a 3-pump “station” be
131 permitted as long as it was accessory to another use – a convenience store e.g.
132

133 Uses:

134 *Permitted Uses:*

135 Residential Mixed Use:

136 The proposal prohibits residential use except as a “pertinent requirement of an approved
137 commercial use.” Ms. LaFleur argued in support of allowing residential use as long as it wasn’t
138 permitted at street level. She believes the BOZ will create vibrant areas of Town where young
139 people may want to live and be close to their work as well as to downtown. She asked the Board
140 to reconsider their position:
141

142 Ms. MacKinnon responded saying that the driving force behind creating the BOZ was the
143 lack of commercial space in Camden – residential areas are plentiful already. Ms. Dodge noted
144 that under the Ordinance as it stands, many of the lots could currently be developed with mixed
145 use – even with the BOZ in place a developer could chose not to use that option and include
146 residential use. She understands the Board’s position, but recommended they consider mixed
147 use - at least up to a certain percentage of the square footage - to give a developer more
148 flexibility.
149

150 Mr. Sargent addressed Ms. LaFleur’s comments regarding the lack of affordable rentals
151 for young people in town: The Board will soon be considering changes to the Ordinance that
152 would be more liberal in allowing home owners to create small living units where they are not
153 currently permitted. It was also suggested that increasing the allowable residential density in the
154 areas abutting a BOZ would create a transitional residential with more housing available - an
155 area where workers could live and still walk to work.
156

157 Mr. Scholz agrees with Ms. LaFleur that future planning needs to focus on young people
158 – they want vibrancy and it is a challenge to plan for that into the future. Mr. Bernhard has
159 always supported including mixed use in the BOZ, and agrees that integration of uses is a strong
160 planning concept. It is especially appropriate -- although challenging -- to take advantage of the
161 principle in creating an overlay area like this.
162

163 Ms. LaFleur added that there are certain lots in Town where the BOZ might apply that
164 would not be as attractive for residential use. But when there is any in-fill development on lots
165 closer to the downtown, it should be anticipated that a developer will want to include residential
166 use – and it should be encouraged.
167

168 The Board discussed adding constraints on residential use and agreed to a percentage of
169 total square footage as the best way to ensure that the bulk of the development would be for
170 commercial space -- they agreed on a maximum residential use limit of 30% of the Gross Square
171 Footage of the development.
172

173 Uses in General:

174 Ms. Dodge recommended allowing some kinds of schools and all agreed as long as the
175 operator was not a non-profit. The term agreed upon to describe these “commercial” schools
176 was: “For-profit Educational Institutions.”

177 ← The term requires a new definition

178 ← The new use, “Local Passenger Transportation”, requires a new definition

179 ← “Warehousing and Distribution” needs to be defined
180

181 Mr. Householder raised the issue of whether a day-care center was an appropriate
182 business to allow in the BOZ – especially in a high-visibility area such as Southern Gateway. He
183 is of the opinion that play ground equipment does not give the same impression of a vibrant
184 commercial area that the Board is striving to create as would another kind of commercial
185 business. The Board discussed the issue at length and agreed that the use would be allowed only
186 as accessory activity to another business, and not as a stand-alone venture.

187
188 *Design Standards:*

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190 The question of how much detail to require in the submission of concept designs
191 generated discussion about how much control the Board wanted to exert over the final project.
192 Mr. Scholz explained that the purpose of requiring detailed submission was to ensure that the
193 final design fit within the neighborhood by applying design tools like varying the face of the
194 building with different roof heights or inset fronts. Looking at details included in some form-
195 based codes - like the number of windows at ground level and the numbers of doors - is beyond
196 what the Board wants. Mr. Wilson suggested that it be made clear to a developer that when the
197 BOZ is utilized the Planning Board has more control; design features – including landscaping
198 requirements - are part of that review. He also suggested that as part of the BOZ Application, the
199 developer could be asked to describe his vision for the property so discussion can begin then
200 about design features. Ms. Dodge suggested that requiring some features could be incentive-
201 based – the closer the project comes to the Town’s vision for the area the more the unique
202 opportunities presented by the BOZ would apply.

203
204 **4. DISCUSSION:**

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206 1. There were no Minor Field Adjustments;
- 207
208 2. Future Agenda Items:
- 209 Camden Snow Bowl Lighting Plan: There is still no request for a review of the Lighting Plan.
- 210
211 Business Opportunity Zone: Public Hearings – the first scheduled for August 21. (There will be
212 no meeting on August 7).
- 213
214 3. There will be a Comprehensive Plan Committee meeting on 8/28. Mr. Wilson informed the
215 Board that there is a possible Zoning Board Meeting that same evening and he and the Recording
216 Secretary will attend that meeting. If the ZBA hearing goes forward, the Comp Plan Committee
217 will meet in the Tucker Room.

218
219 There being no further business before the Board they adjourned at 8:15pm

220
221 Respectfully Submitted,

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223
224 Jeanne Hollingsworth, Recording Secretary

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