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CAMDEN PLANNING BOARD
MINUTES OF MEETING
August 2, 2012

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

ABSENT: Members Jan MacKinnon and Kerry Sabanty

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

1. PUBLIC COMMENT on NON-AGENDA ITEMS:

No one came forward to speak.

2. MINUTES:

July 26, 2012:

Page 5 Line 14: “to make ~~and~~ an additional...”

Page 6 Line 16: The abbreviation for “CAFGA” had been misspelled.

MOTION by Mr. Householder seconded by Mr. Lindsley that the Minutes of July 26, 2012 be approved as amended.

VOTE: 3-0-1 with Mr. MacLean abstaining due to his absence

June 21, 2012:

Action on these Minutes had been deferred until the Recording Secretary could clarify the content beginning at Page 13 Line 11, and again until Mr. MacLean could be present to offer his opinion of this change. This is the rewritten sentence: ~~Mr. MacLean asked if the businesses that would~~ Mr. Sargent and Mr. Householder together...”

Beginning on Page 8 Line 19 through Page 10 Line 24 the ellipses used in citing the State Subdivision Standards were all ended with a period. The paragraphs now end as follows “....”

MOTION by Mr. MacLean seconded by Mr. Lindsley to approve the Minutes of June 21, 2012 as amended.

VOTE: 4-0-0

3. PUBLIC HEARING: ARTICLE XI SIGNS:

Mr. Householder informed the Board that the Sign Committee met following the Planning Board’s Public Hearing on July 12 and made revisions based on those comments in a draft dated July 18. That draft was heard again on July 26 where the changes were favorably received; the draft dated July 18 being heard this evening remains as issued.

Mr. Householder explained the final changes made by the Sign Committee which included moving sandwich board to a different section, and, the major revision that was made to address the public’s comments and concerns regarding off-premises signs; the Ordinance will

1 remain unchanged in this regard, and the only off-premise signs permitted are those pre-existing
2 MDOT directional signs that are allowed today.

3 The Chair opened the Public Hearing and closed it when no one came forward to speak.
4 He then thanked the Sign Committee for all of their work, especially that done recently; these are
5 good improvements, and he believes the amendment is now one that will be acceptable to the
6 voters because of these changes.

7
8 **MOTION by Mr. Householder seconded by Mr. Sargent that the Sign Ordinance as**
9 **discussed tonight be forwarded to the Select Board for their review and their hearing on**
10 **the subject.**

11
12 Discussion: Mr. Lindsley remains worried about the B3 District signage – he is afraid these
13 changes will lead to a loss of residential character. Mr. Wilson noted that the total number of
14 signs allowed will remain the same with these changes; businesses, however, will have more
15 flexibility regarding the different types of signs that they can have. Although Mr. Lindsley had
16 not realized that there would be no increase in the numbers of signs permitted, he believes the
17 changes in the types of signs allowed is not appropriate to this particular district.

18
19 **VOTE: 3-1-0 with Mr. Lindsley opposed**

20
21 → Mr. Wilson will write a brief narrative regarding the changes made by the proposed
22 amendment to accompany the Board's recommendation to the Select Board.

23 24 **4. PUBLIC HEARING: ARTICLE VI NONCONFORMANCE**

25
26 Section 3 Nonconforming Uses:

27
28 Mr. Wilson noted that the comments heard at the last Planning Board meeting have been
29 addressed the version of a revised draft titled *Article VI nonconforming uses 7-19-12 final*.
30 Section (3) paragraphs (c) and (d) have been re-written to clarify the Zoning Board's scope of
31 review and authority, and also to clarify what would be considered "adverse impacts". Mr.
32 Wilson noted that the ZBA had liked this version of the proposal because it gives them the
33 ability to mitigate impacts of any expansions; the change protects the neighborhood and the
34 character of what is going on around the business that is asking to expand.

35
36 Mr. Sargent noted that although this particular wording has not been to public hearing,
37 the revisions are changes to language and are not considered substantive in nature: the draft can
38 be sent forward without requiring further public review. In addition, no-one spoke in opposition
39 to the proposal at the last public hearing, and changes had been recommended to clarify the
40 intent of the proposal at that hearing.

41
42 The Chair opened the Public Hearing:
43 John French: This provides a good opportunity for small businesses to do minor expansions.
44 Many of those businesses were here when the Ordinance was put in place in 1992; they have
45 been held in place since then and this will give them the opportunity to continue on. There are
46 only 12 or so businesses covered by this change so it will not bring on major changes to the
47 districts where they are located. He believes sending this forward in November will give a better

1 idea of how the proposal will be received by residents since so many more voters will have a say
2 then than at a June Town Meeting.
3 Mr. Sargent asked Mr. French if this change would mean that Mr. French could improve the
4 safety conditions at his business. Mr. French replied that it would; he would be able to keep
5 customers out of his shop area – a major safety improvement. There would be other benefits as
6 well, but the number one safety recommendation for auto shops is no customers allowed in the
7 working area.

8
9 No one else came forward and the Chair closed the Public Hearing.

10
11 Mr. MacLean: He is concerned that the issue of storage trailers won't be sufficiently resolved
12 before this change goes into effect, and wonders how the Board thinks they can control this
13 issue.

14
15 Mr. Sargent: He suggests that the ordinance revision does address storage trailers even if it is not
16 specifically stated:

- 17 • If a business expands they don't get expansion credits for the area or volume of the
18 storage trailers and are limited to expansion of a percentage of the existing building's
19 footprint or volume only.
- 20 • The Board needs to work on a specific ordinance addressing out-door storage.

21
22 Mr. Householder: He believes that the ZBA can also tell a business that trailers have to be
23 removed as a condition of approval.

24
25 Mr. MacLean asked Mr. Wilson if a new storage ordinance was passed, if a permit would
26 be required for existing storage trailers or would they be grandfathered. Mr. Wilson believes that
27 if standards are set for storage trailers that would be permitted – registration and road-worthiness
28 perhaps – all storage trailers would have to have permits and meet those standards. But, he
29 cautioned that he is not even sure that Towns can regulate a vehicle that is already regulated by
30 the State; he has to run this whole concept by Town Attorney Bill Kelly. He does believe they
31 can regulate other out-door storage and require permits for new trailers. He is also going to see
32 if either of the two businesses with storage trailers now is in violation of the Junkyard Ordinance.

33
34 Mr. MacLean: He is on the fence regarding this Ordinance change, but he is willing to move it
35 forward to the Select Board because he believes the Town should have the opportunity to vote on
36 the issue.

37
38 **MOTION by Mr. MacLean seconded by Mr. Householder to move the amendment**
39 **forward to the Select Board for their review and a hearing by the public.**

40
41 Mr. Sargent: It is important to allow existing businesses to stay current. The Town is different
42 than it was in 1992, and there are different requirements in place that businesses have to comply
43 with than there were in 1992. Steve Laite didn't have an impoundment requirement in 1992, but
44 he does today, and he cannot comply. The review by the ZBA for an expansion will be more
45 strenuous than it would be for a new business coming before the Planning Board for Site Plan
46 Review. In addition, the ZBA has the authority to mitigate any impacts; the Planning Board does
47 not. He also likes the way the Ordinance change addresses more sensitive districts by limiting

1 proposed expansions there. He realizes this issue has been addressed previously, and that it has
2 failed at the polls. This version is different, and he wants to send it on to the Select Board for
3 more public comment. They will decide if it is the politically expedient thing to do to send it to
4 the voters.

5
6 Mr. Lindsley: It is wrong to allow expansion within the B3 – the Comprehensive Plan says so
7 specifically. He asks the Board to revise the amendment and take the B3 out of the picture all
8 together. He thinks the proposal will fare better with the votes if that is done; then the B3 can be
9 considered by itself for the same kind of expansion allowance – a separate vote on a sensitive
10 district. He argues that the voters depend on the Planning Board telling them that this is the right
11 thing to do; they don't educate themselves but rely on the ballot wording that shows the Planning
12 Board vote.

13
14 Mr. Wilson informed the Board that the only three non-conforming businesses in the B3
15 that would be affected by this change are: Cooper Tire; Party Fundamentals and Camden Irving.
16 Mr. Lindsley still believes that if they are allowed to expand, they will further the non-
17 conforming nature of those properties because they will not be residential in nature. That's what
18 should happen on those properties; not more of what is there now -- it will further degrade the
19 character of the neighborhood because it will be more-nonconforming. Mr. Sargent replied that
20 because of the Board's sensitivity to neighbor's concerns, these proposals will go to the ZBA
21 where the impacts can be addressed.

22
23 Mr. MacLean noted that absentee member Jan MacKinnon has always been a strong
24 proponent of this change, and he spoke on her behalf in favor of sending this amendment
25 forward.

26
27 **VOTE: 3-1-0 with Mr. Lindsley opposed**

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30 **5. DISCUSSION:**

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32 1. *Minor Field Adjustments:* There were none

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34 2. *Future agenda items:*

35 August 16: Comprehensive Planning Workshop

36
37 3. *Pending Applications:* There are none

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39 4. *CEO Email policy:*

40 The CEO has circulated comments emailed from citizens to Planning Board members in advance
41 of meetings; he also circulated his reply and any response to that reply. Mr. Sargent had raised
42 the issue of whether it was prudent to do so in light of the Freedom of Information Act

43 restrictions on Board member email conversations. Mr. Wilson had checked the legality of this
44 practice with Mr. Kelly and it was confirmed that the communication was OK as long as it was
45 simply forwarded without comment or reply by Board members outside of a meeting public.

46 The CEO will continue the practice since Board members want the information in advance of a
47 meeting to review.

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5. *Trailers at the Tannery:*

Mr. Sargent had raised the question about the tractor trailer bodies that were being parked overnight - and sometimes longer - at the former Tannery property. He wondered if this was a good practice if the property was being advertised looking for businesses to locate on the property. Mr. Wilson replied that the Town’s practice of allowing this short-term parking began in an effort to remove the trucks from parking within neighborhoods on Town streets. Most often drivers request permission; when they haven’t they have, on the whole, cooperated when told permission is required. The Town Managers – past and present – are aware of the policy and often provide the permission to park. The police will keep a better eye on the lot and make sure the parking policy isn’t being abused.

Mr. Wilson informed the Board that the marketing strategy for the Tannery Site is being re-visited because it isn’t working. Previously citizens had approved a plan to advertise the property as being given to a business in exchange for the creation of jobs. Now the idea is to present a more realistic picture: The property is actually for sale with monies being returned when jobs are created; that will be the new approach. Mr. Sargent questioned the role voters had played in forging the “giving away” approach, but there was no answer to that question at this time.

6. *Other:*

→ Mr. Householder asked Mr. Wilson to check with the Knox Mill Sign Group to see if they are making any progress in developing a proposal for business signage at the Mill.

There being no further business before the Board they adjourned at 6:45 pm.

Respectfully submitted,

Jeanne Hollingsworth, Recording Secretary