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CAMDEN PLANNING BOARD
MINUTES OF MEETING
OCTOBER 26, 2011

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

The Meeting was called to order at 5:00 pm.

1. PUBLIC COMMENT on NON-AGENDA ITEMS:

Mr. Sargent informed the Board that he had been approached by Camden residents who want to see the Board address the following issues: lunch wagons; and businesses like X-rated shops, tattoo parlors, and “exotic” entertainment (pole-dancing). Mr. Sargent explained the prohibition against banning X-rated businesses as a whole, and the problem in selecting and then designating a specific area of Town where these businesses would be allowed. He asked that the Board reconsider their decision *not* to take on the project of mobile food vendors at this time, and consider having a proposal ready for the June Warrant. Reasons citizens gave for opposing mobile vendors varied: the owners don’t pay property taxes for the space, and they don’t contribute to the cost of providing services (police and fire, e.g.); the overhead is cheaper than sit-down restaurants; they have no parking requirements while other restaurants either have to provide parking or pay for spaces; their customers use the facilities of the Town at taxpayer’s expense – they compete with an unfair advantage. Members agreed that the subject should be put back on the priority working list of proposals for Ordinance amendments.

2. MINUTES

September 15, 2010: The minutes will be prepared when a DVD is available.

October 6, 2011:

Page 1:

Line 13: The new Town Manager’s name is Pat Finnigan.

Line 50: “...will be required ~~of~~ for a normal residence.”

Page 2: Line 25: The comma preceding Bob Gassett’s name was deleted.

Page 3: Line 7: The following is a more accurate summary of Mr. Gassett’s statements:

“...members had experience, in general, in protections for the environmental and natural resource issues; controlling sources of pollution, lighting issues, wetlands, vernal pools and wildlife habitat among them.”

Page 4: Line 15: “...be taking place ~~there~~ at Ragged Mountain;”

Page 5:

Line 18: The following changes were made to more accurately reflect the Chair’s concerns about the need to move forward with work on the Sign Ordinance: “~~T~~~~o~~~~o~~ Many signs ~~need to be brought into~~ are not in compliance and ~~too~~ many parts of ...”

Line 32: “Finding ~~how~~ ways to bring...”

MOTION by Mr. MacLean seconded by Mr. Householder to approve the Minutes of October 6, 2011 as corrected.

VOTE: 6-0-1 with Ms. MacKinnon abstaining due to her absence

1 The Board had expected that a meeting with the group that wants to work on an amendment
2 to the Sign ordinance to permit multi-sign directional sign posts would be on the agenda this
3 evening. Mr. Wilson said that he has not had any response to the emails he has sent to request a
4 meeting, but he hopes now that business may be winding down for the season that he will hear.
5 He is also waiting to receive the names and email addresses of the business owners contacted by
6 Ms. Michaud who had expressed an interest in participating in this discussion. The Chair wants
7 the Planning Board to take a leadership role to spearhead and organize this effort. The invitation
8 list to a discussion on the Sign Ordinance will be expanded and include the Chamber of
9 Commerce and the Downtown Business Group as a whole. The group Sue Michaud is putting
10 together is focused on directional signs, but the Chair wants to hear more general comments.
11 Mr. Householder asked Don White, in his role as Liaison, to keep the Select Board informed on
12 the sign project, and to let the Planning Board know if there are any concerns that can be
13 addressed as they are working. Mr. White replied that he would, and informed the Board that the
14 subject was discussed at the previous evening's Select Board meeting.
15

16 **3. MUBEC**

17
18 Mr. Wilson had not had time to correct the draft of the proposed amendments to MUBEC,
19 and the Board will wait until those changes are made to discuss this package further.
20

21 **4. ESTABLISHING A COMPREHENSIVE PLAN SUB-COMMITTEE**

22
23 Mr. Wilson informed the Board that the decision on where to move the staff of the State
24 Planning Office is still under discussion by a Sub-committee in Augusta. There is supposed to
25 be a plan ready by January to close that Office, but the group is not in agreement on who is going
26 where. It does seem likely that the Department of Economic and Community Development is
27 where the Comprehensive Plan staff will be located. But, planning offices in many departments
28 are under scrutiny – the Planning Division of the MDOT has just been cut, so there is no way to
29 know what will happen.
30

31 The Chair wants to form a Committee to work on the Plan, and Mr. Householder, Mr.
32 Sargent, Mr. Lindsley, and Ms. MacKinnon all offered to serve; when the Chair suggested that
33 all members should be involved at some point, all agreed. It was suggested that the group
34 working on the Master Downtown Plan should be involved. Mr. Wilson informed the Board that
35 Brian Hodges wants the Planning Board involved in the Master Plan process. Mr. Lindsley
36 suggested that many groups should be involved, and the Chair agreed suggesting that all the
37 committees and clubs active in the Town should be contacted – the B&B Association, the
38 Garden Club, and the Downtown Business Group for example. Some of the people who served
39 on the last Comp Plan Committee may be willing to serve again: Jim Elliott, Kelley Macomber,
40 Peter Gross and Deb Dodge were some of the names suggested to form the core group that
41 would actually write the Plan.
42

43 The Chair asked Mr. White if he could clarify the Select Board's role in approving sub-
44 committees and how the Committees were to operate: should the Board propose a specific list of
45 names for approval? Mr. White suggested that the Board simply explain what they have
46 discussed this evening: ask for approval to form the Committee and explain that there will be
47 many people contacted for input, and a core group of technical people to do the actual writing. It
48 is expected that the Committee will be asked to report to the Board on their progress

1 occasionally. In addition, they will need to report to a member of the staff (the CEO in this
2 case), and they will need to produce minutes. The Chair asks if there would be money in the
3 budget to pay someone to produce those minutes so Committee members don't have to do that
4 work. Board members were asked to think of people to add to a list of possible contacts.
5

6 → Mr. MacLean asked the CEO to find out the date that Camden's revised Plan will be due.

7 → Mr. Wilson was asked to request that the Planning Board's request to form a Comprehensive
8 Plan Committee be put on the Select Board's agenda for the November 29th meeting.

9 → Mr. MacLean asked the CEO to ask Town Attorney Kelly if three members of the Planning
10 Board are members of the Comp Plan Committee and attend a Committee meeting, would that
11 be considered a meeting of the Planning Board? Would it have to be advertised as such?

12 → The CEO was asked to check the files to see if there is a master list of people who worked on
13 the last Comp Plan; it would be good to find some people who could offer historical continuity.
14

15 **5. DISCUSSION:**

16

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

18

19 2. *Sign Article Update:*

20 The Board discussed this matter early in the meeting.

21 → The Board wants to meet with representatives of the Downtown Business Group and others to
22 discuss signs at their next meeting.
23

24

25 3. *Prioritized list of amendments*

26 → The CEO will update the list of amendments and add mobile food vendors back to the list.
27

28

29 4. *Driveways and Private Ways:*

30 Held over for discussion at a future meeting.

31

32 5. *November 3rd Meeting*

33 Discussion with citizens interested in the Comp Plan rewrite.

34 Discussion regarding Sign Ordinance amendments.

35 → The CEO was asked to invite this group for a discussion that will begin at 6pm to
36 accommodate their business hours.
37 Formalize response to Select Board regarding the Conservation Commission.

38

39 6. *Pending Applications:*

40 The Start Road Site Plan is on hold until the owners approve a Plan; the Site Walk previously
41 scheduled for November 3rd has been canceled.
42

43

44 7. *Conservation Commission: Role and Recommendations*

45 Doug Johnson was present to answer any questions the Board might have with regard to
46 developing the Planning Board response to the Select Board. He brought with him an
47 Ordinance adopted in 1999 (copy attached). One of the duties assigned the Commission in
48 that Ordinance is as follows:

47 **Section 4 Powers and duties.**

48 The commission:

1 (b) Shall conduct research in conjunction with the planning board into local land areas;
2 In order to facilitate the drafting of a formal recommendation to the Select Board at their
3 next meeting the Board asked the following:
4

5 → The Recording Secretary will consolidate the record of Planning Board discussions pertaining
6 to the Conservation Commission.

7 → Members will submit written comments to the Chair *via* email regarding suggestions for a
8 response to the Select Board. The comments will be collected and shared with Board members
9 at the next meeting.

10
11 8. *Other:*

12
13 *Route 105 Speed Limit:*

14 The CEO had circulated a copy of the response he received from the MDOT regarding
15 the process to request the lowering of the speed limit on Route 105 (copy attached). Ms.
16 McConnel found the State's discussion regarding possible results of changing the speed limit
17 confusing when it came to suggesting that lowering the speed limit may actually increase
18 speed through the area and make pedestrian crossings even more dangerous. Other members
19 agreed, and Mr. Wilson suggested that the State discourages Towns from reducing speed
20 limits on State roads, and that might explain the tone of the response. He noted that it is
21 easier to obtain warning signs from the State like "Pedestrian Crossings Ahead" than it is to
22 get the speed reduced. He has spoken to Chief Gagne who will research the police records
23 regarding the area to help support the Town's request. He also noted that Ken Bailey and
24 Jeff Kuller are looking at the ramp site and considering how many more signs they may want
25 to add to the original plan.

26
27 The email laid out the process to make the request to the State, and the Board decided to
28 move forward by going to the Select Board with a formal request:

29 → The Board asked the CEO to request that the Select Board schedule a Public Hearing on the
30 matter at their meeting on November 29th.

31
32 *Planning Board Responsibilities:*

33 → Mr. Householder asked the CEO to determine if the Planning Board was referenced in other
34 Ordinances of the Town like it is in the Conservation Commission Ordinance.

35
36 *Moratorium Language:*

37 Mr. Wilson reported that he has learned that the language used by the Town of Warren in
38 the Moratorium approved by the Town prohibiting the development of Methadone Clinics
39 was the reason the Moratorium was found to be discriminatory: the Town created a
40 prohibition against Methadone clinics in particular, and not a prohibition against the more
41 generic Medical Facilities above 1000SF in size e.g., This specificity ended up costing the
42 Town a couple of hundred thousand dollars.

43
44 There being no further business before the Board they adjourned at 6:30 pm.

45
46 Respectfully submitted,
47 Jeanne Hollingsworth,
48 Recording Secretary
49

1 (b) All meetings of the Conservation Commission shall be open to the public, and notice, if
2 required by law, should be provided to the public about such meetings.

3 (c) Minutes shall be kept of all meetings.
4

5 **Section 6 Limits of authority.**

6 Nothing contained within this section shall supersede the provisions of the Town Charter, the
7 Code Book of the Town of Camden. No powers and duties which may be exercised by
8 conservation commissions under state statute which are not explicitly provided in this article
9 may be exercised by the commission created herein.
10

11

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13

Adopted by the voters of the Town of Camden on June 8, 1999.

14

1 **From:** Stephen Wilson [swilson@camdenmaine.gov]
2 **Sent:** Monday, October 24, 2011 7:58 AM
3 **To:** Beth Doan; Bob Gassett; Chris MacLean (chris@camdenlaw.com); Don
4 White; Jan MacKinnon ; Janice Esancy; Jeanne Hollingsworth
5 (LakesideMaine@starband.net); Kerry Sabanty
6 (kerry.audrey@gmail.com); Lowrie Sargent; Lynda Clancy; Nancy
7 McConnel (nmcccpb@aol.com); Richard Householder; Sid Lindsley
8 **Cc:** Patricia Finnigan; Jeff Kuller; Kenneth Bailey
9 **Subject:** FW: Speed limit reduction request, Route 105

10
11 Good Morning,
12 I re emailed the DOT with regards to the Speed limit at the Bog Bridge Boat Ramp. Here is their
13 reply, I will add this to the discussion list for the Weds. Planning Board Meeting

14
15 Steve Wilson
16 Town of Camden

17
18 **From:** Allen, David [<mailto:David.Allen@maine.gov>]
19 **Sent:** Monday, October 24, 2011 7:55 AM
20 **To:** Stephen Wilson
21 **Subject:** RE: Speed limit reduction request, Route 105

22
23 I am sorry I do not recall receiving the email.

24
25 In order to initiate a speed zone review we need a written request from the town that has been
26 discussed in a public forum like a select board meeting. Upon receipt of the request I will begin
27 an engineering speed zone study to determine the appropriate speed limit for the roadway. This
28 study will include counting the number of driveways, intersections, and businesses. I will also
29 include test runs, a review of all the accidents in the last three years and conduct a radar study.

30
31 I understand your concerns about the area of the boat launch. We expressed those very concerns
32 repeatedly to the town during the on-site meeting regarding its redevelopment. In fact there was
33 a lengthy discussion about speed and the fact that a cross walk could not be installed at this
34 location.

35
36 I am also concerned with your statement that vehicles usually travel at greater then the posted
37 limit. While counterintuitive, lowering the speed limit can actually decrease the safety of the
38 roadway. Many studies conducted over several decades in all parts of the country have shown
39 that a driver's speed is influenced more by the appearance of the roadway and the prevailing
40 traffic conditions than it is by the posted speed limit. Some drivers will obey a lower posted
41 speed while others will feel it's unreasonable and simply ignore it. This disrupts the uniform
42 traffic flow and increases crash potential between the faster and the slower drivers. Additionally,
43 when traffic is traveling at different speeds, the breaks in traffic that permit safe driveway
44 departure and safe pedestrian crossing is reduced due to the greater difficulty in judging the
45 speed of approaching vehicles. If traffic is currently not complying with the speed limit these
46 issues may be further compounded.

47

1 When this matter is discussed in a public forum please expand the discussion to include the area
2 closer to town as well. That area has been cited in the past as potentially having a speed limit
3 that is excessively slow for the pattern of development and traffic flow.
4

5 David P. Allen, PE
6 Mid Coast Region 2 Traffic Engineer
7 Maine Department of Transportation
8 45 Commerce Drive, Suite 13
9 98 State House Station
10 Augusta, ME 04333-0098
11
12 Phone (207) 624-8200
13
14
15

16
17 **From:** Stephen Wilson [<mailto:swilson@camdenmaine.gov>]
18 **Sent:** Friday, October 21, 2011 10:32 AM
19 **To:** MaineDOT, Region2
20 **Subject:** FW: Speed limit reduction request, Route 105
21 I sent this email Sept 1 and to this date still have not heard a response.

22 **Steve Wilson**
23 Code Enforcement Officer /Plumbing Inspector/ Planner
24 Town Of Camden
25 P.O. Box 1207
26 29 Elm St.
27 Camden, ME 04843
28

29 **From:** Stephen Wilson
30 **Sent:** Thursday, September 01, 2011 2:11 PM
31 **To:** 'region2.mainedot@maine.gov'
32 **Subject:** Speed limit reduction request, Route 105

33 Good Afternoon,

34 I am writing to find out the procedure for a town to request a speed limit reduction on State
35 road.

36 The area I am referring to is State Route 105 or Hope Road from the area of the intersection of
37 Molyneaux Road, a known blind intersection,

38 To past the Bog Bridge area by the public boat ramp and past the S bend on the Hope side of the
39 bridge.

40 The Current Speed Limit is 45 MPH and the traveled speed is usually greater than that limit.

41 The Towns concern is for the safety of our residents and vacationing travelers. As the MDOT is
42 aware the State and Town are currently making improvements to the Route 105 Boat Ramp.

43 While the improvements will greatly improve traffic flow and safety one concern is that with the
44 new configuration more people will be crossing route 105 from the parking lot to the ramp side.

45 We are in hopes to work with the DOT to make this as safe a crossing as allowable and any
46 information will be appreciated.

47 **Steve Wilson**
48 Code Enforcement Officer /Plumbing Inspector/ Planner
49 Town Of Camden
50 P.O. Box 1207
51 29 Elm St.
52 Camden, ME 04843
53