

1 CAMDEN PLANNING BOARD
2 MINUTES OF MEETING
3 November 6, 2014
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5 **PRESENT:** Chair Lowrie Sargent; Members Richard Bernhard, Richard Householder and John
6 Scholz; and CEO Steve Wilson

7 **ABSENT:** Member Jan MacKinnon
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9 The meeting of the Planning Board convened at 5:00 pm. A video recording of the
10 meeting is available by linking from the Town's website at <http://www.camdenmaine.gov/> or by
11 going directly to <http://www.townhallstreams.com/locations/camden-me>.
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13 **1. Public Input on Non-agenda Items:** No one came forward to speak.
14

15 **2. MINUTES:**

16 October 16, 2014:
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18 Page 2 Line 72: "submitted an amended ~~complete~~ complete application that satisfies..."

19 Page 3 Line 103: "**Town of Camden: Map 227 ...: Map ~~2238~~ 228 ...**"

20 Page 5 Line 204: "...focused on ~~detail~~ detailed information..."

21 Page 7 Line 268: "Mr. Sargent will draft a memo to the ~~Chair~~ Select Board Liaison ..."

22 Line 273: "The Planning Board will ask that ~~their~~ members of both boards be treated..."

23 Lines 306 and 308: The Recording Secretary, in her capacity as Administrative Assistant
24 in the Codes Office, will assist the Chair with development of a Planning Board Manual and a
25 Zoning Ordinance Procedure.

26 **MOTION by Mr. Scholz seconded by Mr. Householder** to approve the Minutes of October
27 16, 2014, with corrections.

28 **VOTE: 4-0-0**
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30 **3. MAPLE GROVE SUBDIVISION: Minor Amendment**

31 Map 229 Lot 5 and Map 230 Lot 9: RU-2 District (Rural 2): Simonton Road
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33 The Application under review consists of the following:

- 34 • Plan titled *Amendment to Maple Grove Subdivision* dated October 22, 2014
- 35 • Easement Deed from Ames to Maine Farmland Trust dated September 2, 2014
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37 Maine Farmland Trust purchased this property and has placed covenants on many of
38 the lots. They intend to facilitate the transfer of lots in this subdivision so the open land
39 remains available for farming. (See Deed Restriction Notes on the Plan.)
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41 Because the property lies within the two towns, the original Subdivision Plan was
42 heard at a Joint Public Hearing before the Camden and Rockport Planning Boards. That
43 Plan has since been revised and there are now ten lots in the Maple Grove Subdivision as
44 opposed to the original five proposed. If the Board agrees that the changes made to the two
45 lots that are partially in Camden are minor – only the size of each lot has changed -- the
46 Board can hear the changes as an amendment instead of going through the full review
47 process that is required by Rockport
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49 The two lots at issue here, #1 (Tax Map 229 Lot 5) and #6 (Tax Map 230 Lot 9), are
50 now 47.19 acres (19.77 within Camden) and 27.55 acres (24.57 within Camden)
51 respectively. Access to Lot #1 is from the Annis Road and Lot #6 fronts on Simonton Road.
52 Lot #1 lost its Simonton Road frontage in the division and arrangements were made to
53 provide that frontage. A series of six deeds was created and exchanged to formalize an
54 easement over an existing driveway/Right-of-Way from Annis Road across the land of
55 Evans to the property of Michael Ames which abuts Lot #6. These six deeds clarified
56 ownership of the land under the easement and provide legal access and the necessary 150' of
57 road frontage required for a lot in this district. (Specific details are provided at Inset "A" on
58 the Amended Subdivision Plan.)

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60 **MOTION by Mr. Scholz seconded by Mr. Householder** to accept the review as an
61 amendment because of the minimal changes that have been made since the last review.

62 **VOTE: 4-0-0**

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64 **MOTION by Mr. Scholz seconded by Mr. Householder** that the Maple Grove
65 Subdivision Amended Plan dated October 22, 2014, be approved as presented.

66 **VOTE: 4-0-0**

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68 **4. ZONING AMENDMENT: Business Opportunity Zone (BOZ): Update**

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70 Town Attorney Kelly is reviewing the proposal at this time.

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72 **5. ZONING AMENDMENT: Consideration of Noise and/or Lighting Standards**

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74 Mr. Scholz is interested in beginning work to develop both sets of standards. Lighting
75 would require only a minor amendment to the Zoning Ordinance to replace the minimal
76 standards that are there now. Noise standards, however, would require a new set of standards.

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78 *Noise Standards:*

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80 Noise is currently addressed within the Police Ordinance, but there are no specific
81 standards for officers to use in enforcement and Police Chief Gagne has expressed interest in
82 working with Mr. Scholz on this project. Select Board Chair Martin Cates is interested in seeing
83 the project go forward, and Mr. Scholz has been speaking with Dennis McGuirk, who worked as
84 a sound engineer, about helping to develop standards. Mr. McGuirk was present to provide the
85 Board with information about other towns' approaches to regulating noise. He also discussed
86 possible components of an ordinance that would cover different kinds of noise problems. He
87 summarized what options Camden might have in this regard:

- 88
89
 - Develop different standards for different zones: Noise levels that are appropriate in a
90 business district might be offensive in a rural or residential area
 - Develop different standards for levels of noise at different times of day: One town allows
91 55dBA during the day but only 45dBA at night
 - Consider setting duration levels for sound: Noise over a certain level would not be
92 allowed to continue over a set amount of time – a dog barking is OK but not for an hour
93 non-stop. Noise generated by yard machinery could be included in this category as well
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95

- 96 ➤ Impulse noise - sharp loud bursts of sound that can be harmful - can be controlled by
97 limiting the activities that produce this kind of sound and/or the duration of the sound
98 ➤ It is easier than ever to measure sound levels and therefore to enforce decibel-based
99 standards. To illustrate this Mr. McGuirk showed the Board a sound measuring
100 application he had installed on his iPad. It is now easy for police to measure sound at the
101 property boundary at the time it is occurring and to determine if a violation has occurred
102 instead of waiting for the equipment to arrive after the noise has stopped
103 ➤ Provide for advance notice of events where noise might be an issue – like fireworks or
104 festivals. The duration of these events is known and people can anticipate that there will
105 be noise and take appropriate steps when necessary
106 ➤ There are ways to address noisy businesses and mitigate the impact to neighbors –
107 enclose machinery in sound insulated buildings; set hours of operation; not permit noise
108 in excess of industry standards, e.g.
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110 Mr. McGuirk noted that some areas are inherently noisy – like the downtown at night
111 perhaps, or industrial areas – and if someone chooses to live in these areas they are also choosing
112 to live with that noise. It is not fair to regulate these businesses to the point where they cannot
113 operate just because neighbors complain of noise. Mr. Householder asked if existing businesses
114 would be covered by new standards. The response was that it depends on how the Ordinance is
115 written. In any case, all agreed that there needs to be “teeth” in both the Police Ordinance and
116 the Zoning Ordinance to allow for enforcement. They also agreed that it was important to be
117 careful not to impact the economic viability of a business in setting any standards, or to infringe
118 upon the rights of property owners. Mr. McGuirk suggested that it might be wise to implement a
119 Noise Ordinance in phases – it might make the regulation of noise less controversial.
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121 The Board agreed to form a working group: Mr. Scholz has already spoken with Dennis
122 McGuirk and Police Chief Randy Gagne about helping him work on a proposal for a Noise
123 Ordinance. That group will look at what other towns have done and try to come back to the
124 Board sometime before the end of the year with a draft proposal for the full Board’s
125 consideration.
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127 *Lighting Standards:* 128

129 Mr. Scholz has already begun looking at lighting standards and has obtained information
130 on a model ordinance used in other towns that addresses “dark sky” concerns. After having seen
131 the materials that are available to use as models, he does not anticipate that it will be difficult to
132 create a draft.
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134 **6. COMPREHENSIVE PLAN COMMITTEE UPDATE:** 135

136 The Chair re-assigned the chapters originally given to Ms. MacKinnon who has resigned
137 from the Committee: Mr. Bernhard will work on the four rural districts and Ms. Freedman-
138 White will take over Chapter 21, Capital Improvements.
139

140 The schedule of review was updated. Mr. Scholz informed the Committee that he and
141 Robyn McIntosh have been reviewing Chapter 17 to see if any of those goals should be
142 transferred to individual chapters. They are also working on Chapter 20 and hope to have
143 something to present soon.

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The Committee will be hiring a consultant to work on the Population and Economy chapters, but Mr. Wilson recommended that these two chapters should be worked just prior to finalizing the draft so the figures are current. Members agreed but want to start looking for someone to do the work soon so they are prepared to meet the Committee’s schedule.

Mr. Householder wants to see a schedule prepared that works backward from the due date for a final draft. The Chair estimates that it will be August 2015 before they are ready to go to the Select Board with the final revisions – he will work out something using that date.

The Committee discussed how to get information out and how to ensure that the information was correct. Ms. Freedman-White suggested that the Committee consider taking advantage of the government cable station and advertising the fact that the information would be available in that format. The most important consideration is making sure that the public gets correct information so people are not basing their opinions on rumors.

CHAPTER 13 RECREATION and OPEN SPACE:

Mr. Scholz presented the revised draft of this chapter for review. Under the category titled “Other Important Town Open Spaces” is a subcategory titled “Smaller Parcels”. Discussion of this paragraph led to a request by the Committee to identify those parcels the Town actually owns. The last inventory had been done in the 90’s and Mr. Scholz wanted to know if there was updated information available for this Chapter. In addition, the Committee has discussed before the issue of excess public lands. By identifying which properties the Town owns they can begin to discuss whether or not there might be a better use for some of these properties.

← The CEO and the Recording Secretary will gather current information on Town property and check to see when the most recent lands inventory was done

← This Chapter needs to be checked against Chapter 5 to ensure the same numbers are used with regard to acreage of conserved lands

7. DISCUSSION

1. There were no Minor Field Adjustments
2. Future Agenda Items – There are no pending applications:
3. Other:

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

Respectfully Submitted,

Jeanne Hollingsworth, Recording Secretary