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CAMDEN PLANNING BOARD
MINUTES OF MEETING
April 11, 2013

PRESENT: Chair Chris MacLean; Members Richard Householder, Jan MacKinnon, Kerry Sabanty and Lowrie Sargent; Don White, Select Board Liaison; and CEO Steve Wilson

The meeting of the Planning Board of April 11, 2013, was convened at 5:00 pm.

The Chair announced that the procedure for the evening will be to convene the Planning Board, adjourn and convene the Comprehensive Plan Committee for a Public Hearing, adjourn that meeting and reconvene the Planning Board Meeting. When that meeting is over the Comp Plan Committee will reconvene to conduct regular business. Before adjourning the Planning Board he called for anyone wishing to speak to a non-agenda item to come forward:

1. Public Input on Non-agenda Items:

Phillip Crispo: Mr. Crispo and his partner, Susan Walser, have just purchased the Norumbega Inn. They are here to restore the Inn and hope the Planning Board can help them as they work toward that end. They understand the Inn used to serve dinner to their guests. They would like to do that and they hope that practice can resume. In addition, they are interested in knowing what needs to be done to be able to serve dinner to the public, and would like to start that process.

The Chair asked if Mr. Crispo was aware what B&B owners south of him on High Street were proposing; Mr. Crispo was not. He was provided with a copy of the B5 proposal, and the Chair recommended that he read it through and contact some of the people mentioned there. He could at least be part of the discussion, and even if his property was not part of this district, he would find kindred spirits and may get some ideas on how to proceed. He should also work with the CEO, Steve Wilson, who can answer any questions. The Planning Board is always interested in looking at zoning to see if it is consistent with today's needs, and in attempting to ensure that the zoning is consistent with the kind of business development that we want in Town.

The Planning Board adjourned at 5:10 pm and re-adjourned at 5:25 pm.

2. Minutes:

The Minutes of the April 4, 2013, meeting will be reviewed on May 2, 2013.

3. Proposed Future Zoning Amendments: Change to the River Business District (B-R):

Paul Cartwright presented a summary of his proposal to make changes to the language of the River Business District to address the impact the definition of "Street Level" has in this particular district. The definition, as applied, means that hillside dwellings on the second floor of a building are also at street level. In this district, where commercial uses are required at street level, any residential use would actually have to occur on the third floor. The changes he proposes would do two things:

- 1) The change would allow single family or two-family residences as well as multi-family.

- 1 2) These residences would be allowed at street level only if the same area of commercial
2 space was also constructed at street level.
3

4 The Ordinance provides for mixed use with commercial uses at street level with the
5 option of having residential use above. To encourage commercial development, the Ordinance
6 also provides for 70% maximum lot coverage and 40' height limits. Mr. Cartwright understands
7 the Board's concerns about limiting areas in Town where commercial development can occur,
8 but there are only two undeveloped lots in the District – the one he is interested in and the
9 Town's Tannery property. The Tannery property is a good example of where the Ordinance
10 provisions make sense; but, they don't make sense in this area of the District which is more
11 residential in character.
12

13 With regard to his changes limiting the ability of someone to develop the lot, he is
14 interested in to capacity if there is nowhere else left to build, he noted that efforts to develop the
15 lot to allowable limits in the past have met with strong neighborhood opposition. The streets are
16 narrow and traffic travels right through residential neighborhoods, and neighbors were very
17 concerned about safety and traffic. In addition, setbacks are not required except from residential
18 areas - that distance is only 25'. On the lot in question this means that a 40' building could be
19 built 25' from a residence, and because there are no setback requirements for roads, roads
20 accessing these buildings could be constructed right along the lot boundary.
21

22 Arguing further that this part of the District was distinct from the Tannery site and its
23 suitability for the kind of development envisioned by the Ordinance, Mr. Cartwright listed the
24 other lots in the area that were developed but where changes to development are possible in the
25 future – the former Moss Tentworks building now used for storage, and the trailer park on Mt.
26 Battie Street. If lot owners don't have some flexibility in the manner in which they can develop
27 their lots, these sites could also end up being massive developments. This kind of development
28 is totally unsuited to areas in predominately residential area adjacent to the Town's Seabright
29 Park and the proposed Riverwalk, and he thinks there is limited possibility that the area would
30 ever be fully developed – there are too many constraints. He believes the Ordinance should be
31 revised to promote and encourage the kind of use that the zone does encourage, and to adhere to
32 the Purpose of the District: "It is intended that development and redevelopment proceed in a way
33 that respects and maintains the environmental and scenic qualities of the river." He believes his
34 changes will respect the river and increase the likelihood that the right kind of development takes
35 place here.
36

37 He did a layout of the three lots in this area that could be developed or redeveloped if
38 there was more flexibility in the Ordinance: The hillside lot is 5.08 acres, the trailer park 8.8
39 acres and the Tannery 2.8 acres. Mr. Cartwright presented several scenarios to illustrate that,
40 even with the zone change there was plenty of room for large scale commercial development –
41 like the Hannaford Supermarket – with an equal amount of residential space as well. He believes
42 the change might help the Tannery if there was some flexibility – like residential use in back and
43 street front commercial spaces. He hopes the Ordinance can be changed to encourage the kind of
44 development the Town would actually like to see in those areas.
45

46 Jeff Brawn: He owns the lot Mr. Cartwright would like to develop. He and his wife purchased it
47 with the idea of developing an "eco village" housing complex. But, their interest in the project

1 waned and they sat on the property waiting for the right kind of proposal to come along. Several
2 proposals have come their way for the kinds of massive development that the Ordinance allows;
3 the Brawns have turned them down because they do not believe the projects fit the
4 neighborhood. He recently attended the public meeting on the proposed Riverwalk and
5 witnessed the energy in Town for what the river corridor could mean the Town of Camden as a
6 whole if the area was enhanced.

7
8 He left thinking that development and planning for development is a comprehensive
9 approach. Instead of setting aside certain land for commercial development and job creation, the
10 comprehensive approach says that if the Town does the right thing looking at the big picture that
11 the result can be job creation. If the river corridor is enhanced, it becomes a destination and a
12 way to bring people into Town. By redistributing and reallocating of some of the Community's
13 resources, economic development can be enhanced. He uses this as an example to convey to the
14 Board that he believes part of their job is to be comprehensive planners – to re-evaluate the
15 Community's resources. Perhaps they need to look at various zones to see if they need to be re-
16 evaluated – to ask “What is the highest and best use of the properties in the zone, and how might
17 changes affect other zones?” Changes like the one that Mr. Cartwright is proposing seem to take
18 the Town in that direction. Looking at the resources that are there, making changes that are more
19 in line with what is there now while creating opportunities for enhancement that might benefit
20 the Community and create the opportunity for small incubator businesses and jobs.

21
22 Paul Cartwright: He thinks that it is important to consider what the area is like now and what the
23 people who live in the area want to see there. The kinds of businesses he is proposing to bring
24 will be the kind best suited for the area. People in the area who know of his proposal would
25 appreciate that kind of development.

26
27 Mr. Householder asked if Mr. Cartwright had spoken to any of the abutters. Mr.
28 Cartwright replied that he had and heard no objections. He believes neighbors on the back side
29 would especially like that the back part of the lot will be the “quiet zone” – the residential area –
30 because that means they won't have businesses in their back yards; he heard no objections from
31 neighbors across the street; and the abutter on the other side is a park. Mr. Cartwright believes
32 the trailer park could be redeveloped some day, but he hasn't spoken to the owner about his
33 proposal. He does believe that these changes will make property in the area more valuable as
34 development on the property becomes more flexible. He also thinks it would be too bad to have
35 large development next to a park that is meant to be kept in its natural state.

36
37 Mr. Sargent likes some part of this proposal, but has problems with others. He believes
38 that the definition of “Street Level” was developed with the downtown and harbor area in mind,
39 and that the consequences of the wording on future development in other districts might have
40 been overlooked. He still feels that because there are limited areas for development in Town that
41 the area should be reserved for maximum commercial development; perhaps the definition of
42 street level can be modified to address topography. Mr. Cartwright responded by saying that in
43 order to develop all of his lot, roads and parking areas would have to be built into the hillside – it
44 is just not a lot that would be attractive to a large scale developer.

45
46 The concept Mr. Cartwright proposes would allow separate residential and commercial
47 buildings, and Mr. Sargent questioned him about future ownership of either of the buildings –

1 would they have to be sold as one unit or could the owner retain one or the other. If they have to
2 be sold as one he thinks that might create a “hard sell” situation and pose problems for owners
3 wanting to sell their business. Mr. Wilson replied that the uses cannot be broken off and sold as
4 separately unless more commercial space is constructed on the residential lot – if not, the lot
5 becomes non-conforming. Mr. Wilson added that condo ownership of a lot would provide the
6 opportunity for separate ownership of the buildings on a single lot without requiring additional
7 commercial space, but there would have to be conditions regarding use of the buildings.
8

9 Ms. MacKinnon suggested that there is no burden on a commercial developer to build a
10 residence if they think it might pose problems in the future when they want to sell the business.
11 This might mean that the development of residential use is self-limited by who develops a
12 business, and whether or not they want to live nearby. Mr. Cartwright does not think it is a
13 problem if there is not a direct link between residential ownership and business ownership, the
14 concept is to have businesses in the neighborhood, and given the way the proposal is worded,
15 there is no way the property could become more intensely residential in use than commercial.
16 Mr. Wilson brought up the possibility of including language that would guarantee that the
17 business at street level *had* to be commercial in nature and not just a way to build a residence
18 with a garage for car storage below (for example).
19

20 Sherry Frasier came forward to ask if that is not the situation currently; business owners
21 do not have to build residential above the commercial space, but if they want to build a residence
22 there has to be a business below. She referenced Mr. Hedstrom’s situation, and Mr. Cartwright
23 stated that is a perfect example of the kind of business that would want to locate in the area, but
24 they might not want to live over their business.
25

26 Mr. MacLean suggested the concept of severing this area and making it its own zone, and
27 keeping the Tannery zoned as is - perhaps new BR-1 and BR-2 districts. Ms. MacKinnon agrees
28 that these areas are completely different in nature. Mr. MacLean wonders if this change might
29 make it easier to deal with the Tannery and finally get a deal for the Town. Whatever change
30 they make, Ms. MacKinnon wants to ensure that they incentivize business development when
31 properties change use. Mr. Wilson suggested that if changes are made, it might be a good
32 opportunity to move Seabright Park to a “Resource Protection” classification to address the fact
33 that restrictions on development on the property match the definition of these protected areas.
34

35 Jeff Brawn: He keeps returning to the vision he sees for this lot as a home for incubator
36 businesses, and he wants to see changes that will encourage business with incentives to start up
37 here, and hopes nothing will be done to discourage small business development. There will be
38 plenty of room for small businesses to grow here until it doesn’t make sense for them to be here
39 any longer and they move on creating space for other businesses who want to grow. He is also
40 concerned about bringing in the roads that would be necessary to carry traffic to the rear of the
41 lot is large-scale development takes place; he thinks that possibility should be avoided, not
42 encouraged. There was discussion about including a set-back for commercial from residential of
43 75’ to ensure the back of the lot would remain residential.
44

45 Mr. Householder asked Mr. Wilson if he thought that creating a new zone is a hard sell to
46 voters, and Mr. Wilson replied that he thought that if the Board explained the proposal well and
47 educated voters it would have a good chance of passing. The Board does need to take both sides

1 of the argument into account and consider what opposition there might be. Mr. Wilson does not
2 think that these changes would have any effect on the Tannery property because that property is
3 burdened by the recommendations of the Tannery Redevelopment Committee which were
4 adopted by Town Meeting and can only be changed there. Many of the businesses allowed in the
5 BR are not allowed at the Tannery as “acceptable” by the Committee.
6

7 Mr. Sargent believes the owner of the trailer park needs to be in the conversation
8 regarding the creation of a new district. Mr. Cartwright believes he would be receptive to a
9 conversation; he believes that this proposal would give that property owner many more options
10 for using his property – small shops or restaurants could be built if that is the kind of thing the
11 neighborhood would support. Mr. Wilson interjected the idea that giving options for more uses
12 of property in this area opens up the possibility of development of a “walk-able neighborhood”.
13 It was also recommended that Mr. Cartwright contact Coastal Mountains Land Trust and the
14 owners of the other two commercial buildings on the river and discuss his proposal with them.
15

16 Mr. Cartwright believes this will be a good sell to the neighborhood, especially if they
17 know a business owner is going to be living next to the business; he believes that proximity may
18 help limit the uses that business owners will consider. He also believes this will benefit the Town
19 if vacant land is put to good use.
20

21 The Chair hopes the Board will hear lots of comments and then the proposal can be fine-
22 tuned to address concerns. The next step is for Mr. Cartwright to talk to other land owners and
23 encourage them to come to the May 16 meeting when the language of the proposal will be
24 further considered. He thanked Mr. Brawn for his thoughtful, and helpful, comments about ways
25 to approach thinking about planning around Town in the future. Ms. MacKinnon appreciates the
26 comments about attracting low-impact incubator businesses to an area set aside for commercial
27 development as an option to large-scale development.
28

29 DISCUSSION:

30 1. Minor field adjustments:

31 The Site Plan approval for a property on the Start Road for a bridge included reviewing
32 the footprint of a residence that is now going to be greatly diminished in size. The house was
33 initially proposed as the main residence; there will now be a guest house “The Barn” on the
34 property, and the main house will be built across Beaucaire Avenue instead. Mr. Wilson
35 asked the Board whether or not they considered this to be a Minor Field Adjustment that he
36 could approve, or a Site Plan amendment that they would review.
37

38 Ms. MacKinnon suggested that the main purpose of the Site Plan review was to approve
39 the bridge crossing; they knew at that time there was a possibility that the footprint of the
40 house might change. She doesn’t see any reason this change would impact that approval, and
41 does not believe the owners need to come back to the Board; others agreed.
42

43 2. Future agenda items:

44 May 2: Discussion of High Street Gateway District proposal

45 May 16: Discussion of River Business District proposal

46 June 6: Demolition Delay Discussion
47

1 3. Pending Applications: There are none

2

3 4. Other:

4

5 Mr. Sargent reported that the former Downtown Planning Group, the group that worked
6 to obtain Gateway funding to prepare a proposal for the Public Landing and a bridge to
7 Harbor Park, has been re-activated to work with the consultants hired to prepare the current
8 proposal. A lot of work has already been done, and it should prove useful at this stage in the
9 design process. A member of the consulting team, who studied engineering at UMO, is
10 going to re-connect with the department where work was started to prepare bridge designs for
11 this project.

12

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

14

15 Respectfully submitted,

16

17 Jeanne Hollingsworth, Recording Secretary