

1 **CAMDEN PLANNING BOARD**
2 **MINUTES OF MEETING**
3 **July 12, 2012**

4
5 **PRESENT:** Chair Chris MacLean; Members: Richard Householder, Jan MacKinnon and
6 Lowrie Sargent; Alternate Member Sid Lindsley; Don White, Select Board Liaison to the
7 Planning Board; and CEO Steve Wilson
8 **ABSENT:** Member Kerry Sabanty
9

10 The Chair called the meeting to order at 5:00 pm.
11

12 **1. PUBLIC COMMENT on NON-AGENDA ITEMS:**
13

14 Sid Lindsley complimented the new directional signs the Sign Working Group had
15 recently had installed on buildings and along the streets in Town; he likes the colors and thinks
16 they stand out in contrast to building colors much better than the last version. Chris MacLean
17 thanked Richard Householder and Jan MacKinnon, the Planning Board representatives on the
18 Sign Working Group, for their hard work to make these new signs happen this summer. Mr.
19 Householder and Ms. MacKinnon noted that members of the Downtown Business Group had
20 been very helpful – Sue Michaud in particular. It was also noted that the River Business Group
21 were working on the same kind of signs the Bayview Street merchants had worked so hard to get
22 approved; their proposal will come to the Planning Board in the future.
23

24 **2. MINUTES:**
25

26 **June 7, 2012:**

27 Corrections made since the June 21, 2012 Meeting:

28 Page 1:

29 Line 30: The word “how” was deleted

30 Line 44: “...would require ~~and~~ an Ordinance change...”

31 Page 2: Line 4: The term “MS” was replaced by the term “Ms.”
32

33 Page 8: Beginning on Line 42: *Off-premises Signs*: Mr. Sargent suggested that the summary of
34 this discussion provided in the Minutes was not comprehensive enough; the discussion had been
35 lengthy and the important points made by members during are not covered here. The Recording
36 Secretary will listen to the tapes and revise this section accordingly.
37

38 The section has now been revised as follows and the Minutes are ready for final review:
39

40 *“Sandwich Board Signs:*

41 Sandwich Board Signs are permitted on private property, and the Board discussed
42 whether or not to regulate the placement of these signs within a Private Way. Currently the
43 Camden Police control the placement of such signs on public property (like sidewalks), and
44 enforce violations. Even on Private Ways, the issue is pedestrian safety, as well as the safe
45 passage of vehicles. If signs are permitted within these ways it could cause unsafe conditions. It
46 was suggested that the CEO use his discretion with regard to the placement of signs when he is

1 issuing the required permits. Mr. Wilson suggested that the term “Private Way” does not include
2 privately owned sidewalks, so merchants in the private shopping areas can install these signs on
3 the sidewalks outside their shops if they wish. However, with regard to the private streets, he
4 could deny a sign placement there. When he was asked if it would make his job easier if the
5 Ordinance support that position, he responded that it would. Don White supported including
6 prohibitions on Private Ways for safety reasons. The Board agreed and the Draft will be
7 changed accordingly.

8
9 *Off-premises Signs:* The term “Off-Premises” should be consistently hyphenated.

10
11 Mr. Sargent suggested that there be a limit to how many Off-premises Signs a business is
12 allowed -- permitting only a specific number and size of Off-premises Signs per business. It may
13 be necessary to have two if traffic can come at a business from different directions, but there
14 should be a limit. Perhaps the size of the State’s official business signs is a good standard which
15 is 1’ x 3’, but there may be a need for each business to have flexibility as to shape and size of
16 different signs, but something specific needs to be included in the Ordinance itself. Perhaps the
17 Ordinance should say you can have two and they can be of “this” size.

18
19 The intent of the changes here are to: continue the ban on the MDOT directional signs
20 which the CEO says no one on the Sign Group wanted to see proliferate everywhere; and permit
21 businesses to post small individual directional signs either on their own building or where
22 someone has given them permission to place a sign. They are intended to more for pedestrian
23 use that seen from passing vehicles so they don’t need to be large.

24
25 The CEO clarified that sign permits are good until a sign comes down to be repainted or
26 replaced, then a new permit is required at \$15. This allows non-conforming signs to be
27 addressed and brought into compliance – it would not be possible if the permit were good
28 forever. Some of the “illegal” directional signage posted now can be corrected in this way.

29
30 The Sign Group will take these suggestions into consideration at their next meeting.

31
32 *Tradesmen Shops:*

33
34 Mr. Sargent suggested adding a classification for Tradesmen Shops to Section 11 Item (5)
35 Home Occupations since they are very similar businesses. He also proposed increasing the size
36 of Home Occupation signs to 6 SF within the V and VE Districts, and increasing the *total*
37 allowed square footage of signs in the RU-1, RU-2 and CR Districts to 16 SF. The Sign Group
38 had intended to do something along these lines, but the change never got made. Mr. Sargent
39 believes this is important because it offers flexibility: If someone wanted a large free standing
40 sign near the road and a small sign on the building they could adjust the sign sizes accordingly so
41 the road side signs were large enough to be seen by drivers going by at a higher speed. Mr.
42 Householder asked how the differences in signs sizes allowed in the Village v. the rural districts
43 would work on John Street where one side of the Street is V and one side is rural: A business on
44 one side of the street could have a 16 SF sign and one on the other only allowed a 4 SF sign –
45 that did not seem right. Ms. MacKinnon suggested that the line has to be drawn somewhere and
46 doing this by districts is the best way to keep very large signs out of the V and VE Districts
47 where they would be out of place.

1 Mr. Sargent then noted that Item (2) defining what signs are allowed in the various
2 districts gives businesses in all districts 16 SF signs. For consistency's sake, he suggested
3 limiting signs in the V and VE District to 6 SF and allowing 16 SF of signage for the other
4 districts – just like Home Occupation and Tradesman's Shops discussed above. To prevent a
5 proliferation of very large signs in the RU 1 and 2 and CR districts, the Board decided that
6 limiting the *total* square footage of sign to 16 SF – in whatever combination the business owner
7 wishes – offers the best protection.

8
9 Mr. Wilson will make sure that this “total” sign area concept is consistent over this
10 section.”

11
12
13 **June 21, 2012:** Review was deferred until the Recording Secretary fills in a missing portion of
14 the meeting minutes.

15 **3. PUBLIC HEARING: Proposed Amendments to Article XI Signs**

16 Mr. Householder, Chair of the Sign Working Group, presented a summary of the ordinance
17 amendments being proposed by the Group:

18
19 Throughout the Ordinance changes were made for consistencies sake: In all cases Zoning
20 Districts are spelled out in full, and the abbreviation is included.

21
22 ▶ Section 4. Excepted Signs:

23 (7) Changes refine the description of informational signs that can be posted on
24 buildings: For uniformity's sake, the signs must all be blackboard signs; and the sign
25 size was increased from 2 SF to 3 SF.

26 (8) The change sets up a change to Section 9(2) that will allow sandwich board signs
27 in certain situations.

28
29 ▶ Section 7. Illuminated Signs: Language clarifies that illuminated exterior signs must
30 be illuminated externally only. Provides the opportunity for businesses to display one
31 internally illuminated “Open” sign with restrictions regarding size, placement and light
32 throw.

33
34 ▶ Section 9: (Retitled) General Regulations in All Zones

35 (2) Outlines the limitations and controls that apply to permitted sandwich board signs.
36 Sizes and material (blackboard only) were specifically controlled to create uniformity in
37 color and design with the goal of preventing the “mish-mash” of signage found in some
38 coastal tourist towns' downtown areas. The CEO's permitting process will consider
39 pedestrian and vehicle when reviewing the proposed location of the sign.

40
41 ▶ Section 10. Off-Premise Signs:

42 Changes to this section keep the restriction on MDOT Official Business Directional
43 Signs, but permit other Off-premise Signs on private property under specific
44 conditions addressing location and controlling size.

45
46 ▶ Section 11. Specifications

1 (5) Home Occupations

2 Tradesman Shops permitted as Special Exceptions were added to this category with a
3 unique allowance for signage in the Rural District. Both Home Occupations and
4 Tradesman Shops will be permitted sixteen total square footage of signage in the
5 outlying districts, and six square feet of signage in the Village and Village Extension
6 districts.
7

8 The Chair summarized the policy for conducting the Public Hearing and opened the
9 floor to comments:
10

11 Leonard Lookner: Mr. Lookner read his letter to the CEO dated May 3, 2012, into the record:
12 He does not want any changes made to the Ordinance; it has worked well. Camden businesses
13 are thriving so they must not need more signage, and the Town looks the way people want it
14 to look. He is very concerned about allowing Off-premise signage, and thinks the Board is
15 opening up “Pandora’s Box” with this change. He thinks the changes as a whole are
16 tremendous – way too much at one time for citizens –or the Planning Board - to be able to
17 judge the future impact.
18

19 Jane LaFleur: She is also very concerned about the changes proposed to Section 10 and is
20 afraid the result will be a Town cluttered with signs everywhere; the impact on aesthetics
21 could be tremendous. There are not enough controls: where they can be located; how many
22 can one property owner “host”; and how many might be placed on “host” buildings. The
23 Board needs to look at this provision again.
24

25 Deb Dodge: Ms. Dodge was also concerned about the changes to the Off-premise Signs
26 section. Although she can understand the need by some “off the beaten track” businesses to
27 have these signs, the language needs to be tightened up to prevent a proliferation of signs
28 around Town. Do businesses located on Main and Elm Street really need Off-premises Signs?
29 Perhaps businesses located off the main arteries could be offered the option of having one of
30 these signs as part of their total allowed sign square footage or one of the total number of
31 signs allowed. Not everybody should have one in addition to the signs already permitted. She
32 is also concerned about allowing “Open Flags” and doesn’t really see the need for them in the
33 summer months; it will just look cluttered on the main streets and they won’t be effective.
34

35 Matt Levin: He oversees the businesses owned by Stuart and Marianne Smith around Town.
36 They support many of these changes and the overall loosening of some of the former
37 restrictions on signs. Sandwich boards, especially, can add character to the Town and his
38 tenants are glad to have the option of using them.

39 He agrees with Ms. Dodge that there should be a limit to Off-premises signage. He
40 addressed the two size allowances for sandwich board signs in different districts and asked the
41 Board to keep the size even across Town – 24” x 36” is a standard size. He then showed the
42 Board pictures of one of the tenant’s design for new signage, and it became clear that he did
43 not understand that the sandwich board signs would be limited to blackboard material only.
44 Mr. Householder stressed again the Group’s underlying goal of uniformity in size and color
45 for signage in Camden. Mr. Levin disagreed with this principal and noted that the lettering on
46 blackboard signs washes out in the rain making them useless as informational signage. He

1 urged the Board to get away from uniformly colored signs and be more design oriented; they
2 also need to think about permitting signs that are more weather resistant.

3
4 Jane LaFleur: She asked if there would be any restrictions on sandwich boards – could they
5 be left up after hours or, are they to be taken in when the business closes? She thinks there are
6 some loose ends here and the Board needs to take a closer look at what they have proposed.

7
8 Leonard Lookner: He thinks the language is vague -- how will someone know for sure if their
9 sign is within a public right-of-way since there is no mapping of these lines for all properties
10 in Town? He thinks the CEO will have to be making some open-ended decisions as to
11 allowed locations. Mr. Sargent responded that the burden is on the Applicant to show what
12 they want to do is legal, and that the Board has tried to make the language in Ordinance
13 revisions very specific so there is no confusion as to what is or isn't allowed.

14
15 Susan Howland: She agrees with the possibility of clutter with Off-premise Signs. In Section
16 11 Specifications, there is an outline of what signs are permitted and of what size – she
17 wonders if sandwich board signs and Off-premise Signs should be moved here and defined by
18 number and size as the others are. Mr. Wilson agreed this would be a good revision.

19
20 Mr. Wilson: He is of the opinion that the proposal needs more work; the Group may have
21 gone beyond the intent of permitting Off-premise Signs to help some businesses and created a
22 problem. He hopes the Board will look at what has been said and rework the proposal.

23
24 John French: Hopes the Board will send something forward for November. He thinks the
25 Off-premise Signs are important to the businesses not on the main drag – don't forget about
26 why this change was suggested in the first place.

27
28 No one else from the public came forward and the Chair closed the Public Hearing.
29 Comments from the Board:

30
31 Mr. Householder:

32 He agrees the proposal needs revision but wants to move the proposal forward this fall.
33 He also wants to keep restrictions on style and colors of signs in order to assure uniformity.
34 Main Street businesses and Bayview Street businesses have said they want more effective
35 signage – they are the ones that came up with these changes, and the River Business Group is
36 working on similar revisions; he thinks the basic premises are still sound. He also agrees that
37 re-working the proposal along the lines suggested by Ms. Howland makes sense. He doesn't
38 think that the amount of work to be done should keep the revisions from going forward, and
39 asked to have a Public Hearing scheduled for the meeting on August 2, 2012.

40
41 Ms. MacKinnon:

42 She agrees with the objection to Off-premise signage as written. Perhaps they should
43 just take out these changes altogether for now and revisit the issue later on. Maybe with some
44 of the other changes being made, Off-premise signage isn't as important an issue. She thinks
45 the proposal needs work, but wants to be able to send something forward to the voters this
46 November.

1 Mr. Sargent:

2 Suggested that no individual business can have more than one Off-premise Sign, and
3 that only one Off-premise Sign be permitted per property – a property owner couldn't host
4 several signs. In addition, perhaps there should be some districts where no Off-premise Signs
5 would be permitted.
6

7 Mr. Lindsley:

8 Adamantly opposed to the concept of Off-premise Signs; people have said they don't
9 want to see signs everywhere over and over again. He is most concerned that the B3 (Elm
10 Street) would be cluttered with signs if more are permitted. He suggested that members read
11 the Comprehensive Plan; he thinks that some of the provisions of these proposed amendments
12 could be challenged as not adhering to the Plan. He asked what the make-up of the Sign
13 Group was; are there representatives from everywhere in Town? Mr. Householder replied that
14 the Committee consists of: Mr. Householder, Ms. MacKinnon, Mr. Wilson, Don White from
15 the Select Board, and business people from the Downtown Business Group. Mr. Lindsley is
16 concerned that citizens will not be aware that Off-premise Signs will be permitted by these
17 changes and will be taken by surprise once they find out.
18

19 Mr. Wilson:

20 He agrees that perhaps Signs should be pulled from this proposal for now and dealt
21 with at a later time. He has heard several valid and serious concerns this evening; he knows
22 those concerns will be discussed by the Sign Group and then the revisions discussed again by
23 the Planning Board.
24

25 The Chair noted that people who have commented should come to the Sign Group
26 Worksession on revisions on July 17 at 5:30, as well as coming back to the Planning Board
27 again for their Worksession on amendments on July 26 at 5.
28

29 **4. PUBLIC HEARING: Proposed Amendments to Article VI Nonconformance**

30

31 The CEO gave a brief history of the development of this amendment starting with Steve
32 Laite's desire to build a new storage garage. He explained the development of tying any
33 allowed expansions to current limitations of the various zones using the 30% Shoreland Zone
34 expansion credits as a model.
35

36 Deb Dodge: Ms. Dodge and Ms. LaFleur collaborated on a letter to the CEO dated July 12,
37 2012. Ms. Dodge asked that it be entered into the record without her having to read the entire
38 document, and proceeded to address the clarity of the language of the proposed amendments
39 with regard to the intent of the Board in drafting the provisions. (Letter attached)
40

41 John French: The Zoning Ordinance was created in 1992 and these businesses were held "as
42 is" and can't change with the times. He urges the Board to keep this in mind, and also to
43 remember that new non-conforming businesses cannot be created so the current number can't
44 be added to. Many of these businesses are not very large – except perhaps Monroe and
45 Goodwin's building – and there are not very many of them. They have been here for a very
46 long time and deserve a chance to do better.
47

1 It was noted that Mr. French owns one of these non-conforming businesses: It is in the
2 Village District but it is close business district on Route 1 and in an area (John Street) where
3 there are many other businesses along the street.
4

5 Leonard Lookner: He has a reverence, along with Mr. Lindsley, for the Ordinance that they
6 both helped draft: This Ordinance has created something special in the Town of Camden – it
7 has worked to keep the Town looking like residents want it to.
8

9 He understands that these businesses in question are important to the citizens, but
10 perhaps there is a way to give them incentives to expand. He asked if trailers were included as
11 “accessory structures” and if this square footage would be included in determining the allowed
12 expansion -- are trailers included in the “area of use”? There was a discussion about the terms
13 “area of use” and “developed lot area” which Ms. Dodge had pointed out are interchanged
14 within the proposal: what do they mean, what is the intent and which is most appropriate
15 here.
16

17 Ms. MacKinnon replied that she, too, was concerned about trailers agrees the issue
18 needs to be addressed, but perhaps not within this amendment. Mr. Lookner replied that
19 restrictions on trailers needs to be town-wide, and Ms. MacKinnon and Mr. Wilson both
20 agreed, but that it probably needs to be addressed separately.
21

22 Mr. Lookner also noted that the revision gives the ZBA latitude to addresses impacts
23 of these expansions, but they are not *required* to do so.
24

25 Martin Cates: He supports reaching back to help these small businesses.
26

27 Mr. Lindsley: He noted that there have been efforts in the past by non-conforming businesses
28 in the B3 and CR Districts to get approval from voters so they could expand; they were turned
29 down. He thinks it is clear that citizens don’t want this. Mr. Wilson noted that many of the
30 businesses within the B3 District are conforming and can already expand – the only non-
31 conforming business he can think of in the B3 is the ice cream shed.
32

33 Mr. Wilson: He agrees with Ms. Dodge and Ms. LaFleur that the Board needs to tidy up the
34 language so that the language is improved so that it is consistent and well-defined.
35

36 Mr. Householder: He thinks the proposal needs to go back to the drawing board for some work.
37

38 Mr. MacLean: He has a philosophical difference – this proposal runs counter to the original
39 purpose of the Ordinance. The businesses that were made non-conforming were classified as
40 such because they didn’t fit the character that citizens wanted for those districts. They weren’t
41 permitted to expand because that would allow them to succeed and remain in place for a longer
42 time than if they eventually went out of business because they couldn’t grow. He realizes that
43 many of these businesses are important to the community, but is still troubled by the original
purpose of making them non-conforming.

1 Mr. Sargent: Was the purpose of the Ordinance to say “we don’t want any more of these
2 businesses in this area” or to say “these businesses should go away some day”? He thinks if it
3 was the former, then this proposal doesn’t go against that purpose.

4 Ms. MacKinnon: This remedies what was taken away from these business owners when the
5 Ordinance was created – some of them have been here for sixty years, and the change was not
6 fair to them.

7 More on Trailers:

8 Mr. MacLean: He wants to make sure that if an expansion is granted under the Ordinance,
9 existing trailers disappear and no new trailers can come in.

10

11 Susan Howland: She is concerned that a ban on trailers could impact Wayfarer’s ability to
12 service their customers who are in for a retrofit. The company uses trailers to store the owners’
13 belongings and parts from the boat’s interior while it is in the yard; trailers are perfect because
14 they can be secured with each owner’s having the only key – and they can be moved to a new
15 location if need be. Perhaps there could be a provision that permitted trailers if they are a
16 routine part of doing business. The Board discussed this issue and wondered if having the
17 CEO issue permits for trailers for specific time frames would address the need for temporary
18 storage that is legitimately needed for various reasons by homeowners and by businesses alike.

19

20 Mr. Wilson noted that defining what is considered temporary storage could be tricky since
21 there are new portable shipping containers that are appearing on sites that are substantial in size
22 – would these be included as well? Mr. French asked where the Board would draw the line –
23 will moveable storage sheds be included as well? If it is just trailers they are concerned about
24 then perhaps they could require that they be registered and inspected and not just old boxes that
25 are not fit for the road.

26

27 Mr. French ended the comment period by asking the Board to give this proposal the
28 opportunity to go through the process of going to the voters. There were a lot more non-
29 conforming businesses when the Ordinance was written in 1992 than there are now, and
30 perhaps people aren’t as worried about the issue as they once were.

31

32 The Board agreed: They will tinker with the wording at a Worksession on July 26 and hold a
33 Public Hearing at their meeting on August 2, 2012.

34

35 **5. DISCUSSION:**

36

37 1. Minor field adjustments: There were none

38

39 2. July 26 meeting:

40 Worksession on Signs and Non-conformance

41

42 3. Pending Applications: There are none

43

44 4. Comp Plan Review for report to the BOS:

1 The August 16 meeting will be a Worksession only – no other business – for the sole
2 purpose of completing the work required for the Board’s report to the Select Board that
3 is due in early September.

4

5 5. Site Plan timeline change: Deferred

6

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

8

9 Respectfully submitted,

10

11

12 Jeanne Hollingsworth, Recording Secretary