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**CAMDEN PLANNING BOARD**  
**MINUTES OF MEETING**  
**October 16, 2014**

**PRESENT:** Chair Lowrie Sargent; Members Richard Bernhard, Richard Householder, Jan MacKinnon and John Scholz; Select Board Liaison Don White; and CEO Steve Wilson

The meeting of the Planning Board convened at 5:00 pm. Film of the meeting is available to view by linking from the Town’s website at <http://www.camdenmaine.gov/> or by going directly to <http://www.townhallstreams.com/locations/camden-me>.

**1. Public Input on Non-agenda Items:** No one came forward to speak.

**2. MINUTES:**

September 18, 2014:

The following substantive changes were made to the Minutes; other corrections and recommendations for editorial changes have been included in the Final version.

Page 3 Line 114: The Recording Secretary was asked to include the discussion where Ms. MacKinnon and Mr. Bernhard argued on behalf of considering the Ragged Mountain Application as an Amendment. Beginning at Line 113 the new language reads as follows: “Mr. Sargent suggests that, except for the temporary building, many of the changes are minor in nature, but when considering all the proposed changes together he believes they are beyond what the Board can consider as an amendment.

Ms. MacKinnon and Mr. Bernhard argued on the side of considering the proposed changes as an amendment: The temporary building footprint is a small part of the total site; the rest of the changes are minor; and they both understood that the lighting was to come back as an amendment to the Plan.”

Page 6 Line 251 now reads: “In response to Mr. Bernhard’s questions, Mr. Bartlett suggested that it would not be possible to just swap fixture for fixture on the current poles – new lighting might require different pole locations and more poles, but that a study has not been done and he has no estimate of what would be needed in this regard.”

Attachment 1 Page 2 Line 72 and Attachment 2 Page 2 Line 54: The votes on two Motions had been incorrectly entered at 5-0-0 – the vote was corrected to read as 4-0-0 in both cases.

Throughout the document Landon Fake’s name had been misspelled.

**MOTION by Ms. MacKinnon seconded by Mr. Scholz** to approve the Minutes of September 18, 2014, with corrections.

**VOTE: 5-0-0**

October 2, 2014:

Page 4 Line 166: “the ~~tanks~~-pumps be located behind...”

Landon Fake’s name had been misspelled.

49 **MOTION by Mr. Householder seconded by Mr. Scholz** that the Minutes of the Planning  
50 Board Meeting of October 2, 2014, be approved as amended.

51  
52 **3. SITE PLAN REVIEW/NEW WIRELESS TELECOMMUNICATIONS FACILITY**  
53 **Northeast Wireless Networks: Map 120 Lot 87: 36 Washington Street**

54  
55 (Mr. Householder, who was absent for the initial review of this application, has signed an  
56 affidavit stating that he has read the Minutes of the September 18 meeting and watched the  
57 streaming video.)

58  
59 CONTINUATION of PUBLIC HEARING

60  
61 Maureen Hopkins, representing Northeast Wireless, explained the changes made to the  
62 proposal to lease tower space on the former Knox Mill smokestack. Repairs to the stack required  
63 that the top 35' be removed. Sheet C-23, Tower elevation and Antennae Plan was revised on  
64 9/25/2104 to show the reduced height and the new location of the antennae in the 123' to 128'  
65 sector of the tower. In addition, the Applicant submitted revised photo simulations prepared by  
66 A&D Klumb Environmental, LLC. These photos, labeled 1, 1a, 1b (showing the smokestack  
67 from Mechanic Street); and 2, 2a and 2b (showing the stack from Route 1 at the river. These two  
68 submissions fulfill the outstanding submission requirements of Telecommunications Facilities  
69 Siting Ordinance Section 5.3.

70  
71 **MOTION by Mr. Scholz seconded by Mr. Householder** to find that the Applicant has  
72 submitted an amended complete application that satisfies the submission requirements of the  
73 Ordinance.

74 **VOTE: 5-0-0**

75 The Board reviewed the two approval standards where the votes had been deferred until  
76 new information was submitted (see the Minutes of September 18):

77 Section 7.2 Planning Board Approval Standards:

78 11. *Visual Impact*

79 The vote on this Item was deferred until the revised photo simulations were available for review.  
80 **MOTION by Mr. Scholz seconded by Ms. MacKinnon** that the resubmitted photo simulations  
81 showed that the modified and reduced height of the smokestack does not create any more visual  
82 impact per Item 11.

83 13. *Historic & Archaeological Properties*

84 The vote on this Item had been deferred until the Applicant could provide the required  
85 information - the Applicant is still waiting to hear from the Maine State Historical Commission.  
86 Ms. MacKinnon feels this requirement is an unnecessary burden placed on Applicants because  
87 they have no control over when those reports might be received. The Applicant noted that the  
88 FCC will not issue their license until that information has been received in any case. The  
89 Camden language mirrors the FCC requirements so it is not an additional burden to require that  
90 applicants submit these specific documents.

91  
92 **MOTION by Ms. MacKinnon seconded by Mr. Householder** to approve Item 13 contingent  
93 upon the receipt of the report noted above.

94 **VOTE: 5-0-0**

95

96 **MOTION by Mr. Sargent seconded by Mr. Scholz** that the Application of Northeast Wireless  
97 is approved because the Board has found that Approval Criteria 1-13 have either been satisfied  
98 or have been found not applicable.

99 **VOTE: 5-0-0**

100

101 **4. SITE PLAN REVIEW: Changes to an Approved Plan: Ragged Mountain Recreation**  
102 **Area**

103 **Town of Camden: Map 227 Lots 6, 8, 64, 66 and 67: Map 228 Lots 3, 4, 6 and 7: Rural**  
104 **Recreational District (RR): 20 Barnstown Road**

105

106 Mr. Scholz, who has recused himself from all reviews involving the Ragged Mountain  
107 project, stepped down.

108

109 The Town was represented by: Will Gartley, of Gartley and Dorsky Engineering and  
110 Surveying, Engineers of Record for the project; Larry Bartlett of Bartlett Design - Lighting and  
111 Electrical Engineering; and Landon Fake, General Manager of the Ragged Mountain  
112 Recreational Area.

113

114 Mr. Gartley explained that the Town would like to put a temporary building on the site  
115 next to the lodge that could serve as a rental building for this coming ski season. When the new  
116 lodge is built the temporary building will no longer be needed. At their September 18 meeting  
117 the Board decided that this building needed to be reviewed under full Site Plan Review and not  
118 as part of the Amendment before them. This evening they agreed that the Applicant could rely  
119 on previously submitted documents to fulfill most of the submission requirements for this  
120 review.

121

122 The Application under review consists of the following:

Document:	Date:
Narrative Outlining Changes	9-3-14
Proposed new Ski Trail Lighting Supplemental Information (8 Pages)	9-3-14
Catalog sheets illustrating Spaulding style ARF4 LED lamps	
Sheet E-Oa Photometric Lighting Plan - A (11x17)	9-8-14
Sheet E-Ob Photometric Lighting Plan B (11x17)	9-8-14
Sheet E-Oc Photometric Lighting Plan C (11x17)	9-8-14
Sheet E-Od Photometric Lighting Plan D (11x17)	9-8-14
Sheet E-Oe Photometric Lighting Plan E (11x17)	9-8-14
Sheet E-1 Site Electrical Plan Part - A	9-3-14
Sheet E-2 Site Electrical Plan Part - B&C	9-3-14
Sheet E-3 Site Electrical Plan Part - C(D)	9-3-14
Sheet E-4 Site Electrical Plan Part -D	9-3-14
Sheet E-5 Site Electrical Plan Part - E	9-3-14
Sheet C-1 Ski Trail Improvements Overall Site Plan	Rev 9-3-14
Sheet C-2 Ski Trail Improvements Demolition Grading & Restoration Plan	Rev 9-3-14
Sheet C-3 Ski Trail Improvements Detail Site Plan (East Segment)	Rev 9-3-14
Sheet C-4 Ski Trail Improvements Detail Site Plan (West Segment)	Rev 9-3-15

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*Changes to Revised Plan C-1 dated 9/19/2014:*

The temporary building that was discussed at the 9/18 meeting has been removed from the Plan under review this evening. The as-built underground utilities have also been removed from the Plan to make it easier to read. A new Site Plan Application will be submitted that includes the addition of this building to the site.

CONTINUATION of PUBLIC HEARING

The First Public Comment period has been closed. The Board moved directly to comments and questions: Ms. MacKinnon asked if any of the Board members had gone out to look at the sample light fixture mounted on the Lodge – no one else had. Pete Kalajian had distributed a 2010 publication by International Dark Sky Association, and Mr. Sargent asked Mr. Bartlett if he had a chance to review the information. If so, had any of the discussion given him pause about the lighting he has proposed for the Snow Bowl? Mr. Bartlett replied he had reviewed the information; he does not believe that the Dark Sky information is relevant to this application and calls nothing in his design into question.

*Second Public Comment Period*

John Scholz: He asked Mr. Bartlett if any changes had been made to the lighting as a result of the comments heard at the last meeting. Mr. Bartlett replied that LP3 – which had been aimed northerly – had been adjusted based on the concerns of an abutting neighbor. Once installed, he will make on-site adjustments to the lighting and will pay particular attention to those poles with lamps aimed toward Hosmer Pond – LP30 and LP45, and any others where concerns have been expressed about off-site impact. He appreciates hearing of possible problems like these so he can make adjustments as he is working out the light pattern. He will also be looking at these lights from off site to see if there are any problems with glare.

Mr. Scholz also asked about the concerns expressed by Mr. Kalajian at the previous meeting regarding the color spectrum of white lights and the impact on circadian rhythms. Mr. Bartlett replied that Mr. Kalajian’s concerns had applied to light with wave lengths far below that generated by the lamps he is using. That combined with the fact that the slopes will not be lighted more than a few hours a week, and never – except for snow making – late into the nighttime, make him remain comfortable with his choice.

Mr. Bartlett believes that LED lighting is the state of the future for exterior lighting, and feels that more and more ski areas will be implementing the new lighting as fixtures become more affordable. He does not know of a technology that is “waiting” to replace LED and is confident that there will be even more options to fine-tune lighting to suit the situation in the future.

Mr. Scholz notified the Board that after discussing the matter with Town Manager Pat Finnigan, he had asked Mr. Bartlett to price out a retrofit of the existing lighting – the subject of many comments at the previous Public Hearing. Mr. Bartlett informed the Board that the estimate, which includes fixtures, additional poles and installation – including new wiring

170 circuits – is in the \$150K - \$200K range. Mr. Scholz continued saying that even if the money  
171 was in hand, coordinating and scheduling all the contractors to do this work before the coming  
172 ski season would be impossible. For the sake of the project, it does not make sense to put the  
173 current work on hold so that all the lighting could be done simultaneously. Mr. Scholz believes  
174 that it would be a worthy project and that funds could probably be raised to complete the re-  
175 lighting of the entire parcel. But, he believes the retrofitting project should be deferred for now,  
176 and hopes that it will move forward in the near future.

177  
178 Dana Strout, President Hosmer Pond Association: As far as residents of the area are concerned  
179 the lighting, and the sounds that accompany activities at the Snow Bowl, are not an enhancement  
180 to their properties. Although Mr. Bartlett did not know the exact percentage of lighting that  
181 would be new versus old style, he could say that there would be more new lights than old. The  
182 questions moved to a discussion of the Kelvin ratings resulting from this new light source and  
183 the reason – safety -- for going with a higher number versus one that would give a warmer  
184 appearance. In support of selecting new lighting for the slopes even though more light would be  
185 produced by each fixture, Mr. Bartlett offered the following reasons:

- 186 • Lighting will be more uniform across the slopes
- 187 • Dark spots between poles will be eliminated
- 188 • There will be better contrast between surface irregularities (moguls will be easier to  
189 discern)
- 190 • The overall average light at vertical planes – the most important for better sight at night –  
191 is increased
- 192 • This is cooler light that diminishes quicker over distance than warmer (sodium)
- 193 • Per fixture, the peak intensity is far less which works to reduce astronomical light  
194 pollution

195  
196 Mr. Bartlett noted that there will be two new trails lighted – large areas that have not been  
197 lighted before – and there will be more light generated overall; this needs to be kept in mind  
198 when people form their expectations regarding the impact the new lighting will have.

199  
200 In response to Mr. Strout’s question asking if this is the best that can be done to minimize  
201 the impact, Mr. Bartlett believes that this is the best design they can have. He does not believe  
202 he can meet the goal to greatly improve safety with fewer fixtures or different fixtures.

203  
204 Michael White: He has heard discussions focused on detailed information and is pleased that the  
205 issue has been researched and discussed so thoroughly. The result will be better and safer night  
206 skiing with a plan that fits into the budget.

207  
208 No one else came forward and the Public Hearing was closed.

209  
210 *Board Deliberation and Review*

- 211  
212 • Eighteen sodium lamps will be removed or replaced leaving thirty to forty of these old  
213 lamps remaining
- 214 • The costs of the LED lamps is about \$700 each – sodium lamps run about \$450 each
- 215 • Lamps will all be aimed downward and down slope

- 216 • The LED lamps will be shielded and aimed so skiers looking up will not be blinded by  
217 the glare - unlike drivers who look directly into oncoming LED lamps  
218 • It is important that the Applicant is willing to tweak and adjust the light throw and to add  
219 additional shielding if necessary  
220 • Light management, which has been problematic in the past, sounds like it will be greatly  
221 improved with additional circuits and the ability to switch off unnecessary lighting  
222 • The impact of the remaining sodium lights – and whether or not to replace them – is not  
223 germane to this review  
224

225 **MOTION by Mr. Sargent seconded by Mr. Householder** that the Board finds that because the  
226 changes to the approved Site Plan are relatively small in scale, the Application qualifies to be  
227 considered as an Amendment.

228 **VOTE: 4-0-0**

229

230 **MOTION by Mr. Sargent seconded by Ms. MacKinnon that the Board** finds that they can  
231 approve the Amendment because of the nature of the changes and all the information provided in  
232 support.

233 **VOTE: 4-0-0**

234

235 A revised C-1 will be generated with a signature block that contains language that the  
236 changes were approved as an amendment on October 2, 2014. Members will sign that Plan at  
237 their next meeting.

238

## 239 **5. ZONING AMENDMENT: Business Opportunity Zone (BOZ):**

240

241 Jane LaFleur participated in the review of the changes to the proposed amendment. She  
242 raised the issue of the permitted use of a convenience store with gas pumps and asked the Board  
243 to consider requiring that the pumps be located behind the store or, if that is not possible, to the  
244 side. She referenced a station in Yarmouth where this was done very successfully. Noting that  
245 this change would permit gas pumps in districts where there is residential use nearby, she added  
246 that requiring the right front-yard treatment can further mitigate the location of this kind of  
247 business in districts where they are not otherwise permitted. With an acre of land required for a  
248 BOZ proposal to go forward, Ms. LaFleur believes a property owner would have lots of room to  
249 make this layout work.

250

251 Some members of the Board did not want to add another layer of regulation to the use,  
252 but Ms. LaFleur argued that zoning should balance public versus business uses. This would be a  
253 high intensity use and should, therefore, be moderated to the greatest extent practical. Mr.  
254 Bernhard supports looking into this idea in more depth. He thinks the Board should start off  
255 with what they want in this regard – if they want the tanks out back or to the side that’s what  
256 they should ask for. The proposal has this use categorized as a Special Exception which means  
257 that a proposal must undergo strict review. Some members of the Board feel that is sufficient  
258 protection for abutters, so for now there will be no changes to this item except that “convenience  
259 store” – which is not defined in the Ordinance – will be replaced by the term “neighborhood  
260 store” which is.

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262 ←The CEO and Recording Secretary will research the language of the BOZ to try to find any other  
263 changes that need to be made so the Draft can be finalized.

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## 6. SELECT BOARD WORK LIST:

The Board discussed the recommendations for items they will send to the Select Board for work in the coming year. Mr. Sargent will draft a memo to the Select Board Liaison and send it on behalf of the Planning Board. In no particular order of importance the six items are:

- The Planning Board wants to understand the Select Board’s role in decision making – how do they assess the Planning Board’s work on Ordinance Amendments?
- The Planning Board will ask that members of both boards be treated with civility and respect – especially during joint meetings or when appearing before each other’s Boards
- There is a State program that evidently provides tax relief to town’s board and committee members – the Planning Board would like the Select Board to authorize that relief for their members in the hope that it would attract new members
- The Planning Board will request that the quarterly joint meetings of the two boards is re-instated
- The Planning Board would appreciate the Select Board being better informed about Planning Board issues. They will ask that the Select Board members come to their review of ordinance amendments informed of the Planning Board’s decision-making process *before* making their decision on proposed amendments

Don White, Select Board Liaison, had presented a tentative list from the Select Board to the Planning Board:

- Review the Zoning Ordinance to modernize and clarify
- Be more proactive
- Sagamore Farm property

## 7. PLANNING BOARD PRIORITY LIST

The Board reviewed the list of priorities, changed the priority category for some items and assigned the following items so members can begin work

### *Possible Ordinance Amendments:*

- Re-do descriptions of various lodging categories and associated allowed uses:  
Mr. Bernhard and Mr. Scholz
- Re-consider the 500’ “transition zone” for Low Impact Uses in the V and VE Districts  
Mr. Bernhard and Mr. Scholz
- Work with Historic Resources on possible ordinance changes  
Mr. Householder will update
- Rejuvenate Sign Committee to work on Riverwalk Signage  
Mr. Householder and Mr. Bernhard with Sign Committee and Historic Resources
- Planning Board Manual  
Mr. Sargent and the Recording Secretary
- Zoning Amendment Procedures  
Mr. Sargent and the Recording Secretary

312 **8. DISCUSSION**

313

314 1. There were no Minor Field Adjustments

315

316 2. Future Agenda Items – Pending Applications

317

318 Maple Grove Subdivision –time frame to review still uncertain

319

320 3. Other:

321 The Appleton Pier Plan should be ready for Board signatures at the next meeting

322

323 Mr. Sargent informed the Board that Ms. McIntosh is still willing to work with the Comp  
324 Plan Committee and to work on redrafting Chapter 20 with Mr. Scholz and the Downtown  
325 Chapter by herself. She will be able to attend the November 13 Planning Board meeting  
326 and to discuss her work if there is time on the agenda.

327

328 There being no further business before the Board they adjourned at 7:45pm

329

330 Respectfully Submitted,

331

332

333 Jeanne Hollingsworth, Recording Secretary