



WORKSHOP MINUTES PLANNING BOARD MARCH 8, 2012

John Potvin - Regular 2014
Don Fellows - Regular 2015
Jeffrey Ganong - Regular 2015
Dan Nezol - Regular 2011
Francis Drake, Jr. - Regular 2011
Gerry Kamke - Associate 2014
Steve Warren - Associate 2011

- 1. CALL TO ORDER:** The Chairman, Mr. Ganong called the meeting to order at 6:00 PM.
- 2. ROLL CALL:** Regular members present were Dan Nezol, Jeffrey Ganong, Francis Drake, Jr. and Don Fellows. John Potvin was absent, excused. Associate members present were Steve Warren and Gerry Kamke was an excused absence. Also present were, Michael Cote, Code Enforcement Officer; Scott Benson, Economic Development Director; Fern Larochelle, Town Councilor; Amanda Bunker, Wright Pierce, and nine members in the audience.
- 3. OTHER BUSINESS:**

REVIEW POTENTIAL MOTION REGARDING LIMITED CHANGES TO GARTLEY STREET AREA AND ROUTE 9 ZONING

Mr. Ganong said Mr. Fellows wrote a motion concerning Gartley Street and Route 9's Rural Open Space I District. Mr. Fellows said this motion could be made at the March 22 meeting. He said the motion is in two parts. The first part changes the General Residential District to the Diversified Development District and includes the Open Door property, the school property, and another little piece in Map R6 Lot 19, which is the rest of the area that is in the General Residential District now. This little piece abuts the Resource Protection zone, and to not include it would be a problem. The second part changes Chapter 70 Zoning Article 4 District Regulations table of land uses. In the Diversified Development District under commercial uses self storage units would be changed from "no" to "conditional". The storage units would be allowed on a conditional basis in the Diversified Development District. The Diversified Development District was selected because it seemed more appropriate for future development than did Village.

Mr. Fellows said the second part of the motion refers to the Rural Open Space I District changes to Chapter 70, Table 531. This addresses Route 9's ongoing issue which is that it is not a commercial area but there have been businesses operating there which technically have been in violation for a long time. We know they aren't going anywhere and we can't keep looking the other way. Also, it changes under industrial uses Junkyards from "Conditional" to "No". He said there is no junkyard there now, but that John Maloney put it in the original chart. He said he added to the footnotes at the end of the Table of Land Uses and, because so many people on Route 9 are sensitive to keeping the rural nature of the area, he added to the footnotes number 14 on conditional uses about service stations and sales, and footnote 15 about manufacturing. He said the intent is to allow only repair not sales, which is what we have there now.

Mr. Fellows said John Maloney reviewed these changes and his comment was that it appears most of the land (in the first part of the motion) to be rezoned is not developed and the changes are not so significant that an amendment to the future use portion of the Comprehensive Plan is not necessary.

Mr. Fellows said John Maloney's comment on the second part of the motion would require a change in the Comprehensive Plan. There needs to be some rewording so there is no intentional conflict with the Comprehensive Plan. Mr. Fellows said if we want to go forward with this motion it could be voted on at the March 22 meeting.

Ms. Bunker said I have a similar reaction, as Mr. Maloney's, to the first part of the motion. She said she agrees this is the simplest way to go. She recommended double checking on other permitted uses, for instance, allowing parking lots and the dimensions of parking lots.

Ms. Bunker indicated that the second part regarding the Rural Open Space zone is in conflict with the Comprehensive Plan. She said making this many changes to the business types could set quite a precedent regarding the use and that more intense development would contribute to sprawl. She said you need to consider not just the existing businesses that you are trying to address, but the entire Rural Open Space district. New businesses could draw more on utilities and services and create more traffic. It could be conditional upon using Route 9, as the only access, not the side roads. Some wording about heavy truck traffic and industrial odors could be considered. Uses for agriculture and forestry will be permitted, but light manufacturing raises a red flag. She cautioned that allowing more light manufacturing could set a dangerous precedent. She indicated that light manufacturing might be better in town where you have more services and utilities.

The board members discussed changes Mr. Fellow could make to the proposed motion. Ms. Bunker suggested adding something about smells and lighting. She said there should be clarification about parking.

Reverend Garnett said under Diversified Development there is no parking, no schools, no playground, no expansion for church ministries, no college, no storage; none of these things are permitted which we would want to use it for. Also how does Diversified Development make the school attractive to any business? He said Village zoning still has to come before Council for permitting.

Reverend Garnett said Mr. Metivier came to him to get a zone change. He said when he first went to Mr. Cote for a permit it was for a 12x20 storage shed behind a barn, which has since been torn down. The misunderstanding is that after I received that permit I went to get another permit for a storage shed. Nothing was discussed about renting. He said it was my understanding that we could build a steel building to use as we wanted and rent the rest; it wasn't discussed. Four months later after the building was up we finally put up a sign and there was a complaint. He said I then came back and asked for a variance. He said Mr. Cote suggested several things, which were turned down. We contacted a lawyer. Mr. Metivier came to him and they decided to go this route. He said there are a number of inconsistencies he will bring up at the public hearing. He said if you owned that property you would not want that Diversified Development designation; it certainly does not fit us.

Reverend Garnett said years ago Mr. Samson came to him and so the church deeded the brook over to the town for the Water Department to use, and at that time the church pointed out that they needed the frontage on Route 196 and was told there was no problem with that. He said I have the deed, but now we can't count that as our frontage. He asked why their property had been skipped in that rezoning change. He mentioned Mr. Eldridge had said no to allowing this variance under a hardship case to allow them to rent the storage units. I don't know how this lot was overlooked. There was no problem with the Napa building and other buildings.

Mr. Fellows said changes need to be made regardless of whether it's Village or Diversified Development. Mr. Warren said instead of making just the storage unit the only conditional use permitted, some other things should be changed as well, such as schools. He said we should think about what the school property could be developed into. Ms. Bunker suggested keeping in mind that these changes affect the whole district.

The board discussed Diversified Development areas. Ms. Bunker said Diversified Development allows the Planning Board some flexibility to have a public hearing and allow uses, but this broader discussion could hold up the issue at hand. If you changed the conditional use of the storage unit now, then you could continue this discussion later.

Mr. Fellows reviewed the changes to the proposed motion with the board members. Ms. Bunker suggested the Planning Board identify likely issues that are going to come up. Mr. Fellows

indicated that other changes to the motion could be made at the meeting. Mr. Warren specified conditional use changes.

Paul Losburg indicated that the motion should be two motions to avoid any conflict of interest on the part of board members who live on Route 9. The board was agreeable to making two motions instead of one motion with two parts.

DISCUSSION ABOUT ROUTE 196 CORRIDOR AND VILLAGE AREAS

Mr. Warren indicated that we are looking at converting the Main Street and Village Street areas into more flexible zones should these downtown areas be expanded. Mr. Ganong said it would be good to define the downtown areas. He said he liked the idea of "form based code", but did not know how to do that.

Ms. Bunker said at this level of discussion, the Planning Board's first goal is to define their goals and find the appropriate tools. She said form based code might not be the best method for them. She said there are design review overlay tools with standards, which are illustrated to show what the expectation is. You don't even have to have an overlay; you can just have design standards. Many communities are only interested in providing guidelines that are important to them.

Ms. Bunker said there is also the Gateway Ordinance that Mr. Fellows is working on, which is really a property maintenance ordinance. There are a number of these in Maine that can be applied to specific areas or to specific properties. Ms. Bunker said the process for the form based code can be very cumbersome; there are easier methods for you to use.

Mr. Benson indicated that the Main Street designation determined what is now considered to be the Downtown District, but it is not how he envisioned that district to look like. He said in terms of programming, recreational, and other community programs, such as the summer concert series, the MTM Center is the most important, which is not reflected on the current map, nor is Campus Avenue, which is a significant historic rehabilitation that will abut the MTM Center. The Moxie Festival goes from the MTM Center all the way down to Frank's store, so when lines are drawn this area has to be inside of it. He said sometimes downtown's includes more than the Commercial District and so the downtown is much more than that, as is the Village downtown, much bigger than Graziano's and some stores up the street.

Ms. Bunker suggested in the Village area that the Planning Board look at what is appropriate for mixed use in that area. Mr. Benson said don't confuse zoning with defining districts.

Paul Griesbach said he owns the old church across from the Maine Art Glass Studio. He said it's typical of this zone to have large buildings, but now we are restricted with parking. He suggested seasonal parking or off-street parking be addressed. He said my building was a church so people used to park on the streets and walk to church.

Mr. Ganong said we need to figure out how big the Village Zone will be. Ms. Bunker said you need to define your goals, specific objectives, use, parking, and aesthetics. Ms. Bunker indicated there were a number of ways to create financial incentives, including TIFFs. Mr. Benson said TIFFs are your number one tool, along with façade programs.

4. ADJOURNMENT

The Chairman, seeing no further business, adjourned the meeting at 8:10 PM.

Respectfully submitted,

Marie Hale, Recorder/ Assistant Town Clerk