



# CITY OF GARDINER

## PLANNING BOARD

Gardiner Planning Board  
City of Gardiner, Maine

May 5, 2009  
Special Meeting 6:00 PM

### ROLL CALL

Present: Pat Hart Judith A. Dorsey Deborah Willis  
Pamela Mitchel Ronald Condon

Absent: Edward Lawrence James Montell

Also Present: David Cichowski, Code Enforcement Officer  
Bill Najpauer, Contract Planner  
Dorothy Morang, Planning Board Recording Secretary

Michelle Miles Viola Miles Lionel Thompson  
Betty Faust Albert Faust Allie Vigue  
Anthony Cartonio Pamela Cartonio Richelle Abbott  
Kailey Abbott Jerry Maschino Dorothy Washburne  
Darryl Brown Jr. Prince Stevens Richard Daniel

**1.) Call the Meeting to order.**

Chair, Pat Hart called the meeting to order at 6:08 PM, welcomed everyone and went over the agenda for the special meeting.

**2.) Roll call taken.**

**3.) April 14, 2009 Minutes.**

Pam Mitchel made a motion that we accept the April 14, 2009 minutes as written. Judy Dorsey seconded the motion.  
Vote: 5 in favor. 0 opposed. Motion passed.

4.) **Public Hearing – Workshop to consider Zone Changes**

**The City of Gardiner Planning Board will hold a public hearing and workshop to consider possible zone changes along Brunswick Av. The areas being reviewed are those properties bordering Brunswick Av from the Armory to the Richmond Line and currently in the Residential Growth (RG), Rural (R) and High Density Residential (HDR) Zoning Districts to Planned Development (PD) Zoning District, a mixed use zone.**

Chair Hart described the process that had taken place with the Ordinance Review Committee and where it would go from here. She noted that there is no proposal on the table, just ideas. They wanted to hear from the public. She noted that this meeting is being recorded and, although it is a public hearing, nothing determined from this meeting is binding. The information gained will go to the Ordinance Review Committee to review and then back to the Planning Board and on to the City Council.

6:17 PM Public Hearing

Pam Cartonio introduced herself and her husband Anthony. She said that they had created a subdivision last year in the Rural Zoning District. She asked if the zone were to be changed, would her taxes go up. Chair Hart said that he would have to check with the Assessor about that.

David noted that even if they change the zone along Brunswick Av, only a portion along the road of some of the larger lots might change.

Chair Hart read the description of the Rural and Planned Development Zones.

Prince Stevens said that his property was once Planned Development and got changed some time back. He wants it restored to commercial/residential so that he has more options for selling his property.

Anthony Cartonio noted that there is a bog which runs along side I295 towards Route 201. He also wanted to note that he approves of the change of zone for Mr. Stevens' property.

Dick Daniel said that his land abuts Brunswick Av. He has been interested in other properties beside and behind his property to expand his business but was unable to do so because of the current designation of High Density Residential Zone. He would like it rezoned.

Allie Vigue asked if the City had bought the lots on the Weeks Rd and were making a road to the Business Park. David said as far as he knew, no. David said the roads being developed are in Phase II of the Libby Hill Business Park.

Judy asked if the property owners were notified that their taxes would go up if the zone was changed. Bill Najpauer explained that if a property had a residence on it and was being used as residential, it would not change. A vacant piece of land, depending on the quality of the land, might change. If the use changed to commercial, it would be taxed commercial, although he said that there wasn't a lot of difference between the Rural and Planned Development Zones except for uses and didn't think the change in taxes would be significant.

Darryl Brown Jr. said that he wants his Property to remain Planned Development. He asked the Chair to read the definitions of Planned Development and Planned Industrial Commercial. Chair Hart asked Mr. Brown and Mr. Daniel about the traffic issues along that stretch of Rt 201. Mr. Daniel said that the problem is the double lane and people passing on both the right and left lanes. Also in the late afternoon, the sun is in the drivers' eyes. Mr. Brown said that any time you have a 55 MPH speed limit with entrances and exits onto the road; you are going to have safety issues.

Allie Vigue said that when he bought his property, the land was Planned Development. He had plans to develop a business, but personal issues delayed him. When he was ready to start, the zone had changed to Residential Growth and he couldn't continue his plans for development. His property, in the past, had been a camping area, a bar then a trailer park He said that when the Comprehensive Plan Implementation Committee updated the Land Use Ordinance and Zoning Map, it did not change the corridor along Brunswick Av, but kept it the same as it had been right along, Planned Development. During the City Council reviews, certain areas along that corridor were changed by the City Council.

David said that the Storage Depot owners want the zone changed to Planned Development also.

Lionel Thompson asked why the City was doing this. Chair Hart explained that the Ordinance Review Committee has been reviewing the current Ordinance and the Zoning Map. A number of property owners have come to the City over the years asking to have the zone changed back to Planned Development, a mixed use zone. There is no proposal at this time, they are only reviewing it and wanted input from the property owners. Debbie Willis said that the Ordinance

Review Committee is looking at all of Brunswick Av as one rather than just one piece at a time with competing interests on uses.

David said that a number of people have called him to see about running a business on a certain property along Brunswick Av. When he explains to them that their property is in a zone where the uses are limited in what is allowed, they don't understand why they can't do what they want because they see businesses across the street or next door to them. He explained that the Credit Union is in the High Density Residential Zone and they want to expand their parking lot and drive up window approach for safer access. They can't do this at this point because of the zone they are in. Changing the zone would give property owners a choice. It is very limited if it stays as is. There is currently a lot of traffic along Rt 201 and it is mixed use all along it as well.

Chair Hart said that some of the businesses were grandfathered. She noted that the Board wants to do what is best for Gardiner.

Allie Vigue said that the properties on the opposite side of the road from these other zones are zoned Planned Development and there is already traffic there.

Michelle Miles, who lives on Spring St, but owns property on Old Brunswick Rd, is strongly against changing the zone in her area to commercial. It is a dangerous stretch of highway and if more businesses were added, it would be worse.

Al Faust, speaking for his mother, Betty, said that he is not happy about seeing it changed.

Richelle Abbott lives beside Maine Drilling and Blasting. She has mixed feeling about it and just came to listen.

Dorothy Washburne said that she doesn't live in this area, but doesn't want to see commercial creep into residential. Gardiner has a reputation as a great place to live because it has maintained its beautiful neighborhoods.

Chair Hart noted that the property owners between Old Brunswick Rd and Brunswick Av want to keep the zone the way it is, but also recognized that there are properties, like the bank that are stranded between High Density Residential and Residential Growth Zones and are a business.

Mr. Faust said that he couldn't imagine anyone wanting to build a house in that area that the bank wants to expand into – everything around it is commercial. He said that should be zoned commercial.

Michelle Miles said that the road condition on the Old Brunswick Rd is very bad. If it were commercial, it would be worse. Judy asked Michelle if it would be ok if the bank property wants to expand. Michelle said that that section is quiet and it would be ok. She said the problem is traffic flying through Old Brunswick Road to West St.

Anthony Cartonio said that it should be noted that there is water on both sides of the road from Ainslie's out to the Interstate. Chair Hart said that the Board would consider this. Debbie said that they have discussed situations like this at the Ordinance Review Committee – the cumulative effect of things such as water, and have worked with Bill Najpauer on this subject in drafting the new Ordinance. Allie noted that the wetlands are all mapped and the State has the maps available. Dorothy noted that there is a group that will come in and map the wetlands for any municipality. She will email the contact information to Chair Hart. Dorothy noted that Gardiner is actually a peninsula – surrounded on three sides by water bodies – and being in the middle of the state, it is very unusual.

Chair Hart said that the Planning Board will take this information back to the Ordinance Review Committee. Any changes recommended will go to the Planning Board and then the Planning Board makes a recommendation to the City Council. She asked how the abutters will be notified. Dorothy Morang said that she will put a legal ad in the Kennebec Journal, it will go on the City's web site and abutters will get individual letters. Mr. Maschino noted that people can also sign up to receive emails of notices put out by the City. Bill said that zone changes requires the legal ad be published twice and does not require written individual notification to property owners unless their properties are directly affected.

**5.) ADJOURN**

Chair Hart adjourned the meeting at 7:45 PM