



## *CITY OF GARDINER*

6 Church Street, Gardiner, Maine 04345

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### ORDINANCE REVIEW COMMITTEE

Monday December 18, 2017 @ 3:00 PM

#### Meeting Notes

Members Present:

Chair Debby Willis Joel Alexander  
Louis Sigel  
Patricia Hart, City Councilor  
CEO/Assistant Planner, Barbara Skelton

Members Absent:

John Burgess Clare Marron Les Young

Also Present:

Dorothy Morang, Staff to Ordinance Review Committee  
Mark Eyerman, Planner  
Aleczaider Davis-Caire, Interested Community Member

1.) Welcome

Chair Willis opened the meeting and welcomed everyone.

2.) Roll Call

3.) Consideration of meeting notes of December 11, 2017

Page 2 next to last paragraph – ACU should be ABU & Page 3 February 12, 2018 Meeting – add Gardiner Main St & City Attorney to invite to the meeting.

Louis Sigel moved to accept the minutes. Pat Hart seconded the motion.

Vote: 5 in favor. 0 opposed. Motion passed.

Aleczaider Davis-Caire, a community member introduced himself and said that he wants to inspire people to get involved in their communities. He was helped as a young person in the City of Portland by someone and wants to help others. He currently lives in Gardiner and is looking to get involved in the Community. He was given information by Committee members about activities, boards & committees where he could be involved if he wanted to.

Mark addressed an issue that member, Les Young had brought up concerning the Land Use Table and the lack of a legend before each table. Currently there are random tables and they are different in what they contain. Mark has gone through these and updated a key and legend for each category.

### Old Business

#### 4.) Finish up the Rural uses & edits

Mark went over the corrections & edits that had been discussed at the last meeting – they are depicted in blue. He reviewed the Rural section of 7.6.3 of the Land Use Table for Commercial Uses and added footnote 11 to Accessory Business Use in the HDR & PR Zones

Page 22 - Rural Zone in Section 7.7 Dimensional Requirements, Mark changed the Min Road Setback Feet from 75/100 to 50/75. He also added footnote 15 to Min Lot SF columns for both with and w/o Sewer; footnote 16 to Min Road Front Ft; and footnote 17 to the District column.

#### 5.) Review subdivision regulations and possible amendments

Page 25 – Mark went through Section 7.8.3.1 updates he included concerning subdivisions – new roads, driveway entrances, abutting properties, buffering for non-residential uses other than commercial agriculture & commercial animal husbandry He addressed limits on gross floor area of buildings & structures, impervious surface area, location of parking, buildings/structures, service & storage areas or activities within side & rear setbacks. He also added/updated standards for buffer area & screening requirements and the building/structure height.

CEO Skelton asked if 7.8.3.3 applies to land divisions and not just subdivisions. Mark said yes. She suggested that a cross reference be made to other appropriate section to alert persons to these standards.

Concerns were brought up about the number of small lots along Libby Hill Road, coming off from Brunswick Av. They are in the Rural District but are quite small and are non-conforming. It was asked if they would be better in the High Density Residential District as far as setbacks, lot size, buffering, etc.

#### 6.) Definitions

Page 106 – Mark amended the definition of Accessory Business Use: The use of a portion of a residential dwelling for commercial purposes in which the “owner of the property either resides in the dwelling unit or is the owner/operator of the nonresidential activity.”

Mark will now go through this update and make a redline copy and a clean copy. CEO Skelton asked him to add a place hold for an amended & effective date.

## Other

Mark asked about the amendments that have gone through the Planning Board and City Council – Bees, Chickens & Administration. CEO Skelton said they have been approved and the adoption date is December 27, 2017

Things that are left to complete are Signs, CEO De Minimis Changes in Section 6, Historic District; and Subdivisions. He referred to the Town of Hallowell and the updates they have made to their subdivision rules. Their process includes requiring anyone proposing a large subdivision to do a site inventory & analysis and meeting with the Planning Board prior to submitting the subdivision plan. This includes looking at the property and talking with the Planning Board members about how the land will be best utilized and the limits before having a surveyor lay out the lots and roads. Some developers do this, but others draw out the plan. Mark suggested that we require This would be required for subdivisions with 5 or more lots or if a new road is going to be built.

Mark noted that the Historic District Ordinance is not a real one. CEO Skelton noted items that are mentioned in the Comprehensive Plan. One of those is a *demolition delay provision*. It would allow time for the property to be reviewed and documentation of the structural integrity as well as historical features of the building that might be preserved, etc.

Another issue concerns the archeological resources involving Cobbossee Stream and the dams along it. The Comp Plan talked about inventorying and documenting those resources. There is a group that wants to take all of the dams down for the return of the alewives. The dams can be designated as historical landmarks. This New Mills Dam Committee with membership comprised of several towns along Cobbossee Stream & Pleasant Pond. Any alterations to the dams could affect several towns and properties and waterbodies that flow into Cobbossee Stream.

The Comp Plan also makes note of the possible creation of a second historic district to include properties on streets around the Common. It mentions Historic Tax Credits – he noted that 1.13 of the Comp Plan – Planning Decisions worked for the State Historic Preservation Commission, documenting how many Historic tax credits were used. Mark said that these tax credits are not applicable to individual homes. He also noted that it is often an issue in areas of individual free-standing properties and what people will accept – you have a whole set of different issues than in an area such as the Downtown Historic District.

CEO Skelton spoke about a bill going through Congress concerning fire suppression systems due to several fires in buildings causing numerous deaths. This with give incentives to install sprinkler systems for multi-family properties and businesses.

CEO Skelton said that she is also the Tree Warden. She would like to see something added to the Ordinance. Dorothy noted that a tree warden ordinance was produced through the Conservation Committee several years ago. Pat said she will bring it up to the Mayor as part of the Comp Plan to see if he would suggest the ORC look at this. CEO Skelton also mentioned the work done by the

Housing Committee. Mark suggested that we might want the Comprehensive Plan Implementation Committee might want to meet to see where we want to go with some of these.

**Upcoming meeting dates with tentative topics:**

- January 8, 2018: Look at Historic & natural resources & Guidelines relative to dams
- January 22, 2018 Wrap up Ordinance changes/updates
- February 12, 2018: If not heard back by February on signs in the CB/Historic District, invite the Historic Preservation Commission members, Gardiner Main Street & the City Attorney to the meeting.
- 7.) **Adjourn**  
Meeting adjourned at 4:45 pm.