



# *CITY OF GARDINER*

6 Church Street, Gardiner, Maine 04345

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## ORDINANCE REVIEW COMMITTEE

Monday October 23, 2017 @ 3:00 PM

### Meeting Notes

Members Present:

Chair Debby Willis Joel Alexander John Burgess  
Louis Sigel Clare Marron  
Patricia Hart, City Councilor (via telephone-conference)  
CEO/Assistant Planner, Barbara Skelton

Members Absent:

Les Young

Also Present:

Dorothy Morang, Staff to Ordinance Review Committee  
Mark Eyerman, Planner

1.) Welcome

Chair Willis opened the meeting and welcomed everyone.

2.) Roll Call

3.) Consideration of meeting notes of October 16, 2017.

Clare Marron moved to accept the minutes. Joel Alexander seconded the motion.  
Vote: 7 in favor. 0 opposed. Motion passed.

## New Business

### **4.) Review Cobbossee Planned Development**

Mark went over the Revised October 20, 2017 document – Proposed Amendments to the Land Use Ordinance to Implement the Adopted Comprehensive Plan. He added Cobbossee Planned Development (CPD) District to the Establishment of District (Section 7.1). Continuing with the CPD, he added Section 7.5.17 the purpose of the district. He said that the Comprehensive Plan sets up the CPD to mirror the Residential Growth (RG) District area. He noted that there are two sets of standards for the CPD area – one set of development standards for the district and an alternative set for subdivisions served by public sewer and water – along the same lines as the High Density Residential (HDR) District.

Mark added a column for uses in the CPD to Section 7.6 Land Use Table. Members reviewed the uses and type of review required, if any. He added footnotes to some uses, further clarifying the standards. Mark said we need to work on the sign provisions for the CPD. For the uses - Offices up to 2,000 sq. ft. and Service Business he added footnotes 17 & 18.

Section 7.7 Minimum Dimensional Requirements – CPD are the same as in the RG. He added footnotes 9 - concerning how small dwelling units in multifamily housing shall be counted & footnote 10 – multifamily density for congregate care facilities, senior housing and other housing.

Mark went over Section 7.8.8.12 District Performance Standards for CPD. He noted the standards for residential subdivisions with more than 5 lots or dwelling units would follow the standards in this section rather than in Section 7.7 Dimensional Requirements. Members discussed various aspects of these standards concerning maximum setbacks, increased lot coverage and placement of garages & accessory buildings.

### **5.) Remaining Comp Plan Ordinance Amendments**

Mark went over his memo dated October 19, 2017. He referred to Chapter 8 of the accepted Comprehensive Plan – Short-Term Activities (Within 2 years). Members reviewed the various short-term activities listed and noted those that still needed to be completed.

Action 1.6.3 Update Flood Management provisions in the downtown – CEO Skelton noted that this has been updated since 2011. There seems to be some confusion that property owners whose buildings are in the floodplain can ask for a waiver. That is not so – they can ask for a variance and have been doing so right along. This Action is done.

Actions 1.8.1 & 2 need some updating – they deal with home occupations & creating accessory business uses.

Action 1.9.1 calls for creating provisions for accessory dwelling units. We will be working on this.

Action 1.11.1 & FLUP – creates the Cobbossee Planned Development. Working on that now.

Action 1.11.2 requires updating the subdivision ordinance to improve the quality of residential development. To be done.

Action I.13.3 Demolition of Historic Structures – there is a provision in Section 12.2.2.3 of the Land Use Ordinance to allow Gardiner’s Historic Preservation Commission to review demolition proposals of properties under its jurisdiction.

Action B.2-1 – develop new wellhead protection requirements for the water district’s wells. CEO Skelton noted that there has been some groundwater mapping done.

Mark’s thoughts on where we go from here:

- Finish the CPD

- Work on the HDR & R Districts

- Work on Home Occupations & dwelling units

- Work on residential development standards for subdivisions

John shared his concern about water levels rising and the downtown properties. Clare said that owners have been trying to figure out ways to get the mechanicals up out of the flood zone. John said by all studies, there will be significant changes in the next few years to 25 years in the water levels.

**6.) Review Site Plan, Minor changes, Section 6.4.5**

At the last meeting, the issue of making a change to allow minor changes after site plan or planning board approval has been granted was brought up by the CEO. It was suggested that some minor changes could be reviewed and granted by the CEO depending on the change. This item is being deferred to the next meeting.

**7.) Review Operation of a new Use – Hours of Operation, Section 6.2.3.2.8**

CEO Skelton noted that a new use of an existing building in the downtown, CB/HIST District was required to go to the Planning Board for review for only one reason – they wanted to be open past 7 pm. She noted that a number of business in that District are open past 7 pm. She suggested that they modify Section 6.2.3.2 8 d by adding: “except in CB & future Downtown Fringe Districts”. They discussed possible new hours of operation for these zones. John asked about surveying the downtown community to see what they think would be a good closing time. After further discussion, they determined that 7 am - 10 pm would be reasonable. If an applicant wants to be open later, they would have to have it reviewed by the Planning Board via Site Plan or Planning Board Review.

**Other**

**Upcoming meeting dates with tentative topics:**

November 13<sup>th</sup> Complete Cobbossee Planned Development (CPD) w/signs & other standards

November 27<sup>th</sup> Review Accessory Dwellings – standards for High Density Residential (HDR); Professional Residential (PR); & Rural (R)

December 11<sup>th</sup>

December 18<sup>th</sup> Shoreland

8.) **Adjourn**

CEO Skelton moved to adjourn the meeting. Joel Alexander seconded the motion.

Vote: 6 in favor. 0 opposed. Motion passed.

Meeting adjourned at 4:34 pm.