



CITY OF GARDINER

6 Church Street, Gardiner, Maine 04345

www.gardinermaine.com

ORDINANCE REVIEW COMMITTEE (ORC)

Monday January 8, 2018 @ 3:00 PM

Meeting Notes

Members Present:

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

Members Absent:

John Burgess Clare Marron

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 December 18, 2017

Barbara Skelton moved to accept the minutes. Joel Alexander seconded the motion.
Vote: 5 in favor. 0 opposed. Motion passed.

Old Business

Mark went over the draft Ordinance amendments – Revised January 2, 2018 and the steps for finalizing this document so we can have a version to take to the City Council/Planning Board workshop. CEO Skelton noted that the City Attorney still hasn't given her his feedback on sections

of the proposed Ordinance – he has had it since last October. She will speak with Acting City Manager, Anne Davis about this.

Mark asked to put the Omnibus Draft on the agenda for the January 22, 2018 ORC meeting.

4.) Look at Historic & natural resources & Guidelines relative to dams

Mark went over the Comprehensive Plan recommendations for dealing with historic and archeological resources. In his updated memo dated January 5, 2018, he identified several things that need to be addressed.

- a.) Ensure that in reviews for development proposals for Site Plan, Planning Board, CEO Review and Historic Preservation Commission that historic & archeological resources are looked at.
- b.) Enacting a provision for demolition delays.
- c.) Look at historic and archeological resources on properties not regulated by Section 12 and how do we include the Historic Preservation Commission in this.

Les asked how we would deal with any archeological discoveries made while developing – felt that the current proposal doesn't deal with this scenario. Mark said persons who have the knowledge to do these kinds of site evaluations are very limited – there is a 1 – 2 year backlog. He noted that the Maine State Historic Preservation Commission (MSHPC) Office has identified some pre-historic Native American sites, but the information is restricted so that amateurs do not disturb these sites.

Mark noted that that the standards in Section 6 ask developers to provide information on historic and archeological sites – he suggested we use that language here.

Louis Sigel arrived.

Mark went over Page 1 “Inventory of Historic and Archeological Resources and noted that in the development review criteria for subdivisions, we include this.

Mark went over the recommended policies and actions from the Comp Plan- updating the Floodplain management requirements for the Historic District; promoting the use of historic rehabilitation tax credits; encourage reinvestment in historic properties; and consideration of historic and archeological resources in the subdivision and other planning board reviews.

Mark went over the proposed wording requiring demolition delays. The Certificate of Appropriateness application for demolition will include the new requirements.

Les asked what if the action only requires a permit and doesn't go to the Planning Board. He said that there is no licensing for contractors, so many of them do what they want.

CEO Skelton noted that for a CEO Review she follows the same requirements as in the other Planning Board reviews. She also noted that the Shoreland ordinance talks about archeological sites and what needs to be done. The larger development projects usually get a letter from the MSHPC stating whether or not there are any historic or archeological sites on the property. Chair Willis asked what other communities do. Mark noted the communities who have Certified Local Government status work with the MSHPC on this. CEO Skelton went over the requirements for CEOs to be certified, but noted contractors do not have to be certified. Mark noted that between 75 & 90 percent of the communities in Maine do not fall under the International Building Code requirements.

Members reviewed the proposed language for the demolition requirements. In section 12.7.3.10.1 they suggested removing builders from the persons able to do the assessment and in 12.8.3 that in determining that repair of a building is not possible - builder was deleted.

Members discussed Dam 1 on Cobbossee Stream – a study has been done on this. The state, in replacing the Bridge St bridge, plan to remove a portion of the dam.

Typo: Section 12.8.4 – 2nd line, after the word if, add it.

Mark will make the amendments noted today and provide a final draft for the next meeting. He asked how we include the HPC in the review of these changes. Dorothy noted that Member, Clare Marron is on the HPC and the Downtown Committees. CEO Skelton will notify the HPC of the next meeting.

Mark will call the MSHPC to get a list that they have for Gardiner identified historic and archeological sites and ask for guidance on how to deal with discovered sites during construction.

Mark told about a prehistoric site discovered near Aspen, CO during a water district dig. He suggested members might want to Google - Aspen Water District Dig – he said it is extremely interesting.

Mark will give us a proposal for subdivision at the next meeting.

6.)

Other

Upcoming meeting dates with tentative topics:

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.