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Debby Willis, Chairperson
Angelia Christopher, Administrative Assistant

ORDINANCE REVIEW COMMITTEE

MINUTES

Monday June 21, 2021 @ 5:00 PM

VIA Virtual Conferencing

**In accordance with An Act To Implement Provisions Necessary to the Health, Welfare and Safety of the Citizens of Maine in Response to the COVID-19 Public Health Emergency, as enacted to read: Sec. G-1 1 MRSA §403-A Public proceedings through remote access during declaration of state of emergency due to COVID-19*

1. Call the meeting to order- Chair Willis called the meeting to order at 5pm.

2. Roll Call- Clare Marron, Rusty Greenleaf, Louis Sigel, Mayor Pat Hart, Kris McNeill, Chair Debby Willis, Mark Eyerman, Tracey Desjardins, Angelia Christopher. Lester Young was not present.

3. Review of May 17, 2021 meeting notes- Chair Willis asked if any corrections were noted. No. Rusty Greenleaf makes a motion that the minutes be accepted as printed. Clare Marron seconds. No further discussion. Roll call vote. Louis Sigel- yes, Clare Marron- yes, Rusty Greenleaf- yes, Kris McNeill- yes. All in favor.

4. Finalize amendments to PB notice requirements- The purpose of this ordinance change is to give abutters more notice for projects in their area. This was brought back after the last meeting to add a provision for a physical notice. There will be a physical sign placed on the property with information about the proposed development. This physical notice would follow the same timelines for public notice and abutter notice. This type of notice will only need to be posted for the larger type projects including Site Plan, multifamily, or subdivision projects. The physical notice would consist of a 4'x4' sign, in either yellow or white that would need to be posted at a highly visible place. This was supposed to be heard by the Planning Board this week, but due to the substantive change, this will have to go to a different meeting in order to meet public notice requirements. Mark Eyerman will make changes and this will be sent right to the Planning Board. Chair Willis asks for a motion to send this to the Planning board after Mark Eyerman makes the changes suggested. Louis makes a motion, Rusty Greenleaf seconds the motion. No further discussion. Roll call vote. Louis Sigel- yes, Clare Marron- yes, Rusty Greenleaf- yes, Mayor Pat Hart- yes, Kris McNeill- yes. All in favor.

5. Finalize proposed standards for Solar Electric Production Facilities (SEPFs) Mark made a couple of changes at the request of the committee. On page 4 revisions were made to where ground mounted arrays will be allowed in the city. At the committee's request, Mark removed a number of districts from allowed use, which limited where ground arrays would be allowed. He added information to the landscaping and buffering requirements. Applicants will now have to show what the project will look like with buffer/screening added at one and again at five years. He added a provision to add flexibility in the height restrictions if the applicant can prove that it will not negatively impact other properties. Chair Willis asks if the committee is ready to send this to the Planning Board. Yes. Rusty Greenleaf makes a motion to send this to the Planning Board as presented. Second by Louis Sigel. No further discussion. Roll call vote. Louis Sigel- yes, Clare Marron- yes, Rusty Greenleaf- yes, Mayor Pat Hart- yes, Kris McNeill- yes. All in favor.

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6. Review possible standards for accessory solar installations- Mark presented changes which included splitting this into two categories of ground mount and building mount. Kris McNeill states that the ordinance needs to reflect the need for a permit. It is not spelled out in the ordinance specifically if a solar project needs a permit, and it should be. The biggest concern is where a project is placed, and the fact that it could inhibit an abutter's view. Having a permit in place, would help to make sure that solar projects are being installed where they should be.

Mark points out that the Fire Protection Codes requires a provision stating that panels cannot go all the way to the edge of the roof. There needs to be a space for fire safety professionals to walk on the roof in the event of an emergency.

Clare Marron asks about solar in the Historic Preservation areas. HPC has very clear guidelines, and a project such as a solar array in the HPC zone, will have to go before that committee for decision.

Mark made adjustments to the performance standards that include how far from property lines, how tall the structures can be. He also included guidelines for screening/buffering accessory projects. Mark will make changes and put them on the ORC agenda for review in August.

7. Discuss tree harvesting standards in the HDR District- This has come up due to a large clear cut that recently happened on Brunswick Ave. This project has upset many people that live in the community. There was approximately 19 acres cut, which is just under the state limit. The general consensus is the work was done poorly. There are many questions as to whether erosion or stormwater control measures were taken, as there are reports of water runoff. Mayor Pat Hart states that this has been a problem at the business park. Clearing the land for projects at the Business Park, which is full of ledge, has caused some trouble with groundwater and runoff into neighboring parcels. When trees are cut, there can be lots of water runoff. Gardiner does not regulate timber harvesting. A licensed arborist goes to the state for approval, and then Kris receives notification of the tree harvest. Does Gardiner want to prohibit timber harvesting in certain areas? If the City wants to limit harvesting, they will need to take over permitting for timber harvesting in the community. The big question is does the City want to limit timber harvesting through the state any more than they do? Kris says that harvesters have to follow best practices, which includes avoiding any negative impact on neighboring properties. Mark will look into this, and bring it back for the August ORC meeting.

8. Other: The next ORC meeting will be held August 16th. There will be no meeting in July. Items for the August meeting will include tree harvesting, blasting notification, and standards for solar installations.

9. Adjourn: Chair Willis asks for a motion to adjourn. Louis Sigel makes a motion to adjourn at 6:30pm. Rusty Greenleaf second. No further discussion. Roll call vote. Louis Sigel- yes, Clare Marron- yes, Rusty Greenleaf- yes, Mayor Pat Hart- yes, Kris McNeill- yes. All in favor.