



CITY OF GARDINER

PLANNING BOARD

Planning Board Meeting Minutes Tuesday, March 20, 2018

Members Present: Chair Debby Willis Diane Morabito
Zachary Hanley Joel Alexander

Members Absent: Pam Mitchel Les Young

Also Present: Barbara Skelton, Code Enforcement Officer (CEO)/Assistant Planner
Dorothy Morang, Administrative Assistant

- 1.) **Call the Meeting to Order**
Chair Willis called the meeting to order and welcomed everyone.
- 2.) **Roll Call**
- 3.) **Review of Meeting Minutes of November 14, 2017**

Diane Morabito moved to approve the minutes. Zach Hanley seconded the motion.
Vote: 3 in favor. 0 opposed. 1 abstained (Joel Alexander was not at the meeting).
Motion passed.

New Business

- 4.) **Public Hearing – Land Use Ordinance Changes**
The Ordinance Review Committee (ORC), on November 13, 2017, recommended proposed changes to the Land Use Ordinance concerning hours of operation for new uses in the Central Business and future Downtown Fringe Districts. The changes include the following:

Amend Section 6.2.3.2.8.d within Section 6.2.3.2 *Activities Subject to Planning Board Review*

Chair Willis gave a brief overview of the proposed change. A typo was noted on the ORC recommendation – the word “if operation” should be changed to of operation.

Chair Willis asked if members felt they could hear these proposed amendments in an unbiased manner. All agreed that they could.

Chair Willis opened the public hearing. No members of the public were in attendance and a check with staff determined that there were no comments submitted by the public.

Chair Willis closed the public hearing.

Diane asked why we were approving a change in the Land Use Ordinance to a future district. Chair Willis explained that it is just a difference in designation. The current Central Business is being divided into two districts – the Downtown Fringe which encompasses the areas which includes McDonalds, Cumberland Farms, Hannaford, etc. – areas that are already built up and the other area is the Downtown which includes Water St and the historic district. The new maps will be done shortly. Diane was satisfied with the explanation.

Diane Morabito moved to approve this amendment. Joel Alexander seconded the motion. Vote: 4 in favor. 0 opposed. Motion passed.

5.) Public Hearing – Land Use Ordinance Changes

The Ordinance Review Committee, on February 26, 2018, recommended proposed changes to the Land Use Ordinance concerning Board of Appeal Procedures. The changes include the following:

Amend Sections 2.4.4.1; 2.4.4.2; 2.4.4.3; 2.4.4.6; and 2.4.4.8 within Section 2.4.4 *Appeal Procedure*.

Chair Willis went over the proposed changes. A typo was noted in the ORC recommendation – the word “Appear” should be changed to Appeal.

Chair Willis asked members if they felt they could hear these proposed amendments in an unbiased manner. All said they could.

Chair Willis opened the public hearing. No members of the public were in attendance and a check with staff determined that there were no comments submitted by the public.

Chair Willis closed the public hearing.

Diane noted that in Sec 2.4.4.2, concerning providing required notices to members of the Planning Board and the Town Planner – she suggested, and all agreed, to strike the word Town as this is a City.

Joel Alexander moved to approve this ordinance change regarding notice requirements of an appeal as amended. Zach Hanley seconded the motion. Vote: 4 in favor. 0 opposed. Motion passed

Zach Hanley moved to send these proposed changes forward to the City Council. Diane Morabito seconded the motion. Vote: 4 in favor. 0 opposed. Motion passed.

Other

Chair Willis gave a brief overview of where the ORC is relative to completing the review and updating of the Land Use Ordinance. She said a large portion of the update is in a document called the omnibus which is just about complete. She noted that the Indoor Cultivation use has gone to the City Council and been approved. They are hoping to have everything wrapped up in a few months.

CEO Skelton noted that she has a small number of 2017 Maine Land Use Law Booklets for use by the various boards/committees. She distributed some copies to members and is keeping some copies in the Council room for use by the other boards/committees if needed.

Chair Willis noted that the Planning Board, as part of their decision making, should be documenting their Findings of Fact and Conclusions of Law for each application. CEO Skelton said that all of the boards/commission should do this as the decision could be appealed and these would become important information in the appeal. She has created a template to use.

Chair Willis thanked CEO Skelton and Dorothy for their work on the timelines for the applications and appellant notifications in the Appeal Procedure and also ensuring consistencies in the standards.

5.) ADJOURN

Joel Alexander moved to adjourn. Zach Hanley seconded the motion.

Vote: 4 in favor. 0 opposed. Motion passed.

Meeting adjourned at 6:37 pm.