



# CITY OF GARDINER

## PLANNING BOARD

### Planning Board Regular Meeting Minutes Tuesday, May 08, 2018

**Members Present:** Chair Debby Willis    Diane Morabito    Pam Mitchel    Les Young  
Joel Alexander

**Members Absent:** Zachary Hanley

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

- 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 March 20, 2018**

Diane Morabito moved to accept the minutes. Joel Alexander seconded the motion. Vote: 3 in favor. 0 opposed. 2 abstained (Pam Mitchel and Les Young were not at the meeting). Motion passed.

## New Business

### 4.) Public Hearing – Land Use Ordinance Changes

The Ordinance Review Committee, on February 12, 2018, by a vote of 6-0-0, recommended proposed changes to the Land Use Ordinance relating to Historic and Archaeological Resources. These proposed changes are being sent the Planning Board for review and recommendation to City Council.

Chair Willis went over the proposed changes.

Pam questioned identifying the KJ specifically as the newspaper as its name is probably going to change with the merge of the KJ and Morning Sentinel. CEO Skelton suggested using the same language, for consistency also, as in LUO Section 6.4.6.4 “shall be published in a newspaper having general circulation in the municipality.”

Diane made a few suggestions in Section 12. In 12.7.3.10.1, 2<sup>nd</sup> sentence - she recommended changing structural engineer or architect to: *licensed professional engineer with expertise in structures or a licensed architect with experience in the renovation of historic properties*. Section 12.8.3, Diane recommended changing structural engineer or architect to: *licensed professional engineer with expertise in structures or a licensed architect and with experience in the renovation of historic properties*.

Chair Willis asked if there were any more questions. Hearing none, she opened the public hearing.

6:23 pm – Opened Public Hearing – no comments from the public or none received by City Staff from the public.

6:24 pm – Public Hearing Closed

Les Young moved that we approve the proposed Ordinance changes in a draft, Historic & Archeological Resources dated February 11, 2018 with the changes cited tonight and it be sent to the City Council for review and a recommendation that it be adopted. Diane Morabito seconded the motion.

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

### 5.) Public Hearing – Land Use Ordinance Changes

The Ordinance Review Committee, on March 26, 2018, by a vote of 6-0-0, recommended proposed changes to the Land Use Ordinance relating to Signs. These proposed changes are being sent the Planning Board for review and recommendation to City Council.

Chair Willis went over the proposed changes to Sections 10.24 & 25. She noted that some of the definitions were eliminated and some added. The proposed revisions make it easier to explain to applicants and to administer.

Pam noted that in 10.24.3.1, the word a should be changed to: *are*. Pam asked a question about prohibited signs – portable signs 10.24.4.5. CEO Skelton referred her to the definition and explained the difference between an electronic message board and a reader board. Pam had other questions concerning consistency in wording when measuring shapes.

10.24.5.1.5 Complex Signs - second part of 2<sup>nd</sup> sentence – insert the words: *simple geometric Shapes* - before the words square, rectangle, circle, ellipse or triangle.

10.25.3 Complex Signs or Irregularly Shaped– remove the words: or Irregularly Shaped Signs in title and change the word oval to *ellipse* in the description.

10.24.5.14 Applied Signs – 2<sup>nd</sup> sentence, insert the words *simple geometric Shapes* - before the words square, rectangle, circle, ellipse or triangle.

Chair Willis noted that the Ordinance Review Committee did a lot of work on this, including field trips to view existing signs and placement. Diane said she thought this proposed change was laid out well.

6:38 pm Open Public Hearing

John (Jack) Skehan addressed the Board members. He said the CEO has been working with him on this and Dorothy helped him also. As a business owner, he has the latest and greatest technology to serve his clients and takes pride in his property. His current sign will probably have to be removed because of the reconstruction of the bridge on Bridge St by MDOT. He would like an electronic readerboard and was told that it wouldn't be allowed in that zone. He doesn't understand the opposition to it – there is nothing on Bridge St that is residential. His property faces the “triangle”, proposed new zone - there is nothing historical in it except for the railroad station. He would like to know the logic for not allowing an electronic readerboard on Bridge St. The houses at the bottom of Highland Ave have been torn down. In the winter months, it's difficult to go out and change the message. Also he had kids changing the message. The letters are plastic – they get dirty and yellow – he doesn't understand the logic. He places messages in there for various events if he's asked to that benefit the community.

CEO Skelton said agrees that it would be more attractive than letters. Chair Willis noted that under this new version, it would not be allowed in the Cobbossee Corridor District that he is in. Jack said if he had a different use like the Credit Union, he could have the electronic readerboard. Chair Willis said in accordance with a recent US Supreme Court ruling, we can't distinguish between uses.

Les said he believes Jack has a legitimate point– he can see restricting the number of lines & color & controlling the amount of light emitted. Diane said she would suggest a single color. Jack said he would be happy with a single color- maybe green on white. Jack read the purpose on page 1 of this document – he said the electronic readerboard meets the purpose better than plastic letters.

Joel said they decided not to allow it in the Cobbossee Corridor District because of the majority of property types in that zone. CEO Skelton said under the current Ordinance, 10.24.5.11.2 allows internally illuminated signs on lots abutting Bridge Street north of the Cobbossee Stream. Chair Willis said we can craft an amendment to the draft allowing the internally illuminated electronic message board, but limiting it to those lots facing Bridge St. All members agreed with that.

Amendment – Page 24, Cobbossee Corridor Zone, under Illumination of Signs, Electronic Message Board - Non-residential, put an \* beside the word No. Below, in the Notes section, add

the letter B. and the following exception: *permitted only on lots abutting Bridge St north of Cobbossee Stream.*

Page 31 – 10.24.7.3.1.1, 1<sup>st</sup> sentence –after the word approval, add the word: *from.*

Pam Mitchel moved that we approve the Ordinance changes in the proposed draft, Signs dated April 3, 2018 with the changes noted and it be sent to the City Council for review and recommendation that it be adopted. Diane Morabito seconded the motion.  
Vote: 5 in favor. 0 opposed. Motion passed.

6.) Public Hearing – Land Use Ordinance Changes

The Ordinance Review Committee, on April 9, 2018, by a vote of 7-0-0, recommended proposed changes to the Land Use Ordinance relating to Section 14, Subdivision Standards. These proposed changes are being sent the Planning Board for review and recommendation to City Council.

Chair Willis went over the proposed changes to the Ordinance relating to Subdivisions in a draft dated 4/19/2018 with comments and changes recommended by the City's Attorney, Jon Pottle, dated 5/7//2018.

Chair Willis noted that Planner, Mark Eyerman looked at subdivision requirements in state law as he was reviewing the current Ordinance and suggested a number of changes to meet them. In addition, several other major changes have been proposed:

- Adding a Pre-Application Conference Review to include a Site Inventory & Analysis.
- Separating a minor subdivision (5 or less lots) from a major subdivision.

Members went over the various sections of the draft and the updates suggested by the City Attorney. In section 14.5.4.4.2.7.4 Traffic Impact Analysis, Diane Morabito, a Board member and licensed traffic engineer had some concerns about the standards. It was decided to send this back to the Ordinance Review Committee and have Diane meet with the CEO & Planner to assist in drafting new language.

Page 19 of the draft, it was decided that rather than putting in specific dates for various manuals, to use the words, "most recent edition" or similar existing language in the Ordinance.

Opened Public Hearing - no one from the public was in attendance for this item. City staff did not receive any comments.

Closed Public Hearing

Chair Willis said that this item will go back to the Ordinance Review Committee for more work.

Other

7.) ADJOURN

Pam Mitchel moved to adjourn. Joel Alexander seconded the motion.

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

Meeting adjourned at 8:08 pm.