

**Minutes**  
**Pittsfield Planning Board**  
**Regular Meeting**  
**March 10, 2014**

The Pittsfield Planning Board met on Monday, March 10, 2014 at 7:00 pm in the Council Chambers of the Pittsfield Municipal Building, 112 Somerset Avenue, Pittsfield, Maine.

**Present:** Brent Newhouse, Royce Sposato, Holly Zadra, Jan Laux and Thomas Cote. **Absent:** Alan Dunphy, Jack Wright and Walter Reuter. **Also Present:** Town Manager Kathryn Ruth and Building Inspector Steve Seekins.

1. Vice Chair **Royce Sposato** opened the meeting by leading the Pledge of Allegiance to the flag.

Vice Chair **Royce Sposato** granted Associate Member Tom Cote voting status in order to have a quorum.

2. Motion by **Jan Laux** and seconded by **Brent Newhouse** to adopt the minutes of the meeting of February 10, 2014.

**VOTE: UNANIMOUS AYE**

3. **Public Hearing:**

- a. Proposed ordinances changes to Chapter 13 and Chapter 13-C to address un-kept buildings and yards and in-law apartments.

Vice Chair **Royce Sposato** opened the Public Hearing. No one other than board members and staff were in attendance. Vice Chair **Royce Sposato** closed the Public Hearing.

4. **New Business:**

- a. Consider recommending proposed changes to Chapter 13 and Chapter 13-C to address un-kept buildings and yards and in-law apartments.

A copy of the proposed ordinance is available at the Town Office at 112 Somerset Avenue in Pittsfield.

Motion by **Holly Zadra** seconded by **Tom Cote** to recommend to the Town Council the proposed changes to Chapter 13 and Chapter 13-C to address un-kept buildings and yards and in-law apartments.

**VOTE: UNANIMOUS AYE**

5. **Old Business:**

- a. Review proposed changes to Chapter 16 Shoreland Zoning Ordinance, Section 15 Land Use Standards to address density requirements to allow development in the General Development of Shoreland Zoning.

The Board may be asked to consider setting changes to a Public Hearing.

Vice Chair **Royce Sposato** lead the discussion on changes to Chapter 16 Shoreland Zoning. It was decided that choice # 2 should be rewritten from:

**Choice # 2**

**NOTE: In the General Development District that is served by municipal water and sewer systems, capable of supplying service, the Planning Board may approve greater residential or use densities than set forth in Section 15 (1) (a)(b)(c) above provided the development is contained in existing structures only.**

To:

**NOTE: In the General Development District that is served by municipal water and sewer systems, capable of supplying service, the Planning Board may approve greater residential or use densities than set forth in Section 15 (1) (a)(b)(c) above provided the development is contained in the foot print of the existing structures only.**

There was a lengthy discussion on how this amendment could be utilized to assist with development of those structures which were historically built along certain areas of the Town that are now in shoreland zoning. This will be a helpful tool to assist with development if water and sewer infrastructure are available in those areas, which then protects the properties currently zoned as shoreland.

Motion by **Jan Laux** and seconded by **Tom Cote** to approve choice # 2 as rewritten.

**VOTE: UNANIMOUS AYE**

Motion by **Tom Cote** and seconded by **Holly Zadra** that the proposed change to the Shoreland Zoning be set to Public Hearing on April 14, 2014.

It was agreed if enough time was not available for advertisement, the public hearing would be moved back to a later meeting.

**VOTE: UNANIMOUS AYE**

- b. Continue the implementation of the Land Use Plan Strategies in the Comprehensive Plan adopted August 2013 - List of required items on page 137

Vice Chair **Royce Sposato** lead the discussion on list of items on page 137 (listed below) of the Comprehensive Plan. Planning Board comments are show in ***italic bold*** type below.

- Increase the permissible density in certain growth districts by permitting accessory apartments (in-law apartments) to be added to existing homes without additional acreage requirement.

*The Planning Board has completed this item, held a Public Hearing and their recommendation have been submitted to the Town Council.*

- Increase the permissible density of the R-1 Residential District by lowering the minimum lot size of unsewered lots from 22,500 square feet to 20,000.

*The Planning Board recommended the above item not be instituted.*

- Reduce development pressure in the C-4 Rural District by limiting new mobile home parks (and expansions) to no more than four lots or units.

*The above was discussed and it was felt that more research is needed to address lot size, and common sewer and water and other requirements. It was requested that Steve Seekins consult with mobile home park owner Dwayne Ames and report at next Planning Board meeting.*

- Review permitted uses and standards for commercial development in the C-4 Rural District. Large-scale commercial development should not be permitted unless it is resource-dependant. Resource-dependant uses, especially farms and on-farm operations, should be encouraged with a minimum of regulatory restrictions.

*Steve Seekins noted that Home Enterprises are an allowed use in C-4 along with Home Occupations however there is not definition for Home Enterprises. Steve Seekins and Kathryn Ruth will on work providing a proposed definition. The use charts were also reviewed and Corridor Development Overlay District was discussed.*

Motion by **Jan Laux** and seconded by **Tom Cote** to table the review of the remaining items the list to the next or another meeting.

**VOTE: UNANIMOUS AYE**

## 6. **Other items that come before the Board**

**Holly Zadra** asked if the Planning Board Members received her email. Steve Seekins stated apparently it was only sent to **Royce Sposato**. Steve Seekins agreed to mail it to the rest of the Planning Board Members. **Holly Zadra** expressed her concerns that the Ordinances do not provide a way to not permit businesses that are not the type desired in parts of the Comprehensive Plan. She states we have no way of saying no or to challenge business type or design. She would like to address specific things in the Comprehensive Plan as she feels we have no way of addressing it in our permitting process or our site plan application review process. She states she believes this was an issue in the Family Dollar Store approval at the last meeting. **Tom Cote** stated if the business meets the qualification of the ordinances they should be allowed. This is why we have ordinances. Kathryn noted that the types of items that Holly questioned at the prior meeting under the purview of the Planning Board were of a site design nature. The Town does not have a site design ordinance as these regulations are not always looked at favorably as they can be very restrictive and the Town does not have the resources to enforce this type of ordinance at this time. **Brent Newhouse** noted we are not the Town of Freeport and we need to be careful to not

discourage potential developers. **Royce Sposato** noted that this is what we are doing tonight by discussing the Comprehensive Plan and seeing how it fits into our codes. Kathryn Ruth noted that our Ordinances are in compliance with the new Comprehensive Plan except the listing compiled in the plan by the consultant. This is the list of items which the Planning Board has been working on this year and has discussed in detail this evening. Kathryn explained that now we have left discussion of those items and are talking about peoples' preferences.

The discussion continued on the pros and cons of development. Kathryn Ruth noted the items we worked on earlier this evening are items needed to bring ordinances up to the requirements of the new Comprehensive Plan. She noted the other items Holly is bringing up are preferences of the Plan which are not mandatory in ordinances. If preference language such as site design standards were implemented, sometimes it does draw certain types of development over other types of development and sometimes it restricts development.

Kathryn Ruth discussed the planned sidewalk repair and safety enhancements proposed for Somerset Avenue. The Town has taken all funds that can be made available for sidewalks and has dedicated the funds for repairs to the Somerset Avenue sidewalks. This work is to be completed prior to the State's mill and fill project added to the MDOT Capital Plan for this summer. The Town has very limited funding around \$200,000 while a full scale replacement and renovation of the sidewalks on just this road alone would be approximately \$600,000 including inspection. If the bids come in reasonable and the market is competitive, the Town hopes to complete renovations and/or reconstruction on four sections of Somerset Avenue. These sections will allow the Town to do the most work possible. If the bids are high, then some of the work will obviously be deleted and we will do as much as we can. In any case, any work on this antique sidewalk system will be a great enhancement and very positive for the community.

## **7. Adjournment:**

Motion by **Tom Cote** and seconded by **Holly Zadra** that the meeting be adjourned at 8:57 pm.

**VOTE: UNANIMOUS AYE**

Respectfully submitted by:  
Steve Seekins, Building Inspector  
Nicole Nickolan, Town Clerk