

Minutes
Pittsfield Planning Board
Regular Meeting
June 9, 2014

The Pittsfield Planning Board met on Monday, June 9, 2014 at 7:00 pm in the Council Chambers of the Pittsfield Municipal Building, 112 Somerset Avenue, Pittsfield, Maine.

Present: Alan Dunphy, Brent Newhouse, Walter Reuter, Jack Wright, Holly Zadra and Jan Laux.

Absent: Royce Sposato and Tom Cote. **Also Present:** Lori Swartz of the Heart of Pittsfield Group, Vaughn Woodruff, Eamon-John Zadra Woodruff, Town Manager Kathryn Ruth and Building Inspector Steve Seekins.

1. Chair **Alan Dunphy** opened the meeting by leading the Pledge of Allegiance to the flag.
2. Motion by **Jan Laux** and seconded by **Holly Zadra** to adopt the minutes of the meeting of April 14, 2014.

VOTE: UNANIMOUS AYE

Motion by **Jan Laux** and seconded by **Walter Reuter** to adopt the minutes of the meeting of May 12, 2014 as corrected.

The following sentence was deleted from the minutes at the request of **Holly Zadra**:
“**Holly Zadra** indicated that she is feeling some vibes here but does not think there really are any”.

VOTE: UNANIMOUS AYE

- 3 **Public Hearing: NONE**
- 4 **New Business: NONE**
- 5 **Old Business:**

- a. Response to Jane Woodruff’s letter of February 11, 2014

A proposed letter dated 06-09-2014 to Jane Woodruff was presented to the Planning Board for review and approval. The Family Dollar Store application was the impetus for the letter and many of the questions were about the application. The Planning Board Chair spent several hours and had only answered a few of the many questions and noted that it would have taken two more weeks to try to answer everything and then in many cases, the Town does not have the information. As the Town has been advised in the past that it cannot discuss the details of an application, it became clear that we needed some help in determining how to proceed. The advice of the Town Attorney was sought on how to address these types of items when there had been an application voted on by the Planning Board. It was noted that the proposed letter was reviewed and recommended by the Town Attorney. After a long discussion the following motion was made:

Motion by **Jan Laux** second by **Jack Wright** that the letter, as written, is to be delivered to Jane Woodruff in person by Board Chair **Alan Dunphy**.

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

- Tabled motion on the C-1 Zoning District uses

Motion by **Walter Reuter** and seconded by **Jan Laux** not to recommend any changes to C-1 that was tabled at the 04-14-2014 meeting was removed from the table voted on.

VOTE: UNANIMOUS AYE

- Mobile Home Parks in the C-4 Zoning District

After a discussion it was decided as per recommendation of the approved Comprehensive Plan the board will recommend that mobile home parks in C-4 be limited to no more than 4 units. This will be added to a list of Town Zoning Ordinance that will need to be re-written.

Motion by **Alan Dunphy** and seconded **Jack Wright** to add to the list of Ordinances to be rewritten that mobile home parks in district C-4 are to be limited to no more than 4 mobile homes per park.

- Large Scale Commercial development in the C-4 Zoning District

Following a discuss the following motion was made:

Motion by **Alan Dunphy** and seconded by **Walter Reuter** that Large Scale Commercial Development in the C-4 Zoning District shall be restricted to the CDOC area of the C-4.

VOTE: UNANIMOUS AYE

- Home Enterprises requirements for the C-4 Zoning District

The Home Based Enterprise (Work Sheet) was reviewed in detail. The blank areas requiring quantities were filled in. It was decided the exterior storage of materials areas shall be shielded from view. Below is the work sheet as amended:

Home Based Enterprise (Work Sheet)

Definition: A Home Based Enterprise is business conducted by the owner or lessee of his or hers dwelling unit or other building on the same lot as the dwelling in Rural District C4. The lessee must obtain owner permission. This ordinance shall not apply to agricultural businesses such as farms and farm stands.

Intent:

The intent of this ordinance is to allow the operation of Home Based Enterprise that will allow uses in zoning district C-4 that may have a greater impact than those allowed in a Home

Occupation Business while having a minimal effect on surrounding properties. A Site Plan Review will not be required for Home Based Enterprise approval. A permit for a Home Based Enterprise shall be granted by the (Code Enforcement Officer or the Planning Board) (chosed one) once found the use conforms to the following:

The lot must be a minimum of two (2) acres in land area with at least 200 feet of Lot frontage.

No more than 5 persons other than the owners or lessees shall be engaged in such occupation at the site.

No more at 50% of the living area of the dwelling shall be used for the Home Based Enterprise either in the residence or another building on the lot.

There shall be no change in the outside appearance of the dwelling or other buildings except to add non-display windows or changes required to access the building. A sign as allowed by town codes is permitted.

No equipment or employee parking or material storage shall be allowed in the 50-foot road setback area and within 30 feet of the other property lines.

If traffic generated exceeds 25 trips per day The Planning Board may require the owner to submit a traffic impact analysis by a professional traffic engineer.

On state maintained roads a Maine Department of Transportation driveway entrance permit or change of use permit is required. Town roads will require town permit if new driveway is added.

No roadside parking shall be allowed.

The driveway area shall be large enough to prevent trucks or other vehicles from needing to back in from or back out into the road.

Objectionable condition such as noise, vibration, smoke, dust, electrical disturbances, idling of trucks, testing of machinery or odor outside of the hours of 7:00 am through 7:00 pm shall not be allowed.

Exterior lighting must be shielded down lighting.

Exterior storage of materials, product or equipment shall occupy no larger an area than 10,000 square feet and at least be 100 feet from any residential dwelling other than owner's dwelling. ***The Storage shall be shielded from view.***

All business vehicles must have a current inspection sticker and be registered if required by state law.

Any uses, which were in active existence on the effective date of this ordinance, shall be allowed to continue and shall be considered preexisting non-conforming uses, but only to the extent of actual active pursuit of the use (in number of employees, vehicles, types of use, etc.). Any subsequent change or diminution of such use will result in the partial or total loss of such "grand-fathered" status.

Motion by **Alan Dunphy** and seconded by **Walter Reuter** that the Planning Board recommends the Home Based Enterprise (Work Sheet) as amended to Town Council.

VOTE: UNANIMOUS AYE

- c. Page 137 Regulatory Changes to eliminate conflicts between the Riverfront and underlying Shoreland Zoning”. Request the board members review and be prepared discuss/make recommendations at next meeting. (List of conflicts enclosed in the board member’s packages).

Information and comparison sheets on the above conflicts were provided to the board members to study for discussion at next Planning Board Meeting.

6. Other items that come before the Board

Kathryn Ruth handed out copies and explained the Census “Community Facts” document that lists information, population, income, etc for the Town of Pittsfield in 2010. Jan Laux requested this at the last meeting.

Chair **Alan Dunphy** asked for comments from around the room. Lori Swartz stated she found the process very interesting. She was invited to join the Planning Bo

Jan Laux asked for current statues of SAS building. Kathryn Ruth advised the building is now in the State of Maine Historic Register. Further application is need to be place on National Historic Register.

Holly Zadra asked for small scale zoning chart. She was advised there were copies in the previous Comprehensive Plan Book. If she does not have that book one can be provided.

Alan Dunphy requested a copy of the finalized Comprehensive Plan.

Brent Newhouse requested an update on Somerset Avenue sidewalk project. Kathryn provided a verbal update.

Lorie Swartz stated that attending the meeting was very helpful to promote working together with the Heart of Pittsfield Group. She stated the group could assist with a survey, etc. on a volunteer basis therefore saving the Town money.

Alan Dunphy announced he would be resigning as chairman and member of the Planning Board at the end of year. He noted he has been a member since 1997. He received thanks from the group.

7. Adjournment:

Motion by **Walter Reuter** and seconded by **Holly Zadra** that the meeting be adjourned at 8:47 pm.

VOTE: UNANIMOUS AYE

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