

Minutes
Pittsfield Planning Board
Regular Meeting
April 13, 2015

The Pittsfield Planning Board met on Monday, April 13, 2015 at 7:00 pm in the Council Chambers of the Pittsfield Municipal Building, 112 Somerset Avenue, Pittsfield, Maine.

Present: Jan Laux, Brent Newhouse, Anna Bockis, Walter Reuter and Tom Cote. Absent: Holly Zadra, Royce Sposato, Jack Wright, and Matt Bolster. Also Present: Debra Higgins, Alexandra Faria, Tara Pomeroy, Town Manager Kathryn Ruth and Building Inspector Steve Seekins.

1. Vice Chair **Jan Laux** opened the meeting by leading the Pledge of Allegiance to the flag.
2. Motion by **Tom Cote** and seconded by **Brent Newhouse** to adopt the minutes of the meeting of March 9, 2015.

VOTE: UNANIMOUS AYE

3. Motion by **Tom Cote** and seconded by **Walter Reuter** to adopt the minutes of the special meeting of March 18, 2015.

VOTE: UNANIMOUS AYE

4. **New Business:**

Application of Debra Higgins to re-establish a Non-Conforming Commercial Use at 167 Seabasticook Street Tax Map 28 Lot 126 (former Seabasticook Valley Federal Credit Union building)

Vice Chair Jan Laux led the discussion. He referred to the letter of from Debra Higgins dated 3-22-15. Debra Higgins advise she plans to purchase the building and move her existing Copper Salon business from Main Street to this site. She plans to have 6 or fewer tanning booths and offer hair services etc at the site. It was discussed that this use would be less intensive than the previous Credit Union use.

Motion by **Walter Reuter** and seconded by **Tom Cote** to allow the re-establishment of a non-conforming commercial use at the former Seabasticook Valley Credit Union building at 167 Seabasticook Street.

VOTE: UNANIMOUS AYE

5. **Public Hearing:**

Proposed changes to: Chapter 13B, Site Plan Review Ordinance to address Communication Towers, Wind Energy Facilities and Use of Public Roads.

Chapter 13C, Land Use Definitions to add a definition for Large Scale Commercial Development

Vice Chair **Jan Laux** opened the Public Hearing at 7:12 pm asking for proponents or opponents to speak. There were no proponents or opponents. Vice Chair **Jan Laux** closed the Public Hearing at 7:13 pm.

6. **Old Business:**

6.a. Chapter 13B, Site Plan Review Ordinance to address Communication Towers, Wind Energy Facilities and Use of Public Roads (Public Hearing was held 3-9-15). Review changes proposed by The Town Attorney and consider recommending that the Pittsfield Town Council adopt.

Anna Bockis discussed the possibility of adding requirements to paint the blades of wind turbines if it should be determined at a later date that painted blades reduce bird kill. It was decided this could be addressed in the future if painted blades were determined to be an effective deterrent to bird kill.

Motion by **Tom Cote** and seconded by **Brent Newhouse** to recommend item 6.a above be adopted by the Town Council.

VOTE: UNANIMOUS AYE

6.b. Chapter 13C, Land Use Definitions to add a definition for Large Scale Commercial Development. Review changes proposed by The Town Attorney and consider setting to a Public Hearing on 5-11-15.

Motion by **Tom Cote** and seconded by **Walter Reuter** to recommend item 6.b above be set to Public Hearing on 5-11-15.

VOTE: UNANIMOUS AYE

6.c. Add to Chapter 13, Zoning Ordinance: Requirements to regulate Home Based Enterprises. Review changes proposed by The Town Attorney and consider setting to a Public Hearing on 5-11-15.

Motion by **Walter Reuter** and seconded by **Tom Cote** to correct the spelling of ~~Meteorological~~ to **Metrological** and recommend item 6.c above be set to Public Hearing on 5-11-15.

VOTE: UNANIMOUS AYE

6.d. Add to Chapter 13 Zoning Ordinance: Requirements to regulate Wind Energy Facilities, Communication Towers and Meteorological Towers. Review changes proposed by The Town Attorney and consider recommending that the Pittsfield Town Council adopt.

Motion by **Tom Cote** and seconded by **Brent Newhouse** to recommend item 6.d above be adopted by the Town Council.

VOTE: UNANIMOUS AYE

6.e. Add to Chapter 13 Zoning Ordinance Table P in District C-4 Rural District “Large Scale Commercial Development shall be limited to the CDOC Corridor Development Overlay District”. As revised by the Town Attorney consider recommending that the Pittsfield Town Council adopt.

This language change will make it clear that this amendment only addresses the C-4 district and not all other commercial districts.

Motion by **Tom Cote** and seconded by **Walter Reuter** to recommend item 6.e above be changed to wording recommended by the Town Attorney to read “Large scale commercial development in the C-4 district shall be limited to the CDOC Corridor Development Overlay District” and be adopted by the Town Council.

VOTE: UNANIMOUS AYE

6.f. Add to Chapter 13 Zoning Ordinance Table P in Districts C-4, R-2 and R-4 Wind Energy Facilities, Communication Towers and Meteorological Towers as a Conditional Use. Roads (Public Hearing was held 3-9-15) The Town Attorney is concerned that due to height and the term compatible with the general neighborhood this may be problematic in R-2 & R-4. Towers exist in these zones and setback requirements for the property lines should address this concern. Consider recommending that the Pittsfield Town Council adopt.

6.g. Add to Chapter 13 Zoning Ordinance Table Q in Districts C-2, C-3 and CDOC Wind Energy Facilities as a Conditional Use. (Public Hearing was held 3-9-15) Consider recommending that the Pittsfield Town Council adopt.

6.h. Add to Chapter 13 Zoning Ordinance Table Q in Districts C-1, C-2, C-3, CDOC and MSOD Communication Towers and Meteorological Towers as a Conditional Use. (Public Hearing was held 3-9-15) Consider recommending that the Pittsfield Town Council adopt.

6.i. Add to Chapter 13 Zoning Ordinance Table R in Districts APD, SOD and AOD Wind Energy Facilities, Communication Towers and Meteorological Towers as a Conditional Use. (Public Hearing was held 3-9-15) Consider recommending that the Pittsfield Town Council adopt.

Motion by **Walter Reuter** and seconded by **Tom Cote** to recommend item 6.f, 6.g, 6.h and 6.i above be adopted by the Town Council.

VOTE: UNANIMOUS AYE

6.j. Add to Chapter 15 Subdivision Ordinance and Chapter 13-B Site Plan Review Ordinance a requirement to show locations of Prime Farm Lands in the use application process. (Public Hearing was held 3-9-15) Consider recommending that the Pittsfield Town Council adopt.

Motion by **Tom Cote** and seconded by **Anna Bockis** to recommend item 6.j above be adopted by the Town Council.

VOTE: UNANIMOUS AYE

6.k. Add to Chapter 16 Shoreland Zoning Ordinance Section 7 “Conflicts with Other Ordinances”. Re-consider proposed changes. The town attorney and the staff recommend not making changes due to the fact that both Chapter 13 and Chapter 16 would need an ordinance overhaul.

Motion by **Tom Cote** and seconded by **Anna Bockis** to not recommend making changes to item 6.k.

VOTE: UNANIMOUS AYE

6.l. Change Chapter 13 Zoning Ordinance Section 1.E to Read “ Whenever a provision of this Ordinance conflicts with or is inconsistent with another provision of this Ordinance or of any other Ordinance, other than the Shoreland Zoning Ordinance, regulation or statute, the more restrictive provision shall control”. The Town Attorney recommends this change. Please consider setting to a Public Hearing on 5-11-15.

Motion by **Tom Cote** and seconded by **Walter Reuter** to set item 6.l. above to Public Hearing at the 5-11-15 Planning Board Meeting.

VOTE: UNANIMOUS AYE

6.m. Add to Chapter 13C, Land Use Definitions a definition for “Project” and a definition for “Prime Farm Land”. Please consider recommending setting to a Public Hearing on 5-11-15.

Motion by **Tom Cote** and seconded by **Walter Reuter** to set item 6.m. above to Public Hearing at the 5-11-15 Planning Board Meeting.

VOTE: UNANIMOUS AYE

7. There was not an item 7.

8. **Other items that come before the Board:**

Vice Chair **Jan Laux** questioned if the Town needs to address a program to attract preferred business to Town. He questioned whether or not the current comprehensive plan provided this. A long discussion followed on the buildings available for industry and commercial uses and that when the private sector owns properties, the owners can decide to sell or not sell as well as to set the price as high as they would like. The Vice Chair discussed projects for attraction to Town such as Mill Pond.

9. **Adjournment:**

Motion by **Walter Reuter** and seconded by **Tom Cote** that the meeting be adjourned at 8:30 pm.

VOTE: UNANIMOUS AYE

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