



CITY OF GARDINER

6 Church Street, Gardiner, Maine 04345

www.gardinermaine.com

ORDINANCE REVIEW COMMITTEE

Monday November 14, 2016 @ 3:00 PM

Meeting Notes

Members Present: Chair Debby Willis Joel Alexander John Burgess
Clare Marron Christine Szigeti-Johnson
Patricia Hart, City Councilor
CEO/Assistant Planner, Barbara Skelton

Members Absent: Jonathan Stonier

Also Present: Dorothy Morang, Staff to Ordinance Review Committee
Shawn Dolley

- 1.) **Welcome**
Chair Willis opened the meeting and welcomed everyone.
- 2.) **Roll Call**
- 3.) **Consideration of meeting notes of October 24, 2016.**
Christine Szigeti-Johnson moved to accept the minutes. John Burgess seconded the motion.
Vote: 6 in favor. 0 opposed. Motion passed.

Old Business

4.) **Review the State Shoreland Proposed Changes - Definitions**

Members reviewed the proposed changes to the State Shoreland Regulations - Definitions section and compared them to the City's Land Use Ordinance Definition Section (Section 17). The following was decided:

- Agriculture – CEO Skelton will contact the State to see if we need to add in our definitions.
- Bureau of Forestry – adopt & add to City's definitions
- Expansion of Structure – adopt change
- Expansion of Use – adopt change
- Floor Area – adopt change
- Forested Wetland – City's Ordinance doesn't have – CEO Skelton will research – DEP stopped regulating.
- Functionally Water-Dependent Uses – adopt change
- Hazard Tree – add to City's Ordinance & adopt
- Non-Conforming Structure – adopt
- Non-Native Invasive Species Vegetation – adopt
- Outlet Stream – new - adopt
- Principal Structure - do not change City's Ordinance
- Principal Use – do not change City's Ordinance
- Sapling & Seedling – adopt
- Storm Damaged Tree – adopt
- Stream – update Stream in Shoreland Zoning – adopt
- Structure for Shoreland Zoning – change City's Ordinance
- Tidal Waters – add to City's Ordinance
- Timber Harvesting – add to City's Ordinance
- Tree – add to City's Ordinance
- Upland Edge of a Wetland – change City's Ordinance

Next - Monday, December 12, 2016 meeting w/CEO Skelton - Review Trees & Footprint Expansion

Other

Shawn Dolley met with the Committee to discuss the possibility of an Ordinance change to allow him to increase the number of bed & breakfast room (currently 5) to 8 in addition to his apartment and 2 other apartments. He would like to also expand the master suite to the 3rd floor for the owner and a spa area on the top floor also. He would

move the 2 existing apartments to the 2nd & 3rd floors that would allow all of the B & Bs to be accessible from the ground floor.

CEO Skelton said the Fire Marshal rules don't talk about the number of rooms – they count beds. She had contacted several other municipalities – Brunswick allows up to 10 rooms; Cape Elizabeth & Portland up to 9 rooms; Lewiston 5 – 6 rooms for B & Bs and 7 – 8 sleeping rooms for Tourist Homes. The State rules for B & Bs is 8 and more than that it falls under Hotel/Motel. She said the Fire Marshal may include the apartments and owner rooms.

Shawn said there is a wet bar and microwave in each unit. He also noted that when children come, he has a few cots to put in for them. He noted that if there are 5 rooms or fewer, the State only inspects cooking and we can restrict children – if he moves to 8 rooms, he can't restrict children. Pat Hart said we need to look at density before we get too far.

CEO Skelton said the Economic Development Committee is looking at the Downtown parking, but also other areas. Pat Hart asked why the other areas. If it's other areas – it's this Committee. CEO Skelton said we need to discuss parking. She is talking with Shawn about some options for parking.

CEO Skelton said she will give this to Mark to work into the Ordinance – including off-premise parking.

Patricia Hart said the City Council is going to consider imposing a moratorium on Retail Sales of Marijuana at their Wednesday meeting. If this passes, it will allow sales at private clubs & retail spaces. She noted that a moratorium is for up to 180 days and can be extended for another 180 days.

Members discussed this topic - John Burgess agrees with the moratorium. Clare noted that it is a cash business – they can't use the banks. CEO Skelton said there would be a lot of implications for the caregivers. All agreed on imposing a moratorium to give the City time to look at this and the implications for the City. Pat thanked everyone for their input.

Upcoming Meetings:

November meeting: Monday, November 28, 2016 @ 3:00 pm w/Mark Eyerman

December meetings: Monday, December 12, 2016 @ 3:00 pm w/CEO Skelton
Monday, December 19, 2016 @ 3:00 pm w/Mark Eyerman

January meetings: Monday, January 9, 2017 @ 3:00 pm w/CEO Skelton
Monday, January 23, 2017 @ 3:00 pm 2/Mark Eyerman

5.) Adjourn

Meeting adjourned at 4:34 pm