

Planning and Development Committee  
Minutes of February 3, 2010  
6:00 PM  
Town Office

Attendees: Janet Hughes  
Matt Arnett  
William Shakespeare  
Andre Cushing  
Jean Lawlis

Staff: Bob Osborne  
Dean L. Bennett  
Ben Johnson

1. Approval of January 25<sup>th</sup> Minutes

Approved by Majority

2. Invited Guests:

None at this Meeting

3. Old Business

a. Definition of Family

The Committee reviewed the suggested language as presented by Planner Osborne and authored by Attorney Russell relating to the definition of family within the zoning ordinance. Councilor Lawlis indicated that she didn't agree with the suggested language and would like more time to discuss with Attorney Russell. Councilor Lawlis expressed her desire for the definition to include language which was inclusive of today's blended families yet still a workable legal definition.

Planner Osborne explained that the use of the term family is often contained in the terms single-family and multi-family throughout various town regulations and codes. In most cases the term family is akin to the term dwelling unit. It essentially sidesteps all consideration of the relationships of the persons that inhabit the dwelling unit. The interpretation of which should be considered within the context and intent of the document containing the reference to family.

Action: Committee voted to table item for further exploration after Councilor Lawlis discussed the matter with Attorney Russell.

b. Sign Ordinance Provision Discussion

Councilor Shakespeare indicated he will present this item to the committee. Councilor Shakespeare presented and reviewed various state laws pertaining to placement of signs under the jurisdiction of the Maine Department of Transportation.

The discussion focused on the placement of signs within the right of ways of roadways in Hampden. Committee agreed that the current state provisions do not allow the placement of signs within state right-of-ways and local sign regulations do not allow the placement of signs in town ways nor provided a permitting process by which to apply and conform to the stipulation.

Code Enforcement Officer Ben Johnson prepared a memo entitled “Sign Ordinance Issue Profile” in which he outlined questions for consideration by the Committee which would result in clearly stated direction of the Committee consensus.

Director of Community and Economic Development Bennett suggested the consideration of 4 principles when contemplating amendments to or the creation of local land use regulations.

1. Avoid the creation of land use provisions with a notification requirement of compliance.
2. Avoid the creation or continuation of provisions not directly related to public health safety and welfare.
3. Consider past practice and practical application of the provisions being developed.
4. Consider the impact of the enforcement of ordinance provisions on the overall image of the community and the message it would suggest.

Committee reviewed and responded to the 8 questions and agreed on the following action:

Action: Committee directed Code Enforcement Officer Johnson to incorporate the responses as appropriate into a draft document for future presentation to the Committee, preferably at our next scheduled meeting.

c. Marina Project Update:

Director of Community and Economic Development Bennett updated the Committee on the progress to date regarding the Marina initiative. Bennett distributed the survey and appraisals that have been completed and explained the significance of the values determined. Next steps include the determination of the level of environmental review stipulated by National Park Service followed by a no cost strategy to accomplish the task in preparation of a Conversion application.

Action: Continuation of Progress

d. Park Marketing Options/Guest Speaker?

Community and Economic Development Director Bennett asked the Committee if they would like him to invite Brewer Economic Development Director D'arcy Main-Boynton to attend a future meeting and speak to her experience relating to park development and the creation of a non-profit development entity.

Action: Committee directed Bennett to extend the invitation to Brewer Economic Development Director D'arcy Main-Boynton.

4. New Business

No Action Items

5. Public Comment

None

6. Committee Member Comments

Next meeting on February 17<sup>th</sup> is slated for interviews with the finalist of the BEAR proposal. If possible, the Committee would like to act of the revised language pertaining to the definition of “family” and revised sign provisions.

Meeting Adjourned: 7:52 PM