



Lamoine Board of Selectmen

606 Douglas Hwy
Lamoine, ME 04605
(207) 667-2242
town@lamoine-me.gov

Meeting Notes Joint Meeting with Planning Board December 14, 2010

Draft

The meeting came to order at 6:30 PM

Present were: Selectmen S. Josephine Cooper, Richard Fennelly Jr., Gary McFarland, Cynthia Donaldson; Planning Board Members Gordon Donaldson, John Holt, Michael Garrett, James Gallagher, Chris Tadema-Wielandt, Michael Jordan, Donald Bamman; Code Enforcement Officer Dennis Ford and Administrative Assistant Stu Marckoon (arrived approximately 7:08 PM)

Jo opened the meeting, saying one of the goals is to find some sources for revenue and possibly encourage more business location in Lamoine. She recounted the community development forum held in May 2010. She said the desire is not necessarily encouragement of an industrial business base. She asked if maybe a business park could be encouraged, or if maybe smaller home based businesses could be stressed. A summary of the forum was distributed. She said the idea of the meeting was to be a discussion.

Richard said past conversations were about exploring the business base to add to the taxable value to take the tax burden off the residential tax payer. He noted that the potential business properties are privately owned. It was noted that Wal-Mart and Home Depot list their locations as Lamoine, though they are actually located in Ellsworth. Richard said that might be a starting area to look at an area for potential development.

Jo said the population of Lamoine is aging, and Hancock County is one of the oldest counties in the nation. John Holt asked what was driving this, and felt people should be asked whether there is a desire to attract various types of businesses. He noted that he pays higher taxes for his house than the General Store. He said he wasn't sure if business would achieve a goal of residential tax reduction. Mike Jordan said big businesses are one way to increase valuation, but small businesses don't add any more than a residence.

Jo said there are other benefits from business beyond the tax base, such as employment and cited the Shellfish Ordinance. Richard suggested a health care park might be a type of business that might be compatible in the community, and that rezoning an area to accommodate such a thing might work well as opposed to a street side dependent business. Mike Garrett said municipal infrastructure such as water and sewer is lacking in Lamoine. Richard suggested creation an opportunity between Buttermilk Road and Douglas Highway and extending the water and sewer lines from Ellsworth.

Don Bamman said he'd like to see a cluster of small businesses as opposed to the big box stores. John Holt asked if the Code Enforcement Officers have been approached by anyone seeking to locate a business in town. CEO Dennis Ford said he was

approached last fall by someone looking to possibly locate a concrete plant in an old gravel pit and advised them that it was unlikely to receive approval, though they were welcome to apply. A brief discussion followed regarding gravel area uses.

Jo said it might be beneficial to see what might be encouraged instead of focusing on what is discouraged. Mike Jordan said the residential zone off Douglas Highway discourages businesses in North Lamoine. The group looked over the zoning maps. John Holt reviewed the desires stated in the Comprehensive Plan for the Residential Zone. He said attracting business may be beyond the means of a small town. He asked whether it is wise to give into development pressure approaching from Ellsworth or to say “no way”. Jo said the town would have to make that decision, and guidance is needed on what to present to the town. There was a brief discussion about zoning.

Gordon said getting the town involved in the zoning discussion needs to happen at some point. He said the Planning Board is tackling some ordinance changes. More discussion followed on potential health care related businesses or assisted living complexes and whether that could be encouraged. John read from the Comprehensive Plan survey in regard to small businesses which had a lot of support, and noted that businesses do their own surveys. He said he’s not sure how to go about attracting businesses. Richard said the zoning restrictions in North Lamoine may not be attractive to business.

Cynthia said she likes living in Lamoine because it’s off the beaten path, but it’s very close to the city without feeling like a city, and that’s the attraction and character of the town. She said that might be attractive to assisted living. Discussion followed on what such a complex might desire. There was a brief discussion about the desirability of a restaurant at Lamoine Point.

Mike Garrett said the Planning Board has talked for years about rezoning, and it might be time to start looking at it seriously. Gordon said he didn’t see the ordinance as an impediment to business, though it does get more complicated for larger operations. He said the biggest hurdle for the Planning Board was submission in the proper format. Stu Marckoon suggested that the submission process could be streamlined if only one printed copy were required as long as an electronic application is submitted. The Planning Board said it preferred to have a printed copy, though an electronic copy is a good idea.

John Holt said he wasn’t sure if the process of permitting before the Planning Board and the length of time required was an impediment to business. Don said the Planning Board spends very little time planning, instead it processes applications. Richard said he doesn’t see any slack time at the Planning Board meetings, and praised how well they are run.

Gordon said the ordinances are a mystery to those dealing with them for the first time, and said the CEO should be an intermediary for those coming in for the first time, to make sure they are complete. He said applicants need help with developing the necessary paper work and that would be business friendly. Chris Tadema-Wielandt said

professionals are able to work effectively with the ordinances which are available on-line. There was a brief discussion about the channels of communication.

The discussion then turned to the Maine Uniform Building and Energy Code (MUBEC). Mike Jordan explained that it applies to towns greater than 2,000 population. He said the ordinance will have to be changed because the new laws require certificates of occupancy that are issued be tied to the state code. He said Lamoine could issue a certificate for the land use requirements. There was some discussion that the Legislature ought to rethink this. Mike Jordan outlined the various aspects of MUBEC, saying the energy code is “hideous”, and could add \$10,000 to the cost of a small house.

Cynthia asked why not being able to issue a certificate of occupancy is so upsetting. Mike Jordan said it would allow things like tar paper shacks to be constructed and occupied. Dennis Ford explained that a certificate of occupancy would certify that a building was constructed to the state code. He said the state is trying to get contractors be licensed. Stu said on the converse side many banks require a certificate of occupancy for mortgages, and this could have some devastating impacts on people wanting to build in a residential town. Gordon asked why a certificate could not be issued to the minimal construction standards contained in the ordinance. Mike Jordan said it’s because the state statute allows only for compliance with land use because the state building code trumps the local code. There was a discussion about how MUBEC applies to the town.

Stu said the issue segues to the Budget Committee’s request to have the Planning Board look at the ordinance fees and try to match them to the actual cost for the town. Gordon said that is in the works and that the proposal will likely be to have the town give administrative authority to the Selectmen to set the fees. Proposed language may be ready in January.

The discussion turned back to zoning and discussion of Richard’s proposal for commercial potentials between Douglas Highway and Buttermilk Road. Richard said the idea is to maintain the residential appearance along the roads, but allow for access off the existing roads to the commercial area. Easements to the shore for worm diggers and historic routes to the shore were also discussed.

Gordon said cluster housing has also been under discussion and the possibility of allowing it near Lamoine Corner.

Jo asked what the next steps would be. Gordon suggested that a community planner come talk with the town, but he’s not sure who that might be, but other communities must face similar situations. There was discussion about forming a re-zoning or long range planning committee to come up with a proposal or maybe survey the town and re-look at the Comprehensive Plan. Suggestions for membership on such a committee was sought.

The meeting wrapped up at approximately 8:01 PM.

Respectfully submitted,

Stu Marckoon, Adm. Asst. to the Selectmen