

**TOWN OF SKOWHEGAN
JOINT PLANNING BOARD & SELECTMEN
MEETING MINUTES**

October 19, 2021

6:00 P.M.

Council Room, Municipal Building

PRESENT: Planning Board

Steve Conley, Chairman
Steve Gould, Secretary
Harvey Austin
Matt Smith
Jeff McCabe
Joel Greenwood, Planner
Cynthia Kirk, Recording Secretary

PRESENT: Selectmen

Todd Smith, Chairman
Charles Robbins, Vice-Chairman
Paul York
Harold Bigelow
Steve Govoni

ABSENT:

Steve St. Pierre, Vice Chairman, Derek Chretien

PUBLIC PRESENT:

Bryan Belliveau, Code Enforcement
Christine Almand, Town Manager
Jason Gayne, Chamber of Commerce (6:15 pm)

Cara Mason

1) QUORUM:

Planning Board Meeting called to order at 6:00 P.M. Quorum was present.

2) MINUTES OF THE October 5, 2021 PLANNING BOARD MEETINGS TO BE APPROVED:

Motion by Stephen Gould to approve the October 5, 2021 Planning Board meeting minutes, as written. Seconded by Matt Smith. Motion passed 4-0.

3) SITE PLAN

None

4) ITEMS BY THE PUBLIC:

None

5) COMMUNICATIONS:

None

6) UNFINISHED BUSINESS:

None

7) NEW BUSINESS:

None

8) **ITEMS BY:**

A) SELECTMEN:

-Local Food and Governance Ordinance

Todd Smith explained that this was sent to Christine for discussion. Christine Almand said that about a year and a half ago someone had approached a former Selectmen regarding the town coming up with a Food Sovereignty Ordinance for the Town of Skowhegan. Christine said she has not had any food producers come forward asking for this. A couple of Food Ordinances from other towns have been provided in everyone's packets. Joel Greenwood explained that this type of ordinance allows for local agricultural growers and farmers to be able to grow and sell their products locally with minimal regulations. It can't supersede any State or Federal regulations.

Steve Conley said it sounds like a good idea to have to protect those in town that grow food and want to be able to sell it locally. From the other town's ordinances that were provided he sees it as it protects the home growers from the regulations that are mainly meant for larger operations.

Jeff McCabe said another way to look at it is that it is an added protection for the people that make their own jams and those that sell their garden vegetables at little roadside stands. He said it is kind of based on the scale of the operation. He said he thinks this is something that they should pursue however they might want to wait and see what happens with Question #3 on the ballot for this November. He said Question #3 is basically a Food Sovereignty Law for the entire state. Steve Conley said so depending on what happens with that Question they may not need to create their own local ordinance. Jeff said that is possible and if it passes, they could use it as a framework for their own ordinance. He also mentioned that once they start working on this there will probably be a citizens group that comes forward with ideas as well.

Steve Govoni said his only question is about the people selling products labeled as organic and if the buyers are in fact getting real organic products. Steve Conley said that would be more of a buyer beware situation. Steve Govoni said that should be included in the ordinance to just cover the town.

Harold Bigelow asked if this ordinance would apply to the people selling products down by the Eddy. Steve Conley said from everything he had read in the other town ordinances; it sounds like it would only cover the people that are selling their products at the same location that it is produced.

Joel asked where the draft Food Ordinance for Skowhegan that was in the packets came from because he doesn't remember coming up with one. Christine said that it came from the person who originally requested this ordinance.

Todd Smith said he doesn't mind creating an ordinance for the betterment of the town; however, he doesn't want to see them put all of this work into it if we don't really have an issue at this time. Steve Conley said from his understanding it is just giving the town the ability to opt into these protections. Todd said maybe they should wait until after this election and see what happens with Question #3. Everybody agreed.

-Animal & Fowl Ordinance

Todd Smith said he had asked this to be discussed because of a complaint he received from a resident on Bush Street. This resident is having an issue with the neighbors' chickens and rabbits coming onto her property and the smell from them. Todd read the complaint he received and also said the current Animal & Fowl Ordinance has not been amended since 1997. In the complaint the residents asked for 3 things. 1. Those chickens (fowl) and rabbits be contained on the owner's property. 2. The area be kept clean to prevent smells. 3. Also any food for such animals be contained to prevent rat issues. Harvey said that all of those requests seem more than reasonable for being in town. Todd said he feels the same.

Jeff McCabe said other towns require certain lot sizes to be able to have certain animals in town. Todd said a few other towns ordinances have been provided that they can pull language from.

Steve Conley said they can certainly look into amending the ordinance. Cara Mason, one of the Animal Control Officers for the town, submitted a memo to them with some examples of what could possibly be changed. She also asked if they can look into a more specific definition of a “barking dog” and “nuisance”.

-Pop-up Businesses/ Use of Town Property

Todd Smith said that this is something that has come to the Selectmen a few times recently with the uptick of pop-up shops, food trucks and other such businesses. He said we don't have any type of application for these types of businesses to be able to use the municipal parking lot. Todd said it would be nice to have consistency for everyone who would like to use town property.

Harvey said they can't forget about the taxpaying businesses that we already have in town and if these other people want to sell thing in town like the fish truck, then they should have to pay some sort of fee to help with taxation.

Paul York said when AT&T wanted to come to town and set up temporarily in the municipal parking lot, he was not for it because like Harvey said, we already cell phone companies in town that pay taxes. AT&T is a big enough company that if they want to come to Skowhegan then they can afford to set up a permanent location and pay taxes. He said if they want to do this then they can go set up on privately owned property.

Steve Conley said they should focus on what can be done in the municipal parking since they can't really control what is happening on private property. He said maybe they can look at creating some sort of permit and fee that these businesses would have to pay in order to use some spaces in the parking lot.

Charles Robbins said that in regards to food trucks he supports them because several of our restaurants in town actually also have food trucks. He said maybe they could come up with a type of business license and set fee for them to be able to set up in the downtown. He said this could also apply to any mobile unit such as the seafood trucks that come to town.

Jason Gayne said the city of Bangor charges \$100 per season to set up in their waterfront. The meaning behind using the spots beside the Chamber building in the parking lot was so the businesses using the spots could be changed out on a regular basis instead of having one business parked there all summer. Jason said it would be fine to charge a fee but instead of putting that money into the general fund (where you don't know how it's going to be used) maybe have it go to some sort of economic development to help more businesses come into town.

Bryan said he doesn't think food trucks would be able to be in those spots beside the Chamber because they have to follow NFPA guidelines which requires a 10-foot setback.

Stephen Gould asked how the Renaissance Building is used. Christine said that is run by SEDC. Stephen Said the cabinet place in that building must pay rent to use the space, so why couldn't someone pay rent to use some spaces in the municipal parking lot as well.

Jeff McCabe asked if a business was to set up on a private property is there a restriction on how long they can stay there. Bryan said he can issue a temporary Occupancy Permit for up to 6 months.

Todd Smith said the other thing they have to look at is how hard this is going to be to enforce. He said they have to look at how to make this inviting for businesses and not being pushed out to other towns. Todd said he would rather make the spaces available to allow people to promote their businesses in stead of seeing the municipal parking lot empty.

Christine said that in the past they have used the parades and processions application but however it doesn't really fit for a lot of situations like someone using spaces in the parking lot.

After further discussion, Todd said they can continue to use the parades & processions application until they can come up with something more appropriate for certain situations. He said at the last Selectmen's meeting they decided to allow Jason Gayne & the Chamber to use certain spots for like businesses until the end of the year so they still have time to figure this out.

-Residency Requirements for Town Boards

Todd Smith said he had asked for this to be on the agenda. He understands that in order to be a selectman there are certain residency requirements which he understands because of some of the decisions they make. There are other Boards & Committees that should not have these residency restrictions if they have people that want to be on them that are vested in the town. Todd said he was upset when Kris Laney was not able to continue on the Planning Board just because he doesn't reside here. He said Kris has several businesses in this town and is very vested in how this town is doing. Todd also said there are other people that could provide valuable information and guidance to our town but can't serve on certain Boards and Committees just because they don't reside here.

Harvey said he would be a little leery about having non-residents on the Planning Board because they do in fact make decisions at times that will affect the taxpayers and he has already heard enough employees of the town itself state that that is why they live in other towns because the taxes are too high here in Skowhegan. Harvey said he would like to have some thought before he decides on this.

Harold said that he is just worried that if we allow non-residents on our Boards and Committees then they might be looking to change things that aren't in the best interest of the town.

Charles Robbins said you would have to look at it in other ways as well. Him and Stephen Gould both own businesses in Madison however they don't have any say in Madison because they don't live there. However, they still have to pay their tax bills there.

-Planning Board/ Selectmen Roles & Responsibilities

Christine said that this was discussed in the Selectmen's goal setting workshop and was brought up by Paul. She said in the past there were some items that were sent to the Planning Board to work on and unfortunately there were contradicting opinions as to if these things were even necessary therefore, they were stalled. Paul said this is why he brought this up because the reason things are sent to them by the Selectmen is usually because they are responding to complaints from the public. He said he would just appreciate it if the Planning Board has an issue with something that the Selectmen have requested to please talk with them so as to avoid nothing being done and it falling back on the Selectmen to draft things themselves.

B) DEPARTMENT HEADS:

-Site Plan Ordinance

-Property Maintenance Ordinance

C) MEMBERS:

-Municipal Parking Lot

Steve Conley said that the Planning Board currently has a decision to make regarding the Charter School using some of the downtown municipal parking lot. He said in order for them to make that decision they would like to know what the future plans are for the parking lot. He said right now there isn't really a parking issue, but in the future, there could be more need for those spaces in the downtown for other things.

Steve Govoni said he would go back to when they made up the design of the municipal parking lot and some spaces were supposed to be designated as all day parking and others were limited time spaces.

Charles said he thought that the Charter School was supposed to provide a parking officer. Steve Conley said that was a condition of approval that they contribute to a parking officer but that was more in response to student parking issues. He said the rules they have for student drivers are so strict that he doesn't think any students would dare to park in the municipal parking lot. He said the Charter School is looking for parking for their staff only. Steve said they were originally told that they could have 8 spaces and now they are estimating that they will be needing 24 spaces. Steve said they need to know how the Selectmen are planning on regulating that parking lot. Todd said he would support using it on a first come first serve basis. Steve Govoni said they have to remember that the building the Charter School is in used to be Holland's Variety and district court which generated a lot more people parking than the school would.

Christine said that they may want to also remember that the Charter School doesn't pay taxes. Steve Govoni said that even though they don't pay taxes, the school does not have a commercial kitchen therefore they are generating a lot of revenue for other downtown businesses to purchase their meals and such. Also, the school is not open during peak times that the parking lot would be used more such as holidays and summer time.

Paul asked how they can impose restrictions when there is nobody there to enforce them. Steve Conley said the Planning Board is trying to decide on what they are going to force the school to do. Charles doesn't see an issue with using it on a first come first serve basis.

-Acquiring Properties when available

Steve Conley said this was put on here to just mention that the town should be looking at acquiring properties when they are foreclosed on for taxation so that they can be proactive in possibly making them available for parking for future projects. Christine said that they could look into acquiring properties if that is what the Selectmen would like to.

-2nd Bridge

Jeff McCabe said he asked to put this on the agenda just to see if there was anything to discuss while they all were together. He said he knows that the surveys are out right now. Steve Govoni said that the surveys are all in now and they also received about 25 emails separately. He said the next step of the 2nd Bridge committee is to decide if they are going to move forward with the next set of studies which are more in-depth. It has now been narrowed down to 2 possible locations.

Harvey asked if anybody had ever looked into maybe buying more property at the intersection by our current bridge and changing things there to help with the traffic issues. Steve Govoni said he agrees with Harvey and had thought about that also.

Christine said that the 2nd bridge committee had voted 7-0 to bring to the Selectmen to move forward with the next set of studies for the locations of next to the municipal building and down river by the rest area back in June. She said everything has been sent to the consultant and their report should be back by the end of the month and then it will go to the Selectmen in November.

-Ordinances/ Zoning

Steve Conley said that when they were reviewing the incoming solar arrays this year a lot of property owners believed that a large-scale commercial operation couldn't be built next to their residential homes. Unfortunately, that isn't the case because Skowhegan does not have zoning. He said as the town grows, he is hoping that they can somehow provide some residential only areas to people who do not want to have these commercial developments in their backyards. He asked what everybody's opinion is on this.

Harevy said that they tried doing that in Waterville and now it seems like they are changing their zoning every other day to meet certain people's needs. He said if we had zoning, he could financially gain in a lot of ways but he has always opposed.

Paul York said you would either have to have zoning or not. You can't have partial zoning in town. He said he is a strong believer that you should be able to do what you want to your own property. Most people are ok with commercial projects being built until it comes close to them and then they aren't.

Steve Conley said he was just thinking they could possibly designate certain undeveloped areas in town where they are looking for residential growth. Then people who purchased within in that area would know they are protected.

Steve Govoni said it almost sounds like that would fall more on the developers of those areas. He also said that if they were going to present zoning to the taxpayers then they would have to zone the entire town and have a clear map showing that.

D) CHAIRMAN:

E) STAFF:

Bryan said that he would like to do some updates to the Site Plan Ordinance, especially the sign requirements. Also he would like to start looking at updating the Property Maintenance Ordinance as well.

9) ADJOURNMENT:

Motion by Harvey Austin to adjourn at 8:55 p.m., Seconded by Jeff McCabe. Motion passed 4-0.

Minutes approved on November 2, 2021.

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Chairman	
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