

**MINUTES
PLANNING BOARD
TOWN OF DAMARISCOTTA
August 7, 2017
7:00 PM**

MEMBERS PRESENT: Jonathan Eaton, Shari Sage, Adam Maltese, Neil Genthner, and Wilder Hunt. Alternates Jenny Begin and Dana Orenstein were also present.

STAFF PRESENT: Anthony Dater, Town Planner; Stan Waltz, Code Enforcement Officer.

PUBLIC PRESENT: Gwen Purcell, Citizen; Jim Campbell, Citizen; Scott Abbotoni, Citizen; Deb Suchar, Citizen; Ann Pinkham, Citizen; Nancy Bailey, Citizen; Paula Abbotoni, Citizen; Louis Abbotoni, Citizen; Nicholas Chasse, Applicant; Michele Hallowell, Attorney for the Chasse Project; Linda Cosgrove, Citizen; Gina Hamilton, Wiscasset Newspaper; Joyce Polyniak, Citizen; Andrea Keushguerian, Citizen; Beverly Swasey, Citizen; Kenneth Swasey, Citizen; Regina Davey, Citizen; Ann Jackson, Citizen PAC; Lucy Harrington, Citizen; George Betke, Board of Appeals; Lisa Katz, Resident; Edward Seidel, Citizen; Rosa Egras, Resident; Laurie Green, Resident; Karen Kleinkopf, Resident; Bill Crocker, Resident; Frans Jansen, Abutter to Chasse Project; Haas Tobey, Resident; LeeAnna Libby, Taxpayer; Daniel Catlin, Applicant – Damariscotta Main Street, LLC; Bill Davidson, Engineer for Catlin project; Shawn Tobey, Hoyle Tanner, Damariscotta Main Street, LLC; Randy Dunton, Gorrill Palmer, Damariscotta Main Street, LLC; Maia Zewert, Lincoln County News; Jim Cosgrove, Resident; Seth Hagar, Resident, Peter Drum, Attorney; Hylie West, Attorney; Sandi Day; Kathy Smith, Citizen; Conor Smith, Citizen; Katherine Blount, Citizen. Jonathan Hull, Attorney;

CALL TO ORDER: Chairman Eaton called the meeting to order at 7:05 pm.

REGULAR MONTHLY MEETING FOR AUGUST:

A. MINUTES

June 5, 2017 meeting:

On motion Hunt / Sage to approve the June 5, 2017 meeting minutes as submitted. **VOTE: 3-0 IN FAVOR**

The Board members present for the June meeting signed the approved minutes.

July 10, 2017 meeting:

Sage objected to a statement in the minutes. She recalled that Hunt said the statement, not Eaton, and requested it be changed. The rest of the Board did not recall it that way so the minutes were not changed.

On motion Genthner / Hunt to approve the July 10, 2017 meeting minutes as submitted. **VOTE: 4-1 IN FAVOR
(SAGE)**

B. OLD BUSINESS

1. CHASSE MARINE COMPANY – 464 MAIN STREET (ROUTE 1B)- LOT 8/21-1 C2 COMMERCIAL DISTRICT. REVIEW OF SITE VISIT ON REVISED SCREENING OF THIS LOT FROM ABUTTING PROPERTIES AND PROPOSED ENLARGEMENT OF IMPERVIOUS SURFACE.

Nick Chasse & his attorney, Michelle Hallowell were present. Eaton showed a photo of the Chasse lot taken in 2002, that was brought by a neighbor. Eaton stated that the building was properly permitted at the time he built it – everyone knew what his plan was for it.

Eaton stated the only thing this Board could do is ask Mr. Chasse to move the boats back 15 feet from the lot lines – that's it.

He stated that they held an onsite visit this morning at the Chasse property. Representatives for Elsie Herald were present and stated she was ok with what he was doing.

Catherine Blount disagreed that the Heralds were ok. Elsie is being misrepresented.

Eaton stated that there isn't really any approval process required at this point. Chasse is not doing anything against the ordinances at this time, on his property.

Blount told the Board that they need to re-read their ordinances. They are wrong, the Code Enforcement Officer is wrong and she outlined all of it in her letter a few months back. She went on to say that she would sue the Town when her property is devalued because of this decision.

Frans Jansen, owner of the bakery recited complaints contained in a letter he sent to the Board the previous month. He reiterated that he wanted 12' tall arborvitae or an 8' tall fence between the 2 lots.

Blount began quoting the ordinance regarding the requirement to screen from view.

Eaton told her there was no ordinance requirement to screen from view between 2 commercial lots.

It was clarified that Blount was not talking about the bakery lot, but the Herald lot, which is residential use.

Eaton stated that trees have already been planted on the residential side for screening.

Blount was not happy with the plantings.

CEO stated that it did not qualify for a conditional use permit. The threshold for that type of permit is 10,000 square feet. The Chasse lot was significantly less, at just over 2,800 square feet.

Blount told him he was wrong.

Attorney Hallowell asked the Board to consider no further action at this time. Mr. Chasse has met all the requirements under the current Town ordinances, he was issued a valid permit. At this time Mr. Chasse can use the property in question for passive storage - which could include his own boats if he wanted.

Maltese asked what the planned use of the property was to be.

Hallowell answered that the plan is unknown at this point, it could be anything; parking, storage, etc.

Maltese asked if this was an expansion of Chasse Marine Co.

Dater stated that once a commercial use is decided, it would require a conditional use permit. He asked Hallowell if that is what they were seeking.

Hallowell told him no – they had no application pending at this time. They are only before this Board because they were summoned here to answer issues. They are seeking clarification from the Board on what they expect from Mr. Chasse going forward, she doesn't believe this property triggers site plan review.

Begin stated that in her opinion, as long as the property was not used at all, it was ok for now.

Maltese stated if the conditional use was to be expanded, it would have to come before the board for permitting.

Hallowell stated that at the time the use of the property is decided, the user will come before the Board with a proper application seeking approval.

Genthner asked for clarification of what would be the use of the property.

Eaton stated Chasse's personal property.

Chasse asked about parking of employee's vehicles.

Eaton told him that he didn't think there would be problem with that.

Begin didn't agree – she felt parking would be an expansion of use.

Hallowell stated that employee parking is not outside storage.

Dater stated that parking is an accessory use and that use is allowed.

Jim Campbell spoke – he is an abutter. He feels that the owner of the property should be able to do what he wants with his own property. He should not have to come to a Board begging to use his own property. It's commercial property.

Eaton told him that they do have to follow the ordinances.

Eaton asked the Board if they had any issue parking on that lot. There's no issue to him to use it for storage of his own property.

The Board agreed that storing personal items would be within the ordinances.

Hunt agreed. He told the room that the Board has heard the complaints. The purpose of this meeting was to air out complaints. There are very conflicting points of view. What has happened so far has happened appropriately and when they decide to use the land commercially they will have to come back before the Board.

Hallowell asked again for clarification on the parking issue.

Eaton asked CEO if he could see any issue parking cars on the lot in question.

CEO stated that he did not see a problem with it.

Dater stated that the Bakery is in a commercial zone, just as Chasse's property is. If one is in the commercial zone, one should expect commercial activity in that zone.

Eaton told Chasse that if he wants to store Chasse Marine Co. boats on it, they will have to come back.

Joyce Polyniak told the Board to consider an environmental impact study before issuing any more permits. She handed out copies for possible future use.

2. J.M AUTOMOTIVE & PRO BODY WORKS – MAIN STREET (ROUTE 1B)-LOT 3/41 C2 (HIGHWAY) COMMERCIAL DISTRICT – PRELIMINARY PLAN REVIEW ON POSSIBLEUSED CAR RETAIL SALES BUSINESS AND RELATED CAR MAINTENANCE AND REPAIR SHOP.

There was no one present representing this project so it was removed from tonight's agenda.

3. DUPUIS GARAGE – 4 RICE WAY (OFF ROUTE 1B)- LOT 10/20 – SKETCH AND PRELIMINARY PLAN APPLICATION FOR CONDITIONAL USE PERMIT FOR A TWO-BAY VEHICLE REPAIR GARAGE IN EXISTING BUILDING.

Scott Dupuis was present representing this project. He reviewed submittals with the Board.

The Board thought they had reviewed the checklist at a previous meeting. Dupuis agreed, but Dater didn't have record of that in the file, so the Board repeated their review.

Dater asked him if his notices to abutters were sent by certified mail.

Dupuis stated that they were not.

Eaton asked him about any signage.

Dupuis stated that they were not planning a sign yet.

Dater told him he will need to file an application with the Town before he installs a sign.

Dater asked about toxins & DEP requirements for waste products.

Dupuis explained that if he is not generating over 1,000 gallons of waste oil in a month, most DEP requirements don't apply, and he is nowhere near that quantity.

Dater thought the applicant should get a letter from DEP stating that fact.

Eaton didn't think it would be necessary – it's a very small operation.

CEO told the Board that the DEP requires a double walled storage container for anything over 500 gallons of used oil – that's it.

He went on to tell the Board he plans to use his waste oil in a waste oil furnace to heat the shop. The only other waste product would be used antifreeze – and that is a commodity these days – people want to buy it so it won't go into any landfill.

Dater asked about water supply & use.

Dupuis told him there was a well onsite, and he would be occasionally washing vehicles, very occasionally – not detailing vehicles there. There is no septic at this time. He is conversation with the CEO about putting in a holding tank in the future, but for now it will just be a porta-potty. It's only him there – no employees at this time.

Eaton told him that he would be required to park vehicles behind the building.

Dater asked about outside lighting planned.

Dupuis told him there isn't anything there currently.

Dater told him he would have to meet the ordinance requirements when he does install outside lighting.

On motion Genthner / Maltese to approve the application for site plan review as submitted. **VOTE: 5-0 IN FAVOR**

Dater wanted it noted for the record that it is implied by that motion that the application was complete as well.

The Board agreed.

C. NEW BUSINESS

**1. PEMAQUID OYTER COMPANY – DAMARISCOTTA RIVER AT BRIGGS ROAD
EXTENDED OFF BRISTOL ROAD-LOT 1/6 RESIDENTIAL SHORELAND ZONE-
PRELIMINARY APPLICATION FOR AN AMENDED CONDITIONAL USE PERMIT
FOR A REVISED SITE PLAN FOR A SEASONAL PIER/RAMP/FLOT SYSTEM.**

The Chairman announced that the Board would take up this agenda item first.

Attorneys Jonathan Hull and Peter Drum, and Smokey were present to inform the Board that the parties have come to an agreement acceptable to both sides. Hull told the Board that the detailed agreement allows POC to build and install a different kind of dock system, located in a slightly different place than originally presented; and preserves their right of way, not for the aquaculture landing site – that access will continue to be water only access.

Drum told the Board that the Way's concerns were adequately addressed and POC is getting what they need in a different manner and the agreement adds for landscaping as well.

A copy of the agreement was submitted for the Board's review and to include in the Town's file (copy attached for reference). Hull told the Board that if they accept the agreement then the issue is done.

Eaton asked Smokey if POC had seen the agreement and was ok with it.

Smokey told the Board POC was – he was involved with the negotiation process along the way.

The Board discussed options with the Town Planner. It was determined that this would be an amended Notice of Decision that the Board could approve at this meeting.

On motion Hunt / Maltese to approve the amended Notice of Decision as presented, to include the elements of the formal agreement reached by both parties. **VOTE: 5-0 IN FAVOR**

2. DAMARISCOTTA MAIN STREET, LLC C/O DAN CATLIN – 435 MAIN STREET – LOT 1/56-001 PRELIMINARY SKETCH PLAN REVIEW / SITE PLAN FOR PROPOSED RETAIL BUILDINGS.

Eaton told the room that this application is likely to take some time to work through. There will be additional meetings held, just for the review of this project in the months that they are dealing with the application. He would like for tonight to be just a sketch plan review of the proposal, with the applicant to provide some basic information on their plan. There will be no public comment allowed at this meeting, the Board will allow comment at the meetings going forward on this.

An audience member wanted clarification that there was not to be a vote at tonight's meeting.

Eaton confirmed that the Board was not going to vote on this project tonight.

Bill Davison & Shawn Tobey, from Hoyle Tanner Engineering; Dan Catlin, the developer from Commercial Properties; and Randy Dunton, traffic engineer from Gorrill Palmer were present representing this project.

Davison explained the location of the project (435 Main St) an 11-acre parcel between Damariscotta Hardware & Hannaford.

Tobey told the Board that they would like to “master plan” the entire property – not necessarily to build the entire thing all at once, but in his experience, it doesn't make sense to have to keep coming back to the Board for each building. This way all of the drainage would be done at once, the parking lot and the functionality would be cohesive.

He went on to show the locations of the proposed buildings on the site plan:

- 1) A 3,500 sqft bank with a drive-thru lane
- 2) A 2nd building, approximately 5,500 sqft, for possible use as retail/service space, restaurant, or even medical office space.
- 3) A 3rd building at the rear of the lot is the largest, at 22,000 sqft, for potential use as 2 retail/service spaces.

Tobey pointed out they want to provide a lot of screening at the front of the lot while trying to maintain as much of the existing vegetation as possible at the side lot lines, while still maintaining the commercial use with some visibility at the street.

Tobey explained the drainage plan for the property – all closed drainage going to a “wet pond” at the rear of the property, per DEP requirements. They have also had a pre-application meeting with MDOT and they did not note any major problems with the plan.

Tobey stated that they are working with Great Salt Bay Sanitary District on getting water & sewer to the site. Water is located right at the front but they would be required to do a sewer extension to reach their location

Randy Dunton spoke regarding the MDOT permitting process & requirements. This project will generate more than 200 “trip ins” during a peak hour based on

national averages for those types of businesses. That triggers a traffic impact study. They are currently working through the process. Have not yet had the scoping meeting with MDOT yet. Once scheduled, the Town is invited to attend. Based on MDOT crash data between 2014 – 2016, it's not a high crash location. He went on to explain that approximately 42-44% of the trip ins will be "pass by" in nature.

He went on to tell the Board that there is plenty of sight distance at that location at more than 700 feet. Based on 40 MPH, 360 feet is required. They will be planning for a center turn lane to be required by MDOT.

Dan Catlin spoke about the style of the buildings. He told the Board that the bank is being planned as a traditional style building very much fitting into the area. He told the Board that they couldn't say who was coming at this point because the leases were not finalized yet. The other buildings could be small users such as cell phone retailers or even medical offices and they've been speaking with a restaurant as well. He has a letter of interest for half of the bigger building at this time but will not break ground on the building until he has tenants signed.

Catlin stated that all the buildings he builds are multi-use buildings. The interior walls are moveable to be customized for any use, so if the original plan doesn't make it, they can be reused for most anything.

There was discussion about sidewalks – Catlin stated that he was happy to contribute to an escrow fund & has had a conversation with the Town about that – those specifics can happen later. He also stated that he has spoken with the abutters on both sides about the possibility of an interior roadway in the future, connecting Damariscotta Hardware, Hannaford & his lot – which MDOT likes that type of access, for safety.

There was some discussion about signage – Catlin stated that they have reviewed the sign ordinance and are aware that it will require a separate application. He doesn't believe they will have any issues with their standard sign design. He handed the Board a drawing of their typical sign.

Hunt asked about the capacity of the pond shown on the site plan.

Tobey stated that it was a storm pond that will be built to DEP specs and is sized for a "25 year" storm but will have the overall capacity of a 100-year storm without over topping. In a large storm event, it will be designed to maintain a 1-foot space at the top. 100 percent of the water runoff from the impervious areas will go to that pond.

Maltese asked about the rifle club's access. Catlin explained that they have met with the club and the plans are that access will be maintained at the rear of the parking lot, there will be a nice gate and signage at the location for direction, and he will be improving the access road to include lighting as well as maintaining it, included in the winter months. Catlin told them that he is also planning a space for the rifle club on the sign pylon.

Maltese asked about the phasing of the project, what will be first.

Catlin told him probably the bank. It all depends on the lease signing. It may take a few years for all buildings to be built & filled, but it's hard to actively solicit tenants without an approved permit. He told the Board that his last project took approximately 2 years to complete.

Hunt asked what happens when the businesses go belly up?

Catlin told him that he has 25+ years in retail development and retail is changing & adapting. A lot of his properties are service based, not 100% retail – the buildings will be built so that the interior walls are modular and can be rearranged to fit any type of use, not just a traditional retail space.

Maltese asked Dater if another permit or Planning Board review would be required if the tenants of this property were to change going forward.

Dater told him that a new conditional use permit would be required if there was a significant change in use or significant expansion in the space. He used the example of retail use to professional / medical office use.

Audience member, Catherine Blount asked if the parking calculations met the code.

Eaton told her that the Board would not be getting too far into that this evening.

Blount stated that any significant change in use would potentially have different parking requirements under Town Ordinances.

Eaton agreed.

Tobey stated that they felt they had that covered, that the parking shown in the preliminary site plan was the most extreme for parking spaces. They have it shown as if one of the spaces would be a restaurant.

Begin asked where a stream shown on the plan ends up at.

Catlin told her he was not sure of its path beyond the property lines.

Eaton told her that it originates from the area behind Sherwin Williams and runs under Biscay Road, behind Hannaford property, across the Rifle Club property, this property, touches on Damariscotta Hardware property and ends up in the Castner Brook.

Tobey stated that in the Maine DEP review, they did not feel it was draining to any area that would require additional storm water treatment actions.

Begin expressed concern that Castner Brook was an important tributary of the Damariscotta River, which is a major aquaculture area in Maine.

Catherine Blount asked if the Board was planning to discuss the 50' buffer requirement & the fact that it is not reflected anywhere on the plan shown.

Eaton told her the Board would be discussing a lot with this project.

Eaton stated that they would not be entertaining any further public questions or comments at THIS meeting. He promised there would be a time and place for that in the future.

Sage wanted verification that the buildings were re-purposeful and that if a specific, well recognized tenant wanted in, they would need to conform to the approved building specs, instead of maybe the other way around. She referenced the Freeport McDonald's building as an example.

Catlin again explained about the moveable interior walls and his ability to swap out signage for anything that may go in over time. He told her that everyone has a logo and that's the way he prefers to go, versus a generic specific building.

Sage read from the ordinance – Section 11, H, 3a "... in no case shall parking lots be located between the front facade of the principal building and the primary abutting streets unless the Planning Board grants a waiver....". She stated that she was not seeing any reason to grant a waiver of that requirement on this project. She told the applicant that there is also a vegetative buffer requirement that does not seem to be reflected on the plan.

Catlin stated that a number of businesses along Main Street in that area have parking at the front or between the street and the buildings, including the most recently approved Dollar General / Sherwin Williams project, which asked for and received 6 waivers, including parking. Their proposal is keeping with the neighborhood. He went on to explain that for the safety of the customers, parking at the rear did not make sense.

Sage stated that unfortunately is not a valid argument for requesting a waiver and the feedback is that people are unhappy that it's still being allowed to happen.

Maltese told the applicant that he did not think the code is necessarily requiring that the parking be at the rear of the store, just that the building be oriented in such a way to comply.

Davidson stated that he has reviewed the Town's comprehensive plan in depth and feels that a lot of this plan fits into the comprehensive plan. He was surprised to see that the Town's tax-exempt base is quite high at 15%. This would be a tax positive project. He feels that parking & screening details can be worked out as the process moves forward. He thinks a compromise could be reached.

Eaton suggested turning the front building so that it fronts on their own road, then parking could be at the front door without issue. Similar to the bank building onsite. The building could be pushed a bit more toward Main Street to allow space to turn it, and still be able to maintain the greenspace.

Catlin stated that in his experience that would significantly reduces the tenant desirability of that space, because the traffic wouldn't be passing by the visible side of the building. He doesn't want to build something that is not marketable.

Eaton stated that they would likely be holding more than one meeting per month as this goes forward, in the interest of time.

The Board discussed meeting dates for the special meeting for this project.

Hunt asked Eaton how he envisioned that meeting.

Eaton stated that he would like to see the Our Town group get organized, select a spokesperson to present their issues so that the same questions aren't asked repeatedly.

Eaton stated that he would like to see 60 minutes of public comment & questions before the Board goes to work on the project.

Dater asked the Board if they wanted to make that meeting a public hearing and advertised as such.

The Board set the public hearing for this project for September 18, 2017 at 7pm.

After some discussion it was suggested that a larger venue be secured for the public hearing.

Dater agreed to work on securing a larger venue and advertise that location.

D. OTHER

1. Questions from the Public.

Sage moved to the public side of the table to speak to the Board as a resident.

Eaton told Sage that most of the Board has reviewed her info.

Hunt referenced a memo sent to Board members by the Town Manager regarding what should happen when a member steps down, or recuses themselves from a matter. An alternate needs to be voted in to replace the vote on the Board. The member can't vote on the matter.

Genthner agreed with Hunt's summation of the memo

Hunt went on to say that if the same matter came up again, the same action needs to take place.

The Board agreed with this as well. Alternate 1 – Dana Orenstein joined the table.

Sage spoke out against having Dana Orenstein, alternate 1 stepping in, due to potential bias she may have since her husband, Selectmen Ronn Orenstein voted against the moratorium. She requested Jenny Begin sit in.

Orenstein told Sage that she has not had any discussions with Sage on anything and Sage could not speak to what Dana & Ronn speak about, if anything at all. She went on to say that she purposefully did not participate in a discussion Sage had with Ronn on Sunday.

Genthner did not think that Dana being married to Ronn had any bearing on the Planning Board topics. He feels that everyone on the Board is an adult and can vote their feelings on issues, there are persuasions from the public as well.

Maltese and Eaton agreed with Genthner's opinion.

Sage told the Board that she would like to revisit the open-faced LED signs in the Sign Ordinance; specifically, the 24-square foot, double sided, open faced, changeable, multi-colored, on all day signs. She went on to say that she did not believe they followed the intent of the ordinances in place. National studies and basic science support not having this type of sign in the community. She went on to site her resources. She emailed the Board prior to the meeting so they could become familiar with her argument and the supporting information.

Sage also told the Board in reviewing the vision statement in the long-range plan, it was clear to her that the intent of the Town was not followed in the creation of this part of the sign ordinance.

Maltese clarified the purpose of this presentation tonight, as well as the process. He asked Sage if she was looking for an endorsement from the Planning Board.

She told him she was.

It was explained that IF the Board endorsed this type of amendment, it would go to the Board of Selectmen for a vote to include it on a Town Meeting Warrant for a public vote.

Eaton told Sage that she needed to come up with something specific to present, specific wording, before they would take any action.

Sage told the Board that after talking with Dater, she was under the impression that if she presented to the Planning Board and they agreed to remove this section of the Sign Ordinance, then she did not need to get signatures on a petition, this Board had the power to act on it- the end. That the Planning Board could send the item to a vote of the Town.

Dater clarified that if this Board agreed, it goes to the Select Board and THEY are the ones that can put it to a Town vote.

Begin asked Sage why not wait and work with the newly appointed committee that will be reviewing all ordinances.

Sage told her that she was hoping this avenue would produce quicker action, because any signs put in while she is attempting this amendment would be grandfathered and she is trying to prevent any new ones.

Sage told the Board that people approach her all the time to voice their concerns on this – It's unnecessary, it's bad for tourists – Camden and Freeport do not allow this type of sign. We need to be sensitive to the residential homes within the commercial district.

Genthner stated that the current ordinance wording requires that those signs get turned down between 11pm – 7am to reduce the glare, light pollution, etc.

Begin stated that this type of sign is very distracting, it could be dangerous to drivers and they are generally junkie looking.

Maltese stated that he was not sure the Planning Board is the best venue, this is a voter issue.

Hunt stated that the Sign Ordinance was over a year in the making, there was multiple conversations with public comment and it is a compromise. There are several long-time businesses/places in Damariscotta that have one of these signs – Colby & Gale, Lincoln Theatre, First National Bank, Baptist Church, Hilltop Stop, Damariscotta Hardware, and the Fire Department - these places / businesses ARE Damariscotta. In his opinion the Planning Board has no business supporting this amendment. He for one has no interest in re-hearing the same arguments again.

Sage told Hunt that her concerns were thrown under the bus.

Hunt stated that it was voted on by the people of the Town.

Sage stated that people in the audience at Town Meeting has asked to have this very section removed prior to voting and the Town Manager stood up at Town Meeting and told the floor that the ordinance could be changed, if necessary later. It was a close vote and she's not sure people understood the ramifications of voting yes.

Maia Zewert read aloud from her records exactly what was said at Town Meeting. In summary: The ordinance could not be amended from the floor of Town Meeting because that would not meet the advertising requirements. Lutkus told the Town Meeting attendees that the ordinance had been worked on for over 1 year, with multiple drafts and multiple public hearings. If the voters voted against the ordinance it would go back to the Planning Board for more work.

Maltese stated that there IS an opportunity to amend the existing Sign Ordinance and get it on the November ballot for voters to decide, taking the proper steps. He went on

to say that the information in front of the Board tonight seems like overkill – the amendment needs to be specific so as not to confuse voters. The petition drive doesn't seem unreasonable, 116 signatures is not a lot.

Eaton stated that it might not be a bad idea to revisit it. If they can use this type of LED sign anywhere in the commercial district, there is some areas that they might want to protect. Not against the LED sign, but could see where some sort of limitation might be helpful.

CEO didn't think that was actually lawful to limit, it's either allowed or not, due to a federal court case that started this whole sign ordinance.

Sage felt limiting the areas they could be is a "not in my backyard" mentality that doesn't work.

Eaton suggested that Sage get the signatures and move it forward that way. He also told her she could state her case to the Board of Selectmen.

Sage stated that she is concerned about the time frame involved. If a sign like this goes up before she gets through the process, it's grandfathered. She's very concerned about diminished property values.

2. Planner's Report.
3. Housekeeping Items:

E. ADJOURNMENT

On motion Hunt / Genthner to adjourn the meeting at 10:05 pm.

VOTE: 5-0 IN FAVOR

Respectfully submitted by:

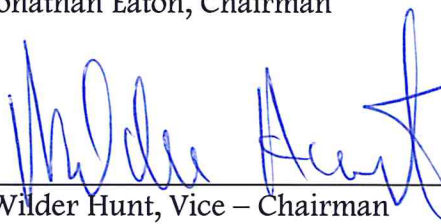


Rebecca J. Bartolotta, Deputy Clerk

We, the undersigned, do hereby approve the minutes of the August 7, 2017 Planning Board meeting:



Jonathan Eaton, Chairman



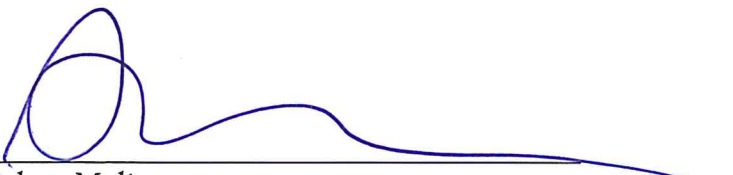
Wilder Hunt, Vice – Chairman



Neil Genthner



Shari Sage



Adam Maltese

Dated: 12/04/17

