

MINUTES

ORDINANCE COMMITTEE MEETING Meeting of Monday, March 24, 2014 – 8 a.m. Conference Room A

Present: Councilor Matt Robinson, Committee Chair; Councilors Sherrie Benner and Benjamin Hartwell

Also Present: Town Manager David Cole; Zoning Administrator David Galbraith; Town Planner Tom Poirier; Travis Caruso; Shawn Moody

1. Approval of February 24, 2014 Committee Meeting Minutes.

Committee Chair Matt Robinson stated that he believed that it was important that the Ordinance Committee make a formal recommendation on all items to the Town Council for Council's consideration. He further stated that a Council Committee should not have the power to change process or act on an item without full Council discussion and consideration.

After a brief discussion, the Committee clarified its recommendation made at the February 24, 2014 meeting that the Committee recommend to the Town Council that the Town erect warning signs at the appropriate locations at the intersection of Railroad Avenue and Mechanic Street and agreed that this item will be placed on a future Council agenda for consideration.

A motion was MADE by Councilor Benner, SECONDED by Councilor Hartwell, and VOTED to approve the minutes of the February 24, 2015 Committee meeting as presented. Unanimous vote.

2. Current Business.

- A. Review proposed amendment to the Land Use and Development Code to add definitions for airstrips and runways (referred by Town Council on October 1, 2013).

At the February 24, 2014 Ordinance Committee, the Committee asked staff to draft language to add to the proposed zoning amendment regarding airstrips. The Committee reviewed and discussed the proposed language and listened to feedback provided by Mr. Caruso and Mr. Moody.

The Town Manager requested that #1 of the proposed standards and limitations be corrected as follows:

1. Change "site plan review" in item #1 of the standards to "site plan review" so that the standard will read "Site plan review by the Planning Board is required prior to the start of the airstrip use".

The Committee reviewed Item #2 – 13 of the proposed standards and limitations and made the following recommended changes:

Item #3 Length: A motion was MADE by Councilor Benner, SECONDED by Councilor Hartwell, and VOTED to recommend a length of a minimum of 500' and a maximum length of 2,500'. 2-1 (Robinson).

Item #4 Setbacks: A motion was MADE by Councilor Benner, SECONDED by Councilor Robinson, and VOTED to recommend a front to back setback of 250'. Unanimous vote. A motion was MADE by Councilor Benner, SECONDED by Councilor Hartwell, and VOTED to recommend a side to side setback of 50'. Unanimous vote.

District: A motion was MADE by Councilor Hartwell, SECONDED by Councilor Robinson, and VOTED to recommend that airstrips be allowed as a permitted or special exception use in both the rural and suburban residential zones. 2-1 (Benner). The Committee requested that staff spell each district out.

#5 Hours of Operation: A motion was MADE by Councilor Benner, SECONDED by Councilor Robinson, and VOTED to recommend hours of operation of 8 a.m. to 8 p.m. 1-2 (Robinson, Hartwell). Motion FAILED. Hours will remain as proposed at 7 a.m. to 8 p.m.

#8 Use of airstrip. Councilor Hartwell stated that he would like to see an agricultural exemption for the spraying of pesticides. After discussion, the Committee decided to keep Item #8 as proposed.

#9 Deeded rights. After discussion, the Committee requested that staff clarify language on homeowner associations or multiple owners owning an airstrip, the transfer of a deed to a neighbor, and deeding rights in the airstrips to others, or non property owners.

#10 Storage. The Committee requested that staff add a definition of storage in terms of keeping airplanes for 72 hours or longer and that the number of stored airplanes be kept to a maximum of three tie downs.

It was agreed that staff will make the recommended changes for Council's consideration at the May meeting with a referral to the Planning Board.

- B. Develop a proposal to provide more flexibility for allowing home occupation businesses for the Town Council to consider at a future meeting (referred by Town Council on December 3, 2013).

After a brief discussion, the Committee postponed item until next meeting.

3. Schedule next meeting.

The Committee scheduled the next meeting for April 14, 2014 at 8 a.m. The Committee agreed items for discussion at the next meeting will be the Special Amusement Ordinance and Home Occupations items.

4. Adjournment.

There being no further discussion, the meeting adjourned at 9:51 a.m.

Respectfully submitted,

Jeri Sheldon, Ass't to the TM/HR Director