

MINUTES

ORDINANCE COMMITTEE MEETING

May 12, 2014 – 8 a.m.

Conference Room A

Present: Councilor Matt Robinson, Chair; Councilors Sherrie Benner and Ben Hartwell
Also Present: Town Manager David Cole; Zoning Administrator David Galbraith; Town Planner Tom Poirier; Jon Smith (left at 9:42 am);

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

A motion was MADE by Councilor Benner, SECONDED by Councilor Hartwell and VOTED to approve the minutes of the March 24, 2014 meeting as distributed. Unanimous vote.

2. Current Business.

- A. Review the Town's Special Amusement Ordinance and recommend to the Town Council changes that reasonably allow outdoor Special Amusement Events (referred by Town Council at the January 7, 2014 Town Council Meeting).

The Town Manager explained that the draft ordinance in front of the committee is slightly different than the last revised ordinance reviewed and discussed by the Committee. He reported that the changes to the ordinance pertained to clarifying and defining off-premise catering and stressed to the Committee that the Special Amusements Ordinance does not apply to off-premise catering.

The Committee reviewed and discussed the ordinance and asked several questions. The Committee discussed sound level requirements for the industrial zone. The Town Planner replied that a business in the industrial zone has a standard of 60 decibels if the property abuts the residential zone. There was discussion about the decibel limits and whether they were too restrictive.

The Town Manager stated that his experience with businesses has been that the business owner finds it easier to work within an established standard. Mr. Smith stated that there have not been any noise issues at The Spire.

After discussion, the following changes were recommended to the ordinance:

1. A motion was MADE by Councilor Benner, SECONDED by Councilor Hartwell and VOTED to amend Section 9. General Requirements (d) (1) Outdoor Events by changing the hours for outdoor

events from: 8 am to 10 pm to: Sunday – Thursday, 8 a.m. to 10 p.m., Saturday, 8 a.m. to 11 p.m. Unanimous vote.

2. A motion was MADE by Councilor Benner, SECONDED by Councilor Robinson and VOTED to amend Section 9. General Requirements (d)(2) Indoor Events by changing the hours from: 8 a.m. to 1 a.m. to: Thursday – Saturday, 8 a.m. to 1 a.m., and Sunday – Wednesday, 8 a.m. to 11 p.m. Unanimous Vote.

The Committee noted that a special amusement permit is not needed for playing a radio or juke box.

A motion was MADE by Councilor Benner, SECONDED by Councilor Hartwell, and VOTED to forward the Special Amusement Ordinance, as amended, for approval to the Town Council. Unanimous vote.

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, 2014).

The Committee agreed to postpone action on this item until the next meeting.

C. Review proposed amendment and Planning Board's recommended changes to the Land Use and Development Code regarding dog kennels (referred by Town Council on May 6, 2014).

The Committee reviewed and discussed changes to the ordinance recommended by the Planning Board. The Town Planner explained the recommended changes in detail and answered questions.

The Committee agreed that after review and discussion, it was determined that the changes recommended by the Planning Board were not substantive.

A motion was MADE by Councilor Benner, SECONDED by Councilor Hartwell, and VOTED to recommend the revised ordinance with the recommended changes from the Planning Board. Unanimous vote.

3. Next Meeting.

The next meeting of the Committee was scheduled for June 16 at 8 a.m.

4. Adjournment.

There being no further business, a motion was MADE by Councilor Benner, SECONDED by Councilor Hartwell, and VOTED to adjourn. Time of adjournment: 9:51 a.m. Unanimous Vote.

Respectfully submitted,

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