

Town of Searsmont  
Planning Board Meeting Minutes  
November 1, 2022  
7:00 PM

1. Call to order: The meeting of the Planning Board convened at 7:00 pm. These minutes are a summary of the Board's discussions. A recording of this meeting is available at the Town office.
2. Roll Call - Members Present:

Christian Halsted, Chair Jack DeGraff Evelyn deFrees Jon Thurston	Others: Frank Therio by Zoom Patricia Chapman, PB Clerk
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3. Applications: None.
4. Approval of Minutes:
  - a. C. Halsted moved to accept the October 4, 2022 minutes as written, J. Thurston seconded. Motion passed with 2 in favor, 2 abstained.
5. Treasurer's report: None.
6. Communications:
  - a. CEO Report:
    - i. F. Therio provided a detailed report.
    - ii. F. Therio feels that there is a more detail than necessary in the sign ordinance.
      1. Nothing new was added at the last meeting, it was just rearranged.
      2. We reviewed Lincolnville, Union, and the state ordinances regarding message boards.
      3. F. Therio recommends reviewing a more similar sized town like Stockton Springs.
      4. Most important pieces are:
        - a. Setback from the road based on the size of the road.
        - b. Size of sign should be based on the location/what road it is on vs whether it is commercial or not.
        - c. How big it can be on the side of a building.
        - d. Signs should not be too high or too low to avoid distracting drivers trying to read it as they go by.
      5. F. Therio is willing to look it over and give more specific recommendations about which details he feels are unnecessary.
    - b. Building Permit spreadsheet:
      - i. P. Chapman added two more permits to the spreadsheet this month.
7. Committee Reports: None.
8. Old Business: Deferred to later in the meeting.

9. New Business:

- a. Skip to 9c from agenda - Potential new projects (from C. Halsted's meeting with the selectmen):
  - i. J. Boyington purchased the old fire station and he mentioned to the selectmen that he was considering making the upstairs into apartments and a business downstairs. Selectmen were concerned whether this mixed use (residential & commercial) was allowed under the LUO.
    1. You can do something less restrictive in a zone such as living in a commercial zone.
    2. Is there enough land for an appropriate size septic system?
    3. From a zoning standpoint, there is nothing preventing someone in a commercial zone from adding an apartment. Other issues may arise if the project moves forward such as the need for a septic system but that isn't the question now.
    4. There are already examples of this happening (i.e., Fraternity Village Store, several private homes in the commercial zone along route 3).
    5. Does the old fire station have an existing septic system? An old style that is not up to code.
    6. When they decide what they want to do, they will need to talk to Frank and he will let them know additional steps such as going before the Planning Board. Change of use would require a new site plan that would require Planning Board approval.
  - ii. Contract Zoning:
    1. Come Spring wants to build condos along the river behind Come Spring Business Park. Similar answer as above – people can choose to live in a commercial zone.
    2. You are allowed to do things that are less restricted than the zoning
    3. 5 unit building
      - a. Road frontage
      - b. Septic system
      - c. Ordinance doesn't usually indicate the space needed
    4. Area behind Come Spring is in Shoreland Zoning and possibly in the flood zone.
    5. A long driveway for a property like Come Spring could be made into a road for 911 purposes.
    6. No, we don't need to do contract zoning. There is enough land there to do it.
    7. There is some history of that property flooding in the past but the determining factor is whether FEMA has designated it as a flood zone.
    8. This is an initial decision based on limited information. Once they move forward with the plans for the project, the answer could change if the project isn't held up by other issues in the process (i.e. flooding, septic requirements, etc).
- b. (Item 8: New Business from above) Sign Ordinance:
  - i. It appears everything discussed at the meeting made it into the new draft ordinance but there are still some questions that need to be answered.

- ii. 20% of a wall: Robbins has a building with a huge wall that could be 40' long – that could be a huge sign. Should there be an upper limit?
  - 1. 100 square feet? Matching 32 square feet listed in other parts of the ordinance would be too small.
  - 2. The town of Union has 90 square foot limit on a road with a 50 mph speed limit. Lincolnville has a limit of 6 square feet for goods & services; name signs have a limit of 12 square feet.
  - 3. Revise statement to say “Shall not occupy more than 20% of a wall up to 100 square feet.
- iii. Projecting sign: Is 8' too high for a sign coming off a wall? Too high to see driving by? These are attached to a building and more likely to be seen by someone actually entering a building, not driving by. Someone could come to the board to request a variance if needed.
- iv. 606.1 b – strike the statement about being 8 feet from a property line as it is stated in 606.2 c.
- v. Freestanding signs:
  - 1. There can be one or two. If there are two, you need more than 500 feet of road frontage and they would need to be located over 500 feet apart.
  - 2. 20' was based on previous discussions and there didn't seem to be a reason to change it.
  - 3. Sarah didn't find a model ordinance from the state when she printed the other town ordinances to review.
  - 4. We stated that they can't be in the public way. Other ordinances list distances from the center line. Centerline distances could allow a sign to be on state property. Out of the right of way would make sure it is on private property.
- vi. Awning or Canopy: signs are permitted on awnings and canopy. Canopy refers to cover over things like gas pumps.
- vii. Purpose of 606.2 is to have a list of items that apply to all signs.
  - 1. 6' seems small for temporary signs. There are currently temporary signs that are more than 6'. 16' would be a better limit.
  - 2. Kept hunting & trespassing signs. They have to be 50' apart. They are supposed to be all around a property but most people do it along roads.
- viii. Do we need any language indicating that the ordinance doesn't apply to DOT and road signs? DOT is not going to come to the Planning Board anyway. We can put one sentence indicating that it does not apply to DOT at the top.
- ix. 606.2 c All signs must be at least 8 feet from any property lines... – change to “... all property lines...”.
- x. Signs may be illuminated. There was a long discussion about illuminated from within vs from outside. No change to 606.2 d about illumination.
  - 1. There was some discussion about timing of illumination – how long they can stay on and how bright they.
  - 2. Add 606.2h – all illuminated signs must be turned off from 10 pm to 6 am unless the business is open.
  - 3. Section e – neon signs –
    - a. LED signs are very different from neon

- xi. Section 603 f: lighting of flags
  - 1. This is a lighting issue and nothing to do with signs. Move this to the new section 610.
  - 2. There isn't another place that this would fit.
  - 3. It would be similar to someone putting a spotlight in their yard to shine on their house.
  - 4. Create a new section 610? for exterior lighting? Rename 606 to signs and exterior lighting?
    - a. Down shielding? – come back to this issue after we finish editing 606 and get back to 610.
    - b. Consensus is to start a new section 610 for exterior lighting and keep it general “exterior lighting” and not specify residential and keep Section 606 as just “Signs” and not include “exterior lighting”.
  - 5. Security cameras may be another upcoming issue.
  - 6. 600 is a “catch all” section for things not addressed in other sections. 611 would be for the next issue that arises.
- xii. Section g was the addition we added last year when the town office was considering an electronic sign. There are currently no electronic signs in town. Do we need to address them at all?
  - 1. If we do not address it, then it is allowed.
  - 2. The ordinance can either define what is allowed or just not allow them.
    - a. There are low-key electronic message boards that aren't crazy flashy.
    - b. They could still have time constraints for when they can be on. 6 am to 8 pm? Weekdays vs weekends? There is some value for having them on over the weekends – especially for businesses that are open.
    - c. We already have section h that says all lighted signs have time limits.
    - d. If they were allowed, would we start getting too many? That doesn't seem likely, as they are expensive.
    - e. Change section h to say “Signs need to be off from 9 pm to 6 am unless the business is open”
  - 3. Brightness – can we limit the brightness? How do we determine what is appropriate? How do we measure/enforce it (measure lumens)?
    - a. Can we use a vague expression like “No brighter than is needed for regular operation of business ...”?
    - b. If people complain/have issues with the brightness of a sign, they would go to the CEO first.
- xiii. 606.3 – what is not allowed (re: signs)
  - 1. Add a statement not allowing signs on trees except for no hunting or no trespassing signs? (606.3 g)
- xiv. Back to section 610: C. Halsted will confirm that this section does not conflict with anything else in the LUO.
  - 1. Under site plan review:

- a. The size, location, direction, and intensity of illumination and method of installation of all major outdoor lighting apparatus and signs. Information the applicant has to provide in an application but doesn't list any restrictions.
  - b. Advertising Features: The size, location, design, lighting and materials of all exterior signs and outdoor advertising structures or features shall not detract from the design of proposed buildings and structures and the surrounding properties. No permanent sign shall have visible moving parts, have blinding, moving, or glaring illumination, or be erected at a location where, by reason of shape, color or wording, it interferes with vehicular traffic or may be confused with any authorized traffic sign, signal or device. A commercial business on a state road is allowed to have a 32 sq. ft. free standing sign at no cost.
2. Applicants can't propose something in a site plan that goes against anything in the general standards (outside the shoreland zone) as well as the site plan section.
  3. Subdivision section 1000 – Lighting - Street lighting shall be installed as approved by the Board. Commercial business on a state road is allowed to have a 32sq.ft. free standing sign at no cost. Language is consistent.
  4. Section 1007 – Outdoor lighting in a manufactured and/or tiny home park shall be provided to illuminate internal streets and pedestrian walkways. Lights shall be sized and directed to avoid adverse impact on adjacent properties.
  5. Section 1102.5.b.8 - Exterior lighting – All exterior lighting shall be designed to encourage energy efficiency, to ensure safe movement of people and vehicles, and to minimize adverse impact on neighboring properties and public ways. Adverse impact is to be judged in terms of hazards to people and vehicle traffic and potential damage to the value of adjacent properties. Lighting shall be arranged to minimize glare and reflection of adjacent properties and the traveling public. Exterior lighting shall be limited to illuminating the immediate premises, and direct light shall not project onto adjacent residential properties or be directed skyward. If necessary, direct light shall be shielded by blinders and additional buffering/screening. Copy this language to the new section 610 in general standards.
- c. MMA marijuana seminar – Wednesday, November 30, 2-4:30 pm:
    - i. We've been checking in on this topic regularly to see if we should be doing anything.
    - ii. J. Thurston is willing to attend this online session. C. Halsted will have K. Hoey register J. Thurston.
  - d. In person tasks the Planning Board Clerk currently does:
    - i. The Selectmen were fine with C. Mancini printing minutes and agendas to distribute and post.
    - ii. K. Hoey has assisted with posting public notices at the Post Office in the past so she may be willing to continue that and post at the village store as well.

- iii. We need to review the LUO for when abutter letters need to be sent and who is required to send them and then decide how to move forward. P. Chapman will prepare a list of what letters need to be sent, when, and by whom.
  - 1. We can assign a new person to send letters from the town.
  - 2. We can change the LUO to require the applicant to send all the letters.
- iv. Building Permits – C. Halsted is willing to take on the task of updating the spreadsheet since he already adds them to the online map.
- v. We are trying a new microphone for recording to Zoom so P. Chapman can transcribe them remotely. If that doesn't work, we can use the old recorder and C. Halsted can upload the recording.
- vi. S. Crosby is also willing to help with many of these tasks but isn't here tonight to volunteer.
- vii. All of the Planning Board members are willing to pitch in and help as needed.

10. Adjournment: J. DeGraff made a motion to adjourn, seconded by C. Halsted. Motion passed by a vote of 2 in favor, 0 opposed and the meeting was adjourned at 8:49 pm.

The Planning Board needs to have its own sign-in to Zoom – either a separate account or a separate/2nd user on the current account. Zoom requires two-factor authentication and the code is currently sent to the Deputy Clerk email (account owner) making it difficult to get the code when trying to sign in for a meeting if office staff are not available or P. Chapman is off-site.

Respectfully submitted,  
Patricia Chapman, Planning Board Clerk

S. Crosby made a motion at the December 6, 2022 meeting to approve the minutes from November 1 with an edit to line 153 to clarify that the title of Section 606 will remain "Signs" and not include "exterior lighting" which will be covered in the new section 610 (#9.b.xi.4 in the minutes). J. DeGraff seconded the motion. Motion passed 7 in favor, 0 opposed.