

**TOWN OF SKOWHEGAN
PLANNING BOARD
MEETING MINUTES**

February 5, 2019

7:00 P.M.

Council Room, Municipal Building

PRESENT:

Steve Conley, Chairman
Todd Smith, Vice Chairman
Stephen Gould, Secretary
Harvey Austin
Steve St. Pierre
Joel Greenwood, Planner
Cynthia Kirk, Recording Secretary

ABSENT

Garrett Quinn

PUBLIC PRESENT:

Randall Gray, Code Enforcement Officer
Jason Gayne, Chamber Director

1) QUORUM:

Planning Board Meeting called to order at 7:00 P.M. Quorum was present.

2) MINUTES OF THE January 15, 2019 PLANNING BOARD MEETING TO BE APPROVED:

Motion by Steve Gould to approve the January 15, 2019 Planning Board meeting minutes, as written. Seconded by Steve St. Pierre. Motion passed 4-0.

3) SITE PLAN

None

4) ITEMS BY THE PUBLIC:

None

5) COMMUNICATIONS:

None

6) UNFINISHED BUSINESS:

A) Continue discussion on combining the Obscenities and Adult Entertainment Ordinances.

Joel said that the draft that they currently have was just an administrative joining of the two ordinances he had put together. He hasn't made any other changes yet. He said that Jason Gayne had brought a couple concerns about the ordinances to him when they had met. Joel said one of the sections he had mentioned was section 4 1A on page 2. The distance from any schools, churches etc. He said it should be more consistent with the other ordinances in town. They reviewed the other ordinances and it was decided to set the distance at 750 feet.

The other section that they have been asked to look at is section 5 with subsection d. Basically, what was mentioned by Jason Gayne is this section in its entirety unfairly restricts certain businesses and the number of devices allowed in subsection d seems unnecessary. Steve Conley said in kind of comes down to what exactly is determined as obscene material. Joel said that the definition that is in the ordinance is based on the Supreme Court ruling. He said the definition is still open to interpretation though which makes this difficult. What one person finds obscene another person might not. Joel said it is also hard because it is constantly changing with the times. What was once considered obscene in the 1920's probably wouldn't be obscene today. Steve Conley said he understands that they can't really fully restrict these types of things in town but they should be able to regulate what is in town. Steve St. Pierre said what if it restricted these types of businesses or shows from putting anything out for public display.

Harvey said he has no problem working with existing businesses to allow them to make money but he has no desire to make it easier for new adult entertainment businesses to come into town.

Todd Smith suggested changing the word possess to promote or display in subsection d. This way it does not restrict the individual person who has more than 6 devices in their own home. Jason Gayne said that the way it is written currently it would restrict someone who might want to have a private adult toy party in their own home even if it isn't on display to the public. He doesn't think we should even be able to restrict what someone does in their own homes.

Harvey said he doesn't think we have any problems in town right now other than one business wanting to host a show a couple times per year. Back when we did have an adult store in town it couldn't even make it financially here.

Steve Conley asked if anyone had a suggestion on what they can do to subsection d to make it work. Joel said the easiest thing they could do is simply delete that subsection. Joel also said he thinks the sections a-c take care of people promoting these items. Everyone agreed to remove subsection d.

Jason Gayne said that once we a final draft document he would be happy to share with the business owners in town and get some feedback on them.

Steve Conley asked if we were all set with the changes to the Special Amusement ordinance that they worked on last time. Steve St. Pierre suggested that they might want to add a definition of a dancer because in Section 11 it isn't really defined as to what kind of a dancer. Joel said he can certainly add that in.

Joel Greenwood said that in his meeting with Jason Gayne they had also talked about the Victualer's ordinance and the Parades and Processions ordinance. There were a couple little things he wanted to discuss. Jason Gayne said what they are looking for is to see if it can be added to the ordinance that the Town Manager is able to sign off on an application if there isn't enough time to have it go to a Selectmen's meeting before the requested event.

Steve Conley suggested that they could add into the ordinance that an application can be approved by the Selectmen or their designated agent. Steve Gould said the only issue with changing that is everyone will wait until the last minute to file their application so it doesn't have to go the Selectmen and they can just have the town manager approve it. Harvey said they could have it so she would have to poll the Selectmen before approval. Steve Conley said they could put something in for special circumstances. Joel will add that in and the Town Manager and Selectmen will have to discuss that.

Joel said in the Victualer's ordinance it allows for a waiver of the required license but it does not have any specifics as to when or whom a waiver would be given to. Jason Gayne

said he would like to see it changed so that it is fair for everyone and so you're not just able to get a waiver because of who you are in town. Joel said the other thing that they were asked to look at in this ordinance is the annual license hearing and the public notices that the business owners have to pay for each year for this hearing. Steve Conley said they will continue to discuss this at the next meeting. He said Joel will have a final draft for them to review at the next meeting of all the ordinances that they have updated.

7) NEW BUSINESS:

8) ITEMS BY:

a) SELECTMEN:

None

b) DEPARTMENT HEADS:

c) MEMBERS:

Harvey asked if the Planning Board was involved when the rec. center was developing the plan for the turning lane, they are supposed to be putting in. Randy said he thinks they were in the very beginning of the planning but he is not 100% sure. Harvey said that turning lane should have been completed a long time ago but the ball definitely got dropped on that project. He said now they have moved onto getting a new fire station and that turning lane will probably never get completed. Harvey said that if this had been a regular developer of a subdivision in town, they would be right on top of them to get it completed so why should the town be any different. He said maybe the Planning Board should be sending them a letter to find out exactly what their intent is to get this completed like they would do with any other developer in town.

Steve St. Pierre said that lately he has observed a lot of people walking in the roadways and not on the sidewalks. He said someone is going to end up getting hit. He said most of the sidewalks have been plowed and are passable so he doesn't understand why they want to walk in the roads. He wasn't sure if there is anything that the police can do.

Steve Gould asked Randy if he had seen the Opioid Clinic that seems to have opened up across from Burger King in those apartment buildings. There is a sign by the road. Randy said he hasn't seen it but he will look into it.

Todd Smith said as a paying Chamber member he appreciates seeing Jason Gayne going out and pushing to make things better for our local businesses.

d) CHAIRMAN:

Steve Conley said he has been asked why Skowhegan can't seem to get high speed internet. Jason Gayne said they are working on it with SEDC. The trouble is that current internet companies don't want to share their wires and they have not been able to find a company who wants to spend that kind of money to run all new wires through town.

e) STAFF:

Cindy gave them all a direct deposit form to sign up for. The town is having everyone sign up for it to make it easier so they don't have to chase missing checks that haven't

been cashed. If they can get them back to her as soon as possible that would be great.

9) ADJOURNMENT:

Motion by Harvey Austin to adjourn at 8:20 p.m., Seconded by Todd Smith.
Motion passed 4-0.

Minutes approved on March 5, 2019.

Chairman