

NORTH EAST ZONING REVIEW COMMITTEE WORKSHOP MINUTES November 22, 2021

The Town of North East Zoning Review Committee meeting took place on Monday, Oct 25, 2021, at the North East Town Hall at 3:40 PM. Committee members present were Chair Edie Greenwood, Ed Downey (arrived at 4:30 PM), Dave Sherman, Bill Kish and Julie Schroeder. Dale Culver and George Kaye were absent.

Guest: Claire Goodman and Cathy Fenn.

Chair Greenwood opened the meeting and continues with a review of the commercial definitions.

RESTAURANT

MOBILE FOOD VENDOR

Any vehicle or conveyance-mounted unit, cart, trailer, kiosk or other similar apparatus, used to store, prepare, display or serve food and/or beverages intended primarily for immediate consumption, sited on public or private property for a limited duration lasting longer than ten (10) minutes. A mobile food vendor shall be mounted on wheels or other method of moveable design and must be readily moveable. If the operation is not immediately mobile, it shall be considered a “building” or “structure” and shall be required to comply with applicable regulations for such.

Is there a need for the 10-minute limit? If not, suggest it be taken out. Does this definition cover a mobile fish truck where the food is not going to be immediately consumed?

OUTDOOR DINING

An approved outdoor area with tables and seating for the consumption of food and beverages in conjunction with and accessory to a principal permitted ~~food service or~~ restaurant use, operated and located on the same lot and ~~functionally coordinated to~~ **functions in coordination with** the interior of the principal ~~food service or~~ restaurant use.

Felt “and functionally coordinate to the interior” awkward. Suggest changing it to “functions in coordination with”. Take out “food service”.

RESTAURANT (EXCLUDING DRIVE-IN)

~~An establishment where food and drink are prepared, served and consumed within an enclosed building and wherein food is served only to be consumed by customers seated at the tables on the premises, with or without accessory bar, take-out, outdoor seating and/or entertainment services.~~

An establishment engaged in the retail sale of prepared food and beverages, primarily consisting of ~~hot~~ meals, ordered from individual menus, served by waiters/waitresses, in a ready-to-consume state, ~~on or in non-disposal dishes or containers,~~ and where customers consume these foods and beverages while seated at tables or counters located within the building or approved outdoor dining areas. Such establishments may offer take-out, delivery and catering services, which if provided, are ancillary to the overall establishment business.

Suggested taking out the word “hot” and “on or in non-disposal dishes or containers”.

RESTAURANT, TAKE-OUT

An establishment where food and beverages are quickly prepared and sold at retail primarily to patrons at a counter or drive-through window within an enclosed building for primarily off-premises consumption, and where the establishment includes no more than twelve (12) patron seats (total indoors and outdoors).

Fine

RETAIL BAKERY / SPECIALTY FOODS

A retail food establishment primarily producing and selling a specific type of food type or category (i.e., baked cakes, cookies, bread; fresh fish; produce; cheese; etc.)

Fine.

RETAIL

BANK OR FINANCIAL INSTITUTION

An establishment in which financial transactions are conducted or wherein professional advice on financial insurance or tax matters is given, including savings and loans, finance companies, insurance and brokerage uses, and tax preparers, but not including pawn shops or check cashing stores.

Decided Financial Institution was covered under Office, Business. **Note: It was decided at the Oct 25, 2021, meeting that there was no need to have a separate definition for Office, Professional and the ZRC agreed Office, Professional should be deleted. This decision was not reflected in the minutes of that meeting.**

We need a definition for BANK.

BEVERAGE AND LIQUOR STORES

A retail establishment whose primary business is the ~~display and~~ retail sale of containerized beverages (alcohol and non-alcohol based).

Remove "display and". Reiterated the need for a better word for establishment or define the term.

BUILDING SUPPLY STORE

A retail establishment supplying hardware, garden, building and/or lumber materials to contractors and/or the general public, as well as services related thereto.

Fine.

DRIVE-THROUGH

An accessory means of serving establishment patrons via an exterior walk-up or drive-up service window along a side or rear building wall of the interior of the establishment.

Fine. How does an accessory use appear in our tables?

FURNITURE AND CONSIGNMENT STORE, NEW AND USED

A retail establishment primarily selling new and/or used furniture, rugs, household goods, lighting and other household decorative items at retail.

Suggest we delete AND CONSIGNMENT STORE and replace it with "NEW AND USED".

GARDEN CENTER RETAIL

A retail establishment primarily engaged in the selling of horticultural, nursery and residential gardening materials, supplies, tools and similar related products, including but not limited to the inside and outside growing, cultivation and sale of garden plants, flowers, trees, shrubs and garden materials such as mulch, stone, peat moss, seed and similar.

Noted that this is also a use in A5A. Comma needed between horticultural, nursery.

GENERAL MERCHANDISE RETAIL

INDOOR RETAIL OR SERVICE BUSINESS

~~An establishment engaged in either selling of goods to the general public and rendering services incidental to the sale of such goods, or an establishment engaged in rendering services to individuals and/or other business establishments, both of which are to occur within an enclosed building.~~

An establishment engaged in the selling of goods, wares, packaged foods and beverages, merchandise or similar directly to the ultimate consumer for immediate purchase and off-premises personal use or household consumption, and/or rendering services incidental to the sale of such, from within an enclosed building, except where outdoor display and/or sales may otherwise be permitted by this chapter.

Would this allow a convenience store without a gas station? How do we add in exclusions to this definition (e.g., porno shop)? What does the phrase “where outdoor display and/or sales may otherwise be permitted by this chapter” mean?

GENERAL REPAIR BUSINESS - KISH

A business providing repair services to the public for household appliances, computers, furniture, etc. Outdoor storage is prohibited.

Want to reword the last sentence. Want to address no outdoor storage in a better way.

GROCERY STORE

A retail establishment where most (80% or more) of the floor area is devoted to the sale of consumer processed, prepackaged and perishable food products for home preparation and consumption, but where other typical home and personal care products may also be sold.

Want to make sure the sale of a certain amount of perishable food products is part of this definition.

INSTRUCTURAL RETAIL

A retail establishment offering for a fee, personal or group lessons of specified instruction in a specific field, artistic endeavor or other specialized form of expression, such as dance, painting, glass, music, learning support, martial arts or similar; or supported self-application in the creation of an artistic endeavor such as candle making, glazing of pottery, canvas painting, or similar craft activities.

Suggest listing fewer examples. Do we need to create a separate definition for Gyms and Physical Fitness businesses?

LAUNDRY (SELF OR FULL SERVICE)

LAUNDRY, COIN-OPERATED, DRY-CLEANER

A business establishment ~~premises~~ providing laundry and/or dry-cleaning services, including temporary, temperature controlled storage of clothing articles, or equipped with individual clothes washing and drying and/or cleaning machines for the principal use of retail customers, including drop off and pick up facilities with or without such equipment.

Fine.

OUTDOOR PLAY EQUIPMENT and ACCESSORY SHEDS

A business establishment providing for the outdoor and/or indoor display and retail sale of accessory outdoor amenities such as playground equipment, sheds, pavilions, pergolas, awnings, chicken coops, outdoor kitchen components, trampolines, basketball hoops and outdoor fire features, including the offering of incidental off premises installation services. For purposes of this definition, “display” shall mean the exhibiting, arrangement and showing of an amenity to simulate its appearance as if installed and operational, as opposed to merely placed, put down, or stored.

Suggest we remove the last sentence.

PERSONAL SERVICE

An establishment primarily engaged in the rendering of specialized retail services within a building involving nonmedical care and individual needs of a person or their apparel, including the incidental retail sale of related products, goods and merchandise.

Suggest we add examples such as hair salon or tailor and add the phrase “included, but not limited to”.

PET GROOMING BUSINESS

A business establishment providing non-medical personal care services to domesticated pets, not including boarding.

Fine

PHARMACY

A retail establishment primarily engaged in the dispensing and selling of medicinal physician prescribed drugs, as well as the sale of over-the-counter non-prescribed medicines and medical devices, including ancillary sale of other non-medical products and merchandise.

Fine

VAPE/CIGAR STORE AND CIGAR LOUNGE

An establishment specializing in and selling electronic cigarette products, cigars, cigarettes or other smoking related devices and items; and/or which provides a location for individual or group on-premises smoking or vaping consumption

Want to prohibit a specialty store that principally sells tobacco products. Does adding Cigar Store help?

SOLAR ENERGY SYSTEM

FREESTANDING OR GROUND MOUNTED

A solar energy system whose support structure ~~that~~ is directly installed in the ground and is not attached or affixed to an existing structure. Pole-mounted solar energy systems shall be considered freestanding or ground-mounted solar energy systems for purposes of this chapter.

ROOF OR BUILDING MOUNTED

A solar energy system in which solar panels are mounted on top of the structure of a roof of any legally permitted building either as flush-mounted solar panels or as panels fixed to frames which can be tilted toward the south at an optimal angle.

Fine

The committee began the discussion of Bill Kish's definition of Industry, Light. Bill told us he couldn't find a consistent definition of light industry, and the only universal description refers to relatively high value per unit weight.

Dave suggested most of the verbiage in Bill's definition be put in a separate section of "environmental standards" and not in the definition. Bill feels the committee needs to decide what type of light industry should be in North East or we are just pushing off a debate on environmental standards. Bill wants to make a statement about the use of water, power and the creation of pollution in the definition.

Several members felt Will's definition was sufficient with the proviso that we go forward with creating environmental standards.

Need to discuss setting a size limit on a facility. Bill had to leave. Discussion of this and his other proposed definitions will be taken up at our next meeting.

Public Comment

Cathy Fenn suggested discussion materials be provided to the audience.

Meeting ended at 5:05 pm.

Respectfully submitted,
Edith Greenwood, ZRC Chair