

Town of Arrowsic
Minutes of Planning Board Meeting
May 1, 2023 at ~ 7:00 PM
Video Conference via Zoom

Attending: Jennifer Geiger (PB Chair); Roger Heard (PB); Vicky Stoneman (PB); Joe Bonnett (PB); Chris Wilcoxson (CEO); Mike Kreindler (resident and former CEO)

Joe Bonnett

It was determined that Joe Bonnett, who was an alternate PB member, will become a full-fledged member with the vacancy left by Matt Caras' resignation.

Approval of Minutes

The Board reviewed the draft Minutes of its April 3, 2023 Meeting. Upon motion made by Roger Heard, which was seconded by Joe Bonnett, the Planning Board approved the draft Minutes of its April 3, 2023 Meeting, (all voted in favor, to wit: Geiger, Heard, Stoneman and Bonnett).

It was mentioned by Vicky Stoneman that although stated in the April 3rd PB Meeting, in fact, property in the Shoreland Zone does not have to exempt lot acreage as a dimensional requirement in creating or building an ADU on a property. It had been stated that the lot acreage requirement was exempted. Also, the Chair mentioned that last year's PB annual budget was in fact \$600 not \$500, so the proposed 2023 PB Budget, approved at the April 3rd PB Meeting, was put in at \$600. There is no need for a re-approval on the amount as it was approved as \$500 or the previous year's budget, whichever is greater.

Proposed Ordinance Update

After speaking with Ben Averill and Hilary Gove (of the Maine Housing Opportunity Program), Roger Heard and Jennifer Geiger felt it was acceptable for the PB to add back in the language on non-conforming lots in the proposed Warrant Article 1, section c) under 3.6.5 Accessory Dwelling Unit that had been taken out in the April 3rd meeting, that language being: *c) Accessory dwelling units are not permitted on nonconforming lots of less than 2 acres.* Nonconforming lots vary widely by municipality so it is difficult to have one rule of thumb regarding them which would cover every municipality. This additional insertion was reviewed and okayed by both the Town Legal Counsel and the Select Board.

The Board Chair will ask Ben and Hilary if they can send the PB a letter detailing their conversation and indicating their summation of the situation. Hilary and Ben did mention that in their positions they have no oversight or enforcement authority.

Joe Bonnett asked if the proposed ADU ordinance is not approved by the Town residents at the Annual Town Meeting in June, would Arrowsic have to follow the state legislation concerning ADUs. The general response was that it would only need to go by state legislation if a decision was appealed and went to court. It was mentioned that there is proposed legislation in the Maine House to exempt towns under 10,000 residents from having to adhere to LD2003, so the proposed ADU ordinance may not be needed. It was general consensus that it is important to understand what Arrowsic residents want. Therefore, the PB Board will present the proposed Ordinance at the Town Annual Meeting, letting the Town residents know if Arrowsic has been exempted by the proposed legislation, and let the residents vote as to how to proceed. Upon motion made by Joe Bonnett, which was seconded by Roger Heard, the Planning Board approved the addition of the new language in the Proposed Draft Ordinance (all voted in favor, to wit: Geiger, Heard, Stoneman and Bonnett).

A good date for the Public Hearing on the Proposed Ordinance was discussed. In order of preference, the dates are May 31, May 30, and lastly May 18. The Chair will discuss these days with the Select Board and let the PB members know which date is chosen.

CEO Report

The CEO noted several items of interest:

- 1) Last year, he approved 15 building permits, all additions or accessory buildings.
- 2) The Friends of Doubling Point met with the DEP and are doing their homework on what is allowable for the parking lot they are looking to propose creating to the PB in the near future.
- 3) He has been working with Brian Elwell on Dick Elwell's property's nonconforming use. A consent agreement has been signed and offers a compromise. Chris has been enforcing the agreement.
- 4) Owners of the property on Rt 127, whose building progress had stalled after putting in the foundation, will begin work on the house again this summer. They are aware they will need to resubmit a building application.
- 5) The Kleins, whose driveway the PB approved last year, are close to submitting an application to approve the building of a dwelling.
- 6) He testified to the Joint Committee on Housing supporting Allison Hepler's LD 655, pushing the implementation of LD2003 out until 2025. Towns are working hard to put in place ordinances that adhere to LD2003 but given limited resources and the timing of municipality annual meetings, towns are having difficulties meeting the current deadline of July 1, 2023.
- 7) There has been public testimony given this week on LD 1706 (allowing ADUs on nonconforming lots as long as they do not make the lot more nonconforming, and not making them subject to municipality review on whether the nonconformity is increased) and LD 1593 (allowing building a multi-unit dwelling with single family septic). He is not in support of either bill.

The CEO has been approached by a home business on Old Stage Road about putting a farm stand on Rt. 127. He asked the PB about the details of the business when it was approved to be a home business several years ago. There was mention at that time of a farm stand in an existing structure on the property, off the road, but not of a structure on the road. To locate it on Rt. 127 would take state approval and does not seem safe as it is a major road with visibility issues at that location and no place to park.

Solar Farm

A member of the Conservation Commission asked the Chair about the possibility of putting a solar farm on town property across from Sewall Pond.

Legal Fee Reimbursement

The Chair had caught wind of a possible grant by the State Housing Program to reimburse town legal expenses spent in relation to LD2003 evaluation and ordinance work/review. She will inquire further into this possibility.

Adjourned at 8:21 PM