

**Town of Arrowsic**  
**Minutes of Planning Board Meeting**  
**June 5, 2023 at ~ 7:00 PM**  
**Video Conference via Zoom**

Attending: Jennifer Geiger (PB Chair); Roger Heard (PB); Vicky Stoneman (PB); Joe Bonnett (PB); Jim Davis (PB); Chris Wilcoxson (CEO); Karin Sadtler (resident)

Approval of May 1 Meeting Minutes

The Board reviewed the draft Minutes of its May 1, 2023 Meeting. Two modifications were made to the draft minutes upon request for the reason that with one the language was unclear and not necessary and with the other it was not totally accurate. Upon motion made by Roger Heard, which was seconded by Joe Bonnett, the Planning Board approved the draft Minutes of its May 1, 2023 Meeting, with the noted amendments (all voted in favor, to wit: Geiger, Heard, Stoneman and Bonnett). Jim Davis did not vote as he was not at the May 1<sup>st</sup> meeting.

Approval of May 31 Public Hearing Minutes

The Board reviewed the draft Minutes of its May 31, 2023 Public Hearing Meeting. Three modifications were made to the draft minutes upon request for the reason that either the language was unclear or clarification was necessary. Upon motion made by Roger Heard, which was seconded by Joe Bonnett, the Planning Board approved the draft Minutes of its May 31, 2023 Public Hearing Meeting, with the noted amendments (all voted in favor, to wit: Geiger, Heard, Stoneman and Bonnett). Jim Davis did not vote as he was not at the May 31<sup>st</sup> meeting.

Roger Heard would like the Chair to confirm with the Town Counsel that previous use of a dwelling for short term rental would grandfather that dwelling and allow for it to continue rentals as a nonconforming use. She will contact the Town Counsel and report back.

Town Meeting Presentation

Discussion on the presentation of the 2 proposed warrant articles at the Town Meeting ensued. It was noted that in its presentation the PB needs to:

1. explain why it is putting the proposed articles to a town vote, with the reason being primarily as a result of the LD2003 state mandate
2. mention that it contacted the town legal counsel to help draw up the ordinances and to review changes made to the initial draft
3. mention that it contacted the State Housing Program to ensure the Town's proposed ADU ordinance meets the requirements of the State mandate
4. explain that the limitation of not being able to put an Accessory Dwelling Unit on a nonconforming lot of less than 2 acres came from the fact that Arrowsic is an island with septic and well water limitation issues

LD2003 is a new legislative mandate which is likely to be contested and modified over the next 2-3 years as often new legislative mandates are. The PB has done the best it can to craft these proposed warrant articles to comply with the state mandate while being true to the Town's current zoning ordinances, with the review, advice and input of the state and town counsel.

The Chair attended a meeting with the State Housing Program Coordinators and asked if a subdivision could be more restrictive than the Town in regards to dimensional requirements and short term rentals. The answer was unclear. It was thought that the PB Board can approve a building permit based on town ordinances, but a subdivision can step in and enforce its covenants if they are stricter.

It was clarified that the language in a proposed warrant article to be voted on by the town cannot be amended at the Town Meeting. The 2 proposed warrant articles have been submitted and therefore, cannot be amended at this point. They must either be approved or not approved. If the proposed ADU warrant article is not approved, the Town will have to adhere to the state LD2003 language, which would mean there would be no cap on the size of an ADU among other things.

In terms of communication efforts, it was agreed the Chair will compile a list of all the questions asked of the PB about the two proposed warrant articles with answers. She will then give that list to the PB and Select Board to review. Upon their review, she will then give the list to the State Housing Program coordinators to review. They will then be posted on the town website with a town email being sent making town residents aware of the posting. In order to communicate in a timely manner, the Chair will have the list posted on the website by Monday, June 12<sup>th</sup> even if the Housing Program Coordinators are unable to review the list by that date.

It is possible that LD1706 could be approved by the State, allowing towns of small sizes to be exempt from the LD2003 state mandate, but appears somewhat unlikely. No matter the decision, the PB still wants to move forward and present these two proposed warrant articles to the town residents for a vote, so the Town will be ready for a July 1, 2023 implementation deadline should that deadline date remain.

It was noted that there are at least 10 subdivisions in Arrowsic and that their covenants are always changing.

### CEO Report

The CEO noted several items of interest:

- 1) Doug Kohring has submitted an application to approve installation of a generator that cannot meet allowable setback dimensions, so there will be a site visit before the next PB meeting to review the request.
- 2) The Friends of Doubling Point has gotten defacto approval from the DEP on its proposed application for a new parking area for the DP lighthouse. There will be a site visit before the next PB meeting to review the request.
- 3) Keith Salcines has applied for a building permit for a farmstand, driveway and 3 parking spots for his home business on Rt. 127. The DOT has approved this access from Rt. 127. In his application for a home business 3 years ago, he had said the farmstand would be placed on his driveway on Old Stage Road. Given this change in plan, the CEO wanted to know if the PB would want to review this application or if he should approve it on his own authority. Given the change in location and access of the farmstand from the Home Business application, the PB decided it should review the application and whether the home business was still in compliance.

### Next PB Meeting and Miscellaneous Discussion

Since the first Monday in July falls on July 3, during the holiday weekend, it was agreed to move the meeting to Thursday, July 6<sup>th</sup>.

The Chair mentioned there is a State Housing Program fund to reimburse town legal expenses spent in relation to LB2003 evaluation and ordinance review. The Town's applicable legal expenses are about \$2,000. She will look into applying for this reimbursement when the State program opens to reimbursement requests.

The CEO was asked what Georgetown and Woolwich are doing in regards to LD2003. At this point in time, Woolwich is not proposing any ordinance changes. Georgetown is putting a proposed warrant article to a vote by its town residents. Its proposed warrant article includes a definition of a bedroom and that properties with ADUs have adequate septic for the # of bedrooms as defined.

Adjourned at 9:10 PM