

**Town of Arrowsic
Minutes of Planning Board Meeting
November 7, 2022 at ~ 7:00 PM
Video Conference via Zoom**

Attending: Jennifer Geiger (PB Chair); Matt Caras (PB Secretary); Roger Heard (PB); Vicky Stoneman (PB); Jim Davis (PB); Chris Wilcoxson (CEO); Mike Kreindler (former CEO, and always welcome informal advisor).

Approval of Minutes

The Board reviewed the draft Minutes of its October 3, 2022 Meeting. Upon motion made by Roger Heard, which was seconded by Vicky Stoneman, the Planning Board approved the Minutes of its October 3, 2022 Meeting (all voted in favor).

CEO Report

Chris Wilcoxson reported that there were no new permit applications this past month, and provided a brief update on certain ongoing projects.

LD 2003

The December Planning Board meeting will be held on December 12 (not December 5). Kristin Collins, the Town's legal counsel, will attend the meeting and provide guidance in connection with the Planning Board's ongoing efforts to understand LD 2003 and to achieve compliance with LD 2003. The Planning Board will rely on advice from counsel, as well as guidance from the State, in proposing an ordinance amendment to the Town which complies with LD 2003. It is, however, worth noting that there may be amendments to LD 2003 between now and mid-2023, the time by which Towns appear to be required to be in compliance with LD 2003. Roger Heard noted that Eloise Vitelli is of the view that the Town must be prepared to be in compliance with LD 2003 by mid-2023, which would require an amended ordinance to be presented at the June 2023 Town Meeting. Chris Wilcoxson noted that Allison Hepler intends to propose to the legislature for consideration an amendment to LD 2003 making LD 2003's requirements applicable only to Towns over a certain population. In addition, there appears to be rule-making activity ongoing in Augusta that may provide further clarity to Maine's municipalities regarding LD 2003.

Because the Planning Board has, for several months, been discussing Short Term Rentals as well as LD 2003, the Planning Board Chair raised the threshold question whether at this time the Planning Board should focus on the issue of regulating Short Term Rentals in the limited context of Accessory Dwelling Units and LD 2003 or also simultaneously more broadly in the context of regulating Short Term Rentals as applicable to any dwelling in Arrowsic. While there is sentiment to continue the discussion of the regulation of Short Term Rentals as applicable to any dwelling in Arrowsic, it was decided to limit the discussion during this meeting to the regulation of ADUs as a component of LD 2003.

Discussion regarding LD 2003 ensued, as it has for several months now. Discussion points included the following:

- In drafting an ordinance amendment to comply with LD 2003, should the Town amend its current ordinance by incorporating provisions on Accessory Dwelling Units (ADUs) where applicable or relevant throughout its current ordinance; create a new section entirely devoted to ADUs within its current ordinance; or draft a new, separate Town ordinance entirely devoted to ADUs? While the Planning Board acknowledges that it must proceed diligently at this time with its work in connection with LD 2003, there is a strong desire among Planning Board members to receive from Town counsel or the State a set of model ordinance provisions that the Planning Board can use as a guideline.

- Should the Town limit the size (SQ FT) of ADUs? Notwithstanding the Town's current ordinance requiring that dwellings be at least 400 SQ FT (Section 3.6.2.1), the State's recent "tiny house" legislation may require a minimum size for ADUs that is less than 400 SQ FT. The Planning Board discussed a maximum size for ADUs of 850 SQ FT (floor area, meaning from the outside of the walls).
- A requirement that ADUs comply with all laws, regulations and ordinances related to, among other things, plumbing, septic, electrical, potable water supply and propane.
- A requirement that all ADUs must be approved in advance by the Planning Board (presumably through the Town's established conditional use permit application process). This would provide a record regarding, among other things, compliance with the ordinance, use, and any conditions that are deemed necessary or appropriate.
- The Planning Board's objective is to comply with the requirements of LD 2003, but to do so in the fashion that is most consistent with the Town's current ordinances.
- A requirement that ADUs, if rented, must be rented for a minimum of 90 days.
- A requirement that ADUs must meet all the requirements of a structure under the Town's current ordinances.

Adjourned at about 9:00 PM.