

Readfield Planning Board

Minutes of March 08, 2022
At the Readfield Town Office & via Zoom
8 Old Kents Hill Rd.
Readfield, ME 04355

Planning Board Members Present: Paula Clark (Chair), Jack Comart, Jan Gould, Don Witherill

Excused: Henry Clauson, Noel Madore, Bill Buck

Others Attending: Ron “Chip” Stephens (CEO), Cliff Buuck, Brett Roberts, Mary Dennison (attorney), Anjelica Pittman (Board Secretary)

Meeting called to order at 6:31 P.M. by Paula

19 Winthrop Rd (Route 41), Brett Roberts:

An application submitted by Brett Roberts for a new 60’ X 80’ commercial storage structure and outdoor storage area for boats, located at 19 Winthrop Rd (Route 41), identified as Tax map 120 lot 088, located in the Village District.

Paula stated the application was determined to be complete at the last planning board meeting. The public hearing was opened and began with the summary of the project and then opened for questions and comments regarding the application. Jack had some concern regarding the screening of the building and stored boats. He would like the building set back 75 feet and vegetative buffer/screening planted on the Route 41 side, as well as the southerly boundary. Jack inquired whether there was a need for a DOT entrance permit to which Mary responded no, because the entrance has been in place 40+ years and is grandfathered in.

Jack asked what the height and size of the building will be as well as how many boats will be stored there. Brett responded that the building will be 28 feet to 30 feet tall, and the building footprint will be 60 feet wide by 80 feet in length, and up to 25 boats will be stored outside and to the rear of the building.

Jack questioned how Brett plans to screen a building that tall and Brett responded that vegetative screening will be for the boats, and not the building. Jack is concerned about the Village District goal for historic preservation and that a tall metal building with boats wrapped in white plastic may be incongruent with the village district.

Mary responded that the building will have softened architectural details such as a cupola, windows with shutters and she does not think it will detract from the village district. Brett added that the trees to be planted will start at around 5 or 6 feet in height and will grow taller; Mary stated that there will be some taller and shorter coverage and that the current pines are 20 feet tall. Jack replied that the building should be screened from view and Mary responded that there are no other buildings screened from view in the village district. Jack asked how many feet deep the vegetation will be; Brett replied that it will be about 20 feet deep and there is already 25 to 30 feet deep vegetation in place and it will grow in more with time.

Jack was hoping for more specific planning of the vegetative buffer depth and height than the plan that has been submitted. Jack inquired about the driveway, whether it will be curved in to the

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property or straight in an effort to further screen the site. Brett responded that he will be using the U shaped driveway in existence which is at an angle, not a straight shot from the road.

Don expressed concern about the vegetation as well, but that the overall plan sounded conceptually fine, screening is adequate with the boat storage being screened from view, and he did not have a concern with the building roof being in view.

Paula suggested the need for a more specific map of the vegetative planting scheme to include existing and new vegetation and asked whether the current diagram is conceptual which Mary responded that yes, it is more conceptual. Mary stated, there will be 2 staggered layers of vegetation as a buffer zone. Jack confirmed that there will be staggered vegetation at approximately a 25 foot depth. Mary stated that these conditions can be added to the application.

Paula asked for any more questions about the application, there were none; **Paula motioned to close the hearing, seconded by Don, called to vote, 4-0 in favor.**

Jack motioned to approve the application as amended subject to the following conditions:

The applicant shall devise a tree planting design to provide for the planting and maintenance of evergreen trees to provide a visual buffer/screen from Route 41 and from the southern side of the property. The buffer shall be initially planted with trees at least 5-6 feet in height in at least two rows to achieve a minimum buffer of 25 feet in width and ultimately a height sufficient to screen the building. The driveway entrance and placement of the structure shall be offset to minimize the sight line from Route 41 to the building and storage area located behind the building. The applicant shall file a copy of the final landscape design plan with the code enforcement office.

Jan seconded the motion to approve the application, called to vote, 4-0 in favor.

Old Business:

Land Use Ordinance Revisions:

Paula conversed with Eric Dyer about the schedule and agreed on a finished package completion date of April 15, 2022. Eric would like to bring a bulleted list to the Select Board meeting Monday, March 14th, 2022. Paula stated she should have that available by next week once language is complete, and it has been circulated to Planning Board members, in order to have it reviewed by Kristin Collins. Paula suggested pushing the hearing to March 29th, instead of the 22nd of March. Eric agreed to those terms as long as he could get a draft to present to the Select Board for the March 14 meeting.

Article 6 Section 3 – Site Review:

Paula suggested adding an underlined strikeout version to the revisions in the existing LUO that Jack proposed for the Select Board; otherwise there may be questions and concerns. Most of the changes are rearrangements. Jack responded that he could go through and make comments where deletions occur and explain why and where the rearrangements are. Jan suggested highlighting the portions to show they have not been deleted all together, Jack responded that he could underline and highlight all things that stay the same, Paula agreed that would be a simple way to show reorganization, and also mentioned there was some added language and some timeframes have changed.

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Article 6 Section 3(H)- Revisions to Approved Plans:

Paula stated that she had drafted a change in the subdivision language regarding minor revisions amended to address the issue of amending lot lines in cases such as the recent Johnson/Diploc application. Everyone agreed to the recommended revision.

Article 7 Section 6 – Space Standards and Dimensional Requirements:

Paula suggested that the proposed revision to footnote 13 should not be further modified to attempt to reflect new statutory provisions regarding “tiny homes”. There was general agreement that the new statutory language is not clear.

Article 8 Section 6 – Sanitary and Water Quality Standards:

Add a new provision to require the inspection of subsurface wastewater disposal systems in the Shoreland district at the time of transfer of ownership. Paula agrees would be helpful and can provide edits for language that Chip offered to make the LUO a bit stricter, similar to the town of Long Island in Maine, and to require that a copy of inspection be filed with the CEO. Don is in favor of the change and agrees with the added language. Chip believes where it worked for Long Island, it could work for Readfield and would be fairly easy to tweak and add to our ordinance. Paula stated that formatting and detail needed clearing up, and noted that since neither the Planning Board nor the CEO has the authority to fine or penalize, language should be added to reference the general civil penalty authority of Article 2(2) (D), and to specify a minimum penalty of \$500 per day for violations of this new provision. It was also noted that anywhere in the proposed ordinance language that says “Shoreland properties” should be changed to “properties in the Shoreland District”.

Article 11 Section 2 – Definitions:

Don asked if the state requires town to define “tiny homes”. Paula responded that the town does not prohibit “tiny homes” and they are considered a type of dwelling unit. There was a considerable amount of discussion regarding the recently passed statute addressing “tiny homes” and whether, and how, the LUO should be revised to make it consistent with the law. Chip identified his concerns about various types of building proposals involving “tiny homes” and accessory structures that he feels might not be adequately addressed by the LUO. Again, there was general agreement that the language of the new statute regarding “tiny homes” is not clear. Further, there was agreement among Board members that adding a reference to “tiny homes” in the definition of “dwelling unit” would clarify that “tiny homes” are considered a type of dwelling unit and are accordingly subject to all relevant LUO standards concerning dwelling units, and that no further LUO revisions related to “tiny homes” are necessary at this time.

Rezoning:

The PB discussed a long-standing request to rezone Map 106 Lot 2 from academic to the rural residential zone. The rezoning would require public notice, plus notices to owner of the parcel as well as to any land abutting the parcel being rezoned. Don asked what rezoning from academic would mean for current parcel owners. Cliff responded that the land is currently limited to uses connected with school related activities and the lot would primarily be only to the school, but the school has never expressed any interest in purchasing the lot. A notice of hearing would be required at 12 and 7 days prior, to be published in the newspaper. Paula inquired about a map for

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the notice for rezoning proposal; Cliff said a Tax Map can be used for that purpose. Paula said there is time to complete the required noticing process. The hearing is to be scheduled for March 29th, provided the notice is published in the newspaper by March 14, along with bulleted points in the notice regarding proposed LUO changes. This will also provide enough time for the Select Board and for town counsel to review.

New Business:

Cliff Buuck attended the meeting to discuss with the Board LD2003. Cliff highlighted some of his concerns and told the PB that he would send those concerns to the PB members for their review. Jack asked what the deadline is for comments, Cliff responded that action is needed right away. Paula mentioned they are usually looking for formal comments before the hearing, and opposition may not get full consideration after the hearing. Paula stated the board will need to consult with the Town Manager and Select Board or Comprehensive Plan Committee; they might have a different view point. There will be homework to do, however it may be too late as the Bill has already had its public hearing. Don mentioned that Hannah Pingree testified that she recognizes a need for housing. Chip is familiar with a similar Bill passed in Connecticut to promote affordable housing, but once passed is used for rentals, extra income, and Chip thinks the board should take a position. Paula would like the Board members to read over the Bill, gather more information, and go from there, the second session times out next week. She suggested the Board can lobby individually or together,

Meeting Adjourned at 8:34 P.M. by Paula