

## Cemetery Committee Meeting Minutes

November 21, 2022

**Present:** Brenda Lake, Marianne Perry, Warren Norris, Ben Rodriguez, Tom Molokie, Karen Peterson, Grace Keene, Lee Livingston, Pam Osborn, Andy Tolman (Chair), Eric Dyer (Town Manager)

**Meeting Minutes for Prior Meeting:** Prior meeting minutes were reviewed ex parte and will be submitted for December meeting.

### Sexton's Report by Ben Rodriguez

Ben reported on Fall Clean Up progress. This year several young adults from Kents Hill School helped with leaf removal for the school's community service day. This included 8 students and 2 faculty. Their help was highly effective and greatly appreciated.

Kents Hill is half completed for cleanup due to early snow, bulk leaf mulching will be completed after the small number of sticks are picked up. A large tree branch fell from a tree that needs to come down. Stevensons will provide a quote to remove it and another precarious tree.

Whittier is nearing completion. Others aren't completed. They will have to wait for the early snow to melt.

Veterans' Day preparation went smoothly with flags and their holders in place. More holders will have to be ordered for next fiscal year. This was after checking and double-checking interments.

The Veterans' Day celebration was successful. Officiating was the Readfield Historical Society. Attending were the local Girl Scouts, VFW Local 40 and the 2<sup>nd</sup> Maine Regiment. There was a presentation and a musket volley with the walk from Readfield Corner to the Memorial in front of town hall. Great appreciation to Melissa Small and her library volunteers who provided help, information and enthusiasm to the event.

Tom Molokie motion: To write a letter to the Readfield Historical Society from the Cemetery committee congratulating them on a successful day and presenting the Town, our Veterans, and our cemeteries in a fine light in accordance with our charter. Tom volunteered to write the letter for signing by Andy as committee chair and us, as members. Brenda seconded. Discussion over what a fine idea this was. Voted – unanimous.

Our interest in Wreaths Across America is bearing fruit. The organization will provide the armed services ceremonial wreaths for the December 17<sup>th</sup> presentation. Foehammer Forge Works, a local artisan, will provide 8 wreath holders for the WAA-provided wreaths. Ben will communicate with Melissa Wright, the local Girl Scout troop leader, who expressed interest in some involvement. Suggestion made to pass out brochures at the transfer station. Posters for WAA event will be posted in public places, such as the library, post office and town hall. Also, ad will be placed in Advertiser. A Select Board member will be asked to speak.

Regular wreaths will be displayed at each cemetery by December 1<sup>st</sup>.

Committee volunteered to pick up balance of flags in the cemeteries since Veterans' Day is past. Grace completed East Readfield; Brenda will take care of Case, Huntoon and Whittier; Tom and Lee will pick up Readfield Corner and Marianna will be responsible for Kents Hill.

For edification of the committee, Brenda requested count of veterans for each cemetery. Ben will comply.

### **New Business**

Eric Dyer presented on a new accounting philosophy that will more broadly reflect the town's interest in showing citizens our investment in recreational activities. The beach and the cemeteries are among the town assets that are extremely important to this philosophy. The accounting will better balance funds between capital and operating reserve accounts.

Eric asks that prioritization be placed on operating reserves. Eric will restructure the cemetery reserve by assigning a special reserve account. Sums in the accounts remaining from one fiscal year will not be automatically passed into reserve accounts for the next year. This will help create another level of accountability. Funds remaining will go back to the general fund account then be re-allocated in the next budget year.

Perpetual Care funds will be untouched by these changes but will be moved into Treo (accounting platform) and no longer tracked in Excel. Large capital items will continue to go into yearly accrual accounts.

Grace asked if Perpetual Care funds will be used last. Eric will check and get back to committee.

Discussion turned to the Church Road improvements. Ben remarked that the road was graded with improvement to the middle mound by the Readfield Corner cemetery. Ditching was improved too. Eric noted that any further drainage work will be out of the road budget. Ben and Eric agree that to date the drainage is performing well.

### **Budget Considerations and Discussion**

Andy discussed priorities for the committee over the next few months. It is important that we devote the next meeting to prioritizing budget matters and set aside discussion of by-law and rules changes till later in the Spring. This will allow the committee time to research items that are pressing for the rules changes.

Budget review items to consider:

- Tree work costs will be higher due to inflation
- Stone work considerations include wall touch up: stabilization over gross improvement
- Flags
- Operating and maintenance costs
- Monument repair
- Gradual but prudent use of operating reserves

Andy recommended that we use \$7,000 from the Perpetual Care fund for tree trimming and stone repair. Grace felt that \$10,000 was a more appropriate level. This would be ancillary spending to defray or limit use of taxpayer funds by using the general operating funds.

Because monument work is going to continue to be an important focus discussion turned to the cost of our vendors. Ben pointed out that Joe Ferranini's strength is older monuments while Collette's strength was repointing, curbing and large modern monuments. A local monument company is being sought for replacing illegible/sugared/irreparable monuments.

Question by Pam: What is our responsibility to preserve a stone that is irreparable after many years? Answer: It's the committee's charter and why Perpetual Care is important to the overall budget planning.

Question by Tom: Which is more important: Trees or Stones? Ben's response: They have equal importance.

Tom Molokie's motion: Utilize \$10,000 of Perpetual Care funds, splitting the amount and spending 50% for trees and 50% for Stones. Grace 2<sup>nd</sup>. Discussion followed with Pam's amending motion to take funding first from other reserve or operating accounts. Andy followed with discussion on reserve accounts. Tom further amended his original motion by adding the stipulation that there be 0% increase in the budget. Discussion was lively and led to Motion by Warren to table discussion until Andy made a suggested budget for next meeting. 2<sup>nd</sup> by Tom. Unanimous approval.

Next meeting is December 19<sup>th</sup>, 2022. Town Hall. Christmas Cookies!

Chair adjourned the meeting at 11:44 AM.

Respectfully submitted,

Warren Norris  
Cemetery Committee

## Minutes of AFC Nov 9 Meeting

Present: Steve DeAngelis, Ed Dodge, Maggie Edmondson, Eric Johnson. Elaine Katz, Marianne Perry

Guest: Jim Tukey

Minutes of Oct 12, 2022 were Approved

### New Business:

- 1) Readfield U for next March 2023 – enthusiastic discussion ensued about what resources are already available and what we would need to start it back up next March.

Maggie indicated that she already has a website set up and a list of instructors that were involved previously.

We would have to proceed with the following:

- 1) Call previous instructors to see if they are still interested and reach out to additional potential instructors.
- 2) Set a calendar of activities to be offered at various locations – Giles Hall, the Masonic Building and Readfield Church
- 3) Develop a plan for publicity that would begin in January 2023 including flyers, e-announcements, Advertiser and Channel 7
- 4) Elaine volunteered to be the Registrar  
It was suggested that Maggie set a date for a Readfield U working meeting to get this wonderful offering off the ground.

- 2) December Article for the Messenger

Elaine volunteered to put together an update of Fall activities and plans for next year.

- 3) Volunteers for Balsam House

Melissa Small, Readfield Librarian, has asked if the AFC could identify a volunteer to bring and return books loaned to the Balsam House residents.

She anticipates this time commitment to be one hour, once a month. Ideally this would be the same individual who would get to know the reading interests

of the residents who are participating in this program. There is already a library volunteer who is also providing this service.

Marianne volunteered to look over our volunteer list and call people to see if there is interest.

### Old Business:

- 1) Updates to the Handy Helper flyer – this project has been put on hold until the data from the current Readfield Business Survey is compiled.
- 2) Update on AF present at November Election – Eric and Marianne provided coverage for most of election day. They both reported lots of interest and Enthusiasm – many people said they did not know the Handy Helper program even existed. The AFC hopes to continue these outreach opportunities.
- 3) Follow-up on file cabinet for AF resources and materials – Eric volunteered to shop for a 2 drawer file cabinet – a used one will be acceptable.
- 4) Technology sessions at the Library – Melissa reported that the individual providing the tutoring was traveling to Readfield from Rockland so this was not going to be a practical long-term solution. The AFC will try to find a Handy Helper volunteer who would be interested in providing one on one technical assistance.

We wonder if there might be High School students willing to offer this as part of their community service. We will consult more with Steve about this possibility.

- 5) Update on Senior Café – Steve DeAngelis reported back that Rick Sirois, Middle School Principal, discussed this with his staff and there is great interest. It was suggested to organize a meeting that could include people who were previously involved with the Senior Café to talk about what worked and what can be improved.

Steve will ask Romaine about the history of and will reach out to June Wagner, the Tolmans and Cynthia Cushing. Marianne agreed to attend this organizational meeting.

Part of the discussion was how to create more interaction between seniors and students probably with the assistance of a more structured visit.

Additionally, Steve reported that the high school principal plans to establish a Service Club that could interface with the needs of seniors identified through the AFC.

- 6) Follow-up on the Nov 1 Marty Stevens Interactive and Improvisational Theater presentation. This event was co-sponsored with Readfield Community Library. Attendance was more than anticipated – 21 attendees. Melissa did an exceptional job publicizing this event in email sources, the Advertiser and even the KJ.

AFC helped with set up and refreshments. Lots of positive feedback. Hopefully, this will be the inspiration for many more cooperative endeavors.

Guest Speaker: Jim Tukey presenting the history and plans for the Vestry. It was truly enlightening and exciting to learn more about this project.

The Vestry dates back to 1809 (predating the Meeting House) and was previously located where the Doorenbros mansion now stands. It was moved to its present location on Church Road by oxen.

In 1909 a Board of Directors was formed

In 2013 – the board voted to give the Vestry away

In 2015 – the board reversed its decision

In 2018 – the board decided to approve funds for the Vestry and to develop a plan.

In 2019 – the board created a visio for the Vestry to serve as a place for social and cultural activities – a community center

Currently the building is undergoing major renovations to bring it up to all current codes with the focus on the kitchen and bathroom. Up to this point all labor and material have been donated.

The actual owner of the property is the Readfield Union Meeting House and Vestry Company

The AFC is truly appreciative of the time Jim spent answering our questions and brainstorming ideas for how AFC can connect with this project.

The idea that emerged was that AFC hopes to connect with the Friends and offer programs about the history and future plans for the Vestry during Readfield U next March.

Also, Maggie will find the volunteer list compiled last November and send Jim the name of the person who offered to help with grant writing and financial matters.

Meeting Adjourned 10:40

Respectfully submitted,

Elaine

Next meeting Dec.14

# Appeals Board Meeting

August 15, 2022

**Members present:** William Gagne Holmes (Chair), Peter Bickerman (Vice Chair), Holly Rahmlow (Secretary), John Blouin, Clif Buuck, Henry Whittemore

**Also in attendance:** Chip Stephens (CEO), Kristin Parks (Town Clerk), Scott and Dawn Morash (Appellants), Keith and Janet Meyer, Tom Molokie, Paula Clark (Planning Board Chair), Jack Comart (Planning Board Vice Chair), Rob Schumacher, Dave Hewey, Tom Gottschalk, Megan ??, Eric Falconer, Karen Bickerman, Marilyn & David Palmer, Local Resident (unknown)

Will called the meeting to order at 6:01 at the Town Office and via Zoom.

The first issue was the approval of the minutes from the Feb. 17, 2022, meeting via Zoom. Henry moved that the committee adopt the minutes as presented. Peter seconded. Everyone voted in favor.

The next topic was the election of officers. The current officers agreed to continue in their roles. John moved that we so continue. Clif seconded. All voted in favor. Officers are as follows: Chair – Will Gagne Holmes, Vice Chair – Peter Bickerman, Secretary – Holly Rahmlow

Will introduced the main topic and noted that this hearing will only consider the facts presented to the Planning Board in May and not any new information as in a de novo hearing. Any new documents will be considered as argumentative.

Before proceeding Will noted that there was an issue with proper notification of abutters and the Planning Board of the hearing. They did not receive 10 days of notice as required. All the involved parties were asked if they were willing to proceed despite the notification failure and all expressed their willingness to continue with the hearing.

The hearing began with Mr. Morash presenting his argument that the Planning Board decision was improperly decided. He presented both orally and via documents provided to the Appeals Board before the meeting some information that was not documented in the original Planning Board meeting. Will said that if those documents are not part of the Planning Board record they cannot be considered.

Mr. Morash said that the Planning Board has been inconsistent in whether it includes basements, decks and garages in assessing the expansion of nonconforming homes. He said that he feels the Planning Board has been arbitrary in dealing with their application to replace their current 2,100-square-foot home with a larger home. He argues that the difficulty of the site means that moving the proposed home back further would cause more damage to the land and water than if they are allowed to build within the 100-foot high-water mark. He notes that his family has been in Readfield for 23 years and seen several other homes replaced closer to the water than his proposal.

Will asked if there were any questions. Henry said that he is having difficulty determining what information is within the limits of the appeal or is de novo. He asked rhetorically why the process has not been more collaborative.

It was noted that there has been a lot of turnover in code enforcement officers, which may have contributed to a lack of continuity.

Will next turned to the abutters, who have expressed support for the project. He asked them to be specific as to what exactly in the decision with which they disagree.

Paula Clark, the chair of the Planning Board, spoke as to the board's role. She said two factors are considered. One is that if a nonconforming structure is to be replaced it must attempt to follow the standards to the greatest practical extent. The other is related to the size of the replacement structure.

Paula noted that the Morash application was opened under the land use ordinances before the 2021 update which clarified some of these issues. She said that the Morash's were given an opportunity to revise their plans to meet the 100-foot setback and size limitations.

She and Jack provided the state statute on this issue to the Board of Appeals. Although it was not used as the rationale for the decision, that statute says that if the footprint of the original structure can be relocated or reconstructed beyond the setback, then it must not violate the setback.

Henry asked about the meaning of the greatest practical extent. The topography of the property, the slope of the hill above and other landscape factors were discussed at length.

Jack spoke that the great practical extent doesn't have to do with inconvenience to landowners.

Planning Board members focused on the fact that the current structure could be moved back 100 feet and that at that point the Morash's could build a bigger home. But the Morash's argue that the slope of the land make that infeasible.

Clif asked some questions about the square footage of the home and how much of it would fall into the 75-100 setback area. Mr. Morash said it is exactly 1500 feet to meet the regulations.

Peter asked Paula about the variance that was brought before the Board of Appeals earlier when clearly the size of the house was the issue.

Tom Molokie spoke in favor of the Morash's, as did Mr. and Mrs. Meyer. Mr. Meyer expressed his dismay over how the process has been handled. Mr. Gottschalk said that all of us are concerned with the quality of the lake and that the town has everything to gain and nothing to lose by allowing the Morashes to build the house they want, including more tax revenue, protection of the lake, and great new residents. Eric Falconer said that the Planning Board has failed in several ways by failing to keep adequate records, by saying that the approval of the Morash plan would set a precedent after arguing that the previous applications are not relevant, and by changing their arguments regarding what factors, such as old-growth forest, are to be considered.



The Morash's spoke about how they have tried to meet the requirements put forth by the Planning Board and feel they have been stymied at every turn.

It was moved and approved to end the hearing and begin deliberations.

John asked if the Morash's went back to the Planning Board would that application fall under the 2020 ordinance or the 2021 ordinance. Peter said that it would be up to the Planning Board, but as a lawyer he thinks that a new application would fall under the 2021 rules, which he said are not that different.

Henry said that he can't fault the Planning Board for their decision but that he is troubled by the term greatest practical extent and how it was applied.

John said he is troubled by the fact that other applications that were approved supposedly were allowed to proceed within the 100-foot line while the Morash's were not.

Henry said he feels like our hands are tied by the limits of the Appeals process and that it seems like these issues should have been worked out in the Planning Board and doesn't really fit us.

John said he understands that we are limited by the rules, but that it seems like the Morash's should be able to go back to the Planning Board, that as an applicant he would expect the same considerations as the other projects that were approved.

Clif commented on finding No. 3, noting that with the setbacks required that if they move the house back 100 feet there would be inadequate room to build the size of the house that the Morash's wish and thus the Planning Board is limiting the size of the house.

The board had an extended discussion on what basis the Planning Board made their decision and whether they had leeway or had to follow the 100 foot setback as regulated by the state.

Holly asked what options the Morash's have if Appeals upholds the Planning Board's decision. Peter said they could go to Superior Court or go back to the Planning Board with a new application or apply for a variance.

More discussion ensued about the wording of the LUO and how it was applied.

John moved that deliberations end; Peter seconded. All agreed.

Peter moved based on our limited standard of review and therefore we feel we must deny the appeal. Will seconded.

Henry said that he feels there should be a codicil stating that the Board of Appeals be made de novo or some other statement that highlights the absurdity of this process.

Several board members expressed their concern over the Planning Board's decision and discussed remanding the issue back to the Planning Board.

Will, Peter and John voted in favor. Henry, Clif and Holly voted against.

Henry moved that we remand the issue back to the Planning Board for additional fact finding as to slope, vegetation, etc. John seconded.

Jack asked if we are remanding the 2100-square-foot or the 4600-square-foot back to the Planning Board.

Mr. Morash said they've never submitted an application for a 2100-square-foot.

Henry, John, Clif and Holly voted to remand. Will and Peter against.

Henry moved we adjourn, John seconded. Meeting adjourned at 8:47 p.m.

Minutes prepared and submitted by Holly Rahmlow & Kristin Parks

# Comprehensive Planning Committee Minutes

## November 16, 2022

**Present:** Jeffrey Carlson, Paula Clark, Jessica Cobb (KVCOG), Greg Durgin, Eric Dyer, Jessica Gorton

**Absent:** Elaine Katz, Greg Leimbach, Matt Nazar, Dennis Price

Jessica G. called the meeting to order at 6:06 p.m. in person at the Town Office and via Zoom.

It was noted that David Trunnell resigned from the committee and that Henry Clauson has not attended since he stopped serving as chair, so it was decided to consider him resigned. Alanna Bachelder and Chris Cheney have also not attended for a while. Eric said that he would try to recruit more members. The committee welcomed Greg Durgin back to the committee.

### MINUTES

Jessica G moved to accept minutes from the August meeting. Paula seconded. Unanimously approved.

### NEW BUSINESS

#### **Local Economy**

Eric thanked Jessica C. for all the work she did on this chapter.

The committee reviewed the chapter. In the town comparisons it was decided to add Wayne, possibly in place of Belgrade, although Belgrade median income is the closest to Readfield. The chapter includes a lot of numbers related to income and employment. Comparisons over the decades show strong income growth.

There was a lot of discussion about the decline of businesses in town, especially in the town center, and the lack of new businesses opening. Most new businesses have been home-based rather than large commercial establishments. Public responses to the new cannabis businesses have been mixed.

The Enterprise Fund could be expanded. Another option is to look for grant funding. There are three main business areas that need attention: the Corner area, the Depot and Kents Hill.

#### **Land Use Chapter**

Jessica C. also updated this chapter. Paula offered some edits. Eric noted that every year the town has increased its open space. The table on building permits showed a spike in the last five or six years. The town has historically drawn new residents lured here by the good schools. The land use ordinance is closely connected to this chapter.

While this chapter is nearly complete, a lot of work still remains to be done in the Future Land Use chapter Paula said she and Matt would work with the Planning Board to review it.

## OLD BUSINESS

### **Survey**

So far the town has collected 62 online surveys and 49 short paper surveys. Eric said the town staff is making a big effort to get even more surveys filled out. They had surveys at the polls but didn't get a lot of takers. They're using email and the website, which is working well, and are also going to send postcards out with the link to the surveys, QR codes, and information on requesting a mailed copy.

### **Plan Development Process**

Eric said he hopes to get the Future Land Use chapter to the Planning Board in December and then work out the final kinks on the overall plan in January. Public input meetings on the proposed Comprehensive Plan will be in February, then the committee will incorporate those changes in March and final preparation for the ballot will be in April. The goal is to get the plan on the town warrant in June. State approval will follow town approval, so some adjustments may be necessary.

## NEXT MEETING/ACTION ITEMS

Jessica C. said she needs some help from Jessica G. on the Natural Resources chapter.

The plan for the Dec. 21 meeting is to review at any of the chapters that still need a final look, even if some chapters only require a few minutes. Eric and Jessica C. will continue work in the meantime and send out the chapters as they are completed. Committee members are asked to read the chapters as they arrive via email.

Since there is so much work to cover, it was suggested that the meeting start at 5 p.m. with a break, possibly including pizza.

Jeff moved the meeting be adjourned, Jessica G. seconded. Meeting adjourned at 8:08.

*Minutes prepared and submitted by Holly Rahmlow*

# Readfield Planning Board

## Meeting Minutes of September 27, 2022

**Planning Board Members Present:** Paula Clark, Jack Comart, Jan Gould, Don Witherill, Noel Madore

**Excused:** Henry Clauson, Bill Buck

**Others Attending:** Chip Stephens (CEO), Anjelica Pittman (Board Secretary), Debra Casale, Kurtis Guyer, Bob

### Meeting called to order by Paula at 6:30PM

**Public Hearing:** Debra Casale d/b/a Happy Camper Cannabis, proposes a new Medical Cannabis (care giver) retail store. The building contains two dwelling units upstairs and a retail space on the first floor for a commercial/retail use. The property is located at 769 Main Street in the Village District identified on the Assessors map 128, lot 070.

Paula opened the hearing and summarized that this application will need to meet the standards of two ordinances, the Land Use and Marijuana Establishment Ordinances, and then the Planning Board will review and make a motion to accept or deny the application. If the application is approved by the Planning Board it will be forwarded on to the Select Board for final decision.

Debra went over the details of her application:

- The building owner and Debra signed an intent to lease as the owner is out of the country on vacation
- The owner of the building and Debra plan to sign a one year lease (with intent to purchase or renew the lease) when the owner returns from vacation or when Debra's application is approved by the Select Board; whichever option the Boards would prefer
- The lease is for the retail/commercial space on the first floor only, Debra is not leasing the upstairs apartments
- The Cannabis retail shop will be for those with Medical certification only, 21 years of age and older, strict recordkeeping will be done and ordinances will be adhered to
- The store will be very discreet, almost unnoticeable from the outside, there will be no flashing signs and there will be curtains in the windows
- No growing or cultivation will be done in the retail space
- There will be a ventilation air purifying system to prevent any smells and no smoking will be allowed in or outside of the building
- There will be a SimpliSafe video alarm system that records and monitors the property 24/7 and automatically contacts emergency services; there will also be padlocks installed and window alarms

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- There is ample parking available, ten spots, included in the lease agreement
- Old gas tanks in front of the retail space will be removed by the owner, much cleanup has already been accomplished
- The septic system consists of two 1000 gallon tanks, for the retail building, the garage and the yellow building, the system has been pumped yearly
- The existing well on site services all three buildings without problem, the only use for the water will be in the restroom which will not be available to the public

- Don **motioned** to close the Public Hearing, Jan **seconded**, **5-0 vote** in favor

The board discussed the application and found it complete, standards have been met, and contingencies discussed. There was some concern about the well water potability. The Board decided they would like to see the most recent water test available, and they also need the completed and final Lease agreement. Both items can be sent to Chip and dispersed to the Planning Board members, if there are any issues with either the water or Lease agreement, a meeting can be scheduled after the Select Board meeting. Chip will send the application package on to the Select Board.

- Jack **motioned** to approve the application subject to receiving the most recent water test and with provision of the lease signed by both parties before the Certificate of Occupancy. Don **seconded**, **5-0 vote** in favor.

## **Meeting Minutes:**

September 13, 2022 Draft Minutes – the minutes were reviewed and noted for corrections

- Jack **motioned** to accept the minutes as amended, Jan **seconded**, **5-0 vote** in favor

## **Old Business:**

Morash – Paula and Jack have been working on the revised decision for the remand order for formatting issues and they have also spoken with Kristen Collins, it will be distributed to Planning Board members as soon as it is ready. The revised decision may be completed by the scheduled October 11, 2022 Planning Board meeting, which Jack will be absent for, or the Board may schedule a special meeting, October 18, 2022.

Comp Plan – Paula is working with Matt Nazar on the Comp Plan Land Use Ordinances section, it is still in work and they are hoping to be ready by October or November to discuss at a Planning Board meeting to get members input.

## **Meeting adjourned by Paula at 7:15PM**

# Readfield Planning Board

## Meeting Minutes of October 25, 2022

**Planning Board Members Present:** Paula Clark (Chair), Bill Buck, Jack Comart, Henry Clauson, Jan Gould, Don Witherill

**Excused:** Noel Madore

**Others Attending:** Chip Stephens (CEO), Anjelica Pittman (Board Secretary), Tom Molokie, Carol Doorenbos, Scott & Dawn Morash, Diane Davis, Tom Gottschalk, Keith Meyer, Shawn Tyler

### Meeting called to order by Paula at 6:30PM

#### Old Business:

Discussion about the remand from the Appeals Board concerning the PB decision regarding application of **Scott and Dawn Morash** for reconstruction of a non-conforming house located at **111 Mayo Road:**

Jack and Paula have worked closely with the town attorney, Kristin Collins, to bring further clarify the PB decision made in May 2022 in order to address concerns raised by the Board of Appeals.

Collin Clark of the DEP has received a copy of the PB decision agreed with the PB's analysis and decision. DEP agreed that if the footprint of the non-conforming structure can be reconstructed beyond the 100 foot set-back from the Normal Highwater Line, then no portion of the reconstruction can be located below the 100 foot set-back.

The board discussed the draft revised Planning Board Decision. All members agreed that the draft language was clearer and well described the Land Use Ordinances pertaining to the application. The Planning Board members hope to see a revised application brought forth by the Morashes that meets LUO requirements and the applicants' needs for the property.

- Jack **motioned** to approve the revised decision draft and forward to the Board of Appeals, Bill **seconded**, **6-0 vote** in favor.

#### **Public Comment:**

Tom Gottschalk – Read the revised draft and disagrees at that the Morash proposal was made for the convenience of the Morashes. Tom said the footprint of the proposed reconstruction would increase safety because the lot is so sloped. Tom feels the Morashes never had a chance to discuss the application of the DEP's Minimum Shoreland Guidance with a lawyer. Tom feels the Morashes were denied due process.

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Paula responded that the question of convenience was raised by the Appeals Board. She further explained that the DEP's Shoreland zoning rules are the underpinning of the LUO's shoreland rules. Municipalities are required to forward the LUO to the DEP for approval. The LUO must be read to be consistent with state shoreland zoning rules, although the LUO can be more restrictive.

Carol Doorenbos -- Mentioned the new Ordinance revisions of last year combined with reconstructing the home 75ft from the Shoreland zone rather than the 14ft currently would help the Morash application to get approved.

Paula responded that it does add flexibility but that does not guarantee approval.

Keith Meyer -- Made two points, first to make sure the record reflect comments from Scott Morash and Tom Gottschalk. Second Keith added that a memo was sent to the Select Board and is hopeful the Planning Board thought about it. Keith has lived at Maranacook Lake since 2005; he said the Morashes lot with a 14% grade is a difficult property to get to. The Morashes are trying to facilitate living at the property full time into old age.

Tom Molokie -- The tone of this meeting and people's responses to each other are very different and less adversarial than they have been in the past. Tom is hopeful that the plan for the Morashes to build and retire at 111 Mayo Road can come to fruition. Tom hopes that the provisions can be adhered to and the Morashes can get their dream home. Tom again mentioned that he was pleased with the tone of the meeting.

## New Business:

**382, 386, 0 Quiet Harbor Road** -- An application by Diane Davis and David Dolley to rectify a previous unauthorized resubdivision. The parties want to have lot 029 legally divided and the two resulting pieces would be incorporated into Lots 028 and 030 This would eliminate one subdivision lot and result in two larger abutting subdivision lots, Each resulting larger lot would render them less non-conforming.. The properties are found on the town tax maps as map 102, lots 028, 029, and 030 in the Shoreland Residential Zone.

David and Diane purchased the lot together and divided the lot between the two of them, essentially creating 2 lots out of 1 existing lot. Because this is a re-subdivision, the PB needs to address the issue. It has been proposed to divide the original Lot 029 and merge the two half lots into each residents' existing lots, i.e. 028 and 030.

The new LUO allows the Planning Board to look at reallocation of lot lines between three or fewer lots and not have to go through a new subdivision application process. However, the PB wants a new survey of the new lot lines for lots 028 and 030 to be done as part of the elimination of Lot 029. A revised subdivision plat will also be needed to reflect the elimination of thee lot and the increase in size of the two abutting lots. The new merged lots would also need to be



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recorded with the Registry of Deeds. Once the required process is completed, return to Planning Board for members to sign off. This does not need to be done as a meeting. PB members can sign off on the revised plan at the town office.

- Jack motioned to approve resubdivision that allows Lot 029 to be divided and which portion merge, in part, into Lots 028 and 030, subject to new survey, revised subdivision plan, and recoding in the registry of deeds, Henry seconds, vote 6-0 in favor

**Remote Meeting Discussion** – Paula briefed the board about the Annual Chairs Meeting held before the Board of Selectmen last week. At the Chairs Meeting, Paula was asked about the Planning Board’s remote versus in person meeting and whether the PB had met in person as a group recently. Paula answered from her own perspective that some members may be generally uncomfortable meeting in person and choose remote for risk minimization. The Remote Meeting Policy allows for members of all boards and committees to meet either way they are most comfortable. The Select Board Chair, Dennis Price, did reach out to Paula in support of the Planning Board and offered Paula the opportunity to address the concern at the next Select Board meeting. Members of the Planning Board were concerned that outside agencies may feel there is a quality concern due to hybrid meetings, but members were confident that there is not. Also, members of the Planning Board are volunteers with busy schedules, child care and health issues, and making attending either in-person or via zoom more convenient for members. Without this flexibility, a number of PB members stated that they might not be able to continue on the PB.

**Accessory Dwelling Unit Legislature** – New legislature regarding accessory structures will require much more time by the Planning Board to prepare a package for ordinance changes in March, so the Board is making plans to begin revisions early.

**Syncarpha Solar** – Planning Board members had some questions about the Syncarpha project in town. First, if Syncarpha had begun the project before the end of their extension, and second, if there is an opportunity for residents to buy into the project first before other towns. Chip replied that he will find out both answers and email the Board when he finds out.

The next Planning Board meeting was agreed upon to take place November 15<sup>th</sup> 2022.

**Meeting adjourned by Paula at 8:20pm**