

# Readfield Planning Board

## Meeting Minutes of January 10, 2023

**Planning Board Members Present:** Paula Clark, Jan Gould, Jack Comart, Henry Clauson, George O'Connor, Don Witherill, Bill Buck

**Excused:** Noel Madore

**Others Attending:** Chip Stephens (CEO), Anjelica Pittman (Board Secretary), Matt Nazar (Comprehensive Plan Committee), Dan & Connie Roy, Grace

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

#### **Public Hearing:**

**86 Torsey Shores Road:** Daniel and Connie Roy are applying for an after the fact approval permit for a new storage shed structure to replace and relocate a previously non-conforming, that was grandfathered, shed on their property. The property is located at 86 Torsey Shores Road, Map 106 Lot 089 in the Shoreland District.

The previous non-conforming shed was on the property line of the abutter, was too small, 69-70ft from the water and infested with carpenter ants. The new shed is 8x10ft, 8ft from the abutter line, and 1ft further from the water at about 70-72ft from the high-water line and forward of the house by 15ft. Dan and Connie do not know of any other options given the slope of the property and are hoping to obtain a greatest extent approval.

Paula did ask the applicants if they had been advised not to proceed with the shed before getting permitted and why they hadn't followed that advice by Chip. Dan replied that he had spoken with Chip in October but grew concerned with winter coming and a limited time to build before snow fell. Dan misunderstood the Ordinances and thought he could get a variance with the greatest practical extent in mind. Unfortunately the Planning Board does not allow variances and is seeking conformance on applications, the board asked about other locations of the lot where the shed could be placed within conformance.

Jack asked how the slope was on the opposite side of the lot, but Dan said the abutter would not allow the shed within the 20ft setback. When asked about the underside of the deck, Dan explained that under the deck would not work as there are many opening and doors to the home as well as twice the number of supports as usual creating a maze under the deck. The parking area is out as well because there is no visibility from the house and the Roys are concerned about theft and or vandalism. The area next to the parking area is also out because of the septic and leech field, with the septic tank on the flattest spot in that area. The slope there is between 27-33%.

What used to be the driveway is now loamed as future growth for a walkway to the home,  $\frac{3}{4}$  of the preexisting driveway is now loamed and full of stone to slow runoff into the lake and access the parking area. Putting the shed there would affect the access downhill; the current location of the shed is still unlevel by 2ft due to slope.

The Board suggested The Roys use an engineer who can help them find an appropriate area within conformance to place the shed, for example, Elliot Thayer or Joe Stephenson. The board

Prepared by Anjelica Pittman, Board Secretary (unapproved)

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also would like to see more detail and options in the application, there was no mention of conformance through the greatest practical extent in the application. The board would also like to see all possible options and reasons why they will not work. There are some added complications due to the shed being both larger and taller than the previous structure. Jack reminded the applicants that per the ordinance, residents cannot expand an accessory structure in nonconformance of the waterline setback. The board could not approve the application as it is, however the board would like to give the applicants the opportunity to meet the greatest practical extent, most likely through the help of an engineer. The Hearing will be tabled and left open until the Roys can return with additional options. Chip has a list of consulting companies to give to the applicants for resources.

The board agreed to see the proposal back in 60 days unless both parties agree to a date change for good reason; with a status report at 30 days to ensure the application is moving forward. Jan motioned to approve these terms, seconded by Jack, 7-0 vote in favor.

Motion made by Henry to table the application and leave the hearing open, seconded by Don, 7-0 vote in favor.

## **Comprehensive Plan:**

Matt Nazar attended the meeting to discuss the Comprehensive Plan (Comp Plan) with the Planning Board. The state law requires that all communities with zoning have a Comp Plan and update it every 10 years; Readfield's last update was in 2008-9. Land Use Ordinance must flow from the Comprehensive Plan; the future land use stated in the Comp Plan is the foundation for future LUOs.

Matt suggested that most of the growth in Readfield since the last update has happened in rural areas instead of the intended areas for growth. Paula mentioned an idea brought up by the Comp Plan years ago that suggested breaking rural areas out into three subcategories to help move growth to areas designated for it.

Matt asked how the board felt about the current Land Use Map and if any changes are needed there, as well as if members feel that the current LUO adequately addresses controversial projects and instances and whether the board has the tools needed to address such issues. The board responded that the commercial/residential growth could be better distinguished. Jack gave an example of a more recent controversial issue with the solar farm on Rt. 17 where a new LUO was developed by the PB for that instance. Henry suggested discussing ordinances directed at utility/wind/solar development. The board discussed whether the current Comp Plan draft addresses the issues discussed and it was mentioned that some language could use more clarity and specificity, such as actions that can be taken and provisions in the LUO that would be helpful.

The board discussed with Matt the need to direct the growth in town away from residential areas and towards village districts, as well as protection of Open Spaces within subdivisions. Don discussed possibly looking at the policy and fee structure with capital investments, making it available to individuals, maybe a subsidy for waste, some sort of incentive to direct people to growth areas. Matt liked Don's idea, and will discuss the legalities of it with the town's attorney.

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The board also discussed the possibility of potential infrastructure growth like a town waste water system in the village district to lure growth there for small scale commercial development.

Affordable housing was also discussed; the new draft plan has a chapter specifically for affordable housing. Matt also mentioned a need to address existing law legislature towards mobile homes and accessory dwelling units, etc. The parameters of mobile homes from 1976-2022 remain equal in town, however are seen very differently in the state statute, for instance in Augusta, they are looking at bringing mobile homes of all ages up to HUD code.

Also discussed was the underutilized housing in the academic district, primarily Kents Hill, and the potential for short term renting of unused dorms similar to a bed and breakfast platform or other venues to increase income. Something similar to what Colby College does to increase revenue.

The expansion of village districts could help increase commercial development in the correct areas; current risk is more commercial development along Rt. 17, if development is not better limited to village districts.

With help from KVCOG, the comp plan committee is gathering information from applicable boards, comments, detail, and proposed language for consideration is welcomed for inclusion in the comp plan update.

Chip gave the Planning Board a shout out for their work on the Solar ordinance they created, as the town of Wayne has recently adopted and incorporated it into their ordinances, additionally, half a dozen other towns are showing interest in doing the same.

Matt thanked the Planning Board as well as he works with municipal attorneys and they have high praise for the board with respect to Shoreland zoning issues.

## **Meeting Minutes:**

Planning Board meeting minutes of December 13, 2022

- Don **Motioned** to approve the minutes with Jacks edits and a language correction by Paula regarding accessory structures, Jack seconded, **vote 4-0** in favor, with Paula, Henry and Bill abstaining.

## **Other Business:**

Paula briefed members of the board on the discussion she had with the Select Board at a recent meeting regarding meeting via zoom or in person. During the Select Board meeting she relayed the sentiments made by Planning Board members at the last Planning Board meeting. She reported that the Select Board encourages participation in person but they appreciate and support decisions made by the Planning Board and that nothing further needs to be done.

## **Meeting adjourned by Paula at 9 PM**