

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 permit for a new storage shed structure to replace and relocate a previously non-conforming shed that was grandfathered. The property is located at 86 Torsey Shores Road, Map 106, Lot 089 in the Shoreland District.

The previous non-conforming shed was 6 x 8 x 8 ft, located on the property line of the abutter, was too small for their equipment, located 69-70ft from the water and infested with carpenter ants. The new shed is 8x10 x 10 ft, set 8ft from the abutter line, and 1ft further from the high water line than the original shed. However, the new shed is located 15 ft. closer to the water than the principal structure. Dan and Connie do not know of any other options given the slope of the property and are hoping to obtain an after the fact permit

Paula did ask the applicants if Chip had advised the Roys not to proceed with the shed before getting permitted and why they hadn't followed that advice. 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 decided to go forward without seeking a permit and to instead get a variance after the fact. Paula pointed out that the Planning Board is not authorized to grant variances.

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 20 ft. setback. When asked about placing his garden equipment, etc. underneath 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. He is also concerned that his yard equipment might leak fuel into the lake. Dan said that the parking area is also not a possible location because there is no visibility from the house and the Roys are concerned about theft and or vandalism, even with a lock on the shed. The area next to the parking area is also out, according to Dan, because of the septic and leech field, with the septic tank on the flattest spot in that area. The slope below the parking area is between 27-33%, according to Dan.

What used to be the driveway is now loamed as future growth for a walkway to the home, ¾ 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.

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The Board suggested the Roys might want to hire an engineer who can help them find an appropriate area for the shed that is within conformance with the LUO. The board wants to see more detail about the site, slopes, setbacks and other factors that the PB must consider to determine if the shed meets the greatest practical extent standard. 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, an expanded accessory structure cannot be located closer to the high-water line than the principal structure. The board could not approve the application as it is, however the board would like to give the applicants the opportunity to meet come back with more information, perhaps with 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 participate in discussion of Readfield's draft Comprehensive Plan (Comp Plan) with the Planning Board. Matt and Paula (representing the Planning Board) are members of the Comprehensive Plan Committee working to draft a revised Comp Plan. State law requires that all communities with zoning have a Comp Plan and update it every 10 years; Readfield's last update was in 2009. The Land Use Ordinance must be consistent with the Comprehensive Plan, and the future land use chapter of the Plan will, in part, form the foundation for developing future LUO provisions.

Matt suggested that most of the growth in Readfield since the last update has happened in rural areas instead of the designated growth areas of the current Plan. Paula mentioned a provision of the current Comp Plan that had recommended breaking the existing "rural district" out into three separate districts, to include a new "rural resource district" that would provide additional protections to natural resources.

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 certain issues and projects that have been controversial, and whether the board has the tools needed to address such issues. 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 to address that type of development. 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.

The board discussed the need to direct the growth in town away from rural areas and towards village districts, as well as protection of Open Spaces within subdivisions. Don discussed

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possibly looking at some type of modified impact fee structure to provide funding to incentivize development in the growth areas. Matt liked Don's idea and will look into it further.

The board also discussed the possibility of potential infrastructure growth 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 focused on housing. Matt also mentioned a need to address new legislation regarding accessory dwelling units. The regulatory status of mobile homes was also discussed.

Also discussed was the potential use of underutilized housing in the academic district, primarily Kents Hill, for short term rentals, employing an approach similar to that used by Colby College?

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

The Comp Plan Committee is gathering input from relevant Town boards and committees. Comments, additional information, and proposed language for consideration are 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 Jack's 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