

Union Planning Board Minutes
Thursday, February 29, 2024, 6:30 p.m.
William L. Pullen Municipal Building Downstairs Meeting Room

Present: Jesse Thompson, Robin Milliken, Jerry Brooks, Dale Flint, John Mountainland

Others Present: CEO Grant Watmough, Maxwell Johnstone, Erik Amundsen, Linda Mountainland, Owen Shugard, Leslie Shugard, Mary Owens, Robert Rowse, Chloe Rowse, and others

- 1. Meeting called to order: 6:30 p.m.**
- 2. Meet with MCOG – Maxwell Johnstone, Senior Planner – to discuss tiny houses regulations to comply with LD 2003:**

Jerry introduced Maxwell Johnstone and said LD 2003 is an act to increase housing opportunities in Maine.

Maxwell said boiling it down to just three main items, LD 2003 covers the allowance of accessory dwelling units (ADUs), multiple dwelling units to be built on a lot, and affordable housing developments. He said there are a lot of definitions that are going to be included; these are simple terms being discussed, so we don't have to focus on definitions tonight. He said he would go through each of the three items and try and answer any questions that the planning board or audience may have.

Jerry brought up tiny houses vis a vis LD 2003.

Maxwell said it's commonly a housing allowance. Tiny homes is a different statute. He added they are not supposed to call it this anymore because LD 2003 exists, but this is just how they phrase it – the whole act is this long elaborate thing about increasing housing opportunities.

Jerry clarified increasing housing opportunities in the state, up to four ADUs.

Maxwell offered to start with ADUs, which are multiple dwelling unit items. That was put in because some towns would have a single home zoning rule(s) where it does matter how big the lot size is, i.e., if you put in a single family home that's all you can build on there. His first question for Union was what is the minimum lot size in a rural area.

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Grant said we have three different zones. In the Village Zone, minimum lot size is 20,000 SF. In the Rural Zone which includes Shoreland Zoning, minimum lot size is 60,000 SF. In Rural Zone High Elevation, minimum lot size is three acres.

Maxwell asked if he has a 30-acre parcel, how many dwelling units would he be permitted to build on there in the rural area. Grant said he could permit up to two on a single lot; go three or more, subdivision rules apply and it takes planning board approval.

Maxwell said let's say he got subdivision approval, has 30 acres, three-acre minimum lot – would he be able to build 10 units? Grant said yes. Maxwell said then we don't have to worry about this part. Jerry noted anything over four is a major subdivision.

Grant explained we have two definitions in our Subdivision Ordinance, a Major and a Minor: four lots or less is a minor; over four dwellings constitutes a Major, which requires other structure to go in.

Maxwell said he understood, and that's perfectly acceptable. This multiple dwelling unit item is just saying if a town has restrictions already in place saying you can only build one unit on – in his 30-acre example, if your town said he could only build one unit on that 30-acre parcel despite everything, then this would have to be done. But if your town needs subdivision approval – say he has his 30 acres, three-acre minimum, he can build 10 units with subdivision approval – he said we can skip this multiple dwelling item.

Jerry said he thought there was a limit which had to be a designated growth area.

Maxwell said no, for a growth area, if it's an undeveloped parcel and it's in the growth area, then you can build up to four units. He said assuming the village is your growth area, a 5,000 SF minimum – Grant corrected 20,000 SF minimum, because there is no public sewer in town at all, and we have a limited amount of public water just in the village and not all of the village at that.

Maxwell said using the village as an example, if he had a 200,000 SF lot, would he be allowed with subdivision approval to build 10 units in the village right now? Grant said with either his approval or the planning board's. Maxwell said with the subdivision approval. Maxwell concluded LD 2003 would actually be a bit more restrictive than what we have on the books right now.

In answer to Jerry, Maxwell said he has not seen our Subdivision Ordinance. Maxwell added LD 2003 does not supercede Shoreland Zoning, subdivision reviews, so it doesn't matter what complex thing you have for your subdivision. If he wants to build his 10

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units he has to fall under subdivision review, so multiple dwellings can be scratched. But, he said, you still need to be on potable water and a sufficient wastewater septic system.

Grant said LD 2003 talked about the applicant proving there is sufficient water, and asked how do they do that without drilling a well? Maxwell said it's up to the board's discretion, how ever it's done now. He mentioned a consultant. Grant confirmed we would have to treat it as we presently treat it, after the fact; otherwise we're not treating it the same. Maxwell reiterated it's however you guys do it at that discretion. It's supposed to be before that unit is actually open and available. It has to show that they do have a connection to some type of water system. Maxwell reminded a good chunk of this was written for a lot of the more southern towns; he mentioned having this one home restriction type zoning, also the more rural communities with water and sewer connection issues.

Jerry noted paperwork that Maxwell had given them, with changes to our Land Use in order to incorporate this in law.

Re: short term rentals, a miscellaneous note, Jerry said it doesn't exist. Maxwell said that was something LD 2003 noted that towns can do: some rules on short-term rentals. But you don't have to. He just made sure he pointed it out to planning boards in case anyone had interest in doing anything related to it. Jerry said we talked about this before – short term, then we get into Air B&B, etc.

Grant said currently we do not recommend Air B&B. It's the property owner's discretion. We do have an in-law or accessory apartment regulation in our ordinance already.

Maxwell said a lot of the suggestions were something he made when he was first contacted by Union about doing this, so some items will be a bit different. In answer to Maxwell, Grant said town meeting is June 11, written ballot as opposed to town meeting, so we need information probably 30 days before that.

Maxwell said he would suggest maybe not doing the short-term rental discussion unless you want something as simple as how do you file under home occupations or something. Jerry said every ordinance really requires its own separate discussion; he thinks this is going to force our hand, it's not just Air B&B potentially, because designated growth areas are Village District and Commercial/Residential district on Rt. 17 so the potential exists for like 127 units. Grant agreed with Max to leave that alone for another time.

Maxwell brought up standards for water and wastewater from the LD 2003 state statute on page one. The owner of a dwelling or accessory apartment would have to provide

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written verification that the units would be connected to adequate water and wastewater service prior to certification for occupancy (garbled), and a written verification must be following, and it's going to be pretty much the same thing; but he verified with Grant we do not have a sewer system so he would take it out and say "comparable sewer system."

Jerry confirmed they are on page 23 of Land Use and talking about adding to that section 1.10.3.8.5. Maxwell said a comparable sewer system would handle at least 1,000 gallons per day with written verification that the system could handle it, it's on a private septic system, and you have to have proof of connection similar to what you already have now. Then if it's a water system, prove that the system can handle those units, and if it's on a private well there has to be proof that it is acceptable for domestic use before you issue the certificate of occupancy.

Jerry and Grant asked what is that requirement for a certificate of occupancy. Grant said that currently does not include water. Jerry said this is why the state has delayed the entry of this law, just imagine every town and township in the state backtracking like we are, tapdancing. Maxwell said part of it was more on the state giving out a lot of the final rule making document the board has there; that was probably at least after their initial first deadline. He said a lot of towns are behind due to little state information. Now some towns a year after the extension are just finding out about this law still being a thing.

Jerry said we are going to put that on number six, page 23. Maxwell said although he is giving language from the state, as long as the intent is still there, you can change it to fit your local ordinance. Domestic use, adjust that however you would like as long as it's saying someone can connect to a well system pretty much. Jerry said so that's not a hard and fast... Maxwell said you don't have to accept this language word for word.

Jerry said we're going backwards on this. If we agree to the potable and that is not something that's currently under Grant's purview... Grant said what he would probably ask the applicant to do before he issued the certificate of occupancy was give him an assessment of the water. He noted a bank or anybody involved in financing would want to know already.

Jerry said if we've got maps right here, and we decide to do away with that language, Maxwell is saying that's ok. Maxwell said he's not saying getting rid of the language, but he's saying amending it so that it does fit what your standards would be. Jerry joked our standards are low. Maxwell said for this whole thing on potable acceptable domestic use, if the person who built the dwelling can provide something as simple as "I verify that the water is safe to consume," and if you find that fine and are willing to put that in the town file, that's fine; it's up to you at that point. Grant said that sounds reasonable.

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Maxwell noted that water and wastewater is something that's going to be consistently seen in the other items. Some towns will just have it under accessory apartments and affordable housing item; he simply just has it as a standalone so that he's not looking two or three times. Jerry asked if anyone would like to interject at any point – none.

Maxwell moved on to page two, multiple dwelling units, discussed earlier. Jerry brought an exemption for multiple dwelling units built prior to (a certain date). Maxwell said the multiple dwelling unit item was interesting as it essentially said if you don't have any structures on a parcel and it's in a rural area, you can build four units; but if there is one building already on there, you can only build two more units, three total; and if there are two buildings on it before July 1, then you can't build any more on it at all. Jerry clarified July 1 of this year. Maxwell said that's why he put that little exemption on it, giving you more lenience on that so you don't have to do this weird decreasing formula. Jerry said it basically says you need to create an exemption for dwelling units built prior to July 1, 2024 and are then torn down so they may have four units built. Maxwell said but again it already allows for multiple dwelling units on parcels, so we don't have to worry about including any of that.

Maxwell moved on to page three, accessory apartments or ADUs, but you say you already have accessory apartments. Grant confirmed but said we don't have some of this wording – it has to be a minimum of 190 SF which Maxwell said is just the state statute language. Jerry said page 24 is the accessory apartment/in-law apartment we currently have; it looks like we're going to have to revamp that section. Maxwell said the 190 SF – you have 425 SF minimum. Jerry confirmed 190 is the minimum required by the state now, and we can set the maximum which Maxwell said we already have – cannot exceed 800 SF, 33% used for homes so you don't have to change that at all. It's just the decreasing from 425 to 190; “accessory apartment,” “in-law apartment” is fine. Jerry noted the state calls it ADU, and the in-law apartment that we show is actually attached. Maxwell said the ADU can be attached or separate, just a minor change.

Maxwell then said 1.10.3.8.5.3 needs to be amended since the accessory apartment is not allowed to have a parking requirement; however, this could be amended to say that one of two required parking spaces for the principal dwelling unit must be for the accessory apartment. Under LD 2003 accessory apartment is exempt from a parking requirement and from minimum lot size. Grant referred to an example in a booklet, noting the reality is if you have another unit to live in, somebody is going to have to park a vehicle. Maxwell said again in a lot of the more southern communities that have a lot of walkability, it makes sense; it's not going to make too much sense up here. He thought the only change needed for 1.10.3.8.5.3 is remove the language after two spaces, so it

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would say, “one driveway shall serve both dwelling units. Off street parking for both units must be provided with two total spaces.”

Maxwell noted on 1.10.3.8.5.6 the ADU may be constructed in an existing dwelling unit, attached to the single family dwelling unit, or as a new structure on the lot for the primary purpose of creating an accessory apartment. Robin asked if they could tie into the septic and well of what’s there already. Grant said the answer is it depends – size of septic systems, number of bedrooms existing, etc.; the water should be fine.

Jerry read our definition of accessory apartment: “accessory apartment may be developed within or attached to an existing single family dwelling subject to the regulation of this section.” He did not see where it was a standalone unit. Maxwell said that’s a change from LD 2003. Robin quoted, “a new structure on the lot for the primary purpose of creating accessory dwelling unit,” noting if it’s a new structure it’s not necessarily attached. Maxwell said the change he is making could just be put in the definitions.

Maxwell noted the exemption from the density requirements for parking does not apply if it’s in the Shoreland Zone. He said that could be put in the Shoreland Zoning Ordinance or reflected in 1.10.3.8.5.6. Robin and Jerry concurred it probably had to be added in.

Maxwell also noted re: accessory apartments, if it’s on a nonconforming lot it can be built as long as it still meets the setback requirements. So if this is a one-acre parcel in a rural area, and it already has a single family home on it, an accessory apartment could be built on the parcel as long as it still meets the setback, maximum lot coverage, etc. Jerry confirmed even though it’s nonconforming, as long as it doesn’t make the lot more nonconforming. John said if it’s nonconforming and you add anything to it, that’s automatically making it more nonconforming. Maxwell said but if it meets the setback and the maximum lot coverage, how would it be more nonconforming? What if it was built inside the single family home? Jerry said does our 500 SF potential addition exist in that? Grant reminded this is not Shoreland Zoning. John agreed if in the existing structure, it would not make it any more nonconforming.

Grant said our ordinance now says an accessory dwelling or in-law apartment it is allowed even on a nonconforming lot, and we treat that still as a single family dwelling. Maxwell said with LD 2003, assuming we’re outside the Shoreland Zone, the accessory dwelling unit is exempt from the minimum lot size.

Grant gave an example of a grandfathered one acre lot, no building on it – he can issue a building permit for that property as long as they meet proper setbacks, the same wording Maxwell just used, but he can’t issue two right now. Maxwell said assuming this is after

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July 1, a person could have that single family and then they could have the accessory apartment as long as they meet the setbacks. Grant said that was his understanding, too. Maxwell confirmed if that's in the Shoreland Zone, and this is that nonconforming lot, then it doesn't get to be done.

The accessory apartments are the only item re: LD 2003 that you do still have to allow in the Shoreland Zone, but again minimum lot size and parking can apply in the Shoreland Zone, and anything you have in the Shoreland Zone will also be applied to the accessory apartment no matter what that standard is.

Maxwell moved on to affordable housing, projects under multi-family dwelling units. Jerry said we were on page 23, 1.10.3.8. Maxwell said for affordable housing projects, these would have to be permitted wherever Union permits multi-family housing – Village and Rural District – and of those two districts, wherever the growth area is which he assumed is just the Village. He confirmed it is mapped out in the most recently approved Comprehensive Plan. Jerry said we have the Village District and the Commercial /Residential District which is predominantly on Route 17, 127 acres. Maxwell said so those two areas and whatever aligns with your Land Use Ordinance.

John said in his opinion this is not the right place to put affordable housing (Rt. 17 Commercial). Maxwell said that wouldn't have the affordable housing project; it's wherever your Land Use Ordinance says multi-family is allowed together with wherever the growth area is. The Village District is the only thing he seems to have heard that is a growth area in the Comp Plan and allows multi-family housing. Grant said currently, noting multi-family units in the Commercial Zone are not applicable, not allowed; the growth area in the Commercial Zone per the Comprehensive Plan was referring to commercial. Maxwell said he was referring to a Venn diagram: where your growth area and your Land Use Ordinance say multi-family is allowed, where that intersects, that is your affordable housing district – so, in the Village District with planning board approval. John noted it is quite restrictive.

Maxwell said he recommends to towns that already have a multi-family section to just add the affordable housing as a subsection, but you could have it as a separate set of standards. Just be sure you reference affordable housing must meet the requirements found under the multi-family standards, same as with the water/wastewater item. Jerry said that will expand page 23. Maxwell said it could either be an extension of 1.10.3.8.3 which is your multi-family, or its own standards 1.10.3.11 as affordable housing Jerry confirmed.

Maxwell said he will make an updated version of this.

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Maxwell reiterated affordable housing is only going to be in the Village District. He added the applicant must execute a restrictive covenant to be recorded in the Knox County Registry of Deeds for the benefit and enforceable by a party acceptable to the planning board, and this party must ensure that for at least 30 years after the completion of the construction, rental housing occupancy of all the units designated affordable in the development will remain limited to households at or below 80% local area median income, which is the Knox County median income, at the time of the initial occupancy. In answer to Jerry, Maxwell said he sees the enforceable party as Maine State Housing.

Maxwell said for owned housing it's the same thing: occupancy of all units designated affordable development limited to households at or below 120% of local area income at the time of initial occupancy. He said C wouldn't have to be included as wastewater is elsewhere in the standards; it's just noting that someone who was going to create this project has to be connected to a comparable sewer system handling at least 2,000 gallons per day, and to a central water system – the Union system or a water source that can handle 15 year round residents. He noted this is under the definitions. Jerry said we will take out F, district sewer system.

Maxwell said if all that can be proven, plus any requirements you have, then the affordable housing project shall be 2.5 times the base density that is otherwise allowed in that location. If fractional results occur when calculating the density bonus, the number of units is rounded down to the nearest whole number. For example, in the Village District, 2.5 units would be permitted for every 5,500 SF if the parcel is connected to a central water and sewer system. He said water is supposed to handle at least 15 units. We could also include a standard in here that says this would not be permitted in Shoreland Zoning.

Maxwell then brought up parking requirements. Affordable housing projects shall only provide two off-street parking spaces for every three proposed units, so if someone is proposing 30 affordable units they would only have to provide 20 off-street parking spaces. Robin said that's not even sensible. John said it makes no sense, but we can't do anything about it. Maxwell said one thing you can do is note that developers have to provide a parking plan to show how overflow parking will be handled, or a standard in there that on-street parking would not be permitted.

Jerry asked what the thought process was behind this. Maxwell again referenced southern communities with a lot of walkability, focus on downtown areas, parking garages, public transportation, etc.

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Maxwell said these parking requirement items could either be under the affordable housing standard items, or if you have a separate section where you could just go over all the parking items.

Jerry brought up on 46 minimum required off-street parking. Maxwell said just update it. Jerry said primarily put that heading underneath. Maxwell said other than that, the only two changes he would have to make are in the conditions section which he already went through, and an update to the Land Use map or ordinance matrix just to say – he said you don't need to update that except Shoreland Zoning matrix. Jerry confirmed no updates on the Comp Plan. Maxwell said when you do have to update it, whatever is your growth area will probably be affected by this.

Jerry asked Jesse (EMS and Fire Chief) how this would affect emergency services. Jesse said make sure the units are clearly marked, which Maxwell said is something that can be put in the ordinance. Grant said we can assign a street number every 10 feet, a system set up in the early '90s that works really well. Grant said we can make them get street numbers for anything. Maxwell said you can put in standard sort of general broad items; as long as there is some idea of language, he can get that in there. He said one town wants to include elevator sizes in multi-family dwellings to make sure elevators are big enough to handle stretchers.

Maxwell reiterated a parking plan for overflow parking may help. He urged the board to email him with any other items. March 14 was set for updates.

Jesse brought up driveway sizes, noting emergency vehicles are getting bigger. He was particularly concerned about multi-family. Maxwell said you can have something about driveway width, like the elevator example. Grant said we have a section Access Management Standards on page 48, Land Use Ordinance. Maxwell said draft language will be made up, with lock boxes for multi-family.

Jerry asked for questions from the board, then from the audience. Erik Amundsen asked if a building puts an auxiliary building on, if they decide down the road to put another one because they're doing Air B&Bs or short-term rentals, does that become subdivision three or more, or where do we go with all that stuff?

Maxwell said an ADU or apartment unless you say otherwise wouldn't fall under subdivision review. He said the town could change the language and say accessory apartment does count toward subdivision – he can include that just for clarity. Erik thought this a prudent thing to do. The board concurred, and Maxwell will put this in. The board and Grant thanked Maxwell.

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3. **Chloe Rowse – Change of use – After school classes, weddings, and other events, Map 5 Lots 1 & 2 at 809 Depot Street:**

Jerry confirmed no conflict or bias and a quorum. He read a summary of the application: Chloe Rowse would like the board to review future projects and activities at 809 Depot Street for compatibility and allowable uses per the Land Use Ordinance, prior to the purchase of the property. Proposed future uses include art, yoga, after school programs, overnight programs for kids and adults, weddings, and other events. He established that the board has jurisdiction, and the applicant has standing to apply (listed buyer on Purchase and Sale agreement of aforementioned property). All applications and fees have been submitted.

Chloe said she is under contract on 809 Depot Street. She wanted to know if the ideas she has in mind will be possible before purchasing the property. She shared her background: born in Portland, lives in Portland, professional guide leading youth and adult outdoor trips around the country and in Maine, registered Maine Guide, wilderness first responder, Red Cross lifeguard, instructor for Leave No Trace, and coached Nordic skiing. She said her career has been designing and running outdoor programs mentioning her skills as an artist and teacher. She said she is also an ordained minister so she coordinates and performs weddings, and is also a Serve Safe production manager, a yoga teacher, and director of a Maine-based nonprofit that runs small group programs. She added one of their programs, an overnight hiking camp for middle school girls, in 2018 was approved by DHHS under their youth camp licensing guidelines; she thinks it's the smallest camp they have ever licensed, six kids. She said the small group format is what's special about the programs she offers. Day workshops for kids are no more than 10 to 12 people; adults for yoga, hiking, etc. is 12 participants maximum with arts and crafts smaller than that.

She said 809 Depot Street would be her home and base of offering activities. She noted it is a big step and has some ideas down the line, which she listed: teaching classes (yoga, arts and crafts, after school programs); small group youth and adult day and overnight programs, five to 15 people; hosting overnight program participants in the farmhouse or additional buildings; building a small bath house with restrooms for guests and participants which would involve a new septic; weddings, maximum 150 people, in a barn or tent; adding if necessary cabins or yurts where people can stay when attending.

In answer to Jerry, she said a yurt could be permanent or semi-permanent; a combination of tents and yurts; not for a massive amount of people, 15 for example. She said she has no intention of this ever becoming a massive 200-kid summer camp. She reiterated what has worked and makes her programs different is their small size.

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In answer to John, she said hours of operation would vary. They would not be doing loud things late at night; kids usually go to bed by 10:00 p.m. Weddings would be partially dependent on what the town says is acceptable.

Jerry said we've been down this road in a couple different ways: the Come Spring Lane geodesic domes and the event/wedding space on Sennebec. John mentioned the winery up on the hill for events.

In answer to Grant about how many weddings per year, Chloe said starting out it would be great if she had three with a maximum of 12. John confirmed basically on weekends.

Grant said if she owned the house right now and wanted to have a wedding there, she could do it. Talking about 12 needs planning board approval. He said it is a blurry line. He said she could do one or two, even three, and mentioned parking, bathrooms, time frame, music as all questions that don't come into play too badly with one or two or three; with anything over 10 you have to plan – are you going to have traffic control, designated parking area, porta potties delivered and removed or facilities built on site – those are all questions the board would need to know the answer to.

Chloe said she wanted to build a bath house, and she has been trying to figure out the parking by looking at how many spaces would be required there, and if there's some sort of variance she could get that would say people have to carpool – just say if you have your wedding here, we have this many parking spots and that's all we have to offer.

Jerry mentioned the wedding venue on Sennebec Road, where Grant said she was going to use a field for parking which Savage Oakes did as well. Chloe said there is field space. Grant said probably that could be designated for parking if needed; we are trying to avoid a big line of traffic on the side of the road, through traffic.

Jesse said he does not see big concerns. The groups are a small number. If she can get cars off the side of the road. If she's got fields that can hold say 50 cars and that's the limit then he is good with that. He noted 235 is a bad area for driving/speeding.

Dale asked if a yurt is a permanent structure. Jerry said tents no problem. Grant said yurts are structures and need permits; he added if she has multiple ones, we are now dealing with campsites which takes planning board approval. In answer to Robin, Jerry said it's 84 acres. Grant said there are some restrictions on the part toward the water. Chloe said there are 14 acres on the lake side of the property in the Georges River Land Trust, and 70 acres on the other side. She has spoken with GRLT and got their approval for what she wants to do, all commercial in nature and not be on that side of the property although she

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would take people down to the lake to swim, do yoga, etc. Generally she added everything would be on the other side of the road.

Jerry said he saw no problems whatsoever with what's been discussed so far. In answer to Grant, Chloe said she would work with DHHS to get this location as a licensed place for running summer camp as defined by them. Jerry said re: weddings and potential campground, he sees no difference between that and the domes. John brought up hours of operation. Jerry said events would still have to comply with the 10:00 p.m. sound limit. John said he saw no issues. Dale concurred noting it is a commercial enterprise.

Jerry said it will have to be more detailed in terms of a site plan, survey, and narrow down the list of activities. He said the potential for campground and weddings are not issues but will be processes.

Grant said re: sound, 10:00 p.m. is correct as far as a complaint to the sheriff. Our ordinance makes a reduction in sound at 8:00 p.m.

Jerry asked the board for thoughts or questions. Jesse said just come back with more detail. Robin thought she was good.

Jerry said Grant mentioned DOT. An attendee said she got a call back from Jim who is quite certain that he spoke to the state re: curb cut. Grant said because it's a state road their approval is needed for a change of use. If what's going on there changes enough to add 50 trips a day, that's a change of use, and it sounds like there'll be times when that happens. John did not think it would be an issue as she already has another driveway. Grant said he has not seen an entrance permit there and reiterated this is a change of use. He thought it fair to say there may some hoops to jump through but she will more than likely get approved for what she wants to do; for example, a bath house needs a plumbing permit and septic becomes an issue which she already knows.

The attendee said Jim Kinney from the state took the field and put a road into it. He (Skip Kinney?) is quite certain he had a conversation with DOT and marked it for them to look at. He is looking for the permit. He left her a message today. Chloe thanked the board.

4. Owen and Leslie Shugard – nonconforming structure removal part and build new structure – Map 24 Lot 24 at 12 Sunk Haze:

Jerry established no conflict or bias and a quorum. He summarized the application, re: removal of two nonconforming structures with a combined area of 864 SF and a proposed construction of one new structure with a total of 1,024 SF, utilizing the special expansion allowance of Shoreland Zoning, Article 4. He established the planning board has

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jurisdiction, the applicants have standing to apply, and application fees have been submitted.

Owen Shugard said they bought the property about seven years ago – the old grist mill and a 12'x12' welding shed put on in @ 1970, and the ell was a house that they moved over there and attached to it. He said the river is what is really beautiful to them. They have about 400' of river frontage. They winter in Louisiana and stay in Maine for six months. They are in the antiques business and are artists. He continued, saying to remove the ell and welding shed would give them somewhere around 1,000 SF.

Grant said one structure is 20'x30', the other 12'x22'. He measured and said the total they want to remove is 864 SF, and they want to add a little under 200 SF. He added this is a nonconforming structure, doesn't meet the proper setbacks, nonconforming lot, minimum size (.44 acres), and in Resource Protection, but the expansion allowance doesn't distinguish between zones and Shoreland Zoning. This is in Shoreland Zoning.

Jerry said they're allowed up to 500 SF so they are well within that. Owen said he wanted to build a residence 16' wide and 64' long. They would match the new building as much as they could to complement the mill building. With the two things gone he said they could concentrate on the true historic building done in the 1830s. They would follow the same roof pitch, do matching siding, etc. He talked about design.

In answer to Dale, Owen said they have a septic design. He talked about a system which Grant said sounded like Eljen. Grant asked the distance from the property line to where they want to build. He said like 15' from their property line to the back of the house, whatever is acceptable. Grant said normally 20' and noted we have a special exception for a building, one foot for every foot in height if under 20' – let's say the roof is 15' to the peak, then 15' is the setback for the side property line. Owen said they haven't gotten that far.

Leslie said for water they can drill a well, or there is water apparently across the road. She noted every time they call Maine Water they get a different answer, but they could get city water brought over. Owen said they could get permission from Maine Water to tap into the very end of their line. He said they would like city water; they get drinking water from Mt. Pleasant. He added it's just Leslie and him, a small place.

Jerry asked about the pump station or stand. Owen said it was from the old building that blew up adding they have not run across it. John said he suspected that was an overboard system anyway.

Grant said basically they are asking that the board allow them to remove two portions of the building, get credit for that, and put up 1,024 SF of building further back. Grant said it's nonconforming, and we need to point out that this is a one-shot deal with the

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expansion allowance. He referred to the agenda packet, in which he put a document that needs to be filed at the Registry of Deeds.

Jerry noted there are no plans in place. John said as long as he stays with the 16'x 64' footprint, and anything beyond that let Grant handle it from the code end. Grant said the board is just approving what he (Owen) presented if they approve it. Owen said they have no plans for expansion and will fix up the mill. Jerry asked about trees. Leslie said it's clear in the middle. Grant said there are trees down by the river, and Owen added the mill run. Jerry said they need to be careful about knocking down trees due to vegetation requirements, which Owen said they are familiar with.

Jerry asked for questions from the board – none. He brought up trees and a grading system, noting they have plenty there to qualify. Re: page 99, he read aloud “roofs and associated drainage systems, driveways, parking areas, other nonvegetative surfaces must be designed or modified as necessary to prevent concentrated flow of storm runoff from reaching a water body, tributary stream, or wetland. Where possible, runoff must be directed from a vegetated area or infiltrated into the soil through the use of a dry well, stone apron, or similar device.” He wanted to bring that to their attention.

Owen asked the board's feeling on a cistern. Grant said they can do that or not; the board does not regulate it.

Motion to approve demolition of two buildings and adding a 16'x64' addition totaling 1,024 SF, and Grant will ensure that it meets the setbacks, by: John Mountainland
2nd by: Dale Flint
5-0

The Shugards thanked the board. Grant he still has to issue a building permit and a demo permit, and this has to be recorded at the Registry of Deeds.

5. Approve minutes of November 9, 2023 and December 14, 2023:

Motion to approve the November 9, 2023 minutes by: Dale Flint
2nd by: Robin Milliken
3-0-2 abstentions (Thompson, Mountainland)

Motion to approve the December 14, 2023 minutes by: Dale Flint
2nd by: Jesse Thompson
2-0-3 abstentions (Milliken, Brooks, Mountainland)

6. Any other business by the board: None.

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7. Adjourn:

Motion by: Jesse Thompson

2nd by: Dale Flint

5-0

Meeting adjourned at 8:29 p.m.

Respectfully submitted,

Sherry Abaldo

Secretary