

**Planning Board Meeting
February 13, 2024 – 7:00 PM
Town Office Conference Room**



Meeting Materials

**Planning Board
Tuesday, February 13, 2024
7:00 PM – Town Office Conference Room**

CALL TO ORDER

MINUTES

January 23, 2024

COMMUNICATIONS

OLD BUSINESS

CLUC Changes for 2024

NEW BUSINESS

ANY OTHER BUSINESS

ADJOURNMENT

POLAND PLANNING BOARD
MINUTES OF MEETING
January 23, 2024
Approved on _____, 2023

CALL TO ORDER – Chairperson James Porter called the meeting to order at 7:00pm with Members Jon Gilson, George Greenwood, James Walker, Alternate Member Heather Ryan, and CEO Scott Neal present. Member Cheryl Skilling is absent with notice. Alternate Member Heather Ryan is a voting member for this meeting.

MINUTES – January 9, 2024 – Member Gilson moved to approve the minutes. Alternate Member Ryan seconded the motion. Discussion: None Vote: 3-yes 0-no 1-abstained (Member Walker was not present for the vote. Member Greenwood was not present at the 1.9.2024 meeting and abstained from voting.)

COMMUNICATIONS – None

OLD BUSINESS – Informational – Daniel Ouellette – 25 Schellinger Road – Map 6 Lot 6C

Mr. Ouellette was not present but sent an email for the Board to consider.

Potential CLUC changes for 2024

The Board discussed various proposed CLUC changes.

NEW BUSINESS – Sketch Plan Review – Wolf Cove Inn, Geoff Skidmore – 5 Jordan Shore Drive – Map 32 Lot 1

Geoff and Nicole Skidmore and John Langolier presented the project to the Board. The Skidmore's would like to turn the living quarters at the Inn into two rental units and make some other updates to the interior of the building.

The Board and CEO Neal had questions about the parking and subsurface waste with the new units. These questions will be addressed in the Formal Site Plan Application.

Member Greenwood moved to approve the checklist as complete. Member Gilson seconded the motion. Discussion: None Vote: 4-yes 0-no.

Findings of Fact and Conclusions of Law for:

Formal Site Plan Application – Lawrence Roakes – Off Knoll Road – Map 13 Lot 36

Member Greenwood moved to approve the Findings of Fact. Member Gilson seconded the motion. Discussion: None Vote: 3-yes 0-no 1-abstained (Alternate Member Ryan abstained from voting as she was not a voting member at that meeting.)

POLAND PLANNING BOARD
MINUTES OF MEETING
January 23, 2024
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ANY OTHER BUSINESS – None

ADJOURN – Member Gilson moved to adjourn the meeting at 8:22 p.m. Alternate Member Ryan seconded the motion. Discussion: None Vote: 5-yes 0-no

Recorded by: Sarah Merrill

Planning Board

James Porter, Chairperson

George Greenwood, Vice Chairperson

Jonahan Gilson, Secretary

Absent with Notice
Cheryl Skilling, Member

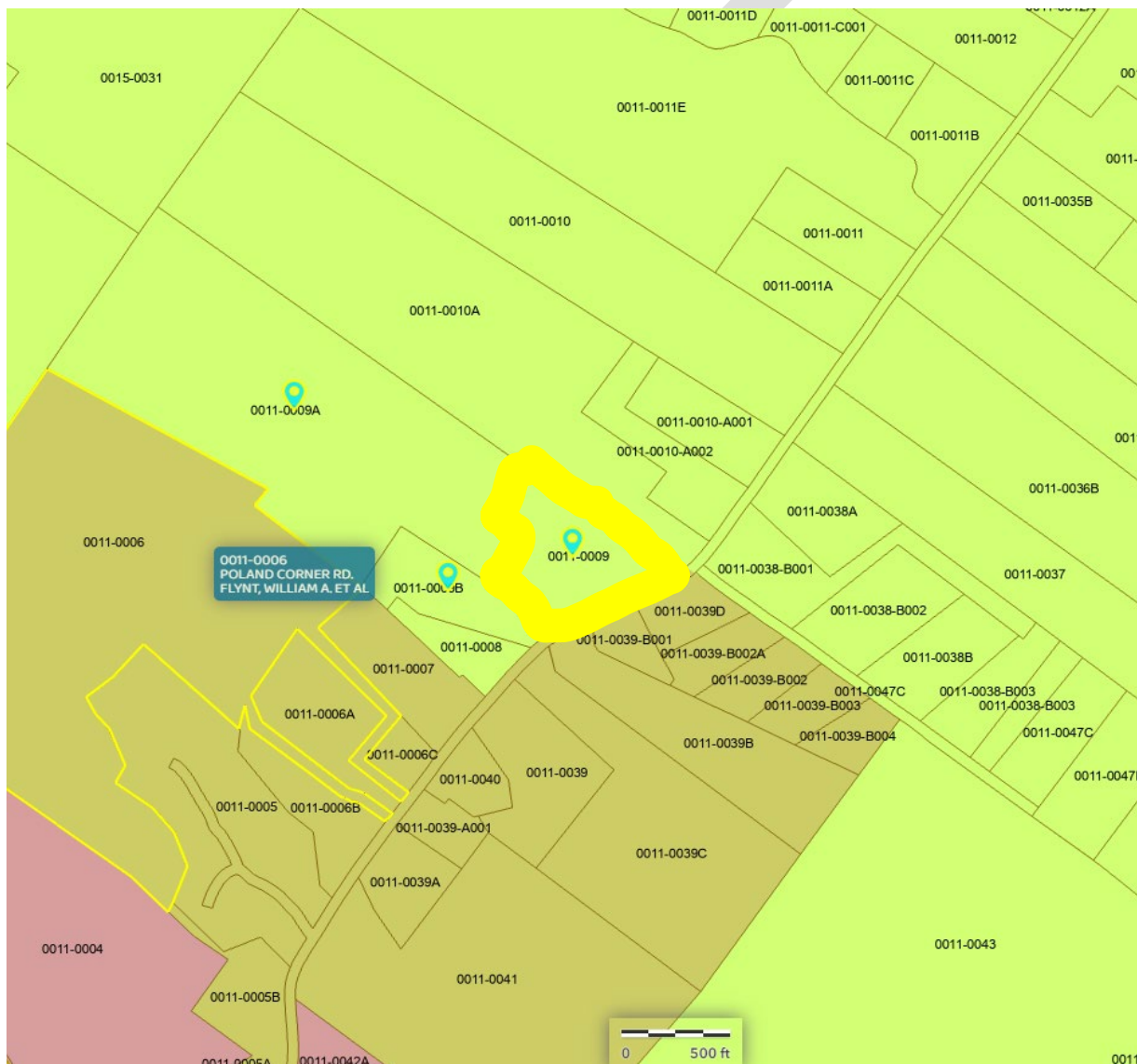
James Wlaker, Jr., Member

Heather Ryan, Alternate Member

2024 CLUC Changes

- Cook's zoning change
 - The Cook's would like to change the zoning of their property at 211 Poland Corner Road, Map 11 Lot 9, from Farm and Forest to Rural Residential 3.
- ADU change to 1400 sq. ft.
 - The Gagne's would like to change the maximum size of accessory dwelling units from 700 sq. ft. to 1400 sq. ft.
- Gas Station over a sand aquifer exception
 - Mr. New would like to change the CLUC to allow a waiver for gas stations over a sand aquifer since the DEP will allow it with a waiver. This would only be allowed with prior approval from the DEP.
- Affordable housing State mandate
 - These are the required updates to the CLUC to comply with State law LD 2003 – Affordable Housing Developments.

Current Zoning: Parcel highlighted in yellow with a blue map marker is the parcel looking to be rezoned from Farm and Forest to Rural Residential 3.



 = Rural Residential 3

 = Highlighted Property

Article ?. Shall the ordinance entitled Poland Comprehensive Land Use Code Sections 508.6.A.2.g. – “General Requirements” and 508.6.B.2.a. – “General Requirements” be amended? (A copy of the proposed ordinance amendment is available for inspection in the Clerk’s office, as well as on the Town’s website at polandtownoffice.org.)

508.6 Accessory Apartment, Accessory Residential Structure, and Offsite Accessory Structure

- A.2.g. The structure has a maximum of one thousand four hundred (1,400) sq. ft. ~~seven hundred (700) sq. ft.~~ of floor area excluding any space with a floor to ceiling height of less than six ft. eight inches (6’ 8”), closets, and stairways.

508.6. Accessory Apartment, Accessory Residential Structure, and Offsite Accessory Structure

- B.2.a. The structure has a maximum of one thousand four hundred (1,400) sq.ft. ~~seven hundred (700) sq. ft.~~ of floor area excluding any space with a floor to ceiling height of less than six ft. eight inches (6’ 8”), closets, and stairways

Article ?. Shall the ordinance entitled **Poland Comprehensive Land Use Code** Sections 508.28.F. – “Prohibited Commercial, Industrial, and Home Occupation Uses in the Aquifer Protection Overlay Districts. The following new commercial, industrial, and home occupation uses are prohibited within the Aquifer protection Overlay District” be amended? (A copy of the proposed ordinance amendment is available for inspection in the Clerk’s office, as well as on the Town’s website at polandtownoffice.org.)

508.28.F. Prohibited Commercial, Industrial, and Home Occupation Uses in the Aquifer Protection Overlay Districts. The following new commercial, industrial, and home occupation uses are prohibited within the Aquifer protection Overlay District

- Petroleum or petroleum product storage, not associated with normal household use and/or sale, except storage of same as use occurs and, except for storage and sales associated with marinas, and for storage and sales associated with an automobile gas station and vehicular fuels, with written approval of a variance application meeting all the requirements fro “Facilities Located Over Significant Sand and Gravel Aquifers” by the Department of Environmental Protection Bureau of Remediation and Waste Management.

Article ?. Shall the ordinance entitled **Poland Comprehensive Land Use Code** Sections 506.2.A.1. – “Permitted Uses Requiring a Permit from the Code Enforcement Officer”, 506.2.A.4. – “Permitted Uses Requiring Subdivision Review Cluster Development”, 506.2.B.1. – “Permitted Uses Requiring a Permit from the Code Enforcement Officer”, 506.2.B.4. – “Permitted Uses Requiring Subdivision Review Cluster Development”, 506.2.C.1. – “Permitted Uses Requiring a Permit from the Code Enforcement Officer”, 506.2.C.4 – “Permitted Uses Requiring Subdivision Review Cluster Development”, 506.2.D.1 – “Permitted Uses Requiring a Permit from the Code Enforcement Officer”, 506.2.D.4. – “Permitted Uses Requiring Subdivision Review Cluster Development”, 506.2.E.1. – “Permitted Uses Requiring a Permit from the Code Enforcement Officer”, 506.2.E.4. – “Permitted Uses Requiring Subdivision Review Cluster Development”, 507.2A. and .B. – “Space and Bulk Standards”, 508.6.A.2.e. and .f. – “General Requirements”, 508.6.B.2.a. and .b. – “General Requirements”, 508.7.B.2. – “ Multi-Family Dwellings”, Table 508.21.M. – “Minimum Parking Standards”, Table 508.27.A.15.A. – “Land Uses in the Shoreland Area”, Table 508.27.A.11. – “Notes”, 508.32 – “Affordable Housing Developments”, and Chapter 14 “Definitions” be amended? (A copy of the proposed ordinance amendment is available for inspection in the Clerk’s office, as well as on the Town’s website at polandtownoffice.org.)

506.2.A. – Village 1

- 1) Permitted Uses Requiring a Permit from the Code Enforcement Officer:
 - Single Family Dwelling
 - Accessory Uses & Structures
 - Affordable Housing Development (2 units)
 - Housing, Manufactured
- 4) Permitted Uses Requiring Subdivision Review Cluster Development:
 - Multifamily Dwellings (3 or more)
 - Affordable Housing Development (3 or more units)

506.2.B. – Village 2

- 1) Permitted Uses Requiring a Permit from the Code Enforcement Officer:
 - Single Family Dwelling
 - Accessory Uses & Structures
 - Affordable Housing Development (2 units)
 - Housing, Manufactured Definition B
- 4) Permitted Uses Requiring Subdivision Review Cluster Development:
 - Cluster Development
 - Affordable Housing Development (3 or more units)

506.2.C. – Village 3

- 1) Permitted Uses Requiring a Permit from the Code Enforcement Officer:
 - Single Family Dwelling
 - Accessory Uses & Structures
 - [Affordable Housing Development \(2 units\)](#)
 - Housing, Manufactured Definition B

- 4) Permitted Uses Requiring Subdivision Review Cluster Development:
 - Cluster Development
 - [Affordable Housing Development \(3 or more units\)](#)

506.2.D. – Village 4

- 1) Permitted Uses Requiring a Permit from the Code Enforcement Officer:
 - Single Family Dwelling
 - Accessory Uses & Structures
 - [Affordable Housing Development \(2 units\)](#)
 - Housing, Manufactured Definition B

- 4) Permitted Uses Requiring Subdivision Review Cluster Development:
 - Cluster Development
 - [Affordable Housing Development \(3 or more units\)](#)

506.2.E. – Downtown

- 1) Permitted Uses Requiring a Permit from the Code Enforcement Officer:
 - Single Family Dwelling
 - Accessory Uses & Structures
 - [Affordable Housing Development \(2 units\)](#)
 - Housing, Manufactured Definition B

- 4) Permitted Uses Requiring Subdivision Review Cluster Development:
 - Cluster Development
 - [Affordable Housing Development \(3 or more units\)](#)

507.2. Space and Bulk Standards

A) Village 1, 2,3

- 1) The minimum lot area shall be 80,000 sq. ft.
- 2) The Minimum lot area in an affordable housing development (outside of the Shoreland Zone) shall be 32, 000 sq. ft.

B) Downtown Village and Village 4

- 1) The minimum lot area shall be 20,000 sq. ft.
- 2) The minimum lot area in an affordable housing development (outside of the Shoreland Zone) shall be 8,000 sq. ft.

508.6.A.2. – General Requirements

- e) The structure shall not be located in any Shoreland Zoning District ~~unless the subject lot contains twice the minimum lot area and minimum shore frontage required by this Code;~~ and
- f) The structure shall have a minimum floor area of one hundred ninety (190) sq. ft. and shall have a maximum floor area of **seven hundred (700) sq. ft.** ~~has a maximum of seven hundred (700) sq. ft. of floor area~~ excluding any space with a floor to ceiling height of less than six ft. eight inches (6' 8"), closets, and stairways.

508.6.B.2. – General Requirements

- e) The structure ~~has~~ shall have a minimum floor area of one hundred ninety (190) sq. ft. and shall have a maximum of **seven hundred (700) sq. ft.** of floor area excluding any space with a floor to ceiling height of less than six ft. eight inches (6' 8"), closets, and stairways;
- f) The structure shall not be located in any Shoreland Zoning District unless the subject lot contains twice the minimum lot area and minimum shore frontage required by this Code;

508.7.B.2. – Multi-Family Dwellings

- 2) In the district where the Use is allowed the net residential density shall equal or exceed twenty thousand (20,000) sq. ft. per dwelling unit. For elderly housing buildings that are served by a public sewer system the net residential density shall equal or exceed five thousand (5,000) sq. ft. per dwelling unit. For residential apartment buildings that are served by a public sewer system the net residential density shall equal or exceed ten thousand (10,000) sq. ft. per dwelling unit. For units within an affordable housing development the net residential density shall equal or exceed eight thousand (8,000) sq. ft. per dwelling unit.

Table 508.21.M – Minimum Parking Standards

Activity	Minimum Required Parking
Residential: with 2 or more bedroom with 1 bedroom	2 spaces per dwelling unit 1 ½ spaces per dwelling unit
<u>Affordable Housing Development</u>	<u>2 spaces for every 3 units</u>
<u>Accessory Dwelling Unit</u>	<u>0 spaces</u>

TABLE 508.27.A. Land Uses in the Shoreland Area

LAND USES	SP1	SP2	RP	LR	LC
15. Principal structures and uses					
A. Single family residential including driveways, <u>accessory dwelling units, and accessory apartments</u>	PB	PB	N ³	PB ¹¹	PB ¹¹
B. Two family residential including driveways	N	N	N	N	N
C. Multifamily dwelling and planned residential development	N	N	N	N	N

Table 508.27.A. – Notes

11. One principal structure per lot. Accessory residential structures are only permitted if the lot has twice the minimum lot size and minimum shore frontage required.

508.32 Affordable Housing Developments – All multifamily dwellings or single family subdivisions that qualify as affordable housing developments are entitled to a minimum net residential density of two and a half (2.5) times the base density otherwise applicable under this Code; provided, however, that in order to qualify for such density, the affordable housing development must comply with the following performance standards in addition to those performance standards otherwise applicable:

- A) Prior to the issuance of a building permit for any dwelling unit within an affordable housing development, the developer shall provide evidence acceptable to the Code Enforcement Officer that a restrictive covenant on the subject property, reviewed and accepted by the Town Attorney, has been recorded in the Androscoggin County Registry of Deeds. This restrictive covenant must provide that for a period of at least thirty (30) years after the completion of construction of such affordable housing units, the occupancy of said units shall remain limited to households whose taxable income is at or below eighty percent (80%) of the local area median income (or one hundred twenty percent (120%) of the local area median income for owned housing), at the time of initial occupancy. Such restrictive covenant shall be enforceable by the Town of Poland or any other third party that the Town may choose to designate.
- B) Notwithstanding the foregoing, an affordable housing development must comply with all shoreland zoning requirements imposed by this Code and by the Maine Department of Environmental Protection.
- C) Prior to the issuance of a building permit for the construction of an affordable housing unit, the Applicant must submit written verification to the Code Enforcement Officer demonstrating that the affordable housing unit is connected to adequate water and wastewater facilities. Proof of adequacy must be consistent with the requirements of 30-A M.R.S. § 4364-B(7), as amended.
- D) This section shall not be construed to exempt affordable housing developments from the subdivision requirements contained in this Code.

Chapter 14 – Definitions

Affordable Housing – Decent, safe, and sanitary dwelling, apartment, or other living accommodations for a household whose income does not exceed eighty percent (80%) (or in the case of owned housing one hundred twenty percent [120%]) of the median income for the area as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as may be amended.

Affordable Housing Development – A proposed two family/duplex or multifamily development where at least fifty one percent (51%) of the proposed dwelling units will qualify as affordable housing, as defined in this Code.