

**Public Hearing and
Planning Board Meeting
February 27, 2024 – 6:30 PM
Town Office Conference Room**



Meeting Materials

**Planning Board
Tuesday, February 27, 2024
6:30 PM – Town Office Conference Room**

CALL TO ORDER

PUBLIC HEARING

CLUC Amendments 2024

MINUTES

February 13, 2024

COMMUNICATIONS

OLD BUSINESS

NEW BUSINESS

Vote on Recommendations for CLUC Amendments 2024

ANY OTHER BUSINESS

ADJOURNMENT

POLAND PLANNING BOARD
MINUTES OF MEETING
February 13, 2024
Approved on _____, 2024

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 23, 2024 – Member Gilson moved to approve the minutes. Member Walker seconded the motion. Discussion: None Vote: 4-yes 0-no

COMMUNICATIONS – None

OLD BUSINESS – CLUC Changes for 2024 – The public and the Board discussed the proposed CLUC changes for 2024.

Member Greenwood moved to increase the size of the accessory dwelling unit from the proposed 1,400 sq. ft. to 2,000 sq. ft. Member Walker seconded the motion.
Discussion: None Vote: 4-yes 1-no

The public hearing will be on February 27, 2024, at 6:30 p.m.

NEW BUSINESS – None

ANY OTHER BUSINESS – None

ADJOURN – Member Gilson moved to adjourn the meeting at 9:16 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

Article 2. Shall the **Town of Poland Official Zoning Map** entitled Tax Map 11 Lot 9 be rezoned as Rural Residential 3 as shown on the maps below, 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 web site at polandtownoffice.org.)*

0015-0031

0011-0011E

0011-0010

0011-0010A

0011-0011D

0011-0011-C001

0011-0012

0011-0011C

0011-0011B

0011-0011

0011-0011A

0011-0035B

0011-0009A

0011-0006

0011-0006 POLAND CORNER RD. FLYNT, WILLIAM A. ET AL

0011-0009B

0011-0009

0011-0010-A001

0011-0010-A002

0011-0038A

0011-0036B

0011-0037

0011-0038-B001

0011-0038-B002

0011-0038B

0011-0039D

0011-0039-B001

0011-0039-B002A

0011-0039-B002

0011-0047C

0011-0038-B003

0011-0039-B003

0011-0047C

0011-0039B

0011-0039-B004

0011-0007

0011-0008

0011-0006A

0011-0006C

0011-0005

0011-0006B

0011-0040

0011-0039

0011-0039-A001

0011-0039A

0011-0041

0011-0039C

0011-0004

0011-0005B

0011-0005A

0011-0042A

0011-0043

0011-0047

0 500 ft

 = Highlighted Property

B

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 two thousand (2,000) 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 two thousand (2,000) 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

C

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 from “Facilities Located Over Significant Sand and Gravel Aquifers” by the Department of Environmental Protection Bureau of Remediation and Waste Management.

D

Article ?. Shall the ordinance entitled Poland Comprehensive Land Use Code Sections 508.18.I.3.k. – “Changeable Signs” 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.)

508.18.I.3. k. Changeable Signs – The sign may be changed no more than once every five (5) seconds. No sign can flash or display continuous streaming of information or video animation and the display may comprise no more than fifty percent (50%) of the surface area of a changeable sign. No more than one (1) changeable sign with two (2) sides is allowed per lot of record. One (1) additional changeable sign with two (2) sides may be allowed on one (1) lot of record in the Downtown Village, Village 4, and Historic districts if there is one thousand five hundred feet (1,500') between signs.

E

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.