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**Town of Pownal
Planning Board Minutes
Wednesday, January 18, 2023
Workshop Meeting**

Members Present: Matt Altieri, Secretary Marcia Bowen, Christine Watson, Brian Stornelli, Orion Breen, Samantha Peikes and Ben Smith with NorthStar Planning, and Recording Secretary: Alison Purinton

Public Present: Heidi Curry Selectboard, Becky Taylor- Chase Town Admin, Heidi Richards, Jacob Stern, and Tom Hall members of the public

Call to Order at: 7:49 pm by Matt Altieri

Matt- Welcomes the public to the workshop and explains this is our 4th workshop. We looked at a lot of changes with response to the comprehensive plan, to make sure our land use ordinances align with the comprehensive plan. Specifically, maintaining rural character and making some semblance of affordability. We had a presentation from NorthStar and started talking about various ways to accomplish those goals. It became clear that preservation of open space is an agreed upon item of rural character. One of the things that became clear was expanding lot sizes, the first intuitive reaction we all had. This was not necessarily going to accomplish the goal of maintaining open space. We need something more creative to do that. The first practice now is the preservation of open space in things that are like open space subdivision. We have not gotten into the lot sizes of subdivision. To focus on what the planning boards does which is subdivisions. The best practice in subdivisions is to require some preservation of open space, as a tradeoff for that reduce the size of the lots that are buildable. Create more room for buffering and preservation of value, stonewalls, trees, etc. That is where we got as of the last meeting. Interested in looking more at open space subdivisions and wanted to have more of a concrete idea of where to go. We have asked for NorthStar to put together a draft that we could use to say this is what we want. A draft has been circulated. It is not the final draft. Sam has provided a memo to guide the discussion. I will operate off that memo as a guide.

The first question is applicability and whether the proposed conservation subdivision standards should be across the board to all subdivision or just major subdivisions.

Sam- Explains it is where you set aside certain areas to preserve spaces like vernal pools and wetlands, most towns have a 50 percent ratio that is preserved.

Heidi R- Do you have copies of the documents?

Matt- Responds he has a single copy.

Orion- Can you remind us of the difference between minor and major subdivisions are?

Matt- A major subdivision is more than 5 lots. Minor is 5 or less.

Ben- Think of this as a design philosophy not a restriction on lots. How they get laid out on land that will be less impactful and most protective of the rural character as previous discussed.

Orion- There is a limit on how many buildings. If you have a density requirement you can't have more than three houses per ten acres. Those three homes could be near each other but have seven acres of open space.

Matt- The limitation is the existing dimensional requirements.

Heidi R- So it could mean multiple roads to a lot.

Ben- It would be possible to have a subdivision with hundreds of lots. We haven't talked about that. It is more where the important resources are that need to buffer. Where will the open space be, as it is not part of the ordinance today. How does the development happen as opposed to where.

Heidi R - I am concerned that everyone defines rural differently. I define it as lifestyle and not just property. When you have smaller lots sizes the priorities change. At some point our priorities will have to change to accommodate. Much like a suburban type setting instead of a rural one. When we talk about

APPROVED

open spaces, I see trail systems. Would that be for everyone in the community to use or just within that HOA? A plan to maintain those open spaces. For example, would someone still be able to hay those fields? Those are some questions.

Matt- Rural to me doesn't mean subdivision. I think most people who live in a subdivision are not going to be live off the land. To my mind the way to preserve rural character is to say there needs to be some type of open space.

Becky- I live in an open space subdivision and serve on the HOA board. If the town requires a certain amount of open space for the subdivision, we are required to pay taxes on that as the land. It also must be insured so if anyone from the public is on that land and gets hurt, they can sue the HOA.

Brian- Doesn't Maine State law protect the landowner?

Marcia- Under circumstances if you had an open space that connected to another trail system it would be nice. There are different options for owner ship. Any community will struggle with this type of ordinance.

Matt- How common is it to require public access?

Ben- It is very common in the ordinance to say that it can be retained in the HOA transferred to the town or a third party. The vast majority are retained by the HOA.

Matt- Maybe we don't require public access, however we might want it and we will give you a waiver for another house lot as an example.

Ben- It is spelled out in the ordinance. Explains a density bonus to conserve more land. It is used in affordable housing often.

Tom- Isn't that a recipe for sprawl?

Matt- That is what we have been going over. The larger lot sizes don't preserve open spaces and usually are up against the road.

Brian- It is a tradeoff. If we allow that it would need to be a couple hundred feet off the road to allow for a buffer.

Tom- I appreciate that. We have seen a lot of people coming forward looking to subdivide lots. What can we do to keep Pownal what it is and have people who want to build and develop.

Heidi R- I feel like there are developers looking for Pownal to change their ordinances.

Orion- What you said is valid. The current rules allow for new housing to come in. That is why we are looking at this. By looking at a conservation subdivision it can be better directed.

Heidi - It is very important to preserve the rural community in Pownal. We need to find a balance. The initial services are stressing the town and we need to find revenue to support those increases.

Matt- This town is a gem. The subdivision ordinance doesn't seem to be limiting the development. The subdivision within the last three years don't support rural character. We must welcome development and create dimension issues.

Tom- The pressure is there for people to get away to a rural place.

Heidi R- It sounds as if it is up to the land users. Does the town have interest in more town owned property?

Matt- Giving landowners the option.

Heidi R- When you are building a house lot and see there is protected land next to it. It is a more attractive sell.

Matt- Any thoughts with applicable zoning?

Marcia- We have to make something. I struggle if 3 is too small.

Christine- Delete the village out of it and do A and B.

Tom- The ordinance review committee feels it needs to be disbanded.

Matt- I hope you will continue to come to the workshop.

Tom- I will fire of an email to the selectboard and copy you on it.

Orion- Doesn't the village have different zoning anyway. Do we want to promote growth in a certain area? Do we want to have smaller lots sizes in certain zones?

Marcia- What feeds into that is affordable housing? The comprehensive hasn't.

Orion- With the major vs minor, I would be interested in changing the definition.

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Ben- We put our stake in the ground with major.

Matt- I think we need to move forward with major subdivision. We need to have a conversation on if a major subdivision should stay as 5 lots? If you take 75 percent and build on 25 percent I like that idea.

Christine- You could play with the figures and see what is comfortable.

Orion- I don't think it should be based on lot sizes it should be based on the amount you are conserving.

Matt- The procedure item next on the list is straightforward. Is there anything else that needs to be addressed? We would need a new checklist.

Heidi R- How big is 90,000 sq feet?

Sam- 2 acres.

Heidi- I don't want to see what is going on in North Yarmouth. The homes are too close together.

Ben- I think North Yarmouth Village has come up before.

Matt- Buffering is important.

Heidi- What if there is no buffer. Do you have to put one in?

Orion- I think all players would want a buffer.

Matt- Does it have to be up against the road.

Ben- It doesn't take too many homes in the middle of a hayfield to change the look and feel.

Heidi R- A group of people bought the berry farm. You can see that farm from the Top of Bradbury. There is a home for sale near there. Will someone try to purchase and develop.

Orion- We can't solve everything with ordinances.

Matt- It sounds like people are open 50 percent with an incentive in exchange for reduced lot density.

Jacob- Is increased density be an incentive for developers?

Ben- It would be if it is enough. Sometimes it cancels each other out.

Brian- Where is that 50 percent?

Orion- So are we saying if you are building 6 lots you have to preserve 50 percent of it?

Matt- Yes.

Ben- I would encourage you to think about what the town needs. You can set it by the number of lots.

People will bring in projects under the threshold because that is what they do.

Christine- Are we going to have a certain size lot for minor subdivisions?

Matt- Major subdivision are 5 or more. That is the different between people buying property to subdivides or a family that has been here for years.

Christine- How much land should be preserved. I think we landed on 50 percent.

Matt- That is based on the minimum lot sizes. We could say based on Minor. Should management plan be submitted to all?

Christine- Yes

Matt- I think we should require a management plan for all types of open space.

Christine- That depends on what the owner decides to do with the land.

Ben- This isn't like, how do we maintain a trail? This is how do you maintain timber harvesting?

How do you deal with a hayfield if you want it to be a hayfield forever?

Christine - If a person is going to maintain it that should be listed in the HOA.

Matt- We have run into is that we don't have a HOA yet, as we don't have any homeowners there yet. We have to get something in writing.

Orion- What is the enforcement?

Matt- It is either in the HOA or the conservation trust.

Christine- It would it fall onto the CEO.

Brian- What about trail linkages?

Ben- It is not in this version, the most important place for this buffer is on existing roads, unless you are protecting areas.

Matt- 50 feet in dimension width seems small to me. 10,000 square feet seems small. I would think bigger in the range of 100 or 150 feet. Maybe that is prohibitive.

Ben- It is hard unless you have a specific property and a team of designers. The 50-foot width is often the width of a ROW. We are suggesting 50 as a minimum and we can dial it from there. We have tried to

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provide fair guidance.

Heidi- Sometimes those things does not work in the town favor. Are you suggested working with the topography.

Ben- Yes. This design approach gives the board some leeway. This is more like a big sketch plan. The promise is that you will get better projects. It does work in other communities.

Matt- We need to get things ready for town meeting, and have a draft prepared by the March meeting. I propose an additional meeting on Wednesday Feb 1, 2023 at 6:30pm.

Thanks everyone.

Meeting adjourned at 9:37pm

Respectively submitted,

Alison Purinton

Planning Board Recording Secretary