

Approved

**Town of Pownal
Planning Board Minutes
Wednesday, February 1, 2023
Workshop Meeting**

Members Present: Matt Altieri, Todd Mellin, Orion Breen, Christine Watson, Brian Stornelli, Samantha Peikes with North Star Planning, and Recording Secretary: Alison Purinton

Public Present: Jacob Stern member of the public.

Call to Order at: 6:35 pm by Matt Altieri

Matt- We made some progress last meeting. I tried to draw up some specific questions that Sam can work thru because we need to have something by March. Before we get into specifics it is never too late to raise a question. Last mtg some folks pointed out smaller lots, we might be drawing a lot of development which would be a big change to Pownal. There is speculation that developers may be attracted to the smaller lot sizes. That is the kind of broad discussion that is always welcome. I drew up some questions that will guide us more specifically. Let's start with the scope of open space and the standard applicable. We have been speaking about 50 percent at least of conserved space at the last meeting just because it is how it was drawn up. How comfortable with 50 percent?

Brian- Feels it should be on a sliding scale on the overall size of the property.

Todd- Don't we need to start with housing density? What are we going to allow for them on number of units on the size of lot.

Orion- How large are the lots now.

Sam- 90,000 square feet. Just over 2 acres.

Matt- As these are written, that would be the maximum lot size. So is this the minimum lot size or maximum lot size. I am having trouble understanding how the sliding scale operates. If we were to say this is a sliding scale based on the size of lot overall, what would that look like.

Sam- Some towns for open space say it is calculated based of the net residential density. Essentially if you take out the unbuildable area (slopes, wetlands, etc.) and divide by the minimum lot size you are left with a certain number of lots on the parcel. The open space is calculated based off that density. It varies depending on the site. It could be written that way however it does not give a specific benchmark. It depends on site constraints. A lot of towns start at the 50 percent mark at least. Open space ordinance says 60 percent should be the benchmark minimum.

Matt- Our ordinance that was drafted says 50 percent.

Sam- Yes it says 50 percent, I was referring to other towns.

Orion- I think if we say you have to preserve x amount. If you have 20 acres of land and have a minimum lot size with the open space you could only have 5 lots at 2 acres each, and the 50 percent open space. If we let them be smaller let's say only 1 acre lots, we still have the density thing.

Matt- I think the devils advocate would be that you want to encourage towns to move development into particular areas. That is where the maximum lots size comes in. Sam what is the purpose of a maximum lot size of other to guide development into particular areas.

Sam- To allow more lots with it obstructing like views, being able to design in a way that's where you can have smaller lots but it doesn't feel that way. A lot of towns for conservation subdivision do have smaller lots sizes than allowed in that zone. Mostly for impact purposes.

Christine- Is the open space continuous so no one can chop it up. It excludes the slopes and everything else.

Sam- Yes.

Christine- I think 60 percent. Go the middle.

Matt- As the benchmark?

Christine- Yes.

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Brian- What if someone wants to keep a large lot for themselves. Like we had a few months ago. That large lot is still of the subdivision.

Matt- Yes.

Christine- They could split the lot in two and have two tax maps. It is a suggestion.

Jacob- If it is just the two lots then it would not be a subdivision.

Todd- Would these rules be the new subdivision ordinance or taking place of a cluster subdivision.

Matt- This would be applicable to all major subdivisions of lots 5 or more.

Orion- It may make more sense to work backwards. What do you want a lot size to be, what do you want road frontage to be. And then build it out from there.

Matt- Let's talk about setbacks and buffering and then size of open space. Sam, currently we have 75 foot setbacks in there and that seems small.

Sam- That's is for buffer zones where it says new lots. That is related to the visibility impact. Number 4 states "Setback requirements for a conversation subdivision shall be the same as those required in the zoning district in which the subdivision is located". Do you want to decrease it or keep it the same?

Brian- More is better.

Orion- From the road you want a big setback. Then potentially the buffer zones between homes would be smaller.

Todd- Because it would be smaller lots and it should be hidden away.

Sam- There are two things-the lot set back and the road set back.

Christine- The road should be more. I am throwing out 150 feet. Depending on where it is in town. Trees could be scattered. You would still see some homes.

If we require the buffering it gives them room to put shrubs, trees or whatever.

Matt- What do you see in other towns. 150 feet seems short.

Sam- Other towns don't necessarily have a standard like that. Falmouth has one for buffers 75 feet around the entire property.

Matt- I am thinking from the existing road. If there is a lot of buffering than 75 feet maybe adequate.

Brian- If it is wooded its x, Homes back into the tree line. Conserve the existing fields/ wooded areas/wetlands. We need multiple scenarios.

Todd- Agrees, we talk about using the land. The land dictates a lot of this. It is hard to imagine every scenario and write an ordinance. It is a case by case.

Brian- If a wooded lot it should have an s curve. We have to have something that limits and protects.

Orion- Maybe start with a statement describing what we are looking for. Make clear from the start.

Matt- The more the board has discretion with is the more liability for the town. We need a concrete standard for things like views. Then have a management plan.

Orion- We need something more concrete.

Matt- A vision statement is the right thing to do. We can't rely on that.

Orion- Buffers- Can we say if the open space is in the front the buffer X. If the view from the road is wooded the buffer is X.

Sam- It is important to have some line in the sand, so applicants know what is expected. I have a question about buffers. Is the goal for partial visibility or no visibility?

Brian- Setback and buffer are two different things. The secondary buffer piece can be a requirement it just can't be built on.

Matt- Is it common in other towns for the lay of the land to dictate.

Sam- Yes

Matt- 150 foot setback with a 300 foot buffer. I am on board on that for wooded lots. I don't have anything for hayfields.

Orion- We want to put those homes closer together, so you have more field.

Matt- Sam, can you explain the difference between setback and buffer?

Sam- Setback are from the lot line. Buffers are separate from the setback. It's if you are adding trees, etc. between the road and the development.

Todd- The first 150 feet from the existing road.

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Matt- Then buffer 300 feet. Can we require 90 percent visibility buffer?

Sam- It would be difficult to enforce.

Matt- So you would use no cutting, planting of evergreens.

Christine- Planting of evergreens can be used as planting staggered. Christine will send the language to Sam. This info was gathered by looking at other towns' ordinances.

Matt- Do we want to have the same with hayfields. I think so.

Christine- States some research from open space that she had found. This brings up a question about road frontage. Currently we have 600 feet.

Todd- Do we have an idea of the density we are shooting for?

Brian- Under the new legislature the density part gets doubled.

Orion- They don't apply to subdivisions. They are still doing rule making.

The intent is not to stop people moving to Pownal, but control the growth in a better way.

Matt- In terms of minimum lot size we need to find out what the LD 2003 will do.

What do people think about a minimum lot size requirement? Sam has thrown out a possibility to go as low as 20,000 sq ft. I have a hard time picturing this. Is that like ½ acre.

Orion- The cleared space on my lot is ½ acre it is not bad but it doesn't feel that bad because it is surrounded by trees. I think it is doable.

Christine- Well and septic have to have x amount of feet from each other and you need both.

A discussion was had about shared wells and shared leach fields. Hydrogeologists reports could shed some light on these.

Christine- So I am thinking 50,000 square feet.

Orion- That is more than a 1 acre. How about 30,000 sq feet?

Jacob- I moved to Pownal because I could not afford Portland.

Matt- As the town changes people are going to change. We are talking about subdivisions. The people that are going to move into subdivisions are not people that are going to work the land. We are talking about different concerns. I think it is true there is less rural character to smaller lot sizes, however also true is smaller lots sizes can preserve the rural character for the rest of the town. It is a tricky balance to play.

Todd- The people that are buying in a subdivision don't necessarily want the same things we are trying to achieve.

Matt- 30,000 sq feet sounds reasonable to me.

Orion- Maybe that is where the sliding scale comes in. Density stays the same.

Todd- Can we prevent a thru road?

Matt- How can we limit the number of homes.

Sam- You can limit the number of lots.

Todd- They would have to split the parcels.

Jacob- Could you tie the maximum number of developments some formula with the size of property.

Matt- Isn't the simplest solution to do a max number of lots. I think that is reasonable.

Jacob- It took me a minute conceptualize. You have a large parcel that some splits into two parcels. One parcel becomes a subdivision that would require 60 percent of density. The second subdivision needs to wait 5 years before they can bring it to the board, they have to conform to the same rules 60 percent of density.

Brian- Another way to think about it is the density of the residential buildable land. So a 50 acre parcel saving 60 percent leaves 20 acre you can build on. If you apply that would be 10 homes on 20 acres.

Matt- We should prohibit rainbow roads.

Todd- Is that reasonable?

Sam- It would be a separate issue than this.

Christine - The minimum lot size is 30,000 sq feet

Jacob- I would go with ½ acre that sound reasonable to me.

Matt- What would the town accept. We are doing this to trade off by limiting the number of lots.

Maximum lots to allow 8 or 10.

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Orion- Whom determines this in the beginning?

Matt- The surveyor. I think the way Sam has it now is 50 percent of the open space land must be suitable for development.

Orion- Using the old system the number of homes you can build is based on how much road frontage you have. I have a 2-acre parcel along 3 miles of road. However if someone had a corner lot they could break that up into a bunch of two acre lots.

Brian- that is what we are trying to prevent.

Todd- We would not be able to stop that. It doesn't have to come before the board.

While some will be negatively affected some will be positively affected.

Jacob- If you are adding a density requirement. And then taking 60 percent off the top it does away with an incentive.

Matt- Lets recap what was discussed. 60 percent is the benchmark. I think if we were willing to go to 70 percent for 1 and ½ lots per two acres. Those would be the two options. We could offer different incentives.

Sam- That is the point about density bonus for increasing bonus space to allow more affordable units.

Christine- What is the definition of affordable?

Sam- Most of the time it is 80 percent of the median prices in the area.

Christine- Keep maximum lot size at 90,000 square feet but can go as low to ½ acre.

Sam- Did you say a maximum lot size but say it could go as low as 20,000.

Matt- No maximum for right now. Buffering and lot lines, Christine will send you the language she had gotten from other towns. Lot lines I think we agreed upon was 150 feet from the existing road. 300 hundred feet of buffering along with the definitions that Christine will send. We talked about min lot size is 22,500 which is a ½ acre. We need to talk about the definitions of open space.

Todd- Should there be a buffer between abutters as well. Something for existing abutters.

Matt- The same set back requirement that applies to road should apply to existing lot lines.

Orion- They should not be required to plant along a buffer.

Todd- When I think a buffer, I think a no cut zone.

Brian- It would have to be open space.

Matt- I am curious to see how developers will look at this.

Orion- Do we cut it down on the sides?

Todd- I want to sketch a couple of examples.

Matt- Do we know from other towns what the requirement is from other subdivisions, not to existing roads but to abutters?

Sam- Not for abutters, but I know that the town standard has been 75 feet.

Matt- What are the items we need to flush out for the next workshop. We have hit some of the bigger items and we should be able to work thru what you draft. We need to talk about buffering from other resources, protection for stone walls, particular trees.

Christine- Any building needs to go thru whether are there any endangered species?

Matt- Connection to larger trail systems, road ways' width, we have to figure the road length requirements because 600 feet isn't going to fly. Sam, can you also include a change to the private road ordinances, that does not allow more than one access point to the existing road.

Sam- Discussion on road frontage and possibility saying you can't have a driveway off a hammer head. Is that language to include?

Matt- I think that is a change to the existing ordinances that we will add on.

Christine- Are we going to count frontage with the hammerhead or are we going to exclude the hammerhead from the existing road frontage.

Matt- This will only be applicable to minor subdivisions. Next meeting we will need to talk about if we want to change the definition of major subdivision.

Todd- The hammerhead should not count as road frontage on the minor.

Brian- What allows someone to put in a private road.

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Sam- For this project they had to meet the road frontage requirement because the lot did not have 300 feet of frontage of Allen road. That is why they built the road that was essentially a driveway however it needs to meet town standards.

Brian- Can anyone put in a private road and create frontage.

Sam- Yes, it is not tied to anything.

Matt- That is a loophole.

Brian- That needs to be tightened up.

Matt- We would need to have a draft written up by our next meeting.

Christine- Have you worked on the subdivision cistern piece?

Sam- No I have not added the cistern piece. I was waiting on that as it is language to be voted on.

Christine- The board needs to agree on what was written, as it needs to go to the attorney.

Matt- Sam do you have other items?

Sam- Do you think it would be helpful to provide scenarios before the next mtg.

Matt- Yes.

Brian- The budget for next meeting will need to be spoken about. The board pushed back on the ordinance review piece. They want to keep that as the full amount.

Matt- Meeting adjourn at 8:50pm. Christine to second.

Respectfully submitted,

Alison Purinton

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