

Town of Pownal
Special Planning Board Meeting Minutes

Tuesday, January 26 2021
5:30 PM Zoom Remote Meeting

Members Present: Matt St Cyr, John Bowdren, Gabe DiGristina, Jesse Peters,
Secretary: Christine Watson, Alternates: Matt Altieri and Marika Clark, Town
Planner: Tony Dater

1. Call to Order at 5:33 PM by the Chair

2. Agenda: Ordinance Amendments Review and February Agenda:

Discussion on the flag lot definition and the dimensional charts. Special exceptions definition was discussed and clarification was made that the planning board administers special exceptions that is listed. Matt will reach out to Liza to inquire on what was modified for the special exception definition in June 2018.

Motion made by Matt St Cyr to accept the definitions as presented and Christine will copy and paste said definitions into the meeting. Motioned seconded by John Bowdren.

Discussion: none

Vote: Yes – 5/No – 0 Approved.

Matt gave a summary of the Shoreline Zoning. Tony stated the biggest change was for the timber harvesting in the shoreline zone. This will now be done by the Maine Forest Service and not the code officer.

Motion made by Matt St Cyr to accept the revisions to the shoreline zone ordinance as prescribed to us by the DEP on document Town of Pownal Shore Line Ordinance Draft 6 final clean copy dated 1/19/21. Motioned seconded by Jesse.

Discussion: none

Vote: Yes – 5/No – 0 Approved.

February Agenda – NDB Solar Maine, Chad Merrill

Special Meeting adjourned at 6:20pm

Respectfully Submitted,

Christine Watson

Christine Watson
Planning Board Secretary
2-17-21 Approved

Article 3, Zoning Ordinance

SECTION 6 VILLAGE DISTRICT:

B. Permitted Uses

1. Dwellings and detached Accessory Dwelling Units, except mobile home parks.
2. Community buildings including public and semi-public uses, churches, places of assembly and recreation (exclusive of drive-in theaters and fairgrounds).
3. Professional and business uses.
4. ~~Motel and Hotels.~~ Inns and Bed & Breakfast
5. Accessory uses and buildings. Amended 6/17/19

SECTION 7 RURAL DISTRICT – RA

C. Special exceptions

1. Fairgrounds
2. Cemeteries
3. Municipal uses and public utility installations.
4. ~~Motels and Hotels.~~ Inns and Bed & Breakfast.
5. Medical and professional buildings, with individual units subject to Subsection 8.
6. Construction in a flood plain as defined under Section 13A of this Ordinance.
Amended 6/18/18
7. Health facilities licensed by the Department of Health and Human Services.
8. Business and professional uses provided that they meet the following standards:
 - a. Each use shall not cover more than 5,000 square feet of floor space.
 - b. The design of the structure shall be compatible with the predominantly residential nature of the district.
 - c. All parking shall be located off street and shall not be located in the required front yard.
 - d. A natural buffer of 75' shall be maintained as side and rear setbacks.
 - e. Objectionable circumstances such as noise, vibration, smoke, dust, electrical disturbances, odors, heat or glare shall not be produced beyond what is normally produced in the rural district.
9. Mobile Home Parks, 30-A M.R.S.A. 4358
10. Home Occupation. Adopted 6/17/19
11. Bed & Breakfast that meet the following standards:
 - a. A bed and breakfast shall not exceed six sleeping rooms.
 - b. Some sitting and dining rooms may be used or intended for use in common by such guests.
 - c. There shall be no kitchen facilities in the rented units or rooms themselves.
 - d. There shall be no separate ownership of individual rooms or units.
 - c. Per the comprehensive plan, the design of the structure shall reflect and compliment the rural character of the town.

Article 3, Zoning Ordinance – continued

12. Inns that meet the following standards:
- a) An Inn shall contain fewer than 15 sleeping rooms.
 - b) An Inn may include one restaurant that is open to the public as well as a meeting/common room.
 - c) An Inn will be confined to the Pownal village district only and by special exception in Rural Districts RA and RB.
 - d) There shall be no kitchen facilities in rented units or rooms.
 - e) Inns may have recreational facilities such as a pool and/or a fitness room; however, such facilities shall only be available for use by guests and shall not be open to the public.
 - f) Per the comprehensive plan, the design of the structure shall reflect and compliment the rural character of the town.

SECTION 9 PERFORMANCE STANDARDS:

SPACE AND DIMENSIONAL STANDARDS

DISTRICT	VILLAGE	RURAL A	RURAL B	BACKLOT
<u>RESIDENTIAL USES</u>				
MINIMUM LOT SIZE with on-site sewer and water				
Single-family dwelling	90,000 sf	90,000 sf	90,000 sf	5 Acres *(3)
Two-family dwelling	150,000 sf	150,000 sf	150,000 sf	
MINIMUM NET RESIDENTIAL AREA				
Attached dwelling of more than two units				
First Unit	90,000 sf	90,000 sf	90,000 sf	
Each Additional Unit	60,000 sf	60,000 sf	60,000 sf	
MINIMUM NET RESIDENTIAL AREA				
Detached Accessory Dwelling	150,000 sf	150,000 sf	150,000 sf	
Minimum Lot Width-All Lots	50 ft	50 ft	50 ft	
Minimum Lot Width – at building line *(5)	200 ft	200 ft	200 ft	200 ft
Minimum Street Frontage	300 ft	300 ft	300 ft	*(4)
Minimum Front Yard, All Buildings	40 ft	40 ft	40 ft	
Minimum Side & Rear Yard, All Buildings	25 ft	25 ft	25 ft	
Maximum Building Coverage of Lot	20%	20%	20 %	
Minimum Distance Between Principal Buildings on the Same Lot	The height equivalent of the taller building			
NON-RESIDENTIAL USES (exclusive of manufacturing)				
Minimum Lot Area	90,000 sf	90,000 sf	90,000 sf	
Minimum Street Frontage	300 ft	300 ft	300 ft	
Minimum Side and Rear Yards	25 ft	25 ft	25 ft	
Maximum Building Coverage of Lot	none	none	none	
<u>MANUFACTURING USES</u>				
Minimum Lot Area	90,000 sf			

Minimum Building Coverage Lot	*(1)
Minimum Front Yard, All Buildings	100 ft
Minimum Side and Rear Yards	*(2)

*(5) The building line is a line along the front façade of the principal building extending in a straight line outwards to the lot lines on either side of the building.

NUISANCE – No manufacturing or industrial activity shall create a nuisance of any kind which shall erode the natural qualities or living environment of the Town. In case of doubt, the Town Select Board may employ an independent recognized consultant at the expense of the applicant, to assure abatement of nuisance.

2. Off-street parking and Loading

- a. Off-street parking for dwelling, business or accessory use, shall have for each space a minimum of 10 feet by 20 feet, either in open air or in a garage.
- b. The following minimum off-street parking requirements shall be provided and maintained in case of new construction, alterations and changes of use.

Dwelling-----	2 parking spaces for each dwelling unit
Motels , <u>Inns</u> , tourist homes-----	1 parking space for each sleeping room.
Hotels <u>Bed & Breakfast</u> -----	1 parking space for each sleeping room.
Schools-----	1 parking space for each room used for purposes of instruction
Health facilities-----	1 parking space for each 500 square feet or major fraction thereof of floor area, exclusive of basement.
Theaters, auditoria, and churches-----	1 parking space for each 4 seats or for each 100 square feet or major fraction thereof of assemblage space if no fixed seats.
Retail & service stores-----	1 parking space for each 180 sq. ft. of major leasable area
Restaurants-----	1 parking space for every 3 seats.
Offices, professional, businesses and public buildings-----	1 parking space for each 250 square feet or major fraction thereof, of gross leasable area.
Industry and manufacturing-----	1 parking space for each 1.2 employees, based on the highest expected employee occupancy.

Article 2, Definitions-continued

Flag Lot: A lot along a private road (that intersects with a public road) with a narrow strip of land along the private road. The lot must have a continuous 40' wide strip along the private road that is at least 300' long, which shall be the "front yard" of the lot. The buildable portion of the lot must have a building envelope meeting the applicable setback requirements of the Zoning Ordinance.

~~**hotel:** A facility offering transient lodging accommodations to the general public and providing additional services such as restaurants, meeting rooms and recreational facilities.~~

Inn: A commercial structure built or dwelling converted for commercial purposes to accommodate, for a fee, travelers and other transient guests who are staying for a limited duration. The structure, which is not a bed and breakfast as defined herein, which offers transient lodging accommodations to the general public.

~~**Motel:** A building or group of detached (unattached) or connected buildings designed or intended or used primarily for the providing of sleeping accommodations for automobile travelers and having a parking space adjacent to a sleeping room. An automobile court or tourist court with more than one unit or a motor lodge shall be deemed to be a motel.~~

~~**Open Space:** Undeveloped land that is protected from development.~~

~~Any parcel or area of land or water, natural or improved, and set aside, dedicated, designated, or reserved for the use and enjoyment of all the residents of the development or the public in general.~~

Open Space, Common: Open space usable by all people within a certain development and such area is owned in common by all property owners in that development and is restricted from development.

Open Space, Natural Area: Open space areas required for the preservation and conservation of plant and animal life, including habitat for fish and wildlife species; and areas required for ecological, cultural and other scientific study purposes for long-term public benefit.

Open Space, Public: An open space area conveyed or otherwise dedicated to a municipality, municipal agency, school district, state or county agency, or other public body for recreational or conservational uses.

Article 2, Definitions-continued

Performance Guarantee

A financial guarantee to ensure that all improvements, facilities, or work required by this Ordinance will be completed in compliance with these regulations as well as with approved plans and specifications of a development. Examples may include and are not limited to: any form of security, including a performance bond, cash escrow, assignment of funds or irrevocable letter of credit, in an appropriate amount and in a form that is satisfactory to the town.

Solar Collector:

A device, or combination of devices, structures, or part of a device or structure that transforms direct solar energy into thermal, chemical, or electrical energy and that contributes to a building's, property's or community's energy supply.

Solar Energy System:

A complete design or assembly consisting of a solar energy collector, an energy storage facility (when used), and components for the distribution of transformed energy.

SWALE:

A hollow or depression especially in wet grounds, which may also be used to manage storm water runoff.

RESTAURANT:

A commercial establishment where food and drink are prepared, served and consumed primarily within the principal building as a principal use. Outdoor seating and carry out are permitted. Drive through facilities are prohibited.

TECHNICAL REVIEW/ engineering peer review

Professional expert consultant or consultants who shall be chosen by the Planning Board for the purpose of reviewing, commenting and making recommendations to the Planning Board with respect to approval of land development and subdivision applications.

The practice of obtaining an independent, unbiased evaluation of the adequacy and application of engineering principles, standards and judgment from an independent group of professionals having substantial experience in the same field of expertise. This may include but is not limited to detailed review of proposed Master Development Plans, Site Plans, Preliminary Plans, Improvement Plans and Final Plans by the Planning Board, for compliance with Town Ordinances, Standards, or conditions of approval by the Planning Board.