

Vinalhaven Planning Commission

In Person Meeting

June 8, 2023

5 pm

Present: Matthew Eddy, Professional Land Use Planner), Mid Coast Council of Governments (Via Zoom); Elin Elisofon, Wes Reed, Chuck Gadzik; Banner Moffatt, Planning Board Chair.; Marjorie Stratton, Town Manager.

We received the disturbing news from Marjorie that Jeff Aronson has resigned from the Planning Commission. When asked why, Marjorie said Jeff feels there are too many realtors on the Planning Commission. While there are mostly realtors on the Commission it is upsetting to think his perception must be we are working for our own financial benefit. We discussed how Jeff could have formed that perception. Perhaps the change of the septic setback from 125' to 100' from MHW could have been an instance. Elin had relayed that soil evaluator, Doug Meservey, had told her, Vinalhaven is the only community in which he works that has a setback beyond 100' the state mandate and it makes it more difficult for him. We are very sorry to lose Jeff's knowledge, opinions, efforts, and insights.

Discussion about **bringing the revised ordinance to the public**: A hearing must be advertised twice in a local paper, once for 7 days and then for 12 days. Marjorie will place the ads for a hearing to take place at 7 pm June 29th at the Town Office. A notice will also appear on the Town's website, with links to the synopsis (volunteered to be written by Banner) redlined version and clean version. After the hearing, the ordinance will be revised, if need be, then presented to the Select Board, then voted on by the community.

At Chuck's suggestion the Commission had discussed **raising the height limit of the peak of structures to 35' from 32'**. Chuck said this would allow for 12 over 12 pitched roofs, in keeping with the existing historic structures roof pitch in the village. Wes said he had heard the 32' height limit was due to the length of the fire department ladders. Marjorie called Fire Chief Marc Candage for his input. Marc said the longest ladder is 35' so that height to the eave would be fine. He asked how the building is measured, as he had seen a height area in a structure of 40'. Banner assured him buildings are to be measured from the downhill side. Chuck made the motion, Elin seconded it, passed unanimously.

Clarifications/corrections to the clean version were suggested by Banner:

Pg. 19 Should be changed to only forbid car wash businesses, not laundromats.

Pg. 24 Remove note about adding the Floodplain Management Ordinance to the Town website.

Pg. 35 Change parking requirement, in accord with law 19-000 Chap 5. With a density bonus for affordable housing, "Require no more than two (2) off-street parking motor vehicle spaces for every three (3) dwelling units of an affordable housing development."

Pg. 56 Remove crossed out word "renewal".

Pg. 19 Remove reference to (Section 19) which does not relate to the subdivision area.

The State definition of subdivision applies to dividing dwelling units as well as land. Wes pointed out the language says, “may require subdivision review.” Mat will clarify if multi-family units are exempt.

Elin had some questions for clarification/discussion:

Section 4: B, Pg 7. We had asked for the wording to be clarified. It refers to previous ordinances.

Section 15: Pg 22, Dimensional Requirements: Footnote (14) “Must be 25 feet back from a cemetery”. What must be? Clarify all land use disturbance.

Section 16: B 2, Pg 24, Accessory Dwelling Units: Omission of requirement for year-round use only.

There was discussion about the need for worker housing as well and islander year-round housing.

Elin objected strongly, but the consensus, but not by vote, seemed to be the distinction between seasonal (short term) and year-round rentals where year round is required to be 7 months and 1 day, according to our ordinance. Elin said, as islanders and their families currently must move out for the summer so owners can rent the property at a higher rate, this doesn’t solve the year-round housing shortage. (Frankly, I was too upset by this development to follow it fully and record it. I always thought the whole point of ADU’s were for year-round use only. Mat said the law leaves it up to each community.)

Section 16: D, Pg. 26 Archaeological and Historic Sites: There is the omission of the Maine Law Title 13: Chapter 83 Subchapter 5: Protection and Preservation: Regarding the protection of public and private cemeteries and burial sites.

Elin asked if the information she supplied for the Planning Board (PB) is being used when reviewing permit applications: The map of cemeteries and the list by map and lot compiled by Linda Oxtan in Feb of 2002, and the Beginning with Habitat maps from the Maine Department of Inland Fisheries and Wildlife, with a mylar parcel overlay, stored in a tube in the meeting room, on top of the file cabinet with Planning Commission and Planning Board written on the tube. Banner said they use the large zoning map mostly.

Section 16: P, the requirement for residential lighting to not extend into neighboring properties. This was part of the Home Occupation section of the ordinance. Banner said the PB can place requirements through the Home Occupation permit process if needed.

Section 16: BB, Pg.45: Signage Elin thought 6’ square signs were too big. She misunderstood; it is 6 feet square.

Section 17: E 7, Pg.56 Permits: Elin asked if a Certificate of Occupancy was an addition in the ordinance. Banner said it has been there.

Definitions: Pg. 64 Accessory Dwelling Unit is defined as 190 Sq ft. which is too small. Our Ordinance says a studio apt minimum is 350 sq ft. Where did 190 sq ft come from? The State laws.

Definition: Pg 69: Great Ponds. We don't have any, can we omit this? No, it is part of the Shoreland Zoning Ordinance.

Definitions: Pg 73 Nursing Homes. We don't have any nursing homes, but we do have an assisted living home. They have different legal levels of care. Please clarify.

Marjorie said new property maps were being made. Mat said his office could help with mapping. If the cemetery information and Beginning with Habitat maps could all be put with the property maps, with layers, they would be used by the Planning Board with ease.

The meeting ended at 6:40 pm. The next meeting has not been scheduled.

Respectfully submitted,

Elin Elisofon, Sec.