

**Lamoine Planning Board**  
**July 11, 2022**  
**Minutes of June 6, 2022 Monthly Meeting**

**Boards Members Present:** John Holt, Perry Fowler, Richard McMullen, Stewart Workman, Don Bamman, Steve Gabel-Richards

**CEO:** Rebecca Albright

**Members of the Public Present:** Carol Korty, Michael Jordan

**Call to Order:** 7:00 pm

Consideration of Minutes: Motion made to accept the minutes as written for March 7, 2022 (Bamman/Holt). Motion Passed 4 - 0 McMullen abstained as he wasn't present at that meeting.

**CEO Reports**

**Permits Issued:** 8 building and 3 plumbing permits issued. Reviewed, no discussion.

**Enforcement Activities**

Kittredge Pit - CEO reported that no further work has been done.

Other - none

**Permit Conditions Tracking Report**

Kittredge Pit - CEO will send a letter to Harold MacQuinn, Inc. and agent Steve Salsbury with a new date for completion of mandated work. CEO will report back to the Board at our next meeting.

**Old Business:** none

**New Business:** none

**Ordinance Development Discussion:**

H.P. 1489 - L.D. 2003 - the Board to a first look at the new state legislation to determine its impact on Town of Lamoine ordinances. Parts of two sections received the most discussion, Sections 5. 30-A MRSA 4364-A and Section 6. 30-A MRSA 4364-B.

**Section 5.** The following two sections generated the most discussion.

1. **Use allowed.** Says that for for any lot where a house is allowed, the municipality shall allow structures with up to two dwelling units per lot if the lot does not contain an existing dwelling unit. A municipality shall allow a lot with one existing dwelling unit the addition of up to two dwelling units: one additional dwelling unit within

or attached to an existing structure or one additional detached dwelling unit, or one of each. *This section generated much discussion, largely in how to interpret it.*

**3. General requirements.** A municipal ordinance may not establish dimensional requirements or setback requirements for dwelling units allowed under this section that are greater than dimensional requirements or setback requirements for single-family housing units, except that a municipal ordinance may establish requirements for a lot area per dwelling unit as long as the required lot area for subsequent units on a lot is not greater than the required lot area for the first unit. *Understood to mean that requirements for additional units allowed under this legislation can not be more restrictive than what is already in the ordinance.*

**Section 6. Accessory Dwelling Units.** *This section also generated some discussion.*

**1. Use permitted.** ... a municipality shall allow an accessory dwelling unit to be located on the same lot as a single-family dwelling unit in any area in which housing is permitted.

**2. Restrictions.** An accessory dwelling unit may be constructed only:

- A. Within an existing dwelling unit on the lot;
- B. Attached to or sharing a wall with a single-family dwelling unit; or
- C. As a new structure on the lot for the primary purpose of creating an accessory dwelling unit.

**3. Zoning Requirements.** With respect to accessory dwelling units, municipal zoning ordinances must comply with the following conditions:

- A. At least one accessory dwelling unit must be allowed on any lot where a single-family dwelling unit is the principal structure; and
- B. If more than one accessory dwelling unit has been constructed on a lot as a result of the allowance under this section or section 4364-A, the lot is not eligible for any additional increase in density except as allowed by the municipality. *(The municipality has the option of allowing more than the minimums specified in this legislation)*

One question that received much attention was if any of the above provisions would trigger the formation of a subdivision and how these provisions interface with the rules governing subdivisions.

Given that implementation of any changes in our local ordinances are not required before July 1, 2023, the Board is tasked with researching further the meaning of these provisions and how they impact us. Chair Holt will contact MMA and ask for their input as to how we interpret the provisions.

**Gravel Ordinance:**

The Board acknowledged the need to look over the ordinance, particularly section 6, but put off further discussion until our next meeting.

**Upcoming Meeting Dates:** July 11, August 8, and September 12, 2022

**Meeting Adjourned: 8:08 pm**