

Kingfield Planning Board

Date: Tuesday, August 8, 2023
Location: Webster Hall
Time: 6:00-8:05 pm
Topic: Nostalgia Tavern, garage set-back, WMMH contract zoning application
Board: J. Clukey, S. Davis, R. Hawkes, S. Hoisington, B. Smith, C. Tranten, M. Wahl
Public: Billy Gilmore, CEO; Mark Green, Jeff Maget, Jeffrey Preble, Jesse Thompson, Barbara Nickerson, Terry Coffin. Paul Peck, Matthew Bateman, John Beaupre, Kim Jordan, Brooklyn LeClair, John Witherspoon, Erin Howe; On Zoom: Claudia Diller, Heidi Murphy, Julie Swain, Will S, Nate (?)

Planning Board Chair Clay Tranten opened the meeting at 6:00 pm. He noted that all members were present, making a quorum. *Richard Hawkes moved acceptance of the minutes, seconded by Scott Hoisington.* Hawkes asked if buffers had been included in the Findings of Fact for the Grindstone Properties application for a gravel pit. Tranten did not have a copy of the FOF to answer and will get back to Hawkes on this matter. It was noted that the property comes under Rt. 27 Scenic Highway regulations, which are stricter than Kingfield's ordinances. *The motion passed unanimously subject to future discovery.*

Agenda change:

Scott Hoisington moved to change the agenda to allow shorter items to precede the workforce housing application, seconded by Mark Wahl. The motion passed unanimously.

Garage setback change

Joe O'Connors requests a setback for his garage on Depot Street. Code Enforcement Officer Bill Gilmore denied his petition, which had been signed by neighbors. Tranten explained that it was a skinny non-conforming lot, that the single-bay garage already sits directly on abutting lot lines. Combined with the lot size, the Planning Board is not allowed to waive the setbacks despite abutter approval as this is about potential future neighbors. *Babe Smith moved that the request be denied, seconded by Mark Wahl, which passed unanimously.* If O'Connors wishes to take it further, Tranten will pass this along to the Select Board, which can refer it to an Appeals Board, which the Select Board will appoint. *Richard Hawkes moved to pass the denial on to the Select Board, seconded by Smith and passed unanimously.*

Nostalgia Tavern purchase

Matt Bateman would like to purchase Nostalgia Tavern, which owner Kurt Rolbieckie has refurbished extensively. A brewer at a small brewery in Massachusetts, Bateman would like to make it into a brew pub, brewing on site. He comes to the Planning Board for an indication that the Board would approve such a possible use before he commits to buying the property. CEO Gilmore and the chair both noted that the DEP has stipulated that the adjoining lot and the Tavern lot remain one lot, which would need to be addressed in the purchase.

Tranten then asked if Bateman planned on distributing as well as selling on site and whether he envisioned expanding the structure, either of which might affect future approval. Re distributing, Bateman answered that he only plans to distribute locally. As for expanding the building, he felt there was sufficient room in the current structure to use the former kitchen space for brewing.

Sue Davis noted that state law requires food when liquor is served, that he will need to follow state law, which might mean installing a new kitchen.

As it is now, Tranten felt that adding a brewery alone to its former use as a restaurant would not require Planning Board approval, only approval from the Select Board for the liquor license. The Planning Board would not dictate what he does on the inside of the business/building, only on the outside. *Jared Clukey moved to support the concept, seconded by Scott Hoisington. The motion passed unanimously.*

Western Maine Mountain Housing contract zoning application

Executive Director of WMMH Mark Green introduced the presentation with a short history of the organization's founding, mission, vision and plans. He cited statistics of the need for local housing from the housing study funded by Carrabassett Valley's American Rescue Plan Act (ARPA) money. The County Commissioners subsequently granted \$308,000 of ARPA money to support the effort, drawing attention to workforce housing being a local as well as regional and national issue.

Green also emphasized that this project was for year-round housing and that as the largest employer in the area, Sugarloaf was dealing with seasonal workers with such efforts as the purchase of the Herbert Hotel. He then introduced the architect hired for the project.

Jesse Thompson of Kaplan Thompson Architects of Portland outlined the work done to date. Describing the results of a July 27 design charrette, he presented preliminary plans for phase one, also showing a phase 2 and possible phase 3 that illustrated the potential build out of the plan.

Tranten outlined the schedule for an application, which included a pre-application, acceptance of the application as complete, informational meetings, hearings, acceptance of the application, referral to the Select Board for approval, and if approved, ultimate approval by Town voters.

Richard Hawkes provided comments to the draft application as presented, which he provided to the applicant as well as sharing it with Planning Board members, requesting responses from both. Summing up, Hawkes thought there was a lot of vagueness to the concept design, that it lacked essential information to share and explain the project to the Select Board and voters.

Thompson responded that this was a preliminary draft proposal, not a pre-application, which would have much more detail. This draft is looking for the response necessary to prepare it for the pre-application phase, for which he appreciated Hawkes's detailed response.

Thompson is looking at what would prevent a project in the current ordinance. Ordinance changes, abutters attending meetings, contract rules, setback changes, parking based on bedrooms, these are all areas to which the final application will respond. Bill Gilmore noted the importance of knowing who pays what fees and taxes, whether that be the organization or future owners of parts of the development.

Thompson then led the Board through the application. Exhibit G related to "conditions and restrictions" outlining where in our zoning ordinance they are seeking changes and relief. There was good discussion with members of the coalition and the Planning Board. It is noted that this was the first time the Planning Board has seen this application. The action is for the Planning Board to review the package and develop a consolidated list of comments, including Hawkes' comments and also including their recommended "conditions and restrictions." This needs to happen prior to meeting with the Select Board. He noted that this project was developed to take

advantage of the State's recently approved Rural Affordable Rental Housing Program. That money is available on a first come/first served basis.

Regarding the size of the lots, Thompson responded that the coverage of the lot was considerably less than 70%, a factor in a compact subdivision. Thompson noted that contract zoning limitations would stay with the deed in perpetuity to include restrictions.

John Witherspoon, whose property abuts the 7-acre lot on the river side, asked about the projected bedroom count. Thompson noted that the Planning Board has the right to set the number of units and corresponding bedrooms. Davis asked if there were latitude in setting the percentage of Average Minimum Income possibly to accommodate workers who were making less than 80% of the current AMI. Housing board member Paul Peck responded that it was possible as was going as high as 125% of AMI.

Thompson then discussed the roadway approach to Rt. 27. Hoisington was concerned that the drop into the lot from Rt. 27 was quite steep. Thompson responded that the plan proposes a 3% drop, which would allay that concern. Hawkes noted the need for a three-lane entrance to minimize backup of cars entering and leaving should be considered.

In a discussion of setbacks, Thompson noted that external setbacks would be maintained, but that internally they would be reduced from the usual 15 feet to 5 feet between structures.

There was also discussion of MaineDOT reducing the speed limit to 35 mph from the current 45 mph and adding a turn lane as Poland Spring did for the entrance of their property south of town. Several noted the difficulty of having MaineDOT do either. Davis noted that Poland Spring paid for the turning lane and suggested that WMMH may need to do the same if the need becomes apparent. Tranten noted that the increase in residential units could tip the scale. There was also discussion of WMMH extending the sidewalk and associated lighting to the property entrance as a "condition and restriction."

These are all questions that the Planning Board would like to see addressed.

Hawkes asked if the infrastructure for the full build-out would be established at the start, despite the fraction of the build-out represented by the first phase. This included water service, underground power and septic. Thompson responded that water mains would be large enough, but septic would be another issue. Wahl asked if it was possible to have larger septic fields rather than each structure having its own, which led to the discussion of the possibility of later phases not being finished.

Thompson and Peck emphasized that the entire project would be "tastefully done," and a proper fit to Kingfield. Hawkes noted that building would be built to Maine Uniform Building and Energy Code (MUBC) that included a 3rd party inspector and asked that our Kingfield CEO be an active participant in the process. Thompson responded that it is common with new construction.

Hawkes asked how the development would be prioritized for Kingfield workers. Mark Green responded that they clearly want the host community to have the advantage and have been talking to authorities and lawyers about this. They will market locally and do all in their power to limit it to local families and individuals, and possibly local elderly, without running afoul of the law and Fair Housing Act. Peck added that the requirements for people applying, interviews, etc., would help in the screening process. When asked about deposits, etc., Green anticipated that deposits would be required, but that adding last month's rent might be too steep.

WMMH considers this project will add to the economic vibrancy of the community. Peck stressed the amenities and walkability of Kingfield, making Kingfield an ideal site for such housing. Witherspoon then noted that the full build-out of the project would increase Kingfield population by 15%, also that there could be as many as 100 dogs and wondering what the restrictions there would be for campers and extra cars.

Witherspoon estimated the project to amount to \$10,000,000 over the next ten years, suggesting there might be a better way to invest that money to accomplish the housing expansion needed. He referred to Kingfield's dilapidated housing stock, suggesting that improving it could provide a more reasonable response to the need for housing, a "walk before we run" approach. Green responded that the WMMH board's analysis of renovating older property is expensive although that is one of their plans as they look at such properties from Kingfield to Eustis.

Hawkes then asked if the architects would be presenting examples of the architecture for the Planning Board to present to the Select Board and Town voters. Thompson referred to the samples that had been displayed at the July 27 charette, showing which ones the participants voted yea and nay on.

All agreed that the next step would be for the Planning Board to have a work session to go over the WMMH draft proposal in preparation for the next step. WMMH took an action to respond to Hawkes' comments prior to the next Planning Board work session.

Davis noted that the Planning Board has approval from the Town Manager to increase meetings to every other week, that the next meeting would be a workshop on the proposal on Tuesday, August 22.

At 8:05, Mark Wahl moved that the meeting be adjourned, seconded by Jared Clukey and passed unanimously.

Respectfully submitted,

Sue Davis, Secretary