

Kingfield Planning Board

Date: Tuesday, Sept. 12, 2023
Location: Webster Hall
Time: 6:00-8:05 pm
Topic: Gravel pit, Annie's, WMMH CZ App., Wahl subdivision
Board: J. Clukey, S. Davis, R. Hawkes, S. Hoisington, B. Smith, C. Tranten, M. Wahl
Public: Mark Green, Nathan Edwards (Wright Pierce), John Beaupre, Tracy Bessey, Anders Benson, Lloyd Cuttler, Seth Page, Erica Johnson

Planning Board Chair Clay Tranten opened the September 12 meeting at 6:00 pm. He noted that all members were present, making a quorum.

Agenda approval: Add Mark Wahl on for a new subdivision application at the end

Richard Hawkes moved acceptance of the August 8 minutes, seconded by Scott Hoisington The motion passed unanimously.

Gravel pit

Anders Benson approached Planning Board members about the approved gravel pit below the veterinary clinic and his home. He noted dust and noise, particularly excessive because of the amphitheater effect of the location, to himself, his parents' veterinary practice and several residential and vacation sites in the immediate vicinity.

Chair Clay Tranten read to him the ordinance that governed gravel mining, explaining that the pit met both Kingfield ordinances and complied with MaineDOT requirements. As a result, the Planning Board itself has no authority to prohibit it.

Annie's Market signage

Tracy Bessey and John Beaupre asked about lit signage for gas pricing for Annie's Market gas pumps, noting that since the Irving station north of town mounted its prominent pricing signage, their gas revenue had dropped considerably. Beaupre explained that their application for signage had been caught between the decision to change the signage ordinance to prevent certain lit signs, the Town Meeting vote that finalized it and the transition between code enforcement officers (CEOs). Interim CEO Billy Gilmore had declined their application. Tranten explained that this was a CEO responsibility, not the Planning Board's, and that Annie's could take the request to the Appeals Board. A change could be justified if Annie's can prove hardship. *Sue Davis moved that Tracy/Beaupre take this to the Appeals Board, seconded by Richard Hawkes. The motion passed 5 to 2, Babe Smith and Mark Wahl voting against the motion.* Tranten instructed Bessey to go to the Town Office for an Appeals Board application.

Findings of Fact on O'Connor garage application

The Board reviewed 8 findings of fact outlining Mr. O'Connors' application to extend/build new a garage that currently sits directly on two property lines (0 setback), 10 feet further on the east line and 20 feet further down the south line. Although O'Connor provided a document signed by current abutters to allow the change, the Planning Board denied the application based on possible future owner concern. Tranten had alerted the Town Office of the possibility of an appeal, the Town Manager responded by assembling an Appeals Board. *Jared Clukey moved that*

O'Connors take this to the Appeals Board, seconded by Mark Wahl. The motion passed unanimously.

Western Maine Mountain Housing Contract Zoning application

After clarifying the sequence of events to be correct:

1. Public Hearing (September 19)
2. Planning Board approval of the application as complete (October 10)
3. Select Board consideration (October 16)
4. Town Meeting if approved by the Select Board, tdb
5. *(See below: workshop scheduled for Tuesday, October 3)*

The Board then reviewed member questions raised by version 3 of WMMH's application.

- Parking: Hawkes wanted clarification about the amount of parking space to be allotted to each housing unit. After discussion, the Board and applicant agreed to set 1.5 per unit for Phase 1 and no less than 1.25 for future phases. Understanding it could be reduced in the future depending on historical data. WMMH Ex. Dir. Mark Green explained that the housing board was looking for uniformity.
- CMP: Green confirmed that they would require CMP to meet Kingfield's zoning requirements for underground utilities (electric, cable, telephone, etc).
- Rules & Regulations: R&R requirements for application to rent were discussed as a possible addendum to the application or as part of the site plan review process and eventually to be managed by the HOA (homeowners association). It was agreed that the R&R could be something that the Select Board might want include in conditions and restrictions. Although Select Board and Town approval of the application deals with approving the contract zone override of ordinances, both applicant and board agreed that it would be an important selling point to the public about the housing aspect of the plan.
- Hawkes was concerned that the subdivision ordinance was not referenced with regard to changes sought. The Board agreed to share the subdivision ordinance with the lawyer preparing the application (Durwood?) to make sure nothing was missing at that level.
- Hawkes's biggest concern was that the workforce housing would focus on "Kingfield first" with regards to residents, workers and businesses. Green explained that WMMH had consulted with Robert Liscomb of the DrummondWoodsum law firm to provide guidance on what is and is not legally permitted for residency requirements. Liscomb has submitted a letter explaining that both the Town and WMMH would be exposed to claims of discrimination in violation of the Federal Fair Housing Act and additionally might not qualify for Maine State Housing Authority funds. The best WMMH can do is to work with local employers first and otherwise make every effort to give priority to Kingfield. John Beaupre, speaking as president of the housing coalition, added that there will be proper property management in place.
- Sue Davis asked if the applicant could clarify on Exhibit D
 - exactly what WMMH intends with payment in lieu of taxes (PILOT) when they say "projected demand on municipal services," including giving examples
 - What is meant by "demographic diversity"
 - Exactly what "provide goods, services or amenities" refers to

- Davis also suggested that the Rural Rental Housing Program be referenced specifically in Exhibit E and suggested adding other amenities to “bank, post office, medical facilities and the library” such as grocery, shopping restaurants, health and business services.
- Davis also asked if WMMH would be including sidewalks within the development, to which Green responded they would not, that it was assumed children could use the paved streets for skateboarding, etc.
- Hawkes requested that Conditions & Restrictions be made an addendum to the WMMH application.

As an abutter, Dollar General needs to be notified. Tranten authorized Scott Hoisington to get contact information from the Town Office and to notify DG about the Tuesday, September 19, Public Hearing.

New subdivision—Mark Wahl

Mark Wahl presented preliminary plans for a c. 103 acre subdivision plan on Ira Mountain adjacent to his developments on Eagle Ridge. The subdivision would include housing in the \$250,000 to \$275,000 range. Wahl plans to present an application with full-scale drawings at the regular November Planning Board meeting.

Additional Contract Zoning workshop

Tranten suggested that the Planning Board hold a workshop after the Public Hearing on the WMMH application for contract zone approval and before the next official PB meeting October 10. All agreed.

Jared Clukey moved to adjourn, seconded by Bab Smith and approved unanimously.

Respectfully submitted, Sue Davis, Secretary.