

**Kingfield Planning Board
Meeting Minutes
June 17, 2025**

Date: Tuesday, June 17, 2025

Location: Webster Hall

Time: 6:00-7:30

Board present: J. Clukey, R. Hawkes, Scott Hoisington, S. Davis, Babe Smith, C. Tranten,

Board absent: M. Wahl

Others: Jillian Monahan, William Peska

Call to Order, board member attendance, voting quorum, agenda and minutes approval:

Chair Clay Tranten called the June 17, 2025, Planning Board meeting in Webster Hall, Kingfield, to order at 6:00 pm and declared that there was a quorum.

- *Jared Clukey moved to accept the agenda, seconded by Scott Hoisington. The motion passed unanimously.*
- *Jared Clukey moved acceptance of the minutes of May 13, 2025, seconded by Babe Smith. The motion passed unanimously.*

CEO Report: Ben Hitchcock

Hitchcock has nothing in front of him right now and has issued only one building permit.

Ira Mt. HOAs

Jillian Monahan, William Peska, present for the meeting, and PB member Richard Hawkes live on the east side of the Carrabassett in subdivisions on Ira Mt. There are currently three road/home owner associations Coldbrook, Claybrook Road Association and Poplar [and Lower Iron Bridge Rd.]. State law requires subdivisions to create and register associations as soon as the second lot is sold. This requirement has been loosely observed in the several subdivisions on Ira, some of which began before Kingfield had zoning.

There appears to be confusion about the use of ‘road association’ versus ‘homeowner association.’ Hawkes agreed that the differences needed to be clarified. Discussion of what an HOA can allow, exclude, include, etc., compared to a road association are important to define and considered to be included in subdivision ordinance language.

Sign Ordinance

Scott will bring sign ordinance changes to the next meeting. No action at this time.

Zoning Ordinance: comments from PB members

Richard Hawkes had made 19 comments, forwarded to the board in early June, noting that for the most part AVCOG’s changes were good. The board used Hawkes comments to review the ordinance. Sue Davis confirmed that AVCOG’s statute references were correct as far as she had reviewed them.

The first comment was on page 8 of a missing definition of Existing Dwelling Unit, which led to a discussion of “housing” vs. “dwelling” and whether the choice should be made to make all references to “Housing” into “Dwellings” or vice versa as the word “housing” occurs throughout the document.

[Decision made?] There was also discussion of the need to add multi-family with two-family units. Refer to the lawyer.

On page 16, Hawkes asked if there should be a reference to 5H District Uses vs. 5G District Purpose and Criteria, pp. 30-32. The PB decided to leave it as is.

Hawkes then asked if the Town of Kingfield should have more designations for a Growth District: One for residential, one for businesses and one for both. How would designations accommodate public and/or nonprofit uses such as campgrounds and the Bowdoin College Retreat Compound concept currently taking place in a residential neighborhood? Use Tables currently allow businesses and residential in Growth District in Rural 1, which includes campgrounds, nonprofits, etc.

Tranten suggested asking the Select Board about separating businesses out of residential into its own business district given the conflict that can and sometimes does arise. (Associations could override this.) Hawkes suggested asking the Kingfield Town Manager to check with other Towns about how they separate businesses and residential. In smaller towns maybe combining both in Growth districts is common. Farmington has Business and Industrial. **Hawkes will email TM Targett to ask her this question.**

Page 16 discussed fees for Contract Zoning. The suggestion was for \$1,000 for the application and \$1,000 for the technical review with a provision to charge more if needed and to return unused funds to be held in an escrow account. The Select Board has to set fees. PB members spoke for consistency.

On page 28 under Final Section, Hawkes noted the need to change “may” to “shall,” i.e. Town approval for the contract zoning change is required, not optional.

Page 29, under 6H Status of Amendments, Hawkes asked about recording contract zones in one place in addition to the appearance on the recorded deed. Hawkes suggested having an appendix that shows it applying to X contract. This would track appearances of the zone change in one place no matter the number of times a property changed hands.

Page 31: The words “including driveways” should be used consistently for all dwelling units, responsibility falling to the CEO in all cases. There was a question of “driveways” being included in definitions, which was dismissed.

Same page, the Use Table shows ADUs allowed in Rural 2. The PB has been against this because it believes it would be a big risk to the Town for lack of proper roads, public or private, for delivery of normal public services. PB asks that this be struck.

Page 35: re “Scenic Corridor, Hawkes finds “discourage” too weak a word to prevent clearing wood next to the road in a timber harvest, which has happened on Rt. 27 before the S-curves and the Iron Bridge, across from Benson’s veterinary practice. Discussion of authority, ranging from State law to MaineDOT, the County and the Town, raised the question of how to legislate this.

Page 37: under C. Off Street Parking, the number of parking spaces required for inn’s B&B’s, motel or hotel should also mention public meeting space.

UNFINISHED—READY BY TOMORROW, 7/7, AND FOR MEETING 7/8/25.

Same page: As soon as the stand-alone Sign ordinance gets passed, E. Signs 1-6, to page 39 goes away.

Page 41: The date for allowing multiple dwelling units on lots where housing is allowed, including ADUs, needs to be July 1, 2024, as that is when State law allows it. The date is not affected while Kingfield works on creating appropriate adjustments to its zoning ordinance after that date.

Page 43: ¶s 4, 5, 6, and 7 follow but have nothing to do with #3, Water and Wastewater. ¶s 4, 5, 6, and 7 each need their own titles: 4. Shoreland zoning; 5. Subdivision; 6. Wellhead protection; 7. Floodplain Management. There was also a ¶ “8. Restrictive Covenants” which appears to have been taken out entirely. It should go back. The original language was:

8. Restricted Covenants:

All residential units permitted after July 1, 2024, may not be construed to interfere with, abrogate or annul the validity or enforceability of any valid and enforceable easement, covenant, deed restriction or other agreement or instrument between private parties that imposes greater restrictions than those provided in this section, as long as the agreement does not abrogate rights under the United States Constitution or the Constitution of Maine.

Davis suggested adding the words: *and as listed in other ordinances such as Subdivision, Well-Head Protection, Shoreland, etc.*

Tranten suggested this ¶ be added back or ask AVCOG to explain why it (¶8 Restricted Covenants) was removed.

Page 43 (again): Under “L. Accessory Dwelling Units” add back in the language “*Subdividing an ADU from the principal dwelling unit is prohibited.*” Without this language, it would provide a landowner with a backdoor method of possibly creating a subdivision without permitting.

Page 45: Restrictive Covenants: Although redundant as it appears in other places in ordinances, all agreed to add the language, “*It is noted that a properly registered mandatory HOA can prohibit the building of ADUs through restrictive covenants.*”

Page 50: Hawkes recommended adding under T. Extraction of Sand, Gravel, Topsoil, and Other Solid Earth Materials ¶ 6: *Extraction operations onto a paved roadway shall not leave dirt, mud, debris, etc., on the roadway. Such material shall be cleaned up immediately and if not, may be cause for immediate closure by the CEO.*

Page 4: Because newspapers are minor sources of news these days, Davis recommended adjusting the language for the legal requirement to notify the public of meetings, to include local high-traffic bulletin boards, town website, social media sites, etc. She will send language for the change to Hawkes as he prepares the document for the SB and Town Lawyer.

Davis had questions on other paragraphs, etc., which when discussed remained unchanged.

Hawkes will make the discussed changes and send them to the SB for their consideration and to forward to the Town Lawyer for final form. All agreed with all changes were discussed, considered and agreed upon and that there was no need for the final draft be returned to the PB for final approval.

Next Meeting: July 8, 2025

Jared Clukey moved to adjourn the meeting, seconded by Sue Davis. The motion passed unanimously.

Respectfully submitted, Sue Davis, Secretary