

**PLANNING BOARD MINUTES**  
**WEDNESDAY, MAY 17, 2023**  
**MUNICIPAL COUNCIL CHAMBERS – 6:30 P.M.**

**Present:** Michael Costello, Robert Bayer, Judson McIntosh, Lisa Buck, Christa Schwintzer, John Beckett

**Absent:** Phil Ruck, Ashley Case

**Town Staff:** Kyle Drexler, Jessica Chadbourne

**Acceptance of the Agenda**

Vice-chair Jud McIntosh presided over the May Planning Board meeting as Chairperson Ruck was absent. Mr. McIntosh asked for a motion to accept the agenda.

Motion: John Beckett

Second: Michael Costello

Mr. McIntosh asked for a roll call vote. The vote to accept the agenda passed with five in favor, none opposed, as Lisa Buck had not yet arrived.

**Approval of the Minutes of the April 19, 2022 Planning Board Meeting**

Lisa Buck arrived before the vote for the minutes, and will be accounted for in all vote tallies going forward. Mr. McIntosh asked for a motion to approve the April Planning Board Minutes.

Motion: Christa Schwintzer

Second: John Beckett

Hearing no corrections to the minutes, Mr. McIntosh asked for a roll call vote. The vote to accept the minutes passed with four in favor, two abstaining as both Lisa Buck and Jud McIntosh were absent from the April meeting.

**Old Business**

There was no old business.

**New Business**

**Item A: A proposed amendment to Section 18-106 of the Land Use Ordinance, Schedule of uses, to reduce the minimum lot area requirement in the Commercial-2 district from 40,000 sq ft to 20,000 sq ft based on a recommendation in the Town's Comprehensive Plan.**

Mr. Drexler presented his report on the proposed amendment to the Board, explaining the motivation for reducing C2 minimum lot sizes, and the development opportunities this provides for both property owners and the Town. Decreasing lot sizes in the district will promote the kind of mix of uses that the comprehensive plan intended for the C2, allowing for the further construction of both residential and commercial spaces. He asked if the Board had any questions about the proposed amendment.

Several Board members expressed their support for the amendment, lauding its common sense. Lisa Buck asked why, given how long ago the comp plan was finalized, it took so long for this amendment to come before the Planning Board and the Council. Mr. Drexler pointed out that a small change was made a few years after the comp plan came out, but further consideration of that amendment suggested that more might need to be done before the beginning of the new comprehensive plan project. There were no additional questions from the Board, so Mr. McIntosh opened the public

hearing. Glen Koehler was present at the meeting and expressed his support for the amendment, citing his ownership of a C2 rental property which he can now, under the reduced lot size minimums, expand into a two unit building as he has hoped to do for several years.

There were no additional public comments, so Mr. McIntosh closed the public hearing and asked for a motion.

Motion: Lisa Buck moved that the Board recommend the proposed amendment to Council with no recommendations.

Second: Michael Costello

Mr. McIntosh asked for a roll call vote. The vote to recommend the proposed amendment to Council passed with six in favor, none opposed.

**Item B: A minor site plan review application by Michael Burns located on 91 and 95 Orono Landing Road, Tax Map 15-2 Lots 41 and 42, in the Forest and Agriculture district. The application proposes to use each of the single-family homes as a homestay-2, also referred to as a non-owner-occupied short-term rental.**

Mr. McIntosh invited the applicant to present their proposal to the Board. Mr. Burns explained that he was the owner of two single-family residences out at Orono Landing Road that he wishes to use as short term rentals (homestay-2s). Mr. Drexler followed-up with his report to the Board, pointing out that the proposed short-term rentals were allowable through the new homestay ordinance. This application had come before the Planning Board because Mr. Burns does not reside at either of the properties, making them homestay-2s and subject to Board approval vs owner-occupied homestay-1s, which can be permitted through the Code Office. Mr. Drexler also pointed out that Mr. Burns, who lives over an hour from the proposed rentals, is required to have a Local Agent to manage those properties for him, to whom Town Staff can refer in the event of an emergency. He provided that information in his application to the Board, fulfilling that requirement. There are no concerns with regards to parking or lighting, though Mr. Drexler has recommended to the Board, as a condition of approval, that Mr. Burns abide by the rule for home occupations that no more than 4 off-street parking spaces on the property shall be used by renters at any given time.

Christa Schwintzer raised a concern about the parking situation, and asked whether there should be a recommendation included that prohibits on-street parking at the property. Mr. Drexler replied that because the current home occupation ordinance does not specify anything about on-street parking he does not believe it's something the Planning Board can require of the applicant.

Hearing no other comments from the Board, Mr. McIntosh opened the public hearing. There were no comments from the public, so Mr. McIntosh closed the public hearing and asked for a motion for the application for 91 Orono Landing Road.

Motion: Lisa Buck moved that the Board approve the minor site plan to use the single family home at 91 Orono Landing Road as a homestay-2, with the following recommendations:

1. That the dwelling shall only be rented to up to 3 unrelated persons at any given time so as to meet the ordinance requirement for occupancy for any dwelling unit;
2. That no more than 4 off-street parking spaces shall be utilized on the property by renters at any given time;
3. That the applicant will obtain a use permit from the Code Enforcement Officer for the homestay.

Second: John Beckett

Mr. McIntosh read the proposed findings of fact into record, received no comments from the board, and asked for a roll call vote. The vote to approve the minor site plan passed with six in favor, none opposed.

Mr. McIntosh then read the asked for a second motion, this time for the application for 95 Orono Landing Road.

Motion: Michael Costello moved that the Board approve the minor site plan to use the single family home at 95 Orono Landing Road as a homestay-2, with the following recommendations:

1. That the dwelling shall only be rented to up to 3 unrelated persons at any given time so as to meet the ordinance requirement for occupancy for any dwelling unit;
2. That no more than 4 off-street parking spaces shall be utilized on the property by renters at any given time;
3. That the applicant will obtain a use permit from the Code Enforcement Officer for the homestay.

Second: John Beckett

Mr. McIntosh read the proposed findings of fact into record, received no comments from the board, and asked for a roll call vote. The vote to approve the minor site plan passed with six in favor, none opposed.

#### **Other New Business**

There was no other new business.

#### **Discussion**

There was no discussion for this meeting. Mr. Drexler simply added that there was still time for projects to emerge for the June meeting, but that there might be no meeting in June as currently no one had come forward.

#### **Adjournment**

Mr. McIntosh asked for a motion to adjourn the May meeting of the Planning Board.

Motion: Lisa Buck

Second: John Beckett

The motion to adjourn the meeting passed six in favor, none opposed, and the meeting was adjourned at 7:10 pm May 17, 2023.