

St. George Public Planning Board Meeting

7:10PM at Town Office and via Zoom

November 14, 2023

Minutes

The Planning Board meeting was called to order at 710 pm. Planning Board Members present were Chair Anne Cox, Anne Cogger, Richard Moskowitz, Michael B. Jordan, Jane Brown, Alison Briggs and Elaine Taylor. Also present in person for all or part of the meeting were CEO Terry Brackett, Wendy Carr, Andy Bezon, John D. Doherty, John Partridge, Gavin McLain, Amy Myers, Paul LaPorte, Gardner Stratton, Kenneth Green, Maggie Moran, Michelle Young, Robert Kelley, Mike Sabotini, and Patricia Owen.

Present via Zoom were Will Gartley and Alyssa Pulver.

Quorum:

A quorum was present.

Conflicts of Interest:

There were no conflicts of interest.

Adjustments to the Agenda

There were no adjustments to the agenda.

Minutes

Cogger moved to approve the October 24, 2023 Planning Board Meeting Minutes, as corrected, seconded by Moskowitz, and by a unanimous vote, the minutes were approved.

Cogger moved to approve the October 10, 2023 Public Hearing Minutes for 175 Island Ave., as corrected, seconded by Moskowitz, and by a unanimous vote, the minutes were approved.

Jordan moved to approve the November 6, 2023 Minutes for the Atwoods Quarry Pier Site Visit, as corrected, seconded by Cogger, and by a unanimous vote, the minutes were approved.

Public Comment

There were no public comments.

Site Plan Review: CTL Land Management Services (a) Build a 30' x 102' Pile Supported Pier, with a 3' X 40' Aluminum Ramp and (2) - 8' x 20' Wood Float with Skids, Build a 20' x 84' Boat Ramp - Atwood Quarry Road - Map 222–Lot 086

Chair Cox

The first thing we have to do is determine if we have a completed application. At the last meeting when we talked about this, you said the DEP's approval had been given verbally but you had not received the written yet.

Will Gartley

That is correct. I'm still waiting for that. I spoke with the DEP Project Manager who was moving from the Augusta office to another office. We expect it at any time. They asked a bunch of questions during the process. We provided them with more information over the last couple of months, and the last thing we got was that the permit was drafted and waiting for final signature. We will certainly get you a copy of that as soon as we have it. I'm not sure what's been taking so long. Also, we do have the submerged landings from the state, which I included a copy of.

Chair Cox

Right. We have that.

Chair Cox

Is there anything that anybody else sees? Is there anything else missing in the application?

On a motion by Jordan, seconded by Brown, the Board found, by a unanimous vote, that the application was complete, and the motion carried.

15C of the Shoreland Zoning Ordinance, Piers, Docks, Wharfs Bridges

The Board made the following findings of fact:

- 1. No more than one pier, dock or wharf is allowed on a single lot.** On a motion by Jordan, seconded by Moskowitz, the Board found by a unanimous vote that the proposed boat ramp is not a structure that is "similar" to the proposed pier within the meaning of the Shoreland Zoning Ordinance and therefore only one pier is proposed.

2. **Access from shore shall be developed on soils appropriate for such use and constructed so as to control erosion.** On a motion made by Brown, seconded by Moskowitz, the Board found by a unanimous vote that the construction base is granite and therefore appropriate.
3. **The location shall not interfere with existing developed or natural beach areas.** On a motion made by Brown, seconded by Moskowitz, the Board found by a unanimous vote that the standard does not apply as there are no beach areas present.
4. **The facility shall be located so as to minimize adverse effects on fisheries.** On a motion made by Jordan, seconded by Moskowitz, the Board found by a unanimous vote to conditionally find that the standard has been met conditioned on the receipt of the DEP's approval.
5. **The facility shall be no larger in dimension than necessary to carry on the activity and be consistent with the surrounding character and uses of the area. A temporary pier, dock or wharf in non-tidal waters shall not be wider than six feet for non-commercial uses.** On a motion made by Jordan, seconded by Moskowitz, the Board found by a unanimous vote that based on observation the structure is no bigger than necessary, is consistent with the commercial nature of the surrounding area, and does not have to meet the six feet width requirement as it is in tidal waters.
6. **No new structure shall be built on, over or abutting a pier, wharf, dock or other structure extending beyond the normal high-water line of a water body or within a wetland unless the structure requires direct access to the water body or wetland as an operational necessity.** On a motion by Jordan, seconded by Brown, the Board found by a unanimous vote that the standard is not applicable as no structures exist, and no new structures are proposed.
7. **New permanent piers and docks on non-tidal waters shall not be permitted unless it is clearly demonstrated to the Planning Board that a temporary pier or dock is not feasible, and a permit has been obtained from the Department of Environmental Protection, pursuant to the *Natural Resources Protection Act*.** On a motion by Jordan, seconded by Brown, the Board found by a unanimous vote that the standard is not applicable as the pier is in tidal water.
8. **No existing structures built on, over or abutting a pier, dock, wharf or other structure extending beyond the normal high-water line of a water body or within a wetland shall be converted to residential dwelling units in any district.** On a motion by Jordan, seconded by Brown, the Board found by a unanimous vote that the standard is not applicable as no structures exist, and no new structures are proposed.
9. **Except in the Commercial Fisheries/Maritime Activities District, structures built on, over or abutting a pier, wharf, dock or other structure extending beyond the normal high-water line of a water body or within a wetland shall not exceed twenty (20) feet in height above the pier,**

wharf, dock or other structure. On a motion by Jordan, seconded by Brown, the Board found by a unanimous vote that the standard is not applicable as no structures exist, and no new structures are proposed.

10. Vegetation may be removed in excess of the standards in Section 15(P) of the Shoreland Zoning Ordinance in order to conduct shoreline stabilization of an eroding shoreline, provided that a permit is obtained from the Planning Board. Construction equipment must access the shoreline by barge when feasible as determined by the Planning Board. On a motion by Jordan, seconded by Brown, the Board found by a unanimous vote that any trees proposed to be removed will be replaced with native, noninvasive species and if three or more saplings are planted, at least three species shall be used.

On a motion by Jordan, seconded by Moskowitz, based on the foregoing findings of fact, the Planning Board found by a unanimous vote that each of the requirements of section 15C of the Shoreland Zoning Ordinance either has been satisfied or is not applicable and therefore the application was approved conditional to receipt by the Code Enforcement Officer of the final approval of the Department of Environmental Protection.

Site Plan Review – Subdivision Application

Chair Cox

We received this at our last meeting. With our subdivision ordinance, there's a very clear checklist of what a preliminary plan is, which this is; it is not the final plan. I've gone through it carefully. Did anybody come up with questions or find things that were missing?

Jordan

I didn't see anything. I believe that everything was there except last time I asked a question. You either have to have a fire pond or you have to have sprinklers. You said that the plan submission included sprinklers and I just couldn't find it. I'm sure it's there somewhere. Do you know where it is?

Will Gartley

The only other thing I wanted to mention is that you also asked questions about stormwater, so we took a harder look at that. Even though what's there now for gravel roads was done in preparation for a single-family residence previously with the previous owner prior to Gavin buying it. Single family residential is definitely stormwater (Inaudible). But now that it is being used commercially in this type of subdivision, we decided to go ahead and submit a stormwater permit by rule to the DEP because when you add the two together it clips that state threshold for meeting the stormwater permit overall, and so I submitted copies since the last meeting on that application to Terry.

Brackett

I received a copy from DEP.

Chair Cox

I'm not finding the language about the sprinklers.

Will Gartley

The plan is to have sprinklers. We can actually note that on the on the final subdivision plan.

Chair Cox

That is not a requirement. That's the discrepancy between the way this subdivision ordinance works right now. I don't think the requirement for what they are submitting for the preliminary plan requires it.

Will Gartley

I just found it noted on the general site notes on the subdivision plan, note #4 regarding fire protection, "all cabins to have sprinklers".

Chair Cox

Everybody has gone through the checklist. I didn't find anything missing.

On a motion by Jordan, seconded by Moskowitz, the Board found, by a unanimous vote, that the preliminary plan was complete, and the motion carried.

Chair Cox

Once we've accepted it as complete, we have to have a public hearing within 30 days of the complete preliminary plan application, which means we must have the public hearing by December 14th. The date of the first publication must be at least seven days prior to the hearing.

Jordan

Here's a suggestion. I've been told that the Select Board has often used the Bangor Daily News.

Chair Cox

Let's use the Bangor Daily News for the public hearing on December 4th at 7:00pm.

Outward Bound School – (a) Build (3)- 12' x 12' Cabins on Existing Tent Platforms -113 Marina Road - Map 228 – Lot 033 (b) Build (2) – 10' x 12' Cabins on 6" x 6" skids - 113 Marina Road - Map 228 – Lot 033

Chair Cox

We have two applications from you. Why don't you tell us just a little bit about them.

Andy Bezon

One is for (3) 12' by 12' structures that are proposed to be built on existing tent platforms. The other two will be built on 6' by 6' skids. They will be a little bit smaller; I think 10' by 12'. That would be for staff housing. We're trying to retain our staff and keep them happy. They are really basic structures, simple cabins with no insulation, no heat, and no plumbing. They are really just places for them to kind of crash when they're not working.

Chair Cox

Why are there two applications?

Andy Bezon

I talked to Terry about it. I thought I was supposed to put all the different phases of the project in separate applications, so I put them into two applications instead of one. It is probably my misunderstanding.

Brackett

I don't think he was ready for one of them when he turned in the first application.

Andy Bezon

Right. I did the 12' by 12' that are proposed to be built on that platform; I did that first and then got the rest of my work together for the other two.

Jordan

It seems like one of them is for buildings that are going to be in the Shoreland Zone, and the other is for buildings that are going to be outside the Shoreland Zone.

Brackett

I think both are in the Shoreland Zone.

Jordan

Really? Only one of them is marked as being in the district.

Chair Cox

The one with the two cabins isn't marked.

Brackett

My copy is now. Are you saying it doesn't say Marine Residential.

Chair Cox

No. Not the one with the two cabins.

Brackett

It does now.

Chair Cox

I will say when I looked at this it was a little frustrating that there is not one site plan that shows everything and where the water is, and all of that so it feels a little lightweight. What raised a flag for me is on the one with the three platforms, for the septic system, there are 11 bedrooms, 3 proposed, for a total of 14. And then for the two, there are 11 bedrooms, 2 bedrooms proposed for a total of 13. But if we approve both of these, I think you're going to have 16. He wants to add a total of 5 to the 11. Is that correct?

Andy Bezon

Yes.

Chair Cox

The question we have is do you have adequate septic to deal with that? I know that the facilities are all in the staff house, but can your system handle the additional load?

Andy Bezon

I think the people are already there. These cabins will be putting roofs over their heads. Currently, they're staying on the tent platforms in tents on the ground. So, the people are already using those facilities at the staff house, if that makes sense. This is just giving them more of a semi-permanent structure to live in. And for another application Terry and I have been talking about a vault style privy that would go in closer to the new ones. That would help absorb some of that, at least from the septic side of it.

Chair Cox

So, you're not adding bedrooms as it were, you're just changing the material.

Andy Bezon

Yes. It's the same number of people. We are just proposing they stay in cabins instead of tents.

Chair Cox

Our system asks for the number of bedrooms present and you have had some 16 bedrooms present, essentially.

Andy Bezon

It's also the way the program season works. It's not that everyone shows up on May 1st and stays everyday through the middle of October. There's kind of a bell curve. This would be for those higher parts of the season because people come and go; it's not a constant use. And then it's dormant from mid-September at this point. I want to extend that.

Moskowitz

Is the current septic system scaled for whether they are staying in tents or cabins? Is it scaled for the number of people out there currently?

Andy Bezon

I don't know the answer to that. I'd have to research what we have on file for the septic.

Moskowitz

Whether people were in a tent or not, are they already accommodated by the current system?

Chair Cox

Terry, do you have any information on that?

Brackett

They've been staying in tents and the septic system was sized for that. Yes, it should be okay.

Moskowitz

It is not really an increase in bedrooms. It's a room, whether it's a tent or a cabin.

Chair Cox

I'm not sure how to do it given our form, maybe just include a note that you have 16 different domiciles that use the same facility that would qualify as a bedroom. There is a total of 16 people using the facilities because there's going to be a point when, if you keep adding these it's going to be too much, so we have to somehow put a note that we have that. I'm not exactly sure how we are going to do that. If we approve it, you'll have a total of 16 bedrooms using septic system.

Andy Bezon

Right.

Jordan

What is the capacity?

Brackett

I have to double check on that.

Jordan

We don't need to know it right now. You have said that it is adequate for what's being proposed. Next time you come back, I think we need to know the answer.

Chair Cox

You are just building cabins on platforms that are already there. The only thing that is a new footprint is the two 10' x 12' cabins.

Andy Bezon

Right.

Chair Cox

Does anybody have any insight. It is Marine Residential but outside of the 75' setback zone. The proposed two cabins are 200 feet from the high-water mark.

Brackett

It is out of the floodplain and out of the buffer zone.

Chair Cox

When you come back next time, put together a better site plan. It does not even have to be measured exactly but just to have things drawn in because you have been coming and adding on and that is cool, but we need to get a full picture of what is going on.

The cabins are out of the 75 foot zone and only coming to us because it is a commercial activity. We have to do the full site plan review on this. Let's go to our full site plan review then. That's the new land use ordinance in chapter 11 which begins on page 36.

Chair Cox

First of all, as sketchy as it is, do we have a complete application, enough to make decisions on?

On a motion by Jordan, seconded by Brown, the Board found, by a unanimous vote, that the application was complete based on advice from the Code Enforcement Officer concerning the adequacy of the septic system.

Section 1106(a) of the Land Use Ordinance

Review Standards

- 1. Effect on the existing landscape.** On a motion by Jordan, seconded by Brown, the Board found by a unanimous vote, that the proposed project will not have a material effect on the existing landscape.
- 2. Relation to the environment.** On a motion by Brown, seconded by Taylor, the Board found by a unanimous vote, that the proposed project is consistent with the use and buildings already in the area.
- 3. Vehicular access.** On a motion by Jordan, seconded by Brown, the Board found, by a unanimous vote, that the project will not affect vehicular access to the site.
- 4. Emergency access.** On a motion by Jordan, seconded by Brown, the Board found by a unanimous vote, that the project will not affect emergency access to the site.
- 5. Parking and pedestrian circulation.** On a motion by Jordan, seconded by Moskowitz, the Board found by a unanimous vote, that the project will not affect pedestrian circulation, there is adequate parking, and it is a rural area without major roads.
- 6. Utilities.** On a motion by Jordan, seconded by Brown, the Board found by a unanimous vote that the project will make no additional imposition on the specified utilities.
- 7. Municipal services.** On a motion by Jordan, seconded by Brown, the Board found by a unanimous vote that the project will make no additional imposition on the specified municipal services.
- 8. Soil suitability.** On a motion by Brown, seconded by Cogger, the Board found by a unanimous vote that the soil is on granite and there will be no plumbing.
- 9. Air quality protection.** On a motion by Jordan, seconded by Brown, the Board found by a unanimous vote that the project will not generate any air pollution.
- 10. Water supply.** On a motion by Brown, seconded by Moskowitz, the Board found by a unanimous vote that the project will not increase water usage on the property.
- 11. Water quality.** On a motion by Cogger, seconded by Jordan, the Board found by a unanimous vote that the project will not change the level of water pollution.

12. Sewage waste disposal. On a motion by Brown, seconded by Moskowitz, the Board found by a unanimous vote that the advice of our Code Enforcement Officer that there is adequate disposal for that use.

13. Groundwater protection. On a motion by Jordan, seconded by Moskowitz, the Board found by a unanimous vote that the project will not affect either the quality or quantity of groundwater available to properties in the vicinity or to the Tenants Harbor Water District.

14. Surface water and stormwater drainage. On a motion by Jordan, seconded by Moskowitz, the Board found by a unanimous vote that the project will not alter surface water drainage.

15. Erosion and Sedimentation Control. On a motion by Cogger, seconded by Brown, the Board found by a unanimous vote that the project does not involve filling, grading, excavation, or other similar activities that are likely to result in nonstable soil conditions.

16. Special features. On a motion by Cogger, seconded by Brown, the Board found by a unanimous vote that none of the special features listed in section 1106(a)(16) of the Land Use Ordinance are proposed.

17. Hours of Operation. On a motion by Jordan, seconded by Moskowitz, the Board found by a unanimous vote that the proposed hours of operation will not change.

18. Advertising features (signs). On a motion by Jordan, seconded by Brown, the Board found by a unanimous vote that the standard does not apply as none are proposed.

19. Exterior lighting. On a motion by Jordan, seconded by Brown, the Board found by a unanimous vote that no exterior lighting is proposed.

20. Hazardous and radioactive materials. On a motion by Brown, seconded by Moskowitz, the Board found by a unanimous vote that the project will not involve materials of the kinds specified in section 1106(a)(20) of the Land Use Ordinance.

21. Mineral extraction. On a motion by Jordan, seconded by Brown, the Board found by a unanimous vote that no mineral extraction is proposed.

22. Accommodation of persons with disabilities. On a motion by Jordan, seconded by Brown, the Board found by a unanimous vote that the applicant has advised the Planning Board that the staff house is wheelchair accessible and handicapped accommodations will be provided as necessary.

23. Campgrounds. On a motion by Jordan, seconded by Brown, the Board found by a unanimous vote that no campground is proposed.

24. Mobile home parks. On a motion by Jordan, seconded by Brown, the Board found by a unanimous vote that no mobile home park is proposed.

25. Financial and technical capacity. On a motion by Jordan, seconded by Moskowitz, the Board found by a unanimous vote that based on the applicant's representation, the applicant has the financial and technical capacity to carry out the project.

26. Shoreland zone. On a motion by Brown, seconded by Jordan, the Board found by a unanimous vote that this development is in the Shoreland Zone, but it meets the setbacks and will not adversely affect the quality of any relevant waterbody.

27. Floodplain compliance. On a motion by Brown, seconded by Jordan, the Board found by a unanimous vote that the site is not located in a floodplain.

28. Lot standards. On a motion by Cogger, seconded by Brown, the Board found by a unanimous vote that the project complies with the setback, lot-coverage, and building-height requirements of the Land Use Ordinance and the Shoreland Zoning Ordinance.

On a motion by Jordan, seconded by Brown, the Board found by a unanimous vote to approve the application.

Michelle Young / Amy Myers Florist Business / Antique Business - 880 Port Clyde Road (Formally the Kayak Shop) - Map 102 – Lot 088

Brackett

Michelle Young has withdrawn her application.

Amy Myers

This was all in the works before the fire in Port Clyde. The building is Andy and Amy Barstow's building. Before the fire they were working with us to put water in the building for Michelle and for her floral business. They can't really commit to that right now with everything that has transpired. I decided to proceed and see what happens.

Chair Cox

Can you clarify what type of business you have.

Amy Myers

It is an antique/vintage/repurposed type store where vendors could rent a space and sell their goods.

Chair Cox

I have been thinking about this quite a bit. It is in the CFMA District, which is a Commercial Fisheries Maritime Activities District, which means that things must be related to fisheries or water dependent activities. I also have been thinking about the previous tenant, Port Clyde Kayaks. Port Clyde Kayak has moved down the road to her house. You would think that a kayak place would be water dependent, but clearly, it is not. She is able to have a kayak place away from that waterfront location. I was wondering if this was a change of use at all. This is another retail business going into where there is currently a retail business even though it is not a water related activity.

Amy Myers

Could I rent the top floor to my husband to store his buoys.

Chair Cox

No, not storage of things. I just was wondering since it already had a use as a retail place, it is not a change of use.

Amy Myers

Proposed seasonal. When it was in the works before the fire, they were willing to work with us and put heat in. They can't really commit to that right now. So definitely seasonal and offseason hours to be determined is how I would present it and I would hope that it would be so successful in the summer season that we could, or I could propose that I would pay to have heat put in and they could kind of reimburse me somehow. That would be my plan because I would think even if it was offseason, open on the weekends, I think it would bring people down the peninsula who don't normally come down. I'm looking to sell vintage jewelry, antiques, vintage clothing, arts, crafters that want to sell their wares or oddities and curiosities, maybe just something a little different than what's already down there.

Chair Cox

So, if we agree that this is not a change of use, then we don't even have to deal with it.

Jordan

It would not require a permit. I would add that it does not seem like the change from a kayak store to a retail establishment is going to make the use any more intensive or increase the amount of parking required. It's actually part of the ordinance revision.

The Planning Board agreed this was not a change of use, therefore the applicant withdrew her application.

Community Develop. Corp. Discuss Subdivision - Kinney Woods Road – Map 238 – Lot 028

Rob Kelley

I'm Rob Kelley. I'm the president of the St. George Community Development Corporation. With me tonight is Mike Sabatini who is the architect at Landmark Surveying. And what brings us here tonight is a conversation we've been having with the Select Board for the last two years. There's a parcel of land on the northern side of Kinney Woods Road that the town owns that has been essentially dormant since it was gifted to the town. My recollection is about 50 years ago but I'd have to look at the exact date. It's very wet. It's not a property that's easily used for a variety of purposes. But there is enough properly buildable land that a small subdivision could be built. It is our proposal to the town that the town offer a referendum for a subset of that entire parcel to be gifted to the Community Development Corporation for the purpose of developing workforce housing. The process that's going on so far is we've had a number of conversations with the Select Board and kind of hashed out what this would look like and how it would work. Town attorney has been consulted on what the structure would look like. So, we go through the regular referendum process and that referendum would give the power to make that grant to the Select Board. That's all relevant because there are a couple of steps we need to take in order to be able to be ready for that for that transaction. First of all, we wanted to make sure there was actually buildable land. And so, we offered to do a preliminary survey. The Select Board later voted to split the cost with us, granting us \$5,000 with Mike's organization. We have copies of that survey with us tonight. It's not like a subdivision plan, because that would be through the regular permitting process. It is more of a conceptual design serving two purposes. One, could you really build something there and still meet the land use regulations the town has and two, as a way to share with the community what this might look like. So, the order of events would be that we got the Select board's approval to begin doing this work. we did the survey, walked the property got a feel for it, and then in consultation with the Select Board, we wanted to basically run it by you to make sure that while it's conceptual, it's consistent with land use regulation, so that if we're representing it might look like this, it actually could look like that. On transfer of the land, should that pass, it would pass into a subsidiary corporation, an LLC that's wholly owned by the Community Development Corporation, which is a 501C3. That holding company would then begin the process of doing development. So, you know, the next thing would be a more detailed survey, perc tests and then the beginning of doing an actual subdivision plan based on the number of bedrooms we think we could support likely with engineered septic just given the nature of the location. That'll give us a sense of how many bedrooms we think we could do. The conceptual design shows seven units, but it may be more or less. We also will need to go through the process of acquiring funding, which for any kind of workforce and affordable housing is always an event. It potentially could include federal, state, private funding, as well as loans and likely will include a mixture of all of those. (Inaudible) this will be and will actually be constructed the same way, for example, that Misca on Monhegan does it. The LLC will hold the ground lease, the ground lease will have covenants attached to it that limit the properties, the profit that can be made on reselling the property so that it remains affordable, kind of like what Habitat does, although they have the extra advantage of the programming on top that we wouldn't necessarily have. I will say Habitat has been a great conversation partner. Tia Anderson, who's the head

of Habitat Midcoast, attends all of our housing meetings, and we are learning everything we can from them. They're obviously sort of the best in class on this and we have collaborated with them on the project they're doing along Long Cove Road. We actually advocated for that property to be sold to them when that property was tax acquired. But very similar to the way Habitat does it and the same deal when the buyer buys the house, the ground lease is held by the entity so that on transfer of the title the covenants can be enforced. And then it keeps that property permanently affordable within the affordability constraints.

Cogger

Are you thinking that the houses would be different, like some having two bedrooms?

Rob Kelley

That's what the conceptual plan shows. Right now, this shows about seven units. One is a duplex, but it's seven individual domiciles. Six buildings, and they would be clustered. So, one of the things you'll see and I'll happy to walk you through it on the plan, we faced the constraint that's in the land use regs, which is you have to have the land offset. I'm forgetting the proper word for that, but what you're doing by pushing the houses together, you offset in the property. Because it's wet, they are federally significant wetlands. We've done a wetlands demarcation, and those acres cannot be counted in the offset, so the parcel we're actually looking at is 18 acres so that we can get enough buildable land which I think is about seven buildable acres inside that profile.

Sabotini

Because even in clustered, you can't go below the general density of one acre per dwelling unit, you need seven acres of upland basically.

Cogger

Would you help people with a mortgage?

Rob Kelley

TBD. If you're familiar with Habitats program for that, that's a very special program that they worked out with Camden National Bank. I've talked to Tia about whether or not we could piggyback on that, but there is legwork to be done to figure that out. If you're building within some of the state and federal guidelines for affordability which is measured off of a percentage of area median income, AMI, Habitat, for example, builds for 30 to 80% AMI, if I'm remembering right. That is their qualification criteria. We don't have those exact numbers yet because there's a bit of a chicken and egg. We need to know what we can build, estimate how much it's going to cost and figure out what we'd have to do to afford all of the loan services etc. And then we can sort of fit the affordability criteria. But first, we need the land.

Chair Cox

And to get the land we need buy in from the community and they need to understand what is possible there and what housing we might be adding to the community. You are saying in order to get the seven acres of buildable, upland stuff, you must get 18 acres worth and so that's what you are asking the town for.

Cogger

Is this in the town forest or across the street?

Rob Kelley

Across the street. There is nothing there now. It was logged about 20 years ago, Randy Elwell advised. But nothing is there. There are no structures. A school would never have been possible. There is not enough buildable land. It's a lovely property. The wetlands are beautiful. One of the pieces of design that Mike added. He has a walking trail down to one of the tributaries of Jones Brook, it's beautiful property. But there just isn't that much upland that you can build on.

Chair Cox

I assume you have looked at in the subdivision ordinance all the cluster performance standards.

Sabotini

What is a little unique about this concept is the clustering standards allow you to reduce the size of the lot in the setback and I believe in the frontage. And the problem was, it wasn't super helpful because even that was too big of a constraint to stack up all these lots in frontages and make everything work and have land lots basically overlapped into the wetlands. And so, in order to cluster the houses together, the concept is to have all the lots on all the houses on one lot which could be rental or more of a condominium style ownership. Or if it could be leased. The beauty of that is it frees you up to put the houses a little bit closer together and lets you read what the land can support and where the houses should be as opposed to stacking up setbacks.

Jordan

You are suggesting a single lot subdivision.

Rob Kelley

I'm happy to put out a plan if folks would like to look at one. There are a couple of features if I can just kind of walk us through it. If you were to drive down Kinney Woods today, you'd see a dirt road and you'll see the remnants of that here. The challenge is that actually goes through. It's too close to the wetland's demarcation. But we would essentially follow that road and if you're ever interested in doing so you can walk up that road. It's a lovely area. These houses will be completely invisible from Kenney Woods Road. It's relatively well wooded. And it's got a nice view back into the trees. The hills come up

on the other side. You'll notice we've marked off the wetland demarcation, identified some possible septic areas which of course is going to depend completely on the perc test.

Rob Kelley

If you ever happen to look at the deed, there's a small deed restriction on it that nothing can be built within 250 feet of 131 which is all wet anyway.

Chair Cox

What's the parcel that you would be asking for?

Rob Kelley

I have a drawing that shows the part we would want to take out, the sub parcel, the portion that we delineated.

Sabotini

That is about four and a half acres. If you look at the topography, we believe that there's some upland in this zone and there may be a little bit more.

Rob Kelley

And there is actually upland over here too, on the other side of the brook but in conversations with the Select Board, we were basically directed to take only the land we need.

Jordan

The proposal is that you would get from the town this area and the green part is the buildable part.

Sabotini

It's about four and a half acres right there.

Rob Kelley

Obviously, there's a little bit of uncertainty in this. The goal would be that the referendum gives the Select Board the right to transfer a portion of this parcel to us. Then we'd sit down, assuming that passed. Then we do all the detailed surveys and get the exact lot demarcation and then actually do the deed transfer.

Jordan

I'm trying to remember what our ordinance says about multiple buildings on a single lot. My recollection is that it says, and this will even be true for a single lot subdivision, you have to have two things. One is you have to have at least one acre per dwelling unit.

Rob Kelley

Which we have; we have seven.

Jordan

Well, then, seems like that could be done. I think the only other constraint is that the buildings have to be 25 feet apart.

Rob Kelley

There is room certainly.

Jordan

You wouldn't be relying on a cluster development provision in the subdivision ordinances; it would just be one single lot.

Sabotini

It's kind of clear, because of the brook and some other open water on to the east, this would be resource protection over here but the wetlands to the west on the Shoreland Zoning Map don't show up as resource protection or anything.

Jordan

So, they are just wetlands. You have to be 250 feet back if it is Resource Protection.

Rob Kelley

I don't think it was on the maps.

Jordan

What's the acreage of the wetlands? If they exceed 10 acres, then the Shoreland Zoning Ordinance applies.

Sabotini

But it doesn't show up on that map.

Jordan

Well, the only consequence of that would be that you would have to be set back by 75 feet.

Sabotini

Which it would be.

Chair Cox

It might mean you wouldn't have room to be able to move and sort of re contour that.

Rob Kelley

And you know, although we did a preliminary survey, obviously the more detailed survey will give us exact measurements.

Chair Cox

There are no warning bells that are going off.

Rob Kelley

That's really what I was looking for, obviously not approval for anything, but just to make sure that I could reasonably say to any citizen who was interested is this kosher?

Sabotini

There are more environmental resources that have to be identified. A lot of work to be done. It's just clearly a concept.

Rob Kelley

If the preliminary septic design tells us, we may add in a unit or two, I think we'd like to build as much as we can.

Carr

Are they all affordable housing units?

Rob Kelley

They will all be. They will be structured on, and in fact, we kind of have to because of the way we're proposing this on one lot so that lot would be held under the ground lease. How to do proper ground leases, et cetera. All of the affordable housing efforts in Maine are pretty much sharing information. So, there are standards. Bath, MDI and North Haven have amazing programs.

Adjournment

On a motion by Brown, seconded by Moskowitz, the Board decided by a unanimous vote to adjourn the meeting and at 8:55 p.m. the meeting was adjourned.

Respectfully submitted,

Tammy Taylor
Recording Secretary
Town of St. George, Maine